

**TAKEN LANDS: TERRITORY AND SOVEREIGNTY ON THE FORT
BERTHOLD INDIAN RESERVATION, 1934-1960**

by

Angela K. Parker

A dissertation submitted in partial fulfillment
of the requirements for the degree of
Doctor of Philosophy
(History)
in The University of Michigan
2011

Doctoral Committee:

Professor Philip J. Deloria, Chair
Professor Gregory E. Dowd
Associate Professor Stuart A. Kirsch
Associate Professor Tiya A. Miles

ACKNOWLEDGMENTS

Thank you to my advisor, Phil Deloria, and my dissertation committee: Greg Dowd, Tiya Miles, and Stuart Kirsch. Through their examples I have begun to learn what it means to be a rigorous, creative, and kind scholar. Phil and Greg threw the weight of their institutional support behind me at every milestone of my program, and offered their personal support during the most difficult times of the past seven years. My favorite experience in graduate school was completing my prelims field with Phil, because it meant that I got to talk history with him for an hour every week. I will probably never achieve the easy brilliance that made most of the people in my Art History seminar say after he guest lectured, “*That’s* your advisor? You’re so lucky!” But it has been exciting to benefit from and be pushed by a powerful mind at the top of his game. Greg has taught me to be a kinder, more insightful scholar. He is all that is best about history as a discipline: thoughtful, rigorous, creative in his analysis, and finely attuned to the human story. Even better, he carries his powerful intellect and insight with great modesty and humility; it was not until I completed prelims that I understood how deeply his works are respected by all who study early America.

Tiya and Stuart generously gave me their time *and* their patience, as well as a deep reading of my early chapters. They both are highly sought after as advisors and committee members, for graduate students have seen that they give their best to their students. I was lucky to be one of the graduate students whose work received their attention; I was luckier to also receive their patient advice on how to navigate the ins and outs of departmental politics and interactions with other professors. Although I can be rash, I have tried to learn from the examples Tiya and Stuart provided about when to speak up, and how to make the most impact when I do so. Also through their examples, they gave me the courage live an ethical commitment to my research. I will doubtless continue to use them as role models of brilliant researchers who understand that a long-term commitment to a community only makes your work better – and as beautifully insightful writers who illuminate and elucidate the most complicated and contradictory dynamics.

Throughout graduate school, I benefitted from a cohort of fellow graduate students whose generosity is matched only by their rigorous intellect. My experience at the University of Michigan was made vibrant by the discussions, arguments, and laughter shared in the classroom, after speakers, or over dinner at a tiny grad student apartment. In particular, Alice Weinreb, Kisha Simmons, and Isa Quintana gave me the benefit of their experience with a mixture of common sense, kindness, and telling me to stop being ridiculous. I would not have made it through my first two years of graduate school were it not for the camaraderie and support of Nicol Partida and Tandi Moyo-Aebi. Kea

Cook, Josh Mound, Patrick Parker, Elspeth Martini, Sam Erman, and Rabia Belt have kept me laughing, sane, and thinking rigorously. Two historians, Ronit Stahl and Daniel Hershenzon, saved me when I would have been homeless in DC or Madrid; thanks to Ronit for giving me a free place to stay during that last research trip, and thanks to Hershenzon for taking me on his patented Madrid for Pigs tour. Outside of the History Department, Kathy Zarur (Art History) and Catherine Meier (Studio Art) kept my history honest by encouraging me to see the visceral beauty of my research. In Anthropology, the piercing insights of Regev Nathanson, Guillermo Salas and Margarita Huayhua made me wish I had trained as an anthropologist; Guille and Margarita were also so generous to read and give feedback on several of my chapters. In the joint program of Anthropology and History, Federico Helfgott, Esteban Rozo, and Chris Estrada have all, at various times, laughed with me, challenged me, and made me wish I was as smart as them – even as they were thousands of miles away doing their fieldwork. Thank you Fede for reading a few of my chapters as you walked, bussed, and I'm sure combi'd your way across Peru. Last but not least, I have immense gratitude for the continued activism and vision of the entire Native Graduate Caucus. I feel especially indebted to Veronica Pasfield (Crane Clan) and Kelly Fayard (Poarch Creek Nationalist), who with kindness and understanding served as my support, sounding boards, and study buddies during my entire seven years in Ann Arbor. Veronica helped edit several of my chapters, and her editorial notes kept me laughing during the stress of revisions.

Kelly gave me pep talks over lunch and over text messages as she completed her own dissertation.

My support system outside Ann Arbor includes my partner, Tyonek Ogemageshig, who in this last year has lovingly given me immeasurable personal support, joy, and laughter. My greatest gratitude goes to my family and relatives, who were excited about and supportive of my dissertation even when it was hard for me to be: my parents, Larry and Karol Parker; my sisters, Myra and Sara Parker, Leslie Morsette, and Elizabeth Sumida Huaman; my aunties, Tillie Walker, Elizabeth Morsette, Patty Baker-Benally, and Phyllis Howard; and the kids I've helped to take care of along the way who taught me patience, kindness, and perspective, Katana LaSarte and Tolaska Hunts Along. Thanks to Katana for encouraging her auntie to “keep being silly,” and thanks to Tolly for teaching me to be a better, more thoughtful person. I love these two kids very much.

I wrote my dissertation for Tolaska and Katana, so that when they grow up they will be able to read about the history lived by their grandparents and great-grandparents, and thus understand their own lives better. I also wrote my dissertation for my grandmother, Myra Snow, and my aunt, Tillie Walker, because they lived that history and taught it to me.

TABLE OF CONTENTS

ACKNOWLEDGMENTS	ii
LIST OF TABLES	viii
LIST OF IMAGES	ix
CHAPTER	
I. Introduction	1
Sources and Methods	8
Historiography	17
The Garrison Dam/Pick Sloan Plan	17
Fort Berthold	22
Native History	25
Chapter Summary	29
II. Growing Place and Defending Territory: Fort Berthold before 1934	36
Growing Places: Land and Narrative	39
Spaces of Change	54
Sovereign Territoriality and the State	69
Conclusion	88
III. Authority and Indian Reorganization on Fort Berthold, 1934-1941	93
Reorganizing Authority: Passing the Indian Reorganization Act on Fort Berthold	100
Exercising Authority: Land and Belonging	124
Contesting Authority: Factionalism on Fort Berthold	140
Conclusion	154
IV. Performing Citizenship: The Cultural Production of Indigenous Citizenship, 1940-45	157
“‘They honored them; they danced’”: Remembering ‘USO’ Dances at Fort Berthold	159

The Work of Citizenship: How the ‘USO’ Dances Could Exist	170
Imagining Territory: A Fort Berthold Flag Song	201
Conclusion	205
V. ‘You feel it inside that you’re not given a good deal’: The Fight Against the Garrison Dam	208
Torrent: The Pick-Sloan Plan	212
Throwing Up Levees: The Fight Against the Garrison Dam	219
Deluge: Narrating Resistance	242
Conclusion	259
VI. Saying Goodbye	261
‘Yeses’ and ‘No’s’	264
Moving	281
Saying Goodbye	297
Conclusion	306
VII. Conclusion: This is the beginning of a story	308
 BIBLIOGRAPHY	 323

LIST OF TABLES

TABLE

III.1	Indian Reorganization Act Election Results	119
III.2	1936 Tribal Council Election Results	127
III.3	Three Affiliated Tribes Population Increase 1906-1946	135
III.4	Three Affiliated Tribes Tribal Populations 1932-1946	135
III.5	Petition Signers by District	142
III.6	1936 Tribal Business Council Election Results for Shell Creek	146
III.7	Cattle Purchasing Program Referendum Results	152
VI.1	Overall Allocation of Compensation (in dollars)	268
VI.2	Tribal Business Council Plan for the \$7.5m of Non-Individual Compensation (in dollars)	269
VI.3	Compensation by Status	289

LIST OF IMAGES

IMAGE

II.1	Sitting Rabbit's 1907 Missouri River Map (detail of Turtle Fall Creek)	36
II.2	Sitting Rabbit's 1907 Missouri River Map (detail of Eagle Nose Village)	55
II.3	Map, Fort Berthold Indian Reservation Borders, 1851-1910	79
II.4	Map, Fort Berthold Indian Reservation, Pre-Garrison Dam	83
II.5	"Henry Badgun & Little Owl" Photograph, unknown year	88
II.6	Sitting Rabbit Photograph, unknown year	90
II.7	Sitting Rabbit, wife, and child Photograph, unknown year	91
II.8	"Little Owl/Sitting Rabbit, 78 years" 1942 Photograph	92
III.1	CCC-ID Bridge 1938 Photograph	93
IV.1	Woman Plowing 1942 Photograph	175
IV.2	Men in Corral 1942 Photograph	178
IV.3	Corral 1942 Photograph	179
IV.4	Elbowoods 4-H Club Display 1942 Photograph	187
IV.5	Shell Creek 4-H Club Display 1942 Photograph	188
IV.6	Nishu 4-H Club Display 1942 Photograph	189
V.1	"Lo, The Poor Indian" George Gillette 1948 Photograph	208
V.2	Martin Cross Photograph, unknown date	223

V.3	Carl Whitman Photograph, unknown date	234
VI.1	Houses Being Moved 1952 Photograph	261
VI.2	Map, Fort Berthold as Affected by the Garrison Dam	296
VI.3	Map, Fort Berthold Post-Garrison Dam	304

CHAPTER I

Introduction

Water – lakes and rivers – run deep throughout the origins stories of the Mandan and Hidatsa. One such story, told by Hidatsa tribal member Maxidiweash, or Buffalo Bird Woman, to anthropologist Gilbert Wilson in the early twentieth century, is particularly evocative in relation to this project. She told Wilson,

We Hidatsas believe that our tribe once lived under the waters of Devils Lake. Some hunters discovered the root of a vine growing downward; and climbing it, they found themselves on the surface of the earth. Others followed them, until half the tribe had escaped; but the vine broke under the weight of a pregnant woman, leaving the rest prisoners. A part of our tribe are therefore still beneath the lake.¹

The story she told describes the movement of a people, of a vast change, and of people and things being left behind.

Origins stories narrate more than just the past. They explain the present – as well as guide people towards a common future. This dissertation tells one of the origins stories of modern tribal sovereignty, narrated through the experiences of community members at the Fort Berthold Indian Reservation in northwestern North Dakota, home to the Mandan, Hidatsa, and Arikara. Between the years 1934 to 1960 at Fort Berthold, the federal government built a massive earth-filled dam at the edge of the reservation, effectively flooding the heart of the community land base. Part of the Pick-Sloan Plan which built dams at the edge of six reservations along the upper Missouri River, the Garrison Dam

¹ Maxidiwea, quoted in Gilbert Wilson, *Buffalo Bird Woman's Garden* (Saint Paul: Minnesota State Historical Society Press, 1987 (reprint)).

flooded over one hundred fifty thousand acres of prime grazing and agricultural land as well as every major settled community on the reservation. More than eighty percent of Fort Berthold residents were forced to relocate to escape the rising waters, and the inundation of the river valley lands that had been their tribal home for hundreds of years was devastating. “The people fought it like beavers,” tribal member Anna Dawson told anthropologist Robert Merrill in 1950, as community members anticipated the actual physical flooding. She told him that the government had broken faith. “At Fort Laramie there had been a big council – a solemn agreement. Then came the dam.”²

The role land plays in how people understand themselves as individuals and as communities provides the entry point for considering the larger concerns of this project: the interrelation of territory and sovereignty. For neither of these concepts can be fully theorized without investigating the ways in which space, place, and land constitute and create the notion of “territory” for a community. Further, sovereignty cannot be fully understood – for Native history or for U.S. history – unless scholars grapple with the ways indigeneity has been vocalized or silenced in order to promote or destroy a national identity. One way to begin untangling this complicated interaction is to study a tribal community during a time period containing a radical shift in their territorial base. The Fort Berthold Indian Reservation experienced just such a radical shift during the years preceding and following the federal flooding of its peoples’ homeland.

Each tribal community – as it claimed lands, practiced its own version of citizenship or identity, or remembered and told its own histories and hopes for the future – has built tribal sovereignty. Tribal communities have sought self-determination, or

² Robert Merrill field notes, 6/14/50, “Mrs. Wilde”; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

tribal sovereignty, because they saw it as the only way to continue to exist as a community. This project illustrates, through the example of Fort Berthold, how the importance of land in this dynamic is paramount. Territory, the land and water itself, is not only about the past and being able to narrate the past or exist in the present. Land is about continuity in the *future*. And when land is taken, not only the past and memory is lost with it. A viable future also becomes much more narrowly possible.

I explore the ways that the loss of land within the Missouri River valley – as tied to the ways tribal members conceptualized and narrated their lived environment – interacted with changes in political and community identity. My project’s exploration of the community practice of tribal sovereignty, citizenship, political autonomy and activism contributes to trends in American Indian Studies scholarship that emphasize the importance of community histories in the formation of modern conceptions of tribal sovereignty. This scholarship underscores how the concept of tribal sovereignty would not have flowered had tribal communities not arrived at and put into practice their own realizations of citizenship and self-determination. For while Fort Berthold is unique, the challenges it faced were not uncommon. The attempted gutting of a nascent, modern tribal sovereignty happened to many Indian communities across the country. Each community used whatever nooks and crannies they could find in the structures of a dominating sovereignty to assert their own – their own right to self-rule, to manage and defend their territories, control their resources, or define their identities. My research shows that the battles over land and resources that characterize the *longue durée* of Federal Indian Law, policy, and indigenous history must contend with the physical environment and the relationship of human communities to their landscape. This

contribution to the field of American Indian Studies also works towards a fuller theorization and exploration of U.S. sovereignty, territorial control, and national identity within the field of U.S. History.

This project demonstrates the dynamism of sovereignty as a concept. When French philosopher Jean Bodin and English philosopher Thomas Hobbes elaborated their notions of sovereignty as ways to understand appropriate, legitimate authority within a territory, Europe was being torn apart by religious wars. The search in their writings for a legitimate authority to counter the disorder of their political, religious, and social context shaped their development of notion of sovereignty – yet despite their crucial theorizations, their notion of sovereignty has never existed in the forms they developed as a reaction to the chaos surrounding them. Sovereignty has also been invoked to explain the rights of states on an international level – the rights of polities to self-governance, as well as the right to enter agreements with other nations (treaties). Once again, the concept has been invoked and theorized more in reaction to a reality of chaos than in reaction to its actual function. European expansion into the Americas also impacted the evolution of the concept, and Foucault considers it one of the guiding events that led to the development of the modern nation-state and its particular development of apparatuses of power. Just as the sovereignty of American nation states evolved in dialogue with European sovereignties (and vice versa), they have also evolved in dialogue with indigenous sovereignties, for these nations have always had to – and more relevant for this project, *continue* to be required to – contend with indigenous authority, land claims, populations, citizens, and narratives of the past, present, and hopes for the future.³

³ S.D. Krasner, “Sovereignty: Political,” in *International Encyclopedia of the Social and Behavioral Sciences*, eds. Neil J. Smelser and Paul B. Baltes (Amsterdam: Elsevier, 2001), 14706-9. Michel Foucault,

Although some indigenous scholars question whether Native North America should adopt the historical and structural weight of sovereignty as a supporting concept of indigenous authority given its imbrications with colonial and imperial structures, the reality in the United States is that Native communities use and will continue to use the principles of tribal sovereignty as developed in Federal Indian Law in order to argue for the protection of their cultural, territorial, and social rights. The conceptual benefits of sovereignty for tribes lie not in the way it was conceptualized by Bodin and Hobbes, who were more concerned with protecting legitimate authority within a polity, but rather the way it has developed within international law. In other words, the most helpful portion of sovereignty conceptually is not demonstrating supreme authority within a given territory, but rather the right to domestic autonomy and independence, and the associated right to make treaties (as treaty-making serves as the foundation for applying sovereignty to tribal nations).⁴

Several concepts tend to recur as part of a constellation of ideas that, together, comprise sovereign power. Legitimacy as linked to authority is the first major concept addressed in much of literature and considered in this project. Sovereignty, in essence, only exists when a populace agrees that the person or structure exerting power has a legitimate authority. In the trajectory of John Locke and as interpreted by Michel

Security, Territory, Population: Lectures at the College de France, 1977-78, trans. Graham Burchell (New York: Palgrave Macmillan, 2007), 296. Scott G. Nelson, *Sovereignty and the Limits of the Liberal Imagination* (New York: Routledge, 2010), 77-146. Jean Bethke Elshtain, *Sovereignty: God, State, and Self* (New York City: Basic Books, 2008). Adam Lupel, *Globalization and Popular Sovereignty: Democracy's Transnational Dilemma* (New York: Routledge, 2009), 12-18. Michael Hardt and Antonio Negri, *Empire* (Cambridge, MA: Harvard University Press, 2007). Johnathan Elmer, *On Lingering and Being Last: Race and Sovereignty in the New World* (New York: Fordham University Press, 2008), 3-5.

⁴ Taiaike Alfred, *Peace, Power, Righteousness: An Indigenous Manifesto* (New York: Oxford University Press, 1999). Andy Smith, "U.S Empire and the War Against Native Sovereignty," in *Conquest: Sexual Violence and American Indian Genocide* (Cambridge, MA: South End Press, 2005), 177-91. Krasner, "Sovereignty: Political."

Foucault, legitimate authority is expressed through the effective management of the populace and territory, and when the management is ineffective and legitimate authority is questioned, the end result can be revolution. This management of populace and territory leads to the next two crucial concepts in the ‘constellation’ that comprises modern understandings of sovereign power: territory/land, and populace/citizenry. Modern understandings of sovereign authority are meaningless without a citizenry, and similarly can barely be exercised without a territorial base within which to act. Especially within the history of the twentieth century as postcolonial states have asserted their political and economic rights, the right of a sovereign power to exert control over its own territorial boundaries, holdings, and natural resources has become increasingly elaborated internationally. Further, the definition and practice of citizenship – the liberal embodiment of ‘the people’ subject to sovereign authority – remains one of the most important powers of a sovereign authority, as the historiography of twentieth century U.S. immigration illustrates.⁵

Finally, the temporal narration of legitimate power comprises a final conceptual point related to sovereignty. Sovereignty is a concept, an idea that changes over time and works as a narrative that tells us about what constitutes legitimate authority, the best way

⁵ Elshtain, *Sovereignty*. Nelson, *Sovereignty and the Limits of the Liberal Imagination*, 77, 146. “As I have noted, the major recurring *condition* for political community is the classically liberal ‘problem’ of *securing* legitimacy,” 77. “In the modern context then, sovereignty is intended to function as an expression of pure, primitive power. In the modern epoch it has functioned as an expression or representation of an earthly, secularizing divine power. Sovereignty is said to be power’s pivot, power’s originary locus, its genesis. It is the name moderns assigned to a law-based system of rules that connects the subject to pure power, to the sovereign as the essence of authority, that which is said to be the decider and maker of law. Law conjoins the sovereign and the subject,” 146. Adam Lupel, *Globalization and Popular Sovereignty*, 12. “Bodin, however, was the first to elaborate coherently the principal elements of the modern theory of sovereignty: Within a defined territory there must be a supreme political authority, neither internally divided nor externally superseded. Sovereign power could not be shared between Church and State nor overruled by Pope or Emperor. The sovereign embodied both the seat of political power – of agency within the legal system – and the origin of the law itself. He was above the law, because no law could bind him, and no law could be binding without the force of his command,” 12. Nico Schrijer, *Sovereignty Over Natural Resources: Balancing Rights and Duties* (London: Cambridge University Press, 1997).

to govern a population, and how to define and delineate between who and what lands are subject to sovereign authority. But it is also a story that narrates legitimate authority into the past, as well as rationalizes the expression of power in the present. Postcolonial theorists have persuasively linked history and other academic disciplines to the narrative legitimization of the nation-state, but this project argues that temporal narration is one of the key strategies of the structures that support a sovereign authority. Clearly, narratives of the past are used as powerful tools to bolster notions of legitimate authority in the present. Far less discussed, however, is that this narrative work is performed so as to extend sovereign authority into the future. The temporal narration of sovereignty may use the past to legitimize its authority, but the narration of the past is being used as a tool with which to extend a constituted sovereignty indefinitely into the future. This is where the concept of temporal narration becomes particularly important to tribal sovereignty. Many times, tribal communities sought self-determination, a recognition of their own legitimate authority within their territorial boundaries, because they saw it as the only way to continue to exist as a community. In this dynamic, the importance of land becomes paramount. For territory, the land and water itself, is not only about the past and being able to narrate the past or exist in the present. Land is about continuity in the *future*. And when land is taken, not only the past and memory is lost with it. A viable future also becomes much more narrowly possible.⁶

Each tribal community, as it has sought to challenge the authority of the U.S. nation state – or claimed lands, or practiced its own version of citizenship or identity, or remembered and told its own histories and hopes for the future – has built tribal

⁶ Dipesh Chakrabarty, *Provincializing Europe: Postcolonial Thought and Historical Difference* (Princeton: Princeton University Press, 2000), 3-46. Elmer, *On Lingering and Being Last*, 133-45.

sovereignty. The history presented in this project illustrates that as much as sovereignty becomes defined within structures – by the nation state or the machinations of capital – it is also generated, practiced, and contested by communities. When land claims entered the U.S. court system, when tribal leaders resisted territorial annexation or assimilation or the loss of community authority to practice self-determination, even the structures of the U.S. nation state have been forced to explain or defend themselves, to silence their critics, to admit wrong, or to admit defeat. This is not to say that indigenous communities are all-powerful; the tragedies of the past and present illustrate otherwise. But this project does contend that the continual resistance and insistence of indigenous communities and their leadership is disrespected when those histories of creative defiance in the face of overwhelming and cruel might are untold or unacknowledged.

Sources & Methods

Historians of twentieth-century Native America have an embarrassment of riches in terms of sources. The legendary invasiveness of the Bureau of Indian Affairs during the early to mid-twentieth century produced endless reams of paper documenting the land holdings, finances, genealogies, and personal lives of individual Indian people. Unlike historians researching earlier time periods, when the twentieth-century historian enters a National Archive and Research Administration facility the problem becomes sifting through an unmanageable number of intensely detailed documents. Tribal members researching their own communities might very well be able to look up how many cows and chickens their great-grandparents owned, if they know where to look. Additionally, legions of anthropologists, musicologists, and folklorists have been dispatched to cut

their teeth conducting research on reservations from the genesis of American anthropology in the late nineteenth century to the present. Both the monographs they produced and their field notes are valuable sources for the historian of twentieth-century Native America. Finally, the temporal proximity of the time period allows historians studying the twentieth century to do something historians of other eras could only dream about: talk to people who actually lived through the events. Many historians and researchers have practiced oral history in Native communities since the 1970s, creating a wealth of extant oral history sources that can be used in addition to collecting one's own oral histories.

This project draws from three main sources: Bureau of Indian Affairs documents from the federal archives, field notes and ephemera collected and produced by the anthropology students of University of Chicago anthropologist Sol Tax, and oral history interviews conducted with Mandan, Hidatsa, and Arikara elders. When dealing with sources from the federal archives, this project focuses on searching for the experiences of the Fort Berthold community. The voluminous sources from the federal archives are a godsend for researchers, but the sheer amount of detailed information filtered through the eyes of BIA employees can lead to a narrative shaped by the assessments of the bureaucracy. This project consciously seeks a community story, not one about Indian agents, mid-level managers, or federal commissioners. It reflects a fascination with the tribal context – stemming from the belief that the detailed workings of the local, tribal context both shapes and illuminates national trends. In this way, the project employs an analysis modeled by historians like Tiya Miles, whose book *Ties That Bind* makes a compelling illustration of how even the most private, domestic spaces and choices can

reveal a larger story connected to the development of tribal sovereignty and the elaboration of a racialized tribal identity. Christian McMillan's *Making Indian Law* provides this project with the courage to seek the intricacies of a community-based story in ways that do not sacrifice larger impact and implications.

The sources culled from anthropological field notes made it easy to focus on the community and the roles individuals played in tribal politics, for the personal details recorded in the sources brought mid-century Fort Berthold vibrantly alive. But the sources brought challenges, too. Field notes, as records of an anthropologist's experience, are not meant for publication, and at times contain what amounts to sixty-year-old gossip about community members. As a member of the tribe I study, I sometimes struggled over whether to include important but sensitive information about individual tribal members from the time period, knowing that the cost might be borne by current community members who hold them dear. Struggling with this, however, has taught me as a historian to respect the actors of the past by trying to understand all points of view with empathy *and* analysis. My positionality as a researcher of my own tribe can also have benefits in this area; as I continue to revise my completed dissertation, I have the luxury of fine-tuning the analysis of my narrative by seeking the opinions and reactions of current community members before any of this sees publication.

The oral history sources come from those I collected personally for this or other projects, and those conducted and archived by other researchers. In particular, National Park Service employee Eric Wolf collected a valuable cache of nearly thirty oral history interviews in the 1990s. The bulk of my oral history sources come from those he

gathered. Aside from two interviews conducted for regional television broadcasts, I gathered the remaining ten oral history interviews.

The collection and analysis of oral histories induces ethical and methodological issues more intense than is the case with traditional archival sources. Luckily, most oral historians “assume that we are doing something other than merely pursuing our own careers and adding knowledge to the world, and that we must raise questions about the ethics of our behavior in relation to those on and with whom we do our research,” and thus a large body of literature exists interrogating these issues.⁷ Oral historians of Native America have also published methodological reflections, such as Waziyata Win (Angela Cavender Wilson), who approaches her oral history research from a distinctly Dakota perspective. She writes,

Within Dakota culture, we are taught that we must also learn to think with our hearts, and that those people who can only think with their minds are not only seriously lacking important understandings but whatever they produce will also be lacking important understandings and will ultimately create an undesirable outcome. I’ve heard elders talk very openly about good minds being meaningless without good hearts. *Cante* is the word for *heart* in our language, and many words are derived from that root word One such word is *canteyuza*, which means *to think, form an opinion*. From a Dakota perspective, *thinking with our heart* encompasses the ethical considerations that must be at the forefront of any endeavor. Even academic endeavors would not be deemed worthwhile if heart did not have equal weight.⁸

This Dakota perspective is a valuable asset for Waziyata, as being a researcher from a community one studies can leave the interviewer torn between “a need to gather specific information and an awareness of appropriate relationships between young and old,” or

⁷ Daphne Patai, “U.S. Academics and Third World Women: Is Ethical Research Possible?” in *Women’s Words: The Feminist Practice of Oral History*, eds. Sherna Berger Gluck and Daphne Patai (New York: Routledge, 1991), 138.

⁸ Waziyatawin Angela Wilson, *Remember This! Dakota Decolonization and the Eli Taylor Narratives* (Lincoln: University of Nebraska Press, 2005), 38.

between men and women.⁹ A casual attitude towards collecting oral data in Native communities will be problematic if the researcher does not grapple with questions like those suggested by Waziyata, “What are the motives behind this desire? How will the information be used? In what kind of context? Does the individual know the culture they hope to extract information from well enough? And, perhaps most importantly, who will benefit from its documentation?”¹⁰ These are important questions to answer, as the very process of collecting oral histories invites “an unchallenged shift in the ownership of experience and interpretation to whoever happens to be telling the story.”¹¹

The ethical dangers of not answering these questions are serious. Facile assertions regarding the power of narrative to create bonds of understanding and empathy, or the failure to examine the social, political, and economic power structures affecting any oral history research, could easily allow a researcher to slide into “the misuse of sentiment as a research tool.”¹² Yet oral history also provides a promising methodology for expanding the possibilities of historical analysis, and for indigenous people oral history can act as a crucial tool for community survival. As Waziyata asserts in a call to Native historians, “[t]he written archival records will not produce this information. . . . Consequently, these are not merely interesting stories or even the simple dissemination of historical facts.

⁹ Kathryn Anderson and Dana Jack, “Learning to Listen: Interview Techniques and Analyses,” in *Women’s Words*, eds. Gluck and Patai, 138.

¹⁰ Waziyatawin Angela Wilson, “Power of the Spoken Word: Native Oral Traditions in American Indian History,” in *Rethinking American Indian History*, ed. Donald Fixico (Albuquerque: University of New Mexico Press, 1997), 104.

¹¹ Amy Shuman, “Introduction: Subversive Stories and the Critique of Empathy,” in *Other People’s Stories: Entitlement Claims and the Critique of Empathy* (Urbana: University of Illinois Press, 2005), 5.

¹² Daphne Patai, “U.S. Academics and Third World Women: Is Ethical Research Possible?” in *Women’s Words*, eds. Gluck and Patai, 144.

They are, more important, transmissions of culture upon which our survival as a people depends. When our stories die, so will we.”¹³

The process of collecting oral histories should take into account such power dynamics. The practice of collecting oral histories for this project was based on the rejection of the idea that it is “the distant knower who has perspective and, by virtue of less or different stakes in the interpretation, the possibility of objectivity.”¹⁴ Instead, this project’s oral history collection attempted to follow Fort Berthold community ‘best practices’ in regards to selecting narrators and meeting culturally-based understandings of reciprocity and payment. Community standards regarding who is an “expert” and holds authority to give information on tribal history may not be readily apparent even to members of younger generations of tribal members. For example, Vine Deloria, Jr.’s introduction for his aunt Ella Deloria’s book, *Speaking of Indians*, provides insight into the different standards each generation holds regarding who possesses the expertise to convey accurate historical or cultural information. He wrote,

I talked to [his aunt Ella Deloria] after one exhausting trip to Red Shirt Table on the Pine Ridge Reservation, and she said, ‘Research is getting so hard to do – there are hardly any elders around nowadays.’ I pointed out that she was now one of the surviving elders and the chances of discovering a crowd of ninety-year-olds were steadily declining. She just gave me a disgusted look, as she refused to consider herself an elder.¹⁵

For academic work based in small, local communities in which community members know intimate family and personal histories, it is important for researchers to approach the “community experts” – the people whom other community members consider as

¹³ Waziyatawin Angela Wilson, “Grandmother to Granddaughter: Generations of Oral History in a Dakota Family,” in *Natives and Academics: Researching and Writing about American Indians*, ed. Devon Mihesuah (Lincoln: University of Nebraska Press, 1998), 34-5.

¹⁴ Shuman, “Introduction,” in *Other People’s Stories*, 3-4.

¹⁵ Vine Deloria, Jr., “Introduction,” in *Speaking of Indians*, Ella Deloria (Lincoln: University of Nebraska Press, 1998), xix.

holding important cultural or historical expertise – rather than to simply interview anyone who will talk to them.

Equally important, this project tried to respect and become familiar with local standards of asking and compensating for information and knowledge shared. Waziyata relates her notion of reciprocity and the importance of generosity within her community:

[F]amiliarity with the concept of reciprocity breeds a realization of the need to give something back to both the individual and the culture from whom and from which one has taken material. This goes far beyond the economic compensation that many scholars have used in exchange for their ‘informants’ time. Rather, what is called for is an acknowledgment of a moral responsibility to give back in a far more profound way, one that matches the value of the stories that are shared. Indeed, as a Dakota I would carry that a step further because I come from a culture in which generosity, one of our cardinal virtues, is stressed far more than reciprocity, meaning that there is a need to give even more than what one received. In light of this, a central consideration would have to be whether such work will help or possibly hurt a community by demeaning or discrediting its elders or culture.¹⁶

As a tribal member entering her own community and engaging with respected community elders, my best practices included becoming familiar with what constitutes not just *adequate* compensation, but culturally specific compensation. In addition to a monetary gift, I also brought food to the interviews – some combination of corn soup, bread, fruit, a dessert, and tea or coffee. The financial outlay for each interview – seventy-five dollars for an hour long interview, plus the cost of the food in addition to the high costs of plane or train travel to a rural part of the country – made it difficult to collect larger numbers of interviews. The relatives I stayed with often donated both dried corn, the use of their kitchen, and sometimes extra money to pay the people I interviewed, yet I was always on the verge of being broke. As it was, I often left the interviews feeling that the small things

¹⁶ Waziyatawin, “Power of the Spoken Word,” in *Rethinking American Indian History*, 105-6.

I gave to the interviewees in a gesture of reciprocity did not adequately compensate them for the time they spent sharing their insight and analysis with me.

This leads me to one of the project's methodological departures from standard academic practice that spans both the collection and analysis of oral history interviews. This project's practice included treating my interviewees as fellow historians. As experts in their personal history and tribal history, I felt it appropriate and ethical to treat them with according intellectual respect. In interview collection, this meant sharing interview questions before the interview, or asking them specific questions about their analysis or interpretation of historical events. In the analysis and writing phase, this has meant treating them as organic historians. Gramsci theorized organic intellectuals as scholars who cultivate strong roots in their community, and who cultivate involvement in the local issues and controversies experienced and debated within the community. Additionally, these intellectuals use their analysis of societal structures to influence other community members to develop a consciousness of their own identities that allow for similar structural critiques and analysis.¹⁷

This also meant that during the analysis phase, I treated each interview as a separate historical analysis, rather than as a data point. This means that my analysis of the interviews did not “begin with the distinction between a whole to be captured and an inquiring subject to be rendered transparent,” in which I positioned myself as the researcher who could discern subtext by analyzing word patterns, pauses, or guessing at

¹⁷ This realization is also based in my interactions with Native community educators. Michelle Pasena (Hopi) who worked at the American Indian Graduate Center (AIGC) stated in one meeting that it was important for Natives educated in western academic institutions to realize that Native communities are filled with elders and community members who have Ph.D.s in language, traditional culture, traditional religion, etc. – and that we should be entering Native communities with the humility that realization should produce. Antonio Gramsci, “The Intellectuals,” in *Selections from the Prison Notebooks of Antonio Gramsci*, eds. and trans. Quintin Hoare and Geoffrey Nowell Smith (New York: International Publishers, 1971), 6-23.

what was left unsaid. My work did not involve, for example: listening to the moral language and self-evaluative statements of the narrators, identifying the “meta-statements” in which the narrators comment about their own thoughts or something they just said, and attending to the logic of the narrative by “noticing the internal consistency or contradictions in the person’s statements about recurring themes and the way these themes relate to each other.”¹⁸ Instead, each interview was subjected to the same mixture of credence and critical analysis that my graduate school training has taught me to apply to the work of any academic historian. I avoided being gullible but also accorded respect to the experience and analytical skills of the organic historians by whom I was being taught, I discussed the intellectual and practical aims of my project and interview questions with them, and I trusted their expertise to express themselves in the manner they intended.¹⁹

As historian Richard White asserts, while academic knowledge production is surely complicit in the creation and maintenance of power structures that have historically colonized and dominated indigenous communities, the next step should not necessarily be to retreat to *either* a historical relativism *or* an indigenous-based fundamentalism.

¹⁸ Anderson and Jack, “Learning to Listen,” in *Women’s Words*, eds. Gluck and Patai, 20-22.

¹⁹ Paul Rabinow, “Anthropological Observation and Self-Formation,” in *Subjectivity: Ethnographic Investigations*, eds. Joao Biehl, Byron Good, and Arthur Kleinman (Berkeley: University of California Press, 2007) 108-9. In this, I draw from the approach of Katherine Borland: “I now feel that had I talked to Bea about my ideas *before* I committed them to writing, presented her with drafts, or even arranged to have her read the paper with me so that we might discuss misunderstandings and differences as they arose, her sense of having been robbed of textual authority might not have been as strong as it was. . . . I am not suggesting that all differences of perspective between folklorist and narrator, feminist scholar and speaking woman, should or can be worked out before the final research project is composed. Nor am I suggesting that our interpretations must be validated by our research collaborators. For when we do interpretations, we bring our own knowledge, experience, and concerns to our material, and the result, we hope, is a richer, more textured understanding of its meaning.” Katherine Borland, “‘That’s Not What I Said’: Interpretive Conflict in Oral Narrative Research,” in *Women’s Words*, eds. Gluck and Patai, 73.

Historians seek to subsume all other narrations of the past by historicizing them, but if *all* things are historicized, then the knowledge of historians is as contingent and situational as that of their subjects – in this case Indian peoples. There is no view from nowhere, as Donna Haraway says. All knowledge is situated knowledge. This is not a statement of relativism, as it is sometimes taken to be. It does not say all accounts are equal, but it is a recognition that all accounts are contingent, imperfect, and judged by changing and variable human standards.²⁰

This project's formulation of oral history interviewees as organic historians, rather than as informants, means that it treats the narratives and information shared by historians both academic and organic with an intellectual respect that includes a deep engagement, including critique.

Historiography

The Garrison Dam/Pick-Sloan Plan

The literature on the Garrison Dam and the Pick-Sloan Plan begins in 1945, when tribal members and white farmers who would be affected began to protest its construction. During this time period, booster projects that lauded its construction were also published.²¹ As we now know, the protests had little effect. They did, however, contain the most relevant information as their authors were intending to prove the negative aspects of the Garrison Dam, whereas the booster-published material contains little useful information as secondary sources. In the 1950s as the Garrison Dam became

²⁰ Richard White, "Using the Past: History and Native American Studies," in *Studying Native America: Problems and Prospects*, ed. Russell Thornton, (Madison: University of Wisconsin Press, 1998), 222-3.

²¹ Protesting the Construction of Garrison Dam, North Dakota, by the Fort Berthold Indians: Hearings before the United States Senate Committee on Indian Affairs, Seventy-Ninth Congress, first session, on Oct. 9, 1945 (Washington, D.C.: U.S. G.P.O., 1945). Bigelow Neal, *The Valley of the Damned* (Garrison, N.D.: Independent Pub. Co., 1949). Ralph Hoyt Case, *Fort Berthold Dam Site v. the Garrison Dam Site: Statement of Fact and Law* (location and publisher unknown, 1947). Fort Berthold Indian Defense Association, *Indian Tribes Fight Eviction* (Elbowoods, N.D.: The Association, 1946). North Dakota, *Garrison Dam and Reservoir Project* (Bismarck: North Dakota State Dept. of Public Instruction, 1947). Leo D Harris, *Water is Coming: Souvenir Garrison Dam Project* (Fargo, N.D.: Forum Publishing Company, 1949). Fargo Forum, Garrison Dam construction photograph collection (Fargo, N.D.: Fargo Forum, 1946-1953).

an unavoidable reality on the Upper Missouri – and no doubt as the communities affected were concerned primarily with the business of regrouping and reorganizing after their forced removal from the bottomlands – the literature of protest was silenced and boosterism held sway. The 1950s, however, did see the very beginnings of more serious treatments of the Garrison Dam or the Pick-Sloan Plan, as well as a move from photographic visual data to film.²²

The next decade saw little to nothing published about either the Garrison Dam or the Pick-Sloan Plan, and the next major published treatment of the Garrison Dam does not occur until 1972. These treatments are mostly focused on technical aspects of the dam, published either by the Army Corps of Engineers or the University of North Dakota.²³ Perhaps more interesting is the fact that the 1970s saw the beginnings of a Native-focused narrative on the Garrison Dam and Pick-Sloan Plan. A resource guide was published for television programmers to explain the historical background of “vital contemporary Plains Indian issues.” The Garrison Dam was included in a list of Plains Indian historical moments that included Ponca removal and the Standing Bear trial, the 1868 Fort Laramie Treaty, the Battle of Little Bighorn and “its aftermath,” the Wounded Knee massacre, and the founding of Carlisle Indian School, among others.²⁴ The wording and text of the guide reflects the impact of Indian activism during the 1960s and ‘70s, and

²² Peter Kiewit Sons' Co, *Miracle on the Missouri* (Riverdale, N.D.: Morrison-Knudsen Company, inc., 1954). United States, *Garrison Dam on the Missouri*, (Riverdale, N.D.: U.S. Army, Corps of Engineers, Garrison District, 1955). Marian Ridgeway, *The Missouri Basin's Pick-Sloan Plan* (Urbana: University of Illinois Press, 1955). [Garrison Dam scenes] Film consists of several clips documenting dam construction, aerial views of Garrison Dam, and the dedication ceremony for the powerhouse, ca. early 1950s.

²³ United States, Garrison Dam, Missouri River, North Dakota. Vicksburg, Miss.: Dept. of Defense, Dept. of the Army, Corps of Engineers, Waterways Experiment Station, 1972. J. Neel, “Warmed Water and Water Quality in the Missouri River, Twenty Miles below Garrison Dam” (PhD diss., University of North Dakota, 1974).

²⁴ National Endowment for the Humanities, “History of the Upper Great Plains as Recorded by the Participating American Indian Tribes from 1850 to the Present: A Suggested Approach to Showing on Television the Historical Background for Vital Contemporary Plains Indian Issues” (1970s).

illustrates that while the decades between the construction of the Garrison Dam and the end of the 1970s may have been silent in terms of academic or activist publications, Indian activists themselves had not been silent. On the contrary, they had been constructing a historical narrative about the Garrison Dam that placed it amongst some of the worst tragedies of Plains Indian history.

The effects of Indian activism on the literature about the Pick-Sloan Plan came to fruition in the 1980s with the publishing of Michael Lawson's *Dammed Indians: The Pick-Sloan Plan and the Missouri River Sioux, 1944-1980*. Vine Deloria, Jr. wrote the forward to the book, associating Lawson's work not only with narratives created by Indian activists of the previous three decades, but with a nascent American Indian Studies movement in academia. As Native activists began to realize the fruits of their agitation, it is perhaps no surprise that compensation-aimed hearings before the Senate began as well.²⁵

After Lawson's work and the success of the Senate hearings – which successfully agitated for further monetary compensation from the U.S. government for the lands taken on Indian reservations due to the Pick-Sloan Plan – the following decade saw few published materials dealing with either Pick-Sloan or the Garrison Dam. Some local media covered the fiftieth anniversary of the completion of the dam, but nothing academic was published.²⁶

²⁵ Michael Lawson, *Dammed Indians: the Pick-Sloan Plan and the Missouri River Sioux, 1944-1980* (Norman: University of Oklahoma Press, 1982). United States, S. 2480-S. 2663: hearing before the Select Committee on Indian Affairs, United States Senate, Ninety-eighth Congress, second session, June 21, 1984, Washington, DC.

²⁶ Sheila C Robinson, *Taming the Big Muddy: The Story of Garrison Dam* (Garrison, N.D.: BHG, Inc., 1997). United States, Garrison Dam 50th anniversary, 1947-1997 (video recording) (Lead, S.D.: Historical Footprints, 1997).

This state of affairs changed in the following decade. Several academic theses at the masters' level were produced at the University of North Dakota, usually tied to oral history collection. This indicates the growing acceptance of oral history within the overall discipline created a new niche for graduate students to practice their historical research skills by collecting oral and archival sources at Fort Berthold in order to produce community-focused histories of the Garrison Dam and Pick-Sloan Plan.²⁷ The theses all utilize oral histories from community members, usually following a summary of the political history of the Garrison Dam and Pick-Sloan Plan.

The turn of the century also saw professional treatments of the topic, the first being Paul VanDevelder's journalistic-historical account of the legal quest for "just compensation" due to the taking of Fort Berthold lands as a result of the Garrison Dam, *Coyote Warrior: One Man, Three Tribes, and the Trial that Forged a Nation*. VanDevelder's book gives a solid overview of the history of the Garrison Dam, but his decision to focus on the work of one lawyer from Fort Berthold skews his narrative towards the lionization of a single individual among the many who were involved in the quest for just compensation. The following year also saw the distribution of a documentary focusing on the Fort Berthold community story and outcome of the Garrison Dam, *Waterbuster*. Directed by J. Carlos Peinado, the film follows tribal member Peinado as he attempts to explore the displacement caused by the Garrison Dam, and through this process reconnect with his roots. Using oral interviews, this traces the

²⁷ M. Gunderson, "The Effects of the Garrison Dam on the Community of Elbowoods" (Masters Thesis, University of North Dakota, 2001). B. Russell, "Flooded Lifeways: A Study of the Garrison Dam and its Environmental Impact upon the Three Affiliated Tribes of the Fort Berthold Indian Reservation" (Masters Thesis, University of North Dakota, 2000). The work on this thesis also clearly led to the publication from the North Dakota Humanities Council, Brian Russell and D. Jerome Tweton, *Promise of Water: The Legacy of Pick-Sloan and the Irrigation of North Dakota* (Bismarck, N.D.: North Dakota Humanities Council, 2002). Tessa Sandstrom, "A Re-emerging History: History of the Four Bears Bridge and the Lost Communities of North Dakota" (Masters Thesis, University of North Dakota, 2006).

impact the dam-related displacement had upon one family. Both narratives, in using the individual and their experiences as the ‘hook’ to guide their historical investigation, provided the signposts for this project. Finally, as U.S. historians continue to revisit the New Deal Era to explain the political and social history of the resulting decades, new work contextualizing the Pick-Sloan Plan within the broader scope of New Deal era dams provides background for understanding the larger politics of the Pick-Sloan project.²⁸

This historiography provides a springboard for this project in several ways. First, the political and bureaucratic history of Pick-Sloan has a strong foundation that allowed me to largely use secondary sources for context on the machinations of the federal government, allowing me to focus my attention on the experience of the Fort Berthold community. Second, the collection of oral histories regarding Fort Berthold and the Garrison Dam provided an already-solid foundation of community narratives.

This dissertation aims to contribute to this historiography by merging the large-context narratives – such as those focused on the development of the Pick-Sloan Plan – with the community-focused changes that resulted from the Garrison Dam. Previous accounts of this event have tended to mourn the injustices and celebrate the community leaders who fought for justice, a strategy that almost inevitably produces a narrative of loss. And while many losses mark this historical time period, declension narratives in regard to Native histories produce a problematic dynamic in which, as historian Richard White aptly notes, indigenous communities can only be understood in terms of conquest and assimilation, or persistence, in which, “Only whites changed. Indians disappeared.”

²⁸ Paul VanDeveler, *Coyote Warrior: One Man, Three Tribes, and the Trial that Forged a Nation* (New York: Little, Brown, 2004). J. Carlos Peinado, *Waterbuster*, DVD (Brave Boat Productions, 2006). David Billington and Donald Jackson, *Big Dams of the New Deal Era: A Confluence of Engineering and Politics* (Norman: University of Oklahoma Press, 2006).

White elaborates, “the tellers of such stories miss a larger process and a larger truth. ... Contact was not a battle of primal forces in which only one could survive. Something new could appear.” Thus, this project interrogates the *change* – not the loss – that occurred in community understandings of their place and identity as the space of their lives changed radically.²⁹

Fort Berthold

This project is also rooted in a specific *place*: the Fort Berthold Indian Reservation. And while the nucleus of the dissertation is concerned with changes that occurred as a result of the Garrison Dam, that nucleus must be contextualized by a solid understanding of how exactly the changes were more radical and devastating than what had already occurred. Until the 1930s, most scholarly works published about Fort Berthold were tribally-specific anthropological texts that attempted to describe and analyze tribal culture under the fear that those cultures would disappear within a generation or two. During the 1930s, Alfred Bowers did his fieldwork amongst the Mandan and Hidatsa, collecting data that would only be published in 1950 and the mid 1960s. Although his works were published much later, it is fair to consider them a product of this time period, as his studies were conceptualized in the late 1920s and early 1930s. These anthropological works remain valuable to contemporary scholars for their descriptions of tribal life and belief systems near the turn of the century, but their guiding

²⁹ Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (New York: Cambridge University Press, 1991), ix.

questions did not attempt to understand Fort Berthold as a homeland and instead focused on describing tribal culture.³⁰

Not until the 1940s was a serious historical article produced concerning Fort Berthold, and the focus was in fact more on the experiences of the nascent Indian Office than on Fort Berthold as a location. The following decade saw many more scholarly articles published about Fort Berthold, but they fell into one of two camps. One group of articles and books, produced by anthropologists, focused on tribal culture as separate from place. The other group of articles, largely published by former graduate students of well-known University of Chicago 'action' anthropologist Sol Tax, focused on the relocation efforts and political leadership at Fort Berthold in the context of the Garrison Dam. The following decade saw a loss of scholarly interest in Fort Berthold, save for a lone anthropological article.³¹

³⁰ Washington Matthews, *Ethnography and philology of the Hidatsa Indians* (1877). Washington Matthews, "The Earth Lodge in Art," *American Anthropologist*, 4 (1902): 1-12. "Arikara Creation Myth," *Journal of American Folklore*, 22 (1909): 90-92. George F. Will, "Some Hidatsa and Mandan Tales," *Journal of American Folklore*, 25 (1912): 93-94. Gilbert Wilson, *Agriculture Of The Hidatsa Indians: An Indian Interpretation* (1917). Robert Lowie, *Notes On The Social Organization And Customs Of The Mandan, Hidatsa, And Crow Indians* (1917). Gilbert L. Wilson, *Waheenee: An Indian Girl's Story*, (American Museum of Natural History, 1921). Charles Lemon Hall, *The Fort Berthold Mission: Elbowoods, North Dakota* (American Missionary Association, 1923). Frances Densmore, *Mandan & Hidatsa Music* (Bulletin 80, Smithsonian Institution, Bureau of American Ethnology, 1923). Frances Densmore, "The Songs of Indian Soldiers during the World War," *Musical Quarterly*, 20 (1934): 419-425. Edward Kennard, "Mandan Grammar," *International Journal of American Linguistics*, 9 (1936): 1-43. Alfred W. Bowers, *Mandan Social and Ceremonial Organization* (Chicago: University of Chicago Press, 1950). Bowers, *Hidatsa Social and Ceremonial Organization* (Lincoln: University of Nebraska Press, 1992, original copyright 1965).

³¹ Chester Guthrie and Leo Gerald, "Upper Missouri Agency: An Account of Indian Administration on the Frontier," *Pacific Historical Review*, 10 (1941): 47-56. Bowers, *Mandan Social and Ceremonial Organization*. Marshall Newman, "The Blond Mandan: A Critical Review of an Old Problem," *Southwestern Journal of Anthropology*, 6 (1950): 255-272. M. Inez Hilger, "Some Customs Related to Arikara Indian Child Life," *Primitive Man*, 24 (1951): 67-71. Edward Bruner, "Two Processes of Change in Mandan-Hidatsa Kinship Terminology," *American Anthropologist*, 57 (1955): 840-850. Edward Bruner, "Primary Group Experience and the Processes of Acculturation," *American Anthropologist*, 58 (1956): 605-623. Ben Reifel, "The Problem of Relocating Families on the Fort Berthold Indian Reservation," *Journal of Farm Economics*, 32 (1950): 644-646. Robert Rietz, "Leadership, Initiative, and Economic Progress on an American Indian Reservation," *Economic Development and Cultural Change*, 2 (1953): 60-70. James Howard, "Butterfly's Mandan Winter Count: 1833-1876," *Ethnohistory*, 7 (1960): 28-43.

Only the late 1970s saw the beginnings of serious historical attention paid to Fort Berthold. Roy Meyers' *The Village Indians of the Upper Missouri* was the first major historical work to pull from both anthropological and archival sources to tell the history of the Three Affiliated Tribes. Meyers' work remains one of the most important on Fort Berthold, but his narrative is shaped by the contours of the government archives rather than the community histories that existed at the time. After the publication of Meyers' work and stretching into the next two decades, a slew of older ethnographic works concerning Fort Berthold were republished. These continuing reprints are important to note because they began at a point when not only academics but the general public stopped asking when Native Americans would disappear, and began to be curious about why they had not. The way the reprints are used is significant as well. Very few would be assigned as key anthropological analyses in a graduate classroom, but many would be assigned in a college classroom to teach students about indigenous agriculture or kinship systems.³²

Also during the 1970s, the interest in ethnographic works as historical sources was matched by a sudden growth in non-military Native history – developments that accompanied the birth of American Indian Studies programs across the country. The works of the past thirty years are fairly diverse, but fall into some of the major tracks of

³² Rev. and Mrs. Harold Case, *100 Years at Ft. Berthold: The History of Fort Berthold Indian Mission 1876-1976* (Self-published, 1977). Roy Meyer, *The Village Indians of the Upper Missouri: The Mandans, Hidatsas, and Arikaras* (Lincoln: University of Nebraska Press, 1977). The reprints of classic ethnographic work began in 1972 with Frances Densmore, *Mandan & Hidatsa Music* (Smithsonian Institution, 1972). Throughout the 1980s, Gilbert Wilson's ethnographies on Buffalo Bird Woman and Goodbird were reprinted, sometimes re-edited in different ways to highlight gardening techniques, etc. Gilbert Wilson, *Waheenee: An Indian Girl's Story* (reprint 1981). Wilson, *Buffalo Bird Woman's Garden: Agriculture of the Hidatsa Indians* (Borealis reprint, 1987). Alfred Bowers' works also saw reprints. Bowers, *Hidatsa Social and Ceremonial Organization* (Bison Books, 1992). Bowers, *Mandan Social and Ceremonial Organization* (Bison Books, 2004). Lowie, *Notes On The Social Organization And Customs Of The Mandan, Hidatsa, And Crow Indians* (Harrison Press, 2008).

Native History as it has developed during that time period – particular attention has been paid to Native women’s history, education or government programs in Native communities, and the time period surrounding the Lewis and Clark Expedition.

Unfortunately, the interaction between tribal members and their physical environment has only been addressed in one article, which discussed farming on the northern Plains.³³

This project reunites the narratives of the people who live at Fort Berthold with a narrative of Fort Berthold as a place, for the social, political, and economic changes tribal members experienced during the Garrison Dam era cannot be divorced from the ways in which the landscape and waterscape were altered.

Native History

This project aims to continue a trajectory begun in the 1970s in which Native American Studies scholars challenged part of the myth of American exceptionalism, in which the uniqueness of the United States is often based on a metanarrative emphasizing

³³ Robert Trennert, “Educating Indian Girls at Nonreservation Boarding Schools, 1878-1920,” *Western Historical Quarterly*, 13 (1982): 271-290. W. Raymond Wood, *The Origins of the Hidatsa Indians: A Review of Ethnohistorical and Traditional Data* (unknown binding). W. Raymond Wood and Thomas Thiessen, *Early Fur Trade on the Northern Plains: Canadian Traders Among the Mandan and Hidatsa Indians, 1738-1818* (Norman: University of Oklahoma Press, 1985). Thomas Wessel, “Agent of Acculturation: Farming on the Northern Plains Reservations, 1880-1910,” *Agricultural History*, 60 (1986): 233-245. Carolyn Gilman and Mary Jane Schneider, *The Way to Independence: Memories of a Hidatsa Indian Family, 1840-1920* (Saint Paul: Minnesota Historical Society Press, 1987). Lisa Emmerich, “‘Right in the Midst of My Own People’: Native American Women and the Field Matron Program,” *American Indian Quarterly*, 15 (1991): 201-216. Ramon Powers and James Leiker, “Cholera among the Plains Indians: Perceptions, Causes, Consequences,” *Western Historical Quarterly*, 29 (1998): 317-340. Michael Lansing, “Plains Indian Women and Interracial Marriage in the Upper Missouri Trade, 1804-1868,” *Western Historical Quarterly*, 31 (2000): 413-433. Virginia Bergman Peters, *Women of the Earth Lodges: Tribal Life on the Plains* (Norman: University of Oklahoma Press, 2000). Tressa Berman, *Circle of Goods: Women, Work, and Welfare in a Reservation Community* (Albany: State University of New York Press, 2003). Tracy Potter, *Sheheke: Mandan Indian Diplomat--The Story of White Coyote, Thomas Jefferson, and Lewis and Clark* (Helena, MT: Farcountry Press, 2003). VanDevellder, *Coyote Warrior: One Man, Three Tribes, and the Trial that Forged a Nation* (New York: Little, Brown, 2004). James Fenelon and Mary Louise Defender-Wilson, “Voyage of Domination, ‘Purchase’ as Conquest, Sakakawea for Savagery: Distorted Icons from Misrepresentations of the Lewis and Clark Expedition,” *Wicazo Sa Review*, 19 (2004): 85-104.

or assuming an empty or undeveloped landscape that becomes settled or developed by enterprising and hardworking immigrants; their struggles in that landscape make them “American.” Native history of the past thirty years continually contributed to subverting these myths by insisting on recognizing and narrating indigenous people and communities as central historical subjects.

The development of the Environmental History and New Western History sub-fields during the same time period has bolstered what previously would have been quantitative studies of land use and ‘acculturation’ rates to a larger theoretical realm. As a group, these works investigating land, place, and space and/or the U.S. West have successfully identified conflicting definitions or use of land and resources as key to understanding Native – and United States – history. Developments in geography and studies of empire have also allowed historians to deeply explore the ways land, territory, and place are produced by the state and its citizenry.³⁴

Pre-dating this particular turn to landscapes and regionalism to a certain extent, literature on tribal sovereignty has developed since the 1950s in reaction to the legal battles defining the relationship between the United States government and tribal communities. The federal-tribal relationship has been almost as key in determining tribal

³⁴ Leonard Carlson, *Indians, Bureaucrats, and Land: The Dawes Act and the Decline of Indian Farming* (Unknown Location: Greenwood Press, 1981). William Cronon, *Changes in the Land: Indians, Colonists and the Ecology of New England* (New York: Hill and Wang, 1983). Melissa Meyer, *The White Earth Tragedy: Ethnicity and Dispossession at a Minnesota Anishinaabe Reservation, 1889-1920* (Lincoln: University of Nebraska Press, 1994). Peter Iverson, *When Indians Became Cowboys: Native Peoples and Cattle Ranching in the American West* (Norman: University of Oklahoma Press, 1994). Vine Deloria, Jr., *Red Earth, White Lies: Native Americans and the Myth of Scientific Fact* (New York: Scribner, 1995). Keith Basso, *Wisdom Sits in Places: Landscape and Language Among the Western Apache* (Albuquerque: University of New Mexico Press, 1996). Shepard Krech, *The Ecological Indian: Myth and History* (New York: Norton, 1999). Daniel Clayton, *Islands of Truth: The Imperial Fashioning of Vancouver Island* (Vancouver: University of British Columbia Press, 2000). Emily Greenwald, *Reconfiguring the Reservation: The Nez Percés, Jicarilla Apaches, and the Dawes Act* (Albuquerque: University of New Mexico Press, 2002). Ned Blackhawk, *Violence Over the Land: Indians and Empires in the Early American West* (Cambridge: Harvard University Press, 2006). Marsha Weisiger, “Gendered Injustice: Navajo Livestock Reduction in the New Deal Era,” *Western Historical Quarterly*, 38 (2007).

identity as tribal culture, and the struggle for group rights within the United States legal system has coalesced – through various legal victories and defeats – to create contemporary notions of tribal sovereignty. Beginning with Felix Cohen’s *Handbook of Federal Indian Law*, scholars have mined court cases, legislative sources, and bureaucratic archives to chart the vagaries of what is now known as Federal Indian Law and Policy. This painstaking and valuable work comprises the historiography that inspired some of the central questions of this dissertation, namely, the development of modern tribal sovereignty. These studies of the federal-tribal relationship and tribal sovereignty, however, often decline to develop a full-bodied understanding of how differing forms of land use both draw from and inform differing conceptions of land. These clashes over land and how it should be used have in turn led to legal clashes over the definitions of tribal territories – which, in their turn, led to the legal battles over the meaning of “domestic dependent nations” and a modern tribal sovereignty. Many of these sovereignty-focused narratives quote other scholars regarding differing notions of land in the pre-history of their topic, but few explore how tribal land use, constructions of place, and conceptions of territory have influenced the federal-tribal relationship. The most interesting, however, have pushed the scholarly discourse further by allowing Native communities in their narratives to have unique and culturally-specific conceptions of land not just in the topical pre-history, but even within the 20th century. As much as this project owes a theoretical and historical debt to the many rigorous scholars who developed this literature, it hopes to keep pushing forward questions surrounding the development of tribal sovereignty to interrogate how the everyday politics and practices

of tribal communities and leaders have co-constructed the concept along with the supreme court, executive power, and legislative bodies.³⁵

Finally, this project contributes to the ongoing elaboration of twentieth century Native history. Previous to the 1990s, the majority of the Native history produced either focused on early America, the nineteenth century, or federal Indian policy. Beginning in the 1990s, more historians and scholars began to temporally venture past the massacre at Wounded Knee to tell the stories of Indian people and communities during the twentieth century. These cultural and social history treatments of Native people in the twentieth century explore reservation and urban spaces – and the pathways between them – to challenge the contemporary portion of the myth of American exceptionalism : that with the consolidation of the continental land base, Indian people have disappeared or only exist in such small numbers (or such degraded communities) that their role in twentieth century U.S. history can be left unnarrated. As this literature continues to develop, it has

³⁵ Donald Parman, *The Navajo and the New Deal* (New Haven: Yale University Press, 1976). Lawson, *Dammed Indians* (Norman: University of Oklahoma Press, 1982). Lawrence Kelly, *The Assault on Assimilation: John Collier and the Origins of Indian Policy Reform* (Albuquerque: University of New Mexico Press, 1983). Francis Prucha, *The Great Father: The U.S. Government and the American Indians* (Lincoln: University of Nebraska Press, 1995). Frederick Hoxie, “From Prison to Homeland: The Cheyenne River Indian Reservation before WWI,” *South Dakota History* 10 (1979): 1-24. Donald Fixico, *Termination and Relocation: Federal Indian Policy, 1945-1960* (Albuquerque: University of New Mexico Press, 1986). Robert Williams, *The American Indian in Western Legal Thought: The Discourses of Conquest* (New York: Oxford University Press, 1990). Francis Prucha, *American Indian Treaties: The History of a Political Anomaly* (Berkeley: University of California Press, 1994). Frederick Hoxie, *Parading Through History: The Making of the Crow Nation in America, 1805-1935* (New York: Cambridge University Press, 1995). Paul Smith and Robert Warrior, *Like a Hurricane: The Indian Movement from Alcatraz to Wounded Knee* (The New Press, 1996). David Wilkins, *American Indian Sovereignty and the U.S. Supreme Court: The Masking of Justice* (Austin: University of Texas Press, 1997). Alfred, *Peace, Power, and Righteousness*. Thomas Cowger, *The National Congress of American Indians: The Founding Years* (Lincoln: University of Nebraska Press, 1999). Larry Nesper, *The Walleye War: The Struggle for Ojibwe Spearfishing and Treaty Rights* (Lincoln: University of Nebraska Press, 2002). Vandevelder, *Coyote Warrior* (2004). Robert Williams, *Like a Loaded Weapon: The Rehnquist Court, Indian Rights, and the Legal History of Racism in America* (Minneapolis: University of Minnesota Press, 2005). Edward Valandra & Vine Deloria, Jr., *Not Without Our Consent: Lakota Resistance to Termination, 1950-1959* (Urbana: University of Illinois Press, 2006). Christian McMillen, *Making Indian Law: The Hualapai Land Case and the Birth of Ethnohistory* (New Haven: Yale University Press, 2007). Bruce Duthu, *American Indians and the Law* (New York: Penguin, 2008).

illuminated the dynamic strategies of survival and growth practiced by indigenous people and communities after the genocidal ravages of the nineteenth century. More recently, the historiography has also moved towards tracing the links between tribal activism and the creation of a global indigenous consciousness. This project draws from the methodologies and narrative strengths of this literature, and hopes to contribute to the embellishment of its historiography.³⁶

Chapter Summary

A 1907 map created by Mandan tribal member Sitting Rabbit provides the narrative frame for the first chapter, “Growing Place and Defending Territory: Fort Berthold before 1934,” which establishes one of the foundations of the project’s theoretical structure by exploring how the Fort Berthold Indian Reservation was constructed as a place, space, and territory. The Sitting Rabbit map gives us a visual representation to help analyze how conceptions of place, space, and territory were negotiated between the Three Affiliated Tribes, neighboring Plains tribes, and the federal government. The physical environment and early history of the Mandan, Hidatsa and

³⁶ Hoxie, *Parading Through History*. Brenda Child, *Boarding School Seasons: American Indian Families, 1900-1940* (Lincoln: University of Nebraska Press, 2001). McMillan, *Making Indian Law*. Philip Deloria, *Indians in Unexpected Places* (Lawrence: University of Kansas Press, 2004). John Troutman, *Indian Blues: American Indians and Politics of Music, 1879-1934* (Norman: University of Oklahoma Press, 2009). Thomas Biolsi, *Organizing the Lakota: The Political Economy of the New Deal on the Pine Ridge and Rosebud Reservations* (Tucson: University of Arizona Press, 1998). Mindy Morgan, “Constructions and Contestations of the Authoritative Voice: Native American Communities and the Federal Writers’ Project, 1935-41,” *American Indian Quarterly*, 29 (2005). Marilyn Norcini, “The Political Process of Factionalism and Self-Governance at Santa Clara Pueblo, New Mexico,” *Proceedings of the American Philosophical Society*, 149 (2005). Paul Rosier, “‘They Are Ancestral Homelands’: Race, Place, and Politics in Cold War Native America, 1945-1961,” *Journal of American History* (2006). Paul Rosier, *Serving Their Country: American Indian Politics & Patriotism in the Twentieth Century* (Cambridge: Harvard University Press, 2009). Smith and Warrior, *Like a Hurricane*. Daniel Cobb, *Native Activism in the Cold War Era: The Struggle for Sovereignty* (Lawrence: University of Kansas Press, 2010). Daniel Cobb & Loretta Fowler, eds., *Beyond Red Power: American Indian Politics and Activism Since 1900* (Santa Fe: School for Advanced Research Press, 2007).

Arikara before 1934 are recounted to show how the actions of a land-greedy federal government forced the three tribes to conceptualize a defensive stance towards their remaining territories, or what this project calls sovereign territoriality.

Chapter Two, “Authority and Indian Reorganization on Fort Berthold, 1934-1941,” covering the years from the Indian Reorganization Act to U.S. entry into WWII, uses archival materials and community oral histories to examine how New Deal programs and legislation contributed to the reorganization of legitimate authority at Fort Berthold. The changes wrought in political authority, the defense of tribal territories, and the definition of tribal membership during these years constitute major shifts in three of the key components of sovereign power. When the IRA provided space for tribal members to claim authority within the boundaries of the reservation, tribal leadership used it to rearrange the boundaries and roles of tribal territoriality and membership in order to preserve tribal lands. Through this process of reorganization and the exercise of tribal authority, the land of the reservation became heavily politicized in a new way. This politicization created the opportunity for tribal members to claim and exercise an indigenous citizenship. This tribally-centered notion of citizenship was simultaneously rooted in tribal cultural membership, committed to claiming the rights of U.S. citizenship, dedicated to asserting and protecting treaty and land rights, and strategically mobilized citizenship and self-rule as technologies through which to realize a viable future for their community. Through these dynamics and the presence of intra-tribal factions, Chapter Two argues that community processes of exercising and contesting tribal authority are the foundation stones upon which modern conceptions of tribal sovereignty rest.

The third chapter, “Performing Citizenship: The Cultural Production of Indigenous Citizenship, 1940-45,” interrogates the meaning of military service, U.S. and tribal citizenship, and patriotism during WWII, using oral histories describing community gatherings, flag songs, and honor songs produced during the time period. The chapter focuses on how notions of place are constructed through cultural practices such as community gatherings, singing, and dancing. On Fort Berthold during WWII, tribal members strategically mobilized the powerfully jingoistic state narratives surrounding military service, production and consumption; actual community *practice* illustrates a tribally-centric, non-state version of both. These practices also illustrate how land use and local practices formed the center and foundation for the development and maintenance of a radically indigenous patriotism and citizenship.

“‘You feel it inside that you’re not given a good deal’: The Fight against the Garrison Dam,” the title of Chapter Four, is taken from a quotation from Joe Packineau (Hidatsa), a former tribal chairman and judge who appears in the field notes of a graduate student who worked at Fort Berthold under direction from renowned anthropologist Sol Tax, just before the implementation of the Garrison Dam. The fourth chapter uses anthropological field notes and sources from the federal archives to locate and identify the narratives used by tribal members as they voiced opposition to the Garrison Dam. As two sovereignties – that of the United States and that of the Three Affiliated Tribes – came into conflict over the notion of the public good, tribal members mobilized concepts from their arsenals of indigenous citizenship claims in defense of tribal territories facing inundation. Through this praxis of indigenous citizenship – partially forged in a crisis to protect the foundation of tribal identity: the tribal land base – community members

asserted individual and community rights based on a history of treaties and a new government-to-government relationship institutionalized by the Indian Reorganization Act. The mobilization and use of these rhetorics represent one of the conceptual building blocks to modern notions of tribal sovereignty.

Chapter Five, “Saying Goodbye,” covers the years 1950-1952 and draws upon oral histories, field notes produced by anthropologists, and government photographs to discuss how community members dealt with intensified political, economic, and spatial turmoil – in addition to the necessity of saying goodbye to their river valley homes. The turmoil allowed the BIA to assume vast authority over the management of land and definition of territory, and in response the tribal authority structure dissolved into infighting over control over the federal money intended to compensate the tribe for one of their most priceless resources: their homes. As tribal members said goodbye to their river valley, they told stories of the past associated with the places that would be inundated, and their move to the prairie became defined by the narration of that past and what was lost. The process of rebuilding, however, focused on building a viable future for their families and the community as a whole. The tools that had been developed through the early twentieth century – sovereign territoriality, indigenous citizenship, and the struggle to exert legitimate political authority both inside and outside the community – were mobilized not only to fight the Garrison Dam, but to rebuild after the lands were taken.

Finally, the Conclusion considers the time period after relocation, when Fort Berthold community members and tribal leadership reestablished themselves spatially and socially after the Garrison reservoir was complete. A challenge to indigenous citizenship practices had occurred as a result of the federal attack on the sovereign rights

of tribes during the implementation of the Garrison Dam. The Conclusion to this dissertation discusses how as a result, tribal members saw the need to bolster the intellectual arsenal of tribal rights in order to protect their territories and communities, and began to participate in other activisms locally and nationally.

In tracking some of the vast changes Fort Berthold traversed in the mid-twentieth century, this project realizes that all too easily the narrative could devolve into one of loss and tragedy. These declension narratives, after all, are the ones that have for too long structured histories of Native America – and for good reason. Since contact, tribal members have seen the irrevocable and violent impact of European and then Euro-American value systems and structures of power on some of the most beautiful aspects of indigenous community life. For example, Maxidiweash (Buffalo Bird Woman), whose rendition of the Hidatsa origin story began this introduction, was interpreted by anthropologist Gilbert Wilson as saying,

I am an old woman now. The buffalos and black-tail deer are gone, and our Indian ways are almost gone. Sometimes I find it hard to believe that I every lived them. ... We no longer live in an earth lodge, but in a house with chimneys; and my son's wife cooks by a stove. But for me, I cannot forget our old ways. Often in summer I rise at daybreak and steal out to the cornfields; and as I hoe the corn I sing to it, as we did when I was young. No one cares for our corn songs now.

Sometimes at evening I sit, looking out on the big Missouri. The sun sets, and dusk steals over the water. In the shadows I seem again to see our Indian village, with smoke curling upward from the earth lodges; and in the river's roar I hear the yells of the warriors, the laughter of little children as of old. It is but an old woman's dream. Again I see but shadows and hear only the roar of the river; and tears come into my eyes. Our Indian life, I know, is gone forever.³⁷

While surely Maxidiweash said and felt these things, this quotation does not encapsulate the entire story she conveyed to Gilbert Wilson. This quotation, however, has been

³⁷ Wilson, *Buffalo Bird Woman's Garden*.

widely reproduced and has a much wider circulation than her story of Hidatsa origins, or even her detailed and vibrant descriptions of Hidatsa agricultural practices. And while Maxidiweash and her communities did indeed experience much loss, there is a reason that her story of endings is so widely reproduced, whereas her stories of origins or of persistence do not appear so often in anthologies of Native oral tradition, or on websites about the Native experience in the nineteenth and twentieth centuries. The stories of origins and persistence, of course, are more complicated, less easily digestible by non-Hidatsa – and require much more time ‘sitting’ with them – than the evocative story of loss Wilson translated. The ‘loss’ story of Native America, the declension narrative, is also a powerful trope used to structure the story of American exceptionalism – a story soaked in the sticky fluid of imperialist nostalgia, that explains why Indians are ‘gone’ and white people are ‘here’ through a shallow and performative regret.

And while the history on the following pages does indeed contain much loss, tragedy, and sorrow – honoring the very real and concrete experience of Fort Berthold tribal members – it is also an origins story. It tells a part of the story of tribal sovereignty in the twentieth century, by examining what happens to an indigenous community when its land base is gutted. It also explores the implications of this vicious gutting for the evolution of tribal sovereignty and identity – as well as the cruelty that results when federal sovereignty is exerted to extinguish tribal sovereignty.

When the story is followed beyond the temporal confines of this project, the Fort Berthold story becomes one in which the events described in these pages come to be used as a test for understanding what constitutes “just compensation” when the federal government exerts eminent domain over tribal lands. Thus, this origins story also begins

to illuminate the integral impact of the assertion and persistence of tribal sovereignty on the exertion of federal sovereignty. Finally, though, the history recounted here reminds us that origins stories usually contain loss, and that the real tragedy of declension narratives is that their very nature makes them unable to honor the persistence and strength of indigenous communities.

CHAPTER II

Growing Place and Defending Territory: Fort Berthold before 1934



Image I.1 Sitting Rabbit's 1907 Missouri River Map (detail of Turtle Fall Creek)

Turtle Fall Creek is near where the world began. Sitting Rabbit's map shows where it meets the Missouri River.

In 1907 a Mandan man named Sitting Rabbit – also called Little Owl (as many adult men at Fort Berthold carried several names depending on their accomplishments in life) – completed a curious map of the Missouri River. Hand drawn, it covers approximately twenty-three feet of canvas, and represents the portion of the Missouri River from the North Dakota-South Dakota boundary line to the Montana border. Because that portion of the Missouri twists and turns and sometimes doubles back on itself in its course, the canvas is visually divided by the mapmaker's creation of segments

of the Missouri River. This is not a unified, flowing Missouri, it is drawn and narrated in pieces.³⁸

Turtle Fall Creek is labeled near the end of the map's very first portion, which details the stretch of river from the boundary between North and South Dakota to a little past what is today called the Little Beaver Creek. This first part of the river introduces many of the visual conventions of the mapmaker, starting with the pictograph of a Native man, Water Chief. The river flows east from the next visual marker, a pictograph of an earth lodge labeled "Mandan Town," followed by "Wood-dividing creek," and another pictograph of "High Eagle." In quick succession the Standing Rock Agency, identified both in English and Hidatsa, leads to an outcropping, then "Grease Creek." Near the end of this segment is a creek flowing into the Missouri from the west, and the mapmakers labeled it Náakaka aruwirihkita arure:š, which can be translated from Hidatsa as 'the turtle's going into the water' or 'where the turtle went into the water.' The person who made the English labels, Congregationalist minister Reverend Charles Hall, labeled it "Turtle Fall Creek."

In the rest of the map, the Missouri River meanders on – in segments – and Sitting Rabbit continued to mark village sites with pictographs of earth lodges, to represent tribal leaders within areas near the river, and to mark the locations of important tributaries to the Missouri. Sometimes the geographic and human landmarks named for their physical characteristics are accompanied by pictures of the animal they resemble – for example, Eagle Nose Village has the bust of an eagle drawn near it, and Buffalo Head Hill is matched with a picture of a buffalo head. The Heart River – at whose confluence with the

³⁸ Thomas D. Thiessen et al., "The Sitting Rabbit 1907 Map of the Missouri River in North Dakota," *Plains Anthropologist* 24, no. 84 (1979): 145-67. Mark Warhus, *Another America: Native American Maps and the History of Our Land* (New York: St. Martin's Press, 1997), 43-52.

Missouri was the heart of the Mandan universe – is paired with a drawing of an anatomically correct heart.

Sitting Rabbit's map – its physicality, its production, and its maker – serves as a frame and the beginning of an explanation for understanding how tribal members conceptualized the Missouri River and its river valley lands, and the way the federal government understood the same area. More importantly, however, Sitting Rabbit's map allows us to follow the story of a river and the land it carved. This story of land and water is also a story about the people who carefully tended those elements to create a place, just as they tended their gardens of corn, beans, squash, and sunflowers. The story of the land would not exist without its river, and the story of the river and its land would not exist without the people: *Nuxxbaaga*, or Our People in the Hidatsa language; or *Nueti* in the Mandan language. The people, of course, survived and thrived because of the marriage of the river – the upper Missouri – to the land, the northern Plains in what is now northwest North Dakota.

This chapter explains the history of these people before the federal government decided to flood their river valley. The history this chapter details that the long interaction between the Mandan, Hidatsa and Arikara and the Missouri River Valley served as a foundation for the twists, turns, and evolution into a political body now called the Three Affiliated Tribes of the Fort Berthold Indian Reservation. Essential to these changes is the way that the people of Fort Berthold created and experienced modifications to their Missouri River lands. Sitting Rabbit's map serves as a visual and narrative touchstone, and it can help to explain this dissertation's scaffolding theory, which uses the terminology of 'place,' 'space,' and 'territory' to explore the spatial

dynamics occurring in the Missouri River Valley before and after the implementation of the Garrison Dam.

The following narrative takes as foundational the understanding that Fort Berthold, as with many political, cultural, and social units, is both constructed by human imagination and is as real as the smell of baked prairie grass cooling at the end of the day. The process of its construction serves as the first portion of the broad story this dissertation tracks, which concerns the ways space and place and a people's identity changed when a dam flooded their communities. This chapter discusses the physical environment and some of the ways the Mandan and Hidatsa created place in that land. It also tells the early stages of the story of how both Native and Euro-Americans began to construct their understandings of how this parcel of land functioned as a space – a space for trade, exploration, resource extraction, and eventually resource development. The chapter ends by showing how Indian-federal relations – and in particular a history of forced land cessions – began to turn this portion of land from a place into a territory for Three Affiliated Tribes tribal members.³⁹

Growing Places: Land and Narrative

Turtle Fall Creek. The word used for turtle in the Hidatsa – Náakaka – means snapping turtle, and the creek commemorates the place where one of the four turtles Lone Man made, as he and First Creator created and shaped the lands, flora, and fauna west

³⁹ One of the most important ways humans construct space for the purposes of this project is through the marking and measuring of territories. Thus, I use “territory” to refer to a state-produced definition of space, regardless of whether that state is a federal, regional, or tribal government. The ability and right to control a territory through a government's jurisdiction lies at the heart of what this project defines as “sovereignty,” and thus represents a slight modification of the way sovereignty is commonly used as a way to discuss or define state power and jurisdiction.

and east of the Missouri River, slipped away from him, into the river, and continues to support the dry land to prevent it from sinking. For both the Mandan and Hidatsa, the Missouri River flows through the center of their origins and creation stories. It is the original river, in a sense, the one that Lone Man and First Creator kept between them as they shaped the landscape, and as such it represents that flooded waterscape before humans, plants, or animals existed. Thus, Turtle Fall Creek represents not only the fall of a snapping turtle slipping back into the waters of creation; it is a reminder of the creation story. It is a reminder of that fourth turtle who still supports the dry land for human habitation.⁴⁰

The point in remembering this story about the fourth turtle is that it allows us to understand the inextricability of land and water in creating place. In particular, it evokes the importance of stories in the naming and understanding of a particular place. At Turtle

⁴⁰ Thiessen et al., “The Sitting Rabbit 1907 Map of the Missouri River in North Dakota,” 145-67. This project agrees with Neil Maher’s definition of landscape from his book, *Nature’s New Deal: The Civilian Conservation Corps and the Roots of the American Environmental Movement* (New York: Oxford University Press, 2007), which defines landscape as non-human nature altered by human labor. As such, it serves as the nexus of interactions between society and the natural environment. Landscape can represent place – such as the gardens of the Mandan and Hidatsa that modified the Missouri River valley for hundreds of years – but it is also the canvas upon which states and large structures enact expressions of their governance. For example, James Scott’s *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven: Yale University Press, 1999) shows how governments across the globe have attempted to manage natural resources and human populations within their territorial boundaries through modifications of the landscape. William Cronon’s *Nature’s Metropolis: Chicago and the Great West* (New York: Norton, 1991) illustrates how structures of capital also carve change into the landscape through the processes of extraction, transportation, and commerce. As told to Robert Reitz by Philip Snow (translated by Carl Sylvester), Lone Man showed the people how to make drums for ceremony in the image of turtles, who could not be used as drums because they were “the very backbone of the earth, and holding up the earth.” “Now, when they made the four tortoises, they wanted to honor them. They decorated them with feathers, and the greatest feathers were the feathers of the eagle, and so these were the feathers they used. On one of them, they took and used the finest young feathers of all, and they decorated this first drum with that. On the second drum they used older feathers of the spotted kind that we call the Black Eagle. The third drum was of the speckled kind, and the fourth and last drum was supposed to be the strongest and last the longest of all, and so they used from an old eagle. Now the first drum wanted the older kind of feather, and so when they decorated the first drum he was angry and envious because these downy feathers looked like the feathers of the snow bird, and he was so angry he said, ‘If that is what you are going to do, if you are going to save the best for the last one, I am going to leave,’ and so he went to the river and jumped into the river and they couldn’t hold him back.” Robert Reitz field notes, 1951; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

Fall Creek, the story that explains it insists that what matters most is the land and the water, and the relationship between them. The story also forces us to think through what place means. Place refers to the lived understandings human create within and attached to the landscapes they inhabit, and has been beautifully theorized and articulated especially in understanding a landscape. Keith Basso's *Wisdom Sits in Places*, for example, identifies specific landmarks within the Western Apache imaginary, and shows us how story and memory as tied to specific *places* serve to create history and culture. Place as a theoretical concept becomes useful to historians by giving us a term to remind us and explain that the first modification humans make on an environment is to imagine it. Before any animal or plant resources are harvested, before they even walk through it, humans begin to tell small and large stories about the land. The Mandan and Hidatsa creation stories are the result of long and deep imaginings and retellings, illustrating the most profound ideas about the landscape and waterscape in which they lived.⁴¹

If, as Edward Casey asserts, “places gather” – gather things, experiences, histories, languages, and thoughts – then place allows us to begin thinking about how human memories and histories insert meaning into their lived landscape. The shared understandings of place for human communities contribute to the sense of a community cultural identity. Thus, place is an important theoretical construct that, in this chapter and the remainder of the dissertation, allows for a close examination of ways massive change in a landscape impacts community identity.⁴²

⁴¹ Keith Basso, *Wisdom Sits in Places: Landscape and Language Among the Western Apache* (Albuquerque: University of New Mexico Press, 1996).

⁴² Edward Casey, “How To Get From Space to Place in a Fairly Short Stretch of Time: Phenomological Prolegomana,” in *Senses of Place*, ed. Feld and Basso, (Santa Fe, NM: School of American Research Press, 1996).

It can be easy – especially within a landlocked state such as North Dakota – to forget that landscape includes not just awa (land in Hidatsa); it includes miri (water, also in Hidatsa). Sitting Rabbit’s map reminds us of how the land and the river – together – laid the foundation for culture, place, and history for the Fort Berthold community. The map itself centers on Awaati, the Missouri River, and the key stories that mark place and identity use the Missouri River and its tributaries as reference points for stories embedded in the landscape. Place, for the Mandan and Hidatsa, was constructed not just on land, but in reference to the water that consistently moved through the landscape. Place, history, culture, memory – these were all constructed using both awa (land) and Awaati (the Missouri River) as the concrete elements of the landscape that signified the remembered.⁴³

Due to cultural diversity within both the Mandan and Hidatsa, neither tribe has a single creation story. Both Mandan and Hidatsa narratives tell how Lone Man – after following his bloody footprints back to the cedar tree that bore him – together with First Man or Coyote encouraged a diving duck to bring soil from beneath a flooded waterscape, with which they created the lands to the east and west of the Missouri, as well as the flora and fauna associated with each landscape.⁴⁴ For Mandan communities, some asserted that the Heart River (one of the tributaries of the Missouri) was the center of the universe, where after the original flood First Creator shaped the more rugged

⁴³ Michel De Certeau, *The Practice of Everyday Life*, trans. Steven Rendell (Berkeley: University of California Press, 1984). Basso, *Wisdom Sits in Places*. Casey, “How To Get From Space to Place in a Fairly Short Stretch of Time.” Valerie Ann Kivelson, *Cartographies of Tsardom: The Land and Its Meanings in Seventeenth-Century Russia* (Ithaca: Cornell University Press, 2006).

⁴⁴ Alfred Bowers, *Mandan Social and Ceremonial Organization* (Chicago: University of Chicago Press, 1950), Appendix I: Myths of the Okipa Ceremony, see Origin Myth related by White Calf, Origin Myth related by Scattercorn. Bowers, *Hidatsa Social and Ceremonial Organization* (Lincoln: University of Nebraska Press, 1992), “The Legendary Period,” 297-307. W. Raymond Wood, *The Origins of the Hidatsa Indians: A Review of Ethnohistorical and Traditional Data* (Lincoln: J&L Reprint Company, 1986), 27-42, 93-123.

erosion-based landscape west of the river, animals such as buffalo and elk, and big and little streams and springs; at the same time, Lone Man made the land to the east, full of gentle hills and lakes. Both creators had agreed that they would work side by side but leave a river between them as they worked.⁴⁵

These stories align with geological explanations of the landscape, that tell how the land in this region was shaped by waves of huge glaciers and the rise of the Rocky Mountain chain, producing two separate effects on the east and west sides of the Missouri. East of the river, the land consists of rolling hills formed by glacial drift left behind on what had previously been a flat plain, and remaining largely unmarked by erosion. The lakes that dot the eastern side that lead into the woodlands of northern Minnesota testify to the fact that drainage patterns have not yet been fully formed as on the western side. In comparison, the western side of the Missouri in which an old seafloor has been tilted by the rise of the Rockies, was shaped by erosion and drainage from the

⁴⁵ As told to Robert Reitz and translated by Carl Sylvester, Philip Snow told this part of the creation story thusly: “When the diving duck brought up this earth, the Lone Man was the one who took it from the duck bill and by magic handling, and by resting first on one hand and then on the other with the lump of dirt, it developed into a handful. He gave one part of this handful to the First Maker and he kept the other, and said, “First Maker, you take your choice of where you want to make – the north side or the south side.” He took the north, and by magic handling the First Maker made the rolling mountain country, rolling hills, rivers, streams, and he kept on until he just had a small little bit left. Then he said, “This what I have will be the heart of the land,” and he put down this bit and said it would be called Heart Butte, or Heart Hill, and that’s what he did with his portion. Then the Lone Man took his portion of the earth, and deposited it here and there and kept on with it, and being a man of serene temperament, he wanted to rough places, and he created flat lands, easy to get around. Then he made a big forest, and we call it just that today – the Big Forest. When he got finished, from ocean to ocean, he had some left, and he deposited this and made the hill that you can see there somewhere north of Bismarck. ... The dividing line for them was the Missouri River, and they called it [Awaati]. ... Now, when they started creating and doing these things, it was for the special benefit of the Indian to use and multiply and make use of. That being the case we felt, my ancestors had felt, from the beginning, that the continent was meant for the Indian. Living in the western hemisphere was for their benefit, and it was made for their benefit. Now there came a race from foreign shores who have usurped, and we are overwhelmed by their very might. And now we have lost to them that what was made for us.” Reitz field notes, March 22, 1952; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

mountains into the river to create badlands areas cutting into sedimentary rock underneath the grasslands of the Plains.⁴⁶

West of the Missouri, then, consists of two main types of land: prairie and valley. Although the dry, eroded badlands surrounding the streams and rivers that feed into the Missouri look stark, they usually border a valley area that contains greater plant and animal species diversity fed by the proximity to water and the nutrient-rich flood plain. The valley floors are populated by heavy timber growth – willows, cottonwoods, cedars, elms, boxelders – as well as a diverse array of animal, bird, and riverine life. The top lands, on the other hand, gain their sustaining water not from the rivers and streams but from rainfall. The plants on the prairie – grasses, sage, small brush – thus evolved complex root networks, or sod, to capitalize on the moisture from the rainfall kept to a minimum by the rain shadow enforced by the Rockies. “Above ground, fire, winds, blizzards, and grazers could decimate the visible part of this plant life, but as long as sod survived, so would the society to hold the thin soils on the gentle grade.” The prairie allowed large grazers – bison, elk, and deer – to develop migration patterns that stretched from northern Canada to the southern United States.⁴⁷

The area of the United States called ‘the Great Plains’ actually contains three grassland biomes, tallgrass, mixed grass, and shortgrass, the boundaries of which are shaped in a large part by the boundaries of the fronts of major continental air masses on the eastern side of the Rockies, the polar and gulf fronts. The long duree trends of these fronts control not only temperature, but also rainfall and the length of seasons. Most of present-day North Dakota falls within the mixed grass biome, populated both by tallgrass

⁴⁶ Wood, 4-9. Richard Manning, *Grassland: The History, Biology, Politics, and Promise of the American Prairie* (New York: Penguin, 1995), 40-41.

⁴⁷ Wood, 7. Manning, *Grassland*, 39-40.

species that moved into the area after the retreat of melting glaciers during the Pleistocene Era and by shortgrass species that came from the high plains of the desert southwest at the tail end of the Pleistocene.⁴⁸

The known archeological record – archeology being another way of imagining space and place – tells us that the presence of large grazers spurred human habitation of the Great Plains during and after the retreat of the last massive glacier. Ancient indigenous communities used the nomadic herds as the foundation of their food sources, some groups maintaining a nomadic lifestyle, while others lived in villages, pueblos, or larger cities and developed farming techniques that allowed the three sisters of Native American agriculture – corn, beans, and squash – to flourish in arid environments with a wide range of growing seasons. The short growing season of the northern plains required the Mandan and Hidatsa to develop corn, bean, squash, and sunflower species that would come to maturity within sixty to seventy days.⁴⁹

And while large grazers such as bison pulled human communities into the prairie landscape, it was the river that allowed humans to live in this semi-arid region. The upper Missouri made the land not only habitable, but allowed the Plains Village Cultures – or the “proto” Mandan, Hidatsa, Arikara, Pawnee, and Wichita – to flourish agriculturally between 1000-1500 in an environment of extremes. Bitingly cold winters in which -10F with a windchill of -30F can last for weeks at a time, and hot, dry summers in which the temperature ranges between 80F to 100F create enough of an agricultural challenge without taking into account the difficulty of breaking prairie sod and the thinness of the

⁴⁸ James E. Sherow, *The Grasslands of the United States: An Environmental History* (Denver: ABC-Clío, 2007), 1-28.

⁴⁹ Waldo Wedel, *Prehistoric Man on the Great Plains* (Norman: University of Oklahoma Press, 1961), 158-60. Manning, 68. Wood, 7-8. Parch corn, grind; cook squash and beans and mash them, grind sunflowers, mix together to make the Four Mix (Mandan) that’s fed to Lone Man.

topsoil beneath it. Annual precipitation in this portion of the Dakotas ranges between fifteen to seventeen inches per year, making it part of a semi-arid biome that extends north and south on the eastern side of the Rockies. Such aridity ensured that the land was literally and figuratively shaped by the Missouri, or “Big Muddy” as some call it due to its high silt content.⁵⁰

From its headwaters near the present-day town of Three Forks in the Rocky Mountains of southwestern Montana, the Missouri leads east through Montana before turning south in North Dakota. From its turn south, the river runs through South Dakota, Nebraska, Iowa, and Kansas before merging with the Mississippi near Saint Louis, Missouri. At the end of this 2,341 mile S-shaped journey, the union of the Missouri and Mississippi is legible from the air because the silt of the Missouri contributed in part by the Upper Missouri states makes it a light tan color in comparison to the darker waters of the Mississippi. That silt then pushes and pulls all the way down to the Gulf of Mexico.⁵¹

The Missouri remains the longest river in the United States. And while the Mississippi looms large in the American imagination as the quintessential “American” river, the Missouri contributes anywhere from forty-five to seventy percent of the flow volume of the Mississippi when the rivers converge near Saint Louis. More than twenty-eight Native tribes used the Missouri before Euro-Americans came to travel and utilize the river, drawn not only by the flowing water in an arid steppe climate, but to the river

⁵⁰ W. Raymond Wood, *An Interpretation of Mandan Culture History*, Smithsonian Institution, Bureau of American Ethnology, Bulletin 198 (Washington, DC: U.S. Government Printing Office, 1967), 4-9.

⁵¹ Wood, 4-9. Manning, 15-16.

valley environment as a source of timber, diverse animal and plant species, and fertile lands for agriculture.⁵²

The give and take of the river centered on the nutrient-rich silt that allowed gardens and fields and plant and animal species near the river valley to flourish, representing “one of North America’s most diverse ecosystems with abundant braided channels, riparian lands, chutes, sloughs, islands, sandbars, and backwater areas.” Because land does not flow and change at the same rate as water, humans can make a more permanent and visible mark on it, and thus land better allows us to track how humans – Native and non-Native – modified the land and water to create *place* – a place in which human communities worked and lived on the land, growing corn and beans and squash, stories and histories and memories.⁵³

The stories and histories are as diverse as the ecosystem, but tend to center around the river as a marker of place. For example, another tradition from the Mandan asserted that the Mandan had come out of the earth on the right bank of the Mississippi River near the Gulf of Mexico. They brought corn and the knowledge of its cultivation with them as they moved north, and their migration was based on a religious imperative. They migrated to the mouth of the Missouri, always moving north from the mouth of the Mississippi, and finally coming to the place where the Heart River joined the Missouri where they were united with the people Lone Man and First Creator put there.

⁵² Missouri River Natural Resources Committee and the U.S. Geological Survey, Biological Resources Division, Missouri River Environmental Assessment Program, 1998.

⁵³ Missouri River Natural Resources Committee and the U.S. Geological Survey, Biological Resources Division, Missouri River Environmental Assessment Program. 1998. Manning, Chapter 4.

Significantly, both origins stories center the river in the community explanations of origin and creation.⁵⁴

The Hidatsa also possess differing origin stories contained within their tribal history, but to a large degree they agree on the following account, as told by Buffalo Bird Woman in the 1920s:

We Hidatsas believe that our tribe once lived under the waters of Devils Lake. Some hunters discovered the root of a vine growing downward; and climbing it, they found themselves on the surface of the earth. Others followed them, until half the tribe had escaped; but the vine broke under the weight of a pregnant woman, leaving the rest prisoners. A part of our tribe are therefore still beneath the lake.⁵⁵

But both Mandan and Hidatsa accounts agree on how the two tribes grew to be neighbors and allies. The Mandan had already migrated to their present-day territory along the Missouri, and one day a group of Hidatsa hunters coming from the east encountered their village. Although separated by the river, the Mandan shot arrows over the Hidatsa that had corn tied to them, and communicated that they should eat it. The Hidatsa hunting party returned to their original village and told them of their discovery, and the

⁵⁴ Virginia Bergman Peters, *Women of the Earth Lodges: Tribal Life on the Plains* (Norman: University of Oklahoma Press, 2000), Chapters 3 & 4. The story of migration from near the Gulf of Mexico is supported by the presence of shells originating from that area in one of the Mandan medicine bundles that survived to historic times. Accompanying these origins stories was another explanation of place and creation: "... [A]fter the two male gods created the earth and the male animals, a holy woman whose name was Village Old Woman decided to create females of each species to perpetuate life and give the people female creatures to worship. In her search for the Mandan and Hidatsa people, she followed the Missouri River underground to its source in the Rocky Mountains, cutting out the Knife River and its tributaries as she went. Peters, 33. Alfred Bowers, *Mandan*, Appendix I: Myths of the Okipa Ceremony, see Origin Myth related by White Calf, Origin Myth related by Scattercorn. Wood, *An Interpretation of Mandan Culture History*.

⁵⁵ Wilson, *Buffalo Bird Woman's Garden*. "My father, Small Ankle, going, when a young man, on a war party, visited Devils Lake. 'Beneath the waves,' he said, 'I heard a faint drumming, as of drums in a big dance.' This story is true; for Sioux, who now live at Devils Lake, have also heard this drumming. Those of my people who escaped from the lake built villages near by. These were of earth lodges, such as my tribe built until very recent years; two such earth lodges are still standing on this reservation. The site where an earth lodge has stood is marked by an earthen ring, rising about what was once the hard trampled floor. There are many such earthen rings on the shores of Devils Lake, showing that, as tradition says, our villages stood there. There were three of these villages, my father said, who several times visited the sites."

community moved west to settle near the Mandan village – but in their own separate town where they learned to cultivate gardens from the Mandan.⁵⁶

The Arikara creation story involves migration, and is much less tied to the Missouri River as a central marker of place. The three tribes agree that the Arikara were forced upstream into Mandan and Hidatsa territory by a combination of Lakota aggression and decimation due to smallpox. One story told to anthropologists in the 1950s by a Hidatsa tribal member narrated the Arikara as being in a pitiful state due to Lakota attacks, when a Hidatsa chief “approached the Ree [Arikara] chief, and invited him to bring his people across the River to join the [Hidatsa], offering them the protection of the [Hidatsa] and suggesting that by combining forces they might both become more powerful.” The Arikara chief refused, “saying they had buried their medicine deep in the ground. By this ... they meant that they had come to feel at one with the place, and attached to the place, and felt that they couldn’t take themselves away from it to go and live across the River.” Myra Snow (Mandan, Hidatsa) told a similar narrative in the 1980s, saying,

That’s the reason why [all three tribes] migrated up north towards Fishhook [Village] ... they were being slaughtered by the – I think they had smallpox down in Nebraska and they were a small band of Arikaras then and then they came up and they moved into those lodges down at Stanton [that had been abandoned by the Hidatsa due to smallpox]. ... They just kind of moved in – because they were immune to that smallpox germ cause they already had it in Nebraska. They were there and the Sioux kept attacking them, so they finally moved up to Fishhook Village. ... The first time they came, there was a large band of Arikaras came, and they said – this my mother told me – they got kind of high, kind of like they were better than the Mandan, and they said, no, we’re alright, they said, we have powerful medicines and oh, they were just much better than our tribes. So they went away and then they come back and there was just a few. They were getting slaughtered by the Sioux. That’s when they crossed so the men from the Mandan

⁵⁶ W. Raymond Wood, *The Origins of the Hidatsa Indians: A Review of Ethnohistorical and Traditional Data*. (Lincoln: National Park Service, 1980), 27-42. Bowers, *Hidatsa*, “The Legendary Period,” 297-307.

and Hidatsa group went across with the bull boats and they crossed, and since then they been here.

Regardless of the reasons behind the Arikara deciding to join or not join the Mandan and Hidatsa, clearly all three tribes were deeply tied to the river valley landscape, for as the Arikara chief is said to have related, “they had their medicine buried deep into the ground.”⁵⁷

Between 1000 and 1500, the “Central Plains Village Culture” – the communities that became the Mandan, Hidatsa, Arikara, Pawnee, and Wichita – lived in the grasslands river valleys in large earth lodge villages, gardening, trading, and hunting to maintain their communities. After 1500, Mandan and Hidatsa communities consisted of earth lodge dwellings clustered in a fortified village around a central plaza that also served as the center of social and religious gatherings – and of course, these communities were always built along the Missouri River. Women built the circular earth lodges with help from clan members, and men erected the four large center poles connected by crossbeams to support the roof. Eleven to fifteen smaller poles were set in a circle around the center posts, and the entire structure was covered by rafters at the top and ringed by smaller willow posts around the edges before being insulated by first a layer of grass and then a layer of earth and clay. As each earth lodge contained an average of ten family members, and each village contained between forty to a hundred lodges, a village could consist of anywhere from four hundred to one thousand people.⁵⁸

⁵⁷ Reitz field notes, 6/12/52, p. 3; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution. Myra Snow interview, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, Fort Berthold Community College, New Town, ND, June 25, 1990.

⁵⁸ Sherow, 25-27. Wood, 14-20.

The organization of the village and its earth lodges testify to the relationship between Mandan and Hidatsa communities and the river valley environment, for often the villages were built on the bluffs above the Missouri River valley – not only for defensive purposes but also because fertile valley lands were used for crop production. The earth lodges themselves could not have been built without easy access to the diverse timber resources of the valley, the grass of the prairie, and the mud and clay of the river.⁵⁹

Agriculture centered on the cultivation of corn, beans, squash, pumpkins, and sunflowers in the sandy, fertile river valley sustained these communities. Each family cultivated three to five acres, and gardens exemplified polyculture based on the companion planting of corn, beans and squash in which the corn provided a structure for the beans to climb as they grew, the beans helped to fix nitrogen into the soil for the other plants, and the squash spread along the ground not utilized by the corn or the beans, helping to prevent weeds and to retain soil moisture. Sunflowers often bordered the main garden plots to help deter pests, birds, and grazing wildlife.⁶⁰

Gardening, hunting, and food preservation allowed Mandan and Hidatsa villages to maintain prosperity unknown by other Plains tribes well into the nineteenth century. They also allowed both tribes to serve as a nexus of a cross-continental trade network. Contrary to the characterizations of tribal groups by early European explorers and Euro-American government agents – who, in their writings and portrayals, were often trying to simplify a deeply complicated local picture for faraway government centers – the Mandan and Hidatsa were embedded in a complex set of inter-tribal relations.

⁵⁹ Wood, 14-20.

⁶⁰ Wood, 20-21. Wilson, *Buffalo Bird Woman's Garden*.

The Missouri River was not necessarily the center of these intertribal relationships, though it served as the central actor in Mandan and Hidatsa land use patterns. Although rivers often function as transportation lines and connection points, on the northern Plains the rivers were not the only aspect of the landscape that moved. The movement of buffalo herds became as important as the movement of the water of the Missouri, especially after the coming of the horse, and so trade networks extended north, south, and west regardless of the direction of the river. Additionally, the extension of distance and speed possible in travel due to the introduction of the horse changed not only hunting patterns, but also military and intertribal conflict patterns.⁶¹

The arrival of Europeans in the Americas also introduced new catalysts for social and environmental change. Diseases such as smallpox, measles, cholera, and the bubonic plague begin to sweep across the continent with a pitiless thirty-year regularity that reduced the population of the Plains by 90-95% between 1500 and 1700. The southern presence of the Spanish introduced a revolution in travel and food production throughout the Plains, the horse.⁶² In particular, writes environmental historian James Sherow, “[t]he combined effects of European-borne diseases, cultural conflicts over religious beliefs, climatic changes concurrent with the onset of the Little Ice Age [between the sixteenth and nineteenth centuries], and the dispersal of introduced European animals, especially the horse, created in ideal situation for the success of aggressive, expansionist peoples

⁶¹ Jeffery Hanson, *Hidatsa Culture Change, 1780-1845: A Cultural Ecological Approach* (Lincoln: National Park Service, Midwest Archeological Center, 1983), 71-89. Sherow, 42-65.

⁶² Sherow, 42. Sherow writes, “Besides simply killing people in massive numbers, these diseases had other important ecological effects. . . . Obviously, with no one to hunt them the herds [of large grazers] would have increased. The only factors limiting their growth would have been the carrying capacity of the grasses and the concurrent rise in predators such as wolves. In the 1700s bison herds might have been as large as they ever were, given the effects of European-borne diseases.”

such as the Comanches to the south and the Lakota Sioux to the north.”⁶³ Later, the prevalence of a horse-based hunting economy would set the foundations for the growth of cattle economies throughout the Plains. Aside from disease and the spread of the horse after Spanish intrusion into the desert southwest, northern European settlement and population growth – accompanied by violence and dispossession – displaced and pressured eastern indigenous communities to expand west, setting off a chain reaction of migration that reached the Plains.⁶⁴

By the time the first French fur traders and explorers were traversing the Missouri and the Dakotas, the Northern Plains was home to ethnic groups under the following contemporary names: Arikara, Assiniboine, Arapaho, Blackfeet, Cheyenne, some Cree and Ojibwe bands, Crow, Gros Ventre, Hidatsa, various bands of Lakota, and Mandan. After the horse reached the northern Plains, the majority of these groups assimilated to an almost entirely nomadic lifestyle that focused on the horse and the buffalo to sustain communities. The exceptions on the northern Plains were the Mandan and Hidatsa, who instead moved in the opposite direction towards a permanent village life. Thus, by the time white people entered the area, the northern plains was a site of contested place and space. Lakota imaginings of the Black Hills as sacred overlapped with Mandan imaginings of the Black Hills as their past territories; Lakota spatial practice of nomadic hunting at times intruded on Hidatsa hunting and agriculture, and Hidatsa agricultural goods served as a resource – via trade or theft – for other Northern Plains tribes. Each had

⁶³ Sherow, 45.

⁶⁴ Colin Calloway, *One Vast Winter Count: The Native American West Before Lewis and Clark* (Lincoln: University of Nebraska Press, 2003).

their own spatial constructions, their own territories, their own stories about the land that marked place.⁶⁵

Thus, through agriculture, settlement, transportation, storytelling and history-telling, the Mandan, Hidatsa, and Arikara transformed lands in the northern Great Plains. These uses of land and narrative created a sense of place for each community – a lived landscape that was intimately known and narrated from one generation to another. It became a landscape in which tribes met, combined, gathered, and fought – and the stories they told about it, from memories of warfare to those of childbirth, named specific portions of the land in order to claim it. Both the naming and the claiming happened within a complex intertribal world that the next group to arrive on the Plains – Euro-Americans – would attempt to understand, simplify, take advantage of – or at times destroy. Sitting Rabbit’s map narrates this complicated history from a specifically Mandan understanding of the place that grew along the Missouri River, starting – as the Mandan world started – near Turtle Fall Creek.

Spaces of Change

⁶⁵ Calloway, *One Vast Winter Count*. Peter Mancall, *American Encounters: Natives and Newcomers from European Contact to Indian Removal, 1500-1850* (New York: Routledge, 2000). Manning, 68.

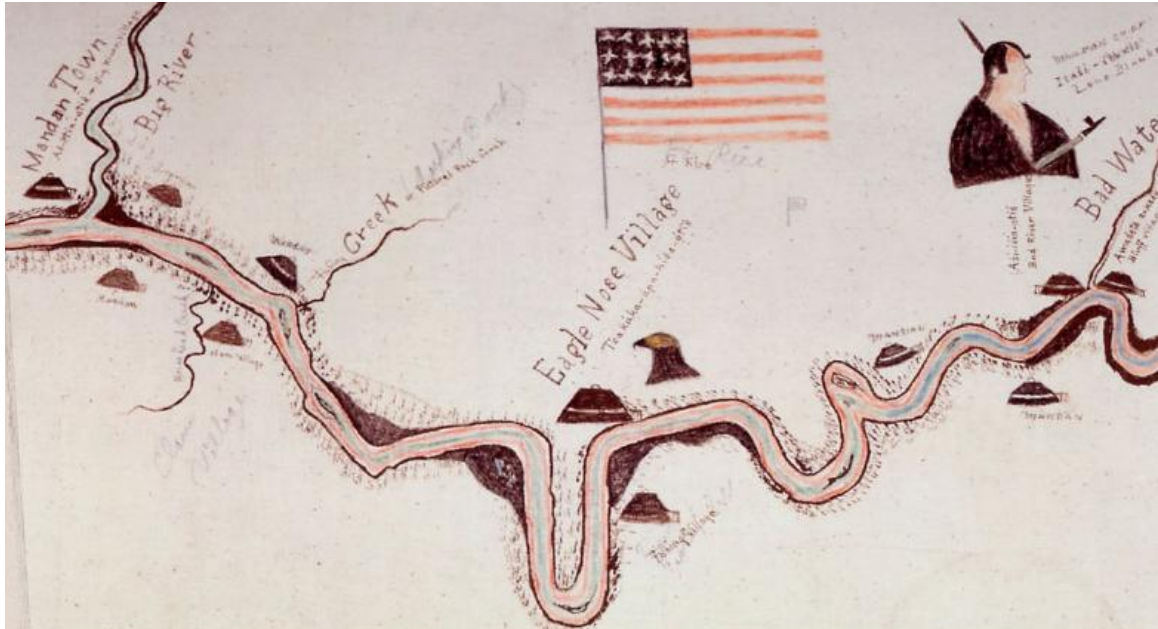


Image I.2 Sitting Rabbit's 1907 Missouri River Map (detail of Eagle Nose Village)

Sitting Rabbit's map shows more than local constructions of place, for maps are the expert storytellers of "space." Within this dissertation, "space" references the idea that, like place, the physical environment is also shaped by the ascription of meanings and values to certain parcels of land. Unlike place, however, space also implies that large institutions and structures within a society also shape the landscape by assigning meanings and enforcing certain uses and practices in association with it. These processes that emanate from structures and institutions, that at times can be very far away from the land in question – as opposed to the lived production implied in the production of place by individuals and local communities – produce specific spatial practices and perceptions that can impact the way local communities understand the places in which they live. For example, Lakota narrations of Mandan, Hidatsa, or Arikara land as a potential extraction point of stored agricultural goods could overlap with the U.S. national government

viewing those same lands as a space in which to set up a trading fort for the extraction of furs, which could overlap with the understandings of place developed by the Three Affiliated Tribes as they both tended gardens and hunted to produce furs for trade. Thinking about the physical environment in this way allows us to parse and identify the differences between the way individuals or a local community understands a landscape and the way larger institutions – such as a federal or state government, but also including a tribe – understand and create policies affecting the same landscape. In other words, the concepts of space and place allow us to more accurately describe the overlap and conflicts between local and distant narrations, meanings, and use of a landscape.⁶⁶

Maps are particularly useful in illustrating the spatial constructions of governments and communities at large.⁶⁷ Sitting Rabbit's map starts near the North-South Dakota border, and follows the curves of the Missouri River – in Hidatsa, *Awaati* – until it hits the mouth of the Yellowstone River near the North Dakota-Montana border. His map shows not only Hidatsa and Mandan historical and mythical markers, but also the locations of Euro-American settlements along the Missouri, usually marked with a grid pattern to represent towns. The Great Northern Railroad also crosses the map sections like a scar, stretching across the canvas with very little to anchor its path. The last few segments of the map show very little detail along the Missouri – an unsurprising

⁶⁶ Because land can be used to describe something as basic as soil or the ground, this project uses it to attempt to strip the human meanings attached to the physical environment – even while acknowledging the impossibility of such a task. The use of “land” is meant to approximate what Henri Lefebvre meant by his “absolute space,” or space in its crudest, most ‘natural’ form. “Space” is used as a shorthand to refer to what Lefebvre called “social space” (as opposed to his “absolute space”), meaning the ways that space is constructed in complex ways by society through ascribing meanings and assigning values to certain spaces in ways that produces specific spatial practices and perceptions. Henri Lefebvre, *The Production of Space*, trans. Donald Nicholson-Smith (Malden, MA: Blackwell Publishing, 1991).

⁶⁷ Several rigorous and beautifully-written academic books have covered the uses and narratives contained in maps. See G. Malcolm Lewis, *Cartographic Encounters: Perspectives on Native American Mapmaking and Map Use* (Chicago: University of Chicago Press, 1998). Also see Kivelson, *Cartographies of Tsardom*.

representation considering that most of the detail clusters around the portions of the river inhabited by the Mandan and Hidatsa within historic times.

Alongside the constantly turning Missouri as drawn by Sitting Rabbit, the pictographic busts of Native men are drawn to refer to Mandan and Hidatsa leaders; pictographs of single or groups of earthlodges represent current or past villages, and log or frame houses are used to mark Euro-American places such as trading posts or Indian agencies. At times, Sitting Rabbit drew animals to represent physical landmarks – such as the buffalo head is drawn near the location of Buffalo Head Hill. The map only marks places along the Missouri River valley, and the surrounding plains are largely featureless except for the railroad line; at one point on the map, perhaps to fill space, Sitting Rabbit drew a large U.S. flag.

The presence of Euro-American settlements and landmarks, as well as the U.S. flag, exhibit an historical and physical narrative that takes for granted the long history of U.S. and white presence in the region. This is not an imagined past created by Sitting Rabbit for the North Dakota Historical Society – it narrates the long history of interactions between Fort Berthold community members and Euro-Americans. Indeed, the form of the map itself is representative of this history of interactions, for Sitting Rabbit did not simply sit down and sketch the course of the river. He took as his model and template a survey map created by the federal government.

For all of these reasons, Sitting Rabbit's map allows us to begin to understand how the Missouri River valley – narrated and lived and closely used for gardening and ranching by the Mandan and Hidatsa – was also constructed and defined in dialogue with the U.S. government. Its map set out to create and capture the knowledge of space,

knowledge that did not necessarily include concepts such as fourth turtles or hills named for animals. Sitting Rabbit's map shows us that these systems of place-making and space-making were coterminous, always implicated in each other, and so closely intertwined as to be inextricable. Sitting Rabbit narrated a Missouri River environment that held Hidatsa, Mandan, and European-American history in an organic whole.

The map and its detailed and curiously segmented Awaati was, in fact, created based on a map provided to Sitting Rabbit by the North Dakota Historical Society Secretary, Orin G. Libby. The map Libby provided to Sitting Rabbit was probably from an 1892-1895 Missouri River Commission (MRC) Survey map, as the segments represented in the Sitting Rabbit map align exactly with sectional maps produced by the MRC. As such, Sitting Rabbit's map represents not only indigenous place-making, historical narrative and the delineation of intertribal space, but also state-sponsored space-making.

Congress created the five-member Missouri River Commission within the War Department in 1884 to survey the entire length of the Missouri River, so as to provide a foundation for planning commercial transportation development of the river. Although the commission fell apart in 1902, it produced a map of the entire length of the Missouri River consisting of 83 individual plates. Thirteen of these plates were probably used as the basis for Sitting Rabbit's map, as it is the only extant map available during the time period that matches the segmentation found in Sitting Rabbit's representation of the Missouri.⁶⁸

⁶⁸ Thiessen et al., "The Sitting Rabbit 1907 Map of the Missouri River in North Dakota," 147. USGS-Biological Resources Division, "Missouri River Commission Maps," <http://aa179.cr.usgs.gov/1894maps/>.

As a document, its complicated genealogy illustrates the dialogic nature of how space and place are produced by numerous actors and institutions. It reminds us that while distant state governments can attempt to discipline imagined spaces for the purposes of commercial or juridical control, local communities and individuals subvert that attempt to create an Ur-narrative through the practice of community. In other words, Sitting Rabbit may have used the MRC map as a basis for his segmentation of the Missouri – at the request of the Secretary of the North Dakota Historical Society – but Mandan and Hidatsa narratives of place, history, and meaning could re-narrate the spatial representations of the state.

Thus, while Sitting Rabbit's map represents most obviously an indigenous spatial narrative referencing oral tradition, oral history, and Hidatsa and Mandan historical narrative, this narrative is laid over – covering and obscuring – a state-oriented spatial representation. In this instance, the U.S. wished to produce a full map of the Missouri as it could be surveyed during the 1890s; the map was not only an attempt to create a disciplined narrative of what was, as a matter of nature, impossible to control: the ever-changing course of the Missouri River; the map was also an attempt to lay the foundation for the *future* discipline of the Missouri – to serve as the basis for planning modifications to the bed and the shores of the Missouri in order to encourage and ensure commerce via its unruly currents. Sitting Rabbit's map, therefore, poses an indigenous historical and spatial narrative at the same time as it is founded upon and re-tells the state-sponsored spatial narrative.⁶⁹

Sitting Rabbit's map reminds us that place, space, and the river were tied together for the United States in a particular way, and the foundations of that formulation had been

⁶⁹ See: Scott, *Seeing Like a State*.

laid well before the decision to create a series of main-stem dams along the Missouri River was made in 1947. Fifty years before the Pick-Sloan Plan was signed into law by then-President Franklin Roosevelt, a previous administration had sent out a team of surveyors, the Missouri River Commission, to produce a comprehensive map of the Missouri River; the intent was to fully understand the course of the Missouri in order to plan to modify and attempt to control it. The U.S. was constructing space in the Missouri River valley – focused on increasing navigability and commerce along its course – for at least a half-century before the Garrison Dam was proposed as part of the Pick-Sloan Plan.

Space – most obvious as part of a large scale, administrative process that selectively uses local knowledge to serve the desires of distant institutions and populations – begins to develop when groups of humans begin to imagine, delineate, classify, create purpose for, and bound their landscapes and places. Prior to Euro-American contact, however, Native communities on the northern Plains did employ space-making activities as they created, mapped, and defended community lands – or engaged in long-distance diplomacy with other tribal communities in the region. But when Euro-Americans began to enter the Plains in greater numbers, they carried more than trade goods, map-making tools, or disease; within their consciousness they carried the priorities and constructions imagined and solidified by distant national institutions, or governments.⁷⁰

⁷⁰ See Elizabeth P. Pauls, “The Place of Space: Architecture, Landscape, and Social Life,” in *Historical Archaeology*, ed. Martin Hall and Stephen Silliman, (Malden, MA: Blackwell Publishing, 2006), 74-6. Pauls writes, “A regional example serves to illustrate one way that archaeologies of landscape might inform discussions on territorial claims, government land schemes, and other public policy decisions. The physical and cultural distance between American’s mid-continental grasslands and the country’s political and economic elite has made the region an attractive locus for resource exploitation schemes and the social and landscape experiments that accompany such projects.

The first white explorers came by the river, venturing into a complicated set of tribal spatial practices and conceptions that defined and enforced tribal territorial boundaries through trade and warfare. French and Spanish Euro-Americans began to explore the Missouri River in the eighteenth century, mostly in efforts to extend colonial claims against other European nations into tribally-controlled territories. The United States was essentially engaged in the same process when, in the early 1800s after the completion of the Louisiana Purchase, the Lewis and Clark Expedition was sent west to use Spanish maps and local Native knowledge in order to find a route to the Pacific. Along the way, they famously wintered at a Mandan village, where they enlisted the help of Sacagawea – whose very existence, as a Hidatsa community member who had begun her life as Shoshone before being captured and adopted by the Hidatsa, then marrying and bearing the child of a French trader, attests to the complicated tribal spatial practices and understandings – to lead them further west.⁷¹

Spanish and American maps provided new knowledge for the federal government, but as with most spatial representations they flattened the lived knowledge of the people who built their communities along the Missouri. Euro-American explorers wrote extensively of their meetings with Native groups – usually in order to provide a cognitive map of the local power structures in order to aid colonial powers in strategizing territorial control – and especially the Lewis and Clark Expedition attempted to leave their physical mark on the landscape along the Missouri as another form of claiming, at times literally carving their names and dates into the landscape. And because the center of the history of

⁷¹ Manning, 69. French agent and explorer Etienne de Veniard, Sieur de Bourgmont wrote about “blonde-haired” Mandans in his writings of his explorations up the Missouri River from Fort Orleans in present-day Missouri, but his presence in the Mandan villages is unconfirmed. The first confirmed European to visit either the Mandan or Hidatsa was Pierre Gaultier de Varennes, sieur de La Verendrye in 1738 for his explorations for the French government.

Native/settler-colonist relations in the United States has traditionally been focused on the taking (or loss) of land and the resources of the land, the physicality of the attempts to claim is unsurprising. But before U.S. territorial control was solidified over the Great Plains, it was impossible for Euro-Americans to leave their physical mark on the waterscape.

Because of its variability, the water of the Missouri could not be claimed with a permanent physical mark in the same way that land could be defined with the inscription of initials or the use of fences. The water shifted course, changing the landscape, depositing and eroding and flooding and retreating, freezing and cracking at the beginning and end of harsh northern winters. Due to the changeability and power of Awaati as an element of the northern Plains landscape, it may be expected that so many agents of change traveled by river. Lewis and Clark, soldiers, fur trappers, traders used Awaati as a bloodline of exchange and exploration of space. Sometimes these people carried powerful things that produced unimaginable change for the Mandan and Hidatsa communities of the Upper Missouri.

In the summer of 1837, a steamboat from the American Fur Company traveled up the Missouri from Saint Louis, and the smallpox carried by the passengers and traders infected the Mandan, Hidatsa, and Arikara villages along the Upper Missouri. Although the villages had been swept at least twice before by smallpox and whooping cough epidemics, this episode decimated the communities. Over ninety percent of the population of the Mandan villages perished; an estimated seventy percent of the Hidatsa villages died.

How can one imagine the unimaginable? Start by envisioning a family of ten people – a grandmother and grandfather, a mother, a father, and six children. Then visualize that all of them died except for two of the eldest children. Next, see in your mind's eye that this happened not only in one family, but in an entire town – and in the next town over. In fact, picture that within a collection of five small towns, only one or two people from each family survived a terrible, frightening epidemic, and that when it was all over the task was left to them to rebuild. This demographic portrait, however, fails to capture the social dislocations, the cultural shocks, and personal traumas. Entire families ended, and genealogies tend to end once they hit the smallpox years. Emmarine Chase (Mandan, Hidatsa) recalled a tragic story she heard from her grandmother, who had been a small child who survived the last major smallpox epidemic:

[After smallpox they] moved up to Fishhook Village, and she used to tell, she said they just left everything. All our winter food, she said, we didn't even take time to try to carry anything cause we all traveled on foot and there was very few that had dogs, you know. Even dogs were just dying off. It was really pitiful, she said. There was women that had their little babies in bundles that got that smallpox, and she said they were crying, and they took those babies and tied them up as high as they could on trees, strapped them so that no animal would eat them. And the babies were just crying, but they, the whole village was just, nothing but *wailing*, you could *hear* it, it was *terrible*. Gee, that was terrible.

Here there was a small hunting party that hadn't come and got in contact with it, they came and they knew that something was wrong. The leader said, wait awhile, he said, let's not go back; something is wrong, he said. Something is wrong here, he said. And here they seen all the lodges was just deserted and everything, so they just pulled back and went back, and they survived. And those were the ones that survived. But that was really terrible, I guess. And she actually went through that.

Chase's sister, Myra Snow, also related a story from her grandmother's experiences during the last smallpox epidemic before the move to Like A Fishhook Village – a story in which Awaati, the Missouri River, held a central role in survival.

My grandmother used to tell that – my mother told me this – she was so, just burning up with fever when they had this smallpox, they’ll break out with sores and they had a high fever, she was just about dead. And she decided, well, I’m not gonna lay here and just, I’m gonna go down to the river and take a bath and clean up, maybe I’ll feel better she said. So she made her way down to the river and she got in that cold water and took a good bath and everything, boy, it just brought her fever down and she felt real good, so she come back up and told the others ... she said, go down and take a bath, you’re gonna feel good, she said, so different ones went down there and they took baths and they come up slow but I guess it must have brought their fever down or something, that cold water.

Even in the most tragic and tumultuous of times, community members’ relationship with Awaati helped to sustain them.⁷²

The survivors of the smallpox epidemic from the Mandan and Hidatsa communities banded together in 1845 to create a unified village, called Like-A-Fishhook Village. This development surely signals a shift in the way both tribes understood themselves and their communities. Itinerant tribes – especially the Lakota – had harassed and attacked both Mandan and Hidatsa villages throughout the eighteenth and nineteenth centuries. Epidemics had erased community members in the past. But the combination of a decimated population and contentious relationships with other tribes on the northern plains forced both tribes, historically separate, into the same village. At the same time as the Mandan and Hidatsa consolidated their communities, the Arikara responded to the Mandan decimation by moving into abandoned villages and taking possession of the cornfields disease had left untended.⁷³

⁷² Emmarine Chase, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, Bear Den Coulee, ND, June 20, 1990. Track 5, near the 27:00 mark. Myra Snow interview, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, Fort Berthold Community College, New Town, ND, June 25, 1990. For example, in an interview with Rosemarie Mandan, Mandan gave a detailed accounting of her ancestors until she said, “and that’s where the record ends, because of the smallpox ... [emotional pause] no records.” Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009.

⁷³ Lakota aggressions increased on the northern Plains because they were trying to provoke the Mandan and Hidatsa – who had friendly relations with the U.S. government – into breaking friendly relations over the inability of U.S. forces to protect them from Lakota incursions. Hanson, 107-123. Meyer, 94-100. These

When the Mandans moved to Like A Fishhook, they laid out their own section of the village with their traditional plaza centered around a sacred cedar representing one of the Mandan creators, Lone Man. Because too few Mandan remained to “complete the circle of lodges around the plaza, some of the Hidatsa also built their lodges there” and began to participate more and more in Mandan ceremonies. At the same time as Like-A-Fishhook village was established, the Pierre Chouteau, Jr. and Company – a newly-named entity previously called the American Fur Company – built a fort just above the village named Fort Berthold. Both changes signaled a move towards the eventual political and social unification of the three tribes – Mandan, Hidatsa, and Arikara – into a unit eventually termed the Fort Berthold Indian Reservation. As smallpox, cholera, and measles continued to cycle through the communities with devastating regularity, and as community members maintained gardens together and invested in mutual protection strategies against Lakota bands, the Like-A-Fishhook Village began to accrue important histories and stories that would unify the tribes in later years.⁷⁴

incidents were complicated because the Mandan were divided into three groups after the smallpox epidemic – the largest group living with the Hidatsa, a few staying with a group of Arikara, and yet a third group establishing a separate village on the river above Fort Clark. The third group held a special relationship with the Yanktons, which allowed them some protection against the attacks of Lakota bands. Further, the Hidatsa also spread between several villages, and one group even went to live with the Crow and never rejoined the tribe. Thus, none of the tribes that would eventually live at Fort Berthold held a unified political front during the majority of the nineteenth century; the unity was cultural, and any political unity was cooperative rather than regimented. Also, relations between the tribes weren't always contentious. Meyer describes an incident in 1838 when the Arikara warned the Hidatsa of an attack by a band of Lakota, allowing the Hidatsa and Mandan to defeat the attackers. After this, the Arikara held a victory dance for the Hidatsa and Mandan in honor of their bravery.

⁷⁴ Meyer, 100-101. By 1862, the remaining Arikara communities had also relocated to Like A Fishhook. Meyer writes: “Those who had been born in Like-a-Fishhook village remembered it with fondness and sadness the rest of their lives. Years later old women would go off by themselves and weep at the recollection of their childhood home. As the memory gradually faded, they tended to idealize life in the village. According to one who interviewed people at Fort Berthold around 1950, members of the oldest living generation would make statements like ‘Those were good days --. It seems like we always had everything we wanted in those days --. We weren't sick in those days and there was always plenty to eat.’ Such an idyllic picture of life in the village was, of course, sharply at variance with what the historical record reveals,” 136. Source: Paul S. Hannah, “An Analysis of the Assimilation of White Culture by Hidatsa Indians of North Dakota” (Master's thesis, UND, 1953), 57-8.

Continual contact with the traders at Fort Berthold had other implications. During the years at Like-A-Fishhook, from 1845 to 1885 when the government successfully pushed for its destruction, Mandan and Hidatsa life began to shift even though the Missouri River valley remained their home. First, community members used earth lodges less. As late as 1865, most community members were still living in earth lodges and only a few log cabins existed in Like-A-Fishhook. But only seven years later, the log cabins outnumbered the earth lodges, and twenty years later, most community members were living in log cabins. The implications of this shift range beyond household spatiality. In both Mandan and Hidatsa cultures, women supervised the construction of earth lodges – the knowledge of the building process and the ceremonial practices surrounding construction were rights that had to be bought by younger women from older ones – and women were also the owners of the lodges. Thus, the shift to using log cabins also signals a shift in the gendered power structure of the tribes.⁷⁵

⁷⁵ Meyer, 124-5. Meyer writes that by 1872, seventy-eight earth lodges and ninety-seven log cabins comprised the housing in the village, and that by 1885 only a few earth lodges remained, mostly occupied by the elderly. Residence was usually matrilineal, the male of young married couples living with the female's family. If a woman wanted to break off a marriage, all she needed to do was to gather her husband's belongings and leave them outside of the earth lodge; he would have no recourse but to find another residence. For a more contemporary example of how the spaces and places of domestic life can reflect larger community political and economic shifts, see Jessica Cattelino, "Florida Seminole Housing and the Social Meaning of Sovereignty," *Comparative Study of Society and History* (2006): 699-736. Cattelino documents how the move from traditional Seminole chickee housing to HUD houses reshaped social organization and gender power. See also Elizabeth P. Pauls, "The Place of Space: Architecture, Landscape, and Social Life," in *Historical Archaeology*, ed. Martin Hall and Stephen Silliman (Malden, MA: Blackwell Publishing, 2006): 74-6. "The fur trade was the first externally-generated development scheme in this region. It reached the northern Plains by 1738, when a French Canadian trading party visited the Mandan near the Missouri River. Within 50 to 60 years, several traders had moved into Mandan and Hidatsa villages. They remarked upon the material comfort of the local architecture, and they and the chroniclers who followed them noted obliquely that the regional landscape focused on rounded built environments (e.g., round homes, encircled villages) and organic territorial boundaries, travel routes, and way markers (e.g., rivers, buttes).

"During the early 1800s, steamboat-supplied military and commercial forts were built to promote trade, and were sited at strategic points keyed to the extant cultural landscape. Major disruptions to the dominant (Mandan-Hidatsa) regional landscape order did not occur until the late 19th century when federal land surveys and immigrant settlement took place. The federal township-range system divided the American West into uniform rectilinear parcels in order to promote land speculation and economic

Land use also changed. More and more men began working in the fields each year, especially as the land was less often broken by women using hoes and digging sticks and instead families hired traders to plow their land in the spring – increasing the amount of land that could be utilized for gardens. The 1870s saw a decisive shift in this direction, coinciding with increased federal government presence in the community.

By 1876, the land to the west of Like-A-Fishhook was still used by families in the older gardening structure, but to the east the local Indian Agent broke and fenced the land to convert it into a large field controlled by the agency. Part of the field was used by the Agency, but the rest was divided and allotted to specific families. Even the produce grown by the tribe began to change, and root vegetables such as potatoes and turnips supplemented the corn, beans, squash, and sunflowers. The presence and influence of the federal Indian Agent in Like-A-Fishhook represents a milestone in the coalescence of the Mandan, Hidatsa and Arikara into what would be known as the Three Affiliated Tribes. The change in land use patterns, however, does not only represent a change towards tribal unity; it also represents shifts in the very essence of Mandan and Hidatsa lives. For communities who built much of their survival and prosperity around the work that went into agriculture, the shifts towards mechanized labor and crops that had a different relationship with the soil changed the way community members – both men and women – interacted with their lived environment.⁷⁶

development, with results we can still observe in the rectangular form of the region's states, counties, towns, and fields. A new landscape order was created at the Cartesian township-range system became reinforced by the rectilinear housing of the region's EuroAmerican settlers. Where the indigenous order had emphasized the unique and folklorically-laden nature of each topographic feature, the EuroAmerican order emphasized the uniformity of the region, the interchangeability of particular plots of land, and the potential transience of the region's inhabitants."

⁷⁶ Meyer, 125. Source: Matthews, *Ethnography and Philology*, 11-12.

Clearly, while the landscape and places of Mandan and Hidatsa lives remained consistent, their use by the local community and their definition by a distant federal government continued to shift and accrue new meanings – creating an ever-changing space in reaction to epidemics, the violence of other tribes in the region, and Euro-American intrusion into the Plains. The spatial change of the local occurred in tandem, in reaction to, and modifying with the way the U.S. government imagined, conceptualized, and attempted to extend control over the same spaces. So even though the U.S. government shifted from defining the northern Plains as “Indian Country” to defining it as territory gained via purchase and exploration, within the local context such definitions had to contend with those created by the Mandan, Hidatsa, Arikara, and neighboring tribes. Further, the spatial definitions of the Three Affiliated Tribes were modified but not erased by the priorities of the United States government, and though the spaces of tribal life reflected the influence of Euro-American presence on the Plains – from the crops grown to the size of the fields to the types of houses or who built them – the non-Native influence collected as a veneer rather than an essential change. Each of these shifts can be identified on Sitting Rabbit’s map, if you know what to look for.

On Sitting Rabbit’s map, Like-A-Fishhook Village is near the middle of the map, right before the last cluster of heavy settlement represented by Elbowoods. Sitting Rabbit marked the location of Like-A-Fishhook using a pictograph of a large earthlodge drawn across from a tributary to the Missouri, Dancing Bear Creek. The site has three labels: Fort Berthold, Bua-idutskupe hisa atis, and Fish-hook house. In Hidatsa, bua or mua means fish, idutskupe refers to something bent like a hook, hisa means like or similar to, and ati is the word for house or village. Its location, placement, and labeling tells a story

not just of Mandan or Hidatsa-centered place-making through the large earthlodge pictograph and placement across from a well-known marker tributary to the Missouri, but of the influence of capital and the U.S. government space-making (the trading fort). The priorities of capital and the state would become the engine – some might even specify the railroad engine – behind massive land loss. The following section describes a major conceptual shift for the Three Affiliated Tribes directly linked to the increasing interactions between tribal members and local representatives of the U.S. government – a new way of understanding territorial boundaries in reaction to an intrusive and greedy state.⁷⁷

Sovereign Territoriality and the State

Sitting Rabbit's map was commissioned by the first director of the North Dakota State Historical Society, Orin G. Libby. Libby wanted Sitting Rabbit to produce a map that detailed all the extant historical knowledge about old village sites of the Mandan and Hidatsa, and in return Libby would pay Sitting Rabbit money. The archival record regarding Sitting Rabbit's map – Libby's notes and correspondence between Libby and a pastor local to Fort Berthold, Reverend Charles Hall – illustrate the complicated and contested nature of translating ownership from an indigenous context to a Euro-American one.

The production of the Sitting Rabbit map shows how representations of space can both illuminate and hide complexity – much in the same way that historical narratives do. When Sitting Rabbit produced the map, he did so at Libby's request, using tools – the canvas and MRC maps – that Libby provided. Libby asked him to,

⁷⁷ Thiessen et al., "The Sitting Rabbit 1907 Map," 152-3, 160-1.

Draw the banks and islands of the river just as they used to be. Be sure and put the names of the villages on the map out at one side so as not to cover up any part of the map. Make the map a very long one so as to show all the curves, with the creeks, buttes, and woods just as they used to be.

But Sitting Rabbit also culled extant indigenous historical knowledge of old village sites, creation stories, and historical narratives of indigenous leaders and events – he even had Reverend Charles Hall write to Libby that he thought, “that there was more work on these last than on the first pictures he made for you. So he thinks he should have \$25.00 dollars.” Before Libby commissioned the map, no one individual “owned” this knowledge – it was remembered or forgotten within the community as narrative. But Libby, through his promise of payment, began to feel that he owned the knowledge of this territory as a resource.⁷⁸

And when he received the initial version of the Sitting Rabbit map, Libby became upset by what he assumed was a lack of a complete resource – he felt that Sitting Rabbit had not done the necessary work to cull the complete body of community historical and territorial knowledge – and thus refused to pay. He wrote to Sitting Rabbit, at times lapsing into a mixture of stereotyped ‘Indian-speak’ and his own voice that he must have imagined would allow him to better connect with Sitting Rabbit,

Now my friend I want you to be very careful and get this all right. ... The map of the Missouri River is not good. I know many more villages than you have put down. You have not put down any on the east side of the river, south of Bismarck, and I know many are there, for I have seen them. ... Did you talk to Bad Gun and Poor Wolf about this map? You did not put down the little Mandan village of 15 lodges, where the Mandans went after the small pox of 1837. ... Now my friend Sitting Rabbit you must make this map right, so that all the head men of your tribe, when they see it, will say, “It is good” and be glad that you made it so well.

⁷⁸ Letter, Orin G. Libby to Sitting Rabbit, 2/26/1906, Correspondence Series, Outgoing 1906 (Jun-Dec); Orin Grant Libby Papers, A85; North Dakota State Historical Society Archives. Letter, C.L. Hall to O.G. Libby, 3/27/1906, Correspondence Series, Outgoing 1906 (Jun-Dec); Orin Grant Libby Papers, A85; North Dakota State Historical Society Archives.

... But these pictures you send me now are no good to go in the book, and you must do them better.

It remains unknown why these things were not contained in Sitting Rabbit's map. But the correspondence that follows between Libby and a local pastor, Reverend Charles E. Hall as the representative of Sitting Rabbit – even as it details a disagreement over whether the map as produced adequately represented the full tribal knowledge of the time period – also reveals a level of blindness or ignorance regarding the information and history that *is* represented in the map. Libby, in his assumptions of an incomplete map, became blind to the valuable information actually contained within it.⁷⁹

The map contains histories and stories of place – a mixture of land and water and people. Villages, leaders, physical landmarks, and references to tribal histories are embedded in the map. It is not a complete representation, but neither is any history, any map, any archive. But the conflict over the ownership of and payment for the intellectual knowledge produced by Sitting Rabbit not only provides valuable information about the production of the map; it is a reminder of how ownership – of land and both the physical and intellectual resources of a landscape – is one important crux of the changes that were happening during this time period regarding notions of land, place, space, and the resources contained therein. This notion of ownership created a new understanding of how land, place, and space could be defined in terms of *territory*.

Notions of territory – the agreements between parties that use the lines of rivers or mountain ranges, or sometimes entirely imagined lines, to delineate between ‘us’ and ‘them’, between ‘our lands’ and ‘theirs’ – grow from the soil of both place and space, of local meanings and knowledge of the landscape *and* community understandings of what

⁷⁹ Letter, Orin G. Libby to Sitting Rabbit, 9/3/06; Correspondence Series, Outgoing 1906 (Jun-Dec); Orin Grant Libby Papers, A85; North Dakota State Historical Society Archives.

separates “our” place from “theirs” and how these places should be used (space). The ability of humans to imagine territory and its boundaries is based in a concrete and physical reality, but the crux of territory is ownership. This sense of ownership is imagined in the same way that place and space is imagined, in the same way that boundaries are created both within the human imagination and as a product of negotiation, contestation, and changes based on the interactions between multiple groups of people. In fact, these imaginings and contestations require the imagination of an “us” and a “them,” people within and outside of a community identity.

Territories were always contested on the Plains, even before Europeans set foot in the Americas. Tribes and communities defined themselves in comparative ways to outsiders, and marked and enforced notions of territory and use based on the us/them dichotomy. But when Europeans and later, Euro-Americans, entered new regions, they carried with them new notions of ownership and the rights associated with it – specific legal forms of title to land, ways of measuring and marking land, and also codified ways to transfer title, or sell these parcels of land. Territory was narrated and defined around specific definitions of ownership and the rights that ownership entailed – especially with regard to the resources accessible from a landscape. Further, Euro-American notions of territory assumed that all resources, all lands, all territories, were quantifiable and interchangeable.

This is an important concept. The notion that land – *every* parcel of land – and the resources upon it could be assessed, quantified, and ultimately either paid for or exchanged for another parcel of land represents a massive shift with which indigenous communities needed to grapple. Bypassing simplistic and essentialist discussions of

indigenous ties to land, “the land cannot be sold” narratives, etc., it remains crucial to acknowledge that the *practice* of creating place – a local, lived knowledge of a landscape – logically entails a different understanding of ownership and interchangeability of land than the *practice* of making space or organizing territory. When stories, origins, histories, and relationships are embedded in a landscape, ownership carries a different weight and meaning.

For example, during the early 1870s, the local Indian Agent at Fort Berthold pushed for the three tribes to consider a move to Indian Territory in present-day Oklahoma. These sorts of suggestions were made to nearly all the Plains tribes during this time period as the federal government attempted to realize their expansionist imperialism after the completion of the Civil War. Mandan and Hidatsa leaders from Like A Fishhook declined. “Although they found the country attractive, they feared that the climate was too warm for them and thought the long journey might be too much for their aged, infants, and infirm. Above all, they were deeply attached to their homeland, where they preferred to remain and ‘work harder and have less.’” Community connections to the Upper Missouri River valley centered not only on the river, or on the land; the symbiosis of the water and landscape combined with the histories and stories of the communities to make such a move unthinkable.⁸⁰

But these connections began changing in very specific ways in a very specific year: 1851. These very specific changes rooted in this very specific year are not

⁸⁰ Meyer, 123-4. “More important, the agents and other officials evidently saw the Indians as commodities to be moved about more or less at will. White Americans picked up and moved to a new and totally different location on slight provocation; why shouldn’t Indians behave likewise? Those who conceived of the Three Tribes in this way failed to reckon with their attachment to their river-valley homes, where they and their ancestors had carved out a way of life that satisfied them.” Tribal leaders from the Dakotas were often invited/sent on trips to Oklahoma in order to actually experience the country as an inducement to relocation.

necessarily physical, although they are concrete. They concern the ways in which this place – the space used and lived in and remembered and imagined by the Mandan, Hidatsa, and Arikara – was constructed by both local and remote structures. 1851 is the year of the first Fort Laramie Treaty, and as such it represents the first official U.S. government attempt to intervene via a Euro-American legal system into the definition of space and territory along the Upper Missouri. By this time, the Mandan and Hidatsa had, for the most part, coalesced into a shared community at Like A Fishhook Village, and the Arikara were beginning to trickle into that place. Because the government and its representatives had no real concept of the spaces they hoped to one day administer, the first Fort Laramie treaty was eventually almost entirely disregarded by the government when the federal government later legislated the boundaries of the Fort Berthold Reservation in 1870. Additionally, the Lakota bands of the northern plains had no intention of adhering to the territorial claims negotiated at the first Fort Laramie Treaty; they proved to be the bane of Mandan and Hidatsa existence as they continually harassed, attacked, and in some cases burned Like A Fishhook Village.⁸¹

Lakota aggression hit a high point during the mid-1860s, and the Mandan and Hidatsa grew disgruntled with the federal government – one of the intended aims of Lakota violence – as they adhered to the territorial agreements negotiated by the U.S. government yet received little attention, while the Lakota constantly breached the

⁸¹ Meyer, 103. “The ostensible purpose of this treaty was to establish boundaries between the territories claimed by various tribes on the northern plains; it has been suggested that an ulterior motive was to make it easier for the government later to persuade individual tribes to sell their lands without the added complication of conflicting claims. Two delegates of the Arikaras, Bear Chief and Grey Prairie Eagle, and two from the combined Hidatsa-Mandan tribe, Four Bears and possibly Roan Red Crow, were rounded up and taken to Fort Laramie, where they affixed their crosses to the document that emerged from the council. The boundaries of the territory held jointly by the Three Tribes were described as beginning at the mouth of the Heart River, following the Missouri up to the mouth of the Yellowstone, up that stream to the mouth of the Powder, then in a southeasterly direction to the headwaters of the Little Missouri, then along the Black Hills to the head of the Heart, and down that river to the place of beginning.”

agreements and received more attention and treaty goods as a result of the continual rounds of peace negotiations. During an 1870 negotiation with the Lakota, brokered by the federal government, Arikara leader White Shield asserted, “when we listen to the whites we have to sit in our villages, listen to [Lakota] insults, and have our young men killed and our horses stolen, within sight of our lodges.” In the same year as this peace agreement between the Lakota and the residents of Like A Fishhook, the Interior Department and Indian Bureau approved and advocated for the creation of the Fort Berthold Indian Reservation via Executive Order.⁸²

The 1870 Executive Order establishing Fort Berthold Reservation reduced their territory as it had been described in the 1851 Fort Laramie Treaty; by this time period the full territory was not being used as it once had, due not only to the demographic losses from disease, but because the large buffalo herds that drove the need for extensive winter hunting expeditions had also been decimated. Yet another territorial reduction was in the works during the 1870s, this time on behalf of the Northern Pacific Railroad that had been granted right-of-way through the center of what had been established as the Fort Berthold Reservation. With few people to advocate for the people of Fort Berthold in Washington, DC – and with the ballooning power of the railroads during this time period – the original Fort Berthold land holdings of 1851 were reduced by ninety percent by an 1880 Executive Order.⁸³

⁸² Meyer, 118-121. White Shield statement source: Com. Of Indian Affairs, Annual Report, 1870, P. 210. By 1870 treaty-making had been discontinued, so the establishment of reservations – or their modification via taking land – were negotiated locally before being sent to the executive branch to be issued as an Executive Order.

⁸³ Meyer, 113-4. The original territory as defined by the 1851 Ft. Laramie Treaty was more than twelve million acres. Meyer: “Although the Indians no longer used the land extensively – the buffalo were largely gone by this time, and the people were confined to their village – it had legendary and historic associations for them, and they were much annoyed when they learned of the executive order.” Source: Kappler, Indian Affairs, 1:883; Com of Indian Affairs, Annual Report, 1883, p. 33.

With the loss of the southern portion of the reservation to the Northern Pacific, the Mandan and Hidatsa did not just lose valuable land; they lost land with important historic and cultural ties, including all the sites of their former villages from the mouth of the Knife River down the Missouri. Five years later, another important marker of place and home was lost when Like A Fishhook Village was abandoned via the machinations of the local Indian Agent in an attempt to undermine any hint of communal lifestyles that ‘impeded’ assimilation. He removed the Indian Agency to a location that would come to be one of the central communities pre-Garrison Dam: Elbowoods. He also essentially bribed first Arikara and then Mandan and Hidatsa families to relocate to smaller communities or to Elbowoods, destroying the earth lodges and log cabins as the families moved out; by 1888 only a few elderly Mandan families continued to live in the remaining earth lodges. Community members scattered on both sides of the Missouri within the boundaries of the reservation, mostly in family groups – almost a return to pre-Like A Fishhook days, in smaller, tribally-specific communities along the Missouri.⁸⁴

Disruption coupled with the struggle to survive on reduced lands led tribal members to agree to a Dawes era agreement to sell two-thirds of the reservation and allot the remainder in return for annuities and money to support Euro-American education and housing for tribal members. The act was ratified in 1891, and the following year surveyors began marking and measuring the remaining land, after which tribal members selected allotments that mostly clustered close to the Missouri on the most productive lands on the reservation. Coterminous with allotment was the move towards leasing land for cattle grazing by white ranchers – driven more by the abuse of the Euro-American

⁸⁴ Meyer, 134-149. The Arikara tended to locate themselves towards the eastern side of the reservation; the Mandans south and west of the Missouri, and the Hidatsa in many locations but especially near Elbowoods.

ranchers of Fort Berthold territorial boundaries, as well as the Indian Agency's inability to successfully control such abuse, than by any other factor. It would be several decades before Indian ranchers would accumulate enough capital to ranch their own lands.

More importantly, however, the land sale and allotment marks a significant shift in the way tribal members understood and imagined their territories. Beginning with the removal from Like A Fishhook and continuing with the allotment and sale of reservation lands – which were opposed by older, more traditionalist tribal members – the territory of the Three Affiliated Tribes became imagined not only as something that could be sold, but as something that could be wrongfully taken from them or exploited. Tribal land became not just a set of places and resources, but a finite land base – a territory – of which too much had been alienated already.⁸⁵

Territory and territoriality, observed Robert Sack, is the process of marking and controlling an area of space in order to control its human and natural resources, or “the attempt by an individual or group to affect, influence, or control people, phenomena, and relationships, by delimiting and asserting control over a geographic area [where the area is called the territory].”⁸⁶ And while the Mandan and Hidatsa had exhibited territorialism

⁸⁵Meyer, 149-155: between 6-10,000 cattle had been grazing on the western part of the reservation for the previous four years. Agent suggests in-kind payment with cattle. “This payment in kind was the beginning of the practice of leasing at Fort Berthold, an arrangement susceptible to serious abuse; white ranchers did not always distinguish between their own cattle and those of the Indians at roundup time.” Source: Wolf Chief to Com. Of Indian Affairs, Jan 6, 1900, NARA, RG 75, Letters Received. The Dawes Allotment Act of 1887 authorized a process for the allotment of tribally-held lands into individual allotments. The legislation aimed to break up communal tribal land holdings and encourage Indians to farm or work land as individuals. Dawes also legislated that any unallotted lands could be deemed “surplus” and sold to non-Natives. The impact of this legislation was a two-thirds reduction of the land base held by Native American tribes previous to its passage.

⁸⁶ Robert Sack, *Human Territoriality: Its Theory and History* (Cambridge, UK: Cambridge University Press, 1986), 19. Territory and the process of defining and controlling it is one of the main components of modern notions of sovereignty, or the political and juridical control inherent in the creation of the modern nation state. The definition of modern sovereignty is deeply intertwined with territoriality and land tenure, such that sovereignty is expressed via supreme authority within a territory. But the importance of territory is not only in its implication in the creation of nation state sovereignty – as well as modern notions of land

throughout their history – most notably in reaction to the violent incursions of other tribes like the Lakota – their understandings of their homelands as territory shifted drastically in reaction to the imposition of U.S. land jurisdiction on the Great Plains during the second half of the nineteenth century.

Disagreements over land sales and use during first decades of the twentieth century exhibit this shift in imagination. A government agent arrived at Fort Berthold in 1902 to propose the sale of another 315,000 acres, only to be told by an Arikara leader, Sitting Bear, “Away back in the olden times we did not know how to make treaties with the Government, but now we begin to know the value of our land.” The Hidatsa leader Good Bear asked the government agent, James McLaughlin, to define the boundaries of the reservation only to correct his (inadequate) accounting before adding, “Congress makes laws and then breaks them, but we keep our pledges and live up to our agreements.” These statements and questions show how the continual violation of tribal territory by Euro-American ranchers, the federal government, and the railroad contributed to produce a newly defined notion of tribal sovereign territoriality – in which a combined tribal ownership of a negotiated land base must be defended against further alienation or legal encroachment – than had existed in a previous era during which the Three Tribes had been focused on defending their specific communities from long-standing tribal enemies.

tenure and ownership – but in its similar foundational relationship to the development of the term “tribe” to describe “local conceptions of collective sociopolitical identity, while agreeing that a precise general definition is almost impossible ... [t]his results in working definitions which see tribes as medium-sized, centralized, or acephalous entities,” in Neil J. Smelser and Paul B. Baltes, ed., *International Encyclopedia of the Social & Behavioral Sciences* (Oxford: Elsevier, 2001), 15906, “Tribe.”

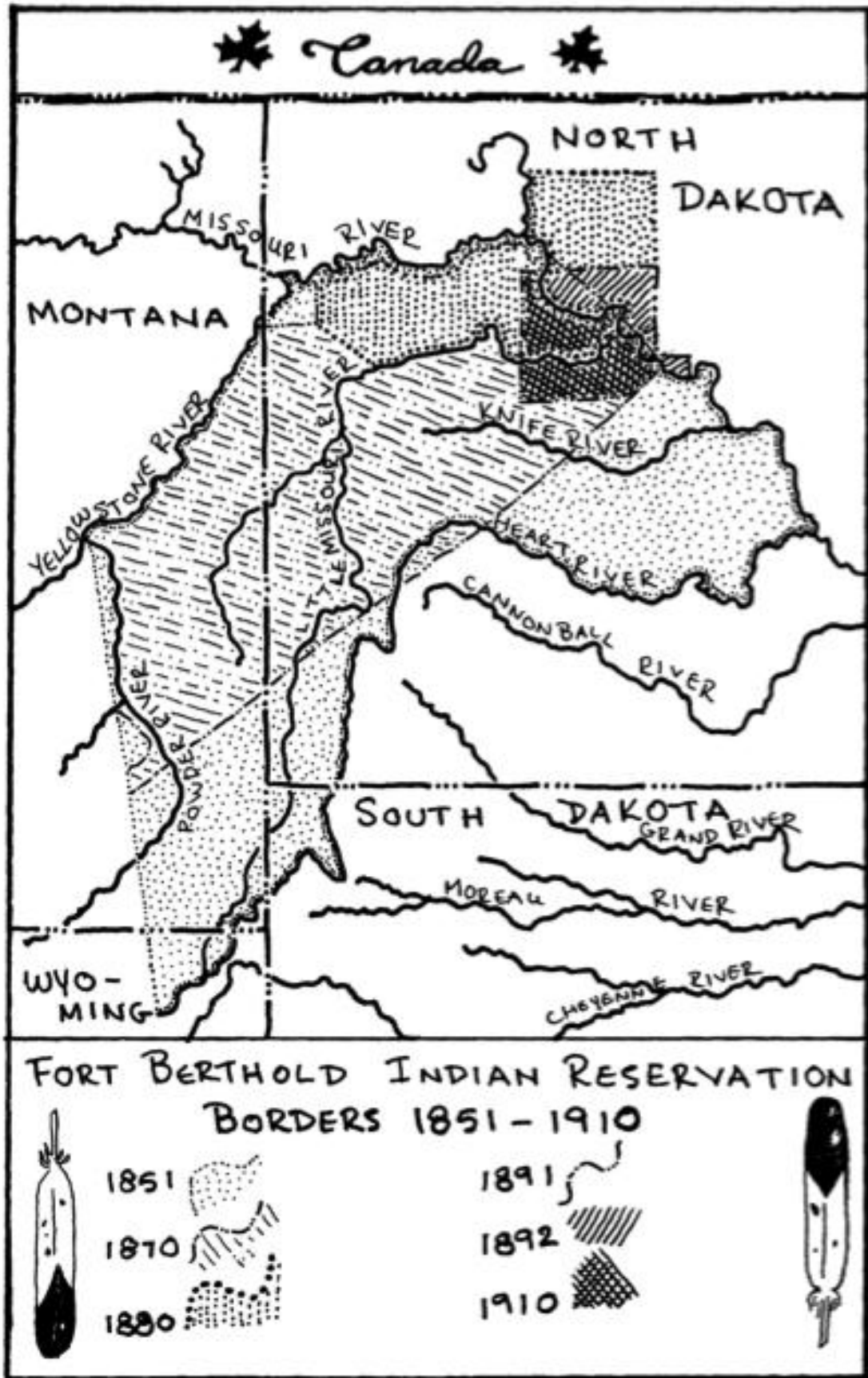


Image II.3 Map, Fort Berthold Indian Reservation Borders, 1851-1910

When in 1910 the tribes were forced to cede more land, feelings of sovereign territoriality became even more pronounced as tribal members realized that their reservation was being limited more and more to their settlements surrounding the Missouri. Three tribal leaders, Red Bear, Enemy Hawk, and Alfred John Hawk wrote to the Commissioner of Indian Affairs after the 1910 cession, “They have got us now to our homes. That is the only thing we have now to protect. The land has been taken away and we have only to defend our homes.”⁸⁷

In the waning years of the Reservation Era (1880s-1934), Fort Berthold community members agitated on a number of fronts, from advocating for reparations due to land seizures under the Executive Orders of 1870 and 1880, to attempting to stem the exploitation of their lands from overgrazing by Euro-American leasers, to attempting to navigate the cultural prohibitions placed on the communities by the Office of Indian Affairs agents, who did things like prohibiting all dancing at community gatherings. While each of these activities could be interpreted as acquiescence to Euro-American justice and discipline systems, more significantly they mark the extension of the need to defend the tribal territories of the Three Tribes against outside forces. So while some might identify this time period – including as it does the formation of the Tribal Business Committee in 1910 – as one of assimilation to Euro-American norms regarding

⁸⁷ Meyer, 155-165. “Upon being told that it measured 44 ½ miles by 34 ½ miles, he complained that the chairman of the committee that had negotiated the agreement of 1886 had told them that it measured 55 by 45 miles and also promised that it would not be taken from them. He questioned the integrity of the surveyors appointed by the government,” 160-1. “After asking, ‘Do we own it [the reservation]?’ Good Bear threw out the question that everyone must have had on his mind: ‘If we consent to the sale of a part of our land, how long will it be before we will have to sell more of it?’ McLaughlin answered these questions without much equivocation. To the first he replied that, although the Indians had a possessory right to the land, the United States government retained the fee simple title. To the second ... The only way they could be sure of retaining the land was by having it allotted to them individually and receiving patents in fee for it,” 161. Meyer, 164. Source: Red Bear, Enemy Hawk, and Alfred John Hawk to Com. Of Indian Affairs, April 5, 1911, NARA, RG 75, Ft Berthold Agency.

education, religion, land use, and political structure, as well as the creation of the independent tribal identities in favor of that of the “Fort Berthold Indians,” their evidence remains based largely on what Euro-Americans were writing about the communities and people at Fort Berthold rather than actual self-perception.⁸⁸

After the 1910 cession, the legal boundaries of the reservation coincide with the current boundaries of the Fort Berthold Reservation. It was also during this time period that leasing became a major source of revenue, aided by the fencing of the reservation boundary. Through a combination of leasing land for farming and ranching – as well as outright land sales – and the continuation of subsistence gardening, the population at Fort Berthold no longer needed government rations to survive. By 1920, the local Indian Agent proudly reported he had not needed to distribute rations for families for five years. When placed in context of the dire poverty experienced at most Indian reservations during this time period, the ability of the people at Fort Berthold to maintain self-sufficiency despite the severe reductions in their land holdings reflects the highly adaptive cultural and agricultural genius of the communities.⁸⁹

It was also during these last dregs of the Reservation Era – a time period noted for the heightened surveillance and discipline of the Office of Indian Affairs’ Indian “wards” – that the people of Fort Berthold successfully advocated for government reparations regarding a claims case based on the land cessions legislated in the 1870 and 1880 Executive Orders. Between 1898 and 1920, Fort Berthold tribal leaders continued to push the government to recognize their claims, and finally in 1920 Congress passed legislation allowing them to file a case in the Court of Claims. By 1924, council for the Fort

⁸⁸ Meyer, 158.

⁸⁹ Donald L. Parman, “The Indian and the Civilian Conservation Corps,” *Pacific Historical Review*, v40 n1 (1971): 39-40. Meyer, 16.

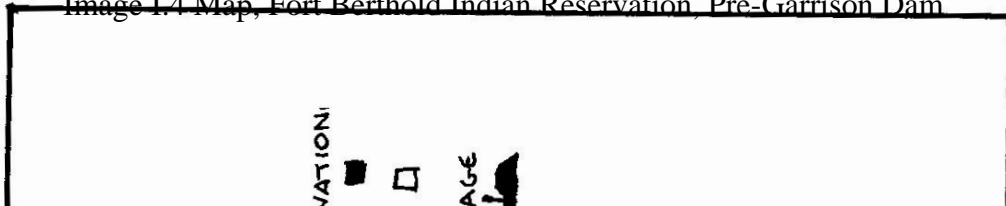
Berthold tribes filed the case, and by 1929 the Court of Claims ruled in favor of the Three Affiliated Tribes. The money from the government was distributed on a per capita basis starting in 1931, most of the money going towards housing, cattle purchases, farm machinery, etc. These per capita payments provided an important insulation against the worst effects of the combined drought that hit the northern plains in the 1930s, as well as the Great Depression itself.⁹⁰

The drought affected Fort Berthold, but in an economy where most people were not doing large-scale farming – instead leasing land to their Euro-American neighbors who did so – the fallout from the drought came less in the failure of their own crops and more in the failure of their lessees to meet the terms of the lease when their crops failed. Continuing subsistence gardening and the ability to mitigate the effects of drought on smaller garden plots ensured that the agricultural crisis was not as severe at Fort Berthold. The Great Depression of course affected everyone – especially in the loss of leasing revenue – and some families experienced financial hardship the encouraged them to send their children to government or religious boarding schools to help make ends meet. But per capita payments combined with a long history of subsistence hunting and agriculture allowed the people of Fort Berthold weather the depression.⁹¹

⁹⁰ Meyer, 186-9.

⁹¹ Meyer, 190-5. For example, oral history interviewee Alameda Baker (b. 1/2/24) narrated in 1997 how she was born to a large family that included two brothers and six sisters. After attending school in Elbowoods, when she was ten years old her parents decided to send her to a girls school in Bismarck (the state capital) – her tenth year coinciding with one of the worst drought years on the northern Plains. Alameda Baker, interviewed by Angela Parker, video recording, New Town, ND, August 29, 1997.

Image I.4 Map, Fort Berthold Indian Reservation, Pre-Garrison Dam



The eight communities along the Missouri that evolved after the destruction of Like A Fishhook Village – from north to south with the tribal affiliation of the majority of residents noted in parentheses, Shell Creek (Hidatsa), Independence (Mandan, Hidatsa), Lucky Mound (Hidatsa), Charging Eagle (Mandan), Elbowoods (all three tribes), Red Butte (Mandan), Nishu (Arikara), and Beaver Creek (Arikara) – were thus insulated against the worst effects of the dual agricultural and economic crisis of the 1930s. These communities became the places of home and family, and after the Garrison Dam, all who had lived in them remembered them with nostalgia and affection. Dreke Irwin (Hidatsa, Mandan), a well-known announcer for community gatherings, remembered a place that sustained community members in all seasons, “All the places were kind of pretty, you know: timber, creeks, rivers, nice; hills, fields. Lot of shelter for livestock in the wintertime. In tough winters, some of them cattle, set them down in the timber and fed them, they kind of foraged around.” Rosemarie Mandan, who grew up in Lucky Mound, remembered the easy connections forged between family members of all generations:

We were *always* going to go see our grandparents [she and her cousin Philip]. We’d say, “Let’s go to the river, *Awaati da*,” which meant let’s go to, poor grandma had all those kids, [laughs] now that I think about it. We were always there – but we *helped*. [laughs] ... My mother would say, “your grandma probably needs her pots and pans washed,” because she would cook and the pots and pans would gather. So I would walk over there and do her dishes, her pots and pans.

Although huge changes occurred on Fort Berthold in the fifty years of its existence as a reservation housing the Mandan, Hidatsa, and Arikara, the 1930s saw perhaps more continuity with the previous decade and less disaster than in other regions of the country or on other reservations. At the beginning of the moment in which we take a closer

examination of Fort Berthold history – at the start of the Indian Reorganization Act of 1934 – the residents of Fort Berthold had successfully weathered huge demographic, social, and economic changes.⁹²

Central to this survival was the vibrant agricultural tradition of the three tribes – tribe who, altogether, had developed nine varieties of corn, four varieties of beans, and several types of squash. As Emmarine Chase (Mandan, Hidatsa) remembered of her childhood in the ‘teens and ‘twenties, “We’re corn people. Anytime we eat something it’s always got corn in it. They fooled with that corn all the time.” She and other tribal elders held memories of their parents and grandparents working in their gardens, such as when Cecelia Brown (Arikara) stated about her childhood,

Oh yes, we had gardens. We had *nice* gardens. Even when we moved up we had nice gardens. Anything that was eatable we planted. And then they make us pull weeds, “If you don’t clean the garden, then we’re not going to a certain celebration.” ... And then we’d harvest that after in the fall, and we’d have all that to live on in the wintertime. Dry our corn, I used to help my mother dry corn, even squash, and beans. We’d thrash the beans ...

Brown used to watch her grandmother make cornballs, using a homemade mortar and pestle to crack the corn she parched for cornballs. The crushed corn was combined with dried juneberries, dried meat, and suet to make a nutritious and energy-rich treat. Chase also remembered her grandmother making cornballs for her as a child, noting, “That was our delicacy. We went to school, and ... when we’d get back from school, why, we’d all

⁹² Dreke Irwin, interviewed by Angela Parker, digital audio recording, New Town, ND, October 20, 2009. Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009.

sit down on a bench in a row and grandma used to pass cornballs and we'd eat that and then we'd go out and play before the real meal.”⁹³

Throughout the increasing intervention of the government into tribal lives symptomatic of the Reservation Era, the communities had largely adjusted to the outside influence by adopting things like day schools, churches, and playgrounds while maintaining practices such as traditional dancing, using indigenous language as the main form of communication, preparing and storing food, and maintaining traditional religious beliefs. The ultimate symbol of this state of affairs lies in the fact that although each community had a western church, community members still maintained both the Hidatsa Nuxpike shrine and the Mandan Lone Man shrine that had once stood in the central plaza of Like A Fishhook Village – and before that had been in the center of each of the Mandan villages along the Missouri before the move to Like A Fishhook. After the destruction of Like A Fishhook, the shrine had been relocated to a spot near the Little Missouri south of Independence, even though the effects of allotment had made it difficult to find a place central to tribal members as the shrine had been placed previously. Different groups within the tribe had varying responses to new influences such as Christianity – some adopted it wholesale, others honored both Christian and indigenous religious tradition, and still others maintained a commitment to their indigenous beliefs. But by and large, tribal members managed to accommodate both systems within their communities.⁹⁴

⁹³ Emmarine Chase, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, Bear Den Coulee, ND, June 20, 1990. Cecelia Brown, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, White Shield, ND, July 17, 1990.

⁹⁴ Carolyn Gilman and Mary Jane Schneider, *The Way To Independence: Memories of a Hidatsa Indian Family, 1840-1920* (Saint Paul: Minnesota Historical Society Press, 1987): 223, 225, 250-1. Yet another example lies in the spatial development of housing after the move from Like A Fishhook. By and large, after the move from the communal village, Fort Berthold families no longer used the earth lodge as their

Even within these continuities, however, a major change had occurred in the Reservation Era: the ascendance of U.S. state sovereignty and its accompanying nation state-centered territorialism assisted in the coalescence of a Mandan, Hidatsa, and Arikara sovereign territorialism. This sovereign territorialism had its roots in the regional boundaries and behaviors that predated Euro-American intrusion onto the northern Plains, but represented a new conception of territory that was forced to develop in reaction to a land-greedy U.S. federal government if the Three Tribes were to survive as social, cultural, or political community. In other words, land, place, space, and territory existed previous to Euro-American presence on the Plains; but it took the abusive land grabs of the U.S. government to modify these understandings of the physical environment into a *sovereign* territoriality developed in reaction to U.S. land takings. When Red Bear, Enemy Hawk, and Alfred John Hawk wrote after the 1910 cession, “[t]he land has been taken away and we have only to defend our homes,” their statement thus reveals not only a sense of place (“homes”) and space (“the land has been taken away”); defending these things shows how place and space had been forced to elaborate a notion of sovereign territory.

main housing structure – although some used earth lodge-like structures for stables or for summer kitchens. Yet while tribal members used cabins based on Euro-American models, several differences were maintained within the structure that allowed people to use the space extrapolated from earth lodges. Further, the communities themselves were built along the river valley in a pattern markedly similar to pre-contact settlement. Gilman and Schneider, 7, 187, 193-5. Tillie Walker, interviewed by Angela Parker, digital audio recording, Independence, ND, November 2009. Regarding language use, many oral history interviewees recount growing up speaking their tribal language, learning English upon entering school, but continuing to use tribal languages at home or in the community. Edwin Benson, interviewed by Angela Parker, video recording, Twin Buttes, ND, August 1997. Some interviewees may not have spoken tribal languages at home – especially if their parents had gone off-reservation for schooling – but their parents would “talk Indian” to each other to communicate. Alameda Baker, interviewed by Angela Parker, video recording, New Town, ND, August 29, 1997.

Conclusion

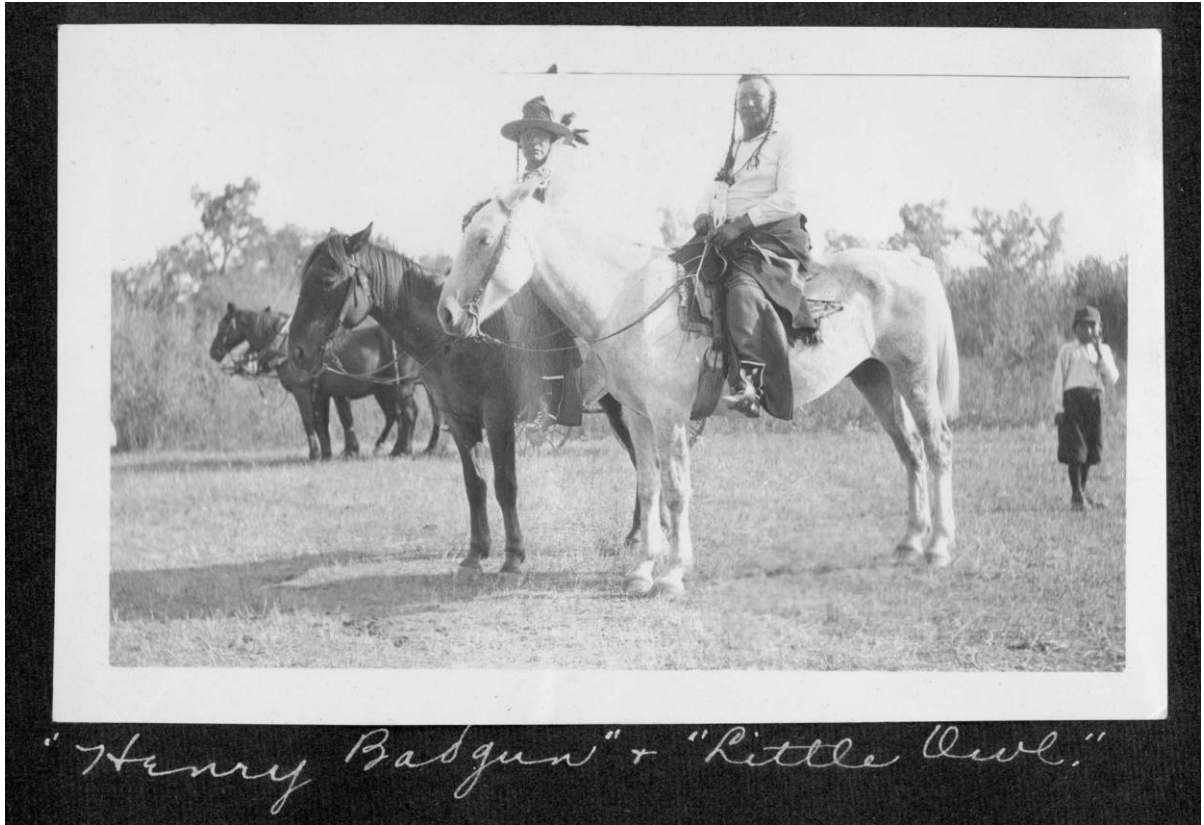


Image I.5 “Henry Badgun & Little Owl” Photograph, unknown year

The boundaries of Fort Berthold – both its lands and its people – should not be taken for granted. The Sitting Rabbit map, contextualized by the nineteenth and early twentieth century history of what are now known as the Three Affiliated Tribes, helps to explain how conceptions of place, space, and territory were negotiated between the Three Affiliated Tribes, neighboring Plains tribes, and the federal government. During this time period, huge changes threatened to shatter the lives of tribal members, from smallpox to Lakota aggression, to the land takings and allotment that accompanied the move to the reservation. And perhaps most importantly for this project, each of these changes forced

the three tribes to defend their remaining territories, in order to defend their communities and their way of life. This process allowed a sovereign territoriality to develop.

Sitting Rabbit, also known as Little Owl, a well-respected Mandan man of his generation, knew these things and mapped them. Gordon G. Libby asked Sitting Rabbit to make his map probably because he was regarded within the community as a knowledgeable man, an expert who knew histories and stories and places. Some might call him a scholar of Mandan and Hidatsa places. His life was one spent on horseback with other men from the community, riding over the landscapes he would one day represent on muslin. His life was also spent raising a family with his wife, raising them immersed in the language and history and culture of the tribes at Fort Berthold. Many places narrated by Sitting Rabbit in his 1907 map may be covered by the waters of the lakes ballooning behind the Oahe and Garrison dams, but his map allows us to remember them and the process of their construction.



Image II.4 Sitting Rabbit Photograph, unknown year



Image II.5 Sitting Rabbit, wife, and child Photograph, unknown year

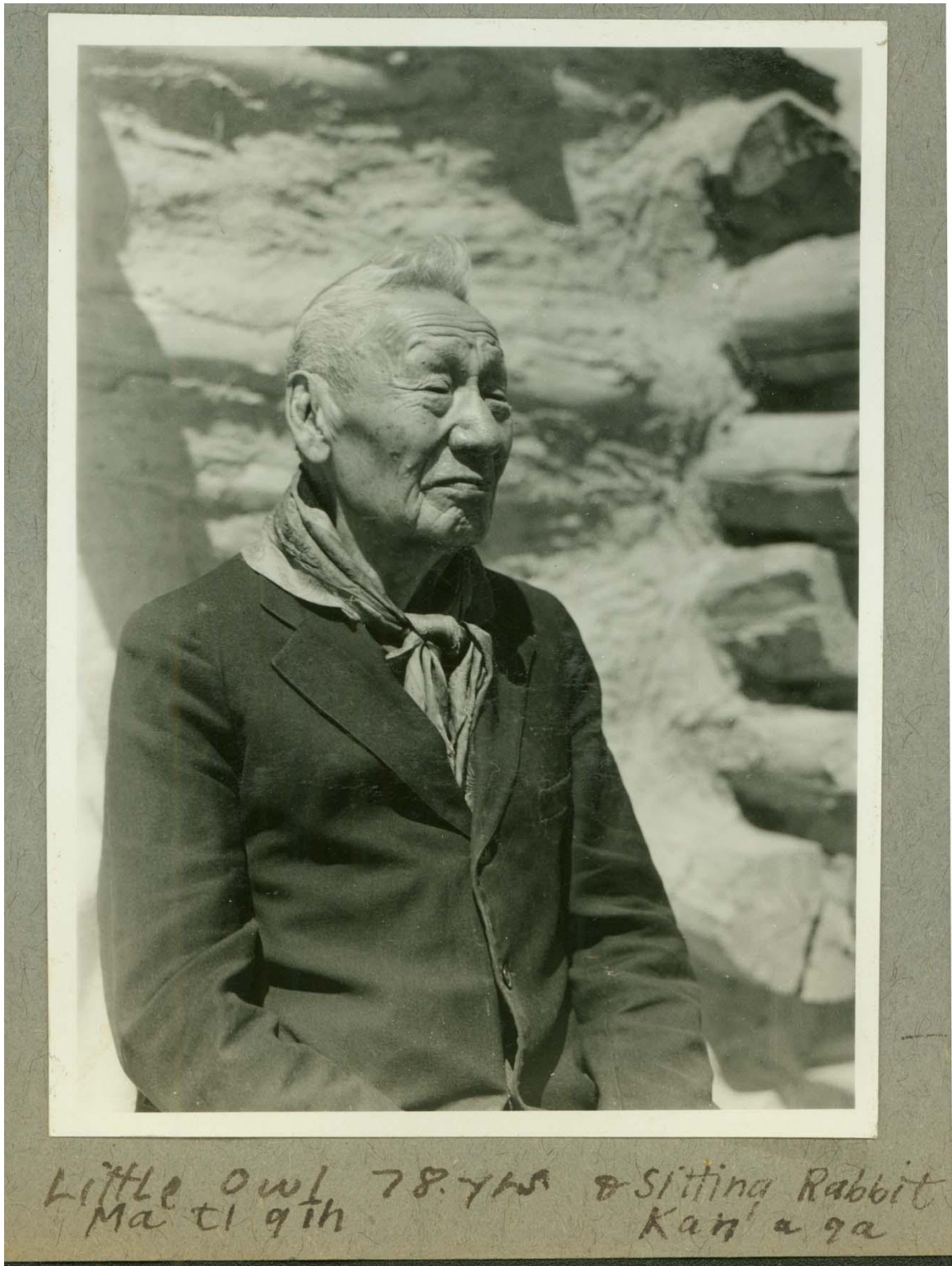


Image II.6 "Little Owl/Sitting Rabbit, 78 years" 1942 Photograph

CHAPTER III

Authority and Indian Reorganization on Fort Berthold, 1934-1941

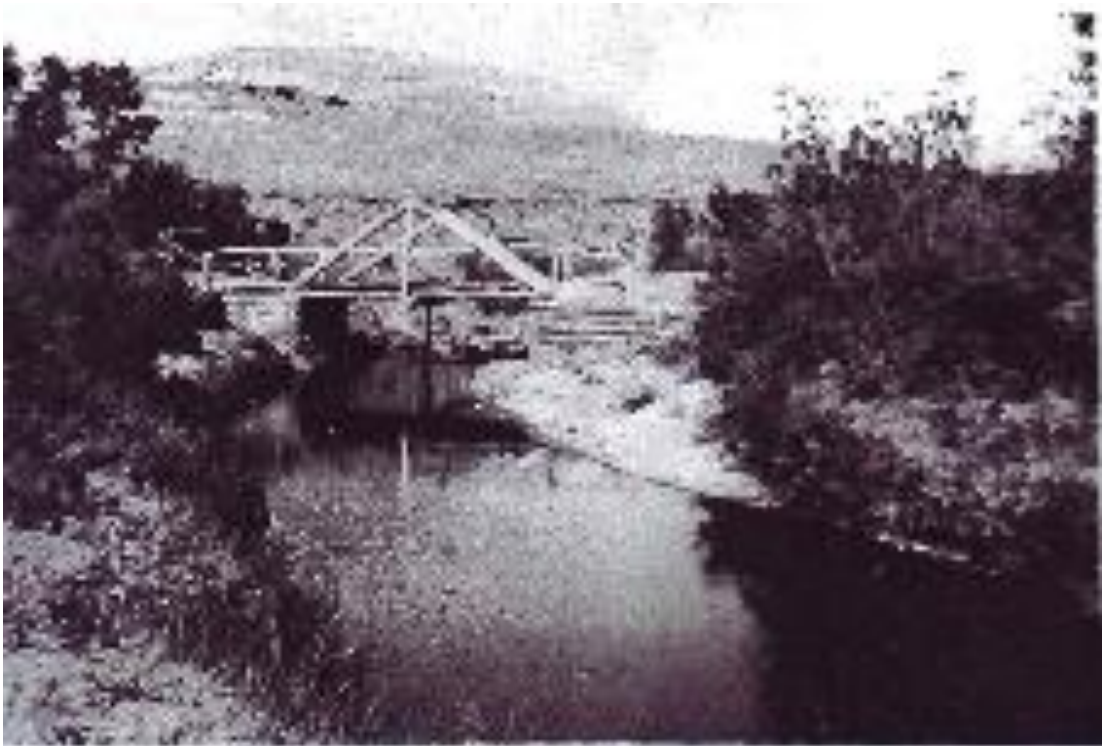


Image III.1 CCC-ID Bridge 1938 Photograph

That bend of river is underwater now, but in 1938 William Beyer, the Fort Berthold Indian Agent, took a photograph of a Civilian Conservation Corps (CCC) bridge built over the Little Missouri River. The photo centers the bridge and the river running underneath it, and the river leads to where the viewer stands at the bottom edge of the photograph. Bushes and trees line both sides of the river, reflected in the relatively calm

surface. The sunny day washes out the details of the sky and the small hill in the background. A black car is parked on the left side of the bridge, barely visible as the photograph was taken.

The photograph itself was part of the Annual Report on Extension Work submitted to the Bureau of Indian Affairs (BIA) from the Fort Berthold Indian Agency in 1938. Numerous other photographs accompanied the text, which were meant to illustrate the lands and work – that is, the environmental and human resources – of the people on Fort Berthold. The photographs offer a rich portfolio of reservation life: summer roundups, range horses grazing, branding, the Shell Creek community garden, corn drying in the hot Plains sun, jars of preserves stacked in front of two older women smiling in the full-on sun, the caption: “Fruit preserved by Indian girls.”⁹⁵

As with many photographic projects, this one conceals as much as it reveals. We do not know if those trees by the Missouri River hold plums, or if any families camped or hauled water from there. We do not know if crews of men on horseback forded the river at that spot before the bridge was built. Were stories – oral traditions or family histories – told about this place, narrated in Hidatsa or Mandan or Arikara? We cannot hear the ice cracking during the spring. The photograph of the CCC bridge also assumes “Fort Berthold” as a *fait accompli* – the presence of three culturally distinct communities naturalized through the weight of history and the weight of nearly a century of imposed bureaucratic definitions. As we have seen, the place named Fort Berthold was the product of a history of indigenous place-making, tribal and state space-making, territorial mappings, land acquisitions, and the everyday decisions of tribal members, Indian agents,

⁹⁵ Photographs; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

and far-away federal bureaucrats. Just as the glassy calm surface of the river in the photograph reflects the trees on the bank and the huge prairie sky, the calm stasis of the photograph most accurately reflects the priorities of the bureaucracy for which it was produced.⁹⁶

Whereas a photograph can document a specific parcel of land – in this project I use the word “land” to describe the physical environment, or the landscape and waterscape of a location, including its non-human inhabitants – it can only hint at documenting a space or a place. Thus in the photograph of the CCC bridge, we see a specific parcel of land, a certain bend in the river; but we cannot see the reasons behind the federal government deciding that this bend in particular is the one over which a bridge should be built. We do not know how much money it cost to build the bridge, or why this bridge in particular was photographed and documented as a sign of progress or funds well spent. In other words, we cannot see “space” in this photograph, a word I employ to refer to the complex processes through which large groupings of people, such as communities and institutions, ascribe meanings and assigns values to certain parcels of land. “Space” also refers to the ways these meanings and values – communally defined and contested – produce specific spatial practices and perceptions.⁹⁷

⁹⁶ For explorations of bureaucratic or institutional photography and the need to document studied populations and landscapes, see Maren Stange, “The Pittsburgh Survey: Lewis Hine and the Establishment of the Documentary Style,” in Stange, *Symbols of Ideal Life: Social Documentary Photography in America, 1890-1950*, 47-87; John Tagg, *The Burden of Representation: Essays on Photographies and Histories* (Amherst: University of Massachusetts Press, 1988), 63-4; Allan Sekula, “The Body and the Archive” in *The Contest of Meaning: Critical Histories of Photography*, ed. Richard Bolton (Cambridge, MA: MIT Press, 1989), 350-61; Alan Sekula, “Reading an Archive: Photography between Labor and Capital,” in *The Photography Reader*, ed. Liz Wells, (New York: Routledge, 2003), 359-60; Robin Kelsey, “Viewing the Archive: Timothy O’Sullivan’s Photographs for the Wheeler Survey, 1871-74,” *The Art Bulletin* 85 (4) (December, 2003): 702, 706.

⁹⁷ Because land can be used to describe something as basic as soil or the ground, this paper uses it to attempt to strip the human meanings attached to the physical environment – even while acknowledging the impossibility of such a task. The use of “land” is meant to approximate what Henri Lefebvre meant by his “absolute space,” or space in its crudest, most ‘natural’ form. “Space” is used as a shorthand to refer to

Similarly, a photograph can usually only serve as an icon of place. “Place” refers to the meaning and significance of specific plots of land for their inhabitants and users, and constitutes one way humans construct “space.” “Place” is knowing where the plum trees are, where to go if you need to haul water from the river, or where the river lies most shallow and can be forded. One way to understand the distinction between “place” as opposed to “space” is that while space can be constructed from afar, “place” requires an intimate and lived knowledge of the landscape and the construction of local meanings. Place is experiences, stories and a narrated history.⁹⁸

Two basic elements present in the CCC bridge photograph are land and water. The ground, the land itself, seems to be comprised of rolling hills that ‘break’ into eroded banks near the river. The tree cover near the river disappears once further up into the hills, hinting at a prairie landscape with limited windbreak and an overwhelming experience of sky. In the foreground, the ground looks dry, crumbly, in comparison to the relatively calm and slick surface of the flowing water. The river cuts into this dry landscape, lower than the altitude of the land. This with the evidence of the rather steep ‘breaks’ of erosion signals that the water cycle and the flow of the river deeply alters the land – indeed, the water has the power to wear a deep channel into the landscape. We can see the things gathered – the bridge, the car, the trees – but as to experiences, histories, languages and thoughts we can only crudely imagine their presence. The CCC bridge itself references the thinking of the Bureau of Indian Affairs and the local CCC director –

what Lefebvre called “social space” (as opposed to his “absolute space”), meaning the ways that space is constructed in complex ways by society through ascribing meanings and assigning values to certain spaces in ways that produces specific spatial practices and perceptions.

⁹⁸ For a more thorough and theoretically rich discussion of “place,” see Basso, *Wisdom Sits in Places*; Setha Low and Denise Lawrence-Zuniga, eds., *The Anthropology of Space and Place: Locating Culture* (Malden, MA: Blackwell, 2003), Introduction; Edward Casey, “How To Get From Space to Place in a Fairly Short Stretch of Time: Phenomological Prolegomana,” in *Senses of Place*, ed. Feld and Basso (Santa Fe, NM: School of American Research Press, 1996).

“this would be a good place for a bridge.” The car represents another modification into the collective imaginary of Fort Berthold – a relatively recent way to traverse, experience, and thus imagine its landscape and place. The trees gather near the water; the water continues to gather because of the erosive processes begun thousands of years before.

In the local lived experience, the Missouri River was both a tribally constructed space as well as one that was simultaneously being altered by the priorities of the federal government. Children crossing the Missouri River to visit relatives in communities on the other side might still be instructed by their parents to feed their Grandfather as they crossed via ferry or boat, in order to ensure a safe journey. Grandfather Snake was a culture hero who lived in the Missouri River. Families would pray to him to ask for safe travels across the waters, leaving corn balls for Grandfather. The Missouri was thus still a place constructed through Mandan and Hidatsa systems of knowledge – traditional stories marked place and reminded tribal members the correct way to act. As the CCC bridge photograph shows, however, the Missouri and the tribal lands surrounding it were more and more modified by the priorities and projects of a national government and its local bureaucratic arm. And the physical changes enacted upon the landscape are only the most visible manifestation of the changes wrought in the New Deal era at Fort Berthold, for its elaboration of space and place were matched by the reorganization of legitimate political authority on the reservation.

Legitimacy and authority are two necessary components of the exercise of sovereignty – part of a constellation of concepts that comprise the ability to maintain sovereign authority, whether as a tribal nation or a larger nation state. This constellation

of concepts includes territory, membership in the form of citizenship, and temporal narratives that attempt to legitimize sovereign authority in the present by telling stories about the past – often making landscape into places – in an attempt to maintain that authority for the future. Not one of these concepts has a direct, measurable, causal effect upon another, but the success or weakness of sovereignty depends on how these ideas are placed, understood, and mobilized in relation to each other. Thus, when the IRA and other New Deal initiatives began to reorganize the space and political authority on Fort Berthold, they helped to rearrange the relationships and roles of tribal territoriality and membership. The end result was a grassroots evolution of tribal sovereignty.

The CCC bridge was the result of one of the first New Deal programs to reach Fort Berthold. Within the first six months of the Roosevelt administration and in the aftermath of a total crop failure at Fort Berthold due to almost the complete absence of rainfall during the growing season, Commissioner of Indian Affairs John Collier authorized the employment of two-hundred men for a six-month period through the Emergency Conservation Work organization – the program that eventually became known as the Civilian Conservation Corps. Roosevelt himself addressed the environmental catastrophe of the extreme drought and Dust Bowl in the southern Plains states in one of his fireside chats, stating, “the dust storms that a few months ago drifted from the western plains to the Atlantic Ocean were a warning to the whole nation of what will happen if we waste our heritage of soil fertility, the ultimate sources of our wealth and of life itself.” Due to the Dust Bowl, Roosevelt’s CCC expanded its forestry-related activities to begin to focus on agricultural soil conservation.⁹⁹

⁹⁹ Meyer, 190-2. Neil Maher, *Nature’s New Deal: The Civilian Conservation Corps and the Origins of the American Environmental Movement* (New York: Oxford University Press, 2007), 57-60.

Although for the first two years of its existence at Fort Berthold the CCC was underutilized, by 1936 the Native men employed by the program were industriously changing the landscape at Fort Berthold – constructing subsistence gardens, building roads, bridges, dams, irrigation projects, camping areas, housing, setting up telephone poles and lines, installing electricity in reservation schools, and fencing both interior and reservation boundary fences. By the end of 1938, Superintendent William Beyer reported to the national BIA that the total expenditures of the CCC-ID (“ID” stands for “Indian Division”) at Fort Berthold totaled \$362,807.19, representing an investment of \$0.867 per acre. Considering the scope and range of the completed infrastructure, surely even in 1938 this investment would be considered a success. But while the infrastructure completed by the Fort Berthold CCC-ID represented a visible change to the landscape, the influence of New Deal programs was to reach its peak through reorganization of authority made possible through the so-called Indian New Deal, or Indian Reorganization Act (IRA) created by John Collier.¹⁰⁰

Thus, the hidden and explicit meanings that can be read using the photograph include not only the memories of tribal histories, stories and meanings – or the concrete

¹⁰⁰ The subsistence garden program at Fort Berthold was attempted throughout the Great Plains reservations. For more on the garden program, see the documents in 008-13 Subsistence Gardens; CCC-ID (Box 341); Records of the Bureau of Indian Affairs, Fort Berthold Indian Agency, North Dakota, Record Group 75; National Archives and Records Administration – Central Plains Region (Kansas City). All the CCC-ID programs were thoroughly documented both visually and in economic and progress reports, usually accompanied by narratives that equated the infrastructure development with progress towards modernity. For example, a photograph of one of the truck trail projects is accompanied by a caption, “The trail that leads to new and better homes for the Indians.” Report, IECW Fort Berthold, Camp Superintendent at Large CE Schmocker; Reports of the Travel Office; CCC-ID (Box 302); Records of the Bureau of Indian Affairs, Fort Berthold Indian Agency, North Dakota, Record Group 75; National Archives and Records Administration – Central Plains Region (Kansas City). Working Plan Report for 7/1/38-6/30/30, Conservation, Fort Berthold Superintendent William Beyer to Commissioner of Indian Affairs John Collier, 5/10/38; CCC; CCC-ID (Box 305); Records of the Bureau of Indian Affairs, Fort Berthold Indian Agency, North Dakota, Record Group 75; National Archives and Records Administration – Central Plains Region (Kansas City). For a national overview of the CCC-ID, see Donald L. Parman, “The Indian and the Civilian Conservation Corps,” *Pacific Historical Review* v40 n1 (1971): 39-56.

realities of federal intervention into a local space. The photograph can also refer to the process of change that occurred during the New Deal Era. For the re-imagination of tribal and federal citizenship that occurred during this era was founded on a shift in the ways that land – the tribal territory that served as a basis for exerting the realities of Indian self-government – could be constructed, used, and imagined. In this process Fort Berthold – like many tribal communities across the country during this time period – grasped hold of the opportunity created by IRA legislation to begin to hammer out and build the local political infrastructure necessary to gain control of their political present and future.¹⁰¹

Reorganizing Authority: Passing the Indian Reorganization Act at Fort Berthold

A folder of letters written in 1936 sits in the federal archives in Kansas City as part of the holdings from the Fort Berthold Indian Agency. The letters originated from all over the United States, including California, Maryland, West Virginia, Montana, Wisconsin, Kansas, Oklahoma, and Washington state. They came from Fort Berthold tribal members and they all informed Indian Agent William R. Beyer that the writers had not renounced their tribal membership and wished to vote in the upcoming election to approve the IRA constitution and bylaws. Some of the letters are typed on company

¹⁰¹ Literature on both Native and rural Southern and Western community interactions with federal New Deal programs illustrate similar dynamics of economically disempowered communities seizing the economic and political opportunities presented by New Deal programs to realize local priorities with federal monies. For more examples of this dynamic within Native communities, see Mindy Morgan, “Constructions and Contestations of the Authoritative Voice: Native American Communities and the Federal Writers Project, 1935-41,” *American Indian Quarterly* v29 n1/2 (2005): 56-83; and, Katherine M.B. Osburn, “‘In a name of justice and fairness’: The Mississippi Choctaw Indian Federation versus the BIA, 1934,” in Cobb & Fowler, eds. (2007). For more on rural Southern and Western communities, see Brian Q. Cannon, “Power Relations: Western Rural Electric Cooperatives and the New Deal,” *Western Historical Quarterly* v31 n2 (2000): 133-160; Neil Maher, “‘Crazy Quilt Farming on Round Land’: The Great Depression, the Soil Conservation Service, and the Politics of Landscape Change on the Great Plains during the New Deal Era,” *Western Historical Quarterly* v31 n3 (2000): 319-339; and Bruce Schulman, *From Cotton Belt to Sunbelt: Federal Policy, Economic Development, and the Transformation of the South, 1938-1980* (Durham, NC: Duke University Press, 1994), 3-134.

letterhead, others are scrawled in pencil, still others are carefully and beautifully written in cursive ink; some ask the Agent for news of their family and relatives in North Dakota, others ask about leasing and land management issues. One letter from a tribal member in Bucks County, Pennsylvania closes, “I remain one of your Indians from both sides of the Missouri River.”¹⁰²

The impetus for these letters, to confirm that the sender had not “revoked” their tribal membership and wanted to participate in the tribal election to approve the new Indian Reorganization Act (IRA) constitution and bylaws, existed because during this time it was considered a real possibility that merely by living away from the tribal land base, a tribal member was intending to abdicate his or her membership in the tribe of their birth. Such letters were not requested from tribal members still living within reservation boundaries; only from those who lived away from the reservation. These letters exist because during the Reservation Era (1870s-1934), Native American identities as tribal members were directly, concretely tied to land.

Not only *tribal* membership was tied to the tribal land base; the Dawes Allotment Act of 1887 explicitly tied U.S. citizenship to the land ownership status of tribal members. Although narratives of U.S. citizenship are often told through the lens of ‘rights’ and ‘obligations’ that determine membership in a political community, as well as the political and legal struggles through which specific populations lobby for and achieve that membership, for Native Americans these abstract notions have been rooted in an

¹⁰² Letter, Joseph Harris to William Beyer, date unknown (1936); Let Ballots Be Mailed; Decimal Correspondence File 021-042; Box 263; Records of the Bureau of Indian Affairs, Fort Berthold Indian Agency, North Dakota, Record Group 75; National Archives and Records Administration – Central Plains Region (Kansas City).

earthier, physical reality: the landscape. The Indian Reorganization Act shifted this paradigm.¹⁰³

The 1887 Dawes Allotment Act conferred U.S. citizenship upon successfully allotted Indians; their allotment of land, divorced from the tribally held land base, became a symbol of detribalization, individualism, personal industry, and potential assimilation. As historian John Troutman summarized, during this time period U.S. citizenship was “generally conceived of as a reward based on the completion of a set of specific cultural, economic, and political requirements.” Specifically, Native land held in fee-simple represented their ability to hold the rights and fulfill the obligations of U.S. citizenship. Charles Eastman, the famous Dakota physician, statesman, and Indian advocate – a man who had helped to identify and bury the bodies of Lakota tribal members killed at the massacre at Wounded Knee Creek – endorsed allotment, viewing it as a “major stepping stone to full citizenship.”¹⁰⁴ After the 1906 passage of the Burke Act, which did away with the mandatory twenty-five year waiting period before individual Indians could sell their land required by the Dawes Act, contingent upon the allottee being determined “competent” to manage their own financial affairs, the Office of Indian Affairs set up “competency commissions” to judge which Indians were legally “competent” and eligible for citizenship. Competency was based on factors such as blood quantum, money management skills, a self-sufficient income, ability to speak English, etc. Individuals who

¹⁰³ IESBS, *Citizenship & Public Policy*: citizenship is a collection of rights and obligations that gives individuals a formal juridical identity.

¹⁰⁴ Elmer Rusco, *A Fateful Time: The Background and Legislative History of the Indian Reorganization Act* (Las Vegas: University of Nevada Press, 2000). Rusco also reminds us that the 1884 Supreme Court decision *Elk v. Wilkins* confirmed that the Fourteenth Amendment did not apply to Native Americans because they were not yet subject to the jurisdiction of the national government. For more on Eastman on citizenship, see David J. Carlson, “‘Indian for a While’: Charles Eastman’s ‘Indian Boyhood’ and the Discourse of Allotment,” *American Indian Quarterly*, v25 n4 (2001): 604-625. Also, Kevin Bruyneel, “Challenging American Boundaries: Indigenous People and the ‘Gift’ of U.S. Citizenship,” *Studies in American Political Development*, 18 (2004): 33.

were classified as non-competent were still allotted, but the government held their land “in trust” and they were prevented from being able to sell it. Thus, in a very concrete sense, before the Indian Citizenship Act of 1924 the rights of citizenship were tied to land ownership status for Native Americans in the early twentieth century.¹⁰⁵

Eastman’s stance reflected what scholar Kevin Bruyneel has termed an “ambivalent citizenship” of early twentieth century Native America – one in which Native elites such as Eastman, Zitkala-Sa, and Carlos Montezuma – often sought U.S. citizenship as a route to attempting to claim the social and political rights enjoyed by white Americans. Bruyneel illustrates how many of these Native elites’ arguments for full U.S. citizenship, made to a national stage, were rooted in a strong recognition of the necessity to preserve Native lands to ensure tribal survival. Other local Native political leaders agitated to reject U.S. citizenship – or at least remained highly suspicious of what the status would mean in regards to their political activism. On a community level, Native people appropriated the language of Americanism, citizenship and patriotism to, as Troutman explains, “enhance their own cultural agenda.” For example, he quotes from a letter from one Lakota reservation Indian Agent saying, “the only thing about [1924 General Citizenship Act] which seemed to interest the larger portion of the Council was its effect upon the regulations against the dance and the giving away,” and documents how previous to the Indian Citizenship Act, Lakota gaining U.S. citizenship via fee

¹⁰⁵ John Troutman, “Citizenship of Dance,” in *Beyond Red Power: American Indian Politics and Activism Since 1900*, ed. Daniel Cobb & Loretta Fowler, (Santa Fe: School for Advanced Research Press, 2007), 91. For more on Native American citizenship in the early 20th Century, see Bruyneel, “Challenging American Boundaries,” 30-43. Also see Paul Rosier, *Serving Their Country: American Indian Politics and Patriotism in the Twentieth Century* (Cambridge: Harvard University Press, 2009), 25-36.

simple land ownership allowed them to hold community dances on their private property allotment.¹⁰⁶

The Indian Citizenship Act, signed by then-President Calvin Coolidge in June 1924, extended U.S. citizenship to the forty-two percent of Native Americans who did not already hold citizenship through Dawes, previous agreement with the federal government, or wartime service. The Act changed U.S. citizenship for Native people by extending it as a political status to all Native Americans – although the social and economic rights of full citizenship continue to be contested – but also by disconnecting the link that had been forged by the Dawes Act between land ownership status and U.S. citizenship. And although some assert that the Indian Citizenship Act recognized “tribal citizenship” by disconnecting the conferral of U.S. citizenship from the loss of tribal land rights, it is probably safest to say that the Act, at best, left space open for people to be both members of tribes and U.S. citizens, through its language that tried to answer tribal concerns over a possible link between U.S. citizenship and tribal land status. Importantly, however, the Indian Citizenship Act disconnected the tie between tribal land status and U.S. citizenship, so that after it was implemented only *tribal* membership and the tribal land base remained linked.¹⁰⁷

Tribal communities, of course, had their own methodology for determining tribal belonging. Tribal notions of community belonging tended not to hinge upon land ownership, or even tribal rolls; rather, residence within the boundaries of the reservation, cultural practice, language, and most importantly kinship and clan relationships

¹⁰⁶ Bruyneel (2004). John Troutman, “Citizenship of Dance,” in *Beyond Red Power: American Indian Politics and Activism Since 1900*, ed. Daniel Cobb & Loretta Fowler (Santa Fe: School for Advanced Research Press, 2007), 97-103.

¹⁰⁷ Bruyneel (2004).

constituted a matrix of variables through which communities and community members determined membership and belonging. The letters from tribal members confirming that they had not renounced their tribal membership – and thus wished to vote in the IRA constitution election – indicate that tribal members living off-reservation measured their identity under the criteria of that tribal community, rather than the U.S. government; they saw no contradiction between living off-reservation and remaining an “Indian from both sides of the Missouri River.”¹⁰⁸

Between the implementation of the Indian Citizenship Act and the Indian Reorganization Act, Native people *held* U.S. citizenship status but *practiced* their tribal status. The political status of U.S. citizen was theirs, like it or not. But because Native peoples’ language, culture, phenotype, and kinship relations did not conform to the white, middle-class “American” cultural citizenship norm that the power structure of the time attempted to enforce, the social and economic rights of U.S. citizenship continued to be denied to them. This created a situation in which while Native people could and were

¹⁰⁸ Bruyneel, 30-43. Demographically, Native American populations were at their nadir, having weathered disease, land dispossession, removal, and outright extermination attempts. Thus, Bruyneel tells us that the Indian Citizenship Act actually only changed the status of 125,000 Native people, out of a total U.S. Native population of 300,000. He quotes the statute: “all non-citizen Indians born within the territorial limits of the United States be, and they are hereby, declared to be citizens of the United States: *Provided*, That the granting of such citizenship shall not in any manner impair or otherwise affect that right of any Indian to tribal or other property.” Bruyneel asserts that the Act “codified what amounted to a form of dual citizenship for indigenous people who maintain enrollment – thus citizenship – in a tribe. This is so because tribal property is held communally by tribes, not individually as forms of alienable private property; therefore, for individual indigenous people to have any right to tribal property, they had to be citizens of the tribe. In stating that U.S. citizenship does not ‘affect [the] right of any Indian to tribal or other property,’ the ICA necessarily secures indigenous claims to tribal citizenship in the very same act that confers U.S. citizenship,” 31. Although Bruyneel’s analysis of ICA is thorough and helpful, the quotation in this footnote contains several leaps in logic, most importantly writing “tribal citizenship” into a time period in which the phrase would have only made sense for a few tribes in the U.S.. During this time on the northern Plains, most tribal communities did not understand tribal belonging to hinge upon a concept such as “citizenship,” and instead measured belonging via kinship, clan, and cultural ties. Bruyneel’s excerpt from the Act, however, does reinforce the importance of the territorial logic of citizenship, shown in its emphasis on non-citizen Indians “born within the territorial limits of the United States.” For a classic community-based analysis of political activism and tribal belonging in a northern Plains community, see Frederick Hoxie, *Parading Through History: The Making of the Crow Nation in America, 1805-1935* (New York: Cambridge University Press, 1995), 295-348.

forced to imagine themselves as “Americans,” but could not *practice* that status due to racial harassment and discrimination. For example, many could not make large purchases without the approval of their local Indian agent, they were rarely granted access to loans, many were denied voting rights in state and federal elections, and all faced racial harassment and violence from non-Native individuals and structures. Meanwhile, Native people *practiced*, they lived, their tribal status. They did so by speaking their indigenous language, by learning and practicing familial and clan relationship expectations, by engaging in Native community gatherings like powwows or dances, and by working their lands in ways that merged historic tribal understandings and memories of the landscape – given form, for example, in Sitting Rabbit’s map – with a very modern version of cattle ranching for profit. Further, they became experts in the “strategic deployment” of U.S. cultural citizenship norms, emphasizing the “*rights of citizenship when defending*” their indigenous cultural priorities.¹⁰⁹

So while the Indian Citizenship Act changed the direct relationship between the tribal landscape and U.S. citizenship, the Indian Reorganization Act, or IRA, shifted the way Native people understood themselves as community members because it required

¹⁰⁹ For more on Americanization efforts and citizenship in the early 20th century, see George J. Sanchez, *Becoming Mexican American: Ethnicity, Culture and Identity in Chicano Los Angeles, 1900 - 1945* (New York: Oxford University Press, 1993); Nyan Shah, *Contagious Divides: Epidemics and Race in San Francisco's Chinatown*, (Berkeley: University of California Press, 2001); Samuel Erman, “Puerto Rico and the Promise of United States Citizenship: Struggles around Status in a New Empire, 1898-1917” (PhD diss., University of Michigan-Ann Arbor, 2010); Maren Stange, “The Pittsburgh Survey: Lewis Hine and the Establishment of the Documentary Style,” in Stange, *Symbols of Ideal Life: Social Documentary Photography in America, 1890-1950*, 47-87; Robert J. Cousins, “Citizenship and Selfhood: Negotiating Narratives of National and Personal Identity, 1900-1920,” (PhD diss., Purdue University, 1997), 99-105. An example of the racial discrimination from the time period comes from a public speech made by Tony Moran about Hans Walker, Sr. at the Mandaree Powwow in the early 2000s, in which he remembered hearing about how prominent Three Affiliated Tribes community leaders were targeted for police harassment. In the story, Hans Walker, Sr. was sentenced to community service picking up trash by the side of the road for having a broken taillight on his car – despite the minor nature of the infraction and Walker’s position as an upstanding community leader. For the strategic deployment of U.S. citizenship, see John Troutman, *Indian Blues: American Indians and the Politics of Music, 1879-1934* (Norman: University of Oklahoma Press, 2009), 49-61.

them to organize for *or* against the imposition of the proposed new tribal political system. The IRA, also known as the Wheeler-Howard Act, was John Collier's brainchild based on over a decade of activism against Office of Indian Affairs policies – particularly the reduction of Indian land base that accompanied the implementation of the Dawes Allotment Act, as well as policies reflecting a Progressive Era push towards Americanization or “detrribalization.” Part of the “community” New Deal alongside initiatives such as the Farm Security Administration (FSA), the Tennessee Valley Authority (TVA), the Civilian Conservation Corps (CCC), and the Federal Theater, Writers and Arts Projects, the main provisions of the act set the terms for implementing tribal self-government, provided loans to tribal governments for education and small business, and ended the Dawes Allotment Act. Collier's February 1934 press release on the IRA called it the “bill of Indian rights,” and the keywords in the release emphasized “economic rehabilitation” and “self-government,” while promising to stop the drain of Native American land holdings and resources due to allotment and to “curb the power” of the Office of Indian Affairs. Each tribe, excluding those in Oklahoma and Alaska, had to vote to adopt the reorganization measures, and while two-thirds of the federally recognized tribes voted to accept the IRA (one-hundred seventy of the two-hundred fifty-eight total), many did not. The raw numbers on the IRA vote as presented by historian Lawrence Kelly make the legislation look unpopular. Kelly claims that of approximately ninety-seven thousand eligible voters, only thirty-eight thousand or thirty-nine percent of Native Americans voted for the IRA; twenty-four thousand or nearly one-quarter voted against it; and thirty-five thousand or thirty-six percent did not vote at all. These numbers may be a reflection of the fact that Collier did not seek tribal input while he was

structuring the bill, and initially his record appointing Native Americans to top positions in the Bureau of Indian Affairs was flaccid.¹¹⁰

In many ways, the IRA represented merely a change in government policy, not a reversal. The constant through the Reservation Era and into the IRA time period was an ever-increasing presence of federal presence in individual Indian lives. The invasiveness into individuals' lives was at its peak during the late years of the Reservation Era as the government bureaucracy itself ballooned due to Progressive Era programming and regulations – as well as due to the fallout of the allotment process and the regulation needed to administer the leasing of tribal and individual allottees' lands. And while John Collier's IRA was sincerely based in the tribally empowering activism of Collier's early years – activism that attempted to stem the tide of cultural loss and forced change by allowing tribal communities to govern themselves and decide how to use their own resources – in other ways it may also have been a natural progression from a bureaucracy whose attention to the intimate personal details of tribal members' lives had produced an untenable workload. In the end, the IRA did not end the bureaucracy of Indian Affairs, it merely changed the tenor.¹¹¹

¹¹⁰ Lawrence Kelly, "The Indian Reorganization Act: The Dream and the Reality," *Pacific Historical Review*, v44 n3 (1975): 291-312. Clayton Koppes, "From New Deal to Termination: Liberalism and Indian Policy, 1933-1953," *Pacific Historical Review*, v46 n4 (1977): 543-566. Kenneth Philp, "Termination: A Legacy of the Indian New Deal," *Western Historical Quarterly*, v14 n2 (1983): 165-180. Wilcomb E. Washburn, "A Fifty-Year Perspective on the Indian Reorganization Act," *American Anthropologist*, v86 n2 (1984): 279-289. Thomas Biolsi, "The IRA and the Politics of Acculturation: The Sioux Case," *American Anthropologist*, v87 n3 (1985): 656-659. *American Indian Quarterly*, v14 n1 (1991). For more on Collier and his land-related activism before entering the Bureau of Indian Affairs, see Rosier (2009): 55-69. For more on Collier's pre-BIA activism and the creation of the IRA, see Francis Paul Prucha, *The Great Father: The United States Government and the American Indians* (Lincoln: University of Nebraska Press, 1995), 940-944, 957-963. For Collier's press release on the IRA, see "Memorandum for the press regarding the Indian Reorganization Act," 2/13/34; 021 Indian Reorganization Act; Decimal Correspondence File (Box 263); Records of the Bureau of Indian Affairs, Fort Berthold Indian Agency, North Dakota, Record Group 75; National Archives and Records Administration – Central Plains Region (Kansas City).

¹¹¹ Thomas Biolsi, "'Indian Self-Government' as a Technique of Domination," *American Indian Quarterly*, v15 n1 (1991): 23-28. Rusco (2000). For example, the Indian Affairs bureaucracy before and after the IRA

Although Collier did not seek tribal input while crafting the IRA, he organized a series of “Indian Congresses” throughout the country to answer questions about the legislation from existing tribal leadership and Bureau of Indian Affairs staff. Many of the concerns that surfaced questioned the impact the legislation would have on land issues, including allotment, and the specific questions asked at a meeting in Elbowoods at Fort Berthold mirrored these concerns. The majority of the questions asked about the legislation focused on land: the potential of white inheritance of Native land, transfer of title from individual Indian landowners, what the legislation would mean for the trust (tax-exempt status) of tribal and allotted lands, tribal jurisdiction over reservation lands, the nature of the proposed consolidation of scattered inherited land holdings, taxation and land status, and the impact on landless Indians. Several questions exhibit tribal distrust built during the previous half-century, such as when one person asked, “As the white man is so crooked in getting our land away from us, how are we going to protect ourselves from losing our land in the future?” Several questions also reveal that tribal members had become increasingly savvy about the litigation of tribal claims. For example, one

remained concerned with quantifying and measuring individual Indians through the use of surveys. The difference was in the nature of the surveys. In the last decade of the Reservation Era, the Office of Indian Affairs commissioned a nation-wide survey of Indian households that assessed and photographed every household on every federally recognized Indian reservation in the United States. The result was an unwieldy document that combined the personal assessments of the local Indian Agent with wide variety of photographs of the exteriors of Indian homes. After the IRA, this type of survey would not be seen again, but the Indian Office still concerned itself with the minutiae of Indian populations. Collier, in an effort to assess the Native population in the U.S., commissioned an Economic and Social Survey that assessed the enrollment status, tribe, blood quantum, age, education, allotment status, land leasing status, income, debt, housing, land use, furniture, crops, and general appearance. Whereas the Industrial Survey had done the same assessment in narrative and photographic form, Collier’s survey attempted to translate all the assessments into numbers and entries into a survey form. And while it might be true that Collier’s attempt to quantify the Indian populations under his bureau’s purvey had less ethnocentric judgment built into the surveying process, the process itself differed very little from the intentions of the surveys conducted in the previous administrations – all were attempts to measure and quantify Indian populations in order to justify pre-determined policy actions. Economic and Social Survey, 1934; Decimal Correspondence File; Records of the Bureau of Indian Affairs, Fort Berthold Indian Agency, North Dakota, Record Group 75; National Archives and Records Administration – Central Plains Region (Kansas City).

question bluntly asked, “If we accept this bill, can we still sue the Government?” Another queried if the funds received to enact the provisions of the IRA at Fort Berthold would be considered as an offset to tribal claims in future litigation.¹¹²

Concerns over tribal land rights, the inheritance of land, the right to initiate litigation against the federal government, and whether the costs of implementing the IRA could be used as an offset against what the government might owe the tribe for a wrongful taking of land reflect, first and foremost, a sophisticated analysis of the realities of the half-century of land loss as a result of the Dawes and Burke Acts. Between 1887 when the Dawes Allotment Act was passed and 1934 when the IRA ended Dawes, Native communities across the U.S. lost sixty-three percent of their total land base, or eighty-six million acres. Between 1880 and 1934, Fort Berthold lost approximately eighty-seven percent of their 1870 land base, amounting to nearly seven million acres taken via Executive Order or allotment-related land openings. But the land-related concerns over the IRA also reflect the community’s realization that the maintenance of the tribal land base is directly related to the maintenance of tribal communities. It reflects a realization that successfully defending tribal territories is linked to ensuring a *future*.¹¹³

Although the IRA may not have changed the bureaucracy of Indian affairs, it politicized the reservation in a new way. Tribal politics, of course, were hardly new. Dividing, uniting, factionalizing, tribal politics remained rooted in family politics – who

¹¹² Francis Paul Prucha, *The Great Father: The United States Government and the American Indians* (Lincoln: University of Nebraska Press, 1995), 958-9. Questions on the Wheeler-Howard Bill, Elbowoods, September 30, 1934; 021 Indian Reorganization Act, Box 263; Records of the Bureau of Indian Affairs, Fort Berthold Indian Agency, North Dakota, Record Group 75; National Archives and Records Administration – Central Plains Region (Kansas City).

¹¹³ Rosier, 36; Meyer, 160-164. Between 1890 and 1934, the federal government stole 6,867,423 acres of the Three Tribes’ land. The first, largest cession was a result of an 1880 Executive Order that took tribal lands and granted them to the Northern Pacific Railroad. The second was a result of Dawes; the Dawes cession took twenty percent of post-1880 Executive Order land base, or 228,168 acres.

was related to whom and who they would support, which clan was in charge of which medicine bundle, and at Fort Berthold, which tribes had the majority. What anthropologists and other academics have called “factions” existed long before the IRA (and continue to exist in some fairly fierce local politics). But due to IRA legislation, Fort Berthold became newly politicized as the leadership rapidly held three elections, voting on whether or not to organize under the IRA, then to approve the constitution and bylaws, and finally to elect the first tribal council under the IRA. After the circulation of an initial petition for incorporation – twelve pages of signatures and thumbprints still sit in the National Archives – the Three Affiliated Tribes voted on whether or not to organize under the IRA. The vote on November 17, 1934 – four-hundred seven, or seventy-seven percent, for incorporation and one-hundred eighteen against – saw over ninety-three percent of the reservation participating.¹¹⁴

Next, the pre-existing, ten-member Tribal Business Council along with five non-elected tribal members formed the constitutional committee to draft the tribal constitution and by-laws. The committee was formed to ensure representation from all three tribes,

¹¹⁴ Meyer, 195-7. Petition for Incorporation; Records Concerning Indian Organization (Box 13); Fort Berthold Indian Agency, North Dakota; Record Group 75, Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. Certification of Charter; Records Concerning Indian Organization (Box 13); Fort Berthold Indian Agency, North Dakota; Record Group 75, Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. Marilyn Norcini’s incredibly detailed and helpful article, “The Political Process of Factionalism and Self-Governance at Santa Clara Pueblo, New Mexico” (in *Proceedings of the American Philosophical Society*, v149 n4 (2005): 544-590) documents such a politicization process embedded in the new IRA technologies of suffrage at Santa Clara. Norcini writes, “[The IRA] established several new legal precedents in Indian voting practices and political equity – a list of eligible voters based on census records with a specific cut off date, written ballots, voting by secret and absentee ballots, age requirements for voters, women’s suffrage, and a required percentage for a majority vote. It also expanded the powers of tribal councils to hire legal counsel, to better control their land and resource base, to consult with the secretary of the interior on financial appropriations prior to decision-making, and to conduct broad inter-governmental negotiations. As a result, the IRA has had a profound and long-lasting effect on policies, procedures, and powers of modern tribal governments and political participation since 1935,” 573. Further, Marsha Weisiger’s article, “Gendered Injustice: Navajo Livestock Reduction in the New Deal Era” (*Western Historical Quarterly*, v38 n4 (2007): 437-455), explains the politicization of the Navajo as they organized against the IRA in response to Collier’s Stock Reduction program: “When Collier took office, the Diné had lacked a strong political organization. Now they proved united against New Deal conservation,” 453.

the five largest communities, from both “Christian and Pagan forces,” as well as those for and against incorporating under the IRA. For a period of a few weeks, according to a BIA field worker, the constitutional committee members travelled from across the reservation over dirt roads, “and were on the road early in the morning and late at night in severe weather.” The work was slowed and made more intricate because of the need to interpret every word of the constitution from English into three languages. The fieldworker reporting on the process described the committee as “a conglomerate and unwieldy committee made even more incoherent by personal antagonisms.” In addition to interpersonal issues, tribal and religious differences created distrust. To top it off, a South Dakota congressman and a Lakota tribal council member from Standing Rock – both opposed to the IRA – also attended several of the meetings.¹¹⁵

From this difficult beginning, the work proceeded and the fieldworker wrote to Collier that he felt great admiration for “these earnest and intelligent men,” who refused to look at the models of other tribes’ constitution and bylaws until after they had crafted their own documents – “and then only for comparison, though later they came to desire revision in the light of what others had done, and, as a result, their constitution does not stand out as original as it really is.” Initially in the meetings, the committee spent a significant amount of time defining the territorial boundaries of the Three Tribes, and the “Land” section “required days of explanation.” Tribal membership, on the other hand, “elicited little discussion,” and the committee members agreed that they did not want degree of Indian blood emphasized in determining membership. After the weeks of work,

¹¹⁵ Report on Organization Work at Fort Berthold, Fieldworker Holtz to Commissioner of Indian Affairs John Collier, 11/16/35; Records Concerning Indian Organization (Box 13); Fort Berthold Indian Agency, North Dakota; Record Group 75, Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC.

“every item of their constitution and by-laws was accepted unanimously and every member went out to explain and defend it with every confidence that his work would be accepted.”¹¹⁶

The foundation was laid to vote on the drafted constitution and bylaws, and thus this narrative returns to the letters that began this section, confirming their continued tribal membership and claiming the right to vote in the constitutional election. Their act of claiming tribal suffrage despite their physical distance from tribal territories illustrates the vast change already occurring. During the previous fifty years of federal Indian policy, such claims to tribal membership and suffrage would not only have been ignored, they would never have been solicited in the first place. As the senders of these letters reconfirmed their ties to the Three Affiliated Tribes and the Fort Berthold land base, as they asked for news of family members or land inheritance issues, they also show us that a new space was opened in defining Indian identities. Tribal members could not only practice their cultural membership from afar; they could now practice their tribal *political* membership from West Virginia, Montana, or California.¹¹⁷

Soon after the election approving reorganization for Fort Berthold and the development of the tribal constitution and bylaws, tribal leadership immediately geared up for the next election: the approval of the constitution. The introduction to the constitution – crafted over long days of debate, translation, and negotiation in late 1935 – reads,

¹¹⁶ Report on Organization Work at Fort Berthold, Fieldworker Holtz to Commissioner of Indian Affairs John Collier, 11/16/35; Records Concerning Indian Organization (Box 13); Fort Berthold Indian Agency, North Dakota; Record Group 75, Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC.

¹¹⁷ Let Ballots Be Mailed; Decimal Correspondence File 021-042; Box 263; Fort Berthold Indian Agency, North Dakota; Record Group 75, Bureau of Indian Affairs; National Archives and Records Administration – Kansas City, MO (Central Plains Region).

We, the Arikara, Gros Ventres [Hidatsa], and Mandan Indians of the Fort Berthold Reservation, in North Dakota, eagerly embrace the opportunities for self-rule, and in order to enjoy the blessings of liberty and justice; to intelligently protect our vested rights under existing treaties and the Constitution of the United States; to guarantee to our posterity a more hopeful future; to promote educational efficiency for the enhancement of good citizenship¹¹⁸

This constitution claims a new citizenship identity for Three Affiliated tribal members, one of indigenous citizenship. The indigenous citizenship developed from complex tribal histories in reaction to the intricate forces of the federal government, the state of North Dakota, and the negotiation necessary to house three tribes in one juridical space.

The components of this indigenous citizenship – which scholars of the time period and Native America have alternately characterized as “ambivalent,” “hybrid,” “strategic,” or “differentiated” – were fourfold. First, this indigenous citizenship was rooted in a lived, tribal cultural membership. Tribal identities, histories, and languages continued to be important to the communities, and served as the foundation – after all the tribal constitution begins by naming the tribes and the place. Second, while this indigenous citizenship could at times be ambivalent and strategic, it also encompassed a deep commitment to the United States and citizenship within that polity. When the constitution stated that part of its purpose was to “intelligently protect our vested rights under ... the Constitution of the United States” and “to promote educational efficiency for the enhancement of good citizenship,” it is clear that an integral part of the equation was a loyalty to the U.S. as an imagined space. Third, and balancing the second characteristic, this commitment to the United States and U.S. citizenship was concurrent with a closely-held belief in indigenous land and resource rights. The “vested rights” mentioned did not

¹¹⁸ Three Affiliated Tribes Constitution and By-Laws; Records Concerning Indian Organization (Box 13); Fort Berthold Indian Agency, North Dakota; Record Group 75, Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC.

only apply to rights under the U.S. Constitution, but also to rights retained “under existing treaties.”¹¹⁹

It is at this juncture that scholars turn to ambivalence, hybridity, and strategy in order to explain not only expressions of tribal citizenship, but also tribal sovereignty in the first half of the twentieth century. Expressions of patriotism and U.S. citizenship are analyzed in conjunction with the continued commitment to indigenous land claims and retellings of tribal histories emphasizing the corruption of the federal government as a paradox; how can these two traditions exist in the same tradition? But as the Rhetoric scholar Malea Powell points out, “the paradox arises for people when the mythologies about Indians and about patriotism are brought together. When you bring the two mythologies together, it shows that both are untrue – all these stories about Indians are

¹¹⁹ This project offers the notion of “indigenous citizenship” as an alternative to characterizations of indigenous negotiations of nation-state citizenship rights and indigenous land and resource claims as “ambivalent,” “strategic,” “differentiated,” or “hybrid.” Many of these terms are used to describe the same dynamic, but this project finds aspects of these various terminologies problematic – though they do describe similar situations to what was happening at Fort Berthold. Finally, similar dynamics occurred throughout the Americas as the nineteenth and early twentieth century nation state evolved amongst populations that contained indigenous citizenry. Recent University of Michigan graduate Victoria Castillo describes in her 2009 dissertation, “Indigenous ‘Messengers’ Petitioning for Justice: Citizenship and Indigenous Rights in Peru, 1900-1945,” how members of indigenous communities traveled long distances, often on foot, to the Peruvian capital of Lima in order to present petitions to the government that sought basic human rights and citizenship rights for their indigenous communities. Although the nation states that bounded indigenous populations in the late nineteenth and early twentieth centuries may indeed have been ambivalent in their recognition of indigenous citizenship and rights – and the elites such as Charles Eastman and Gertrude Bonin cited by Bruyneel, Biolsi, and Rosier may have felt ambivalence – the community actions and lived tactics for recognizing the right to survive and build for the future do not reflect ambivalence. Alternately, for an example of “hybrid citizenship,” see John Troutman, *Indian Blues*, and “Citizenship of Dance” in *Beyond Red Power*. Troutman also uses the term “strategic” to describe expressions of U.S. patriotism amongst the Lakota before the mid-twentieth century. Paul Rosier uses the term “hybrid patriotism” in his book, *Serving Their Country: American Indian Politics and Patriotism in the Twentieth Century* (Cambridge: Harvard University Press, 2009). For an exploration of “ambivalent citizenship,” see Bruyneel, “Challenging American Boundaries.” Thomas Biolsi’s article, “Imagined Geographies: Sovereignty, Indigenous Space, and American Indian Struggle” (*American Ethnologist*, v32 n2, 2005), characterizes indigenous insistence for the “right to be Indian and American at the same time” alternately as cultural or dual citizenship that exists within “a hybrid political space in which the simultaneous existence of two nations in the same physical space is naturalized,” 252. Finally, Carole Blackburn’s article, “Differentiating Indigenous Citizenship: Seeking Multiplicity in Rights, Identity, and Sovereignty in Canada” (*American Ethnologist*, v36 n1, 2009), refers to a similar dynamic among the present-day Nisga’a in Canada as “differentiated” citizenship.

false, all these stories about patriotism are false.” Similarly, ambivalence and hybridity as terms to describe indigenous citizenship are actually the remnants of two mythos, one on what an Indian can be, the second on what patriotism and U.S. citizenship means. Both terms are entrenched in the imagination of the indigenous as people who are pre- (or anti) modern and nation state; and within that dynamic, the nation-state – in this case, the U.S. government and its narratives of citizenship – become part of modernity, and part of a liberal tradition of human rights. These become the two oppositional poles between which indigenous people supposedly feel ambivalence; they are the two traditions that supposedly combine to form a hybrid. But is the modern nation state and its accepted understandings of citizenship *owned* by the Euro-American tradition, or is it something that has been *built* – built over time as European nations enacted bloody expansion into the Americas, and thus built in dialogue with the everyday and exceptional resistance and persistence of indigenous communities? U.S. citizenship, at least, has been shaped and as dependent upon its exclusions and exceptions as it has by what the so-called “founding fathers” defined in the U.S. constitution. Scholars of the sovereignty of the modern nation state also mark European expansion into and resource extraction from the Americas as one of the seminal events that defined the course of the evolution of modern sovereignty. Thus, if citizenship and sovereignty are not *owned* by the Euro-American tradition – if they are also a product of indigenous action – how can there be a “hybrid” citizenship that understands indigeneity and the modern nation state as conflicting traditions? This project asserts that “hybrid,” and “ambivalent” citizenship is, in fact, indigenous citizenship, a tradition that has evolved and grown intertwined with Euro-American understandings of the nation, its citizenry, and its sovereignty.¹²⁰

¹²⁰ Malea Powell quotation from Committee on Institutional Cooperation-American Indian Studies

Its characteristics include, as summarized above, a steadfast commitment to tribal specificity and practices, a practical dedication to the nation-state as an imagined ideal, and a continuing pledge to asserting indigenous land and resource claims. These can all exist in the same place, at the same time, because they represent not a paradox but an integral struggle in the process of defining citizenship and sovereignty. The fourth and final characteristic of indigenous citizenship and sovereignty is seeing both as technologies for building a *future* for indigenous communities, such as the statement from the Three Affiliated Tribes' constitution that reorganization was, in part, "to guarantee to our posterity a more hopeful future."

This hopeful future was rooted in the land. From the initial land-related concerns regarding the prospect of reorganization, to the long hours spent defining tribal territories within the constitution, to the fact that the largest portion of the constitution by far is the "Lands" section that describes the administration of tribal lands, all indicate that tribal leadership and community members saw the maintenance of the tribal land base as one of the key components to ensuring tribal survival and "a more hopeful future."¹²¹

After all, the very first article of the Three Affiliated Tribes' IRA constitution defined tribal territories. The Fort Berthold council decided on the following wording for

Seminar, Michigan State University, 6/22/09. Frederick Hoxie, as always, provides a carefully considered and resonant explanation of the dynamics of forming tribal and U.S. sovereignty in his chapter "Missing the Point: Academic Experts and American Indian Politics," in *Beyond Red Power*. Hoxie writes, "Treaty rights, tribal rights, the right to compensation for damages, water and land rights, individual rights to religion, political freedom, and access to cultural traditions – all of these unprecedented ideas were articulated by Native Americans in their ongoing encounter with the expansive pretensions of the American settler state. . . . For the past two centuries, Native leaders have argued that U.S. sovereignty is neither natural nor all-embracing; although ever present, it cannot override treaty obligations to indigenous peoples or deny Indian people the rights that flow from those agreements," 28-9.

¹²¹ Three Affiliated Tribes Constitution and By-Laws; Records Concerning Indian Organization (Box 13); Fort Berthold Indian Agency, North Dakota; Record Group 75, Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC.

their constitution; it was apparently the source of much discussion, which is frustratingly not recorded in the meeting minutes:

The jurisdiction of the Three Tribes of the Fort Berthold reservation to all lands now containing [sic] within the Fort Berthold reservation to such other lands within or without the present boundaries of the Fort Berthold reservation as may hereafter be added thereto under any law of the United States, excepting as otherwise provided by law.

Although the IRA constitutions have often been accused of being boilerplate documents, the general truth of that accusation should not obscure the fact that tribal leaderships took the drafting and passage of tribal constitutions seriously. They debated and discussed each article, not only for their own benefit but because they would be accountable and would need to explain the constitution to their communities. In that process, they also drafted constitutions that did in fact reflect those concerns most dear to them and to their constituents.¹²²

The constitution and bylaws were submitted to the reservation on March 11, 1936, followed by extensive community discussions and debates in which the constitutional committee explained, translated, and advocated for their constitution. In the election to ratify the constitution and bylaws, over ninety percent of the tribal electorate voted, and the majority endorsed the constitution by a vote of three-hundred sixty-six in favor, two-hundred twenty against – or sixty-two percent. The Indian Agent at Fort Berthold, William Beyer, sent a breathless telegram reporting this fact to Collier four days after the vote.¹²³

¹²² Minutes of the Fort Berthold Business Council, November 2, 1935; Minutes and Resolutions Tribal Business Committee, 1934-7; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

¹²³ Telegram reporting results of constitutional ratification vote, Fort Berthold Indian Agent William Beyer to Commissioner of Indian Affairs John Collier, 5/19/36; Records Concerning Indian Organization (Box 13); Fort Berthold Indian Agency, North Dakota; Record Group 75, Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC.

The community breakdown of the vote reveals that communities on Fort Berthold varied widely in their reaction to the IRA – both in voter turnout and actual support for the constitution and bylaws – as shown by the following table:

Table III.1 Indian Reorganization Act Results

Community	Yes (#)	Yes (%)	No (#)	No (%)	Est. eligible voters	Voter turnout
Elbowoods	65	60.2%	43	39.8%	138	78.2%
Lucky Mound	32	80%	8	20%	Unknown	Unknown
Shell Creek	53	44.9%	65	55.1%	127	92.9%
Independence	80	93%	6	7%	111	77.5%
Nishu	60	54.1%	51	45.9%	136	81.6%
Little Missouri	22	37.3%	37	62.7%	97	60.8%
Beaver Creek	28	82.4%	6	17.6%	32	At least 100%
Absentee	26	86.7%	4	13.3%	Unknown	n/a
TOTALS	366	62.5%	220	37.5%		

The largely Hidatsa and Mandan communities of Elbowoods, Lucky Mound, Independence, and Beaver Creek all voted to endorse the IRA constitution and bylaws by 60% to 93% of their eligible voters. Meanwhile, the communities of Shell Creek and Little Missouri – largely Hidatsa communities – voted against the IRA constitution. But whereas Little Missouri had the lowest voter turnout with approximately 61% -- indicating either a lack of investment in the election save by those who wanted to vote against the IRA constitution, or an overall lack of interest in the election – Shell Creek had the highest voter turnout on the reservation at nearly 93% of their eligible voters casting a ballot. The gap between the “no” and “yes” votes was closest in Shell Creek and the community with the second highest voter turnout, the largely Arikara settlement of

Nishu. In these two communities, the months leading up to the election were likely highly politicized.¹²⁴

With the approval of the constitution and bylaws, a third election rapidly followed: the election for the first IRA-organized tribal council. The Three Affiliated Tribes was now going to exist under an IRA government, and in the process of determining that, the reservation had been politicized in new ways. The tribal business council, which previously had held elections and meetings sporadically, could now exercise far more administrative authority than possible throughout the entire Reservation Era. The structure of elections, politics, and decision-making had been altered, and through the shift in authority and legitimacy, the nature of tribal sovereignty and citizenship also changed course.

The battle over defining the impact and legacy of the IRA began shortly after Collier left office, such as when anthropologist Scudder Mekeel and Collier himself exchanged interpretations in a 1944 issue of *American Anthropologist*. From the 1970s as Native American History began budding in the U.S. academy to the early 2000s, historians largely attempted to ascertain and measure the IRA legacy in ways that used a birds-eye view of federal Indian policy and a strong emphasis on national (rather than tribal) politics. This approach sometimes led to characterizations that lionized or

¹²⁴ Community voting results on the adoption of the IRA constitution and bylaws, 5/15/36; 021 Wheeler Howard Act; Decimal Correspondence File; Fort Berthold Indian Agency, North Dakota; Record Group 75, Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City, MO). Three Affiliated Tribes constitution and bylaw voting results; Records Concerning Indian Organization (Box 13); Fort Berthold Indian Agency, North Dakota; Record Group 75, Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. The Shell Creek community was known as a community of dissenters, being largely made up of a band of the Hidatsa known as the Xxoshga to the tribal community (or the “irreconcilables” or “seceders” by Euro-American observers) after they had followed tribal leader Crow Flies High to live off the reservation at Fort Buford in 1870. The Xxoshga remained off the reservation until 1894, when armed guard returned them to Fort Berthold. John Austin Matzko, *Reconstructing Fort Union* (Lincoln: University of Nebraska Press, 2001), 23-4; Meyer, 138-140.

demonized Collier as the lone – or at least the most important – change agent, and the BIA as the only source of political power impacting Native communities. Such intense focus on Collier and the BIA led to analyses that defined them as the fulcrum of the time period, and relegated political activism within Native communities as silent or largely reactive. The flowering of Native American Studies as a discipline in the 2000s led to exciting new scholarship on the IRA, mostly from the perspective of specific tribal communities. The focus on tribal politics in these works presents an IRA era in which the actions of the federal government provide a spur to community political organizing for or against the IRA and the initiatives of the Collier bureaucracy. What becomes clear in the most recent scholarship is that the very question of whether the IRA is a success or a failure tends to flatten or elide the importance of both tribal politics and the activism of Native communities. When tribal communities are centered, a common thread emerges in the historiography: that regardless of whether tribal communities mounted successful political activism for or against implementing IRA governments, stock reduction programs, or participation in other New Deal programs, they all used the opening provided by the question of whether or not to organize under the IRA; tribes used the IRA to argue over and agitate for a solution that fit the cultural, social, and community political needs of that specific community. In other words, the priorities of the federal government via IRA legislation were retooled by Native communities, and they used the debate over the legislation to express and realize longer-standing community concerns and needs. As historian Paul Rosier asserts, the IRA was imperfect, but it did “reset a foundation for many American Indian’s conceptions of nationhood, allowing them to establish formal rules for defining boundaries – demographic, geographical, political, and

economic. The result was a more carefully delineated and circumscribed Native America.”¹²⁵

¹²⁵ For the Mekeel-Collier exchange, see *American Anthropologist*, v46 n3 (1945): 422-426. In 1975, Lawrence Kelly’s article, “The Indian Reorganization Act: The Dream and the Reality,” (*Pacific Historical Review*, v44 n3 (1975): 291-312), portrayed Collier as a lone hero of reform but designated the IRA as a failure due to its inability to “attain Collier’s basic goals and subsequent failure of his administration to extend even the act’s limited benefits to the majority of Indians,” 293. Kelly’s largely fair assessment of the IRA and Collier was seconded by Clayton Koppes in “From New Deal to Termination: Liberalism and Indian Policy, 1933-1953,” (*Pacific Historical Review*, v46 n4 (1977): 543-566), which critiqued the structure of Collier’s IRA, holding it accountable for a supposed increase in factionalism on the tribal level and the tenaciousness of IRA critics in the Senate and House that led to its collapse under the Truman administration. Echoing the tendency of Reagan-era historians to blame the collapse of the New Deal coalition on the racial and class structural weaknesses of New Deal legislation, Kenneth Philp’s article, “Termination: A Legacy of the Indian New Deal,” (*Western Historical Quarterly*, v14 n2 (1983): 165-180), pushed Koppes’ analysis even further and, as the title suggests, blamed the success of Termination Policy on the failure of the IRA – going so far as to suggest that there was “little enthusiasm for the IRA” due to decades of Native assimilation and the existence of pan-Indian organizations. Philp saw the IRA as nearly a complete failure because it supposedly increased tribal factionalism, made the maintenance of law and order in tribal spaces more difficult, provided none of the hoped-for tribal economic development, and introduced further confusion in the Bureau’s land policies. The next ten years would see two camps of anthropologists and historians keeping the terms of the debate focused on Collier and the BIA. Anthropologist Wilcomb Washburn’s “A Fifty-Year Perspective on the Indian Reorganization Act” in *American Anthropologist* (v86 n2 (1984): 279-289) challenged the previous decade’s assessments of the IRA by directly attacking – persuasively, and by emphasizing the agency of tribal communities and political activism – four assumptions that had, by that point, begun to be the ‘common wisdom’ regarding the IRA: (1) that the U.S. government imposed electoral systems against tribal will; (2) that the vast majority of Native voters indicated rejection of the IRA by not voting; (3) that IRA tribal governments were essentially puppets of the federal government; and (4) Native people have lost freedom and independence as a result of the IRA. Washburn’s language can be conservative and in some ways flattens the power dynamics of the federal-tribal relationship, and his article provoked a response from Thomas Biolsi (see “The IRA and the Politics of Acculturation: The Sioux Case,” *American Anthropologist*, v87 n3 (1985): 656-659) that used his research from the federal archival holdings on several Lakota reservations to bring to light cases in which BIA employees manipulated campaigns, voting schedules, and community factions to coerce passage of the IRA. Several years later, *American Indian Quarterly* v15 n1 (1991) devoted an entire issue that brought together a ‘dream team’ of historians of Native America to react to a 1980 book by Russel Barsh, *The Road: Indian Tribes and Political Liberty*, and specifically his assertion that Arthur Ludington, a one-time assistant to Woodrow Wilson, had prepared papers that anticipated the following fifty years of Federal Indian Policy, including the IRA. The collection of historians in this issue of AIQ alternately had fun tearing Barsh’s methods, sources, and assertions apart, and cautiously suggesting that he could have done more research. Each essay, however, eventually grapples with the question: What *was* the legacy and impact of the IRA? Biolsi makes an appearance in the issue, pushing his analysis from 1985 even further and calling IRA governments a “coerced consensus,” examples of cooptation, and the IRA itself a “technique of domination.” Most of the essays, however, fall somewhere less radical on the spectrum than Biolsi. Luckily, recent scholarship has managed to extricate itself from the failure/success dichotomy of Collier and the IRA, and instead crafts intricate community studies that link local tribal politics to the broader national story of federal Indian policy. For examples of this scholarship, see: Mindy Morgan, “Constructions and Contestations of the Authoritative Voice,” 56-83; Marilyn Norcini, “The Political Process of Factionalism and Self-Governance at Santa Clara Pueblo,” 544-590; Marsha Weisiger, “Gendered Injustice,” 437-455; and Katherine M.B. Osburn, “‘In a name of justice and fairness,’” in *Beyond Red Power*. Rosier, *Serving Their Country*, 69.

On Fort Berthold, the determination of whether the IRA was a success or failure was also debated. Resistance to the IRA power structure, largely emanating from the community of Shell Creek, continued throughout the New Deal and WWII years. Those who could now exercise legitimate authority within the IRA government, of course, saw the legislation as a success. In fact, in 1937 the Fort Berthold Tribal Business Council passed a resolution opposing its repeal as a message to North Dakota senator Lynn Frazier and in answer to the critics of the IRA nationwide. The resolution, dated March 18, 1937, read in part:

Whereas: After the advent of the white man, the governing powers of the Indian were abrogated, their possessions in lands were given to other authority; they were driven onto Reservations created for them to live within the prescribed boundaries, agencies were established and Agents appointed to rule and take charge of all Indians and their affairs in their jurisdiction, and

Whereas: The Indian has lost all power of self-government, and depends upon the Agent for all activities of business, as the Agent is empowered to set for him, and

Whereas: The present Commissioner of Indian Affairs, the Hon. John Collier, has seen and recognized these injustices and is seeking to correct them and to restore to the Indian his self reliance and allow him to think for himself, ...

BE IT RESOLVED :

That the Members of the Fort Berthold Tribal Council go on record as opposing the repealment of the said Wheeler-Howard Bill, and ask Senator Lynn Frazier to sustain and support the original bill.¹²⁶

The text of the resolution makes clear that whatever the failings of the IRA – and whatever internal power struggles might have occurred as a result of the reorganization of the political leadership on Fort Berthold – the basic change that the bill introduced, from ward of the federal government to a state of self-governance, was a welcome one.

¹²⁶ Special Meeting of the Fort Berthold Tribal Business Council, March 18, 1937, Elbowoods, North Dakota; Minutes and Resolutions Tribal Business Committee, 1934-7; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

The resolution – and, more importantly, the Tribal Business Council minutes as a whole – show that at Fort Berthold, regardless of whether the IRA truly represented a departure from previous policies or administrations, the shift it represented and the process it outlined towards self-government for Indian tribes gave space for community members to express their own narratives of citizenship and to use the tools offered by the act to defend and preserve their land base and its resources. This was a welcome change. Before the general tribal vote on the IRA constitution, a tribal elder and leader, Chief Bears Arm, told the Tribal Business Council representatives,

We older men are looking to you and have faith in your judgment to conduct our tribal affairs. I consider the Constitution and By Laws, which you have been discussing, a worthy accomplishment. It is an instrument of power which will enable you to properly pursue and accomplish the happiness and contentment of our people. I favor the plan of submitting the document to each district for study, and of calling a general Council for approval and adoption by the three tribes. ... I wish to say one thing, and then I am through. That I have favored the Wheeler-Howard Act from its beginning and rejoice that our people have accepted the Act by a large majority and that I hope that when it becomes effective, you will be able to exercise larger powers as extended to you in its terms.¹²⁷

Exercising Authority: Land and Belonging

The new IRA government at Fort Berthold *did* have larger powers. The process of organizing under the IRA required tribal leadership to define enrollment and tribal membership, to create new leadership structures, to build infrastructure, and to define the relationship between tribal membership and land in new ways. This process enabled the tribal leadership – and ultimately the population as a whole – to redefine their narratives of space and belonging.

¹²⁷ Minutes of the Business Council, November 28, 1934, Elbowoods, North Dakota; Minutes and Resolutions Tribal Business Committee, 1934-7; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

Previous to the IRA, a tribal business council had existed since 1910; it held ten members, one from each of the communities except Shell Creek and Nishu, which respectively sent two and three representatives to the pre-IRA council. These were not the largest communities on the reservation, but Shell Creek contained the descendants of a community of dissenters, and Nishu was largely Arikara. Each district also held a sub-tribal council, and it was these sub-councils that elected representatives to the larger tribal council. The pre-IRA council had no constitution or bylaws, and no regular meetings; their authority was largely exercised through approving tribal leases, enrollment issues, and making recommendations regarding filling vacancies for local Agency positions. Traditional leadership roles were no longer formally enforced, but the Agent did report that the communities accorded respect to the opinions of the traditional leaders, and “they are given every opportunity to voice their opinions in any official matters,” and when important representation was necessary, such as signing papers that recognized indigenous land claims, the pre-IRA council made sure that “the necessary papers were signed by hereditary chiefs.”¹²⁸

This snapshot of pre-IRA tribal authority falls along a spectrum on the northern Plains, between tribes like the Crow and Blackfeet who successfully advocated for a representative government that also reflected traditional forms of authority, and the situation on several Lakota reservations, in which Lakota cultural leadership fought an uphill battle against local Indian Agents who were determined to strip authority from them. Fort Berthold, a much less contentious place in its interactions with the local

¹²⁸ Response to Collier’s Questionnaire on Tribal Organization, Fort Berthold Indian Agent William Beyer to Commissioner of Indian Affairs John Collier, 7/27/34; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC.

branch of the Indian Affairs bureaucracy, also did not have agents as racist and hateful as seen at places like Standing Rock, Rosebud, or Pine Ridge. Thus, the transition to the post-IRA government was relatively painless, and following a sweltering and dry summer, in September 1936 the first IRA tribal council was elected.¹²⁹

The structure of the new tribal council ensured less weight to Nishu, and increased the representation of the Independence community; Shell Creek's representation remained the same. Several members of the first IRA council had served as representatives to the previous iteration of the tribal business council, including the chair, Arthur Mandan from Lucky Mound district, and Peter Beauchamp from Nishu. Both men became elected to leadership roles within the new council, Mandan as the tribal chair, and Beauchamp as secretary.¹³⁰

¹²⁹ Letter, Superintendent William Beyer to Commissioner of Indian Affairs John Collier, 7/7/36; 004 Commissioner of Indian Affairs; Decimal Correspondence File; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). Beyer wrote: Drouth is becoming serious. Very little rain this spring, excessive heat and hot winds the last few days. The temperature on July 6th was officially recorded at 114 degrees F. . . . We may, if some late rains yet come, be able to harvest thistles and pigeon grass from the fields or ranges, however, if the excessive temperature continues, the thistles will even be burned up.” Later that month, Beyer received a letter from the Assistant Commissioner, William Zimmerman. It read in part, “You say that due to one of the worst droughts of the past few years, the Indians are not disposed to take up this matter but are more concerned with their problems arising out of their economic situation. You indicate that if an election were held at this time, there would not be a wise selection of the new tribal business council,” and in the remainder of the letter Zimmerman basically instructed Beyer to do his job and get the election done. William Zimmerman, Assistant Commissioner of Indian Affairs to William Beyer, Fort Berthold Agency Superintendent, 7/28/36; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC.

¹³⁰ Tribal Business Council election results, 9/1/36; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. Confirmed in: 021 Wheeler Howard Act 1936-7; Decimal Correspondence File; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

Table III.2 1936 Election Results
 winners in bold, * denotes a tie

Elbowoods (1)	George Grinnell J.B. Smith Joseph Packineau, Jr. John Hunts Along Walter Stink Face	37 22 21 8 1
Shell Creek (2)	Drags Wolf Mark Mahto Robert Dancing Bull Leo Young Wolf Charles Fox Michael Mason	55 40* 40* 35 19 19
Independence (2)	Ben Good Bird Hans Walker James Baker Wolf Lies Down	75 57 41 13
Nishu (2)	Peter Beauchamp Clair Everett Albert Simpson	62 50 42
Beaver Creek (1)	George Gillette John W. Star	26 6
Lucky Mound (1)	Arthur Mandan Thomas Spotted Wolf	15 12
Little Missouri-Red Butte (1)	Philip Atkins Charles Huber Ben Benson	32 27 20

The new IRA government at Fort Berthold enthusiastically threw itself into the management process, especially where land and its resources were concerned. In its most positive form, the new possibilities for managing tribal resources worked towards the preservation of said resources in order to ensure the sustainability of community resources. For example, the new Tribal Business Council at Fort Berthold constantly addressed leasing issues in the hopes of reversing the damage done to pastures by the overgrazing of lessees – especially those in the “Big Lease” or large communal grazing ground at the center of the reservation – by the overgrazing of lessees. Although some might identify this activity and the agitation surrounding it as an example of acculturation

and adjustment to the Euro-American economic system, it must also be recognized as evidence of the communities of Fort Berthold prioritizing the protection of their land resources. Early on the council meeting minutes record,

[Tribal Chairman] Mr. Mandan called the attention of the committee to the distressing need of conserving the scanty pasture on all parts of the reservation. He stated that one way to bring about this change is to insist that all outside stock now running at large at present, in fact this trespassing of outside stock has for a long time been complained of by the Indians in all districts on the reservation.

Reports of overgrazing or lax leasing practices to the Tribal Business Council resulted in the council immediately acting to enforce preservation-oriented regulations. In conjunction with the second election held after reorganization, included on the ballot was a measure to decide whether the tribal pastures would be an open or closed range – an open range would mean that Native-owned livestock would be allowed to graze free of charge and farmers would be responsible for fencing their fields; a closed range would mean that livestock owners would be liable for damages to fields, and Native ranchers would be responsible for managing their herds. The Business Council also formed a Land Committee, whose membership amongst the tribal council was charged with identifying reservation locations whose pasture degradation required immediate action to reverse it. In these years of extreme drought, these activities were essential and were among the first issues addressed. Further, the complicated land statuses of lands within reservation boundaries – which after fifty years of the fallout from the Dawes Allotment Act created “Indian-owned patent fee lands,” “patent fee lands sold to aliens,” “Homestead lands on present reservation acquired by entry,” “Homestead lands on tract opened to entry,” state lands, “Homestead lands not filed on,” “town sites,” and government-owned pasture and

sites – made the preservation of lands still held by the tribe hold even more importance.¹³¹

The council also took a strongly defensive stance towards their territorial base – surely a reaction to the long history of unwanted cessions and the depredations of local white cattlemen and farmers in overtaxing the grazing and agricultural lands of the reservation, which represented some of the best pasture land in the Dakotas. Their defensive posture can be seen in their early decision to put together a reservation brand book that listed all the brands of enrolled tribal members on the reservation. Completed in 1936, the book lists each tribal member who owned cattle alongside a hand drawn representation of their brand. The defense of tribal grazing resources also required greater investment in the management process so as to discipline and control the cattle within reservation boundaries. It also required intensive fencing efforts, and the council quickly authorized expenditures for fencing the reservation boundaries – not only to keep out cattle from local ranchers, but to fully define and mark tribal territories. Finally, in a precursor of years to come, soon after the 1936 election tribal leaders Peter Beauchamp and Arthur Mandan attended a conference at Devils Lake called by the Army Corps of Engineers, at which they “made a strong plea to not consider any project such as the

¹³¹ “Patent fee lands” denote lands owned by individuals – meaning that they were neither communally held by the tribe, nor held in trust by the U.S. government. Meyer, 170-6. Also see, Minutes of a meeting of the Tribal Business Committee, May 25, 1934; Minutes and Resolutions Tribal Business Committee, 1934-7; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). Fort Berthold Bulletin, August 1938; 018 Fort Berthold Service Bulletin, 1938-42; Decimal correspondence file 009-021 Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). An example of the complexity of land statuses on Fort Berthold can be found in the maps contained in: Township Maps; CCC-ID Decimal Codes 008-009; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

Garrison dam site, that would drown out the Reservation bottom lands.” The defense of the Fort Berthold territorial base required constant vigilance.¹³²

This, combined with their efforts to ensure the possibility of building the land base to encompass greater territories than they already held, shows that the newly empowered tribal leadership under the IRA saw this historic moment as an opportunity to not only increase tribal territories, but to build towards a greater expression of self-government and a greater prosperity and security for the tribe as a whole. Each of these dynamics represent the relatively new possibility of developing and enforcing a tribally-defined use of space. The tribal council repeatedly insisted on including language into their IRA-organized constitution that expressly dealt with the potential of purchasing alienated lands and converting them to trust status; their top priorities in saving money for future expenditures centered on the possibility of funding lawyers for the litigation of new land claims cases; and the only reliable source of affirmative expenditure was the building of infrastructure in the form of schools, roads and bridges for smaller communities such as Nishu and Red Butte. In these ways, the new powers of the IRA government at Fort Berthold also specifically acted to repair the damage to tribal holdings created by the Dawes Act. They prioritized the solidification of the tribal land base, not only in returning alienated lands, but wanting to buy lands allotted to elderly tribal members. Superintendent Beyer wrote to John Collier asking for guidance on the issue, stating, “each year [the inheritance of land] becomes more complicated, that is,

¹³² Reservation Brand Book, 1936; General Correspondence, Hay Lease Permit Correspondence; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). The 10/27/36 conference at Devils Lake was reported in the Fort Berthold Bulletin, 11/20/36; Fort Berthold Service Bulletin, 1935-7; Decimal Correspondence 009-021; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

under the probate of estates the division becomes smaller in units. We do not see any way of alleviating this condition other than an out right purchase of the inherited interests as referred to herein.”¹³³

The management, defense and solidification of the land base by tribal leadership were supplemented by its attempts to enact successful control and discipline of the landscape and its resources. The Fort Berthold Tribal Council not only created a Game Committee charged with managing hunting and fishing resources on the reservation; they also began to regulate the use and sale of natural resources such as reservation coal and timber. In both cases, they made strong distinctions between the harvesting by tribal members versus non-tribal members, as well as whether the sale of such land resources was happening to Indians or whites. Such distinctions were integral to their assessment of whether or not to authorize the use of resources, and reveal a leadership structure that was determined to ensure that tribal land resources benefitted tribal members first and foremost.¹³⁴

Land, land and resource use, and territoriality were central to the organization towards self-government as envisioned by the Fort Berthold Tribal Business Council during the early years of the implementation of the Indian Reorganization Act. This centrality was doubtless enforced not only by the continual bleeding experienced by the three tribes as the executive branch and congress took their lands in bites both large and

¹³³ Minutes and Resolutions Tribal Business Committee, 1934-7; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). Letter regarding tribal acquisition of allotted lands, Superintendent William Beyer to Commissioner of Indian Affairs John Collier, 1/27/38; 021 Indian Reorganization Act; Decimal Correspondence 021-042; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

¹³⁴ Minutes and Resolutions Tribal Business Committee, 1934-7; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

small, but by a long history of close ties with the land and natural resources of the Missouri River valley in which the tribes had lived for hundreds of years. The history of the New Deal era at Fort Berthold shows us that as the federal government expanded its structure, responsibilities, and interactions with its citizenry at large, the opportunity was also provided for local tribes to move towards self-government and undergo a process of expansion themselves.

Tied to this deep concern over the territorial base of the Three Affiliated Tribes was a new emphasis on defining tribal membership. Enrollment became policed and controlled in new ways under the reorganized tribal council because it was the surest route to the most beleaguered of tribal resources in a new structure of power that was based upon territorial control: land. Tribal membership became more regulated under the IRA leadership, and their meeting minutes are scattered with denied petitions for enrollment. Enrollment requests were denied for various reasons – because parentage was cloudy or denied, or because one parent was white and the child would not be living with the Native parent. In each case, explicit reasons for denial were provided in the minutes – perhaps a reflection of the intensely local and personal knowledge possible in small communities. But the denials of enrollment also point to a tribal council that viewed tribal status and enrollment as a resource to be protected. In one example, a request for enrollment was voted down despite the following reasons given by one tribal council member in support of the request:

1. Millie Anderson is a woman of good character and has raised this Sioux Indian child, who has become attached to her as her own.
2. Millie Anderson has no other living relatives and she has legally adopted this child.

3. Miss Anderson is raising the child properly and wishes it enrolled here. The child attends school here and probably will settle down here and marry into the tribe eventually.¹³⁵

After this information, the next line in the meeting minutes states, “The vote was four for and five against” and so the child was denied enrollment.

Before the Reservation Era, enrollment was not an issue; the boundaries of tribal belonging were permeable and based more on culture and behavior than on descent. Perhaps the most famous example of this phenomenon at Fort Berthold is the story of Sacaga Wea, or Bird Woman, who in the early nineteenth century helped to lead Lewis and Clark to the Pacific Coast. Sacaga Wea was a Shoshone girl captured by the Hidatsa as a child; she grew up with the Hidatsa and after the Lewis and Clark Expedition she returned to the Hidatsa villages despite opportunities to return to the Shoshone. Her descendants, had her son lived to also have children, would doubtless have been classified as “Hidatsa” once the federal government began regulating enrollment during the Reservation Era.

Once the Reservation Era began, and the federal government disciplined tribal membership through intensive counting and membership rolls in their efforts to determine exactly how much they needed to expend in order to meet the financial obligations of the treaties they had negotiated with Indian groups – often promising money, rations, and educational support in return for the land they took from tribes –

¹³⁵ Regular Meeting of the Fort Berthold Tribal Business Council, August 12, 1937, Elbowoods, North Dakota; Minutes and Resolutions Tribal Business Committee, 1934-7; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). Millie Anderson was 4/4 Arikara, 55 years old when she made her request, lived on 480 acres of which she farmed 32 (2 corn, 10 wheat, 20 barley). She owned chickens, and her water supply was the Missouri River. In 1933 she canned 42 quarts of fruit to supplement her garden, farming, and chickens. “House part built of logs. Part of lumber. Appearance excellent.” Millie Anderson; Little Missouri-Red Butte District; Economic and Social Survey 1934 (Box 13); Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

tribal membership shifted to an explicitly descent-based model. Although tribal members and the local Indian agents simplified their tribal and cultural identities for the purposes of the rolls – and in some cases explicitly lied – the rolls continue to be treated as historical reality rather than interpretation by both tribes and the federal government. This can be explained in part by this historical moment – the moment in which the newly formed IRA tribal governments began to be able to decide upon their communities’ own enrollment and membership issues. At this moment, the stakes of enrollment were unavoidably high. Enrollment – the legal acceptance of an individual as a member of a tribal community – was not only a statement of personal ties and cultural affiliation. If that was the entirety of the matter, it would have been petty indeed to deny Millie Anderson’s request for the child she had adopted. But the long history of land “cessions” – more accurately, takings – by the federal government, combined with (1) the realities of land distribution after Dawes, (2) the experience of a one-third increase in population between the turn of the century and the 1930s, and (3) the nascent success in litigating land claims against the government with resulting monetary settlements that were often distributed per capita, made enrollment and tribal membership into a resource to be defended for future generations of community members. When enrollment and community membership became a resource to defend, it also became a way to express an evolving definition of citizenship for the IRA-organized tribal councils who now had the legal authority to once again define their own membership.¹³⁶

¹³⁶ Previous to the Reservation Era, Indians were not citizens of the United States. Neither did most tribes define their membership in a way that would make it accurate to call tribal members “citizens” of a tribe in the European and Euro-American tradition. During the Reservation Era, the question of Indian citizenship resulted in a patchwork effect, especially after Dawes created a quagmire of possible statuses for Indian individuals “competent” and “non-competent,” “wards” and “fee-simple status,” etc. By 1924 the U.S., in an effort to simplify the legal status of Indians within its territorial boundaries, declared that all Indians were full U.S. citizens. This was also an expression of a Progressive Era hope that eventually Indians

The narrative of belonging, membership, enrollment, citizenship, and law developed and implemented by tribal leadership – and debated, discussed, and accepted by the tribal communities – was evolving into a two-tiered understanding of indigenous citizenship. The first, more local, immediate, and visceral tier, was tribal membership. On a day to day basis, community members interacted with each other – they spoke Hidatsa, Mandan, or Arikara to each other; told and retold the local histories and traditional stories to each other in their homes; participated in the clan system and age societies, choosing new religious and cultural leaders and participants each year; worked together ranching or farming, herding cattle on the Big Lease or their family allotments, or processing and drying corn and squash for the winter. This was the membership that was *lived* – much in the same way place is lived – and now for the first time since the federal government had

would be able to “melt” into the melting pot once full citizenship was granted. But citizenship did not end the government’s financial obligations to Indian communities, and the federal definition of tribal membership remained necessary in order to determine the extent of that financial obligation. For a helpful explanation of this process on another reservation, see Jill Doerfler’s 2007 dissertation, “Fictions and Fractions: Reconciling Citizenship Regulations with Cultural Values Among the White Earth Anishinaabeg,” (PhD diss., University of Minnesota, 2007). Regarding population growth, Roy Meyer describes not only a one-third increase in population between 1906 and 1932, but an additional 36% growth between 1932 and 1946. The following numbers are from pages 200-2 of *Village Indians of the Upper Missouri*:

Table III.3 Three Affiliated Tribes Population Increase 1906-1946

Year	Raw Population	% Increase
1906	1,118	n/a
1932	1,494	33.6%
1946	2,034	36.1%

Raw numbers of specific tribal populations covering 1932-1946, from the same source:

Table III.4 Three Affiliated Tribes Tribal Populations 1932-1946

Year	Hidatsa	% Increase	Arikara	% Increase	Mandan	% Increase
1932	660	n/a	496	n/a	338	n/a
1937	731	10.8%	616	24.2%	345	2.1%
1943	773	5.7%	700	13.6%	367	6.4%
1946	897	16%	762	8.9%	375	1.9%

Clearly, the growth of Hidatsa and Arikara identified populations was much greater than that of the Mandan. Meyer also reports that by 1946, 50% of all marriages occurred within the same tribe; 30% of marriages occurred with one of the other two tribes on Fort Berthold; 15% of the marriages happened with members of non-Fort Berthold tribes, and 5% of the marriages occurred with non-Natives (usually white).

come to define their territories, the communities could define the legal status of that membership.

This tribal citizenship, secular in nature, was defined in part via the descent, or blood quantum, system introduced by the federal government – as the split decision over Millie Anderson’s petition for her adopted daughter shows. But as the reasons stated for supporting her request – and the fact that four of the nine council members voted to support the petition – shows, this definition would continue to be contested based on the details of the case. More important, the crux of this tribal citizenship was an understanding of how membership would allow access to limited tribal resources. All of these limited potential assets – allotments, per capita payments from successfully litigated land claims cases, rights to coal, timber and game resources – were rooted in a defensive stance regarding tribal territories and their resources.¹³⁷

The second tier of the indigenous citizenship developed during this time period related to the legal reality of tribal members as U.S. citizens – a status that, like space, had boundaries defined by government structures and institutions. By the time of the implementation of the IRA, universal legal citizenship for all Native individuals was a reality under the Indian Citizenship Act of 1924. The political, legal and social benefits of that status were, of course, far from realized. But with the development of the IRA governments and the realization that such a move towards self-government was made possible via a change in the national administration of Indian Affairs, the federal

¹³⁷ Aside from Doerfler’s 2007 dissertation, historians of the IRA rarely give adequate attention to the ability of tribes to define their own citizenship. Probably because the changes due to organization under the IRA are so sweeping – ranging from changes in authority, governing structures, land management, etc. – tribal citizenship during the IRA portrayed as a cut and dried matter in which federal standards become either adopted or not, and focus on the “paradox” of a race-based membership system when traditionally” tribal membership was much more fluid. Doerfler’s dissertation and the newer, community-based literature on the IRA era illustrate complex decision-making processes that looked different in each community.

government became more than an entity that demanded land cessions and could occasionally be forced to pay for the land. Further, even if the actual assumptions underlying the Indian Bureau administrative policies may have continued to express rampant paternalism, the local narratives regarding and the ways of claiming the rights of U.S. citizenship deepened as the simplistic guardian-ward rhetoric began to shift. Rather than having to prove whether or not they were competent wards, the IRA created a situation in which communities were finally able assert their competency via self-government.

This situation runs counter to the ways changes in U.S. citizenship during the New Deal era is often understood. Scholars have identified shifts in the meaning of citizenship during this time period, noting the alteration in relationship between the federal government and its populace from one of at most providing regulation to mediate the worst excesses of capital, to actually becoming a service provider and naturalizing the regulatory role. Yet in the case of the Indian New Deal, or IRA, the government went from explicitly controlling reservation spaces and providing services to a population, to implementing a structure that loosened direct regulation of those spaces and allowed Indian communities to define their own political power structures. The bureaucratic rationalization for this move can be characterized with optimism or pessimism, but its effects shaped a remarkably similar reaction within the space of Fort Berthold that *increased* government services and regulation produced within the larger U.S. populace – relief. U.S. citizenship evolved into something more than a means towards attaining

economic and legal rights; it became a possible route to expressing political and social rights.¹³⁸

Thus, the process of tribal leadership and building self-governance that emerged as an outgrowth of the IRA – which at Fort Berthold included but was not limited to drafting and debating a tribal constitution, solidifying the tribal council structure and its internal committees, fundraising to build a meeting hall for the tribal council, choosing how and towards what priorities to disburse tribal funds, and even dismissing CCC managers deemed inefficient in their duties – gain a greater meaning than a type of local empowerment; they represent the assertion of U.S. citizenship rights long denied to Indian tribes. The assertion of these rights shifted the way Indian citizens could construct their interactions with the federal government, allowing for the possibility of a more complex definition of the relationship as either the affirmation or denial of status as a ward. The elaboration of the construction of tribal citizenship and the new possibilities of understanding U.S. citizenship both had the outcome of deepening the possible definitions of being an Indian citizen of the United States.

¹³⁸ The political rights of U.S. citizenship were always explicitly tied to economic expectations. For example, in the nineteenth century through the 1920s, only Indians who were “productive” & “industrious” enough to manage their lands could gain the rights of citizens (Dawes); women were excluded from citizenship partly based on their disassociation from the public sphere of wage labor; African Americans were confined to the lower rungs of the economic ladder and denied the full rights of citizenship (Jim Crow); immigrants could gain citizenship through being engaged with wage labor, or productively using Western lands (Homestead Act). But with the rise of consumer society in the 1910s and ‘20s, these dynamics shifted as new structures of consumption were built by industry and government, and as citizens exercised their consumer power within these new structures. The message and power of consumer practice evolved hugely as the U.S. economy experienced economic disaster during the Great Depression and an economic boom in the WWII and post-war years. During the Great Depression and WWII, families and individuals were expected to use their consumer power towards the greater good, e.g. consuming war bonds, not consuming on the black market, reducing consumption of raw materials, and engaging in subsistence agriculture via victory gardens, etc. The roots of the rights of citizenship shifted from a nineteenth century ideal focused on production, to one in which citizenship rights were expressed via consuming government services – and after WWII, the rapid and conspicuous consumption of consumer goods. Historians of later eras identify the structural inequalities written into New Deal policies as the foundations for the elaborations of later massive structural inequalities such as the decline of urban centers and accompanying suburbanization, growing bifurcation of a class structure in which race and class are inextricably intertwined, etc.

But it would be a mistake to assume that this empowerment and assertion of citizenship rights and the building process of self-government proceeded only within the structures laid out by the Bureau of Indian Affairs. The most obvious example of the ways in which longer-standing tribal power and leadership structures served as a foundation for the practice of tribal self-government at Fort Berthold can be seen in the constant work over the course of five years to build a hall in which the tribal council could meet. Initially after reorganization, the council was forced to meet in the BIA office or in individual councilmen's homes. This system became untenable, and the council decided to build a central tribal council hall big enough to accommodate not only the council but the community members who attended meetings to speak on behalf of their petitions and issues. The council used tribal timber for the structure, but also fundraised using traditional techniques to defray the cost of the building. Families and individuals donated war bonnets – head coverings made of eagle feathers used as traditional symbols of leadership and authority – that were then sold by the council to help raise money for the new council hall. The social structures such donations were built upon had everything to do with the Mandan and Hidatsa clan and family structure that predated the Reservation Era, and represented not just the work of men in making the war bonnets or male social connections, but also the social and cultural connections built and maintained by women. For the clan structure and family relationships were oftentimes enforced and enacted through women's social labor – clan identity itself was determined and passed down through the mother. Thus, integral to new definitions of tribal and federal citizenship that flourished after the IRA was the reality that the expression and construction of both identities was built upon a foundation of local soil; not only local

culture, traditions, stories, and practices, but the deep knowledge of the local territories of the Three Affiliated Tribes.¹³⁹

Through this process, the meanings ascribed to citizenship – and individuals’ identities as tribal members and U.S. citizens – both deepened and solidified with little immediate necessity for seeing the two systems as at odds. Each of these developments were due to a complicated and organic interaction between the continuity of local meanings and constructions of place and identity, and the opportunity to create new meanings as the IRA loosened the tight rein of federal paternalism within tribal territories.

Contesting Authority: Factionalism on Fort Berthold

The existence of factionalism on reservations that had adopted the IRA was one of the issues used to mobilize political efforts to undermine the legislation. During the actual implementation of the IRA, the bill’s political adversaries used the specter of intra-tribal fighting and factionalism to support the idea that the legislation was far more harmful to Indian communities than beneficial. In the years that followed, the factionalism issue was sustained in analyses of the historical legacy of the IRA. But although some analyze factionalism as “a structural weakness” in reaction to colonialism, the continuing vibrancy of tribal communities despite long histories of “factionalism”

¹³⁹ Minutes of the Fort Berthold Tribal Business Council Meeting, January 14, 1937, Elbowoods, North Dakota; Minutes and Resolutions Tribal Business Committee, 1934-7; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). Information on the clan structure from corrections given by Tillie Walker, interviewed by Angela Parker, interview notes, Independence, ND, September 29, 2009.

forces us to consider tribal politics in ways that allow us to understand “how the complexity and pragmatism of local reservation politics affected outcomes.”¹⁴⁰

Certainly at Fort Berthold, intra-tribal struggles for control pre-dated the IRA. The federal archives are scattered with complaints about both the federal government and tribal leadership. The highly local nature of reservation life, in which everyone in the small communities knew or were even related to each other, easily led to personal resentments, especially around law and order issues. The IRA did not create these resentments or struggles for local political control, but they did create a new forum through which they could be voiced and fought.¹⁴¹

Immediately after the IRA election a coalition of tribal members dissatisfied with the election results and perhaps with the very idea of the IRA circulated and submitted a petition calling for a reelection. Signed by forty-seven tribal members from most of the communities along the Missouri, the petition called for a reelection based on “irregularities” with the first tribal council election after organizing under the IRA. They charged that the election was not held within thirty days after the adoption of the constitution and bylaws; that some candidates had failed to file intent to run at least fifteen days before the election; that the newly elected tribal council did not meet within three days of the election; that one council member had committed fraud by inducing another candidate in a different district to withdraw; and that one candidate lied by saying

¹⁴⁰ Norcini, 544-590.

¹⁴¹ For example, see the Letter of Complaints regarding Indian Judge Daniel Wolf, 8/31/35; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC.

that yet another candidate had withdrawn, “thereby, strengthening falsely his position in the race.”¹⁴²

When the names on the petition are matched to 1936 lists of eligible voters as well as a 1934 survey, it becomes clear that the greatest percentage of signatories came from Shell Creek – the community largely comprised of the descendents of tribal members who had followed the Hidatsa leader Crow Flies High to live off-reservation in Montana from 1870 to 1894 when they were returned to the reservation under armed guard. The members of this community – still known today as the Xxoshga – continued this pattern of dissent with the overall reservation power structure during the IRA years. Not only did Shell Creek provide the majority of the signatories – thirty-six percent of the overall signers; the number of signers from Shell Creek represented over one-fifth of the eligible voters from that district.

Table III.5 Petition Signers by District

District	% of eligible voters in the district represented by signers	% of total signers from the district
Elbowoods	6.5%	12.2%
Little Missouri/Red Butte	8.2%	10.8%
Shell Creek	21.3%	36.5%
Independence	11%	16.2%
Beaver Creek	0%	0%
Nishu	2.9%	6.8%
Lucky Mound, off-reservation, or unknown	n/a	14.9%

One of the smallest communities on the reservation, Beaver Creek, contributed no names to the petition for reelection.¹⁴³

¹⁴² Petition for Reelection (no date); Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. Additional names attached to petition can be found in Indian Reorganization Act; 021 Wheeler-Howard Act 1936-7; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

The leadership circulating the petition sent to the Commissioner of Indian Affairs emanated from Shell Creek. In particular, tribal members Floyd Montclair, Philip Atkins, Frank Heart, and George Parshall proved to be among the most persistent and vocal critics of the new IRA government. Soon after the petition for a new election was circulated, the group created a resolution against the IRA government according to “the sentiments of the 260 [no] citizens” – the tribal members who had voted “no” to organizing under the IRA. The resolution drew upon the group’s understanding of U.S. citizenship rights in order to push their anti-IRA agenda, and heavily used the rhetoric of “civilization” and “citizenship.” [S]ince Congress passed a general law declaring all American Indians to be citizens of the United States, certainly we should now be recognized as citizens of the United States; treated as such and educated as such.” Their resolution centered around their opposition to “self-government rule,” as the group did not want to “sacrifice their citizenship rights as granted to us on June 1924.” The “resolved” section enumerated three suggestions to accompany the repeal of the IRA, apparently linked in the minds of those who crafted the resolution. Freedom from the

¹⁴³ Voter registration lists can be found in IRA, Box 263; 021 Wheeler-Howard Act 1936-7; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). Arthur Mandan told Reitz that in 1893 the Hidatsa met and “sent three men up to Crow Flies High band, asking them to come back. They put up a big dance for them and gave them a wagon horse to get them started and also so they could get money as they belonged here [at Fort Berthold]. They came back one summer in 1893 or 1894 and had a big gathering at Elbowoods and all the Rees and Mandan and [Hidatsa] were there. But before the big dance they asked [Crow Flies High] if they agreed to come back. CFH appointed speakers to go to Elbowoods. They said, my friends what have you decided, did you come back for good. CFH said, we got speakers here on that question. They said, the time has not come for them to come back. So the other people withheld what they were going to give and broke camp and went back. So the head men at Elbowoods had a conference with the Supt., Clapp, an army man as these Indians were under the military. They told the army man that they asked the people to come back but they refused and are out of the Reservation. So the army man Clapp wrote to Washington telling them the situation and the next spring in 1894 the military authorities at Fort Buford sent a detachment of soldiers to found them up and bring them back. Since that time they are back. They camped in tepees and they were war-like. They rode around camp with rifles and cartridge belts and settled from Skunk Creek to the Blue Buttes. The next year they moved to Shell Creek. Hoski is a Sioux word meaning badlands as they camped at the badlands.” Reitz field notes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

guardian-ward status as practiced by the BIA was linked to wanting all social and law and order services to the reservation to be administered through the state of North Dakota. Finally, these two requests were accompanied by a demand that the “property and heirship confusion” be untangled.¹⁴⁴

The petition, sent to the Bureau of Indian Affairs, illuminates the dissatisfaction some tribal members felt in the restructuring of authority on the reservation. The new IRA government was a lightning rod to challenges to the authority structure at Fort Berthold, as evidenced by a spate of petitions sent immediately following the election. The concerns became more personal, more fraught, and centered largely in the community of Shell Creek. Tribal member Rufus Stevenson sent a detailed complaint to the Bureau of Indian Affairs in June 1936, claiming that the IRA had created warring factions on the reservation, and that the reservation policemen and judge were corrupt.

¹⁴⁴ June 16, 1936 Resolution against the IRA government at Fort Berthold; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. The use of citizenship, wartime service, and patriotic rhetoric in bolstering the group’s claims can be seen in the following excerpt: “Be it still further resolved, therefore, that I, the humble chronicler of this resolution, a citizen of North Dakota and the United States, I have some constitutional rights which I will assert without fear in behalf of my people. The opposition party of 260 people are the most law-abiding citizens Indians, and some of this number joined in the World War, and those were fortunate enough to return did so as patriotic citizens of their state and the United States.” The petition was sent to the Commissioner of Indian Affairs, and an Assistant to the Commissioner replied on 6/24/36, suggesting that, “since your reservation has adopted a constitution and has organized for self-government, it appears that your program should first be presented to your council for its consideration. Some of the thing requested are included in the powers already conferred upon your council under the constitution which has been adopted so that there is every reason why your complaint should be presented to the tribal governing body. ... In accepting the IRA and organization thereunder you have not sacrificed any of your rights as citizens of the state and the United States.” F.H. Daiker, Assistant to the Commissioner of Indian Affairs to Frank Heart, Floyd Montclair, Philip Atkins, and Walter S. Face, 6/24/36; 021 Wheeler-Howard Act 1936-7; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). The local agency superintendent, William Beyer, also sent a letter in the wake of the petition to Collier, undermining the signers. “[W]e take this opportunity to advise that the above Indians are not duly representatives of the Tribes on this Reservation, and we have found that most of them have been recalcitrant in most any procedure that may be receiving consideration, in view of which we would suggest that matters submitted to you by any of these said Indians be considered as a matter of agitation.” Letter, William Beyer, Fort Berthold Superintendent to John Collier, Commissioner of Indian Affairs, 7/3/36; 021 Wheeler-Howard Act 1936-7; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

Although the petition is not present in the federal archives, Fort Berthold Superintendent William Beyer's response details and answers its claims. In his answers, it becomes clear that Shell Creek was a hotbed of antagonism following the first IRA tribal council election. Beyer explained, "we do not think that 'warring' is applicable" and instead he described the situation as a "difference of opinion amongst Shell Creek residents," one faction supporting Rufus Stevenson, and the other supporting the Shell Creek tribal council representative Drags Wolf. Beyer characterized the factions as two cliques in a "very small community ... in constant disagreement on most any consideration," and described how recently before the petition was circulated, the daughter of tribal member George Parshall – also one of the signers of the previous petition – entered into "an unladylike fight with another Indian lady over the outcome of the election on the Reorganization Bill." Parshall's daughter was taken to Indian Court and sentenced to thirty days in the McClean County Jail, and Beyer suggests that it was this incident that led to accusations of corruption being levied against the local police and tribal judge. The accusations also apparently included a criticism against the tribal judge, Daniel Wolf, for not being educated enough to fill his post. Beyer's defense of Wolf gives an insight into the intensely personal nature of reservation politics. He wrote,

Our Indian Judge receives only \$15 per month for his services; this amount is inadequate when it is considered that being a judge on an Indian Reservation among ones relatives, friends, and tribesmen is not an easy position to fill. Judge Daniel Wolf may not have obtained a high degree of proficiency in his schooling, but long years of living among Indians as a member thereof, has instilled into his mind an experience of thoughtfulness, and all due consideration of angles that eventually reach a common point. ... We do not think the signers of the petition who in some cases signed the same by a thumb-mark thereon, are in a position to offer a complaint against another as being 'ignorant and uneducated.' Obviously

some of the signers deeded the petition interpreted to them before understanding its contents.¹⁴⁵

Such attacks on those within the new authority structure on the reservation continued. In September 1936 at the first meeting of the IRA-organized tribal council, a consistent critic of the IRA, Mark Mahto from Shell Creek, objected to the election of Drags Wolf, also from Shell Creek, accusing him of election corruption by circulating information that another candidate, Charles Fox, had withdrawn his candidacy.

Table III.6 1936 Tribal Business Council Election Results for Shell Creek

Shell Creek (2)	Drags Wolf	55
	Mark Mahto	40*
	Robert Dancing Bull	40*
	Leo Young Wolf	35
	Charles Fox	19
	Michael Mason	19

Drags Wolf was by far the clear winner for the district, Charles Fox one of the lowest vote-getters, and Beyer insinuated that Mahto’s objections originated from a desire for a “block” of council members from Shell Creek that agreed with his anti-IRA views. That same month, tribal member Floyd Montclair sent a petition to both Collier and Secretary of the Interior Harold Ickes that stated in part that, “candidates for Tribal Business Council shall be able to speak the English language fluently,” and that “candidates for Tribal Business Council shall be new members, and not any of the old councilmen.” Other petitions called for an age limit to be set for council membership. The attacks on the authority of the new tribal council ended when the national BIA and federal government declined to intervene in Fort Berthold affairs – and when the new tribal council announced via the reservation newsletter, “These petitions were carefully

¹⁴⁵ Letter, Fort Berthold Superintendent William Beyer to Commissioner of Indian Affairs John Collier, 6/29/36; Box 263; 021 Wheeler-Howard Act 1936-7; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

considered by the Business Council and by a unanimous vote were found to be unwarranted of favorable consideration. Consequently, the requests contained in these petitions were not granted.”¹⁴⁶

After these initial efforts, dissident tribal members focused largely on two things to bolster their questioning of authority: attempting to undermine the IRA as a whole, and economic issues. The attempt to undermine the IRA continued throughout the late ‘30s and early ‘40s, and linked to national efforts to repeal the IRA. An anti-IRA article drawing on the experiences of Fort Berthold tribal members was published in the magazine *Indian Truth*, a publication of the Indian Rights Association and highly prejudiced against Collier and the IRA, and the tribal council felt compelled to officially contest its claims. After reiterating the votes on the adoption of the IRA, the constitution and bylaws, and charter – as well as the over ninety percent voting rate in each election – the council then moved to debunk the elements of the article that suggested that federal representatives had threatened to send children away to school if parents did not vote for the IRA, that candidates had bought votes in the IRA election, or that a tribal member had

¹⁴⁶ In response to the accusations, Drags Wolf assured the new council that he did not circulate information on the Charles Fox candidacy, and in fact he had “cast one vote for Charles Fox.” Beyer had little patience for either Mahto or Montclair, describing Mahto as, “inclined to do every thing he can to obstruct progress toward re-organization, especially on this reservation.” Montclair, he wrote, was “a chronic troublemaker. He appears frequently in the Indian Court. At one time he was ordered off the reservation, I understand by complaints raised by his fellow tribesmen. His mentality is far below normal.” Letter, Fort Berthold Superintendent William Beyer to Commissioner of Indian Affairs John Collier, 9/18/36; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. Petition, Floyd Montclair to Commissioner of Indian Affairs John Collier and Secretary of the Interior Harold Ickes, 9/15/36; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. Fort Berthold Service Bulletin, 12/19/36; Fort Berthold Service Bulletin 1935-37; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

been put in the insane asylum for opposing the constitution. They closed their letter with the following statement:

... [I]t says that the Indians are coming to hate the whites because of the Wheeler-Howard Act, and coming to feel superior to the whites. That is not true either. There has always been good feeling on our reservation between Indians and whites and between full-bloods and mixed-bloods, and there still is. For instance, lately when times have been so bad and the white men who leased some of our Indian land could not pay, we modified our leases and put them on a crop-share basis instead. We knew they couldn't pay and it was all done with good neighborly feeling. We don't want any race feeling to start at Fort Berthold.¹⁴⁷

By 1938, the dissidents had organized a chapter of the Oklahoma-based American Indian Federation, an organization with three goals: repeal the IRA, remove Collier, and abolish the BIA. In 1940, the same tribal members who had organized under the American Indian Federation began to organize dissent activities through the local American Legion Post. Although these organizing efforts bore little fruit in their aims – to contest local tribal authority, to repeal the IRA, etc. – they were an effective and persistent distraction in the decade following reorganization.¹⁴⁸

¹⁴⁷ Stephen L. Vaughn, ed., *Encyclopedia of American Journalism* (New York: Routledge, 2008), 323. For an example of the anti-IRA bent of *Indian Truth*, see the following article on the Navajo Constitutional Convention, "Navajo 'Self-Government,'" *Indian Truth* (v14, n5, 1937), accessed 5/13/11, <http://www.accarchives.org/ec/4-65.pdf>. 021 IRA, Box 263; Decimal Correspondence File; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). Regarding the accusations that someone had been committed to an insane asylum for opposing the IRA constitution, "(This man had already been in the insane asylum before, and in the penitentiary too.) His wife went to the Agency doctor and said her husband was acting queer and she was afraid of him. The superintendent had a county board of three physicians examine him and they declared him insane."

¹⁴⁸ Letter, Three Affiliated Tribes Tribal Business Council Secretary Peter Beauchamp to Commissioner of Indian Affairs John Collier, 8/11/38; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. Letter, Fort Berthold Superintendent William Beyer to Commissioner of Indian Affairs John Collier, 5/8/40; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. Beyer wrote, "the substantial, businesslike members of the local American Legion Post do not share the views as expressed in the minutes referred to. The local members of the American Indian Federation appear to be dominated and influenced by Floyd Montclair. This man has always been in opposition to any worthwhile project on the reservation. ... He was a candidate for the Tribal Business Council in the last election last September, 1938, and was defeated very decisively. His past record shows

The economic criticisms of the dissidents, however, deserve further examination, for they could reveal either the Fort Berthold class structure, the success of agitation over economic issues, or both. Further, the same divisions that in the IRA era point to class divisions on the reservation – or the success of mobilizing over economic issues to gain support for dissident organizing – intensified during the 1940s as the Three Affiliated Tribes organized against the construction of the Garrison Dam. In other words, the stress and pressure of organizing against what became the inevitable tide of the Garrison Dam played upon older fractures – those of class, blood quantum, and conflict over legitimate authority at Fort Berthold.

The major economic criticisms levied by the dissident group centered around the use or distribution of tribal resources – such as lobbying for per capita payments from claims made against the U.S. government, work allocation under federal programs like CCC-ID, and a cattle purchasing program enacted by the Tribal Council. In a way, this was a very old complaint, as the forefathers of the dissident group, the Xxoshga or Crow Flies High band, had left the reservation in the 1870s over a disagreement over the distribution of meat. By the 1930s, the dissidents put considerable effort and time into agitating over a \$400,000 claim the tribes were litigating against the U.S. government. The Tribal Business Council sent delegations to Washington, DC to attend committee meetings in the Senate and House over the claim as early as 1937, but as progress was slow, the dissident group became unhappy with the delay. In an announcement of the formation of a group called Fort Berthold Americans, Inc. in February 1941, the author Oscar Burr proclaimed, “we have waited too long for the pleasure of any office boy or

that he served in two State Penitentiaries and was at one time committed to the State Hospital for the Insane at Jamestown, North Dakota.”

ten shilly shallying Charley McCarthys [sic] to bring the bacon from our \$400,000 claim.” Despite a tribal council resolution the next month denouncing the “subversive activities of the Chair and Secretary of Fort Berthold Americans, Inc., a few months later, Oscar Burr and Floyd Montclair travelled to DC on behalf of the group – and presumably the reservation at large – to lobby regarding the Court of Claims bill. When they returned, Superintendent William Beyer reported to Collier, “[t]hey are holding meetings in various districts and giving a glowing account of their accomplishments in Washington.”¹⁴⁹

The dissidents’ goal to all this activism was to speed along the claims and to distribute the claims money per capita. They were industrious in circulating petitions for per capita payments, such as in 1939 when they requested that a per capita payment be made from tribal funds. Although the payment they requested would have resulted in

¹⁴⁹ Letter, Fort Berthold Superintendent William Beyer to Commissioner of Indian Affairs John Collier, 2/2/37; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. Memorial on the formation of Fort Berthold Americans, by Oscar Burr, Chair, 2/2/41; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. The Fort Berthold Americans memorial also linked the lack of progress on the \$400,000 claims issue to the IRA, stating, “the administration of the so-called Indian Reorganization Act, and legal complications which resulted from the application of the act to the people of Fort Berthold Reservation” had resulted in a lack of general progress and in fact, “conditions are generally worse, and a great unhappiness among our people have resulted” Three Affiliated Tribes Tribal Business Council Resolution, 3/13/41; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. Letter, Fort Berthold Superintendent William Beyer to Commissioner of Indian Affairs John Collier, 5/1/41; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. Letter, Assistant to Commissioner of Indian Affairs JC McCaskill to Fort Berthold Superintendent William Beyer, 6/18/41; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. Assistant Commissioner William Zimmerman sent a telegram to Beyer about the rump delegation, stating, “Delegation positively can accomplish nothing here. Delegates last visit completely futile. Council should be advised.” Fort Berthold Service Bulletin, May 1941; 018 Fort Berthold Service Bulletin (Box 262); Decimal Correspondence File; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

twenty-four dollars per person (according to Superintendent Beyer), the dissidents saw it as a possible solution to what must have been dire and immediate economic distress. As one wrote to North Dakota Senator William Langer, “[w]e get stamps for food but large number of people do not even want food stamps. We want money to buy clothing for our children.” As in any community class divisions may have seemed small to outsiders, but as some families struggled to buy food or clothing for children, the economic distress created disillusionment with the authority structure on the reservation amongst families struggling for meager resources.¹⁵⁰

The rhetoric around tribal expenditures and the distribution of resources could become almost comical. By 1940 the Tribal Council had come up with a cattle purchasing plan to contribute to economic development. They planned to use tribal funds to purchase herds, and youth from the only high school on the reservation (Elbowoods School) who wanted to build a ranching career would care for them and receive a portion of the proceeds when the cattle went to market; the tribe would receive the other portion. The same dissident group that continued to organize under the Fort Berthold chapter of the American Indian Federation, later under Fort Berthold Americans, Inc., and occasionally under the local American Legion Post – and all centered around the community of Shell Creek – felt that the plan was doomed to failure, that tribal funds would be wasted when it did, that the opportunity to run the cattle would be unfairly assigned, and that all of this was symptomatic of the ills of reorganization at Fort

¹⁵⁰ Fort Berthold Bulletin, 5/20/39; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. Letter, Jackson Dancing Bull to North Dakota Senator William Langer, 9/11/42; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC.

Berthold. The mouthpiece publication of the Indian Agency, the Fort Berthold Bulletin, published the following exhortation from Superintendent Beyer on the organizing efforts of the dissident group:

We have on this reservation a small number of self-appointed prophets who travel from district to district and attend the meetings that are held to discuss [the cattle purchase plan]. These fellows “prophets” are loud in their clamor, stating that we cannot succeed at any plan – and they use as proof that they, themselves, have not succeeded at any plan. If these “prophets” are you leaders, stick with them, they know the road to the relief department.

Think, and then think again. This is a good reservation, land and water, grass and timber, enough to support all the people here on a much higher standard of living than we have now BUT WHO’S CATTLE ARE EATING THE GRASS?¹⁵¹

The tribal referendum on the cattle purchasing program swung heavily in favor of its implementation. As usual, Shell Creek served as the lone dissident community.

Table III.7 Cattle Purchasing Program Referendum Results¹⁵²

District	Y	%	N	%	Total	% of Total Vote
Shell Creek	11	35.5%	20	64.5%	31	12.4%
Elbowoods	54	77.1%	16	22.9%	70	28.1%
Lucky Mound	23	82.1%	5	17.9%	28	11.2%
Nishu	46	100%	0	0%	46	18.5%
Beaver Creek	21	84%	4	16%	25	10%
Independence	16	57.1%	12	42.9%	28	11.2%
Little Missouri/Red Butte	15	71.4%	6	28.6%	21	8.4%
TOTALS	186	75%	63	25%	249	

After the cattle purchase program was approved, the dissidents continued their agitation, writing to North Dakota Senator William Langer and asking for intervention.

One letter from Floyd Montclair tied the cattle purchase program at Fort Berthold to totalitarianism, dictatorship, and propaganda. His letter ended, “I am ... glad to state that

¹⁵¹ Fort Berthold Bulletin, March 1941; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

¹⁵² Fort Berthold Bulletin, May 1941; 018 Fort Berthold Service Bulletin; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

we are not afraid to fight for those things we cherish most. We choose right to live. Not as some foreign ideologists or not the crushing heel of any dictator. ... We will stand together in this fight for freedom against aggressors.” His rhetoric closely mirrors WWII rhetoric. Only, it is about a tribal cattle purchase program. The bombast could be read as desperation, felt by a minority group on the reservation that had a long history of disagreeing with tribal leadership structures, fueled by economic desperation and the frustration that accompanies having your critiques mocked, silenced or ignored by both tribal and federal structures of authority.¹⁵³

The contestation of the legitimacy and authority of the IRA tribal government at Fort Berthold lasted until the tribes had something bigger to fight against – the Garrison Dam. In the larger dynamic of consolidating and exerting legitimate authority – one of the main components of practicing sovereignty – these intra-tribal struggles could only shallowly be classified as “factionalism,” a “structural weakness” that existed as a result of colonialism. To be sure, these disagreements arose within the context of colonial dispossession of territory and resources, but such an analysis assumes an idyllic past before the violent incursion of Europeans into the Americas – and, by that logic, any development, change, or evolution of behavior or thought could also be attributed to colonialism. In detailing the intra-tribal conflicts at Fort Berthold during the New Deal and early WWII years, this chapter illustrates how the development of legitimate authority within a tribal community was a process that did not depend on nor have its sole

¹⁵³ Letter, Floyd Montclair to Senator William Langer, 9/20/42; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC. Letter, Assistant Commissioner of Indian Affairs William Zimmerman to Senator William Langer, regarding the Jackson Dancing Bull complaint, 11/2/42; Fort Berthold 066-9582; General Records Concerning Indian Organization, Ca 1934-56; Records of the Indian Organization Division; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC.

roots in the legislation or bureaucratic practices of the federal government. Communities determined legitimate authority. Tribal members fought, sometimes physically, over being able to define legitimate authority. Their battles over and determinations of the legitimacy of tribal governments opportunistically used or reacted against federal initiatives as they created and set into place the most visceral, concrete building blocks of modern conceptions of tribal sovereignty.

Conclusion

The New Deal years at Fort Berthold saw important changes in several key concepts that help to comprise modern notions of tribal sovereignty. This constellation of sovereignty components – the exercise and contestation of legitimate authority; the nature of tribal citizenship; the evolution of an indigenous citizenship; and the defense, management, and expansion of territory – was rearranged not only by the actions of the federal government via the Indian Reorganization Act. The swirl and shift of these components was also set into motion through the persistent work and battles fought by community members – battles sometimes fought amongst themselves.

Although the New Deal era is unquestionably one in which the federal government modified the physical and political landscape of rural America – as seen at Fort Berthold by the work done by the local Indian Division of the Civilian Conservation Corps – it was also a time period in which tribal members opportunistically seized the potential to shape and live their own definitions of self-government, membership, and territorial defense. For the IRA did not create authority, it reorganized it. First, by staying the heavy hand of federal control in reservation spaces. Then, by unintentionally creating

the discursive space for indigenous communities across the country to organize for or against the legislation within each reservation. By requiring reservations to politicize in order to vote for or vote down IRA legislation, constitutions, charters, and tribal councils, new options for defining, defending, and regulating tribal territories and memberships were grasped by indigenous communities.

Because land – as a place, space, and a territory – is not only integral to a community’s past but also its future survival, the tribal council organized under the IRA at Fort Berthold saw the delineation, management, defense, and expansion of tribal territories as the integral component of being able to build towards greater self-government, as well as prosperity and security for the tribe as a whole. This exercise of tribal self-definition also changed the priorities and exercise of both tribal membership *and* indigenous citizenship. By prioritizing the tribal land base as a resource to be protected for future generations, the tribal council at Fort Berthold defined tribal membership and enacted enrollment decisions in ways that explicitly attempted to strategize towards the preservation of tribal territorial boundaries. And it was in part through this new ability to define and protect not only tribal territories, but also tribal membership, that people at Fort Berthold participated in developing an indigenous citizenship in which neither their rights as U.S. citizens nor their treaty rights as indigenous peoples were paradoxical to the other.

Finally, it is essential to note that federal legislation does not comprise the sole engine of all of this change. What previous analyses have termed “factionalism,” this project understands as an intra-tribal contest over the definition of legitimate authority. In the community battles over who deserves to be elected to tribal council, how the tribal

council should operate, and what decisions should be legislated and enforced, *all* tribal members, dissident and otherwise, opportunistically used the discursive space created within tribal communities by the IRA to hammer out the extent and boundaries of legitimate authority on the reservation. The Marshall Trilogy, *Ex Parte Crow Dog*, the Dawes Act, the Indian Citizenship Act, the Indian Reorganization Act – the collection of case law and legislation called Federal Indian Law and Policy – may all comprise the timbers and boards of tribal sovereignty. But the lived realities of these policies and laws must be realized on a local level; not even Felix Cohen could wave a magic wand in DC and create tribal sovereignty on every reservation in the United States. Thus, these visceral, community-based, family- and clan-fueled tribal political battles are the very foundation stones upon which modern concepts of tribal sovereignty rest.

CHAPTER IV

Performing Citizenship: The Cultural Production of Indigenous Citizenship, 1940-45

Lyda Bearstail was a little girl during World War II. Like thousands of other little girls across the United States, she spent her wartime childhood sneaking “listens” to the music on the radio that was supposed to be reserved for the news. She saved to buy war bonds, helped her parents with household chores, and engaged in support activities for the Red Cross. The rhetoric of war – defense, the flag, land, sacrifice, and fighting – permeated her daily life through the radio, the newspapers, and the buzz of conversations among the adults.

But in one respect, Lyda was not like the thousands of other little girls participating in the war effort, for she helped support soldiers through the the Fort Berthold “USO.” During the war, one could find United Service Organizations (USO) groups across the country, assembling care packages and welcoming home returning servicemen. The USO at Fort Berthold was not affiliated with the larger organization, and its activities bore the distinct imprint of the particular place and territory that was Fort Berthold. Its welcome home activities centered around community dances that featured Native singing, drumming, dances, feasts, and giveaways for returning servicemen. Lyda remembers how the Fort Berthold group came to be called the USO:

I was in that, I was very young. I had to carry a banner that had ‘USO’ on there. They always invited soldiers and here this one, Lawrence Birdsbill, came back, and he said that ‘your outfit here is like’ the one when they landed [the USO], where ever they landed. Anyway when they came back they gathered – they fed them and they gave them money – and they were called ‘United Service Organization,’ so he gave that name to us and they had that on that little banner I carried when they sang our song when we first came in, and all the committee members would dance.’¹⁵⁴

Dancing in a taffeta elk tooth dress that her ishawi, or her aunt on her father’s side, made her, Bearstail contributed to an event that expressed U.S. patriotism, an affirmation of support and care for soldiers from her tribal community, a celebration of longstanding tribal values that honored men’s wartime service to their community, a coalescing of culturally specific men’s and women’s work, and a recognition of the importance of both tribal and national place and space. The community dance to honor returned soldiers is one of many ways that people at Fort Berthold worked to develop and maintain a radically indigenous patriotism and indigenous citizenship during World War II, one that connected with and elaborated upon the forms of indigenous citizenship developed during the period of the Indian new Deal. This chapter examines those elaborations of patriotism, citizenship, belonging, and tribal identity in order to recapture a sense of Fort Berthold on the eve of the Garrison Dam.

The first part of this chapter describes the ongoing generation of local histories and meanings tied to the land – or place-making – produced by the music, dance, and activities of USO celebrations for returned soldiers, after which the chapter describes the nexus of human labor within the Fort Berthold landscape that helped to sustain this performance of patriotism and citizenship. The final portion of the chapter returns to one

¹⁵⁴ Lyda Bearstail, interviewed by Angela Parker, digital audio recording, Mandaree, ND, October 16, 2006. In other communities, such groups had similarly playful names, such as the “MacArthur Society” in Lucky Mound Rosemarie Mandan remembers in which her mother and aunties participated. Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009

element of the event, a flag song, to explore how these enactments of citizenship and patriotism also expressed individual and collective belonging to and possession of territory, or the land that constituted “home” for Fort Berthold tribal members. By examining the practices involved in a community event, and then parsing the kinds of work needed to enact it, this chapter illustrates that while larger U.S. narratives of patriotism, work, citizenship, and nation shaped the contours of Fort Berthold community conceptions of identity, a deeper history and set of cultural practices relating to history and place-making actually in fact structured it. These practices and narratives represent some of the most dynamic elements in the foundations of indigenous citizenship and tribal sovereignty.

“They honored them; they danced”: Remembering ‘USO’ Dances at Fort Berthold

From the U.S. entry into WWII in December 1941 to the return of servicemen and women in 1945-6, soldiers returning to Fort Berthold after basic training or deployment often came home to be honored at a community dance. The practice drew on long-time community traditions that honored veterans of armed conflict, such as the men who had protected the villages against Lakota or other tribal incursions. But within the twentieth century, the practice had evolved to address new needs and take on new meanings. Clyde Baker (Mandan, Hidatsa) remembered one such dance held for him as a returned soldier:

There was only one drum in those days, by the way, one drum that handled the dance all night. And from what I hear today – I never did sing Indian – but I was told that there was never one song that was sung twice. There was that many songs that them guys knew by memory. In the wintertime, the nights are long, and that’s when they danced all night. ... I remember these honor dances because I was home on a furlough and I was given an honor, I remember. At that time there was no government programs around home here, but everyone it seemed like was independent, everybody had a little something – cattle and horses. I remember the

people giving me forty dollars, one night, there was three of us home together that one night, and each one of us got forty dollars. This was in 1945, and I suppose today that forty dollars would be like a hundred and fifty dollars. But what I'm getting at here was where did those people get that money, that cash. They didn't have any checks, salary checks coming. But yet they had this value of sharing, I guess. I often thought of that.

The practice of community support and sharing – and an economic sacrifice for a returned soldier who had sacrificed for the community – was woven together through music and dance. The “economy of meaning that clusters around organized sound,” as described by historian John Troutman, had its roots in grass dance societies and Omaha dance societies that spread across the northern Plains during the nineteenth century, vibrant music and dance traditions that spawned the elaboration of new forms of dance and songs. But USO dances also represented a new cultural form, for many years had passed since the last intertribal violence on the Plains, and tribal members had not participated in World War I in the same proportion as they did in the Second World War.¹⁵⁵

In the small communities clustered along the Upper Missouri, the absence of even a few community members was felt deeply. During WWII over fifty percent of the eligible male population served in the armed forces, compared to the national proportion of approximately twenty percent. Community newsletters listed the names of the men serving and printed excerpts from their letters, and even sixty years later family members of the men who served can name the other reservation men who served in their branch, what battles they were in, or when they enlisted. Before soldiers left, relatives prayed for

¹⁵⁵ Clyde Baker, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, New Town, ND, July 17, 1990. John Troutman, *Indian Blues*, 10-31. Troutman writes that “particular practices of music never held static meaning; the meanings changed over time and were continually contested,” 13.

them in English, Hidatsa, Mandan, and Arikara; they prayed for them in church, and over cedar or sweetgrass at home. They prayed for them to return home safely.¹⁵⁶

When a soldier returned, the reservation at large turned out to celebrate, as relationship and clan ties bound each community to the others. As tribal member Tillie Walker put it, “we’re all kind of related you know. We [people from Independence] would go over to Shell Creek if the Missouri River was iced over, and vice versa. It wasn’t just the people who lived [in that community], it was broader than that.” Each of the small communities along the river bottom had their own dance hall that served as a community meeting space and a place where dances – or “doings” – were held. At Independence, the community dance hall was called “The Soup Hall”; in Lucky Mound it was “Santee Hall.” Tribal members would trickle, and then flow, to fill these community spaces, gathered not only to honor the returned soldier, but to see relatives from another community, eat good food, dance, and enjoy the drum music. Tribal member Rosemarie Mandan, who as a child in Lucky Mound participated in an organization similar to Lyda Bearstail’s “USO,” called the “MacArthur Society,” described the scene,

Especially when someone came home from the service, a soldier, they’d have those big dances for them. . . . I guess the dances back then were a little bit different from now. The men would be the ones all dressed, and they danced, and all the women would sit on one side and the men all sat on the other side, and if the women wanted to dance they would dance on the side . . . but it was mostly men dancing. But they always had a good time, I remember that.

An older relative would bring the returned soldier into the dance hall, and the dances would begin by welcoming the soldier back to the community. Bearstail noted that her

¹⁵⁶ Resolution Further Opposing Garrison Dam, April 24, 1945; 361.2 Miscellaneous Correspondence; Box 93 Decimal Correspondence 362.1; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009.

father composed a song for the drum group to sing when they brought the soldier into the dance hall, and the lyrics of the song sometimes explicitly referred to welcoming him back.¹⁵⁷

Northern Plains traditional singing and drumming serves as the engine behind community gatherings such as powwows or honor dances like those for soldiers returning from service during WWII. Composed of four or five (or more) men who sing in tribal languages and English, the drum group creates a particularly powerful sound experience. Some songs have words; others do not – but honor songs, flag songs, and more tribally-based dance songs usually have from between four and six lines of lyrics per the conventions of Plains music. During this time period, certain men who were known for their ability to compose songs would be asked to make not only songs for social dances, but also individual or group honor songs. Only men sang at the drum (and in fact for the Mandan and Hidatsa, only men are allowed to touch the drum), but women who knew the songs would sometimes stand behind the drummers encircling the drum to add a higher-pitched chorus to the words.¹⁵⁸

¹⁵⁷ Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009. Lyda Bearstail, interviewed by Angela Parker, digital audio recording, Mandaree, ND, October 16, 2006. “Then they’d put money in a pot. . . . [S]omebody would make a fancy cake and they’d feed the soldier and they’d give him money and they’d dance with him and that’s how they honored them and helped them.” Tillie Walker, interviewed by Angela Parker, interview notes, Independence, ND, September 29, 2009. The dancehalls are also mentioned/listed in: Pete Coffey, Sr., interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, location unknown, 1990. Clyde Baker, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, New Town, ND, July 17, 1990. Baker remembered: “They used to have these honor dances for everyone that went in the service. They honored him, that’s when they danced at night, not during the day like they do now. They danced at night . . . they’d honor them, give them money, a few dollars. But them days you didn’t see no shawl dancers, women shawl dancers. All you saw was men dancing. Unless a man’s honor song was sung and his mother and his family, immediate family would get up and help him dance, that’s the only time you saw women dance. There was no shawl dancing like that. . . . Every segment had a hall in them days, every segment.”

¹⁵⁸ For more on Northern Plains singing style, see Troutman (2009), especially his first two chapters that cover dance on Lakota reservations. Tara Browner, *Heartbeat of the People: Music and Dance of the Northern Pow-wow*, (Chicago: University of Illinois Press, 2002). Chapters 4 and 6 hold key information on northern singing. Also, Browner’s chapter, “An Acoustic Geography of Intertribal Pow-wow Songs,” in

Musical practice – as performance and as story-telling – is a deeply evocative form of place-making. World War II-era Fort Berthold was saturated with music and singing – and not just during community gatherings. Rosemarie Mandan remembered,

Everybody sang back then, it wasn't just a certain group. *Everybody* sang. I went to sleep many a night listening to my brothers and sons ... they would sing. There were all kinds of different songs that you don't even hear anymore, today! There were doorway songs, ... people had honor songs, ... what they call *maxewidu*, which is, to me I always say, 'that must be the *blues*' [laughs]. Those songs, and of course the dance songs. There was another, a riding song ... that they sang when they were out riding. People sang *all the time*, you know, *everybody* ... everybody that I knew sang. And there were all kinds of songs, and I remember even personal songs; I still remember Johnny Rabbithead's song, and Finley Blake's and those from Lucky Mound. Because I heard them all the time, cause they'd always be singing. And when my uncles, like George Youngbird, came to visit, when they'd lay down [to go to bed] they'd just start singing. We grew up with people singing; it's not like that anymore.¹⁵⁹

Honor songs, doorway songs, maxewidu, dance songs, riding songs – each of these categories evoke their singing and practice in particular times and particular places. The fact that Mandan can remember so many personal songs from Lucky Mound community members illustrates how songs and music can tie individuals to a specific place within human memory. Tribal member Gail Baker recalled that the older generation during WWII would commonly sing praise songs for other community members. Although most community members during this time period spoke Hidatsa, songs began to be composed using English words. One song used popular phrases from the national consciousness regarding the U.S. entry to World War II set to traditional musical forms:

Remember Pearl Harbor
There's a star spangled banner
Waving somewhere over there

Music of the First Nations: Tradition and Innovation in Native North America (Chicago: University of Illinois Press, 2009) gives a thorough overview of the regional variations of drum music.

¹⁵⁹ Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009. Gail Baker, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 22, 2009

My brave soldier boy
Fighting with the Japs and Germans.

Created by community member Alton Standish (Mandan/Hidatsa), the song was used at community gatherings and must have been quite popular for it to be remembered even sixty-five years later.¹⁶⁰

Longtime powwow announcer Pete Coffey, Sr. was amazed by the skill and creativity of men who crafted and sang these songs. “Years ago when I first knew about Indian dancing,” he said, “there used to be only one drum. Only one drum to sing all night long ‘till the wee hours of the morning.” He continued, “It’s amazing how many powwow songs there is. Like I said years ago there’d be only one group of singers there and they’ll sing all night long until the wee hours and never sing the same song twice. And I admire these singing groups.”¹⁶¹

Of course, dancers also bring emotional heft and excitement to music, as well as create social memory and place. Perhaps for these reasons, traditional Native dance

¹⁶⁰ Tillie Walker, interviewed by Angela Parker, interview notes, Independence, ND, September 29, 2009. Walker said that this must have been around the beginning of when they used white words, or *mashee* [white] words, i.e. English. [Arlene Charging may be able to remember for sure who made the song]. Again, Browner’s book serves as an excellent starting point for understanding the differences and complexity of North American drum music. The following breakdown classifies Northern drum music according to the type of beat, and is taken from page 85 of Browner’s 2002 text: Single beat: Flag songs, Crow Hops, Snake Dance songs; Double beat: Traditional songs, Straight songs, “Pow-wow” songs, Intertribal songs, War Dance songs, Jingle Dance songs (which includes shuffle, round, and two-step); Triple beat: Round Dance songs, Two-step songs, Owl Dance songs, “49” songs; Mixed beats: Sneak-up songs. Also see Clyde Ellis, *A Dancing People: Powwow Culture on the Southern Plains* (Lawrence: University Press of Kansas, 2003), 117, for another, more popularized example of this fusion of Native song form and American wartime lyric via a 49 song: “Oh my dearest,/Uncle Sam is calling me./I must go./Will you wait for me my dear?/Don’t you worry, don’t you cry.” At Fort Berthold, however, many interviewees remember a much wider range of types of songs. Regarding doorway songs: Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009. Me: What were the lyrics like? Rosemarie: “My girlfriend, her husband is no good, took off. [laughs] They were teasing, funny songs, but really *nice!*” Me: “Pretty?” RM: “Yes, *pretty* songs, yes. . . . They say that when they went around [and sang] those doorway songs, they could really come up with one *right* in front of [the tent], especially if they knew who was in there, they could come up with one good right now. Cause I remember one that was crazy, it says, ‘My girlfriend is in there’ – cause this person was married to a non-Indian – ‘smelling like a white man.’ [AKP & RM laugh] So now you kinda get the idea.”

¹⁶¹ Pete Coffey, Sr., interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, location unknown, 1990, track 3.

initially evoked anxiety and control issues in non-Natives. In the late nineteenth and early twentieth century, Bureau of Indian Affairs policy had focused on preventing Native traditional dances in all their forms. Bureaucrats and reformers called dances a “moral curse,” “the vicious dance,” and they denounced them. According to one critic, the dances featured “acts of self torture, immoral relations between the sexes, the sacrificial destruction of clothing or other useful articles, the reckless giving away of property, the use of injurious drugs or intoxicants, and frequent or prolonged periods of celebrations which bring the Indians together from remote points to the neglect of their crops, livestock, and home interest.” IRA reforms enacted under the Collier administration reversed the ban on dancing and singing, which had been most notoriously expressed in the Office of Indian Affairs’ 1921 Circular 1665.¹⁶²

¹⁶² Clyde Ellis, “There Is No Doubt ... the Dances Should be Curtailed;: Indian Dances and Federal Policy on the Southern Plains, 1880-1930,” *Pacific Historical Review*, v70 n4: 543-569. Ellis writes about WWI: “During and following World War I many communities across the Southern Plains hosted numerous scalp dances, victory dances, and homecoming dances for returning Indian servicemen. To the unending discomfort of officials who hoped the war would be a catalyst for assimilation, it instead provided new opportunities to celebrate and revive old traditions associated with the martial ethos that many Plains tribes shared. ... [The] war also created a new generation of warriors, and Indian communities rushed to resurrect old society dances and rituals that now had renewed meaning. As William Meadows notes, “the impact of the war and the traditional protocol necessitating the honoring of returning veterans was simply too much for even the agency to suppress.” Thus, tribes hosted dances at which they blessed departing soldiers according to old rituals or gave returning veterans new names based on their wartime exploits. In addition to serving as occasions for the revival of warrior society practices, these dances sometimes featured the display of battlefield trophies, a practice that caused predictably high levels of exasperation among officials. A 1919 Cheyenne dance in Canton, Oklahoma, for example, reportedly featured the display of a German scalp. At other dances, participants displayed parts of enemy uniforms and weapons, as in the old days, and engaged in mock charges and battles against effigies in the form of the German Kaiser,” 564. Joseph Roach, *Cities of the Dead: Circum-Atlantic Performance* (New York: Columbia University Press, 1996), 26. Roach discusses the relationship between bodily memory and performance genealogy: “the idea of expressive movements as mnemonic reserves, including patterned movements made and remembered by bodies, residual movements retained implicitly in images or words (or in the silences between them), and imaginary movements dreamed in minds, not prior to language, but constitutive of it, a physis rehearsal for physical actions drawn from a repertoire that culture provides.” Ann Axtmann, “Dance: Celebration and Resistance, Native American Indian Intertribal Powwow Performance,” (Ph.D. diss., New York University, 1999), 97. Axtmann writes, “Dance *is* an integral and overt nonverbal performance text that is tenaciously and clearly evident. Therefore, as the body of a people move – literally, through history – the dancing body experiences and performs that history. ... Borrowing Paul Connerton’s suggestion that memory is constructed through ritual and bodily actions of posture, patterned movement or lexicons, and verbal and gestural repetition, I argue that performative traits are transferred from generation to generation. What

The variety of songs allowed for many people, not just the soldier, to participate as dancers. After the welcoming song for the soldier ended, the organizers seated the soldier in a location visible to the crowd, and the drum group would sing individual honor songs of community members at the gathering. When an individual's song was sung, they and their relatives would dance to the song; when it was over, they would be expected to put money – whatever they had, or 'the best they could do at that time' – into the pot for the soldier. Community organizations also had songs, so when Bearstail's 'USO' song was sung, all committee members were expected to get up to dance and put funds into the pot for the soldier.¹⁶³

Although the impetus for this community gathering was serious, the events proceeded with energy, joy, and celebration. Excitement over the safe return of a soldier was important, but community members were also probably just happy to gather, visit with relatives from other communities, and to eat good food. Humor pervades most Native gatherings, and at one dance a middle-aged woman had somehow managed to find a replica of the Japanese flag. "I don't know how she got it, but she took that flag and danced with it. While she was dancing, she placed it like a tail on her *ooshie* [Hidatsa word for butt]."¹⁶⁴

Organizers also fed the returned soldier and the community members who celebrated his return. Bearstail described the range of typical foods served, both traditional foods and some popularized after Euro-American expansion onto the Plains.

Connorton calls social memory – as differentiated from written history – is produced by repeated "patterned movement or lexicons" or, as Schechner proposes, "twice-behaved behavior." Performances emerge as sites of memory or vortices of kinesthetic imagination (Roach). These sites . . . process a kind of imagined community (Anderson) that layers history from all directions within a colonial and postcolonial experience."

¹⁶³ Lyda Bearstail, interviewed by Angela Parker, digital audio recording, Mandaree, ND, October 16, 2006.

¹⁶⁴ Tillie Walker, interviewed by Angela Parker, interview notes, Independence, ND, September 29, 2009.

There was chicken and there was potato salad and there was like juneberry pudding. And then they used to make these tomatoes – canned tomatoes – they’d put bread in there and they’d put sugar in there, in that. And they’d have rice and raisins. And they had frybread. And coffee. And sometimes pop. And that’s what we had.

Juneberry pudding was made by boiling locally-gathered juneberries, perhaps with some sugar to make them sweeter and a little flour to thicken. Juneberries, sweeter than blueberries, had been one of the staple gathered crops – along with the large-pitted chokecherry and sour bullberries – in the Upper Missouri for centuries, gathered and dried by women during the summer months as the gardens matured. Frybread, on the other hand, consisted entirely of the ration staples lard, flour, sugar, and dried milk, and represents the evolution of stock recipes during the Reservation Era, when tribal communities received rations as payment for land cessions from the federal government. These foods – along with potato salad, coffee, and canned tomatoes – illustrate a trajectory of longtime practices around food and feeding the community at large, in which community identity and membership was reified in many bodily ways. At Fort Berthold, women provided the food, and were “praised for the quantity and quality of what they supply.” Perhaps unsurprising in communities whose existence had long depended on agriculture, it serves as a reminder that while these gatherings represented patriotism and citizenship within the United States, they built from and upon longstanding cultural and community practice.¹⁶⁵

¹⁶⁵ Lyda Bearstail, interviewed by Angela Parker, digital audio recording, Mandaree, ND, October 16, 2006. Sidney W. Mintz and Christine M. Du Bois, “The Anthropology of Food and Eating,” *Annual Review of Anthropology* 31 (2002): 99-119. In this historiography of the anthropology of food, Mintz and Du Bois write, “[l]ike all culturally defined material substances used in the creation and maintenance of social relationships, food serves both to solidify group membership and to set groups apart,” 109. “[F]ood ‘binds’ people to their faiths through ‘powerful links between food and memory,’” 107. Information on women’s role regarding food from Robert S. Merrill, “Fort Berthold Relocation Problems (preliminary draft),” 27; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

At the conclusion of the gathering – after other people had danced to their personal songs and given money to the returned soldier, after new and old songs had been sung, and after the laughing and eating of the feast – the drum group sang the returned soldier’s individual honor song, and his relatives danced with him. Singers who were known for being able to skillfully craft lyrics and music made individual honor songs, usually created for a person after a major accomplishment such as a return from war. These songs were remembered and sung by community drum members, and could be used to recognize the accomplishments and status of the individual during any subsequent community celebration. In this case, the individual honor song signaled the end of the community dance, and probably served as the culmination of the event. While it was sung, the soldier’s relatives and extended family would dance behind him, and the organizing committee members would join them. Before getting into the group behind the soldier, his relatives would shake his hand, and while shaking his hand would give him money or material goods.¹⁶⁶

Although these goods later included large-ticket items such as Pendleton blankets or star quilts, during WWII oftentimes fabric or “yard goods” would be given away. “The old ladies would have like five yards of goods and it would be trailing behind them. If they had a shawl they would give it to him after dancing. He would then give everything away.” The money and material goods given to the soldier by his relatives would, on the same day, be given away by him to his father’s clan relatives (his clan aunts and uncles), community organizations, military groups, communities, visitors, or someone – not a

¹⁶⁶ Tillie Walker, interviewed by Angela Parker, interview notes, Independence, ND, September 29, 2009. Lyda Bearstail, interviewed by Angela Parker, digital audio recording, Mandaree, ND, October 16, 2006. Pete Coffey, Sr., interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, location unknown, 1990.

relative – who had shown particular support or kindness to him. Family members and relatives, however, would never be given a public gift during a give-away as it would be considered bad form to “give back to themselves.” Behind the scenes, women such as the soldier’s mother, grandmother, wife, or sisters might organize the giving, suggesting the clan aunts and uncles who were traditionally given the first and largest gifts, as well as deciding how to divvy up the remaining goods. Tillie Walker (Mandan/Hidatsa) recalled, “If you have a brother who has gone to war, you make sure you have something.”¹⁶⁷

The community dance strengthened and re-formed community ties by, first and foremost, providing a place for allowed community members to gather, socialize, and have fun. But the dance also honored a young man who had put his life in danger for the protection of the tribal community and the country as a whole. Through the songs, dances, food, and giveaway, the gathering physically and visually represented to the returned soldier and the community at large the depth of the support and joy that came with his safe return to the community. Finally, these community dances provided a person who had sacrificed for the community one important tool for being able to claim authority within the community in the future – his own honor song.¹⁶⁸

Yet the soldier was not the only one enfolded or re-enfolded into the community consciousness and life. All participating community members learned and practiced an

¹⁶⁷ Tillie Walker, interviewed by Angela Parker, interview notes, Independence, ND, September 29, 2009. Clan father, clan aunt; give to organizations, military groups, to communities, to visitors, someone special who has helped; don’t give to the immediate family “oh my what are they doing, they’re giving it back to themselves?”

¹⁶⁸ Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009. As Rosemarie remembered – about her own welcome home dance after serving during peacetime as one of the few women who served in the armed forces in the early 1950s – “you remember that when you get back, [from] out there. I even remember, how when they bring you in, I had my grandpa Chubby Fox, and Albert Fox were the ones that brought me in, so its really interesting how you remember. I remember those guys, and they were teasing me, and talking ... I even remember them singing *Till We Meet Again*, [laughs] it sticks in your head!”

important set of skills and community priorities, though framed within the context of a WWII era patriotism and citizenship. The work necessary to hold such an event contributed to a set of actions and ideas that worked to solidify the individual and community practice of indigenous citizenship – a citizenship that was just as tied to the history and tradition associated with the tribal land base as it was to expressions of U.S. patriotism.

The Work of Citizenship: How the ‘USO’ Dances Could Exist

When Fort Berthold tribal members enacted their U.S. citizenship *and* their tribal identity through the ‘USO’ dances, they expressed a unique category and understanding of both identities – national and tribal. In other words, they were expressing and practicing the evolving concept of indigenous citizenship. Citizenship is, of course, just as imagined as is the nation. Both are products of the mental work needed to imagine “community” amongst a population so large one will never know or encounter each individual. But citizenship – and the nation – also exists outside the mind as a set of practices, because in addition to being a set of beliefs, both also entail a set of actions that take form in the material world. The method and focus of the energy and work comprising those ‘actions of citizenship’ is an important part of how indigenous citizenship can be understood.¹⁶⁹

¹⁶⁹ Rogers Brubaker and Frederick Cooper, “Beyond ‘identity,’” *Theory and Society* 29 (2000): 1-47. This section draws in particular from Brubaker and Cooper’s assertions that terms such as race, nation, ethnicity, citizenship, democracy, class, community, or tradition “are at once categories of social and political *practice* [all emphases in the original] and categories of social and political *analysis*. By ‘categories of practice,’ following Bordieu, we mean something akin to what others have called ‘native’ or ‘folk’ or ‘lay’ categories,” 4. Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (New York: Verso, 1991).

The particular materialization of indigenous citizenship found in the dances entangled United States citizenship with tribal history, values, and practices. Thus, rather than being an imitation of USO services, the USO dances at Fort Berthold were indeed unique, Lyda Bearstail was not like other girls during wartime. The Fort Berthold dances erected a nationalist narrative over a set of deeply local practices and understandings. In fact, the expression of citizenship that the USO dances enacted could only exist due to a specific set of interactions with Fort Berthold as a parcel of land, and as a locally imagined and narrated place. Through place-making activities – such as physical labor that extracted resources from the land, the unique tribal management of production and consumption, the work of defending and protecting tribal and national territory, and the intellectual labor that maintained community knowledge – Fort Berthold tribal members constructed a radically indigenous patriotism and indigenous citizenship that served as a building block towards the expression of tribal sovereignty.

To better understand the ways this complex dynamic rested upon the land itself and a local place-making labor, consider several wartime photographs from the 1942 Report on Extension Work submitted by the Fort Berthold Indian Agency Office to the central Bureau of Indian Affairs. Although these images were taken, edited, and disseminated by the local bureaucracy and do not represent the full expression of local understandings of identity or citizenship, by concentrating on how they reflect the lived experience of work we can explore the connections between land, place, work, and identity at Fort Berthold in the era preceding the coming of the Garrison Dam.

Indigenous citizenship at Fort Berthold was rooted in the land. Specifically, its foundations lay in the work that individuals exerted over the physical space. Gardening,

farming, ranching, and the utilization of the natural resources of the land and waterscape were prerequisite activities to supporting the USO dances. After all, all the delicious foods brought to the community dances needed to be grown, harvested, gathered, herded, slaughtered, and cooked. Bearstail recounts,

We had to pull weeds, help in the garden. Then we'd have to go pick berries. They had these gallon syrup cans and they had a little handle and they'd tie a string or something on there – we'd have to put it around our necks and they'd send us ... to pick berries, like chokecherries, juneberries, or plums. And my aunt used to can, and my mother didn't want to can. She said, I'm always doing something wrong, I might just kill everybody [laughs]. My mother would dry her stuff. We'd have a big cellar right in the house, you know, and my dad would put potatoes in there, and he'd get a great big tub of sand – I don't know where he got the sand but – he'd put all the carrots in there and put it down there.

Before food can feed the body – or serve as one of the pleasurable components of a community gathering – it must be gathered, processed, and stored. The work Bearstail describes is, first and foremost, the work of survival and work for a family. It is also a deeply gendered set of work practices, for during this time female household members largely carried out food growing and processing activities. The work of feeding the body also feeds the family and the community. At quite a visceral level, this work teaches bodies to use traditional and introduced methods of food preparation – picking and drying berries that might also be turned into jam or jellies – which also works to sustain the community at large and thus to sustain the practice of indigenous citizenship.¹⁷⁰

Men and boys, in contrast to women and girls, tended to spend much of their lives on horseback. But their bodily work practice – ranching – also served as a building block for the unique expression of tribal citizenship. Gail Baker (Hidatsa) remembered cattle

¹⁷⁰ Lyda Bearstail, interviewed by Angela Parker, digital audio recording, Mandaree, ND, October 16, 2006.

and roundups not only as one of the most exciting times of the summer, but as part of his education as a community member.

I had a lot of older brothers and older cousins that'd come there early in the morning; get us up. Our parents never bothered or interfered. When we were sleeping early in the morning our older brothers or cousins would come in and jerk us out of bed or else throw a big dipper of water on us to get us up [AKP gasps and laughs, GB chuckles]. That was kinda common. But our parents wouldn't interfere because that was part of our education by our older brothers. The roundup was an ongoing thing with horses or cattle. I can barely remember, back in 1934 or '35, during that drought, there was hardly any grass, so the government bought a hundred-sixty head from the tribe and they butchered them there at the corrals, and everybody made dry meat; they camped there for a whole week. You don't see that kinda stuff anymore, ever. [During] horse roundups in that corral there was over a thousand head of horses in there, cause they came from down south towards Squaw Creek, near what they call String Buttes south of Heart Butte and west and all the way to the mouth of Skunk Creek.

Gail's recollection shows not only the educational and community importance of the work young men and boys exerted traversing the landscape on horseback, herding cattle and horses. It also illustrates how physical markers of the landscape and waterscape – buttes, creeks, the Missouri River itself and its tributaries – marked the locations of work and community spaces.¹⁷¹

The ranching economy and the pervasive use of horses created an important male social space for families and relatives. Dreke Irwin (Mandan, Hidatsa), fondly remembers the seasonal ebb and flow when he worked with his grandfather as a young boy:

In summertime, that's when I did most of my help. When I was kinda young there I used to stay out and herd bulls before they put them in with the cattle. Had to keep them separate, you know. Sometimes we took them to the bull pasture ... everyone in the fall would take their bulls over there and they wintered them. They had guys who probably got paid, would ride out there and feed them, took care of them. Then in springtime, go back out there, get your bulls back and bring them back but it was too soon to put them among the herd, I used to ride horseback – I was seven, eight years old by then – I would herd them if they wandered off. I get on my horse and I'd go sit somewhere, you know, and kinda keep them together, let them graze around. When calving time came around, the

¹⁷¹ Gail Baker, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 22, 2009.

help I did anyway, at least I kinda had a brand, they'd brand one of those calves for me, that was my pay.

AKP: What was your brand?

Dreke: [pause] Wineglass. [I laugh] It was kind of a U-shape, and down, and a little bar at the bottom.

What did he do with the calves he received as pay? “Just stuck them in a herd. A free service, as I was trying to increase my own cattle. I kinda had my own little herd,” he laughed, remembering his seven-year-old self.¹⁷²

Photographs from the 1942 Report on Extension Work, by illuminating some of the ideas and practices that contributed to place-making at Fort Berthold, provide additional insights important to understanding the way people at Fort Berthold during WWII self-identified as indigenous citizens. As context for these photographs, it is important to note that during this time, tribal members maintained the centuries-old agricultural practice that sustained their communities through intense demographic and spatial shocks such as Euro-American disease and forced land cessions. Women were still using seed varieties of corn, beans, and squash that their mothers, grandmothers, and great-grandmothers had developed and refined for the northern plains environment. Men had assimilated ranching and farming practice into their lives as community members, and still maintained the clan and society structures that organized social and ceremonial life in the communities. Community members of all ages still extracted the benefits of the plant and animal species diversity of the river valley environment via hunting, berry picking, gathering coal, and using timber.¹⁷³

¹⁷² Dreke Irwin, interviewed by Angela Parker, digital audio recording, New Town, ND, 2009

¹⁷³ Basso, 7: “... A widespread form of imaginative activity, place-making is also a form of *cultural* activity, and so, as any anthropologist will tell you, it can be grasped only in relation to the ideas and practices with which it is accomplished.” Photographs; Fort Berthold Agency; Records of the Bureau of Indian Affairs, Record Group 75; National Archives and Records Administration, Central Plains Region (Kansas City). Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009. “Me: What did you think when your brothers went off to fight? RM: Oh it was



Image IV.1 Woman Plowing 1942 Photograph

But it is also important to understand the forces and ideas introduced or imposed upon tribal members in order to interrogate the understanding and performance of indigenous citizenship at Fort Berthold. During this time period the local Indian Affairs bureaucracy redefined the work of gardening, farming, and ranching as part of the patriotic duty of tribal members. Work had already been ham-handedly tied to U.S. citizenship during late Reservation Era, when the Office of Indian Affairs narrated land ownership and farming as a route to full citizenship. But during WWII, this work became narrated through the lens of wartime patriotism. For example, under the heading “Food For Victory,” the local Indian Office exhorted in their reservation-wide newsletter, “We should all take part in producing the needed food products for our family and help our

awful! Because of the hardship at home. To begin with, we had to do men’s [work]. I was a teenage – not even a teenager. We had to do men’s work, and help my mother get horses, put harnesses on the horses, cause everything back then was with teams. And then we even helped cut hay. I remember that one summer my mother and I cut hay, stack it and all of that; oh yeah, it was hard. And we still had to have gardens, they used to have what they called community gardens, that was by the river by my Grandma Youngbird’s place. ... And that was another thing, we used to have to go take care of the community gardens.”

country in the food for victory campaign.” Positioned after a detailed listing of tribal members who had invested in cattle, been particularly successful at planting or ‘improving’ their land, tribal members were told, “Talk will not win this war of all Wars ... nor will guns do it. It is going to take food – lots of it, food that we can raise.” The shift from agricultural work being a route to full citizenship – rooted in the myth of the yeoman farmer’s role in supporting democratic ways of life, in the mythology of the Protestant work ethic, in the fictions surrounding the deserving and undeserving poor – to agricultural work being *patriotic* is a shift perhaps presaged with the First World War, but fully coalesced and developed during the New Deal and Second World War when the federal government began to tie a depleted soil to the depleted economy and human resources in the belief that “human erosion and soil erosion are but twin aspects of a single problem on the land.”¹⁷⁴

Given the larger federal anxieties tying soil depletion and lack of farm productivity to economic catastrophe, the local Bureau of Indian Affairs’ relentless worry over the work of gardening, ranching, and farming and its relationship to “Indian

¹⁷⁴ For more on Indian citizenship and work, esp. agricultural work, see Frederick Hoxie, *A Final Promise: The Campaign to Assimilate the Indians, 1880-1920* (Lincoln: University of Nebraska Press, 1984). Especially telling were the late Reservation Era’s ‘last-arrow ceremonies.’ In these ceremonies, tribal members receiving fee-simple title for allotment lands would dress in traditional regalia, shoot their ‘last arrow,’ then enter a tipi and change into Euro-American clothing. The local Indian agent would place the person before a plow and tell him to take the handle, stating, “this act means that you have chosen to live the life of the white man – and the white man lives by work.” Fort Berthold Bulletin, February 1942; 018 Fort Berthold Service Bulletin, 1938-42; Decimal Correspondence 009-021; Fort Berthold Agency; Records of the Bureau of Indian Affairs, Record Group 75; National Archives and Records Administration, Central Plains Region (Kansas City). For an excellent discussion of federal conservation policy during the New Deal era, see Sarah Phillips, *This Land, This Nation: Conservation, Rural America, and the New Deal* (New York: Cambridge University Press, 2007). Another example of Fort Berthold Indian Office narratives of patriotic productivity again comes from the April 1941 Fort Berthold Bulletin: “What I Should Do: 1. Realize that I am a citizen, and that the battle of life is mine, just as much as it is to every other citizen. 2. I should plan to work to provide the necessities of life for myself and loved ones. 3. I must grow to realize and understand that true freedom and independence can be attained only by myself – that it is up to me to provide for my needs in life and not lean on the other fellow ... 8. In short, I must make myself understand that true independence and self respect comes only by doing all in my power to support myself instead of depending on the Relief Department.”

dependency” makes some sense. But in light of the low “relief,” or welfare, rates at Fort Berthold before, during, and immediately after World War II, the anxieties expressed in the reservation newsletter were perhaps unwarranted. As the national draft was prepared, the Fort Berthold office reminded community members,

To those who do not get to go to the front, remember, there are many ways we can serve Uncle Sam. We can work and raise food. We can take proper care of property, and thereby avoid the purchase of repair parts. Yes, an industrious, self-supporting man at home, certainly does his share in helping win his country’s war. Let’s pitch in and do our part.¹⁷⁵

Pleas for self-sufficiency were not only aimed at the “man at home.” Women were also directed to “grow a big garden, milk a cow or two, keep some chickens, and then be sure you raise a few pigs for your meat.” Homefront rhetoric flourished in these directives to grow, harvest, process, and store food for self sufficiency. “Yes, there are other things to do to help kick the pants off of those - - - Japs – can and dry all the fruits and vegetables you can this summer. This is also the question of bread – do your own baking at home, it saves money which is hard to get.” The end of the passage reads, “We have a real battle to fight right here at home – Let’s all fight.”¹⁷⁶

¹⁷⁵ Fort Berthold Bulletin, January 1942; 018 Fort Berthold Service Bulletin, 1938-42; Decimal Correspondence 009-021; Fort Berthold Agency; Records of the Bureau of Indian Affairs, Record Group 75; National Archives and Records Administration, Central Plains Region (Kansas City). Another example reads: “Welfare News: ... As a group, Indian people are very patriotic and loyal to their country. They have raised a large amount of money for the Red Cross, they have sent their young men to fight in large numbers. But it is just as important that the people at home work hard and long to produce food for themselves. The slogan ‘Food will win the war’ should be the battlecry of our people. Today a ‘loafer’ is a ‘slacker.’ Remember that!” Fort Berthold Bulletin, April 1942; 018 Fort Berthold Service Bulletin, 1938-42; Decimal Correspondence 009-021; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

¹⁷⁶ Fort Berthold Bulletin, April 1942; 018 Fort Berthold Service Bulletin, 1938-42; Decimal Correspondence 009-021; Fort Berthold Agency; Records of the Bureau of Indian Affairs, Record Group 75; National Archives and Records Administration, Central Plains Region (Kansas City).



Image IV.2 Men in Corral 1942 Photograph

When placed in conversation with this context, the images from the 1942 Report on Extension Work illuminate a complex relationship between continuity and change of practices and ideas around work and identity that were formulated during this time period. In Image IV.1, an older woman in an old-style dress, moccasins, and a sun hat stands with a plow drawn by a horse. A young man or boy is riding the horse, and the posed nature of the photograph is emphasized by the stillness of the woman's pose and the smiling discomfort of the young man. The site is a garden, and as viewers we easily assume that it is the woman's garden. Images IV.2 and IV.3 detail men at work – specifically, working with cattle. Their stances are not obviously posed, and their attention seems focused on the cattle rather than the photographer.



Image IV.3 Corral 1942 Photograph

The work represented in these photographs, the actions and ideas of community members tied to physicality and intimacy with the lived environment, made place using both traditional practices – gardening and gathering from the land – as well as newer exercises such as ranching and male farming. It involved deeply modifying the land – plowing, fencing, planting, feeding, and weeding. It also required a long-term investment in the health and potential fruits of the land and the work. The seeds planted in May after the last frost must not be wasted, and calves born in the spring must be branded, fed, and watched over if they were to provide meat or income later in the year. Once harvested, the food still needed to be processed. Lyda Bearstail and Rosemarie Mandan experienced that processing every year of their lives, canning, drying, and otherwise carrying food calories from the season of abundance across to the season of scarcity, continuing a pattern of subsistence practiced by generations community members. At every level of this cycle, tribal members used both “Euro-American” and traditional methods of

planting, caring for, and harvesting the resources that would sustain them and their families through the winter. And finally, these practices, this work, happened in gardens, fields, and grasslands, pens, farms and kitchens – *places*. Domestic places, community places, places that had already accrued resonant meaning through the work and practices of past tribal members.

This work within and drawing from the lands at Fort Berthold formed one major stream of energy, effort and practice that sustained the USO dances – for the importance of food and feeding the community was one of the major aspects of the community gathering. The pedagogy of community and identity was rooted in these work practices, which drew from the resources of the landscape. When Gail Baker found himself awakened early in the morning by a dipperful of water, and then spent his days working cattle in the company of uncles and cousins, he was learning through the practice of labor the meaning and nature of his identity as a Hidatsa person and, in particular, as a Hidatsa man.

This dynamic is the essence of place-making. The practice of working the land – drawing upon and cultivating its energy – emerges as not only important to sustaining the life of individuals, but also the life of a community. Thus, it is perhaps not surprising that Fort Berthold residents did not directly challenge the patronizing assertions of the local Indian Agency that tied their productivity and work on the land to their citizenship and their patriotism. They received the messages, and the ideologies proclaimed mattered. But they did not matter nearly so much as the superior weight of locality and history. Fort Berthold community members harnessed the resources of the landscape and their work in

it to performing a culturally-specific conceptualization of citizenship and patriotism, one also expressed during the USO community dances: indigenous citizenship.

This place-making occurred as the broader meanings of American citizenship changed under the stresses of economic depression and world war across the country. Elizabeth Cohen's twin works covering the Great Depression, World War II, and Cold War years detail the ways citizenship and patriotism took on new meanings through and expressed through consumption and production practices. Her focus on urban and suburban life, however, elides the nature of these changes in rural America. And federal priorities and conceptualizations of rural spaces represent a major variable in understanding the shifting investments in production and consumption, for these "hinterland" spaces were – and continue to function as – the landscapes that allow urban populations to become more fully elaborated as consumers, as William Cronon's *Nature's Metropolis* and Andrew Needham's forthcoming work explore in the nineteenth and mid-twentieth centuries, respectively. Fort Berthold, as a part of this rural landscape like most Indian reservations, benefitted from the New Deal's attempt to solve rural poverty. Fort Berthold community members adjusted to these large national imperatives using pre-existing practices of land use and management as a foundation for weathering the change. That they did so should force U.S. historians to re-interrogate the imperatives of citizenship, patriotism, and identity of the time period. It signals to us that we must recognize U.S. citizenship and patriotism during these years as contested, modified, and adjusted not only in urban centers, *or* in an oversimplified political spectrum of

conservative-centrist-liberal-radical that assumes as its subject and actor the white middle-class citizen.¹⁷⁷

Those national imperatives were strong and hammered home relentlessly. Narratives surrounding production and consumption were embedded in the call for Indian “productivity” and “self-sufficiency.” The Fort Berthold Bulletin reminded tribal members to “stay off relief” by using agricultural productivity and thrift:

Shell Creek and Lucky Mound

The popular theme for 1942 is ‘For National Defense.’ It is realized we can not all donate freely to the Red Cross or buy savings stamps and bonds. We can however help our country in another way. Raise a good garden in 1942 for healthful vegetables, milk a cow for the families supply of milk, secure enough hens for our egg supply and raise a pig or two for lard and meat. With this supply of food products you can protect your health and that of your children. Strong healthy people can win a war. Another way just as important is to pay our government debts and stay off relief. This money is badly needed for defense production. Do your country a real service and stay off relief.

The assumption of Indian dependency lines up with changes Sarah Philips identifies in her study of the politics of conservation in rural America during the New Deal and World War II years. She argues that, “it became difficult to sustain agrarian policies that supported small or self-sufficient producers in the new wartime production environment.” Whereas the early New Deal had focused on soil rehabilitation and conservation to strengthen rural economies, the latter New Deal and World War II years emphasized the expansion of urban consumption to fuel greater demand for rural products. This shift benefited large producers and those who had already begun to invest in corporate or

¹⁷⁷ Lizabeth Cohen, *Making A New Deal: Industrial Workers in Chicago, 1919-1939* (New York: Cambridge University Press, 1990). Lizabeth Cohen *A Consumer's Republic: The Politics of Mass Consumption in Postwar America* (New York: Vintage, 2003). For federal concern re: rural poverty, see Schulman, *From Cotton Belt to Sunbelt*. For works that detail the relationship between rural resource extraction in order to fuel urban development, see William Cronon, *Nature's Metropolis: Chicago and the Great West* (Norton: New York, 1991), and T. Andrew Needham's dissertation, “Power Lines: Metropolitan Space, Energy Development, and the Making of the Modern Southwest, 1945-1975” (PhD diss., University of Michigan, 2006).

large-scale farming. Philips writes, “Liberals, influenced by Keynesian theories of consumer demand, found they could adapt to the growing anti-statism of the war years by embracing a model of government intervention that steered clear of micromanaging the institutions of the economy and instead used macroeconomic fiscal tools (like public spending) to stimulate mass consumption.” Federal policy toward rural areas mirrored this trend, as “liberals moved away from the idea that farm security depended on equalizing and stabilizing the existing rural population and instead defended a less reformist but still aggressive role in expanding the country’s industrial base and increasing its aggregate purchasing power.”

So why the messages about self-sufficiency in a community where tribal members had, for the most part, successfully established self-sufficient small-holding farms and ranches due in part to a centuries long tradition of subsistence gardening in the Upper Missouri River valley? Perhaps they did not actually reflect anxieties over the current abilities of community members to “stay off relief” or exist as “self-sufficient” citizens. Perhaps the messages presaged anxiety over the ability of tribal members to adjust to a consumption-based economy. Far more likely, however, is that the messages and anxieties reflected in these messages from the federal government were, in fact, contradictory. The 1930s and WWII years saw a huge growth in the apparatus of the federal government, and unified imperatives were rare. Further, the transition from the federal system dealing with the economic crisis of the Great Depression to one gearing up for wartime participation created many contradictions in federal policy.¹⁷⁸

¹⁷⁸ Fort Berthold Bulletin, September 1941; 018 Fort Berthold Service Bulletin, 1938-42; Decimal Correspondence 009-021; Fort Berthold Agency; Records of the Bureau of Indian Affairs, Record Group 75; National Archives and Records Administration, Central Plains Region (Kansas City). Philips, *This Land, This Nation*, 219-27.

During this time, the Fort Berthold Indian Agency dabbled in this contradictory management of production and consumption. In the reservation newsletter, the Indian Agency wrote,

During the First World War, our people, both Indians and whites, responded splendidly in a campaign for the sale of government Bonds. Many thousands of dollars worth of Government Bonds were purchased by Indians, alone, in North and South Dakota. The owners of those bonds did their part in helping win that war.

Now, another call comes from our Government, asking our people to buy Defense bonds and stamps. This is necessary to finance the United States, and to furnish the means to defend our country against those powers opposed to free and democratic government. Let us respond just as cheerfully and liberally as we did in 1914 to 1918.

Defense stamps can be purchased at our local Post Office in Elbowoods. ... Employees and others having a regular job, and a regular salary check each month, are urged to buy bonds. Arrangements can be made to buy bonds by paying an installment monthly.

The irony of the encouragement to purchase war bonds – to promote and harness consumption – is that the entire project was conceived as a way to dampen purchasing power of U.S. citizens to control tendencies towards inflation in a wartime economy.¹⁷⁹

The complexity of managing production and consumption in the name of patriotism is also apparent in the following passage from the reservation newspaper:

In our newspapers we read reports of famine conditions in some of the Axis conquered countries of Europe. In Greece, especially, hundreds and thousands of people are dying of hunger. Here is where our Red Cross money is doing a real service.

¹⁷⁹ Fort Berthold Bulletin, September 1941; 018 Fort Berthold Service Bulletin, 1938-42; Decimal Correspondence 009-021; Fort Berthold Agency; Records of the Bureau of Indian Affairs, Record Group 75; National Archives and Records Administration, Central Plains Region (Kansas City). Tribal governments were also determined to “do their part” for the war effort, and several used tribal funds to buy thousands of dollars worth of bonds, while others allowed the U.S. to delay payments from litigated land cases that had been decided in favor of the tribe. See Alison Bernstein, *American Indians and World War II: Toward a New Era in Indian Affairs* (Norman: University of Oklahoma Press, 1991), 68. Albert Boime, “Waving the Red Flag and Reconstituting Old Glory,” *Smithsonian Studies in American Art*, v4 n2 (1990): 3-25. “War bonds were in fact a tactic to control inflation by dampening the buying power of American citizens, because it was feared that runaway inflation would demoralize the nation and thereby undercut mass support for the United States’ role in the war.”

We have heard the saying ‘Food will win the war.’ Every day we realize more and more the truth of this saying. This should remind us this spring we should all do our part in producing more food. Improve and enlarge your gardens. Take care of them better than you ever did before. Make this year a record year for the best gardens in the history of the Reservation. Let’s help win the war this way.

We should also be saving in our use of the automobile, and use it only when your travel is absolutely necessary. Our Country has a real shortage of rubber and we must save on tires and tubes. It is very likely in the near future we will have restrictions placed on gasoline. By doing some careful planning we can all help in saving those materials necessary for our Army and Navy.

The ties narrated between national defense and agricultural production in rural areas can also be seen in the change in terminology for the programs sponsored by the Agricultural Adjustment Agency (AAA) – the New Deal agency created to manage production and consumption within the agricultural sector of the U.S. economy. For example, the crop acreage allotment program changed from being called the “Agricultural Conservation Program” in the 1930s and early 1940s, to being termed the “Farm Defense Program” in 1942.¹⁸⁰

The archival records from Fort Berthold – and particularly the passage quoted above – reflect the shift described by Philips from a rural agriculture policy focused on supporting and maintaining rural communities to one that encouraged rural areas to feed the economies of the industrial sector and urban areas. John Collier himself – once World War II began and in the midst of the BIA’s move from Washington, DC to Chicago as a “non-essential” bureau – subordinated BIA programs emphasizing Indian agricultural training and instead emphasized programs encouraging Indian migration to urban areas

¹⁸⁰ Fort Berthold Bulletin, February 1942; 018 Fort Berthold Service Bulletin, 1938-42; Decimal Correspondence 009-021; Fort Berthold Agency; Records of the Bureau of Indian Affairs, Record Group 75; National Archives and Records Administration, Central Plains Region (Kansas City). Box 298 Lease records 1938 Crop acreage allotments 1942-1945; Fort Berthold Agency; Records of the Bureau of Indian Affairs, Record Group 75; National Archives and Records Administration, Central Plains Region (Kansas City).

with large defense industry employment opportunities. Further, the BIA as a bureaucratic entity shifted from prioritizing the maintenance and preservation of tribal cultures towards encouraging Indian communities to invest in the home front activities that included buying war bonds and the conservation of defense-related resources.¹⁸¹

Part of this shift within the BIA is probably also due to the attacks sustained on the Indian Reorganization Act that began in the late 1930s and '40s; the attacks focused on the “communist” leanings of tribal reorganization governments, as well as the change in BIA policy that ended the discouragement of Native cultural and social traditions. One such attack in Congress stated, “the so-called Wheeler-Howard Act attempts to set up states or nations within a nation which is contrary to the intents and purposes of the American republic.” Such rhetoric – especially from North Dakota congressmen – inspired the Fort Berthold Tribal Council to draft and submit resolutions in support of the IRA to Congress.¹⁸²

¹⁸¹ Bernstein, 66-7.

¹⁸² Bernstein, 91. Bernstein also details how the evolving lack of influence of Collier’s BIA in the war years led to a new outgrowth of national Native political organizing: “The NCAI borrowed much of its philosophy, early personnel, and tactics from the Indian New Deal. The NCAI’s constitution and bylaws were modeled on those of the tribes that had voted to accept the Indian Reorganization Act. Moreover, its founders had learned about national politics while working for the Indian Bureau, helping to implement the Indian New Deal. ... In the early 1940s, as relations between the BIA and Congress deteriorated, Collier decided that Indians stood a better chance at lobbying for their causes than either the Indian Bureau or whites purporting to represent them,” 112. The resolution in support of the IRA detailed in Chapter One stated: “Whereas: After the advent of the white man, the governing powers of the Indian were abrogated, their possessions in lands were given to other authority; they were driven onto Reservations created for them to live within the prescribed boundaries, agencies were established and Agents appointed to rule and take charge of all Indians and their affairs in their jurisdiction, and Whereas: The Indian has lost all power of self-government, and depends upon the Agent for all activities of business, as the Agent is empowered to set for him, and Whereas: The present Commissioner of Indian Affairs, the Hon. John Collier, has seen and recognized these injustices and is seeking to correct them and to restore to the Indian his self reliance and allow him to think for himself, ... BE IT RESOLVED: That the Members of the Fort Berthold Tribal Council go on record as opposing the repealment of the said Wheeler-Howard Bill, and ask Senator Lynn Frazier to sustain and support the original bill.” Special Meeting of the Fort Berthold Tribal Business Council, March 18, 1937, Elbowoods, North Dakota; Minutes and Resolutions Tribal Business Committee, 1934-7; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).



Image IV.4 Elbowoods 4-H Club Display 1942 Photograph

More interesting than the attacks themselves – or Collier’s and the BIA’s response to them – is that perhaps the attacks were correct. On the surface, Images IV.4, IV.5, and IV.6 taken from the 1942 Report on Extension Work show a reservation space heeding national messages regarding Indian self-sufficiency and the importance of rural production to feed urban consumption as an expression of citizen patriotism. Devoid of people, these photographs detail the fruits of agricultural labor from three of the major reservation communities – Elbowoods, Shell Creek, and Nishu – all under the visual auspices of the local 4-H club and the American flag. Neat shelves of the ‘best’ produce grown by children in the community – onions and potatoes and pumpkins and huge squash – as well as jars showing evidence of canning shine in the photographs. These images, contextualized by the bureaucratic archive that details the success of war bond

sales on the reservation and Red Cross Victory Drives, could illustrate a community that had successfully merged a longstanding agricultural tradition with the imperatives to perform Indian and rural self-sufficiency and production for a wartime economy.



Image IV.5 Shell Creek 4-H Club Display 1942 Photograph

But the images could point us in different directions as well. There is no need to flatten tribal members' efforts to negotiate the national imperatives surrounding production and consumption during this time period. For the photographs can be easily complicated by recalling the USO dances. With those dances as context, the images could also document how the mantle of patriotism U.S. citizenship was sewn to fit over *pre-existing* tribal practices of production and consumption.

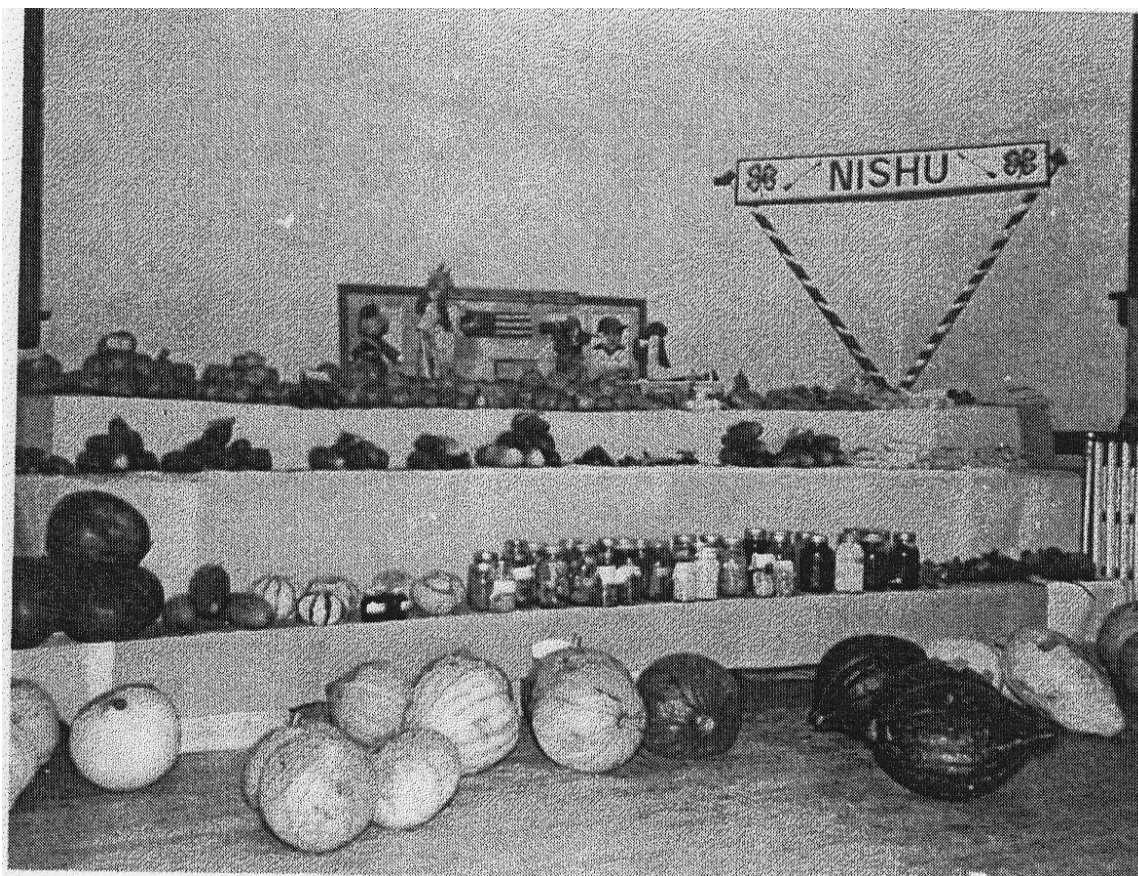


Image IV.6 Nishu 4-H Club Display 1942 Photograph

For the production and consumption work practiced for the USO dances represents a distinctly non-state organization of both. The use of giveaways, feeding attendees with food produced and collected from the community at large, pooling money for soldiers from the community, and the culturally-specific engine of the gatherings (namely, traditional music and dance) illustrate a community that is actually *ignoring* the model of production and consumption recognized and valued by the state. It also draws upon earlier, deeper understandings of survival, community, and belonging founded upon the resources of a local subsistence-oriented community economy organized and structured by a complex tribal web of kinship and responsibility. It is inaccurate to assert that these culturally-specific ways of organizing consumption and production were a

rejection of the consumer economy as it was expressed and refined during wartime. They did, however, work as an important counter-narrative with considerable cultural weight behind it within the boundaries of Fort Berthold. Understanding this complexity also fosters the recognition that the foundations of indigenous citizenship – rooted in the soil, in the work that went into harnessing the resources of the landscape, and into alternate organizations of production and consumption – transformed national rhetorics and symbols of U.S. citizenship and patriotism into an intensely local practice and ideation.¹⁸³

Indigenous citizenship also provided a compelling framing for the work of defense and protection. Many tribal members invested in the defense and protection of the tribal and national community – and the lands held by both. High enlistment numbers in the general population were mirrored within Native America, and approximately twenty-five thousand Native American served in World War II. Further, as Native Americans were not placed in segregated units like African Americans, their casualty rate mirrored the national average. During WWII, approximately two hundred fifty Fort Berthold tribal members served in the armed forces, which amounted to fifty percent of the eligible men on the reservation.¹⁸⁴

Nationally, Native participation within the theaters of World War II was noted with pride. As Alison Bernstein writes,

¹⁸³ For an interesting discussion of the cultural imperative towards generosity, see Ellis, *A Dancing People*, 44-5: “Yet if Plains dance societies were unabashedly associated with warfare, they placed a high premium on generosity and benevolence as well. ... Indeed, it was not enough that a man and his family should accumulate their share of war honors, political importance, or spiritual influence. Such notoriety, if it was to be more than an example of crass, material success, obligated leading men and their kin to become exemplars of generosity and kindness. ... Wherever they gathered, dance societies performed duties that placed them at the heart of their communities’ needs. This ethic survived the reservation period.”

¹⁸⁴ Douglas Schmittou and Michael Logan, “Fluidity of Meaning: Flag Imagery in Plains Indian Art,” *American Indian Quarterly* v26 n4: 589-90. Resolution Further Opposing Garrison Dam, April 24, 1945; 361.2 Miscellaneous Correspondence; Box 93 Decimal Correspondence 362.1; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

Collier also took particular delight in reporting reconciliations that took place between Indians and whites on the eve of the war. On the evening of April 12, 1941, Indians from the Pine Ridge reservation, the site of the Wounded Knee massacre in 1890, were guests of honor at a dinner in Washington hosted by members of the all-white Order of Indian Wars. Some of the hosts were themselves veterans of Wounded Knee, and all were old-time military men who fought against the Indians. About this occasion, the commissioner wrote, “The fact that the Indians were specially honored guests provides a measure of the transformation that time has brought.” He firmly believed that in 1941 both Indians and whites shared responsibility for fighting against nations that challenged American security and democratic ideals.

The symbolism and iconography of Natives and whites fighting for the same nation during World War II served not only as a confirmation of Indian-white reconciliation, but of the triumph of U.S. democracy. Wartime propagandists often used this sort of symbolism in order to contrast the freedom and democracy of the U.S. with the fascism and dictatorships of the Axis nations.¹⁸⁵

The army and armed forces news services particularly enjoyed highlighting the presence of Native soldiers within the ranks of American forces. The Fort Berthold community newsletter copied an article in the Army News Bulletin about a tribal member Nathan Little Soldier that read in part, “‘Chief Wahoo’ Soldier, our North Dakota Indian boy, is really whooping it up as he puts the boys of the Fourth Platoon through their paces. Soldier, as one of the batteries non-coms, is proving to be just what his name calls for.” Native Americans were celebrated for their participation in the armed forces, and at the same time were stereotyped as the ultimate savage warriors. The patronizing text quoted by the Fort Berthold newsletter, draws on a comic rendition of militarized stereotypes of Native American men in order to portray a unified war effort within the U.S., as well as the incorporation of characteristics previously feared towards the U.S. wartime cause. Another army publication wrote, “A red man will risk his life for a white

¹⁸⁵ Bernstein, 35, 44-5, 54.

as dauntlessly as his ancestor lifted a paleface's scalp." These qualities were highlighted alternately as "an endorsement of the propriety of the American cause, and expression of Native American intent to assimilate into mainstream society, or as skills uniquely suited to modern warfare." As Phil Deloria noted in his discussion of photographic portrayals of Apache leader Geronimo in *Indians in Unexpected Places*, it is no accident that popularized portrayals of Native American men focused on the contained figure of warlike violence, as opposed to representations of Native men as agriculturalists (Geronimo holding a squash) or Native men as participants in modern consumer society (Geronimo in his Model T).¹⁸⁶

White society was pleased to narrate Native men's participation in the war effort as a triumph of incorporation. But the work of the soldier – the work of defending, protecting, of sacrificing safety and comfort, of engaging also in the monotonous work of helping a large army to function – held deeper meanings to the soldiers who participated and their relatives at Fort Berthold. The same newsletter that published the Army News Service story about Nathan Little Soldier also listed, in detail, the men who had volunteered or been drafted to serve in the armed forces.

Army: Roy Atkins, John Baker, Louis Baker, Jr., Theodore Baker, Paul Bateman, James Conkling, Donald Goodbird, Archie Hopkins, Lloyd Howard, Fred Huber, Nathan Little Soldier, Victor Mandan, Daniel Many Ribs, Wilfred Medicine Stone, Fred Morsette, Lawrence Sears, Roger Shell, Frank Sherwood, Lee P. Smith, Mason Two Crow

¹⁸⁶ Fort Berthold Bulletin, January 1942 (CCC-ID Notes written by Ben Goodbird, Enrollee Camp Assistant); 018 Fort Berthold Service Bulletin, 1938-42; Decimal Correspondence 009-021; Fort Berthold Agency; Records of the Bureau of Indian Affairs, Record Group 75; National Archives and Records Administration, Central Plains Region (Kansas City). Army publication quote from Bernstein (54): "It seems as though the Indians' negative image in the nineteenth century as bloodthirsty savages suddenly became a positive image, since they were fighting on the right side. Those supposedly inherent characteristics, which had formerly been despised, now were celebrated." Purpose of highlighting militaristic qualities of Native soldiers from Schmittou and Logan, "Fluidity of Meaning," 590. Philip Deloria, "Technology: I Want to Ride in Geronimo's Cadillac," in *Indians in Unexpected Places* (Lawrence: University Press of Kansas, 2004): 136-182.

Navy: Louis Felix, Jr., Carl Sterud, Peter Sterud, Jr.

Marine Corps: Claude Huber, Perry Ross

Air Corps: Guy Bateman, Albert Charging, George Howard, Jr., Percy Rush,
Quentin Simpson, McRoy Star

Other boys, who are contributing their services during the present war, as
as follows:

Army: David Grinnell, Lawrence Birds Bill

Navy: Joseph Bell, Kenneth Deane, Lawrence Good Bear

The following enrollees are now being examined at Washburn for Military
Service: Nicholas Fox, Salvan Sage, and Willis Two Crow. We are all proud of
this long list of our boys who have entered the service of our country.

The insistence on the “long list of our boys” being published and sent to the entire
community tells us that Fort Berthold, as a community, valued each name listed,
remembered each name and each person. This marking and remembering and narrating
the men who participated in the armed forces was more than pride in their service, or an
echo of national narratives; it also asserts, similar to African American and Japanese
American soldiers and communities, a claim of belonging to the nation. This belonging
was rooted in male bodies as defenders and protectors, but also grew from community
participation in the most important political processes of the time.¹⁸⁷

But before these young men ever left the reservation, their names to be listed in a
community newsletter, their bodies and the work they would accomplish were themselves
protected via the efforts of elder community members known to hold special knowledge,
or ‘medicine.’ The parents of soldiers paid tribal elders who held medicine to pray for the
safety of their sons. The prayers said over them, at times accompanied by the transfer of
an eagle plume or the right to paint ones’ face, held a distinctly Hidatsa or Mandan
meaning rooted in a long history of defending place and space against other tribal

¹⁸⁷ Fort Berthold Bulletin, January 1942 (CCC-ID Notes written by Ben Goodbird, Enrollee Camp
Assistant); 018 Fort Berthold Service Bulletin, 1938-42; Decimal Correspondence 009-021; Fort Berthold
Agency; Records of the Bureau of Indian Affairs, Record Group 75; National Archives and Records
Administration, Central Plains Region (Kansas City).

intrusions. The service of the men made their relatives particularly proud – one extant family photograph from the WWII era shows an elderly grandfather, Joseph Youngbird, proudly posing with four of his grandsons serving in WWII while they were home on leave: Matthew Youngbird (Army), Melvin Walker (Army Air Corps), Hans Walker, Jr. (Navy), and Herman Youngbird (Navy). The young men pose in their uniforms, and their grandfather made sure to pose in his full regalia, including a warbonnet.¹⁸⁸

Male wartime service meant hardship at home. When Rosemarie's brothers went to fight in WWII, she found herself saddled not only with her usual duties, but theirs as well.

AKP: What did you think when your brothers went off to fight?
Rosemarie: Oh it was awful! Because of the hardship at home. To begin with, we had to do men's [work]. I was a teenage – not even a teenager. We had to do men's work, and help my mother get horses, put harnesses on the horses, cause everything back then was with teams. And then we even helped cut hay. I remember that one summer my mother and I cut hay, stack it and all of that; oh yeah, it was hard. And we still had to have gardens ...

Also looming over the men who served and their families at home was the very real possibility of death. Dreke Irwin's uncle, Clarence Spotted Wolf, served in the Army.

When my grandma would cook breakfast ... it was kinda funny, I was about eight or nine – when I was eleven I think he got killed, and six months after that my grandma passed away, she had cancer. "I'll be going into the service," he'd say, "I got the feeling I'll get bumped off over there," he'd kinda say. Then his parents would say, "Don't say that!" you know. "I don't know, I'll go over there, I'll

¹⁸⁸ Emery Goodbird, Sr., interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, location unknown, 1990. "Before we went, my mother, Ellen Blackhawk Goodbird, always got the older people – at that time they had a lot of medicine, the older people had a lot of medicine – so before I went they either gave me a plume or either gave me how to paint my face or how to use anything that was there because they didn't have no paint there, mud or anything. That was for our safety. In them days we went through a ceremony. They tell you what you can do, and this one lady, was Rachel Wolf, and she said, 'my grandchild' she said 'I'll paint your nose; and don't be scared because you're not going to be wounded, or you'll come home.' And so I did that a couple times." Mr. Goodbird served many tours of service in Korea and Vietnam, and as of the time of the interview, he still hadn't received discharge papers from active service. Although Mr. Goodbird served in Korea and Vietnam and not WWII, the cultural practice was common during WWII as well.

make it out of there” [talking like his uncle], it’s like he had that premonition. Sure enough, killed in Luxembourg, Germany. He was in a tank war. I think about that every now and then.

Young men who had never even been outside of North Dakota were sent across oceans to fight – and some of them, like Clarence Spotted Wolf, died in those foreign places. This was the terrible possibility that every family member faced, and perhaps it is no wonder that they wanted to celebrate and honor them when their sons, brothers, and uncles were lucky enough to return home.¹⁸⁹

When soldiers came home, the ‘USO’ community dances held in their honor expressed the community valuation of male service and work in World War II. In preparation for the dance, if it had not happened before, each returning soldier was made an honor song – a slower-beat, solemn song that referenced his name and accomplishments, perhaps the branch of the armed forces in which he served. This song was his, and his alone; but it was also a song that his family members and descendants could potentially use as their own honor song for generations to come. The honor song commemorated the individual, certainly, but it also served as a form of community memory, community history. Men wrote the songs for other men who had defended and protected their community with their lives. Each honor song linked the individual soldier to a community history, a set of community values, and a specific practice of community defense. The honor songs are history – history sung, practiced, and honed by a community. Rosemarie Mandan still remembers the honor songs of young men from the community where she grew up, stating, “there were all kinds of songs, and I remember

¹⁸⁹ Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009. Dreke Irwin, interviewed by Angela Parker, digital audio recording, New Town, ND, October 20, 2009.

even personal songs; I still remember Johnny Rabbithead's song, and Finley Blake's and those from Lucky Mound."

Longtime powwow announcer Pete Coffey, Sr. described honor songs for an interviewer for the National Park Service in the 1990s:

Some of them have words in them, what we call honor songs. Some individual would like to have an honor song and they select some man, designate some man, say 'I would like to have an honor song, can you make me an honor song.' 'Sure.' That's where I say I admire these people; they'll never refuse you. And they'll make one for you. It might be an ordinary powwow song, but they'll find some lyrics to fit it. We had a lot of those honor songs during the war years, when everybody went, the young men went to services.

In a time period in which most people grew up hearing and singing a wide variety of songs, men who could make unique and beautiful honor songs were considered highly talented – not only for their ability to create lovely and moving music and lyrics, but for their ability to memorize and faithfully reproduce a long history of tribal and inter-tribal songs. Long after they are gone, men like Thad Mason – “he was kind of the Rogers and Hammerstein of Independence” – and Billy Baker are remembered as master songwriters.¹⁹⁰

The intellectual and cultural labor of honor songs also placed the individual – and their descendents – within the tribal landscape; they made individuals part of the “place” even as they allowed the bodies to perform and constitute part of the communal meanings of that place. The honor song has a slower, solemn beat as it is sung at a public gathering.

The form of the music ensures that the person narrated by the song dances in a formal

¹⁹⁰ Pete Coffey, Sr., interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, location unknown, 1990. Coffey went on to say, “It’s amazing how many powwow songs there is. Like I said years ago there’d be only one group of singers there and they’ll sing all night long until the wee hours and never sing the same song twice. And I admire these singing groups. There’s a lot of hidden talent there, to remember those songs. You take the Baker boys, the Mandaree Singers, especially Billy, boy he’s got a good memory.” Re: Thad Mason, Gail Baker, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 22 2009.

way around the common dance arena as it is being sung, and social conventions require that spectators rise to their feet as the honor song is sung and danced. But the work of honor songs is far more complex than simply ensuring solemnity and respect. The process of crafting honor songs transforms individual experience (military service) into symbol (defense, protection, service to community), which is then remade into an object (the lyrics and music of the honor song). This object is then used to evoke experience through its performance, through the complex physical embodiment that contributes to “molding experience into symbols and then melding symbols back into experience.” Honor songs create place by answering the question of ‘what did this body do?’ as they are performed. The songs remind community members of the physical sacrifice performed via male bodies, so that the individuals become reminders of the importance of individual service to the community. Further, each time the song is sung, it indexes the place where it was originally given, the communal recognition the soldier receives, and a specific history. Pete Coffey, Sr. described the historical role music serves when he explained, “I always tell the people that people will die, or leaves will wither, or something’s going to give, but powwow songs never die; as long as you can remember them, they go on and on and on.” For place is not merely a container through which we move. It is *created* by the movement of our bodies as we speak, walk, ride horses or in cars, dance, or sing honor songs. These are the methods through which the meanings ascribed to the physical environment – a physical environment that *includes* our bodies – become communal. Anthropologist Keith Basso writes,

Long before the advent of literacy, to say nothing of “history” as an academic discipline, places served humankind as durable symbols of distant events and as indispensable aids for remembering and imagining them – and this convenient arrangement, ancient but not outmoded, is with us still today. In modern

landscapes everywhere, people persist in asking, “what happened here?” The answers they supply, though perhaps distinctly foreign, should not be taken lightly, for what people make of their places is closely connected to what they make of themselves as members of society and inhabitants of the earth, and while the two activities may be separable in principle, they are deeply conjoined in practice.¹⁹¹

In this way, the work of “defense” and “protection” – as it was formulated during and after World War II – became another important type of work, or community practice, that solidified both community identity and ideations of patriotism to the larger United States. This is a work, a practice, that illustrates the distinctive characteristics of indigenous citizenship at Fort Berthold.

In making the songs for the returning veterans – giving stories and place to their bodies while enfolded their actions and physical bodies into the conceptualization of place at Fort Berthold – the men who made them performed intellectual work and energy for the benefit of younger generations who attended the dances. And the songs were not easy to make, or to remember. Song makers had to hold within them – during a time period when audio recorders were nearly inaccessible – the memory not only of the song created, but how it differed from other honor songs, and the physical memory of how to sing it. The honor songs also taught children community values and marked individuals as part of a shared community history. This practice could happen, in part, because after with the IRA, Native groups across the country were no longer faced with a stark choice between their claims of rights as citizens and their cultural heritage, but the artistic skill

¹⁹¹ Setha Low and Denise Lawrence-Zúñiga, eds., *The Anthropology of Space and Place: Locating Culture* (Blackwell Publishing: Malden, MA, 2003), 1-30. Basso, 7. Pete Coffey, Sr., interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, location unknown, 1990.

of their creation and the work that they performed to create and maintain community structure remains entirely due to persistent and dynamic efforts of tribal members.¹⁹²

Finally, USO community dances taught children about the importance and practice of kinship networks at Fort Berthold. Lyda Bearstail participated via dancing in holding the “USO” banner in the Shell Creek community dances, but her participation was based on the relationships constructed within the community based on both family and clan kinship ties. For example, she was chosen to participate based on her family relationship with the adult organizers, and her dance outfit – a taffeta elk tooth dress and moccasins – was made for her by her *ishawi*, her aunt on her father’s side. Bearstail remembered,

[T]hat's what aunts did a long time ago. Your father's sister or your father's cousin would dress you. They'd bring you, like my aunt brought me that dress and moccasins and belt. She dressed me so I could dance. And that's the way they did it a long time ago.

Older community members familiar with a complicated set of family relations orchestrated the entire community gathering. For example, if donations were made by an individual, elders knew who should be donated to first: a clan aunt or clan father – meaning the clan brother or sister from your father’s clan – and importantly *not* a family relative. Men who sang with a drum knew who had the right to sing certain songs, or the

¹⁹² Browner (2002). Interview with Robert Rendon (Lakota): “Word songs are really hard to make cause they have to have a lot of meaning to them,” 110. Browner writes, “The desired vocal quality of a Northern singer is high and tight with a heavy vibrato or even more widely spaced pulsation. When they sing high, Northern singers use their chest voices rather than their throat voices in a male falsetto. Good singers place the beginnings of vocables or words between drumbeats as often as possible. That technique, which makes a voice more audible, is called ‘singing off the beat’ and is one of the elements that creates rhythmic complexity in pow-wow music. In addition, a good singer keeps a steady beat, knows the entire song repertoire, and plays the drum at a volume level balanced with that of the vocal volume level. Good drums meet these criteria and also play with precision. These attributes all combine to create the Indian musical ideal of ‘harmony,’ a balance among singers, drum, and song that allows the Drum to function smoothly as a single unit,” 73-4. Bernstein, 9. “Whereas prior administrations had offered Indians citizenship to lure them away from their cultural and religious traditions, the Indian New Deal used the constitutional guarantees under citizenship to reinforce the bonds between Indians and their customs.”

appropriate way to pay a group of singers for rendering a personal honor song. Through performance, through practice, through missteps, and through observation, the praxis of Fort Berthold community life was taught to young men serving in the armed forces, or to children like Lyda Bearstail. And because this intellectual labor was practiced within the context of citizenship and patriotism at Fort Berthold, this knowledge and its use became enfolded into community understandings not only of what it meant to be a tribal member, but what it might mean to be a U.S. citizen.¹⁹³

The local foundations and interpretations of indigenous citizenship at Fort Berthold – the physical labor that extracted resources from the land base, the unique tribal expression of the ideal management of production and consumption, the meanings attached to the work of defending and protecting tribal and national territory, and the production and maintenance of community knowledge – has the potential to change the way we understand the processes of both tribal *and* U.S. sovereignty. An important piece of the puzzle is missing, however, because the definitions of place and self at Fort Berthold would be difficult to maintain without a conceptualization of what lay outside the community and tribal boundaries. The following section uses a uniquely tribal expression of patriotism and citizenship – a flag song – to explore how Fort Berthold community members conceptualized their own territories and what lay beyond their boundaries.¹⁹⁴

¹⁹³ Lyda Bearstail, interviewed by Angela Parker, digital audio recording, Mandaree, ND, October 16, 2006. “AP: Can I ask what color was that taffeta dress? LB: Maroon. And it was blue up here [gestures to yoke of the dress]. If you see some of them now, like the Crow ladies wear, they’re like that but mine was light blue and then it was maroon. AP: How did she decide on those colors? Was it your favorite colors? LB: No, she just made it herself.”

¹⁹⁴ For example, Henri Lefebvre’s seminal work, *The Production of Space*, describes the importance of accumulation and its inherent violence as the foundations of the realization of state sovereignty. He writes, “Neither Marx and Engels nor Hegel clearly perceived the violence at the core of the accumulation process ... and thus its role in the production of politico-economic space. This space was of course the birthplace

Imagining Territory: A Fort Berthold Flag Song

The enactments of citizenship and patriotism described in the previous section were also expressions of individual and collective belonging to and possession of territory, or the land that constituted “home” for Fort Berthold tribal members. But “home” must always be placed into conversation with what is not “home.” The following Flag Song, translated to Hidatsa from Arikara by Ralph Wells circa 1942 and widely used at Fort Berthold gatherings since then, brings us to a useful exploration of the centrality of the way land is imagined – the imagination of territory – in creating a working definition of citizenship.

Awa hito mata nagebixxeh

From this land of ours, our flag (it belongs to us)

Itsa gitda itsiawa

The only one that is strong

Ma-i-ha (enemy) ita awago (their land) na-ka-bi-huh wa-kuts (it’s flying/waving)

It’s waving in the land of the enemy.

and cradle of the modern state. It was here, in the space of accumulation, that the state’s ‘totalitarian vocation’ took shape, its tendency to deem political life and existence superior to other so-called ‘social’ and ‘cultural’ forms of practice, while at the same time concentrating all such political existence in itself and on this basis proclaiming the principle of *sovereignty* – the principle, that is to say, of its own sovereignty. It was here that the state was constituted as an imaginary and real, abstract-concrete ‘being’ which recognized no restraints upon itself other than those deriving from relations based on force. . . . Sovereignty implies ‘space’, and what is more it implies a space against which violence, whether latent or overt, is directed – a space established and constituted by violence. . . . This violence originated in nature, as much with respect to the sources mobilized as with respect to the stakes – namely, wealth and land. At the same time it aggressed all of nature, imposing laws upon it and carving it up administratively according to criteria quite alien to the initial characteristics of the land or its inhabitants. At the same time too, violence enthroned a specific rationality, that of accumulation, that of the bureaucracy and the army – a unitary, logistical, operational and quantifying rationality which would make economic growth possible and draw strength from that growth,” 279-80. What would it mean to understandings of tribal governments and their quest for the realization of their sovereignty if the violence inherent in state-making is taken into account? How must this require changes to the way we understand the Indian Reorganization Act and its legacy for Native people? Further, what does it mean for U.S. sovereignty to hold within its boundaries persistent and nagging challenges to the perfection of its spatial violence, in the form of Native tribal governments attempting to exert their tribal sovereignty? How might that change explanations of the way the U.S. has conceptualized citizenship, territory, and its own sovereignty within the past century?

The flag song in question has been variously translated as meaning, “our flag is the strongest, it’s waving in enemy land,” or, “our flag is the only strong one; that’s why it’s waving in enemy territory.” Flag songs are used to begin large public gatherings like powwows – an example of an organic fusion of U.S. citizenship and patriotism and community or tribal identity.¹⁹⁵

It is not an accident that these songs – used to invoke respect and solemnity at the beginning of a social gathering, and to reference the bravery, courage, and sacrifice implied in military service – are rooted in the iconography of the flag. Long before the beginning of the modern era of the state, flags were deeply enmeshed in acts of claiming – as well as the use of violence to achieve territory. The U.S. flag in particular records early acts of claiming, annexation, and incorporation – acts that succeeded via violence, often towards indigenous groups – whether represented in the thirteen red and white stripes representing the thirteen colonies, or the fiftieth star that marked the incorporation of an illegally annexed country outside the far outside the territorial logic of the U.S. mainland.¹⁹⁶

¹⁹⁵ See Dreke Irwin, interviewed by Angela Parker, digital audio recording, New Town, ND, October 20, 2009; Gail Baker, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 22, 2009. Gail Baker said after the interview that Nick Knight and Marvin Paint heard someone singing the song behind enemy lines, and came back and wanted to have it translated into Hidatsa. The melody for this particular song is considered so beautiful and elegant, the song has traveled far and wide across Indian Country, and many drums from other reservations reproduce the melody without knowing the original words or their meanings. For more information on flag songs and their use, see Ellis, *A Dancing People*, 43. “Memorial songs, veterans’ songs, and flag songs typically follow the parade-in and are an acknowledgment of native peoples’ military service. An appropriate tribal flag song is always sung, many of which were composed after the world wars. Because they were inspired in some cases by old scalp songs or war songs, they call attention to bravery and courage precisely as their nineteenth century precursors did.”

¹⁹⁶ Boime, “Waving the Red Flag and Reconstituting Old Glory,” 3-25. “It had been the flags of royalty, planted to claim the virgin land of the New World, that established the flag’s primordial relationship to colonialist possession.” Boime also explains that, “[i]n June 1846 Walt Whitman, then a fledgling editor of the *Brooklyn Daily Eagle*, exulted that the victorious climax of the Mexican War would ‘furnish a cluster of new stars for the spangled banner.’ Whitman made a concrete connection between annexed territory and changes in the American flag’s star field. In this sense, Manifest Destiny would etch itself into the emblematic fabric as a graphic record of expansionist realization.”

Native use of the U.S. flag – via artistic or craft representation, referencing through flag songs, and as a physical presence at social and community gatherings – *seems* to ignore those dynamics of violence and wrongful claiming. But its pervasive use within Indian Country lies not in community abilities to ignore the wrongs of the past, but in the determination to make a positive, concrete claim on ancestral lands still within U.S. territorial bounds. These claims on land and territory gain currency via Native service during wartime, but are rooted in the memory of Native dispossession. In other words, the appropriation of the U.S. flag as metaphor, icon, and banner, is a place-making strategy in the face of state assertions of space.¹⁹⁷

But before we venture too far afield, let us return to the actual text of the flag song from Fort Berthold.

Awa hito mata nagebixxeh
From this land of ours, our flag (it belongs to us)
Itsa gitda itsiawa
The only one that is strong
Ma-i-ha (enemy) ita awago (their land) na-ka-bi-huh wa-kuts (it's flying/waving)
It's waving in the land of the enemy.

The words are in Hidatsa that were translated from Arikara, and the song is used for a cultural purpose unique to the reservation, yet patriotism and investment in the idea of American citizenship is also expressed. The fusion of these expressions comes through the imagination of a place outside of “us” – which in this case means outside the U.S. – explicitly drawing on older understandings of the enemy territory of another tribe. The

¹⁹⁷ Schmittou and Logan, 559-604. “Native symbolism concerning the flag took on a new course, one that continues strongly today among Indian peoples of all nations. The flag itself, as well as its depiction in works of art, represents the great respect, more so love, that Native Americans have for their homeland. The national banner became a widely diffused symbol for an ancestral claim to territory and place as well as a visual means for demonstrating that Indian peoples are separate from, yet clearly equal to, non-Indians. This latter sentiment gained considerable momentum during World Wars I and II, as large numbers of Native Americans found and gave all for our – and their – country. Today the American flag represents, for Native peoples, a clear link to their embattled past. It also symbolizes their ongoing tradition as warriors. They let it speak proudly of their bravery, their sacrifices, and their love of land and nation,” 593.

words evoke feelings of both loneliness and pride, via the dual invocation of a U.S. flag flying by itself in enemy territory, as well as the idea that “people” are talking about how the flag is still flying in an unfriendly space.

The icon of the flag within the song also serves as a metaphor for the bravery and strength of the men who serve in the armed forces – the implication of bravery of the flag for flying alone in enemy territory reflecting on the staying power of the men who fight under the auspices of that flag. But perhaps most importantly, the conduit of this complicated fusion of icon, metaphor, legend, and national place-making – perhaps the only reason it can happen despite the history of colonialism – is the land. “From this land of ours, our flag/The only one that is strong/It’s waving in the land of the enemy.” The ideation of a shared home territory *and* an imagined enemy territory allows community members to express citizenship in order to claim the rights that status confers; to claim patriotism and love for a nation that also represents territorial dispossession; and to give deep and meaningful recognition to the sacrifices of community members who endangered their lives in the name of national priorities.¹⁹⁸

The use of land as a metaphor and idea to express tribally constructed notions of citizenship, patriotism, territory and sovereignty was, of course, many years in the making. The experiences of World War I, the Great Depression, and the new possibilities to be realized after the Indian Reorganization Act all created fertile ground for the cross-

¹⁹⁸ This dynamic may reflect cultural and temporal specificity. For example, John Troutman notes the lyrics of a WWI Lakota flag song: “There is fighting over there/That’s where the Lakota boys will go/They say the Americans are saying that.” The admittedly small sample size of Troutman’s Lakota lyrics prevent generalizations, but none of the military service-related songs he relates refer to home territory or earth as does the Fort Berthold flag song. Victory song: “The Germans made me mad/So not only their land but flag/Are what I made them give me.” Victory song: “They are charging from afar [x4]/The Germans retreat crying/The Lakota boys are charging from afar/The Germans retreat crying.” Victory song: “German, I have been watching your tracks/Worthless one!/I would have followed you wherever you would have gone!” Troutman, 54-5.

fertilization this conceptual work entailed. But this work – the physical and conceptual work of both local and national place-making – allowed a more unified and cohesive ideation of U.S. citizenship and its expression by tribal members. The changes in national policies affecting rural economies and tribal communities were strategically mobilized to frame the practice of indigenous citizenship, for people at Fort Berthold remade the narratives at play in the larger U.S. to fit their communities. If this work, this fusion of strategic appropriation and the persistence of community-specific cultural practice, could refashion the local expression of national citizenship and patriotism, it had also remade one of the key supporting components of sovereign power.¹⁹⁹

Conclusion

Community events such as the ‘USO’ dance for returning soldiers represent a nexus of activities. In preparing the food, the songs, the giveaways, and for the dance, members of the Three Affiliated Tribes solidified and re-enacted indigenous citizenship. This citizenship literally grew from the landscape – itself a nexus between human labor and the physical environment – and became expressed through bodily practices such as farming, ranching, preparing food, dancing, or creating and performing song. As these things were practiced, family and community ties grew stronger – as did the performance of citizenship and patriotism during a time of war. In this rich social context, thick with meaning and a shared history, the anxieties and directives of the federal government were easily co-opted to fit community needs and goals.

¹⁹⁹ Ellis, “‘There Is No Doubt . . . the Dances Should be Curtailed;: Indian Dances and Federal Policy on the Southern Plains, 1880-1930,” *Pacific Historical Review*, v70 n4: 543-69. “New songs made reference to modern enemies, extolled the valor of Indian doughboys, and accorded them the status of warriors. Indeed, all across the Southern Plains, the war years breathed new life into old rituals, and dances once again became crucial conduits for the expression of venerated ideals,” 564-5.

These practices and ways of ascribing meaning – to the landscape, to the body, or to community actions – lie at the heart of the ways indigenous citizenship is produced. For citizenship has never solely been a category imposed upon a blank, faceless indigenous population; Native communities have appropriated the symbols and meanings surrounding citizenship and patriotism to serve their own needs. These practices are also a vital part of how Native communities have shaped and asserted their own identities and structures of authority and power, for the community places created by dances, honor songs, and giveaways render the priorities of the federal government largely irrelevant – if only for the brief time in which a community gathers to celebrate the bravery of its members. In other words, the places remembered in this chapter are the where the seeds of self-determination and modern notions of tribal sovereignty are sowed and nurtured.

This formulation of indigenous citizenship, coalesced during the Indian Reorganization Act era and elaborated upon and performed during World War II, would be sorely tested. At the center of the coming conflict was the loss of thousands of acres of prime agricultural land – the Missouri river bottom that had sustained Fort Berthold community members for generations beyond counting. This loss of land and resources would greatly alter the trajectory of community understandings of place, space, territory, and citizenship.

For as early as 1943, it was clear that change was coming. Immense change, change not only to the U.S. at large, but drastic change to the land and communities at Fort Berthold. The Tribal Council passed a resolution on November 14, 1943 to oppose a “Lower Dam.” It read,

WHEREAS: the Three Affiliated Tribes of the Fort Berthold Reservation depend very largely on their bottom lands along the Missouri River for their welfare, and

there appears no other region obtainable as satisfactory substitute for agricultural and timber industry; and

WHEREAS: a dam below the Fort Berthold Reservation is being contemplated for future action by the Congress of the United States in cooperation with the State of North Dakota, which action, if realized, will destroy by permanent flood all the bottom land of said Reservation, causing untold material and economic damage to the Three Affiliated Tribes; and

NOW, THEREFORE, BE IT HEREBY RESOLVED: by the Tribal Business Council, in a meeting assembled, duly and regularly called, a quorum being present, and voicing the adverse opinion of its constituents, that it oppose the present plan of constructing a dam below the Fort Berthold Reservation or any other plan which will destroy the flood areas of the Missouri Valley.

Although the federal legislation authorizing the Pick-Sloan Plan wasn't signed into law until December 1944, Fort Berthold leadership had heard of the coming legislation.²⁰⁰

Within the communities at Fort Berthold, tribal members also began to notice changes. As Rosemarie Mandan remembered,

RM: It didn't just happen, it happened over a long period of time. Because when we were still walking to school -- before I left, I left when I was eleven -- they already had sticks, sticks with those ribbons, all over. ... They were already surveying and doing USBM, you know. So we saw that; we were kids going to school and ... there they were, these signs. Whenever I see a stick with orange, I just think, 'Oh my god, here's some more land, going.' ...

I was too young at the time, but I remember my mother coming home one day, and she said, "I just heard the most *terrible* thing," she said. "I heard they're going to build a dam and that water is going to cover that hill." I remember that, you know.

²⁰⁰ Resolution Opposing Lower Dam, November 15, 1943; 361.2 Miscellaneous Correspondence; Box 93 Decimal Correspondence 362.1; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

CHAPTER V

‘You feel it inside that you’re not given a good deal’: The Fight against the Garrison Dam



Image V.1 “Lo, the Poor Indian” George Gillette 1948 Photograph

This photograph was taken by an Associated Press photographer at the signing of an agreement between the Three Affiliated Tribes and the Department of Interior. The agreement sold one-third of the Fort Berthold Indian Reservation for what amounted to \$33 per acre. The accompanying caption in *The Washington Post* read:

Lo, the Poor Indian ...

TRIBES GIVE UP LAND – George Gillette of the Fort Berthold Indians, covers his face and weeps as Interior Secretary Krug signs a contract by which three tribes sell the best part of their North Dakota reservation to the Government for \$5,105,625. The land will be flooded by a dam and reservoir project. Secretary Krug said that while the contract was fair, it gave him no happiness to take part in a reduction of Indian land reserves. Said Gillette, chairman of the tribes’ business council, “Right now the future does not look good to us.”²⁰¹

The photograph shows a group of men in suits gathered standing around a desk at which another suited man signs a piece of paper. Many of the men who are standing peer at the desk, at the piece of paper, ensuring that their sight lines intersect at the meeting of pen and paper. Only two men are not looking at the desk, and one of them – George Gillette – covers his eyes with one hand, the bottom half of his face visibly contorted, while his other hand holds his glasses. Published in the *Post* on May 21, 1948, the photograph was reprinted in newspapers across the country.

A North Dakota newspaper, the *Minot Daily News*, quoted Gillette at greater length, placing his painful view of the future alongside a pointed political critique:

You will excuse me if I say that members of the tribal council will sign this contract with heavy hearts. With a few scratches of the pen, we will sell the best part of our reservation. Right now the future does not look too good for us. ... We have faith that Congress will recognize that this contract gives the Fort Berthold Indians only part of what is due to them. The truth is, as everyone knows, our Treaty of Fort Laramie, made in 1851, and our tribal constitution are being torn into shreds by this contract.²⁰²

Gillette was reacting to the forced sale of Fort Berthold tribal lands taken via eminent domain – one of the legal privileges of a sovereign power – for the Garrison Dam, the second main-stem dam constructed under the Pick-Sloan Plan, built at the edge of the Fort Berthold Indian Reservation. Completed in 1954, the Garrison Dam cost three

²⁰¹ George Gillette photograph “Lo, the Poor Indian ...”; Washington Post – 5/21/48; Resolutions, relocation, census, claims, per capita; Fort Berthold Indian Agency, North Dakota; Records of the Bureau of Indian Affairs; National Archives and Records Administration – Kansas City, MO.

²⁰² “Indians with ‘Heavy Hearts’ Cede Lands to Government; Chairman Expresses Faith in Congress,” *Minot Daily News* May 24, 1948.

hundred million dollars and is currently the fifth largest dam in the United States. It flooded over one hundred fifty thousand acres of prime grazing and agricultural land, and every major settled community on the reservation. More than eighty percent of Fort Berthold residents were forced to relocate in order to escape the rising waters, and key infrastructure in the form of school buildings, a hospital, and community centers were destroyed.

The Garrison Dam represented “the first major taking under eminent domain of Indian lands guaranteed by treaty” – treaties being not only legal agreements, but a recognition of sovereignty between sovereign powers. Novelist, Indian activist, and scholar D’Arcy McNickle – also a former Commissioner of Indian Affairs – elaborates:

The earlier procedure for quieting Indian title was the treaty process: when Indian lands became desirable for settlement or for public purposes, a treaty, or a revised treaty, was negotiated. The Indians always yielded, but at least a show of respect for tribal sovereignty was maintained. Under the new procedure, the Indian tribe was put in the category of private land owner, against whom the state could proceed; compensation in money was made the equivalent of ethnic and cultural identity. The process, in time, can only lead to the extinction of the Indian people as a separate and identifiable thread in American Life.²⁰³

Perhaps, then, it is appropriate that the glances of most of the people in the photograph are directed downwards to the man signing the document, Secretary of the Interior Julius Krug, and the pen frozen in its journey across the page. For these things represent the source of power, the centrality of state authority, and the exercise of federal sovereignty at the expense of tribal sovereignty. The men standing in the photograph, left to right are: Ben Reifel (Lakota), Bureau of Indian Affairs Superintendent at Fort Berthold; George Gillette (Arikara), Tribal Chairman; Joseph Packineau (Arikara, Hidatsa), Elbowoods district; James Hall (Hidatsa), Vice-chairman; Levi Waters (Arikara) Nishu district; Mark

²⁰³ D’Arcy McNickle, “Introduction” in *Dams and Other Disasters: A Century of the Army Corps of Engineers in Civil Works*, Arthur E. Morgan (Boston: P. Sargent, 1971).

Mahto (Mandan), Red Butte and Charging Eagle districts; (partly hidden) George Charging (Mandan), Lucky Mound district & tribal council Treasurer; Earl Bateman (Arikara) Nishu district; and Ralph Hoyt Case, tribal attorney. Most of those present in this photograph also appear in the narrative below and in the archival record.

The photo, which records an enactment of sovereign power, was originally distributed via the AP and was printed in many newspapers across the country. It also found its way into the Bureau of Indian Affairs archives when someone in the Fort Berthold Agency stored approximately thirty copies for posterity. The image has had a long life, however, and is used in academic works and textbooks, usually as an illustration of the human costs of hydropower projects, federal development projects in the mid-twentieth century U.S. West, or mid-century federal Indian policy. In both its historic and contemporary dissemination, however, the photograph's reception has been based on its use as an exhibit in an account that often uses the story of the Garrison Dam and the communities it flooded in the same way – as an illustration of some larger point that does not necessarily speak to the realities of Fort Berthold as a specific and particular place.

Photographs are prone to be used this way (especially by historians). But every photograph has a hidden history, one that complicates it, makes it richer, imbues it with meaning. These histories cannot be read in the assortment of individuals or objects or landscapes they display, for the potential and scope of its mass production often flattens a photograph, ensuring that we are as likely to misread and mischaracterize its contents as we are to understand the moment it presents. In some ways, then, a photograph can mimic the functions of a place: it can be a physical marker of history and culture that

needs an expert to narrate it; it can also be poorly understood or silenced if its viewer doesn't take the time to consider it carefully.

This chapter considers this photograph, and attempts to create for it dimension and texture – so that we can imagine the sound of the camera flash bulb, the scrape of a ballpoint pen across thick paper, the smell of wool suits and Brillo cream, and the physical pain that accompanies trying to hold back tears and failing. By considering the way Fort Berthold people grappled with the coming of the dam, relentlessly refusing to relinquish elements of their sovereignty, we can hope to make this photograph in particular more legible and, in the process, use it as a guide to the history of community protest against the Garrison Dam. And in that process, we can see the further development of a concept of indigenous citizenship – a product of long tribal histories, and a response to the threat posed by the dam itself.

Torrent: The Pick-Sloan Plan

Too much water can be a problem, especially when it gathers from many different directions. At the end of winter, for example, the combination of melting snow and one intense rainstorm can create a flood. At first it can seem that the river is merely moving a bit faster, is a bit higher; but as the miles and miles of river above you gather the water run-off from acres and acres of surrounding lands, what seemed like a slight rise in the river can become alarming. These are the moments in which rivers become scary, swollen with violent rushing water that rises and rises and rises. In the 1940s, the Pick-Sloan Plan was like a flood. Not only because many rains and streams fed into a rising, inevitable rush of water that was the Pick-Sloan policy; but also because while a flood is

a systemic event, it is experienced locally and only those directly suffering under its impact can truly understand its power. The political process that created Pick-Sloan may have started innocently with a few drops of rain, but by 1943 it had become a torrent, much like those that flooded the lower Missouri states and were used to justify the creation of a Missouri River valley hydrological project known as the Pick-Sloan Plan, or Missouri Basin Program.

Some say that the Pick Plan, the plan generated by Colonel (and later General) Pick of the Army Corps of Engineers, was inspired by a flood. The particularly wet springtime of 1943 produced three weeks of flooding within the space of a month and a half, between May 6 and June 16. In that spring 1943 flood, hitting in the middle of U.S. direct involvement in WWII, the lower Missouri states sustained \$6,500,000 in direct damages and \$1,300,000 in indirect damages. The Omaha airport was underwater, upsetting the army supply chain. Pick himself, as head of the Omaha office of the Corps, was displaced by the flood. In the midst of the flooding, the House Flood Control Committee called a special meeting, and asked Pick to answer questions for them. They quickly passed a resolution directing Pick to prepare a report on flood control, which he completed three months later in August 1943.²⁰⁴

Long before the '43 floods or the advent of the Pick Plan, another planner, W.G. Sloan from the Bureau of Reclamation, had already been preparing a comprehensive plan for the Missouri River basin. Sloan had been researching and preparing at least five years before he heard the Corps was rushing to produce its own plan, and when the Bureau heard of these new developments Sloan rushed to finish the final preparation of his plan

²⁰⁴ Marian Ridgeway, *The Missouri Basin's Pick-Sloan Plan: A Case Study in Congressional Policy Determination*, Illinois Studies in the Social Sciences V. 35 (Urbana: University of Illinois, 1955), 3-7.

for the Missouri. Both plans were issued in August 1943. While the Corp's Pick Plan focused on building levees in the lower Missouri states and massive main-stem dams on the upper Missouri, the Bureau of Reclamation's Sloan Plan centered around irrigation, land reclamation, navigation, and power production. The greatest benefits in the Pick Plan went to farmers and urban areas in the lower Missouri basin states. Each of the five main-stem dams proposed in his plan were not only located in the upper Missouri states, they were each at the edge of an Indian reservation – ensuring that the greatest loss of land along the upper Missouri would be borne by Native communities.²⁰⁵

Immediately in the fall of 1943, Pick began visiting lower Missouri states to sell his plan, and by summer of 1944 both agencies were pushing their own proposals to Congress. But starting in September of 1943, it became clear that President Franklin Roosevelt and Missouri basin Farmers Unions both preferred a unified, comprehensive effort to shepherd basin planning, ideally under a single agency – a kind of “Missouri Valley Authority” (‘MVA’) to mirror the New Deal’s Tennessee Valley Authority (TVA). Critics of an MVA were loud and persistent. During these wartime years, some feared the creation of another New Deal-oriented ‘superagency,’ and, as usual, western interests feared federal power almost as much as they sought federal relief and subsidies. Critics argued that an ‘MVA’ would threaten not only private enterprise, but that state sovereignty and congressional control were also in danger in the face of an aggressive executive.²⁰⁶

²⁰⁵ Ridgeway, 8-10. Lawson, 14-29. The five dams and the reservations they affect: Oahe Dam: Standing Rock, Cheyenne River; Fort Randall Dam: Yankton; Big Bend Dam: Crow Creek, Lower Brule; Garrison Dam: Fort Berthold; Gavins Point Dam: Santee. Donald Parman, *Indians and the American West in the Twentieth Century* (Bloomington: Indiana University Press, 1994), 111; Berman, 6; Meyer, 211-234.

²⁰⁶ Ridgeway, 212-42. Lawson, 23-4

A month after Roosevelt's administration came down in favor of an 'MVA,' the Corps and the Bureau agreed to smash their plans together, retaining 110 out of 113 combined projects from both plans and leading the National Farmer's Union president James Patton to describe the newly-formed Pick-Sloan Plan as a "shameless, loveless shotgun wedding." By this time, Congress was much less friendly to Roosevelt directives, and Western congressmen worked hard to ensure that the Pick-Sloan merger would devastate the option of an MVA. It worked. Roosevelt signed Flood Control Act of 1944 (P.L. 78-534) on December 22, 1944 – a scant four months before he died.²⁰⁷

The deeper currents of Pick-Sloan, however, emanate from a new apogee of bureaucratic consolidation and centralized power in the federal government in the late nineteenth and early twentieth centuries. We might well think of this form of power in terms of the government's ability to imagine "space," and to put broad social visions of the West into practice through aggressive exercise of federal sovereign power over its territorial base. Beginning with the Land Ordinance of 1785, federal policies aimed to map, understand, rationalize, and administer land as territory. During the nineteenth and early twentieth century expansion into the territorial interior, many of these spatial strategies centered around the question of arid lands and irrigation. This spatial work included federal land policies such as the 1862 Homestead Act – which encouraged agricultural settlement on arid western lands unsuited to eastern farming techniques – and the 1877 Desert Land Act, in which the railroad lobby pushed for government subsidized irrigation of arid western lands in order to spur settlement and demand for railway service across the continent. These acts – amongst many others – created a habit of federal monies subsidizing western irrigation. At the turn of the century, conservation advocates

²⁰⁷ Lawson, 19. Ridgeway, 240-2. VanDevelder, 104.

influenced Theodore Roosevelt's presidential policy, leading to the creation of the Bureau of Reclamation in 1902 under ideas that emphasized "the fullest necessary use of resources by the present generation, their development, prevention of their waste, and their utilization for the benefit of the many and not merely for the profit of a few."²⁰⁸

By the time of the New Deal, progressive-era conservation had turned to the bleaker question of soil rehabilitation. In the face of the economic and ecological breakdown represented by the Depression and the Dust Bowl, New Dealers began to equate the ecological health of rural lands and the economic health of U.S. agricultural areas with the ability of the country at large to emerge from the Great Depression. The ecological and economic crises of the time period created fertile ground for Roosevelt to reinterpret and further expand the power of the executive, as well as the expression of federal sovereign power. As New Deal historian Sara Phillips notes, an interventionist federal government began to address rural poverty and the agricultural crisis as one of the economic and social issues that needed to be addressed in order to pull the U.S. out of the Great Depression – a signal of this policy being the 1936 creation of the Great Plains Commission, a direct response to the intense drought years of '34 and '36. The Great Plains Commission was charged with conducting surveys of agricultural and economic conditions in the Great Plains states, and to make a unified set of recommendations on policies to rehabilitate both the soil and economy of those areas.²⁰⁹

The U.S. engagement and victory in World War II also helped shift the policy priorities of the federal government. As the U.S. began to mobilize its war machine before its official entry into WWII, an earlier focus on rural soil conservation shifted to

²⁰⁸ Ridgeway, 20-3.

²⁰⁹ Phillips, *This Land, This Nation* (2007). For more discussion of federal focus on the rural U.S., see Schulman, *From Cotton Belt to Sunbelt* (1994). Ridgeway, 42-60.

an emphasis on production – the hope was that rural areas would help produce raw agricultural products, and in order to accomplish this efficiently, agricultural policies shifted decisively away from small farmers and in favor of large agricultural producers. As a result, much of the rural poor began to be pulled in the direction of factory work in major wartime industry cities while agricultural profitability became a reality only for large producers. Thus, the subsistence or individual farmer agriculture practiced by members of the Three Affiliated Tribes – and that had been glorified and sought after in federal Indian policy for the previous fifty years since the passage of the Dawes Allotment Act – was no longer a viable rural economic system according to late New Deal and WWII era policy makers.²¹⁰

The post-war era was also a moment in which the U.S. was flexing its powers as a colonial and imperial power. Narrated into the past or forgotten altogether was the anxiety that had driven the federal government to survey the Missouri River as an act of territorial claiming over a newly-quieted Northern Plains in the 1890s. Indeed, the U.S. success in World War II marked a moment in which the need to substantively engage with the land rights of indigenous populations seemed irrelevant. The push was for incorporation of indigenous lands (Alaska and Hawaii, for example), and for the aggressive development of all possible natural resources within the economic territory of the U.S. It goes without saying that all of these efforts also represent aggressive assertions of federal sovereign power.

This trajectory was mirrored in policy being developed for U.S. waterways and energy development. But whereas soil conservation, reclamation, and later rehabilitation were seen as foundational activities necessary to *maintain* the economic health of the

²¹⁰ Phillips, (2007).

nation, federal control over the nation's waterways was symbolic of economic modernity and progress. For throughout the early decades of the twentieth century, waterway development was linked to power production through hydroelectric projects, and seen as relatively cheap, clean, and low impact. Federal control of national waterways began with exploration then surveying, but blossomed once hydro projects became not just economically viable, but profitable. The 1918 development of the Wilson Dam at Muscle Shoals – later elaborated upon via the Tennessee Valley Authority – led to the 1920 Federal Water Power Act, which created the Federal Power Commission and coordinated hydroelectric power projects in the U.S.. New Dealers promoted federal investment in hydropower not only as a means of job creation, but in order to provide electricity to rural areas, and both the Hoover Dam and the TVA were sold as projects that had the short-term potential to work against the immediate economic disaster, but also had long-term potential to build a healthier economy.²¹¹

Having practiced the politics and mobilization of hydroelectric development via the Tennessee Valley Authority (TVA) during the New Deal, the federal government continued to aggressively pursue the creation of massive hydroelectric dams throughout rural America – especially within arid or semi-arid rural landscapes. In fact, many of the lessons of TVA were idealized and transported to developing nations in Africa, Latin America and Asia by U.S. development policies – narrated as a move towards

²¹¹ Rivers often have nationalist propaganda projected onto them, such as national myths of modernity. “Modernity, as it turned out did not at all make the river myths redundant. On the contrary, it gave them a whole new appeal. ... The realization that there seemed, after all, to be no ‘great western river’ that would connect the Missouri with the Pacific was one of Jefferson’s bitterest disappointments.” Simon Shama, *Landscape and Memory* (New York: Vintage, 1996), 363-4. Ridgeway, 17-47. Lawson, 10.

‘modernity’ and progress, particularly in creating plans that administered what Michael Lawson terms, “multiple-use authority over entire watersheds.”²¹²

These deep currents of federal policy were then topped off by a devastating rainstorm, reflected in the Missouri River floods of 1943 and the administrative jockeying between the Army Corps of Engineers and the Bureau of Reclamation. The result was a veritable flood of dam-building policy, against which the Three Affiliated Tribes would desperately struggle for nearly a decade. The Bureau of Indian Affairs, fighting its own administrative battle for survival after the disintegration of the New Deal bureaucracy, did not inform the Fort Berthold tribes of their potential land losses until 1947, by which time the Fort Berthold Tribal Council was already knee-deep in negotiations. Because Fort Berthold was the first tribe to deal with an aggressive Corps of Engineers – the administrative unit driving the main-stem dam portion of the Pick-Sloan Plan – it became a test case not only for the Corps in dealing with recalcitrant Indians, but for other tribes affected by the legislation. By the time the waters of the Garrison Reservoir were submerging the gaping foundations of houses moved to the top lands, the communities of Fort Berthold had been legislated out of one-quarter of their total land base and ninety-four percent of their agricultural lands. It did not happen, however, without a fight.²¹³

Throwing Up Levees: The Fight Against the Garrison Dam

Surely for tribal chairman George Gillette, the meeting of pen and paper in the photograph did not come as a shock. Rather, it was the culmination of nearly a decade of

²¹² Lawson, 10.

²¹³ Lawson, 46-59.

struggle aimed at staving off that very moment. Indeed, the men had gathered to witness the symbolism of the event, in which the authority of one sovereign power quenched that of another. But the emotional weight of the moment when the pen began its journey across the paper must have proven nearly unbearable as Gillette remembered the lushly timbered bottomlands, the beauty of the graceful S-shapes created by Awaati, the Missouri River, as it cut into the earth of the Great Plains. He and the other tribal leaders gathered for the photograph had ridden horseback through those bottomlands, herding cattle or visiting relatives or riding to community dances or council meetings, eating cornballs and cracking jokes with other men in Hidatsa, Arikara, or Mandan. Remembering the simple beauty of these things would be painful in the prospect of their inundation. And so as the ink settled across the page, Gillette took off his glasses, covered his eyes with his hand. A camera flashed, freezing in time a moment of pain and grief. Gillette – and all of the men with him that day – had struggled against the Garrison Dam for a long time. And they represented only a small portion of the people who would grapple with the feelings that the camera had captured on Gillette’s face.

Rosemarie: I graduated high school, 16, went to Haskell, 18, I had my first job at Belcourt for two years ... at 21 I decided to go to college, so I was going to the University of New Mexico. So that’s how long it took. All the fighting, the struggling, they trying to save the land, negotiations and the meetings ... my Uncle Ben used to be going to DC and trying to give him some money – they never had money. So I went to college, I was 21 when they had the big powwow at the powwow grounds in Elbowoods, because that was the last time the people were going to gather [pauses]. [voice gets shaky] And I had my friend, I brought her with me, she was one of my non-Indian friends from university, and she was there for that powwow I remember. Anyhow that was the last thing, that big gathering, I remember. From then things started to dismantle.²¹⁴

²¹⁴ Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009.

The Garrison Dam did not happen overnight. The fight against the dam and its construction covered many years – in this case, most of Rosemarie Mandan’s teenage years. For the people of Fort Berthold, it was a grueling, decade-long marathon of activism, fundraising, local political organizing, and navigation of the national political scene.

Tribal leadership changed four times during that period, and every two-year election cycle a new tribal chair was installed; legal representation had to be found, was fired, and a new counsel brought in; eight official and four unauthorized tribal delegations visited and sought time with Senate and House subcommittees; hundreds of community meetings were held to seek feedback and hear complaints. The federal government’s compensation package shifted from lieu land offers to cash settlements, and by the end of the decade the tribal council found themselves in hearings defending timber and mineral rights they had never ceded nor relinquished. Tribal member Robert Lincoln described the process as being “much like the hen and her young fighting off the hawk that is sweeping down to attack.” In many ways, the fight against the Garrison Dam was like fighting a flooding river: at first it seems unreal that the rains or melting snow upstream will produce any change, but as the current gets higher and faster it soon becomes clear that if you want to have anything left, you need to start throwing up levees. The history of community activism and tribal politics in the period immediately preceding the building of the dam is one of a confused scramble to protect the communities of Fort Berthold.²¹⁵

²¹⁵ Quoted from 1946 Garrison Dam hearings in Mandaree Village Voice, “Special Edition: Dealing with the history and culture of the Tribes,” v2 n5 (1994): 5.

Soon after the 1943 floods and the beginning of Pick's aggressive promotion efforts for the Army Corps of Engineer plan, the Tribal Council passed a resolution condemning the creation of a dam that would flood Fort Berthold lands. Signed by then-tribal chairman Carl Sylvester, it read in part,

WHEREAS: a dam below the Fort Berthold reservation is being contemplated for future action by the Congress of the United States in cooperation with the State of North Dakota, which action, if realized, will destroy by permanent flood all the bottom land of the said Reservation, causing untold material and economic damage to the Three Affiliated Tribes; ...

NOW, THEREFORE, BE IT HEREBY RESOLVED: by the Tribal Business Council ... that it oppose the present plan of constructing a dam below the Fort Berthold Reservation or any other plan which will destroy the flood areas of the Missouri Valley.²¹⁶

So concerned was the Tribal Council that in early 1944 it telegraphed then-Commissioner of Indian Affairs William Brophy to request a meeting over the proposed dam site; if he responded, his response is not preserved within the federal archives.

Nor was the tribal council alone in its concern. Community organizations responded too, including the long-adversarial group organized by a dissident core of tribal members from Shell Creek called Fort Berthold Americans, Inc., which presented a written document opposing construction of the dam in June of that year. The concerns were justified. In late December 1944, Roosevelt signed the Federal Flood Control Act of 1944, which authorized the creation of the five main stem dams along the Upper Missouri including the Garrison Dam.²¹⁷

²¹⁶ Resolution Opposing Lower Dam, Three Affiliated Tribes Tribal Council, April 24, 1945; Decimal Correspondence File; 362.1 Misc. Correspondence; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

²¹⁷ “No ‘ISM’ but AMERICANISM,” Fort Berthold Americans, Inc., Elbowoods, ND; Decimal Correspondence File; 362.1 Misc. Correspondence; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).



Image V.2 Martin Cross Photograph, date unknown

Only a month before Roosevelt authorized Pick-Sloan, a new tribal chair was elected at Fort Berthold: Martin Cross, a persistent politician whose family tree included important tribal leaders of the past. Under his leadership, the tribal council passed a “Resolution Further Opposing Garrison Dam,” which mustered arguments that pushed beyond economic reasons, including,

WHEREAS; [construction would] force approximately 200 families to move from their permanent homes ...

WHEREAS; the cemeteries of our forefathers will be destroyed with it all our memories and kind remembrances of the burial places that have been held sacred for all; ...

WHEREAS; and deprive approximately 250 boys from our reservation who are now serving in the armed forces of land rightfully theirs; ...

WHEREAS; we have permanently located on these lands, and our forefathers also have lived on these grounds and it is the hopes and plans of our

children and their children to occupy this land continuously forever; and money or exchange for other land will not compensate us for the land, land marks, and sentimental attachments.²¹⁸

The arguments, posed in the form and language of a sovereign authority, mobilize tribal notions of place and sovereign territoriality – the mention of homes and burial places and “land rightfully theirs” – as well as an evolving indigenous citizenship, as seen in references to military service and aboriginal land title. The components used to argue against the implementation of the Garrison Dam come from, and perhaps comprise, the arsenal of tribal sovereignty. Sometime after the passage of this second resolution and June 1945, Cross and tribal council Secretary Floyd Montclair met with the local BIA official C.H. Beitzel and Colonel Pick to discuss the effects of the project on Fort Berthold. After this meeting the trickle of activity became a deluge.²¹⁹

The tribal council sent a delegation to Washington, DC to testify before the Senate Committee on Indian Affairs, protesting the construction of the Garrison Dam. Tribal council members Martin Cross, Jefferson Smith, Martin Fox, and Earl Bateman took a train to DC, arriving October 4 on a shoestring budget. They were clothed in suits from missionary barrels and partially funded by their neighbors going door-to-door to collect quarters and dimes. They were met at Union Station by the foremost Federal Indian Law scholar of the twentieth century, Felix Cohen. Cohen helped the delegates find a place to stay, and accompanied them to their October 9 hearings before the Indian Affairs Committee (he also submitted a memorandum a week later to the Committee

²¹⁸ Resolution Further Opposing Garrison Dam, Fort Berthold Tribal Business Council, April 24, 1945; Decimal Correspondence File; 362.1 Misc. Correspondence; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

²¹⁹ Letter, E. Reybold, Lieutenant General, Office of the Chief of Engineers, War Department to North Dakota Representative William Lemke, June 13, 1945; Decimal Correspondence File; 362.1 Misc. Correspondence; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

confirming that the Three Affiliated Tribes had the legal ability to request an injunction to prevent unlawful interference with their property). A few days after returning from DC, the tribal council authorized Cross and councilmember Jefferson Smith to engage an attorney to “prosecute the Tribal opposition to the construction of the Garrison Dam, and other details that may be involved.”²²⁰

With the hiring of an attorney – Ralph Hoyt Case – Three Affiliated Tribes saw a small victory late in December 1945 when a rider to an expenditures bill halted spending on Garrison Dam construction until a settlement with the tribe was reached. Like a system of levees that funnel pressure downstream, however, the rider put greater pressure on the tribes to negotiate and, presumably to agree to a settlement. The tribe had also hired a consulting engineer to analyze and submit a report on an alternate site for the dam, and his report was submitted in March of the following year. The first set of compensation negotiations focused on lieu lands – lands offered by the War Department to the Three Tribes in lieu of those flooded by the Garrison Dam. It would be as if

²²⁰ On tribal council delegation to Washington, DC, see VanDevellder, 115-24. Cohen, the legal scholar responsible for creating the modern field of Federal Indian Law via his 1941 *Handbook of Federal Indian Law*, showed how a widely varied and historically diverse range of treaties, statues, and decisions spanning hundreds of years formed a comprehensive set of principles. For more information on the impact of Felix Cohen on Federal Indian Law, see Christian McMillan, *Making Indian Law: The Hualapai Land Case and the Birth of Ethnohistory* (New Haven: Yale University Press, 2009), 125-143. Cohen wrote “without question the single most influential passage ever written by an Indian law scholar,” that “the most basic principle of all Indian law, supported by a host of decisions..., is the principle that those powers which are lawfully vested in an Indian tribe are not, in general, delegated powers granted by express acts of Congress, but rather inherent powers of a limited sovereignty which has never been extinguished. ... What is not expressly limited [by treaty or statute] remains within the domain of tribal sovereignty.” Felix Cohen, Associate Solicitor, Department of the Interior, Memorandum for the Senate Committee on Indian Affairs, October 17, 1945; Decimal Correspondence File; 362.1 Misc. Correspondence; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). Three Affiliated Tribes Tribal Council Resolution: To employ an attorney to represent the Three Affiliated Tribes in their opposition to the construction of a dam at Garrison, North Dakota, October 18, 1945; Decimal Correspondence File; 362.1 Misc. Correspondence; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

Canada annexed Washington state but offered the U.S. lieu lands above Idaho and Montana.²²¹

Community reaction to the lieu lands offer was angry. In the only meeting Pick held with community members at large on Fort Berthold – fairly characterized as a disaster – respected tribal member and longtime community judge Daniel Wolf, a man once described as having had “long years of living among Indians as a member thereof, [that] instilled into his mind an experience of thoughtfulness, and all due consideration of angles that eventually reach a common point,” angrily rejected the idea:

Now you Army Officers, sitting here, requests that our cooperation to the construction of the Garrison Dam. But I will say that I could not agree at this time to give you my cooperation for the reason that this land of ours is the most dearest thing on earth for us. For that reason I cannot help you ... Now I heard the remarks of General Pick here saying that he would do his best to give us the best land in exchange for our lands, but I doubt his word because they have fooled us. They have never live up to their promises. There will be no land in comparison in what we got here.²²²

Wolf’s sentiments were echoed by other community leaders, and their style of presentation so angered Pick that he stormed out of the meeting and thereafter displayed what amounted to a personal grudge against the Fort Berthold communities, advocating that they not be allowed to liquidate the timber and oil resources on the lands to be inundated. At the same time, the local white communities of Killdeer and Stanton protested the taking of their lands for the lieu lands offer. This particular route seemed a likely dead end – especially as the vast majority of the Corps’ Pick-Sloan eminent

²²¹ O’Mahoney rider explained in VanDavelder, 120-3. Study and Report on the Various Plans Heretofore Submitted to the Congress in Regard to the Upper Missouri River Basin, March 15, 1946, by Daniel Walser; Survey and Exploration Permits; Decimal Correspondence 357-361.2; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

²²² Daniel Wolf Statement, May 27, 1946, Elbowoods Community Meeting with Col. Pick, Elbowoods, ND. Quoted from Mandaree Village Voice, “Special Edition: Dealing with the history and culture of the Tribes,” v2 n5 (1994): 5

domain land takings were aimed at taking reservation lands, not the lands of white communities.²²³

Community anger also led to a change in tribal leadership. Martin Cross was voted out in the November 1946 Tribal Council election, and a new tribal chair, George Gillette took his place. Perhaps part of the reason for this change in leadership might be that Cross was seen as cooperating too fully with an arrogant Corps of Engineers and War Department. Soon after the election, the council at large rescinded tribal cooperation with the War and Interior Departments to conduct land survey and appraisal work, a move that Cross bemoaned in a letter to the Chief Engineer in the Office of Indian Affairs. “I do hope I was doing the right thing. Some of my political friends have called me weak-kneed in this move to lend cooperation,” he wrote.²²⁴

Later in the same month Cross was voted out of tribal office, the Secretary of War made a formal lieu land offer to the Three Tribes. The Secretary of the Interior – supposedly an advocate for tribal communities within the federal government – wrote a paternalistic note to accompany the lieu lands offer,

I feel that it is necessary for me to call your attention to the fact that the Garrison Project, as one element of the Missouri River Basin Plan for flood control, irrigation, navigation, and power development, has been approved by the Congress, and that an appropriation for construction work has already been made. In the circumstances, the lieu land offer of the War Department should engage the serious consideration of the Fort Berthold Indians.²²⁵

²²³ See VanDevellder, 123-4 for a description of the Elbowoods meeting.

²²⁴ Letter, Martin Cross to A.L. Wathen, Chief Engineer, Office of Indian Affairs, July 8, 1946; Decimal Correspondence File; 362.1 Misc. Correspondence; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

²²⁵ Girard Davidson, Assistant Secretary of the Interior, to George Gillette, Chairman of the Fort Berthold Tribal Business Committee, November 22, 1946; Decimal Correspondence File; 362.1 Misc. Correspondence; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

This lieu lands offer that the Secretary of the Interior wished the people of Fort Berthold to so seriously consider led to a spate of meetings over the course of one week in December – one in each of the seven major communities on the reservation. In each meeting, Fort Berthold community members, after making their way through snow and biting cold winter air, reacted with strong opposition to accepting the lieu lands offered. Six days after the last and largest community meeting at the Elbowoods Agency Council Hall, exhausted tribal delegates attended a December 16 meeting in Washington, DC to report the tribal response on the lieu lands offer to top administrators from the Interior and War Departments. They duly reported that the communities had spoken: the lieu lands offer had been soundly rejected, and the Tribal Business Council passed a resolution to reflect it.²²⁶

After the Secretary of the Interior also formally rejected the War Department's lieu lands offer in January 1947, Congress moved to another compensation option: cash. On July 31, 1947 they passed P.L. 296, based on consultations with War Department representatives, which offered a \$5,105,265 lump sum payment to the Three Tribes. P.L. 296 was passed only a few weeks after the visit of a *fourth* tribal delegation concerning the Garrison Dam. This delegation had specifically testified against a cash settlement. Mark Mahto, a sixty-year-old Mandan tribal councilmember from Shell Creek, gave fiery testimony:

The quickest and most merciful way to exterminate the three tribes is by mass execution, like they did to the Jews in Germany. We find it strange that the treaty made between you and the aggressor nations of Japan and Germany are more

²²⁶ Meeting in the Secretary's Conference Room December 16, 1946 for the purpose of obtaining the views of the three affiliated tribes of the Fort Berthold Reservation on the lieu lands offered by the Secretary of War; Lieu Land Meetings; Decimal Correspondence File; 362.1 Misc. Correspondence; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

sacred than the treaty you made with the three tribes. Everything will be lost if Garrison is built. We will lose our homes, our communities, our economy, our resources. . . . If you are determined to remove us from our land, you might as well take a gun and put a bullet through us. The principles that we fought for in this last war, right beside you, was for the very homes, lands, and resources that you are trying to take from us today.

Over sixty years later, Mahto's commentary remains not only fiery, but incisive. It also reflects a decisive defense of tribal sovereignty, one in which the treaties signed with tribes should be held to the same standard as treaties signed with Japan and Germany. By the time Mahto reached home, news of the passage of P.L. 296 had already arrived at Elbowoods, and he sat through an emergency council meeting on the legislation, according to one chronicler, "in stunned silence." His testimony – passionate and incisive – had been disregarded. As bad, the compensation offer was deeply inadequate. The five million dollars was supposed to cover not only compensation for lands taken, but the relocation costs of individual families and the entire tribal infrastructure – cemeteries, roads, schools, hospital, and Bureau of Indian Affairs agency buildings. If the cash payment were *only* to compensate for lands taken, it would have amounted to \$1 to \$2.50 per acre at a time when even mediocre grazing land in North Dakota was valued at five to seven times that amount. The tribes were allowed five months to consider this cash offer for their bottomlands. It was a major blow.²²⁷

Resolve was beginning to fray, and preexisting community fractures began to grow more extreme. The first rift, however, was not within the tribe, but with its attorney, Ralph Case. In a September 25 meeting, several community delegates and council members expressed strong displeasure with the Case's effectiveness. Ben Spotted Wolf, from Lucky Mound, was not only frustrated with the paternalism of the federal

²²⁷ VanDevellder, 127-8.

government; he also doubted Case's abilities. "When this question [of cash settlement] came up some time ago we knew we would have a fight. Our Tribal Council was asked to seek help to fight and the Council selected a lawyer, Mr. Case, but for some reason we heard on the 31st of July that he lost and had his back broken. We and he have lost in disgrace." George Parshall of Shell Creek was even more withering, not only towards Case but towards the federal government:

We know we hired a man to oppose the Garrison Dam and during all this time Mr. Case has spoken to us in favor of the Dam. He should not do that. Instead, he should be finding out how to oppose the Dam. He has pointed out the advantages of the Dam. This afternoon he has taken up three hours of our time speaking of the Garrison Dam. He has told us nothing about how to oppose it. Offers made by the Government in the past have not been fulfilled, it would be the same in this case. We can not break the laws of our forefathers. We will hold onto them until we drown and go out of sight.

Although some present at the meeting supported Case's efforts, the overall atmosphere seemed one of anger and betrayal. Martin Fox of Charging Eagle added, "If our attorney Case can't oppose the Garrison Dam he should resign."²²⁸

The meeting was adjourned without resolution, and resumed two days later. The questioning of Case continued, even to the point of tribal members asking where he had been when P.L. 296 was passed. In the middle of this council meeting – unannounced, unwanted, and uninvited – entered General Pick and North Dakota Congressman William

²²⁸ Tribal Business Council Meeting Minutes, September 25, 1947; Tribal Business Council Meeting Minutes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution. Case served as counsel for many Indian tribes during this time period, but the benefits of his idealism and commitment to working for Native communities was by this time period hampered by his severe alcoholism. As Edward Lazarus recounts in his book on the Lakota Black Hills claims case, *U.S. v. Sioux Nation* 448 U.S. 371 (1980), after their counsel Ralph Case died, new counsel filed a motion with the Court of Claims to vacate its November 1956 decision and remand the Black Hills claim to the Indian Court of Claims (ICC) for a full and complete hearing on its merits. New counsel argued for the decision to be vacated based on what they characterized as the gross incompetence of Case and the responsibility of the ICC to ensure that any final claims determinations would be based on all available facts. In 1958, the Court of Claims indeed vacated its 1956 decision, nullifying *res judicata* and returned the Lakota Black Hills claim to the ICC. Edward Lazarus, *Black Hills/White Justice: The Sioux Nation Versus the United States, 1775 to the Present* (Lincoln: University of Nebraska Press, 1999).

Lemke. After Case's introduction, Pick told the assembled leaders he and Lemke happened to be "making a trip through the Reservation" and stopped to see the tribal chair and superintendent. He "hoped the people would reach a satisfactory settlement."

Pick and Lemke may or may not have been on a rescue mission on Case's behalf. Clearly, however, they sensed the fraying tribal cohesion and were willing to exacerbate matters. Lemke spoke paternalistically about "his good Indian friends," and emphasized the need for a settlement that would be "fair to everybody." Pick, already no friend to the people of Fort Berthold, reads as patronizing and arrogant.

Immediately after Pick and Engle left, the slow erosion of a cohesive tribal politics intensified. Martin Cross, who attended the meeting as a tribal member due to having been voted out of office, offered a challenge, saying as he apparently rose from his seat, "I want admission of defeat from Attorney Case, from [Councilmember] Jeff Smith and the Tribal Council. Would you, Mr. Case, publicly admit defeat?" The tribal council meeting minutes then note, "At this point, the Chairman [George Gillette] told Martin Cross he was out of order and requested him to take his seat. Mr. Cross wanted to offer a resolution which was refused by the Chairman." The infighting would only become more chaotic as the actions of the federal government displayed increasing disregard of tribal sovereign power.²²⁹

In October 1947, before a settlement was accepted or rejected by the Three Affiliated Tribes at large, the Army Corps of Engineers began actual construction of the Garrison Dam.

²²⁹ Tribal Business Council Meeting Minutes, September 27, 1947; Tribal Business Council Meeting Minutes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

The cash settlement offer necessitated a renewed commitment to surveying and assessing tribal members' lands. In the remainder of 1947, Bureau of Indian Affairs staff from the newly-created Missouri River Basin Investigations (MRBI) unit visited homesteads, surveyed the land, and interviewed tribal members about their lands, assets, and future plans. The implementation of the Garrison Dam began to seem inevitable. The MRBI's Social and Economic Report on the Future of the Fort Berthold Reservation, North Dakota was completed January 15, 1948, and as the assessors and surveyors did their work, the personal politics of tribal politics became intensely heated. Martin Cross and Floyd Montclair, who had served on tribal council together from 1944 through 1946, unified with several other supporters and began to agitate for tribal members to vote "no" on accepting the clearly inadequate cash settlement compensation package legislated in P.L. 296. At the September 1947 meeting Pick and Lemke had crashed, conflict between Martin Cross and the existing tribal council first surfaced. Now, the tension mounted.²³⁰

The "no group" spearheaded by Cross and Montclair were concentrated, not surprisingly, in the Charging Eagle and Shell Creek districts – districts that were long suspicious of the Bureau of Indian Affairs and, as we saw in Chapter Two, were dissident against organizing under the Indian Reorganization Act in the mid-1930s. Shell Creek in particular was known to be a fractious, dissident community, divided amongst itself, and home to the Xxoshga, or Crow Flies High band of Hidatsa, who had revolted against reservation era confinement by the federal government and fled to Montana (they were later rounded up and brought back to Fort Berthold, but maintained a unique community

²³⁰ Social and Economic Report on the Future of the Fort Berthold Reservation, North Dakota, completed January 15, 1948; Missouri River Basin Investigations Unit; Reconnaissance; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

attitude). As the compensation package had to be approved by a majority of eligible Three Affiliated Tribes voters, the aim of Cross's faction was to prevent a clear majority. The alternative, however, was dangerous: no compensation at all for the lands taken. In May 1948, the tribal referendum on the P.L. 296 compensation package passed with sixty-five percent of eligible voters voting "yes." In truth, in practice, the vote did not represent a choice; it represented the washing away of the last possible barrier against the Pick-Sloan flood.²³¹

And thus does the narrative return us once again to the photograph of tribal chairman George Gillette burying his face in one hand, the other holding his glasses, as Secretary of the Interior Julius Krug signs the contract authorizing the sale of the Fort Berthold Missouri Valley lands. The AP Photo was printed by the Washington Post on May 21, 1948 under the caption "Lo the Poor Indian" The heart of the Fort Berthold Indian Reservation had been sold, unwillingly.

The "no's" continued to agitate in meetings held far from the eyes of the elected tribal council. In November 1948, George Gillette was voted out of office, having been forced to oversee the sale of lands he and everyone he knew held dear. Replacing him was a man a decade younger than either Gillette or Cross: Carl Whitman, Jr. Only thirty-five years old when he was elected chairman, Whitman was described a few years later by a visiting anthropologist as a "swarthy Clark Gable" with a "moustache" and "faint, knowing smile." Whitman was a savvy and able politician, and during his tenure as tribal chair he sought to build strong relationships with other council members as well with the Fort Berthold Superintendent, Ben Reifel, a Lakota tribal member from the Standing

²³¹ Merrill fieldnotes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

Rock Reservation. During Whitman’s tenure, he and the other council members had to balance their political advocacy in DC with the earthy, hands-on engagement necessary in tribal politics – largely because the “no” faction posed a persistent challenge to their political authority.²³²



Image V.3 Carl Whitman Photograph, date unknown

Soon after Whitman’s election and the sale of the Fort Berthold bottomlands via P.L. 296, for example, Cross began to hold unofficial meetings in districts to advocate for a per capita payment of the cash settlement payment. By late August of 1949, Cross

²³² Visit with Carl Whitman, Sunday, June 4, 1950; Robert Merrill Field Notes; Graduate Student Field Notes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

organized an unauthorized delegation to Washington regarding the distribution of settlement monies, competing with the tribal council delegation in DC at the same time. Stating that the existing tribal council was “unwilling to permit settlement of differences at home” and that the matter seemed more urgent as “the Indian Office personnel has been around making appraisals of lands, homes and improvements, but they have never told us or anyone how much we will receive,” he justified his unauthorized advocacy on behalf of two-hundred tribal members who had signed a petition asking for per capita disbursement of the taking lands settlement. His testimony – wandering, confused, and somewhat self-aggrandizing (in his defense of Case he claimed that Case’s client – the current tribal council – had proved “yellow,” and noted, “I often wonder if I and Mr. Case had worked together on this we probably would have had a better showing”) – purported to represent the disenfranchised and the poor of Fort Berthold. As he translated for tribal member Martin Fox from Arikara to English during the testimony, the statements he had cultivated also made racial accusations. Fox’s testimony – orchestrated by Cross – asserted, “They got this group of men and members of the tribal council that are mostly comprised of half-breeds and they took some other half-breeds along [to give testimony in DC] and they are using that money while they are denying the original, the genuine Indian.”²³³

²³³ Hearing Held Before the Subcommittee on Interior and Insular Affairs, United States Senate, April 29, 1949; Legal and Political History of the Three Affiliated Tribes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution. Also present in the Sol Tax papers are numerous assertions from Fort Berthold tribal members (both elected officials and general community members) that Cross was struggling with a serious alcohol addiction and was barely able to support his large family; many gossiped that his white wife was the primary caretaker of their five children, and that she had petitioned to receive Cross’ IIM money directly from the BIA in order to provide for their children. Regardless of the veracity of this gossip, it indicates a highly divided and personalized Fort Berthold political scene. What becomes clear through Cross’ many appearances before Congress during this time period is that he truly believed himself advocating for disenfranchised members of the Three Affiliated Tribes.

As Cross and his “no” crew organized rump delegations, Whitman and the rest of the tribal council struggled to maintain political legitimacy in Washington while disseminating information and reaching out to community members at home. Of particular concern to the standing tribal council was the erasure of mineral, timber, shoreline, and hunting rights in the proposed P.L. 437 – the official act legislating the taking of the Fort Berthold bottomlands. This erasure of Fort Berthold treaty rights over natural resources was perhaps a symptom of the growing conservatism of Indian Affairs in the Cold War era. It was definitely a serious erosion of tribal sovereign territories and power. Congress refused, at the same time, to accept the independent valuation of the taking area. P.L. 296 had appropriated a little over five million dollars, though tribal council testimonies and supporting memoranda to Congress valued the land at over twenty million dollars. P.L. 437 eventually tacked on an additional \$7,500,000 for compensation for the bottomlands taking, bringing the total compensation to \$12,605,625. The situation would remain dire, as in late October 1949, P.L. 437 was passed with no explicit acknowledgement of tribal rights to natural resources.²³⁴

Still, the “no” faction remained fixated on a per capita payment of the cash settlement – regardless of the final amount or natural resource rights included. Their arguments asserted that the current tribal council’s plan for compensation would ignore tribal members who were already landless, or who were not losing land within the taking area. Because the tribal council prioritized loans and relocation assistance to tribal

²³⁴ Hearing Held Before the Subcommittee on Interior and Insular Affairs, United States Senate, April 29, 1949; Legal and Political History of the Three Affiliated Tribes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution. Resolution of Tribal Business council Concerning Garrison Dam Settlement, March 15, 1950; Legal and Political History of the Three Affiliated Tribes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

members who held lands within the taking area, tribal members who had already been economically disenfranchised through the loss or sale of their allotted lands worried about how they would see compensation for the loss of communal tribal lands. Cross and Montclair continued to organize rump delegations, demanding that any cash settlements for the taking area be disbursed per capita. The unfortunate result of one such delegation early in 1950 led to a real fear by the existing tribal government that any per capita disbursement of the cash settlement would be used as a rationalization for tribal termination or the transfer of service provision – welfare, health care, etc. – to the state of North Dakota.²³⁵

It would be three more years before Congress officially passed H.C.R. 108 – also known as the Termination Act, which enabled the termination of the federal-tribal relationship for certain tribes and thus the tribal status of thousands of Native people belonging to those tribes – but their response to Cross and Montclair’s rump delegation demands for per capita disbursement presaged the upcoming turn in Federal Indian policy. Whitman’s reports from DC to the tribal council and the tribal community at large following this latest unauthorized delegation became more frantic, as the responses from congressmen to Montclair’s testimony emphasized their own, “pre-termination” version of the implications of a per capita payment. Whitman in the Tribal Council meeting minutes describes the congressmen asking Montclair “if he meant dividing the tribal assets – he said yes. Mean [you] want to get \$3000 apiece. He said yes. Indians are competent? Yes. If that’s the case, no need for the Indian Service. Let’s turn them loose – no need to reestablish the agency.” Whitman further explained that as the bulk of federal

²³⁵ Hearings before Indian Affairs Committee, January 17, 1950; Legal and Political History of the Three Affiliated Tribes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

monies came from eastern taxpayers, the eastern congressmen could be resentful of large blocks of money going west.²³⁶

The conservative climate in DC and the political missteps of the rump delegations forced the existing tribal council to work fast and work hard to achieve tribal ratification of P.L. 437, the official act to take the tribes' Missouri valley lands – despite their misgivings regarding its terms on rights to natural resources. After a general tribal vote ratified P.L. 437 in early March 1950 – 525 tribal members voting yes, or 55% of eligible voters in favor of ratification – the Tribal Council passed a reluctant ratification resolution that asserted their rights to natural resources even after P.L. 437 was signed.²³⁷

The tribal communities were doubtful and confused over the course of events, and as the “no” faction continued to circulate a petition demanding per capita distribution of compensation monies, Whitman and the tribal council began to conduct lengthy community meetings in each district, explaining their resolutions and their long-term strategy to seek tribal rights over natural resources that were lost in P.L. 437. By June 18, 1950, the standing tribal council had conducted over fifty-five district meetings, and field notes from the meetings illustrate the intense commitment necessary to explain the tribal council's stance, the political process in which they were engaged, and the possible pitfalls of per capita distribution. The meetings lasted for hours, and community members who attended expressed a wide range of grievances, fears, and anxieties regarding their relocation due to the Garrison Dam. Council members were called upon not only to

²³⁶ Nishu District Community Meeting, June 18, 1950; Robert Merrill Field Notes; Graduate Student Field Notes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

²³⁷ Resolution of Tribal Business council Concerning Garrison Dam Settlement, March 15, 1950; Legal and Political History of the Three Affiliated Tribes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

explain their own political decisions, but their engagement with federal and state politics – as well as to empathize and give advice to personal concerns. A broad cross-section of the tribal community attended – women, men, elders, young adults, English-speakers, and those who needed translations of anything in English – and the proceedings illuminate tribal communities desperately trying to follow an incredibly complicated and disempowering political process while simultaneously preparing to relocate and continuing to care for their families. Complex negotiations with government representatives often had to be translated from English to Mandan, Hidatsa, or Arikara to elders who were not able to follow the discussions in English. Both the community members who attended and their tribal council representatives spent long hours in discussion and dialogue, and the field notes for one meeting observed, a “kerosene lamp is brought in and lighted.”²³⁸

The political wrangling on the per capita disbursement became explicitly framed via blood quantum – the narrative being that the standing tribal council was filled with “half-breeds” who only promoted the interests of other “half-breeds” while the “full-bloods” were disempowered in the tribal political system. Those in favor of per capita disbursements argued it was necessary for the poorer tribal members, and as one community member stated, “The people who signed the petition had no flour, no nothing – so these are the ones that signed – the very poor.” Meanwhile, the tribal council and their supporters variously portrayed the “no group” as thoughtless, irrational, or selfishly

²³⁸ Beaver Creek District Community Meeting, June 16, 1950; Robert Merrill Field Notes; Graduate Student Field Notes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution. Nishu District Community Meeting, June 18, 1950; Robert Merrill Field Notes; Graduate Student Field Notes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

focused on getting a payment for themselves in the ‘here and now’ rather than thinking about what was best for the tribe as a whole and into the future. In fact, many saw a way to fight the per capita issue by suggesting that the disbursement should happen, but only if those wanting to receive it terminated their tribal membership. Cross maintained his per capita stance, and kept promoting it in Washington – and continued to justify it using the rhetoric of race, blood quantum, and political disempowerment. His rhetoric proved persuasive to a majority of tribal voters; in November 1950 he was re-elected as tribal chairman.²³⁹

During this time period, tribal leadership did seek aid outside of the lackluster BIA and Department of Interior. For example, Carl Whitman sought help from the University of North Dakota after he became chairman. Decades later, he remembered,

I became chairman at the time the Garrison Dam was under construction and the water was backing up. As I’ve said before, I had two mandates. One was to bring about a better settlement than the one the Engineers were offering, and the other mandate was to bring about a mass relocation of 95% of our people in the most orderly fashion and the shortest time possible. [For] the latter I futilely went to UND for, brain, backup support; and nobody showed up there, none of the department heads showed up for a meeting, except for Dr. James Howard, an archaeologist.

The local Congregationalist minister sought the assistance of Reverend Galen Weaver, a national activist in the Congregational Church. Through Weaver, noted anthropologist Sol Tax and several of his graduate students initiated his Fort Berthold Action

²³⁹ Nishu District Community Meeting, June 18, 1950; Robert Merrill Field Notes; Graduate Student Field Notes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution. Quote re: those who signed the per capita petition from Davis Paint, 13 of Nishu Meeting. 1950 July, Chester Smith, Philip Atkins letters witnessed by Cross promoting per capita payments & calling loan system into question based on blood quantum. August 7, Hearings before the Committee on Public Lands, HR8411, Martin Cross testifies for early enactment of per capita payments. November 1950, Martin Cross re-elected as tribal chair.

Anthropology Project, a group that produced much of the writing about the difficulties associated with the relocation due to the Garrison Dam.²⁴⁰

And finally, the National Congress of American Indians (NCAI) wrote guarded letters to senators in support of the Fort Berthold communities, to advocate for the adoption of amendments that would “lessen the impact of this catastrophe upon the Indians.” The NCAI has never, perhaps, been an organization of firebrands; the language they employed in their letter confirms this reputation. “The defects [in P.L. 437, which appropriated \$12.5 million for the taking of the bottomlands] are of three kinds,” NCAI Acting Secretary Ruth Bronson (Cherokee) wrote, after opening the letter assuring Senator Joseph O’Mahoney that they did “not ask for any increase in this amount.” She continued,

The first [defects] are those which injure the Indians or deprive them of something valuable without corresponding benefit to the Government. I am certain the Committee did not want to injure the Indians gratuitously. The second kind are technical defects that might permit some individual landowners to enjoin the flooding of the reservoir. For the government’s own protection these constitutional loophole should be plugged up before the Act is accepted. The third group of defects are mere logical inconsistencies, some of which may interfere seriously with efficient administration.

It is lucky for the BIA and Congress that the NCAI acted so assiduously to assist them.

To be fair, the remaining content of the letter addressed some of the most hateful provisions of P.L. 437, such as the transfer of mineral rights in the taken areas to the government, or the prohibition of the use the compensation money to hire attorneys to represent the tribe. Further, its language reflects the careful lobbying of an organization that desperately needed to create and preserve positive relationships with elected officials

²⁴⁰ Carl Whitman, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, location unknown, date unknown, 1990.

– language that also reflects the conservative turn in Indian Affairs at the time.

Regardless, even this extremely respectful letter produced few positive results.²⁴¹

As the dam was completed and the waters began to rise, October 1, 1951 was set as the final date to move from the Missouri River valley. A huge celebration was held in Elbowoods to say ‘Goodbye to the Valley.’ Rosemarie Mandan, whose interview began this section, recalled that big powwow, the last time the people were going to gather. In our interview, her voice shook briefly and forced her to pause. “That was the last thing, that big gathering,” she recalled. “From then things started to dismantle.” The quaver in Rosemary Mandan’s voice and George Gillette’s tears were borne of the same emotional root, an attachment to land formed over countless generations, fused to individual and collective identities with a power that could cause a heart to rend.²⁴²

Deluge: Narrating Resistance

You white people have been here three-hundred years and yet have no sentimental attachment to any section of our country. ... With the Indian, it is different. He is protected by a treaty more sacred than any law congress can promulgate. I love to visit the graves of my departed relatives and friends at least once a year. I love to visit the spot where my father fasted to obtain the favor of the Great Spirit. This I can’t do when all the sacred spots are flooded. If there be any people in these United States who are entitled to sing, ‘My country ‘tis of thee, sweet land of liberty,’ it is the American Indian people. Yet, when I sing “America,” I feel like crying, because I don’t see any liberty or justice.²⁴³

– Mark Mahto, Fort Berthold Bulletin, “The Indian Viewpoint,” 8/9/46

²⁴¹ Letter, NCAI Acting Secretary Ruth Bronson to Senator Joseph O’Mahoney, 12/17/49. Fort Berthold Action Anthropology Project, Box 4; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

²⁴² Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009.

²⁴³ Mark Mahto, Fort Berthold Bulletin, “The Indian Viewpoint,” 8/9/46; Fort Berthold Bulletin; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

The at times vicious scramble to throw up political levees against the Garrison Dam was an attempt to stem what seemed like an inevitable flood. Community members at Fort Berthold – both tribal leaders and non-politicians – experienced it as a deluge, a cascade of water coming from the sky and covering the land. Consider the physicality of the interplay of water and land; a deluge cannot happen without water, certainly, but it also cannot happen without something being flooded – *land*, covered like a biblical flood, landmarks disappearing above a dammed watershed. A deluge references not just a flood, but also makes us curious about what was covered. And in this instance, it also evokes changes in the meanings of sovereignty, and what constitutes “public good” – especially as that concept has been used in political storytelling by Marx or historians of the end of the French monarchy, when they remind us of the quotation from Louis XV, “Après moi, le déluge” to evoke a revolutionary change in the nature of sovereign legitimacy and authority.

As the quote beginning this section illustrates, the narratives of resistance used by community members often touched on all of these ideas evoked by the word “deluge” – flooding, the interplay between water and land, the human attachments to the land being taken by the Garrison Dam, their status as citizens, as well as the responsibility of the federal government to recognize not only their citizenship rights but their treaty rights. This emphasis on the past agreements – treaties – between the federal government and the communities of Fort Berthold reflects the continuation of a trajectory in which tribal members clothed their specific cultural and community history in the rhetoric of patriotism and nationalism to conceptualize and claim rights belonging to their own version of American citizenship. This indigenous citizenship, founded on their tribal

subjectivity *and* identity, was embedded in the landscape that the Army Corps of Engineers planned to flood. Further, the indigenous citizenship they conceptualized demanded that the United States government recognize not only their equal standing with other U.S. citizens, but to hold true to its past treaty agreements with the Three Tribes.

Testimonies about the importance of land – land as place, as part of history, and as tribal resource – are central in every protest against the Garrison Dam. The descriptions of attachments to the Fort Berthold landscape reference deep emotion, as in the testimony from Mandan/Hidatsa tribal elder James Driver that began the first (and only) at-large meeting General Pick held with indigenous community members from the reservations his dams would flood:

I hear that you have come here to ask us to give up our lands. I am an old-time Indian. I have little knowledge of the English language. You will understand me when I tell you that there are some things that are dear to me, above all others. For instance, the land I am standing on is dear to me. From time immemorial, we have resided on this land. The land beneath our feet is the dearest thing in the world to us, and I am here to tell you that we are going to stay here. We refuse to be flooded.²⁴⁴

According to accounts of that meeting, Pick did not even look at the community members speaking to him. Community testimony asserting the impossibility of providing alternate lands or monetary compensation for those to be taken by the Garrison Dam probably led to his further frustration, such as when Daniel Wolf explained,

I doubt his word because they have fooled us. They have never live up to their promises. There will be no land in comparison in what we got here. Now if we are located by force somewhere else, this land to be inundated, the Indian people will pass away with loneliness and sadness. I am opposed to flooding this reservation. You will have to kill me to take me from my land.²⁴⁵

²⁴⁴ VanDevelder, 124.

²⁴⁵ VanDevelder, 124. Quoted from 1946 Garrison Dam hearings in Mandaree Village Voice, “Special Edition: Dealing with the history and culture of the Tribes,” v2 n5 (1994): 5.

Pick's response, as we know, was (after a few more equally defiant speakers) to storm from the meeting before it was over. A few months later, a local newspaper recounted Wolf's testimony, with a sad coda:

At the May meeting many Indian leaders voiced their opposition to the dam. Among them was Indian Judge Daniel Wolf, chief of the Water Buster Clan. Aged, wrinkled, and crippled, Judge Wolf waved the Fort Laramie Peace Pipe under Pick's nose and shouted, "You'll have to kill me to take me from this land." Pick and his men were unmoved by the Indian's words. Judge Wolf is now dead. He died in his home last July and is buried in the Catholic cemetery at Elbowoods.²⁴⁶

As the fight against the Garrison Dam intensified, community members began to mention the timber, coal, and grazing resources that would be inundated by the reservoir created by the Garrison Dam, such as an objection to the lieu lands offered by the War Department at a Nishu community meeting stated, "Reservation has been developed through the past CCC program to where it is an ideal livestock set-up with its timber for shelter, lignite beds and timber for fuel, reservoirs, rivers, streams and developed streams for stock water, etc., all of which are not duplicated in the lieu land offer."²⁴⁷ In a meeting in the Charging Eagle community, Mandan tribal member Edna Atkins reflected on the importance of soil and land to communities that had been farming in the Missouri River valley for hundreds of years: "The soil cannot be compared with any other area. We raise practically every known variety of corn, beans and other produce that can be raised in any garden. The lieu land can not be compared to Reservation when it comes to producing gardens. For this reason I don't want our lands flooded by the Dam."²⁴⁸ Atkins' reference

²⁴⁶ Minot Daily News, September 1946, "Three Affiliated Tribes Seek to Block Construction of Dam."

²⁴⁷ 12/8/46 Nishu District Lieu Lands Meeting Minutes; 361.2 Lieu Lands; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

²⁴⁸ 12/11/46 Charging Eagle District Lieu Lands Meeting Minutes; 361.2 Lieu Lands; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

to the importance of good soil in producing food is also a reference to the agricultural achievements of the Three Tribes such as the development of many varieties of corn and beans, and shows how literal soil can quickly become linked to tribal identity and pride.

Even in more personal, intimate settings, tribal members' narratives connected their tribal history to agricultural practice to specific *places* – sites imbued with history and culture, sites that could be used as an index for the shared history of the three tribes. Anthropology graduate student Robert Merrill interviewed tribal judge Peter Beauchamp (Arikara) in 1950, and Beauchamp made a point of taking him to the Old Scout Cemetery – the place where the Arikara scouts who had served under Custer were buried. As Beauchamp showed Merrill the cemetery, he told Merrill stories not only about tribal history and culture, but also wondered aloud what it would be like when a place so rich with both was covered by water. Merrill's field notes describe the conversation:

Asks where'll there be a place where we can come all together and see these things [graves and monuments]. We don't know. Nothing is definite. ...

And then, pointing to various places says: [describes sundance ceremony site].

He describes and points out Fishhook Village: they lived all together – close – along the bluff (very low bluff) – and there was a trading place and a slaughter place for beefs and warehouses at the edge where boats came. And down where those trees are (down on flats below the bottom land now farmed) is where they had their gardens. And in that little place they grew so much corns, beans, and squash that it would tide them over the winter; they did it right – they worshipped when breaking the ground, and at seeding, and for rain and to all the things of nature. And they had crops enough on that little land to feed all the people.²⁴⁹

Tribal members repeatedly referenced how more would be covered by the lake than what can be counted, measured and replaced. Their testimonies continually described how the rising waters of the Garrison reservoir would immerse places, old

²⁴⁹ Peter Beauchamp, Box 2 Folder 14; Robert Merrill Field Notes; Graduate Student Field Notes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

battle sites, garden boundaries, cemeteries both marked and unmarked. James Driver of Shell Creek asserted in one community meeting, “The Army’s job is to fight wars, not build dams to flood out people like us. This land is our home, our people are buried in the hills of our lands. We are opposed to leaving our homes.”²⁵⁰ The importance of the graves of ancestors was a recurring trope in protest testimonies, oftentimes linked to the human lifecycle, old age and death tied to the experience of raising children and need to plan for future generations, as in the following unattributed statement at a Nishu community meeting to debate the War Department’s lieu lands offer:

I object to leaving my land and home where my children have walked and played. I can almost see their cute footprints as they left them in the growing into adulthood. Where can the Army find a place as good as our lands. If there are such lands, the whites would not give them up. Our cemeteries will be molested – here where we have placed flowers on the graves of those who have gone on ahead of us.²⁵¹

Perhaps it is unsurprising that the land as resource and land as home would be associated and narrated with raising children, family life, and the human lifecycle – and thus also linking land to ancestors, family members, and their gravesites. What are graves and cemeteries other than places human communities set aside to remember – to remember who used to live, but also their actions? The human body interred in the earth transforms that site, that land, and that soil into a powerful *place* – a place through which personal, familial, and community histories can be remembered and retold.

Thus, one important characteristic of community narratives protesting the Garrison Dam is how unfathomable tribal members found the concept that they would

²⁵⁰ 12/9/46 Shell Creek District Lieu Lands Meeting Minutes; 361.2 Lieu Lands; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

²⁵¹ 12/8/46 Nishu District Lieu Lands Meeting Minutes; 361.2 Lieu Lands; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

not only be losing the physical soil, but landmarks and places through which they were reminded and could retell crucial aspects of their cultural and community history. This shared history, embedded – and, in the case of cemeteries, literally interred in the landscape – served as a crucial foundation for their tribal and community identities, the way they defined themselves as human beings.

Such identities – like all identities – were complicated. As occurred during the New Deal and World War II years, tribal members fit U.S. rhetorics of nationalism and citizenship over their tribal and community identities as Mandan, Hidatsa, and Arikara. The result was a particular brand of indigenous citizenship, one that not only recognized their standing as American citizens but as tribal members whose collectivity had a unique relationship with the federal government. This indigenous citizenship was used to claim rights, and though it had many and enduring roots, it was shaped in important ways during this time period when inundation by the Garrison Dam loomed large over the tribal community.

As we have seen, claims to the rights of American citizenship often rested on the service of Fort Berthold men during wartime. Protest narratives drew upon a radically indigenous patriotism developed during WWII around male service in the armed forces and used it to highlight the injustice of the Garrison Dam. One of the first arguments against accepting the War Department's lieu land offer at a Nishu community meeting was recorded as: "The War department is the very agency that took our boys in the war to help others fight for their homes and the boys now return to Fort Berthold Agency to see 350 of their homes to be taken by the Army Engineers for the Garrison Dam."²⁵² As with

²⁵² 12/8/46 Nishu District Lieu Lands Meeting Minutes; 361.2 Lieu Lands; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration

many other racial and ethnic groups – such as African Americans and Asian Americans – male military service during wartime was mobilized in demands for full citizenship rights. In this case, the culturally-specific developments of indigenous patriotism during WWII around military service made this narrative particularly frequent and ubiquitous, whether in community meetings, negotiations with federal officials, editorials, or congressional testimonies. Mandan tribal member Edna Atkins asserted such a radically indigenous patriotism, linked to military service and ties to the Fort Berthold landscape, when she stated in one community meeting,

It seems that Army Engineers have not upheld the things our boys in the war fought for and we felt our boys would come home to something that was theirs but it looks like their services to our country were useless. I object to anyone coming and appraising our land we are the ones to do this. We are not naturalized Americans, we are real Americans. The man pushing this should go to another country where force is recognized.

These citizenship claims via military service were not, however, wholesale appropriations of American patriotism. For example, earlier in Edna Atkins' statement she asserted, “[if the government] were planning to take our lands they should have come to us first. We were the first owners of the land.” Her reference to “first owners of the land” narrates a specific recognition of indigenous status – but one she does not see as at all contradictory to her rights as a U.S. citizen.²⁵³

Further, no community members felt comfortable with the erasure of their tribally-specific relationship with the federal government. The use of the term “citizen

– Central Plains Region (Kansas City). This sentiment was echoed at many of the community meetings, such as at Lucky Mound: “It will be taking away from our young men the very thing that they fought for in the war just ended.” 12/11/46 Lucky Mound District Lieu Lands Meeting Minutes; 361.2 Lieu Lands; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

²⁵³ 12/11/46 Charging Eagle District Lieu Lands Meeting Minutes; 361.2 Lieu Lands; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

Indian” in the late Reservation Era was used to refer to tribal members who were deemed “competent” to manage their own affairs – resulting in fee-simple ownership of their allotment, control over their own finances, and U.S. citizenship. The status, as well as the fee-simple title to their land allotment, often resulted in the loss of their land, as they were typically unable to get loans necessary to buy farming or ranching equipment, and without that option to build income they were unable to make their property tax payments. Although many community members wished for U.S. citizenship rights, they feared the loss of the economic protections due via tribal status. At a Nishu community meeting, a woman identified only as Mrs. Jackson Ripley humorously stated, “I was so mad when I heard I’d become a citizen. It was up to the Agency – they gave me a purse – I was a white lady – but its [the purse] been empty ever since. Do you want to be like me? It attacks everything: pigs, chicken, clothes, furniture ... Per capita payment invites becoming a taxpayer....” The purse to which Mrs. Jackson Ripley referred was an actual one, a remnant of the bureaucracy of Indian affairs of another era. When the “last arrow” pageants of assimilation were conducted on reservations throughout the 1910s and 20s, Indian men who were being distributed fee-simple titles to their land due to allotment would shoot their ‘last arrow’ before crowds of fellow tribal members who did not yet hold fee-simple title to their lands. Tribal members receiving their fee-simple for allotment lands would dress in traditional regalia, shoot their ‘last arrow,’ then enter a tipi and change into ‘civilized’ – Euro-American – clothing. The local Indian agent would place the person before a plow and tell him to take the handle, stating, “this act means that you have chosen to live the life of the white man – and the white man lives by work.” Women, however, neither shot an arrow nor were placed before a plow – they were given

a purse. To the BIA, Mrs. Jackson Ripley's purse signified U.S. citizenship, assimilation, and land ownership. To her, however, it signified an empty status as taxpaying U.S. citizen, stripped of indigenous treaty rights – a poor imitation of the indigenous citizenship evolving within tribal communities.²⁵⁴

Later in the same meeting, Mrs. Byron Wilde commented,

Now Senator Malone – he agitates to set the Indians free. But we are free. He means to make us taxpayers. A letter came the other day saying that. What are they after? They're counting our lands. They aren't satisfied with what they've cut off. They still want to get what little we've got. That land is more of an asset for you or me than anything you possess.²⁵⁵

Thus, the protest narratives not only contained many assertions of indigenous patriotism and claims to the rights of U.S. citizens; their expressions and fears in community meetings and embedded in public testimonies to the federal government also illustrate a recognition and assertion of the value of their *different* relationship and status in the eyes of the federal government. The value of this tribal-federal relationship lay in its recognition of their aboriginal land rights – the freedom from state and federal property tax on tribal land is, of course, a legal recognition of the fundamental territorial difference between fee-simple land ownership and what has come to be deemed “Indian land” in Federal Indian Law.

This trope of the value of uniqueness and specificity did not only refer to the ins and outs of tribal land status. It can also be seen in equally persistent reminders within

²⁵⁴ These ‘last arrow’ ceremonies, begun in 1916, show the powerful convergence of the definition of the Indian body as it is tied to notions of work, progress, and ‘industry.’ Hoxie, *A Final Promise*, 180.

²⁵⁵ Both Mrs. Jackson Ripley and Mrs. Byron Wilde statements can be found in the field notes: Nishu Meeting, 6/18/50; Robert Merrill Field Notes; Graduate Student Field Notes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

protest narratives of culturally-specific opposition to the Garrison Dam. An unattributed statement at a Lucky Mound community meeting was recorded as:

The Mandans of the Three Affiliated Tribes have as part of their heritage an obligation since time immemorial that pledges them to migrate upstream as a manifestation of progress. This obligation is seriously respected by the Mandans in their present day ceremonial life. A shrine in its commemoration is located on the reservation. To ‘move back’ to the lieu area is a violation of this sacred trust.²⁵⁶

Those who were seen as abandoning this cultural specificity could at times be subjected to subtle criticism, as when Merrill’s field notes at a Congregationalist Church Committee Meeting recorded community members’ gentle teasing directed to those who changed their last names from those that sounded indigenous – such as Little Owl, Sitting Crow, etc. – to “white” last names.²⁵⁷

It was not only the federal-tribal relationship – or tribal culture – that reinforced the Fort Berthold-specific assertions of community identity and indigenous citizenship. Discrimination, and in particular a long history of white-on-Indian racism, resulted in a clear identity boundary line between white and Indian, American citizen and Native American citizen. These boundary lines were structurally reinforced when the War Department took Fort Berthold lands via eminent domain – a privilege of a sovereign power in the name of the supposed “public good” – for the Garrison Dam, and were re-narrated by tribal members as they tried to make sense of the taking and the changes in their own life as a result. The vice-chairman of the tribal council in 1950, Joe Packineau, encountered graduate student Robert Merrill and his advisor, renowned University of

²⁵⁶ 12/11/46 Lucky Mound District Lieu Lands Meeting Minutes; 361.2 Lieu Lands; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

²⁵⁷ Congregationalist Church Committee Meeting, June 11, 1950; Robert Merrill Field Notes; Graduate Student Field Notes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

Chicago anthropologist Sol Tax, at a baseball game in the Elbowoods community in early June 1950. Merrill's field notes record,

Then [Packineau] waves his hand over valley and says isn't it lovely – we agree – and he says what a shame it is to flood it – we agree – then describes how Indians are a settled people while Whites if they can get more money, will move like that – snaps fingers. What a tragedy to force Indians out when they're settled in such a nice place.

Then says Indians are discriminated against – Sol demures – then Joe describes how he's been in Wash. many times and how “you feel it inside that you're not given a good deal” – look at all the dams on the Missouri flooding Indian land – and all the things cut out of the bill – and not enough to compensate for the moving ...

Packineau's snap of the fingers is its own conversational boundary line, narrating the difference between Euro-American ties to land and Native ties. But Packineau explains this boundary between white and Native not only in their relationship with their physical landscape – he bears witness to its structural reenactment, as he experienced it as a tribal leader in Washington, DC, forced to plead the case of his community and his lands before white senators, congressmen, and federal administrators.²⁵⁸

Fort Berthold tribal members and their claims were treated differently by white society; their identity was partially formed through this process. But their community identity *and* their subjectivity – the internally-driven process through which tribal members expressed the intersection of many different external forces that tried to shape

²⁵⁸ Ballgame, Elbowoods, 6/4/50; Robert Merrill Field Notes; Graduate Student Field Notes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution. Robert Merrill wrote a letter to his wife in which he described his afternoon with tribal judge Peter Beauchamp, and relayed his shock over encountering the long history of white racism towards Fort Berthold tribal members (Beauchamp had told him about treaty violations, children being sent away to boarding schools, racial violence, etc). Merrill wrote, “And I got such a tremendous outpouring of the most intense distrust, suspicion, and complete lack of understanding of Whites in his recital of everything that has happened to the Arikara (that's his tribe) from the time of Custer on – and the incidents – they practically beak my heart – the things that were done were incredible enough – but the Indians had not the slightest understanding of what was happening to them or why – it was a series of incomprehensible injustices.” Robert Merrill to wife, June 4, 1950; Robert Merrill Field Notes; Graduate Student Field Notes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

and label them – also allowed them to counter the structural discrimination with their version of U.S. citizenship. Using nationalist and patriotic rhetorics of Americanism, “real” Americanism, military service, etc. to clothe their claims of indigenous citizenship rights, their narratives of protest against the Garrison Dam mobilized all possible identities in order to try to save their land. Their identity as U.S. citizens, as members of a tribe with a specific relationship with the federal government, and as Mandan, Hidatsa, and Arikara whose lands continually re-narrated to them a unique cultural and community history – all of these statuses could then be used to battle their inundation, mobilized as an organic but cohesive set of rights claims as indigenous citizens.

A final, integral ingredient to this indigenous citizenship, however, can be seen in the persistent demand that the U.S. government respect past treaty agreements. “Sovereignty” was not a term much used during this time period in regard to general discussions of Native people in the United States. Tribal sovereignty discourse truly began and picked up steam during the 1970s and 1980s. But this project argues that the Native American sovereignty discourse that was harvested to fuel gaming initiatives in the 1980s has seeds planted earlier, and not only by John Marshall’s Cherokee Trilogy of the 1830s or Felix Cohen’s *Handbook of Federal Indian Law*. Yes, Marshall and Cohen made much of sovereignty, but it was also made by specific tribal communities such as Fort Berthold. During the twentieth century, these communities – from across the country – fought for treaty rights over land and resources, the components that comprise tribal territories. During this time period, rights claims may not have been made in terms of sovereignty per se, but *were* couched in demands that the U.S. fulfill its treaty rights. The two rhetorics, and two arguments are, of course, tightly connected.

A former tribal councilmember, Carl Sylvester, wrote an essay titled, “The Voice of Flood-Threatened Indians” in which all these concepts circulated – the importance of and emotive ties to the landscape at Fort Berthold; the richness of tribal subjectivity and the way in which the landscape and its landmarks continually reinforced it; and a set of claims of rights as citizens that did not erase indigenous identity, but used indigenous land title to bolster those claims and assert a moral (rather than purely legal) imperative to recognizing them. “We base our objection [to the Garrison Dam],” he wrote,

mainly on several fundamental reasons. One is that the threatened portion is our best part in the reservation, comprising the bottom and bench lands in the proposed flood area. ... The landscape will be radically changed.

Another reason is that many spots are cemeteries for our dead, beside those that are marked off in recent years. It is impossible to dig all these up for replacement elsewhere. Then again, our soil is sacred to us, in that our ancestors fought tooth and nail for it, in order that we, their progenitors, might dwell therein, and in turn protect and perpetuate same for our future offspring.

... More than a hundred years ago, the Supreme Court of the United States rendered an opinion that the Indian was not here by the grace and permission of the white man and his Constitution, but the Indian was here first, and that fact precluded making laws pursuant to the Constitution, without the Indians’ consent.

... We, as aborigines and autochthons, hold that the soil in our possession is our to have and to hold, and that any power to take it away without our consent is immoral and a gross injustice.²⁵⁹

²⁵⁹ “The Voice of Flood-Threatened Indians,” by Carl Sylvester, Unknown publication date, 361.2 Misc. Correspondence; Decimal Correspondence 362.1; Fort Berthold Indian Agency; Records of the Bureau of Indian Affairs; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). A pamphlet of unknown authorship also frames its intervention explicitly in terms of treaty rights. Written by the “Fort Berthold Indian Defense Association,” it is titled “Indian Tribes Fight Eviction.” The text of the first page reads, “Seeking a re-study and investigation and due consideration of treaty rights for the Three Affiliated Tribes on the fort Berthold Indian Reservation; Opposing the Garrison Dam project and urging possible relocation of the dam site where the interest of said tribes will not be so drastically involved; ‘Indians are Wards of the Government and are therefore entitled to the highest degree of consideration. There are not only legal and binding obligations from which the Government may not honorably escape but there are also Moral obligations, which are of commanding force.’ – Senator W.H. King; URGENT-READ-ACT; ... it’s not too late to act ...” Contains a collection of documents, summary of the issues, tribal viewpoints. 8/46 Pamphlet: “Indian Tribes Fight Eviction,” Fort Berthold Indian Defense Association, Elbowoods, ND; 361.2 Garrison Dam Maps, Editorials, Pamphlets; Box 92 Dec Correspondence 357-361.2; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

The demand for recognition of treaty rights could be belligerent, especially when the speaker or author provided a historical analysis how those treaty rights had been honored.

At the same community that Pick stormed out of – his first and last hearing with any tribal community – tribal elder James Driver provided the following scathing analysis:

As members of the white race, you have come from across the pond as newcomers to this land. In the years that have come and gone, the time when our chief Four Bears was alive, he made treaties with your government that this land would be our forever. Forever! What confuses the Indian is how he and the white man can have such a different interpretation of that word. We are here today to remind you that we were on this land long before the first white man came, and we are going to remain here forever. I have seen a good many white people with bald heads, and when a person is in that shape, he is usually the most gifted liar in the country. His promises are taken with a smile, but they are not worth the paper they are written on.²⁶⁰

Testimonies by tribal leaders before Congress invariably recounted the past treaty history the Three Affiliated Tribes had with the federal government, beginning with the 1851 Fort Laramie Treaty and exhaustively cataloguing subsequent land cessions. Testimonies from tribal members in community meetings, though less meticulous, continued to assert tribal treaty rights and indigenous land title in a narrative attempt to undermine the enactment of the Garrison Dam. Some, like Martin Fox of Charging Eagle, asked, “What manner of Govern’t is this that we live under that our treaty rights are not respected?”

Edna Atkins of Nishu went further:

Why doesn’t the government keep a record of what it took from us as well as keeping a record of all the cost of things it has done for us. The government had not kept its obligation but the Indians have kept theirs even when verbal. The government keeps telling us that it does things right, why didn’t it come to us before the Garrison Project was half completed. They were planning to take our lands they should have come to us first. We were the first owners of the land.²⁶¹

²⁶⁰ VanDevelder, 123-4. 5/27/46 Elbowoods meeting w/ Pick & Aahndahl.

²⁶¹ “This is not the first time that public interest has sought to acquire the lands of the Fort Berthold Indians. It has been done before in the 1866 treaty which opened the territory for railroads and by subsequent Executive Orders of 1870 and 1880 which reduced some more of our territory without our consent, until now we have only 600,000 acres left of our original 9,000,000 acres. Is that not depreciation enough? No,

In such utterances we can see the emergence of an idea of political relations that was both very old and very new. The recent past – specifically, the shift in the federal-tribal relationship that occurred due to the Indian Reorganization Act (see Chapter Two) – moved these protest narratives past treaties and into a newly defined government-to-government relationship. This framing of the relationship represents an important building block towards modern notions of tribal sovereignty, as the prevailing contemporary interpretation of the treaty rights relationship was often couched in a paternalistic guardian-ward rhetoric. The Indian Reorganization Act, barely over a decade old, was a conceptual device used mostly by former tribal politicians as an immediate and contemporary claim for tribal land rights. Former tribal chair Carl Sylvester, who wrote the essay “The Voice of Flood-Threatened Indians,” stated in one meeting:

The Indian Reorganization Act came along and gave us some freedoms. We thought we had some rights and before someone wanted to come in they should ask the Council but without such consent engineers came in and made surveys. ... I felt the Indian Reorganization Act guaranteed us possessory rights but this appears to be violated by the Congress. Tranquility and justice supposedly guaranteed us by the Constitution of the United States is being violated.²⁶²

Strategically invoking the IRA to Democratic congressmen, tribal delegate J.B. Smith testified, “When this Democratic Party assumed domination of the country they offered us that new bill [IRA]. Shall we embrace the Government. We did. I worked hard for it. We took it on. They said expand, expand, and that there were wonderful opportunities.

the public demands some more ...” 4/30/49 testimony to congress, Martin Cross, NAA B2F5. 12/6/46 Charging Eagle District Lieu Lands Meeting Minutes; 361.2 Lieu Lands; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). 12/11/46 Nishu District Lieu Lands Meeting Minutes; 361.2 Lieu Lands; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

²⁶² Carl Sylvester, Elbowoods District 9/25/47 Special Mtg of TBC, B2F7; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

For those reasons we accepted the New Deal. And now what is going to happen to us. We are going to be ruined.”²⁶³

Treaty rights. The Indian Reorganization Act. Aboriginal land title. The sacredness of soil that grew gardens and held the bones of ancestors – and even held the memories of the footprints of children. Mandan religious imperatives. Citizenship claims. “Real” Americans. The Indian-white racial divide. Military service. These were the narrative and rhetorical devices employed by Fort Berthold tribal members in their efforts to battle the Garrison Dam. Not just ‘devices,’ however, these ideas circulated and gained currency because they analyzed the real practices and experiences of Fort Berthold tribal members. These real practices and experiences, as well as the ways members of the Three Tribes analyzed and narrated them, created an indigenous citizenship founded upon tribal subjectivity *and* identity. Both of these – the interior and exterior discourses that constituted identity – were embedded in a landscape that narrated Mandan, Hidatsa, and Arikara culture, deep and recent histories, and familial ties. Finally, it was through this praxis of indigenous citizenship – partially forged in a crisis to protect the foundation of tribal identity: the tribal land base – that community members asserted individual and community rights based on a history of treaties and a new government-to-government relationship institutionalized by the Indian Reorganization Act.

²⁶³ 12/23/46 Meeting in Assistant Secretary Davidson’s office December 23, 1946 For the purpose of obtaining the views of the Three Affiliated Tribes of the Fort Berthold Reservation on the Lieu Lands offered by the Secretary of War; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

Conclusion

The eminent domain taking of Fort Berthold tribal lands in the name of the public good exemplifies a clash between tribal and federal sovereignties. Federal policies focused on the development of territorial resources in the name of modernity, progress, and the continued elaboration of federal power within its territories. But these policies did not necessarily need to result in the diminishment of tribal self-rule, or sovereignty at Fort Berthold. Choices were made along the way, decisions were enacted that valued Native lands and lives less than their non-Native neighbors.

At the same time hope for an equitable or just compensation evaporated, the endless rounds of lobbying and negotiation dissolved into infighting narrated through race and class. The insulting offer of lieu lands in compensation for the beloved river valley was rejected – possibly because tribal members could not fathom that an even more injurious solution would be legislated: financial compensation. In the face of this asymmetrical valuation of indigenous lives and territories, the people of Fort Berthold employed every weapon in their arsenal to fight the Garrison Dam – mobilizing the rhetoric of indigenous citizenship to narrate their resistance, whereas in previous decades indigenous citizenship had been practiced in positive ways. This defensive mobilization of indigenous citizenship – combined with the space for “self-rule” that had been carved after the IRA – resulted in a renaissance in the language of treaty rights that emphasized a government-to-government relationship. These remain some of the key elements in the theoretical and practical constitution of modern tribal sovereignty.

For these reasons, and for the human loss and endurance that surrounds the construction of the Garrison Dam, this chapter argues that it is inadequate to allow Native

photographs *or* histories to be labeled and briefly noted as “Lo the Poor Indian” before moving on to the ‘real’ stories of U.S. history. These stories and images are not regretfully nostalgic exhibits in the ‘larger’ story of U.S. history; they are its visceral, living flesh.

CHAPTER VI
Saying Goodbye



Image VI.1 Houses Being Moved 1952 Photograph

By 1952, houses and buildings began to be moved. They would be removed from their foundations, put up on flatbeds, and pulled up the roads to a new homestead; behind, they left the gaping holes of foundations, which would be filled with water as the reservoir continued to rise.

This photograph shows a house and associated buildings being moved to the top lands, being moved to safety from the rising waters of the Garrison Dam. The lack of

clear-edged shadows and a shadowy sky point to the probability of a cloudy day; the remnants of snow on the edges of the road suggest either late fall or early spring. The rolling hills of the prairie land – so different from the wooded, hilly bottomlands – offer no protection to the buildings. The photograph evokes uncompleted transition: the houses unmoored from their foundations, sitting on unmoving flatbeds; the sweep of the road meets the sweep of the horizon line with no discernable destination, we can only imagine more road; the sky has no outlines of clouds, yet the sky is not clear; the season is not committed to fall or winter or spring; a small male figure stands with his back to the photographer at one corner of the main house structure, and we don't know what he was doing or who he was.²⁶⁴

The Bureau of Indian Affairs took the photograph as the relocation due to the rising waters of the Garrison Dam continued, and today it sits in a box in the federal archives in Kansas City. When it was taken, the owners of the buildings were known and had names; they knew where the buildings had been moved from, and where they were being moved to. Now of course, we can only guess.

This is part of the banal violence of what the Army Corps of Engineers completed at Garrison, North Dakota – of what General Pick pushed for with such persistence and arrogance. This documenting and forgetting. The disassociation can happen so quickly, the forgetting of names and houses and people and places. The memory of what it took for families and communities to pack up and move their houses gets left behind so easily by people who did not experience it.

²⁶⁴ Photograph, Buildings being moved to new site after flood, 1952; Fort Berthold Agency; Photographs; Aberdeen Area Office; Record Group 75, Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

As the communities of Fort Berthold began to pack their houses, the confusion due to the lack of a clear destination created political turmoil more intense than any previously experienced. Class divisions – which were also narrated as racial divisions – contributed to chaos in the political and social life of the tribe, and built upon the dissatisfaction regarding the distribution of tribal resources that had fueled challenges to the authority of the tribal business council since reorganization under the IRA. The distribution of tribal resources associated with relocation from the bottomlands also colored individuals’ attitudes towards the process, reflecting narrow economic choices for most tribal members. The logistics of moving were made more difficult by these narrow economic possibilities, for the relocation did not only include moving individuals or houses and buildings – cattle and other livestock had to be able to survive on the top lands, wells or springs needed to be drilled or developed, and the infrastructure of homesteads and towns needed to be built. Finally, communities had to find ways to say goodbye to the places of everyday life, and all had to adjust to life outside the river valley once everything was moved.

This chapter considers these experiences through the lens of this project: the role land plays in how people understand themselves as individuals and as communities. Specifically, what was the impact of the loss of a homeland upon the ways Fort Berthold tribal members identified themselves and expressed nascent understandings of tribal sovereignty?

‘Yeses’ and ‘No’s’

By 1950, the dissident group on Fort Berthold had coalesced into a camp called the “no’s” – called so because they tended to vote ‘no’ on nearly every major tribal initiative since reorganization. They voted no on the IRA, and as we saw in previous chapters, agitated against the makeup of the first IRA tribal council. They also voted no on a tribal cattle purchase program, and no on accepting the cash settlement for the bottomlands after legal opposition to the taking had failed and the lieu lands offer fell through.²⁶⁵

Led by Martin Cross, the ‘no’s’ blamed the tribal council for selling the bottomlands, and accused the council of taking tribal funds to fight in DC against the Garrison Dam but having nothing to show for it. They also felt frustration and anger over one of the resolutions of the tribal business council opposing H.R. 8411, a bill that would distribute the cash settlement for the bottomlands per capita to tribal members, and felt that any use of the cash settlement for anything but per capita payments would only benefit the ‘haves’ and ensure that the poorer people on the reservation would not “get their fair share” of the money coming to the Three Affiliated Tribes. A large part of this opposition also stemmed from larger class distinctions on the reservation, in which the

²⁶⁵ Robert S. Merrill, “Fort Berthold Relocation Problems (preliminary draft),” P. 50. Tax, Sol. Papers, [Box 125, Folder 10], Special Collections Research Center, University of Chicago Library. Robert S. Merrill field notes, “Goodbird,” 7; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution. “It started with the Wheeler-Howard bill – the Yeses wanted self-government and government help and the Indians to be cattlemen and farmers, while the Nos didn’t want self-government, didn’t seem to want to be farmers or cattlemen and didn’t like the Indian Service – think that all the doors ought to be locked and the whole thing burned up. And they would sign the contract (meaning PL 437 I think, not the Army contract but maybe that also) because they said you didn’t know what you would get for your land or your houses and might not get money in the end. The no’s wanted fee patents and per capitas. But now there aren’t so many no’s – they didn’t like the cattle program either – the 2% tax and all – but now they’re joining about ½ are in now, so there aren’t so many. At Independence there are 53 families and only about 8 are No’s. The No’s are at Elbowoods, and Nishu, and Beaver Creek (and Red Butte?). There is a lot of quarreling and fighting and jealousy – it’s not good—they don’t like the cattle getting on land not leased, nor cattle anyhow.”

“yes” group was seen as the only beneficiaries of tribal economic development initiatives, a “favored few” who “got all the money at the expense of the whole tribe,” with nothing left for “small-time operators.” One community member noted to an anthropologist,

That council, all they think of is cattle, not people. There are cattle people who have been getting loans for twenty years and still get them – they shouldn’t do that – once or twice ought to be enough – and then let other people get a chance. ... But they only help those who have cattle. It’s all politics – only white ones – ones with blue eyes like the Fredricks and the Halls. ... They discriminate against the full bloods like us.²⁶⁶

The ‘no’ group narrated the class divisions as racial divisions, and several times community members claimed that only the “half breeds” or those with “blue eyes” received any benefit from tribal loan programs – perhaps a reaction to what one anthropologist active in the communities at the time characterized as an attitude by the ‘yes’ group that exhibited “impatience with those less highly motivated than” members of the ‘yes’ group, “and with the indigent, the ‘reliefers’, the ‘lazy’ and ‘unambitious’, which reveals much the same judgment that local white townspeople are too prone to make about the Indian in general.”²⁶⁷

²⁶⁶ Robert S. Merrill field notes, “Mrs. Spotted Wolf;” Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

²⁶⁷ Robert S. Merrill, “Fort Berthold Relocation Problems (preliminary draft),” P. 68. Tax, Sol. Papers, [Box 125, Folder 10], Special Collections Research Center, University of Chicago Library. Robert W. Reitz field notes, “Mrs. Duckett,” 7/9/51; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution. “August 7, 1950, Monday” Notes on Hearings on H.R. 8411, “Per Capita Payments to Members of the Three Affiliated Tribes, Fort Berthold Reservation,” 8/7/50; 061.1 Legislation, H.R. Bill 8411 (per capita); (Box 66) Decimal Correspondence 061-061.1; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). Robert S. Merrill, “Fort Berthold Relocation Problems (preliminary draft),” P. 53. Tax, Sol. Papers, [Box 125, Folder 10], Special Collections Research Center, University of Chicago Library. Bruner Field Notes, 7/19/51. “Ben [Grinnell] is in the No group and his reasons are obvious. He feels that the money in the tribal funds go to a favored few, and he is not the type that would benefit from any tribal program.” Manuscript 4805; University of Chicago, Fort Berthold

In an analysis the new Fort Berthold Superintendent R.W. Quinn wrote but never submitted to his superiors at the BIA's Aberdeen area office, he wrote:

With the use of these funds in a great tribal development program, they see themselves subjected from now on to the domination and control of those who have called them lazy, shiftless, ignorant and lacking in ambition, and who have told them that their present poverty is due to their own lack of effort and ability. They see all the resources of the tribes going into an organization of effort according to principles that their denouncers have accepted and they have not. . . . It is to be expected, given the situation, that this group would prefer, and would support a man who proposed, a per capita payment of the \$7,500,000.

Such a man arose during the turbulent period of negotiations over compensation for the losses which were to be suffered due to impoundment.²⁶⁸

The 'yes' group represented the group that had largely been in political – and economic – power since reorganization under the IRA. They were identified by anthropologists and Bureau of Indian Affairs employees as the more highly “acculturated” tribal members – although this is up for debate – but by and large they *had* in fact benefitted more from the economic and political system than other tribal members. They, however, attributed their economic stability not to nepotism and unfair lending practices, but instead narrated their success as stemming from their persistent hard work. One prominent tribal leader from Independence told anthropologist Robert Merrill in a private conversation that was included in Merrill's footnotes,

You know, Bob, the only people that are suffering on account of this long delay when nothing is happening and nothing is getting done, are the more aggressive people. The people that just don't want to be bothered to take care of themselves, and what other people to take care of them – they are the ones that are going to benefit, and there is just an awful lot of people who are beginning to say, well, if that's the way it's going to be, this program's going to drag out and out, long and

Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

²⁶⁸ Memorandum, “Reservation attitude toward relocation,” Fort Berthold Superintendent R.W. Quinn to Aberdeen Area Director G.W. Spaulding, never submitted, date unknown; 061.4 Relocation of Individual Families; (Box 67) Decimal Correspondence 061.2-061.24; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

long, and we're not going to get anything out of it, well, to hell with it, let's take what we've got coming, and they're crossing over to the other side.²⁶⁹

This analysis also shows how fluid the 'no' and 'yes' constituencies could be, depending on the issue and in response to an ever-intensifying economic situation in the face of the rise of the reservoir and flooding of the Fort Berthold communities. The looming flood was very real by this point. The Army Corps of Engineers had already completed the major construction of the Garrison Dam, and told the communities that beginning in Fall 1953 or Spring 1954 the water would begin to back up and would gradually rise thereafter, and key roads would begin to be covered by Spring 1954. Increasing the urgency and feeling of dread was the news that an analysis of the land assessment data illustrated that the carrying capacity of the residual reservation was much less than an estimate that had been completed in 1947 at the beginning of the relocation planning process. BIA employees hammered this point home in community meetings to plan for the relocation.²⁷⁰

²⁶⁹ Robert W. Reitz field notes, 12/6/52, 7; Field notes of graduate students; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

²⁷⁰ "It would be a great mistake to over-emphasize the stability of the "yes" and "no" groups, or to over-emphasize the singleness of purpose or unanimity of opinion that seems to be being expressed in a particular "yes" and "no" vote. "Membership" in these two rough general groups is a highly fluctuating thing. Actually, what is represented is the existence of two rather small nuclei between which most individuals will fluctuate with their support, depending upon the nature of the issues involved. Neither a "yes" or a "no" opinion represents a single "public opinion". A variety of individual definitions of the situation which are similar will be expressed in such a vote, and the significance of such a vote is not whether it is yes or no so much as the individual bases for it. The most decisive factor affecting these bases is the nature of the current relationship between individual Indian and Agency, and between individual Indian and the current 'collaborationist' leadership, with respect to the issue that is involved." Memorandum, "Reservation attitude toward relocation," Fort Berthold Superintendent R.W. Quinn to Aberdeen Area Director G.W. Spaulding, never submitted, date unknown; 061.4 Relocation of Individual Families; (Box 67) Decimal Correspondence 061.2-061.24; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). Information on the timeline of the flooding and carrying capacity of the residual reservation from Robert S. Merrill, "Fort Berthold Relocation Problems (preliminary draft)," 70-7. Tax, Sol. Papers, [Box 125, Folder 10], Special Collections Research Center, University of Chicago Library.

The acknowledged leader of the ‘no’ group was Martin Cross, and both he and Carl Whitman became lightning rods for public opinion during their time on tribal council. In 1950, Whitman was the tribal chair and Cross was not on council; but the past success of ‘rump’ delegations orchestrated by the nucleus of the ‘no’ group encouraged Cross to organize a trip to DC to testify in support of a bill authored by North Dakota Senator Quentin Burdick, that legislated the per capita payment of the cash settlement for the bottom lands to Three Affiliated Tribes members. The legislation itself was instigated by Cross in response to the planning process organized by the ‘yes’ group, in which of the total \$12.5 million appropriated for compensation to the Three Affiliated Tribes for lands taken, the \$7.5 million earmarked to be used as agreed upon by the Secretary of the Interior and the Tribal Business Council was to be used for a revolving loan program to be used to reestablish agricultural families who were losing land in the taking area, a land consolidation fund, to develop wells on the lands of the residual reservation, and for a long-term loan program to finance housing for non-agricultural families.

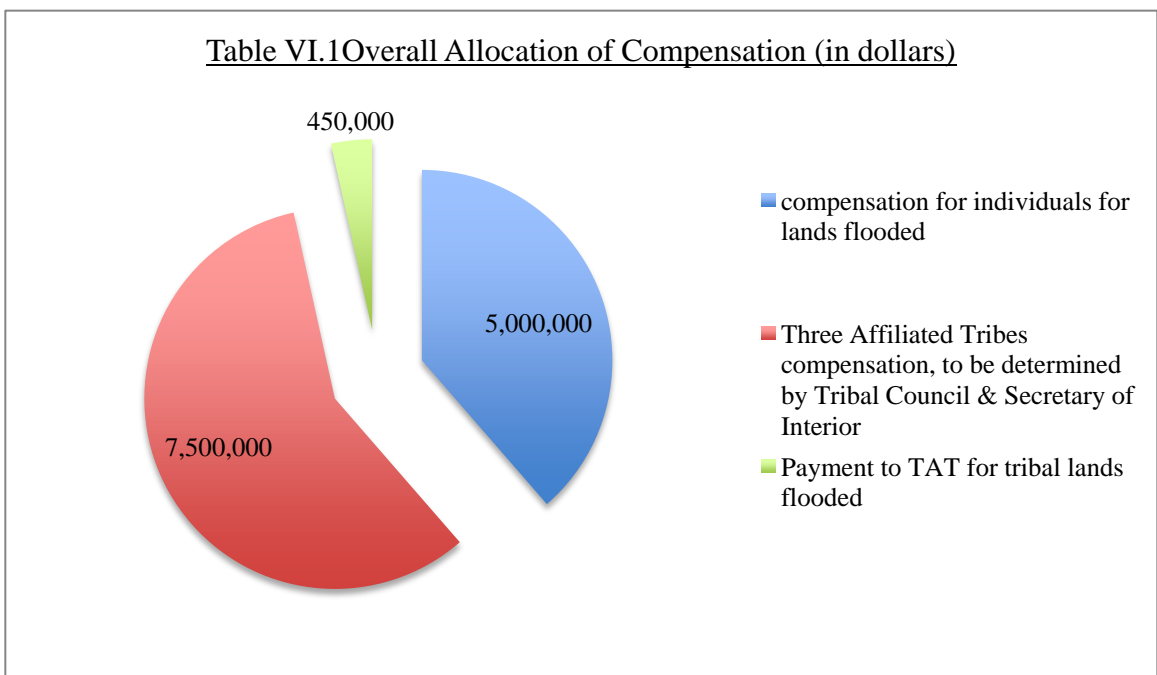
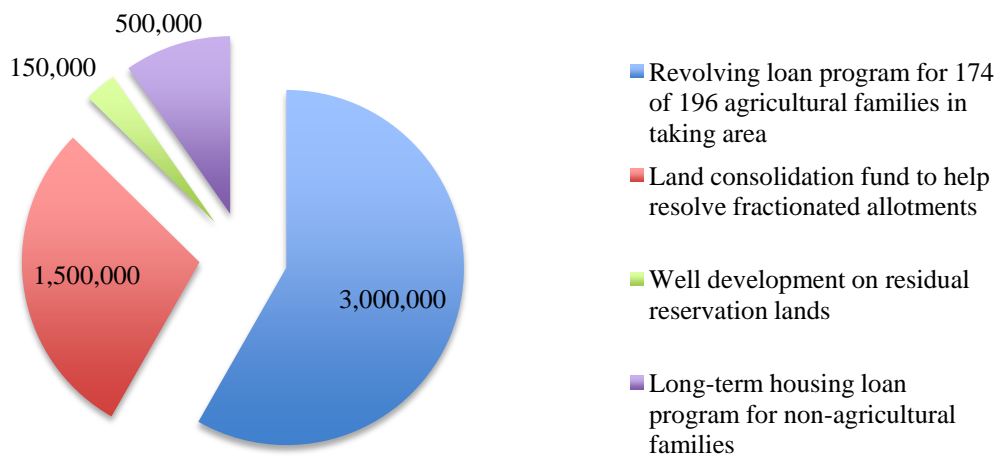


Table VI.2 Tribal Business Council Plan for the \$7.5m of non-individual compensation (in dollars)



The ‘no’ group capitalized on long-standing distrust of the Bureau of Indian Affairs and the coalescence of class and race tensions to oppose the Tribal Council plans for the tribal compensation money – specifically feelings within the community that a group of powerful leaders had capitalized on previous economic opportunities at the expense of the poor. After the tribal council passed a resolution against the Burdick per capita bill, Cross organized a rump delegation to testify in support of the per capita bill.

After circulating a petition demanding a per capita distribution on the tribal compensation monies that was signed by one-third of the eligible voters, the Cross faction used the petition to encourage Burdick to sponsor per-capita legislation – and used the introduction of said legislation to spur their presence in DC as the ‘true voice’ of the Three Affiliated Tribes. Cross testified:

I will concede that if the funds were made available in cash payments, one or two of the Indians might not get much good out of their respective shares of the money, but this should not be an excuse or hindrance to place the funds in trust status. I do not believe in penalizing all the Indians on account of one or two.

I protest any efforts by certain parties who laid careful plans to prevail upon the U.S. Congress to turn over to them these said funds, which are legally and rightfully belonging to the Indians. Undoubtedly, these parties planned for themselves well-paying jobs in handling of the funds for us.²⁷¹

In the fifteen years since the IRA, the dissident group had honed their tactics. The petition, encouraging distrust between tribal members based on class divisions that were also narrated as racial divisions, appealing to non-reservation authorities – in particular to local congressmen, once it became clear that the BIA power structure would give little credence to their complaints – and the rump delegation to DC were all successfully mobilized for this effort. The difference, of course, in this effort was that community feeling was more easily intensified as tribal members faced the prospect of the flooding of their homes. Off the reservation, a conservative turn in Indian Affairs and in national politics ensured that criticism of the continuation of BIA financial support of tribes – and of an IRA-organized tribal government – would be eagerly met with open ears. In fact, then-Commissioner of Indian Affairs Dylan Meyer welcomed the prospect of relocation of the people of Fort Berthold and its potential to end their relationship with the federal government.²⁷²

The 1950 rump delegation organized by Cross and his supporters crystallized many of the analyses that fueled opposition to the tribal council's plan of organizing the

²⁷¹ Testimony during Hearings on H.R. 8411, "Per Capita Payments to Members of the Three Affiliated Tribes, Fort Berthold Reservation," 8/7/50; 061.1 Legislation, H.R. Bill 8411 (per capita); (Box 66) Decimal Correspondence 061-061.1; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

²⁷² Lawrence Stevens (BIA): "Commissioner Myer is strongly of the opinion that the Indians will ultimately be a part of the general population and that this forced relocation, however unfortunate it is for the Indians, does present an opportunity to make a new start and not repeat the past mistakes." Testimony during Hearings on H.R. 8411, "Per Capita Payments to Members of the Three Affiliated Tribes, Fort Berthold Reservation," 8/7/50; 061.1 Legislation, H.R. Bill 8411 (per capita); (Box 66) Decimal Correspondence 061-061.1; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

compensation monies. Cross brought with him several elderly tribal members who also identified as ‘full-blood’ – a claim to authenticity, such as when one rump delegate asserted in the introduction to his testimony, “I, Chester Smith full-blood Mandan ... oppose placing Tribal funds in control of the Tribal Business Council because any funds administrated by them never reaches below their class. ... it means goodbye to the fund as far as we are concerned.” The testimony asserted the squandering and mismanagement of tribal funds – specifically mentioning the cattle purchasing program and trips to DC that they claimed amounted to “pleasure trips for the members of the Council since they do not accomplish anything to justify the costs to the Tribes.” Smith also asserted that,

In regard to Garrison Dam controversy and the settlement in connection with this problem, we the bona-fide Indians did not have much say in the matter, the so-called patent in fees Indians took leading roles in the negotiations. We did not want to sell our land or properties, but it was these people who sold us down the river on pretext of representing the Indians. ...

And suggested that the members of the tribal council even be barred from holding any office in the BIA and that they “be denied any share of the proceeds from Tribal benefits.” This was an intensely personal criticism of tribal leadership.²⁷³

Another witness, Philip Atkins (Hidatsa) continued to expose the very personal nature of the rump delegation’s tribal politics as he asserted that the tribal loan program decisions were structured purely by nepotism.

The Tribal Loan Committee is composed of five members. It happens in this case that four members of the Committee are closely related by blood and through

²⁷³ Smith also stated, “Martin Cross who has been representing the outside people giving our views in connection with matters submitted by Our Tribal Council has been paying his own expenses, because the members of the Council have absolutely refused to pay any expenses for him from our Tribal funds. This fact will indicate the smallness and attitude and type of men running our Reservation.” The witness for this statement was Martin Cross. Testimony during Hearings on H.R. 8411, “Per Capita Payments to Members of the Three Affiliated Tribes, Fort Berthold Reservation,” 8/7/50; 061.1 Legislation, H.R. Bill 8411 (per capita); (Box 66) Decimal Correspondence 061-061.1; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

marriage, the fifth member has sold out to them by going along with them. They have connived the functions of the committee by making and giving out loans and repayment cattle to themselves and their relations first, of course we protests such actions in vain. It is my understanding that some of these exceed \$10,000 each. This fact does not leave much money left for others to use. ... Those of us not related to them have been ignored. Our requests for loans are rejected time after time. They are very much prejudiced against those that are not in with them on their actions.²⁷⁴

Beyond the personal, tribal member William Dean (Arikara) compared the current tribal authority structure to dictators and linked it to communism, saying, “We Indians detest and fear Communism and dictators, but the Communists may well have established a beachhead in our midst. We have had a taste of dictatorship under the present Council.”²⁷⁵

Their characterization of the tribal council plans for use of the \$7.5 million in compensation focused on the distribution of tribal resources. Interestingly, the tribal council’s justification of their work against the per capita bill was also based on what they considered to be the fairest distribution of tribal resources – namely, the impact that a per capita distribution would have on the rights of minors and future generations of tribal members. In a June 1950 tribal council meeting, tribal chair Carl Whitman spoke about how a per capita distribution would mean, “900 children’s money will be dissipated.” Councilmember Ben Heart agreed, saying that it would squander the money that should kept “for the children and those who will be born.” Unfortunately, the rush to

²⁷⁴ Philip Atkins testimony during Hearings on H.R. 8411, “Per Capita Payments to Members of the Three Affiliated Tribes, Fort Berthold Reservation,” 8/7/50; 061.1 Legislation, H.R. Bill 8411 (per capita); (Box 66) Decimal Correspondence 061-061.1; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

²⁷⁵ William Dean testimony during Hearings on H.R. 8411, “Per Capita Payments to Members of the Three Affiliated Tribes, Fort Berthold Reservation,” 8/7/50; 061.1 Legislation, H.R. Bill 8411 (per capita); (Box 66) Decimal Correspondence 061-061.1; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

act included passing a resolution that said that anyone who wanted a per capita payment of the settlement money could receive a per capita, but would be dis-enrolled from the tribe. Only two representatives voted against the resolution, Ben Heart and Hans Walker, Sr. (Independence). This move would further inflame the ‘no’ leadership and tribal members already susceptible to their rhetoric. And although Whitman said at the end of the meeting, “It’s good to have opposition – that’s democracy, and if you didn’t have [it] we’d get lax,” the actions of the tribal council that day would make the working of that democracy much more based on emotion and passion than on community values.²⁷⁶

The rump delegation of the per capita bill was organized to amplify the fears and passions of tribal members. In notes taken by a Bureau of Indian Affairs employee after the Senate hearings on Burdick’s per capita bill, Cross told the employee that “he wanted to get his statement and that of the others into the record because ‘election is coming soon’,” and that the entire drive of the delegation and participation in the hearings was aimed at the tribal council. Even when Burdick was asked whether the hearing committee knew that the \$7.5 million in tribal compensation money had not yet been appropriated and that any per capita disbursement would have to be approved by the Secretary of the Interior – an unlikely prospect – Burdick answered, “Sure they know it.” Neither Cross

²⁷⁶ Robert S. Merrill field notes, Tribal Council Meeting, June 1950; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution. Memorandum, “Reservation attitude toward relocation,” Fort Berthold Superintendent R.W. Quinn to Aberdeen Area Director G.W. Spaulding, never submitted, date unknown; 061.4 Relocation of Individual Families; (Box 67) Decimal Correspondence 061.2-061.24; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). “The Tribal council at the time was dominated by a few of the most highly motivated of the more acculturated group. Apparently, many of the middle group did not have too clear an understanding of the Tribal program which had been developed, in spite of the fact that over 60 district meetings had been held to discuss and explain it. The pressure of time had not allowed for the long slow developing participation in the preparation of such a program that might have resulted in winning the support of some of the active no’s. By preying on the fears and suspicions of the people during this turbulent period, and by offering a program of per capita payment, this man was able to get himself elected to the chairmanship of the tribal council, while a divided council half yes and half no resulted from the same election.”

nor Burdick expected to get Burdick's per capita bill passed, and on Cross's side, his trip to Washington with the rump delegation was almost solely intended to undermine the tribal council.²⁷⁷

It worked. A month after Cross's appearance testifying in support of the Burdick per capita bill, tribal elections were held. The September 1950 elections led to the election of seven new councilmen; three were re-elected (including Carl Whitman), and three defeated old council members. Martin Cross was one of the newly elected councilmen, and when the tribal council tried to elect its chair, the vote was split 5-5: five for Whitman, five for Cross. Unable to break the deadlock, the tribal council decided that the chair must be elected by tribal referendum, and in late September the tribe voted for Cross by a margin of 323 to 225. The people had spoken in favor of Martin Cross, and also in favor of a per capita distribution of tribal compensation money.²⁷⁸

Tribal politics began to get even uglier. Community meetings saw direct personal attacks on Martin Cross and Carl Whitman, depending on the venue and audience. At one such meeting, a tribal member in support of Whitman stated,

²⁷⁷ "The Cross drive is intended to unseat the Tribal Council and Cross does not expect to get H.R. 8411 passed." Notes, Testimony during Hearings on H.R. 8411, "Per Capita Payments to Members of the Three Affiliated Tribes, Fort Berthold Reservation," 8/7/50; 061.1 Legislation, H.R. Bill 8411 (per capita); (Box 66) Decimal Correspondence 061-061.1; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

²⁷⁸ Memorandum, "Reservation attitude toward relocation," Fort Berthold Superintendent R.W. Quinn to Aberdeen Area Director G.W. Spaulding, never submitted, date unknown; 061.4 Relocation of Individual Families; (Box 67) Decimal Correspondence 061.2-061.24; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). Letter, J.H. Cooper Aberdeen Area Director to Commissioner of Indian Affairs, 5/25/52, quoting from a letter from Fort Berthold Superintendent Quinn; Relocation of the Three Affiliated Tribes; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). "The political turmoil on the Reservation has gotten to a serious disconcerting stage and only meetings advocating per capita payment are well attended. . . . A good many of the tribal leaders, who have advocated the supervised program of rehabilitation, are now inoperative in the face of this issue. . . . It is evident that there is considerable public favor for a per capita payment."

Someone patted our leader (Martin Cross) on the back, and he doesn't need it (deserve it). This man (referring to C. Whitman) worked for that program and we got our program. And then they say that this man (M. Cross) did everything. ... If I have to get per capita at the price of being cut loose – No! I don't want a guy in Stanley to grab my land when it's taxable. These people (those for per capita) aren't ready to say, "Mr. Spalding, give me my share and I'll get out". But they drag the rest of us with 'em. ... Let's have a man who'll stick with us (meaning C. Whitman). He's not Gros Ventre [Hidatsa]! He's part Ree [Arikara]! I know!

This quotation also shows how the intensity of tribal politics was also fueled in part by the fears tribal members held over the land base – and in particular, the legal impact that a per capita distribution of money would have on their tribal status and thus the status of their individually-owned lands. The same speaker later said, "This per capita business has ruined most of our people. Some years back a few people became citizens, and my dad was one of them. ... We had to struggle to keep our own homes. I don't think a one of those guys is living on his allotted lands now."²⁷⁹

Very little real communication was happening between the strong adherents of the two factions. In fact, the personal accusations went beyond council members and could even be used between tribal members attending meetings. The transcripts of such community meetings are painful to review, and must have worked to undermine not only community cohesiveness, but personal relationships between tribal members for years to come. At one open forum meeting, a tribal member rose and spoke in favor of a per capita payment. Anthropologist Robert Reitz's field notes read:

He went through a long harange [sic] about how the old council had given loans to friends and relatives and no one else, and that he had applied several times for a

²⁷⁹ Bruner field notes 6/20/51 Nishu; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution. "After the meeting sandwiches and pastries were passed out to all present along with juneberries (canned) and sugared black coffee (weak). The pastries were bought sweet rolls, doughnuts, and fried bread (deep fat fried). ... Men passed these things out around the circle in the galvanized metal tubs. No one thanked anyone for anything, and about the only thing I heard was when Franklin Howard came to me with the Juneberries he remarked that this was a real Indian dish."

loan and had been turned down, and that there was no chance for most of the people to get any good out of this money, money which was really theirs and belonged to them, and was quite bitter about his accusations, most of which were directed against Carl Whitman and Fredericks, Hans Walker and Jim Hall.

In response, tribal council member Ben Youngbird got up to answer him, “and told him that while he never should have brought up the subject in public, as long as Walter had made those accusations, he was going to answer them.” He told the assembled group that while the tribal member’s loan application for cattle had been approved, he had not put away enough feed for the cattle and so when it came time to issue them his request was refused because “he wasn’t prepared to take care of them.” In response, the tribal member got back up again and accused Youngbird of not having enough to feed his own cattle – an accusation which Youngbird provided further information to refute. The conflict then apparently pulled in even more community members, when a Mrs. Frank Chase said that, “Walter should be the last one to stand up and make these kind of accusations.” After reminding him of an incident after he became a U.S. citizen, in which he had invested all his money in milk cows and “immediately after, during the winter, these milk cows, make good land marks ... laying there dead,” she sarcastically said, “and that that’s the kind of judgment he was able to exercise, although he insisted on getting a per capita saying he was capable of handling his own money.” The atmosphere intensified when she then remarked that “Walter was no good, had never worked, never would work, and never would be any good, and that all he was good for was to beat up and make false accusations against people.” In response to this painful dressing-down, “Walter got up, and with an injured air, said that he had thought this was going to be a friendly meeting,

but that if this was the way it was going to be he was going to go home, and he left.”²⁸⁰

This type of reciprocal shaming illustrates a process in which community cohesion and good feeling eroded at a rate mirroring the rise of the waters behind the Garrison Reservoir – it was not immediate, it was a slow, painful, heartbreaking process.

Nerves were fraying all around, and even the local non-Native Catholic priest felt the stress. When one of the anthropologists embedded in the BIA asked him about the relocation of the Nishu Catholic church to the residual lands,

he became very excited and said there was no reason why that shouldn't have been accomplished long ago – that he wasn't trying to take the water hole from the Indians, that he would see to it that they had access to it, and he gave me all sorts of reasons to the point that his purchase wouldn't affect them adversely in any way, and ended with the accusation that Franklin Howard and Ben Young Bird and those people down at that end are just trying to get a hold of everything for themselves and corner everything and set up a little empire down there – that's all they're trying to do, they've been trying to do that all the time.²⁸¹

The stress can largely be attributed to the logistics of relocation – from moving homes to health care facilities to roads to graves. At the same time, tribal leadership had to also deal with the further shenanigans of the Army Corps of Engineers, who in the midst of relocation tried to argue that non-Native land holders within the taking area should be paid for out of the monies appropriated by Congress for the taking of Fort Berthold tribal lands. In response, the tribal council had to pass a resolution stating,

²⁸⁰ Reitz Field Notes, August 15, 1951, 3-4; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

²⁸¹ Robert W. Reitz field notes, 12/6/52, 12; Field notes of graduate students; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution. “Father Reinhardt stopped me in the street outside of Quinn’s home and asked me to do what I could to hurry along the graves relocation program while I was in Aberdeen, saying that he had gone through tremendous effort and accomplished the impossible in locating and marking 826 graves and in locating and arranging for their removal to specific places in the Residual area. He discussed with me in such a manner that it suggested that he was piqued at the fact that he hadn’t been given some recognition for having accomplished this feat, by the Indian Services.”

(1) that no part of the \$12,605,625 provided for by Public Law 437 of the 81st Congress may be used to pay for any lands, interests in lands or improvement owned by non-members of the Tribes in the Taking Area of the Reservation, but said lands should be paid for out of Army appropriations; (2) that in the payment for inherited interests in lands, the Council will recognize as ‘heirs’ within the meaning of Public Law 437 of the 81st Congress, only bona fide enrolled members of the Three Affiliated Tribes.²⁸²

The strain of tribal political attacks, national political maneuvers, and defending the already-insufficient compensation monies against the machinations of the Army Corps of Engineers began to take a toll on Martin Cross. His drinking began to interfere with tribal business, a situation that, in combination with the white paternalism of BIA employees, shamed his colleagues on the tribal council. One tribal council member recalled a meeting the tribal council attended at the BIA area office in Aberdeen in which the council was supposed to show up to a ten o’clock meeting, but only three of them had shown up because, “only three of them were sober enough to show up.”

Martin Cross had called up about ten o’clock and asked Mr. Spaulding to postpone the meeting until two o’clock in the afternoon. Mr. Spaulding announced this to the three saying that all the men gathered there to meet there were specialists in their field and this was costing the taxpayers of the United States an awful lot of money to bring them together, and that here were only three gentlemen present, and from what he could detect from over the phone, the chairman was pretty drunk.²⁸³

Cross’s struggle with alcoholism circulated within the Fort Berthold community during the time period, and at least for some of his contemporaries overwhelmed the positive

²⁸² Three Affiliated Tribes Business Council Resolution, 12/14/50; 009 Area Director Aberdeen; Box 56 Decimal Correspondence 007-009 [part]; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

²⁸³ Reitz Field Notes, August 14, 1951; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution. “Old Mrs. W. spoke at length about how sad it was to have such poor representatives on the council, men who drank all the time, and remarked that she understood that these men had been drunk most of the time they were in Washington, and most of the time while they were in Aberdeen, and Ben corroborated this.” Reitz Field Notes, August 15, 1951, 5; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

actions he achieved during his tenure as tribal chairman. His disease only intensified, and he was incarcerated several times on drunk and disorderly charges – a state of affairs that fueled criticism of him and forced tribal law enforcement to justify the incarceration of the highest tribal leadership. Unfortunately, during this time period serious treatment for alcoholism was still in its nascent stages, and instead of being able to seek help for his illness, it became a tool used by his political opposition to discredit his leadership.²⁸⁴

Altogether, the now-inevitable rise of waters behind the Garrison Dam, fighting off the continuing petty machinations of the Army Corps of Engineers, the stress of managing a relocation of ninety-five percent of the population, the intensifying factionalism, personal attacks, and a leadership vacuum all contributed to a serious crisis in tribal authority. Nearly forty years afterwards, a seventy-nine year old Carl Whitman reflected in an oral history interview on how the political turmoil was also fueled in part by a change in the nature of tribal leadership, comparing the IRA-organized tribal council to the process of decided on leadership before the twentieth century. After describing a process in which the adult tribal members got together and decided on leaders via

²⁸⁴ Three Affiliated Tribes Special Meeting Minutes, 9/26/52; Various resolutions of the Three Affiliated Tribes-1952; Box 70 Resolutions, relocation; census; claims; per capita; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City). “We have two letters here. One from Mr. Martin Cross and one from his sister, concerning the release of Mr. Cross for management of his home affairs and the Chairman asks them to express themselves in a nice manner and confine yourselves to that affect and offer a prayer. We’ll ask Mrs. Cross some questions in regards to her husbands release. ... First we have Law and Order to consider and we as a Council cannot interfere with our own laws and over rule the Indian Court. My best advice is that he serve half of his sentence of thirty days, according to our code, that’s the best information I can give you at this time, in order to protect our laws, we have to follow through with this. He is not accused of those charges you refer to, but it is a disorderly charge.

“Alice McElroy: I don’t like the way they treated him, take for instance, Ted Baker was confined for six months and was released in a few days.

“Mr. Deane: May I ask what date he was confined to Washburn jail? The reason I ask is the American legion has gone on record to release Mr. Cross during the celebration for two days.

“...Chairman: I stated just a moment ago that they have to serve half of their sentence in order to be paroled for the remaining sentence, and in very urgent matters you have to contact Mr. Quinn. I’m sorry its too late to recall everything. To do anything, you have to respect the laws governing our people.”

unanimous consensus, he pondered the weaknesses of a majority-rule system. “You can’t convince the guys that lost, the voters whose candidates lost, you can’t convince them that they did wrong. So it’s split the tribe in many ways. Not just politically, but religiously, educationally, biologically, and also the full bloods and the mixed bloods, and the rich and the poor, all kinds of ways, economically ...” Regardless, the tribal political scene during the relocation was bloody and fraught with reciprocal shaming and blaming for community woes. Not only the current tribal leadership, but the role was undermined by the politics of the time period, as one satiric editorial from 1952 titled, “Observations of a Hillbilly” illustrates.

The present Tribal Business Council is nothing less than a blight on the face of progress. ... Former leaders who have passed on who could neither read nor write were more effective, forthright, and capable than most of this crew. ... Certainly they do not set an example for anyone by sitting around and bragging.

... I hereby announce my candidacy and solicit your vote and support. If elected, I will make every effort to erase any prestige built up in the past in representing the people. Immediately after being sworn in, I shall contact all my influential friends in Washington DC for a per capita (payment) of cheap whiskey, wine and beer. ... I will completely ignore any person or organization that is interested in the welfare and destiny of the present, younger and unyet [sic] unborn generations. ... And finally, I shall express the desires of my constituents from as many jails as I can enter. My only shortcoming is that I cannot brag well. This, to my regret, seems to be the major qualification for this position of trust.

Sincerely yours, Paige Baker Sr.²⁸⁵

During the first part of the 1950s, Fort Berthold was experiencing a severe crisis in conceptions of what constituted legitimate authority. The crisis was brought on by the taking of the tribes’ most precious resource – the Missouri River valley. As the crisis raged, communication within communities and between leadership degraded, and class divisions were narrated by the ‘no’s’ as indicative of racism and nepotism. Much of the political infighting was aimed *not* at being able to control the reallocation of land, but to

²⁸⁵ Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

be able to control the allocation of tribal compensation money. It was almost as though, as the tribal land base became threatened and eventually gutted, authority came to be expressed through the control of tribal monies.

Moving

Rosemarie Mandan's summer job one year was to help administer the moving of graves from the bottomlands.

When I came home in the summer [from college] I worked at the [BIA] office. And one of my jobs was moving the graves, moving the cemeteries. You had to get in touch with family, "Where do you want it to go," because we were being *dispersed* to these places where nobody *lived*. These places, where we are, like Mandaree, there was nobody there [at that time]. ... So, nobody! And that's where they were coming to from the bottomlands, which were so fertile, and all the trees; it [the river valley] was just the most beautiful place.²⁸⁶

The prairie lands that comprised the residual lands of the reservation were not well known, mostly because the three tribes had clustered their communities in or near the river valley for their entire known history. Many people at Fort Berthold were "unfamiliar with the nature of their holdings" in the residual lands of the reservation – and in some cases had "in fact, never seen them" or even regarded them as "foreign." In some ways, this familiarity with the river valley mirrors Sitting Rabbit's visual representation of the Missouri River from Chapter One, in which the Missouri River was the center of the landscape and of the historical settlements; the further away you look from Awaati on Sitting Rabbit's map, the less detail is present to guide you through the landscape.²⁸⁷

²⁸⁶ Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009.

²⁸⁷ Memorandum, "Reservation attitude toward relocation," Fort Berthold Superintendent R.W. Quinn to Aberdeen Area Director G.W. Spaulding, never submitted, date unknown; 061.4 Relocation of Individual

Thus, the move to the prairie lands in some ways represented a move to the unknown. Over ninety percent of the four hundred twenty families living on the reservation were forced to move from the bottomlands due to the rising waters of the Garrison reservoir – a taking that represented one-third of the arable land on the reservation. When tribal members faced moving to the top lands, they also faced the loss of important natural resources that contributed to a subsistence lifestyle – wild game, berries, lignite coal for fuel, and wood for timber and fuel. Although the move was less than fifty miles for all involved, the move from the shelter of the bottomlands to the harsher, unprotected climate of the prairie meant major change.

In some instances, community organization and associations will be completely shattered by this type of movement. The population of Shell Creek, perhaps the least acculturated of all the groups, will probably be the most dispersed. Extended family groups which have lived close together for generations, and family groups which built up close associations and emotional ties, will be separated to scattered holdings in the residual segments. Membership of the various Societies – the Antelope Society, the Water Busters, will no longer be members of one community.²⁸⁸

Non-Natives tended not to understand the true scope of this change, from Dylan Myer – who saw the forced relocation, “however unfortunate it is for the Indians,” as presenting an opportunity to make a new start and not repeat the past mistakes” – to local white populations who opined on the relocation and showed their deep ignorance regarding the present and past of the Native communities from whom they lived less than thirty miles. Both local and national white populations anticipated the end of the Bureau of Indian

Families; (Box 67) Decimal Correspondence 061.2-061.24; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

²⁸⁸ Memorandum, “Reservation attitude toward relocation,” Fort Berthold Superintendent R.W. Quinn to Aberdeen Area Director G.W. Spaulding, never submitted, date unknown; 061.4 Relocation of Individual Families; (Box 67) Decimal Correspondence 061.2-061.24; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

Affairs – and the end of federal treaty responsibilities – as a result of the relocation. The *Killdeer Herald* editorial staff – a newspaper from the town of Killdeer, North Dakota that stands approximately twenty miles from the reservation border – tied the relocation resulting from the Garrison Dam as an ‘opportunity’ to make tribal members ‘full citizens.’

Let them own land. Let them have their homes and farms and cattle. Let them raise their families as they wish subject to the conventions of modern living. Let them vote. Let them drink. Let them pay taxes. Not half citizens enjoying only the fruits of democracy, but the responsibilities as well. Nothing makes good citizens as fast as responsibility. ... 1952 is a good time to start modernizing our Indian Bureau and its methods, ultimately, and none too soon, resulting in its demise.²⁸⁹

The definitions of citizenship held by the three tribes’ non-Native neighbors held no room for the indigenous citizenship developed and practiced at Fort Berthold; white North Dakotans felt no responsibility for the treaties signed by the U.S. government, for all that their livelihood and very presence on the plains was owed to those treaties. Today, many non-Natives still have no conception of treaty rights and how the land and resource rights of indigenous communities might have a historical trajectory very different from their own.

The local Bureau of Indian Affairs could also be somewhat clueless in their understandings of what the river valley meant to members of the Three Tribes, and some of their reports to superiors evince very little empathy for tribal members. In one such report, Fort Berthold Superintendent R.W. Quinn wrote,

One of the most serious problems we face in implementing the relocation of the people of the reservation is their negative attitude towards moving out of the valley. ... They know they must go, but you often hear such phrases as ‘displaced people’, being ‘flooded out’, ‘When that water comes we got to go’ and ‘I sure hate to leave this place’. They seem to regard the \$7,500,000 settlement as payment for their tears and not a means of expediting their movement. They are

²⁸⁹ “Citizens” editorial, *Killdeer Herald*, 1/14/52.

prone to start meetings off with statements of numerous citations of violations of government pledges of the past and completely disregard the problems of the future until they are brought out and laid on the line.²⁹⁰

Personal and political animosities also made the process of moving more difficult, as much of the land-owning population was, “unwilling to sell because of personal feelings toward the purchaser and for many such like reasons.”

Some of this denial and unwillingness to face the realities of the relocation also stemmed from the looming feeling of endings – the end of the communities in the river valley, to be sure, but also perhaps the end of the tribes themselves. At times this end-of-days thinking interpreted old predictions to fit the contemporary situation. Tribal judge Peter Beauchamp, speaking with anthropologist Robert Reitz, mentioned prophecies that an elder tribal member had told him.

Old George [Grinnell] had said that in the Gros Ventre [Hidatsa] beliefs, when the Missouri River began to flow westward, and when the large game animals began to go away, and the native birds desert this land, and when the small animals in the brush began to grow horns – at this point the judge laughed and said, “Silly things like that” when these things happen they signify the end of the three tribes – that it would show, or rather tell, that the time had come when they would begin to dissolve and they would come to an end as a people – it would be the end of them.

Somewhat humorously, the judge then told Reitz about how he had been told about the presence of a stuffed jackalope – a taxidermy rabbit with fake horns attached – that was displayed in a saloon that he had gone to see, “just to see if this were true, and there it was.”²⁹¹

²⁹⁰ Memorandum, “Reservation attitude toward relocation,” Fort Berthold Superintendent R.W. Quinn to Aberdeen Area Director G.W. Spaulding, never submitted, date unknown; 061.4 Relocation of Individual Families; (Box 67) Decimal Correspondence 061.2-061.24; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

²⁹¹ Robert W. Reitz field notes, 10/5/51; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

As funny as it is to think of a stuffed jackalope as a symbol of the end of days, Beauchamp also mentioned the foreboding he associated with environmental changes. He noted the presence of new plants, the disappearance of birds such as the plover, the curlew, and even the disappearance of coyotes, which,

in his youth, the coyotes used to run in packs from fourteen, fifteen, sixteen of them together. At night they would seek out the top of a hill, and sit in a circle, then one would get in the center of the circle and lift up his throat and nose and bark at the moon, then the others would join in the chorus, but that now if you see a coyote he is usually alone – they are very few and scattered. . . . The judge feels that these sorts of happenings are bearing out the predictions of these old men. He also feels, and so said, that the dissolution of the three tribes, and the events which showed that this dissolution is taking place, are happening just as they were predicted they would happen.²⁹²

Beauchamp's musings illustrate that the dissolution of the tribes was not merely linked to the loss of land – the tribes had already lost nearly ninety-five percent of their land base by 1910. But what was feared and felt with such foreboding was the change in the landscape – change in the land, water, and human presence that had sustained the three tribes for hundreds of years.

This is why the people of Fort Berthold could not see their forced relocation and the loss of their lands as an “opportunity.” The loss of tribal lands, of every settled community on the reservation, did not only represent the loss of a generic parcel of land that could be measured, marked, appraised, and paid for. It represented the loss of a past – a past that archeologically could be traced back for a millennium, and in oral tradition could be traced back to the beginning of time. But it also meant the drastic, perhaps impossibly so, narrowing of a viable future. Reitz recorded another exchange with tribal member Charlie Parshall in his field notes,

²⁹² Robert W. Reitz field notes, 10/5/51; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

Charlie figured the old Indian ways are about to go and that the relocation will be the end of them. After the people relocated there will be a new set of people living closest to one another and even these will not be very close. They will have a difficult time visiting one another in the way they are now accustomed to. ... He says when they relocate the land will be scarce. I asked him if he figured most of the Indians would make the grade and he replied that some would and some wouldn't.

The conversation ended with Parshall telling Reitz, "Really, the land is pretty poor. With the taking of the river bottom the best of the lands went."²⁹³

This is not to say that tribal members sat around talking about the end of their existence as a tribe. Rather, these conversations allude to the *fears* of the community, rather than their practical reaction to the reality of being flooded out of their homes. The logistics of moving, and the sheer unknown impact of the move on communities, community organization, and individual opportunity created a mountain of choices through which tribal members had to sort. One elderly tribal member, Mrs. Duckett, was "not without plans for the future." Although she anticipated how difficult the move would be and worried that she did not yet know what she was going to do to sustain herself, she ended up speaking of three possibilities.

1. She would like to settle with the new Elbowoods and start a hotel or tourist court. ...
2. She would like to start a village store in the hamlets like Beaver Creek where extended periods of isolation often leave them without sufficient supplies.
3. She would like to get some cows and chickens like they had before her husband died."²⁹⁴

Although it could be difficult to make plans when so much was unknown, tribal members persevered and tried to plan for a radically changed future.

²⁹³ "Charlie Parshall," Robert W. Reitz field notes, 10/5/51, 508; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

²⁹⁴ Reitz field notes, 7/9/51; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

Unfortunately, the logistics of moving were convoluted. Lands within the taking area had to be appraised, their appraisal accepted, and formally sold. Simultaneously, lands in the residual areas of the reservation had to be identified for exchange or purchase – a situation made more complex by the half-century of allotment that had taken place. Already, some inherited lands were so fractionated – split between so many descendants of the original allotted tribal member – that parcels as small as thirty-six feet by thirty-six feet had to be accounted for and consolidated with other holdings. The field notes from one community meeting illustrate the complexity of fractionated holdings:

There are over 240,000 acres in the western segment and according to a survey made, there are 64 economic units within this segment which would indicate that the segment will be able to support 64 families. Under the various allotment acts during the period beginning 1900 until 1929, there was 3401 allotments made. Under the various allotment acts, some of you received 320,160, 80, and 40 acre allotments. Some of you received three allotments, some two, and some one, and others received none. Immediately after the allotments were made, the heirship problem present itself until today there are some allotments that have over 100 heirs; there are some persons interested in over 100 allotments.²⁹⁵

Only after the intricate land dealings were completed could tribal members begin the physical process of moving. This often included not only moving a house and everything in it – as shown in the photograph that began this chapter – but setting up the infrastructure to support a household in the new homestead, which included ensuring a well was drilled or spring developed, fencing pasture or field boundaries, making roads to the new house site, digging outhouses and taking care of plumbing needs, setting up corrals, sheds, and barns, and moving livestock.

The initial per capita payments that were distributed were often insufficient to meet the costs of the actual physical relocation. Further, much of the initial per capita

²⁹⁵ Independence District Meeting, 12/20/50; General Relocation Meetings; (Box 71) Relocation, claims, maps, progress reports; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

distributed went to meet immediate, rather than long-term moving needs. One tribal member had spent his entire per capita by August 1951 and had “nothing left. He spent 1200 for pick up which neither he nor Edna can drive. Then a wagon, farm equipment, pony for his son Richard’s boy Fred, 200 went for a cook stove, 225 for a washing machine, 100 for groceries, 25 for a horse, 100 or so for a water barrel.” And he could not remember what the rest went to. An elderly tribal member tried to buy a treat for his grandchildren with the initial per capita payment. “They gave us a thousand dollars apiece,” Clyde Baker (Mandan, Hidatsa) remembered,

and a lot of us, well, I guess all of us, never saw that kind of money. And I remember hearing about one of the old guys that used to have braids, he came from old Fishhook Village, he wanted to buy, well he bought a nickelodeon for his grandchildren. And when it was delivered they found out that he didn’t have electricity. [chuckles] But that’s what we were doing with our money, you see, we didn’t know how to handle big money, you know.²⁹⁶

Not everyone found their initial per capita payment nickled and dimed away from them. One tribal member invested in putting together a small community store in Shell Creek that became a community center of sorts.

Lee’s sister [Lee was the store owner] was there and they had a loud speaker on a car and were playing Indian records, some Sioux songs, some Hidatsa, and a few Western records thrown in. There were also some Sioux from another reservation. I noticed that when William Bell’s song was played, his son started to dance along. Lee is really going to town with this store, he wants to get a cooler, juke box, and hamburger stand. It certainly seems to be a focal point.”²⁹⁷

He hoped to set up a community store on the top lands after the river valley was flooded out.

²⁹⁶ Bruner Field Notes, August 7, 1951, 221; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution. Clyde Baker, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, New Town, ND, July 17, 1990.

²⁹⁷ Bruner Field Notes, August 1951, 241; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

In the planning leading up to relocation, families were classified in one of seven ways: as “agriculturalists,” “potential agriculturalists,” “off reservation,” “placement,” “government employees,” “welfare,” and “estates not probated.” They were then matched to the amount of land they had within the taking area, and the classified into categories based on the appraisal of their land conducted by the MRBI staff. The following table gives a rough outline of the land-based class system that functioned on Fort Berthold, and shows that the majority of tribal members held lands that would be compensated at the \$1,000 to \$7,000 range. The class system is also skewed towards the lower end of the landholders, and only a few tribal members held land in enough quantities and quality to be appraised at more than \$15,000.

Table VI.3 Compensation by Status

Classification	\$1-\$500	\$500-\$1,000	\$1,000-\$2,000	\$2,000-\$4,000	\$4,000-\$7,000	\$7,000-\$10,000	\$10,000-\$15,000	\$15,000-\$20,000	Over \$20,000	Total
Agriculturalists	7	13	25	27	32	31	21	11	7	174
Potential Agriculturalists	3	4	8	15	13	3	9	1	4	60
Off reservation	50	27	43	43	35	5	4	1	2	210
Placement	11	14	20	25	17	5	6	2	2	102
Gov't Employees	1	8	7	4	5	1	0	0	1	27
Welfare	5	8	7	19	17	16	10	4	3	89
Estates not probated	3	0	3	6	3	5	1	0	0	21
Totals	80	74	113	139	122	66	51	19	19	683

The bottom-heavy class structure also meant that the majority of tribal members would feel the economic costs of relocation very heavily, for the lack of high-value land

probably mirrored a lack of capital that would have allowed community members to insulate themselves from relocation costs.²⁹⁸

An inefficient and paternalistic Bureau of Indian Affairs staff exacerbated the financial stress of relocation. Reitz noted in his field notes in mid-1951, “The Aberdeen office has returned all pending land transactions for a statement by the buyer and seller as to the status of oil rights. This brings the land acquisition program and the consolidation of economic units to a halt, of course.” Aside from the area office, the local BIA staff could be autocratic and opaque in their dealings with tribal members. The BIA land agent, identified only as MacSpadden, was a “very bull-headed and an opinionated person, who decided how things should be done and then had people do it that way,” and unnecessarily complicated matters for tribal members when he forced decisions upon them regarding their land appraisals and sales.

Old George Howard, who was getting a divorce from his wife, had promised her some land. MacSpadden decided that George Howard should give her some land that was in the Taking Area so she would get cash money, and merely informed George that this was what he was going to have to do, in no uncertain terms. George felt that he had to comply, and he did. Mac did the same thing with Walter Stink Face, and in Walter’s case he didn’t even give Walter the appraisal of his property to approve along with the vast number of appraisals that have gone through and been approved and served as a basis upon which people have been paid for their land in the Taking Area. Walter’s case of appraisal was still sitting in his folder, and Sallee had come across it merely by accident, and it had never even been forwarded. This is because Mac wouldn’t deal with them, and so Walter complied which was to give his wife some land without knowing the appraisal value of any of it.

MacSpadden had even told the local Catholic priest, Father Reinhardt, to “go ahead and move his church and not to worry and that all would be taken care of. ...He instructed Father Reinhardt to do it though the usual sale hadn’t been consummated, and the deed

²⁹⁸ Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

approved, and in the face of a tribal council resolution which had tabled the original sale of the land to the person from whom Father Reinhardt had bought it by the tribes.”

Whether MacSpadden was making the process more difficult for tribal members, or illegally easy for the local priest, the end result added to the confusion and stress of relocating from the bottomlands.²⁹⁹

Of course not all BIA employees showed such disregard for tribal and individual rights. Many staff members labored to reduce the confusion of the relocation process. They held meetings along with tribal council members in each segment, disseminating information about the land appraisal process, the assessment of residual reservation lands, and community planning needs such as road construction, well development, and the carrying capacity of each new segment of the reservation. For the reservation would be divided into four segments once the waters rose, each isolated from each other. The physical separation of each segment created logistical problems for health care, law enforcement, and many other essential services. Although communities had been separated before by the Missouri River, the scope of the separation due to the Garrison Reservoir was far larger. In fact, the Twin Buttes segment of the reservation would be completely isolated from the other communities, and to this day tribal members must travel off-reservation in order to reach that segment, as illustrated by the map of Fort Berthold after the Garrison Dam on page 304.³⁰⁰

The information disseminated by BIA employees – and about which community members as a group were supposed to make planning decisions even as they planned

²⁹⁹ Reitz field notes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

³⁰⁰ Nishu District Meeting, 12/11/50; General Relocation Meetings; (Box 71) Relocation, claims, maps, progress reports; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

their own personal relocations – was complicated and at times overwhelming. Tribal members were asked to make decisions regarding the location of roads, keeping in mind the physical features of the terrain and the “potential cost of maintaining such a road.” They were also, by and large, given disappointing news about the carrying capacity of each segment, for the 1947 assessment conducted by the Missouri River Basin Authority had been optimistic. At Independence, they were told that the western segment would support sixty-four families, and only if the land was further developed past the current carrying capacity for thirty families – this down from the earlier estimate that claimed over one hundred families could be supported. They were also told that the western segment – the nearest to their community – largely held lands far worse than what currently supported them. The soil of the residual reservation lands were given seven possible classes. The top class soil – the most fertile – would mostly be covered by the reservoir. Community members were told in the Independence community planning meeting,

The class I-II and III soils were arable soils. Class I is the soil which is found on the bottom lands and which will eventually be lost in the Taking Area, Class II land would also be inundated except for about 40 acres in the entire western segment. Class III land was the only type available in the western segment and was at its best not very good farm land. If farmed this type of soil required extensive soil conservation practices. . . . Class IV land is good grazing land but can be used for forage production. Class V land is the marshy land which is absent in the Western Segment. Class VI land is good grazing land. Class VII not as good as your Class VI. And VIII is the badlands and is absolutely worthless.

Soil classification happened according not only to soil texture, but to soil depth. The slope of the land was also considered, and “a 9 foot fall in 100 feet was not desirable and automatically would place the land in the grazing class.” The amount of soil erosion that had already taken place on the land was also considered, and tribal members were told

that “[i]f land has deteriorated to the point where it had thin topsoil, the land was usually referred to the grazing class. Without care and proper conservation practices the entire western segment will be grazing land if not taken care of properly.” Before the actual flooding of the land, tribal members were struggling to stay afloat in a flood of complicated and disconcerting new information.³⁰¹

The possibility of living in communities similar to what was experienced pre-Garrison became, in a word, impossible. The realities of the much lower carrying capacity of the residual lands forced dispersed settlement on the reservation. The low quality of the residual lands made the combination of an agricultural or ranching lifestyle and the continuation of pre-Garrison community life diametrically opposed to one another. BIA relocation policy – admittedly based on a realistic assessment of the land base – assured that the families who had comprised the communities at Fort Berthold would be scattered across the prairie, separated from each other on self contained homesteads. As they developed the water resources on the residual lands, the BIA drilled them “in locations that would invite the uniform utilization of the land” – ensuring that family homesteads made best use of the land, but also remained physically distant from each other in a way that had never been experienced before in the history of the Three Affiliated Tribes.³⁰²

The process of moving was messier than the Bureau of Indian Affairs could plan for. The process of choosing land, moving a house, and setting up a home in what

³⁰¹ Independence District Meeting, 12/20/50; General Relocation Meetings; (Box 71) Relocation, claims, maps, progress reports; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

³⁰² Independence District Meeting, 12/20/50; General Relocation Meetings; (Box 71) Relocation, claims, maps, progress reports; Fort Berthold Indian Agency, North Dakota, Record Group 75; Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).

amounted to a foreign landscape took years, during which time tribal members lived with constant uncertainty and chaos.

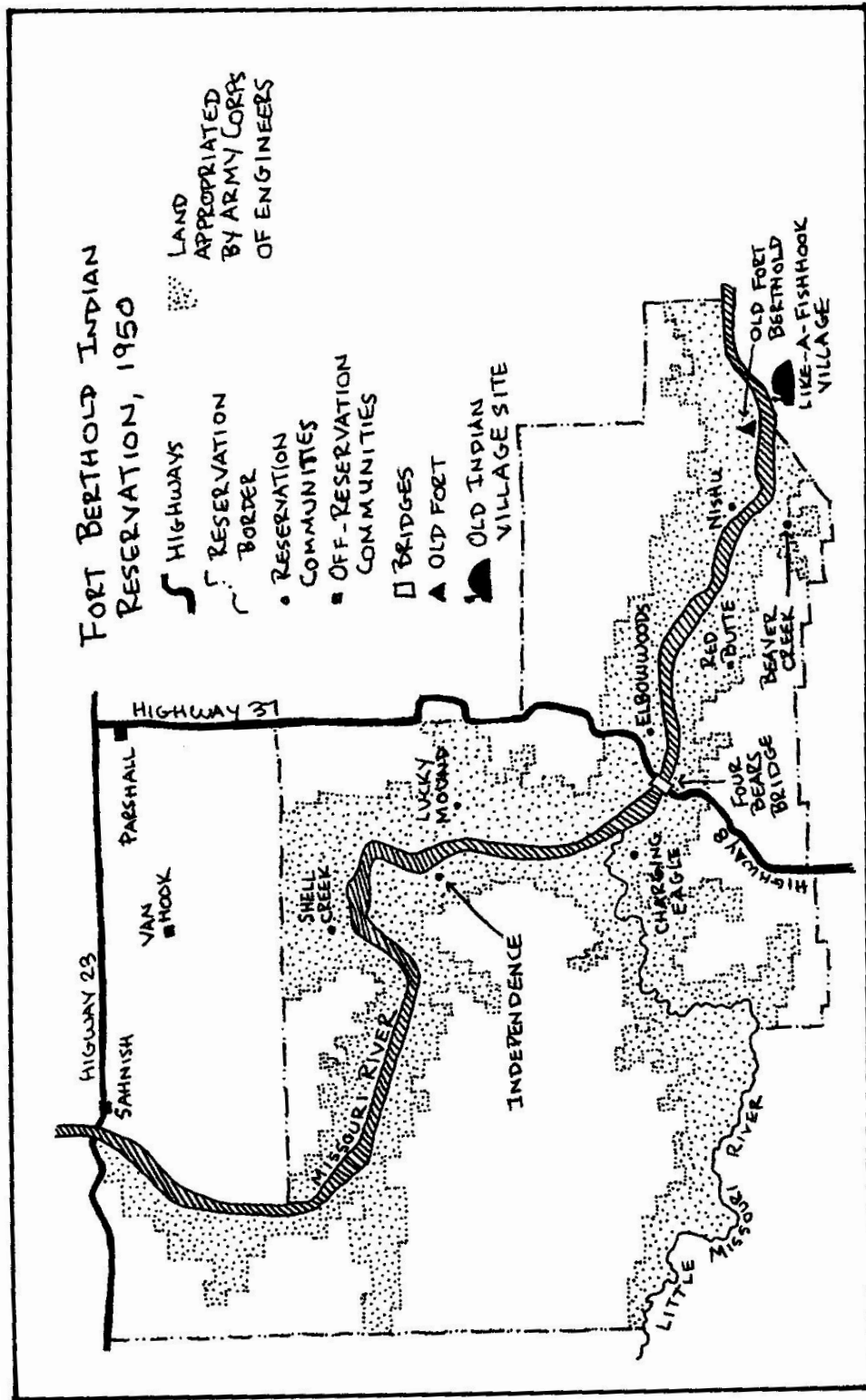
Oh there was a turmoil! Because you had to decide where you wanted your house. I remember my sister, Antelope Woman, she had her house was in Red Butte, so they were going to move to Mandaree ... that's where she moved do. So in order for that house to come there, they had to move it across the ice (cause it was rugged over here on the west side) and bring it all the way over here to Lucky Mound, and it stood there by the store until the ice froze again, and then they brought it across. And then of course there's no water [at the new homesteads], so they had to dig wells for wherever they were going to put their house, and they [the company being paid to drill wells] got paid according to the feet. And of course they would go down as far as they could, to make money, the ones that did the digging. And I remember all these people complaining about the water because they had to pump pump [for water] and their feet would go up in the air. I remember that, it was really rugged. It was a time of turmoil.³⁰³

Sometimes the houses being moved would sit on the prairie for days or weeks on end, as shown in the photograph at the beginning of this chapter. The houses became easy targets for thieves, who ransacked houses sitting on a truck trail on the prairie for belongings that looked old or antique and could be sold to dealers. In this way, some families lost all their family photographs, old beadwork or quillwork, or other items that had been treasured for generations.

The houses that sat on the prairie roads sat between their old homesteads in the river valley communities and new home sites on a prairie; between a community life that had accrued new meanings and forms with the development of a vibrant indigenous citizenship practice, and an unknown future. The vulnerability of those houses, unmoored from their foundations – to wind, snow, rain, or even to thieves – mirrors the vulnerability felt by community members as they anticipated a greatly changed future. As tribal members struggled through the turmoil of moving – forced to make land deals by

³⁰³ Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009.

BIA employees, working to move everything from graves to houses to people, and administering a sudden influx of serious cash – they faced a future as unknown as the prairie lands to which they moved. The communities struggled to make sense of sweeping environmental changes as well as the changes in the patterns of their own lives. Simultaneously, the Bureau of Indian Affairs implemented a settlement pattern on the residual lands that, while reflecting conservation and land management ‘best practice,’ ensured that families and communities would be scattered across the prairie.



S.C. Parker 2011

Image VI.2 Map, Fort Berthold as Affected by the Garrison Dam

Saying Goodbye

Lyda Bears Tail – then called Lyda Black Bear – was still the banner carrier for the Shell Creek ‘USO.’ From June 15 through 17, 1953, she carried the USO banner for a celebration in the Shell Creek community for the last time. These dates were set aside for a farewell celebration in Shell Creek, to bid “farewell to the valley” in anticipation of the rising waters of the Garrison Reservoir. The Shell Creek community even printed up programs for the celebration, which gave a detailed history of the Shell Creek community and the Xxoshga band in particular, before listing the key members of community organizations before detailing a packed schedule. The three days of the celebration were filled with community contests like sack races, tug of war, “saddle horses neck reining,” a “3-year-old youngsters candy race,” a “pop drinking contest for women of 55 and older,” and a “women’s tent-pitching contest” during all three of the mornings. During the afternoons, the reservation superintendent or the local school teacher would give an address before the powwow started in mid-afternoon. Beef were butchered, meals were served, and everything was free and open to the public. In the midst of all the chaos, political infighting, and the anticipation of sweeping change, some aspects of community life remained vibrant.³⁰⁴

The historical narrative presented in the program centered Shell Creek in the history of the Three Affiliated Tribes, from the time when the Crow Flies High band refused to stay on the reservation up through the passage of the IRA and Drags Wolf’s support of the Wheeler-Howard Act. The historical narrative closed with the words, “Today we are saying Farewell to Shell Village; Our Grandfathers, Where They Walked.

³⁰⁴ Tax, Sol. Papers, [Box 125, Folder 10], Special Collections Research Center, University of Chicago Library.

But the work and the spirit of those who have gone on before are with us, as we face the future to build the new and better life for those who are to follow.” The text of their narrative makes it clear that the farewell celebration evoked as much sadness as it did enjoyment of the activities; the program narrative, after all, began with the phrase, “Today we say farewell to the village of our fathers, as the waters of the reservoir rise to flood our ranch and crop lands, our homes and firesides” – clearly reflecting the pain of losing homes and community places associated with the unique history of the Crow Flies High band, a band that held onto its singular character and outlook from the mid-nineteenth century to the flooding of the river valley. But the conclusion, invoking as it does a community obligation to building a better life for “those who are to follow,” is just as important.³⁰⁵

Elbowoods also held a reservation-wide “Farewell to the Valley” as the waters began to rise, and these occasions gave community members the opportunity to formally say goodbye to the places that would soon be under water. The atmosphere at these gatherings must have included some sadness and nostalgia for the lands and places soon to be lost, but they also provided gathered tribal members with the opportunity to reconnect with each other, and to solidify social ties made more necessary in the face of dislocation and a chaotic economic and political scene. During the dance portions of the proceedings, the announcer and organizers would employ humorous methods to ensure participation and rev up the crowd. Sometimes the announcer would tell the crowd, “When we play songs, all the women have to dance or else be fined 25¢.” Everyone would laugh as the dance money was collected from the non-dancers. Other methods of

³⁰⁵ Tax, Sol. Papers, [Box 125, Folder 10], Special Collections Research Center, University of Chicago Library.

ensuring participation and fun include having the men sing like women, women to sing like men, or men and women to dance like the other gender. Again, those who did not participate would be “fined.”³⁰⁶

Certain community members worked to keep the celebrations lively and full of enjoyment, working the crowd of their own accord. At one celebration in Shell Creek (not the final celebration, but in the last few years before the communities were flooded),

Rosie Crow Flies High seemed to be the most active gal at the dance. She came around with a pole and made all the women get up and dance. This was always done in a jovial spirit with a lot of laughs and joking. Often the women would refuse the first time only to get up and dance after one or two proddings. No woman refused to dance after being prodded. ... When Rosie came around with the pole she joked with Pearl Edna and Cookie who were sitting together about how Louis Brown who acted as announcer. Louis had to name all the school kids who were being honored, and about half of the 14 kids were named Crow Flies High. Louis couldn't get the name straight, he changed between Crow Flies High, Crows Flies High, Crow Fly High, etc. The women thought this was a good joke.³⁰⁷

Rosie Crow Flies High would, in the 1970s, serve as the chairwoman of the Three Affiliated Tribes tribal council. Her social acumen and lively participation in the community of her birth probably helped her establish a solid base of political support after the relocation; surely, her experiences during the relocation also probably shaped her priorities and experiences as she worked on the tribal council.

Such celebrations were a way of saying goodbye to the places of community life before the rising waters took them. Individuals had more private ways of saying goodbye

³⁰⁶ Bruner Field Notes, August 1951, 280; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution. “I can see now why I was bored at the first dance earlier in the summer – simply because I did not understand relationship and who was who in the community. Now with a literal translation, I can catch the excitement and spirit and watch with the others there who gives what when and for whom. It would be pointless to attend dances in another community and try to analyze them as they would have no soul or meaning without understanding the vital ties intracommunally.”

³⁰⁷ Bruner Field Notes, August 1951, 280; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

to the river valley. Rosemarie Mandan's father (Hidatsa, Mandan) made a point of visiting the old Like A Fishhook village site as they were getting ready to move, to visit the site of his mother's earth lodge, where he was born. Before the land flooded, tribal member Mary Elk (Hidatsa) took photographs of different places in Shell Creek, the community where they had grown up. Unfortunately, her house burned with the pictures in it, so she no longer has any photographs of her childhood home. "That's what hurts me," she said. "You never can replace any pictures. You lose them once you lose it all." The process of saying goodbye would last for years afterwards. Decades after the flooding was complete, my grandmother, Myra Snow (Mandan, Hidatsa), stopped by the shore of the reservoir nearest to the community in which she had grown up. As she looked out over the water, she began to cry, sobbing. Throughout oral history interviews, community members make references to things left behind and covered by the water, from houses to tractors to gardens.³⁰⁸

In many ways, the move to the prairie may be defined by what was lost – not what community members experienced once the relocation was complete. One of the most basic aspects of the loss borne by the three tribes was their land and water. Dreke Irwin (Mandan, Hidatsa), a tribal member well-known on the reservation today for his work announcing at powwows, was in the service when the dam flooded the river valley; he came back to a drastically changed landscape. "What I always missed was that timber and that river," he remembered, "and all that rich ground; fertile." He noted that prairie soil is full of clay, "gumbo," and more fit for pastures than for fields. Tribal member Mary Elk – also known for her involvement in the community through her position held

³⁰⁸ Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009. Mary Elk, interviewed by Angela Parker, digital audio recording, New Town, ND, October 25, 2009.

in the Antelope Society – agreed. “All those things we lost,” she said, “they can never replace, no matter how much money they give us. They can never replace the good water and land we lost.”³⁰⁹

In the process of relocating to the prairie lands, community life changed irrevocably. Clyde Baker (Mandan, Hidatsa) believed that “all that kind of life was left down there, in that valley, because we were all mixed up here, some of the White Shield people came over and lived with us in Mandaree.” The change in communities, the sudden discontinuity ensured that, “our way of life just changed, like daylight to dark, the change.” Family closeness decreased, particularly in the time spent “visiting” relatives, which Baker blamed for how “today our kids don’t hardly know their relatives today, nothing like they used to.” Rosemarie Mandan agreed, and told how a whole generation of children was sent to boarding schools because the reservation schools were closed. Because so many children were sent away to school, “it just broke up the whole family system, it sure broke it up. Since everyone was going away, they didn’t learn their language, so the language is not spoken anymore. . . . It’s really a shame, because that culture, it’s tied in with the language. There’s no getting around it.”³¹⁰

Mandan’s childhood was filled with memories of her father or her grandmother telling tribal oral tradition or family stories during winter evenings to a log house full of neighborhood children; her father even used to read books like *Silas Marner* or *The Christmas Story* and retell the books in Hidatsa. She noted that the biggest change since the Garrison Dam flooded the river valley has been “the loss of culture. And we were all

³⁰⁹ Dreke Irwin, interviewed by Angela Parker, digital audio recording, New Town, ND, October 20, 2009. Mary Elk, interviewed by Angela Parker, digital audio recording, New Town, ND, October 25, 2009.

³¹⁰ Clyde Baker, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, New Town, ND, July 17, 1990. Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009.

separated. I was no longer close to my cousins, I wasn't close to where my grandparents lived. ...Broken up, just broken up." She continued,

We know all those things [tribal stories and family histories] because we were still at home. And just think if we had left, we wouldn't have all that family history, and all those other things my dad used to tell us. He used to take us outside and tell us legends ... see, those are things we don't have anymore. See in our little log house, the neighborhood kids would all come in and sit down and he would tell these stories, legends; or those coyote tales.

At the same time as the relocation from the river valley to the prairie was happening at Fort Berthold, the federal government implemented the twin policies of termination and relocation. Both policies – along with the concurrent P.L. 280 – eroded tribal communities across the country. Termination policy focused on ending the trust relationship between the federal government and tribes, and while nothing in the enabling legislation expressly diminished tribal sovereignty, the loss of the tribal trust status and thus tribal land base over which tribes could exert jurisdiction effectively eliminated tribal sovereign powers. Although the Three Affiliated Tribes were never on the termination shortlist, the threat of termination hung over the heads of every tribal group in the nation. At the same time, the Bureau of Indian Affairs encouraged the relocation of tribal members from reservations to major urban areas, such as Denver, Chicago, Los Angeles, Minneapolis, and Seattle. As the turmoil of relocating from the river valley swept Fort Berthold, throwing the economic and social life of the reservation into chaos, relocation to a major urban area became, not necessarily attractive, but necessary for survival. The combination of few jobs and the end of a functioning subsistence agricultural economy led tribal members to leave the reservation in search of economic survival. Even on relocation, however, times were tough. As Gail Baker (Mandan, Hidatsa) remembered about life after the Garrison Dam, "One of the biggest changes was

that it really split us up. They sent a lot of them on relocation, too, for jobs. But it's pretty hard when you don't have education to go on relocation and try to get a job, you're going to get the bottom job."³¹¹

Political life on the reservation remained troubled. In addition to continual fighting between the Cross and Whitman supporters, the physical relocation of tribal members to new communities threw the voting process into disarray. Because by the 1954 election most people had been moved to their new home sites, the previous districts could not be used and the plan to use the new segments had not yet been approved. Its approval needed a successful tribal referendum in which at least thirty percent of the eligible voters needed to participate. Thus, the entire 1952 tribal council stayed in power until the new segment voting amendment was approved in September 1956, and Cross and his faction "remained in office for more than two years after the expiration of his second term." Whitman regained the chairmanship, but Cross's control of the council ensured that it remained dominated by the 'no's' remained in power during the most important years in deciding how to administer and distribute the compensation money for the tribes' beloved river valley.

³¹¹ Getches, David H., Charles F. Wilkinson, and Robert A. Williams, Jr., *Cases and Materials on Federal Indian Law*, 4th ed. (Saint Paul: West Group, 1998): 204-224. Gail Baker, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 22, 2009.

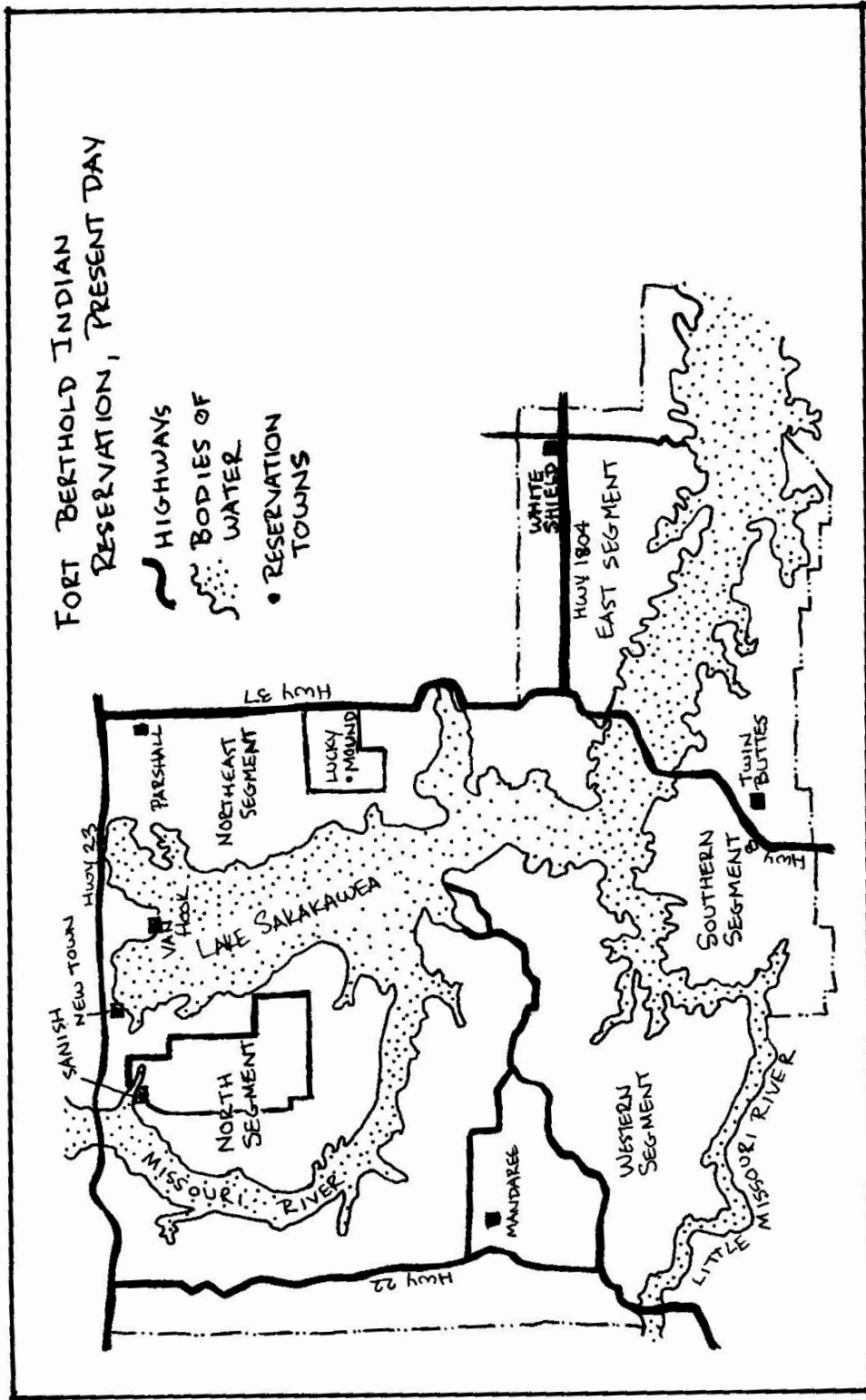


Image VI.3 Map, Fort Berthold Post-Garrison Dam

Broken. Mixed up. Split up. A change from daylight to dark. The land base of the Three Affiliated Tribes had undergone a radical shift in their territorial base, and life on Fort Berthold changed with it. The reservation became divided into five segments, with five towns serving as the central locations for schools, clinics, and community centers: Parshall (Northeast Segment), White Shield (East Segment), New Town (North Segment), Mandaree (West Segment), and Twin Buttes (South Segment). Awaati, the Missouri River, which had once served as a connection between communities, swelled and bloated after the Garrison Dam to separate each segment from the next, creating a reservoir which today is named Lake Sakakawea.

In the face of these changes, tribal members began to pick up the pieces of their community life that had been shattered by the dam – mostly for the benefit of their present and their future. Clyde Baker remembered, “The early ‘50s was pretty rough for us, you know, cause we had to change our way of life altogether. I guess I’m one of the luckier ones. My children, we had ten children my wife and I, I seen to it that they got to school, to a good school.” Every weekend Baker made the trip to the religious school in which his sons were enrolled. He moved from Independence to New Town when the waters of the dam rose, and eventually got a GED and some community college credits under his belt. He got a job in an office, and he and his wife sacrificed for the education of their children. His experience was mirrored by tribal members across the reservation, as they all worked to support the families they had, or to build families. Essential to this process, however, was the realization that preparing for the future was just as crucial as remembering the past.³¹²

³¹² Clyde Baker, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, New Town, ND, July 17, 1990.

Perhaps this is one of the central lessons of what happened at Fort Berthold – that our communities and families grow from and are sustained by the land, the places and spaces and territories we have marked, worked, populated with stories, planted, and loved. The beautiful practices that make a place a home – from welcome-home dances for servicemen and women, to grandmothers and aunties drying corn – emerge from our landscapes and a deep engagement with our past, but their meaning becomes most powerful when applied and used in the present and the future. As Dreke Irwin explained, “Before we were flooded out, everybody was used to it, grew up and took things for granted that it wasn’t gonna ever change. And all of a sudden, everybody had to move. I guess what land you have, you have to make the best of it, to bring up your family.”³¹³

Conclusion

As the heart of the Fort Berthold landscape was submerged, community members dealt with increased political turmoil, narrowing economic choices, the confusion of relocating families and communities, and the emotional demands that accompanying saying goodbye to your home forever. Not surprisingly, the impact of the issues that accompanied this loss of the center of the Fort Berthold landscape, work practices, and social life was the increase in political, class, and race divisions. Community members feared the end of their entire way of life would result. As the BIA exercised vast administrative powers over land transactions and settlement on the residual lands, the tribal council turned to the control over tribal compensation monies as a way to express authority – even as they undermined their own authority through vicious infighting. Despite this turmoil, community members found ways to say goodbye to their beloved

³¹³ Dreke Irwin, interviewed by Angela Parker, digital audio recording, New Town, ND, October 20, 2009.

river valley. Their community farewells to the valley emphasized the retelling of community pasts – perhaps a reaction to the fact that the places that helped to tell these stories would soon be underwater. Individual goodbyes tended to focus on place and landscape – visiting a birthplace, taking photographs, or even driving in following years to the edge of Lake Sakakawea to mourn them. Finally, for the people who lived through it, the move to the prairie became defined by what was lost – fertile land, good water, tribal language, cultural knowledge, and the transmission of community and family histories.

When precious things are endangered, a defense is usually mounted. When the edges of tribal territories were stolen during the late nineteenth and early twentieth centuries, a sense of sovereign territoriality resulted. When the very heart of the reservation was taken, tribal members began to regroup in ways that worked to ensure a future for their families and the community as a whole. The tools that had been developed through the early twentieth century – sovereign territoriality, indigenous citizenship, and the struggle to exert legitimate political authority both inside and outside the community – were mobilized not only to fight the Garrison Dam, but to rebuild after the lands were taken.

CHAPTER VII

Conclusion: This is the beginning of a story

In late July 1957, religious activist Dr. Galen Weaver received a letter from Marjorie Hyer from the Office of Communication for the United Church of Christ – what people at Fort Berthold would have called “the Congregationalists” – about her experience at an “Indian workshop” in Colorado Springs. Weaver was the Congregationalist leader who involved anthropologist Sol Tax and his graduate students at Fort Berthold as the tribes were preparing to relocate from the bottomlands. Weaver forwarded the letter to Tax and to a young woman from Fort Berthold who was working for the United Church of Christ, Tillie Walker. “I visited the Indian workshop at Colorado Springs with the intention of doing some publicity on it,” Hyer opened her letter. The United Church of Christ largely funded the workshop, which brought together Native youth from across the country to experience a crash course in federal Indian policy, Federal Indian Law, and Native history. Hyer continued, “In the course of nearly four days there I . . . came to the reluctant conclusion that any honest publicity we might put out about the workshop would be no credit to the Board of Home Missions and would probably do no good to the Indians.” Hyer appeared most deeply offended by the opinions expressed by the workshop leader, Robert Thomas (Cherokee).³¹⁴

His conception of the Christian Church is that it is an appurtenance of the white man’s culture which has served in the past, and continues to serve to subjugate the

³¹⁴ Memorandum, Marjorie Hyer to Dr. Galen Weaver, 7/24/57; Box 117, Folder 5; Tax, Sol; Papers, Special Collections Research Center, University of Chicago Library.

Indian. Even those church people who are interested in Indian problems, he feels, are completely naïve and have been made captive of the Bureau of Indian Affairs' point of view. The Bureau of Indian Affairs, Mr. Thomas seems to feel, is most of what's wrong with the Indians – that and the fact that the white man came to America. As a matter of fact, when I asked him what he felt was the solution to the problem of the Indian, he said, “the only real answer is for the white man to go back where he came from.” And then he laughed and said, “But, of course, that isn't going to happen.”

I am well aware of many of the reasons why an Indian should feel bitterness toward white men, toward the Bureau of Indian Affairs, and even toward the church. I can even see why he should feel bitterness toward other Indians – as he certainly does. However, I don't see what good purpose it serves to bring a bunch of Indian young people together to wallow in that bitterness for six weeks.³¹⁵

The workshop in Colorado Springs was in its second year by the time Hyer visited, and would continue into the early 1960s, influencing Native activists from across the country and providing a discursive community for the critiques that had previously been contained in the reservation communities from which they traveled. It is important to remember that it took place not in the mid-1960s or in the 1970s, but in 1957. In this decade of supposed conformity, indigenous activists were gathering to learn and to speak the truth about the state of Indian America.

Hyer's report caused a flurry of correspondence between Galen Weaver, Sol Tax, and Bob Thomas – Weaver asking Tax to investigate, Tax asking Thomas for more information, Thomas reporting back to Tax, and Tax actually visiting the workshop site. Tax eventually wrote to Weaver, “The report sent to you ... is strange, indeed. After talking to staff and students, I could only reach the conclusion that it reflects weaknesses not in the workshop but in the reporter.” Tax continued, “Bob Thomas did prepare the way for Ben Rifle's talk [Ben Rifle (Lakota) was the superintendent at Fort Berthold when tribal chair George Gillette was forced to sell the Missouri River bottomlands]; but

³¹⁵ Memorandum, Marjorie Hyer to Dr. Galen Weaver, 7/24/57; Box 117, Folder 5; Tax, Sol; Papers, Special Collections Research Center, University of Chicago Library.

so would you or I. Good education doesn't consist in blind listening." Tax's report to Weaver also happens to illustrate the power that can be exercised through historical narrative and structural critique. He explained, "The Workshop happened to be in its week on 'Indian History' while the reporter was there; and Bob in a lecture on the allotments – in order to show that the policies were supported by people of good will – mentioned that the churches favored the policies of breaking up tribal lands. She could have misinterpreted this, I suppose." Tax closed his report to Weaver by telling him, "My own impression is that the staff this year, like last year, is extremely careful to present the problems of Indians from all points of view, and to do so without making 'villians' of anybody."³¹⁶

Included on the correspondence was Tillie Walker (Mandan, Hidatsa), who was working for the United Church of Christ and became responsible for finding further funding for the workshops. Walker, the daughter of widely respected Independence community members Hans, Sr. and Mercy Walker, completed her college education during the same years that the Fort Berthold communities fought the implementation of the Garrison Dam with every resource at their disposal. She went on to become the director of the United Scholarship Service (USS), a program that in the late 1950s, 1960s, and 1970s was responsible for funding hundreds of Native American and Chicano/a youth to attend East Coast boarding schools and colleges, and while doing so, inspired and supported a generation of young tribal activists – through her mentorship, her camaraderie, and her support. Walker became involved in running and funding the summer institutes in the late 1950s and early 1960s – summer institutes that helped to

³¹⁶ Letter, Sol Tax to Galen Weaver, 8/8/57; Box 117, Folder 5; Tax, Sol; Papers, Special Collections Research Center, University of Chicago Library.

inspire and consolidate the piquant critiques of Indian activists for the next generation. She was also involved in the American Indian Chicago Conference in 1960, as well as the founding of the National Indian Youth Council. She gave fiery testimony at Senate hearings, attended countless marches and protests, and was the American Indian coordinator for the Poor People's Campaign.³¹⁷

Through this work, Walker became friends and comrades with people like Clyde Warrior (Ponca), Hank Adams (Assiniboine), Vine Deloria, Jr. (Lakota), and Mel Thom (Paiute) – men whose names are much better known and researched than hers. For example, a recent article about Clyde Warrior called him “*the* leader of the Red Power movement [emphasis in the original].” Deloria, meanwhile, is often regarded as the intellectual center of the era. Both Adams and Deloria were given “American Indian Visionary” awards by the national newspaper *Indian Country Today* – Adams described as, “one of the bravest and finest men I have ever known. His bravery is not foolhardy or mad, but that of one who totally recognizes the dangers he faces and goes ahead anyway – not once, but year after year. When I say ‘finest,’ I think of his kindness, intelligence, humor, and his persistence in good causes.” These men accomplished important things for Native America, but sometimes it seems that Native and white interest in finding twentieth century Indian ‘warriors’ can help to consign those who spurn such theatrical titles to the footnotes and margins of history.³¹⁸

³¹⁷ Daniel Cobb, *Native Activism in the Cold War Era: The Struggle for Sovereignty* (Lawrence: University of Kansas Press, 2010)

³¹⁸ Paul McKenzie-Jones, “‘We are among the poor, the powerless, the inexperienced and the inarticulate’: Clyde Warrior’s Campaign for a ‘Greater Indian America,’” *American Indian Quarterly* v34 n2 (2010): 224-257. Information on Hank Adams in *Native Americans Today: A Biographical Dictionary*, ed. Bruce E. Johansen, (Denver: Greenwood, 2010), 1-4. Also see <http://depts.washington.edu/civilr/fish-ins.htm>.

In 2006 as I began the research for this project, I visited Washington, D.C. with my aunt, Tillie Walker, so that I could visit the National Archives and she could attend an awards ceremony for Adams. He was being given the American Indian Visionary Award, and she wanted to attend to show her support. As we sat through the speeches I was struck by the fact that I had never heard of Adams, even though I was training to be a historian of Native America. It was a bit shameful. His work in the northwest coast fish-ins at Franks Landing and in the national Indian activism scene in the 1970s was impressive, and I was glad I attended the event with my aunt. As Adams gave his speech, he suddenly looked out to the audience and started talking about my Auntie Tillie. He said that she should be getting the award, for she had inspired and supported so many activists of that generation, and that although he knew he had no say in who would get the award the next year, he thought the committee should seriously consider awarding it to Auntie Tillie.

Auntie pretended she did not hear his words; I do not know how true this is. What I do know is that by the end of his description of her impact on that activist generation, I was wiping tears from my eyes. I also know that after his speech, Adams made a beeline for my aunt and was so very happy to see her and pleased that she had attended; he had not expected to see her, and his excitement as well as his connection to her was palpable.

This project grew in part from the gut feeling that Tillie Walker's activism and impact on a generation of Indian activists was no accident; it was born from her community's experiences in moving from the Missouri River valley after their lands were gutted via eminent domain. And her experiences mirrored the land takings and treaty breakings that were the reality of 1940s and 1950s Native America. Clyde Warrior, Mel

Thom, Hank Adams, Browning Pipestem, and countless others came from reservation communities that each had fought their own battles with the federal government or neighboring white communities – struggles that centered around tribal landscapes, tribal places, tribal territories, and tribal spaces. Sometimes tribal communities won those battles; more often, they lost – or were remunerated for their loss with inadequate compensation monies. Further, many of the original projects of the Indian activist era were focused on these battles, these stories, these struggles to preserve or to claim again the foundations of modern tribal sovereignty – land, water, treaty rights, and natural resources. These were not battles of principle. They were struggles for dirt. For water. For fish or wild game. Or for the right to control or halt the extraction of coal, oil, gas, or uranium from the tribal land base.

After the relocation from the river valley, the remaining tribal compensation monies were distributed per capita. Between 1950 and the spring of 1955, approximately \$4.5 million of the \$12.5 million in compensation money was distributed per capita, in short bursts of five hundred or a thousand dollars. Since a little over \$3 million had been distributed to individuals who lost lands in the taking area, by 1956 only a bit less than \$4.5 million of the compensation money remained. The ‘no’ faction, still in power after delaying the elections that year due to districting confusion after the move from the bottomlands, advocated for yet another per capita distribution of all remaining compensation money. After lobbying for and seeing the successful passage of legislation to distribute the rest of the money, the ‘no’ faction oversaw a \$1,343 distribution of the remaining funds to each individual tribal member. As historian Roy Meyer summarized,

“To all practical purposes the money appropriated by Congress in 1947 and 1949 had been distributed by the end of 1957.” Worse, a large portion of these last distributions practically evaporated: 68% went to non-durable goods and services, and 12% went to paying debts.³¹⁹

One cannot help but think back to the plan for the tribal compensation money proposed by the ‘yes’ faction. In the summer of 1950, Carl Whitman had travelled from community meeting to community meeting, talking through the plan and working to convince his political opposition that it would provide a better hope for the future. In June of that year, at a community meeting in Nishu, Whitman had focused his remarks to an influential elder in the community, Frank Heart. The meeting had been going on for several hours by this point; it had started just before 4pm, and was to end shortly thereafter at 9pm. Heart, who spoke little English and had to have the meeting translated into Arikara for him by tribal judge Peter Beauchamp, had just made plans to leave the meeting after speaking in favor of a per capita distribution of compensation money, when Whitman asked Beauchamp to translate a short statement into Arikara. Standing, Whitman explained his stance. “This is our father’s land – tribal land,” he said, “I wish it to continue so.”

In 3 years time, the Garrison Dam takes away some of our land – takes the deer, the berries, and so on, and in place we get 12 million and what’s left. According to the bill, that will be divided and given to the people who lose lands and improvements. We don’t know whether anything will be left.

I personally feel, if anything is left of tribal resources – it will be money. By our forefathers leaving the land intact, we of late years enjoyed its benefits. Those who are here after us want to have those resources after the water comes. All we have to offer is to offer money for their use. If our fathers had divided the tribal assets – we wouldn’t have any tribal property to enjoy now. That’s why we the council – and we are positive a lot of people feel the same – feel we should preserve this money for future generations.

³¹⁹ Meyer, 232-3.

This plan had been characterized by the ‘no’ faction as reenacting the worst controls of the Bureau of Indian Affairs and ensuring that the class structure on the reservation most benefitted those at the top. These criticisms may have been warranted; we will never know. Either way, the \$12.5 million in cash for hundreds of years of history, the heart of the tribal land base, and the future stability of the Fort Berthold communities still would have been a poor compensation. From the meeting notes, it is clear that Whitman’s words changed the minds of the people who attended the meeting, but of course not everyone on the reservation attended these long meetings in small spaces, in which proceedings had to be translated into at least one tribal language for the elders attending who spoke little English.³²⁰

Carl Whitman and members of the ‘yes’ faction were still on the council by the time the final per capita was distributed, but during the two-year delay of the 1956 election, they remained outnumbered. The translation of land into money into empty pockets became as inevitable as the Garrison Dam eventually seemed. This translation presaged a transition – a number of them, really. Political control of the council flip-flopped between Cross and Whitman, even after there was no money to fight over. Tribal members learned how to live on the prairie, setting up windbreaks and persistently planting their grandmothers’ seeds in gardens of a different soil. Children left the reservation for boarding schools because their parents were having a hard time in the new economy, and families left for urban centers on relocation for the same reason. But they all tended to return, cycling back and forth as they sought economic opportunity, an

³²⁰ Nishu District Meeting, Sunday, June 18, 1950, Robert Merrill field notes, 3:50-9pm, 10-11, Box 2, Folder 14, Grad Student Field Notes; Manuscript 4805; University of Chicago, Fort Berthold Project Records; Sol Tax – Fort Berthold Action Anthropology Project; National Anthropological Archives, Smithsonian Institution.

education, or both. The Fort Berthold economy transitioned from one largely based on agriculture and ranching to one based largely on unemployment. Men and women found office jobs, or they didn't. Rates of welfare rose, as did rates of alcoholism and violent death. Language transmission rates fell dramatically.

Change was brewing across the nation. The Civil Rights Movement labored to awake the consciousness of a country. The Cold War ensured that the men – and some women – of the three tribes would continue to have the opportunity to serve the country that had stolen their land, first in Korea, then in Vietnam. Some tribes had their trust relationship with the federal government terminated, and they suffered before fighting their way back to stability. And slowly, almost imperceptibly, young Native activists, such as those in the National Indian Youth Council, began to talk to each other and exchange old ideas that sounded new coming from their mouths. They talked about lands and children being stolen, or about the rights indigenous people retained even after they signed treaties. They talked about the racism and violence of border towns – which sometimes had the opposite of its intended effect, and produced young men like Clyde Warrior who proudly claimed that, “the sewage of Europe doesn't run in these veins.”

Some assiduously sought to right the wrongs of the past. The sons of two opposing factions on Fort Berthold – Raymond Cross and Hans Walker, Jr. – both went to law school and worked to establish new rules for what constituted “just compensation for lands taken.” Others just as determinedly worked for a better future, becoming teachers and social workers and nurses – and mothers and fathers who made sure that their children knew and were not ashamed of their tribal histories.

This happened all across the country, because while Fort Berthold is unique, the challenges it faced were not uncommon. For the cold takings and emotionless justifications happened to many Indian communities, and each one of those communities mobilized all their resources, all their ideas, all their people to fight them. They used new ideas alongside old ones, as Carl Whitman did, who reinterpreted tradition for a modern context and advocated for the long-term health of his tribes. They used their political wiles like Martin Cross, who fought for the disempowered in his community. They used whatever nooks and crannies they could find in the structures of a dominating sovereignty to assert their own – their own right to self-rule, their own right to manage and defend their territories, their own right to control their resources, and their own indigenous citizenship.

These are the stories of twentieth-century Native history, and they are complicated and beautiful and imperfect – it is hard to make sense of them sometimes, or to be able to find moral purchase in the stories of the individuals who lived them. But historians of Native America must take them seriously, for they leave us with a legacy of struggle, and an intellectual history in which, as anthropologist Jessica Cattelino describes Seminole history, the ideologies of “sovereignty as independence emerge from a long history of dispossession, domination, genocide, and state paternalism at the hands of the United States.”³²¹

This is what happened at Fort Berthold.

Tribal notions of place in a beloved river valley served as a foundation from which community members could counter and at times co-opt federal spatial projects – whether these projects included mapping the Missouri or allotting lands. But as tribes and

³²¹ Cattelino, 699-726.

the federal government used and understood technologies of sovereignty – both treaties and executive orders – tribal defense of their remaining territories became shaped and structured not only by the community meanings ascribed to place, but by the government-to-government relationship enacted via treaty and land negotiations. When the federal government continued to take bites both large and small of tribal land holdings, the tribes at Fort Berthold began to develop a feeling of sovereign territoriality, or a defensive stance towards their land base. This constitutes the first unintended effect of the exercise of federal sovereign power.

The second unintended effect resulted from the Indian Reorganization Act, which gave tribes the space necessary for them to remake tribal authority in ways that both fit community needs and outwardly satisfied the requirements of what the federal government considered legitimate authority within Indian country. As the Three Affiliated Tribes exercised the power to manage their land base and membership, the practice of management and the contestation of that management created an opportunity for tribal members to claim and exercise indigenous citizenship. This indigenous citizenship grew from the soil of tribal territories and a defense of the tribal land base, but also claimed and strategically mobilized the rights of U.S. citizenship as a means to ensure the future of the community. Once a space had been cleared for the exercise and definition of tribal authority, its practice spread like vines along the ground.

As one of the foundational concepts of modern sovereign power, the definition and practice of citizenship bears special attention. At Fort Berthold during WWII, a radically indigenous citizenship and patriotism was embodied and practice through dance, song, and work. As tribal members used their bodies to index and perform

indigenous notions of place, they co-opted powerful nationalistic narratives surrounding military service, production and consumption – even while their practice of these concepts was structured by a tribally-centric version of both. These practices illuminate a line of meaning drawn from tribal landscapes to community members and their embodiment of place, to a radically indigenous patriotism and citizenship.

When the implementation of the Garrison Dam forced tribal and federal sovereignties into conflict over the notion of the public good, tribal members used their practice of indigenous citizenship claims in defense of tribal territories facing inundation. These claims were based on treaty history and the recent gains in the federal-tribal relationship given strength by the Indian Reorganization Act. The mobilization of treaty rights in conjunction with the rights of patriotic citizens serves as one of the key elements in the foundation of modern tribal sovereignty – a sovereignty that sees no paradox between claiming treaty rights and simultaneously asserting the benefits of U.S. citizenship.

The final chapter describes the deep turmoil associated with the flooding of the bottomlands. As the administrative arm of federal Indian affairs was able to assume wide authority over tribal lands and territories, usurping tribal authority, tribal authority itself nearly shattered as what in previous years had been battles to define legitimate authority within tribal territories devolved into vicious battles over control over tribal compensation money. With the devolution of tribal authority, its citizenry was cast adrift to survive the disarray associated with the flooding of the heart of their landscape and their own relocation to what constituted almost a foreign environment. To cope, both individuals and communities developed ways to say goodbye to their beloved

bottomlands – goodbyes that centered around recognizing, visiting, and celebrating the places that sustained their personal and community histories. The loss of faith in tribal authority was, perhaps, also mediated by a continued faith in the futurity of Fort Berthold as a community – expressed through the persistent efforts to cultivate economic and educational opportunities for the next generation. For although the heart of the landscape had been gutted, the practices that in previous time periods has been developed as part of a generative and sustaining exercise of indigenous citizenship identity – community celebrations and their accompanying cultural productions, commitment to relatives and family, and agricultural work – helped Fort Berthold communities to weather the change even as those practices were endangered.

It is at this juncture that it becomes clear that the government’s notion of taking land for the Garrison Dam via eminent domain for the ‘public good’ did not include Native people in its conception of ‘the public.’ Sovereignty is based on the notion that the concentration of managerial and juridical power in the hands of a few is justified for the good of the public represented by that sovereign. It is the definition of public good that most often brings tribal sovereignties and the sovereignty of the U.S. state into conflict. This is no surprise. But what becomes clear in the *longue durée* of Native American history in the United States is that the exclusion of Natives from the public good is one of the key constituting oppositions that allowed U.S. sovereignty to develop as it has. Just as Carl Schmitt posited the formulation of modern international law as an outgrowth of the need to formalize a system allowing sovereignties to co-exist in response to the discovery of the “New World” – that “other” land that needed to be defined, marked, measured, owned – U.S. sovereignty developed and continues to develop dialogically, the “other”

being at various times Indians, English, French, Russians, Spanish; Indians (again) in expansion westward; Pacific takings such as Hawaii; interventions in Latin America, Asia; and our current “interventions” in the middle east. Further, as this history as well as the history of this chapter illustrate, neither tribal sovereignty *nor* U.S. sovereignty are ahistorical, or remain merely conceptual as legal abstractions. Sovereignty is constantly being negotiated, contested, shored up, diminished; it is historical, earthy, and built on the actions and interventions of both people and institutions.

So what if Indians are left out of the notion of the national public good? The notion of the ‘public good,’ ideas of citizenship – *and* technologies of sovereignty such as eminent domain that illustrate how those concepts are defined – are integral to the exercise and expression of sovereign authority. Currently, scholars of U.S. history theorize and narrate both citizenship and the state with little understanding of how U.S. sovereignty has been forged not only through the legal and political workings of those in power, but through it being posited against and forced to negotiate with tribal and other indigenous sovereignties. Those moments when indigenous people are excluded from the public good are the flashpoint moments – they show us where there is smoke.

Often, the smoke emanates from battles over land, water, and resources. Together, these things constitute the “territory” required to maintain a working sovereign body. The defense of space, or territory – and its taking, its modification, its irrigation and its flooding in the name of a sovereign’s ‘public good’ – is important to understand. Not just to respect the tribal members who testified before senators that they prayed when they passed by the gardens of their ancestors; it is important to link those prayers and the way the gardens were loved and remembered, even after they were covered by the greeny-

clear waters of a reservoir, to the larger story of the United States. And, ultimately, to remind historians of twentieth century U.S. history that the story of U.S. sovereignty cannot be understood or told in isolation from its attempts to nullify tribal sovereignties.

This critique, these ideas, have a long genealogy. This genealogy existed outside of history books throughout the nineteenth and most of the twentieth century. It has grown from the deeply loved soil of tribal territories and places, and was nurtured by everyone who has ever fought to protect those territories and places. It burst into fruition due to the labor of a generation of Indian activists who themselves were sustained by the teachings and ideologies of their parents and grandparents and great-grandparents, for as far back as they could trace them in spite of things like boarding schools, smallpox, massacres, or long walks of removals. It has a long intellectual history, which is not made any less intellectual simply because it was not written down. It has been passed down and lived by people like Hank Adams, and his relatives who taught him to be strong and insightful. It has been honed by community leaders like Carl Whitman and Martin Cross, who despite their differences were deeply, irrevocably committed to the future of their people. And its traditions have been expanded, enhanced and woven together through the work of women like Tillie Walker, or allies like Sol Tax and Galen Weaver.

This is the beginning of a story.

BIBLIOGRAPHY

Oral History Interviews

- Alameda Baker, interviewed by Angela Parker, video recording, New Town, ND, August 29, 1997.
- Clyde Baker, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, New Town, ND, July 17, 1990.
- Gail Baker, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 22, 2009.
- Lyda Bearstail, interviewed by Angela Parker, digital audio recording, Mandaree, ND, October 16, 2006.
- Edwin Benson, interviewed by Angela Parker, video recording, Twin Buttes, ND, August 1997.
- Cecelia Brown, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, White Shield, ND, July 17, 1990.
- Emmarine Chase, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, Bear Den Coulee, ND, June 20, 1990.
- Pete Coffey, Sr., interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, location unknown, 1990.
- Mary Elk, interviewed by Angela Parker, digital audio recording, New Town, ND, October 25, 2009.
- Emery Goodbird, Sr., interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, location unknown, 1990.
- Dreke Irwin, interviewed by Angela Parker, digital audio recording, New Town, ND, October 20, 2009.
- Rosemarie Mandan, interviewed by Angela Parker, digital audio recording, Bakersfield, ND, October 21, 2009.
- Myra Snow, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, New Town, ND, June 25, 1990.
- Carl Whitman, interviewed by Eric Wolf, National Park Service, tape recording converted to digital audio file, location unknown, date unknown, 1990.
- Tillie Walker, interviewed by Angela Parker, interview notes, Independence, ND, September 29, 2009.

Archival Sources

- Fort Berthold Indian Agency, North Dakota; Record Group 75, Records of the Bureau of Indian Affairs; National Archives and Records Administration – Central Plains Region (Kansas City).
- Fort Berthold Indian Agency, North Dakota; Records Concerning Indian Organization; Record Group 75, Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC.
- Missouri River Basin Reports and Related Records, 1946-52; Division of Resources, Branch of Irrigation; Record Group 75, Records of the Bureau of Indian Affairs; National Archives and Records Administration – Washington, DC.

Manuscript 4805. University of Chicago, Fort Berthold Project Records. Sol Tax – Fort Berthold Action Anthropology Project. National Anthropological Archives, Smithsonian Institution.
Tax, Sol. Papers, Special Collections Research Center, University of Chicago Library. Correspondence Series, Outgoing 1906 (Jun-Dec); Orin Grant Libby Papers, A85; North Dakota State Historical Society Archives.

Books, Articles and Theses

- Alfred, Taiaiake. *Peace, Power, and Righteousness: An Indigenous Manifesto*. New York: Oxford University Press, 1999.
- Anderson, Benedict. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. New York: Verso, 1991.
- Anderson, Kathryn and Dana Jack. "Learning to Listen: Interview Techniques and Analyses." In *Women's Words: The Feminist Practice of Oral History*, edited by Sherna Berger Gluck and Daphne Patai. New York: Routledge, 1991.
- Axtmann, Ann. "Dance: Celebration and Resistance, Native American Indian Intertribal Powwow Performance." Ph.D. diss., New York University, 1999.
- Berman, Tressa. *Circle of Goods: Women, Work, and Welfare in a Reservation Community*. Albany: State University of New York Press, 2003.
- Borland, Katherine. "'That's Not What I Said': Interpretive Conflict in Oral Narrative Research." In *Women's Words: The Feminist Practice of Oral History*, edited by Sherna Berger Gluck and Daphne Patai. New York: Routledge, 1991.
- Basso, Keith. *Wisdom Sits in Places: Landscape and Language Among the Western Apache*. Albuquerque: University of New Mexico Press, 1996.
- Bernstein, Alison. *American Indians and World War II: Toward a New Era in Indian Affairs*. Norman: University of Oklahoma Press, 1991.
- Billington, David and Donald Jackson. *Big Dams of the New Deal Era: A Confluence of Engineering and Politics*. Norman: University of Oklahoma Press, 2006.
- Biolsi, Thomas. "The IRA and the Politics of Acculturation: The Sioux Case." *American Anthropologist* 87 (1985).
- Biolsi, Thomas. "'Indian Self-Government' as a Technique of Domination." *American Indian Quarterly* 15 (1991).
- Biolsi, Thomas. *Organizing the Lakota: The Political Economy of the New Deal on the Pine Ridge and Rosebud Reservations*. Tucson: University of Arizona Press, 1998.
- Biolsi, Thomas. "Imagined Geographies: Sovereignty, Indigenous Space, and American Indian Struggle." *American Ethnologist* 32 (2005).
- Blackburn, Carole. "Differentiating Indigenous Citizenship: Seeking Multiplicity in Rights, Identity, and Sovereignty in Canada." *American Ethnologist* 36 (2009).
- Blackhawk, Ned. *Violence Over the Land: Indians and Empires in the Early American West*. Cambridge: Harvard University Press, 2006.
- Boime, Albert. "Waving the Red Flag and Reconstituting Old Glory." *Smithsonian Studies in American Art* 4 (1990).
- Bowers, Alfred W. *Mandan Social and Ceremonial Organization*. Chicago: University of Chicago Press, 1950.
- Bowers, Alfred W. *Hidatsa Social and Ceremonial Organization*. Lincoln: University of

- Nebraska Press, 1992. Original copyright 1965.
- Browner, Tara. *Heartbeat of the People: Music and Dance of the Northern Pow-wow*. Chicago: University of Illinois Press, 2002.
- Browner, Tara. "An Acoustic Geography of Intertribal Pow-wow Songs." In *Music of the First Nations: Tradition and Innovation in Native North America*, edited by Tara Browner. Chicago: University of Illinois Press, 2009.
- Brubaker, Rogers and Frederick Cooper. "Beyond 'identity.'" *Theory and Society* 29 (2000): 1-47.
- Bruner, Edward. "Two Processes of Change in Mandan-Hidatsa Kinship Terminology." *American Anthropologist* 57 (1955): 840-850.
- Bruner, Edward. "Primary Group Experience and the Processes of Acculturation." *American Anthropologist* 58 (1956): 605-623.
- Bruyneel, Kevin. "Challenging American Boundaries: Indigenous People and the 'Gift' of U.S. Citizenship." *Studies in American Political Development*, 18 (2004).
- Calloway, Colin. *One Vast Winter Count: The Native American West Before Lewis and Clark*. Lincoln: University of Nebraska Press, 2003.
- Cannon, Brian Q. "Power Relations: Western Rural Electric Cooperatives and the New Deal." *Western Historical Quarterly* 31 (2000).
- Carlson, David J. "'Indian for a While': Charles Eastman's 'Indian Boyhood' and the Discourse of Allotment." *American Indian Quarterly* 25 (2001).
- Carlson, Leonard. *Indians, Bureaucrats, and Land: The Dawes Act and the Decline of Indian Farming*. Unknown Location: Greenwood Press, 1981.
- Casey, Edward. "How To Get From Space to Place in a Fairly Short Stretch of Time: Phenomological Prolegomana." In *Senses of Place*, edited by Steven Feld and Keith Basso. Santa Fe, NM: School of American Research Press, 1996.
- Case, Rev. and Mrs. Harold. *100 Years at Ft. Berthold: The History of Fort Berthold Indian Mission 1876-1976*. Self-published, 1977.
- Castillo, Victoria. "Indigenous 'Messengers' Petitioning for Justice: Citizenship and Indigenous Rights in Peru, 1900-1945." PhD diss., University of Michigan, 2009.
- Cattelino, Jessica. "Florida Seminole Housing and the Social Meaning of Sovereignty." *Comparative Study of Society and History* (2006).
- Chakrabarty, Dipesh. *Provincializing Europe: Postcolonial Thought and Historical Difference*. Princeton: Princeton University Press, 2000.
- Child, Brenda. *Boarding School Seasons: American Indian Families, 1900-1940*. Lincoln: University of Nebraska Press, 2001.
- Clayton, Daniel. *Islands of Truth: The Imperial Fashioning of Vancouver Island*. Vancouver: University of British Columbia Press, 2000.
- Cobb, Daniel. *Native Activism in the Cold War Era: The Struggle for Sovereignty*. Lawrence: University of Kansas Press, 2010.
- Cobb, Daniel and Loretta Fowler, eds. *Beyond Red Power: American Indian Politics and Activism Since 1900*. Santa Fe: School for Advanced Research Press, 2007.
- Cohen, Lizabeth. *Making A New Deal: Industrial Workers in Chicago, 1919-1939*. New York: Cambridge University Press, 1990.
- Cohen, Lizabeth. *A Consumer's Republic: The Politics of Mass Consumption in Postwar America*. New York: Vintage, 2003.

- Cousins, Robert J. "Citizenship and Selfhood: Negotiating Narratives of National and Personal Identity, 1900-1920." PhD diss., Purdue University, 1997.
- Cowger, Thomas. *The National Congress of American Indians: The Founding Years*. Lincoln: University of Nebraska Press, 1999.
- Cronon, William. *Changes in the Land: Indians, Colonists and the Ecology of New England*. New York: Hill and Wang, 1983.
- Cronon, William. *Nature's Metropolis: Chicago and the Great West*. Norton: New York, 1991.
- De Certeau, Michel. *The Practice of Everyday Life*. Translated by Steven Rendell. Berkeley: University of California Press, 1984.
- Deloria, Philip J. *Indians in Unexpected Places*. Lawrence: University of Kansas Press, 2004.
- Deloria, Vine Jr. "Introduction." In *Speaking of Indians*, Ella Deloria. Lincoln: University of Nebraska Press, 1998.
- Deloria, Vine Jr. *Red Earth, White Lies: Native Americans and the Myth of Scientific Fact*. New York: Scribner, 1995.
- Doerfler, Jill. "Fictions and Fractions: Reconciling Citizenship Regulations with Cultural Values Among the White Earth Anishinaabeg." PhD diss., University of Minnesota, 2007.
- Duthu, Bruce. *American Indians and the Law*. New York: Penguin, 2008.
- Densmore, Frances. *Mandan & Hidatsa Music*. Bulletin 80, Smithsonian Institution, Bureau of American Ethnology, 1923.
- Densmore, Frances. "The Songs of Indian Soldiers during the World War." *Musical Quarterly* 20 (1934): 419-425.
- Ellis, Clyde. "'There Is No Doubt ... the Dances Should be Curtailed: Indian Dances and Federal Policy on the Southern Plains, 1880-1930.'" *Pacific Historical Review* 70: 543-569.
- Ellis, Clyde. *A Dancing People: Powwow Culture on the Southern Plains*. Lawrence: University Press of Kansas, 2003.
- Elmer, Johnathan. *On Lingering and Being Last: Race and Sovereignty in the New World*. New York: Fordham University Press, 2008.
- Elshtain, Jean Bethke. *Sovereignty: God, State, and Self*. New York: Basic Books, 2008.
- Emmerich, Lisa. "'Right in the Midst of My Own People': Native American Women and the Field Matron Program." *American Indian Quarterly* 15 (1991): 201-216.
- Erman, Samuel. "Puerto Rico and the Promise of United States Citizenship: Struggles around Status in a New Empire, 1898-1917." PhD diss., University of Michigan-Ann Arbor, 2010.
- Fenelon, James and Mary Louise Defender-Wilson. "Voyage of Domination, 'Purchase' as Conquest, Sakakawea for Savagery: Distorted Icons from Misrepresentations of the Lewis and Clark Expedition." *Wicazo Sa Review* 19 (2004): 85-104.
- Fixico, Donald. *Termination and Relocation: Federal Indian Policy, 1945-1960*. Albuquerque: University of New Mexico Press, 1986.
- Foucault, Michel. *Security, Territory, Population: Lectures at the College de France, 1977-78*. Trans. Graham Burchell. New York: Palgrave Macmillan, 2007.
- Getches, David H., Charles F. Wilkinson, and Robert A. Williams, Jr., eds. *Cases and Materials on Federal Indian Law, 4th ed.* Saint Paul: West Group, 1998.

- Gilman, Carolyn and Mary Jane Schneider. *The Way to Independence: Memories of a Hidatsa Indian Family, 1840-1920*. Saint Paul: Minnesota Historical Society Press, 1987.
- Gramsci, Antonio. "The Intellectuals." In *Selections from the Prison Notebooks of Antonio Gramsci*, Quintin Hoare and Geoffrey Nowell Smith, eds. and trans. New York: International Publishers, 1971. 6-23.
- Greenwald, Emily. *Reconfiguring the Reservation: The Nez Perces, Jicarilla Apaches, and the Dawes Act*. Albuquerque: University of New Mexico Press, 2002.
- Gunderson, M. "The Effects of the Garrison Dam on the Community of Elbowoods." Masters Thesis, University of North Dakota, 2001.
- Guthrie, Chester and Leo Gerald. "Upper Missouri Agency: An Account of Indian Administration on the Frontier." *Pacific Historical Review* 10 (1941): 47-56.
- Hall, Charles Lemon. *The Fort Berthold Mission: Elbowoods, North Dakota*. American Missionary Association, 1923.
- Hannah, Paul S. "An Analysis of the Assimilation of White Culture by Hidatsa Indians of North Dakota." Masters thesis, University of North Dakota, 1953.
- Hanson, Jeffery. *Hidatsa Culture Change, 1780-1845: A Cultural Ecological Approach*. Lincoln: National Park Service, Midwest Archeological Center, 1983.
- Hardt, Michael and Antonio Negri. *Empire*. Cambridge: Harvard, 2007.
- Hilger, M. Inez. "Some Customs Related to Arikara Indian Child Life." *Primitive Man* 24 (1951): 67-71.
- Howard, James. "Butterfly's Mandan Winter Count: 1833-1876." *Ethnohistory* 7 (1960): 28-43.
- Hoxie, Frederick. "From Prison to Homeland: The Cheyenne River Indian Reservation before WWI." *South Dakota History* 10 (1979): 1-24.
- Hoxie, Frederick. *Parading Through History: The Making of the Crow Nation in America, 1805-1935*. New York: Cambridge University Press, 1995.
- Hoxie, Frederick. *A Final Promise: The Campaign to Assimilate the Indians, 1880-1920*. Lincoln: University of Nebraska Press, 1984.
- Hoxie, Frederick. "Missing the Point: Academic Experts and American Indian Politics." In *Beyond Red Power: American Indian Politics and Activism since 1900*. Daniel M. Cobb and Loretta Fowler, eds. Santa Fe: School for Advanced Research Press, 2007.
- Iverson, Peter. *When Indians Became Cowboys: Native Peoples and Cattle Ranching in the American West*. Norman: University of Oklahoma Press, 1994.
- Johansen, E. Bruce, ed. *Native Americans Today: A Biographical Dictionary*. Denver: Greenwood, 2010.
- Kelsey, Robin. "Viewing the Archive: Timothy O'Sullivan's Photographs for the Wheeler Survey, 1871-74." *The Art Bulletin* 85 (2003).
- Kelly, Lawrence. "The Indian Reorganization Act: The Dream and the Reality." *Pacific Historical Review* 44 (1975): 291-312.
- Lawrence Kelly. *The Assault on Assimilation: John Collier and the Origins of Indian Policy Reform*. Albuquerque: University of New Mexico Press, 1983.
- Kennard, Edward. "Mandan Grammar." *International Journal of American Linguistics* 9 (1936): 1-43.

- Kivelson, Valerie Ann. *Cartographies of Tsardom: The Land and Its Meanings in Seventeenth-Century Russia*. Ithaca: Cornell University Press, 2006.
- Koppes, Clayton. "From New Deal to Termination: Liberalism and Indian Policy, 1933-1953." *Pacific Historical Review* 46 (1977): 543-566.
- Krasner, S.D. "Sovereignty: Political." *International Encyclopedia of the Social and Behavioral Sciences*. Neil J. Smelser and Paul B. Baltes, eds. Amsterdam: Elsevier, 2001.
- Krech, Shepard. *The Ecological Indian: Myth and History*. New York: Norton, 1999.
- Lansing, Michael. "Plains Indian Women and Interracial Marriage in the Upper Missouri Trade, 1804-1868." *Western Historical Quarterly* 31 (2000): 413-433.
- Lawson, Michael. *Dammed Indians: The Pick-Sloan Plan and the Missouri River Sioux, 1944-1980*. Norman: University of Oklahoma Press, 1982.
- Lazarus, Edward. *Black Hills/White Justice: The Sioux Nation Versus the United States, 1775 to the Present*. Lincoln: University of Nebraska Press, 1999.
- Lefebvre, Henri. *The Production of Space*. Translated by Donald Nicholson-Smith. Malden, MA: Blackwell Publishing, 1991.
- Lewis, G. Malcolm. *Cartographic Encounters: Perspectives on Native American Mapmaking and Map Use*. Chicago: University of Chicago Press, 1998.
- Low, Setha and Denise Lawrence-Zúñiga, eds. *The Anthropology of Space and Place: Locating Culture*. Malden, MA: Blackwell Publishing, 2003.
- Lowie, Robert. *Notes On The Social Organization And Customs Of The Mandan, Hidatsa, And Crow Indians*. Harrison Press, 2008 (reprint).
- Lupel, Adam. *Globalization and Popular Sovereignty: Democracy's Transnational Dilemma*. New York: Routledge, 2009.
- Maher, Neil. "'Crazy Quilt Farming on Round Land': The Great Depression, the Soil Conservation Service, and the Politics of Landscape Change on the Great Plains during the New Deal Era." *Western Historical Quarterly* 31 (2000): 319-339.
- Maher, Neil. *Nature's New Deal: The Civilian Conservation Corps and the Roots of the American Environmental Movement*. New York: Oxford University Press, 2007.
- Mancall, Peter. *American Encounters: Natives and Newcomers from European Contact to Indian Removal, 1500-1850*. New York: Routledge, 2000.
- Manning, Richard. *Grassland: The History, Biology, Politics, and Promise of the American Prairie*. New York: Penguin, 1995.
- Matthews, Washington. *Ethnography and Philology of the Hidatsa Indians*. 1877.
- Matthews, Washington. "The Earth Lodge in Art." *American Anthropologist* 4 (1902): 1-12.
- Matzko, John Austin. *Reconstructing Fort Union*. Lincoln: University of Nebraska Press, 2001.
- McKenzie-Jones, Paul. "'We are among the poor, the powerless, the inexperienced and the inarticulate': Clyde Warrior's Campaign for a 'Greater Indian America.'" *American Indian Quarterly* v34 n2 (2010): 224-257.
- McNickle, D'Arcy. "Introduction." In *Dams and Other Disasters: A Century of the Army Corps of Engineers in Civil Works*, Arthur E. Morgan. Boston: P. Sargent, 1971.
- Mekeel, Scudder and John Collier. *American Anthropologist* 46 (1945): 422-426.
- McMillen, Christian. *Making Indian Law: The Hualapai Land Case and the Birth of Ethnohistory*. New Haven: Yale University Press, 2007.

- Meyer, Melissa. *The White Earth Tragedy: Ethnicity and Dispossession at a Minnesota Anishinaabe Reservation, 1889-1920*. Lincoln: University of Nebraska Press, 1994.
- Meyer, Roy. *The Village Indians of the Upper Missouri: The Mandans, Hidatsas, and Arikaras*. Lincoln: University of Nebraska Press, 1977.
- Mintz, Sidney W. and Christine M. Du Bois. "The Anthropology of Food and Eating." *Annual Review of Anthropology* 31 (2002): 99-119.
- Mindy Morgan. "Constructions and Contestations of the Authoritative Voice: Native American Communities and the Federal Writers' Project, 1935-41." *American Indian Quarterly* 29 (2005).
- Needham, T. Andrew. "Power Lines: Metropolitan Space, Energy Development, and the Making of the Modern Southwest, 1945-1975." PhD diss., University of Michigan, 2006.
- Nelson, Scott G. *Sovereignty and the Limits of the Liberal Imagination*. New York: Routledge, 2010.
- Nesper, Larry. *The Walleye War: The Struggle for Ojibwe Spearfishing and Treaty Rights*. Lincoln: University of Nebraska Press, 2002.
- Newman, Marshall. "The Blond Mandan: A Critical Review of an Old Problem." *Southwestern Journal of Anthropology* 6 (1950): 255-272.
- Norcini, Marilyn. "The Political Process of Factionalism and Self-Governance at Santa Clara Pueblo, New Mexico." *Proceedings of the American Philosophical Society*, 149 (2005).
- Osburn, Katherine M.B. "'In a name of justice and fairness': The Mississippi Choctaw Indian Federation versus the BIA, 1934." In Daniel Cobb & Loretta Fowler, eds., *Beyond Red Power: American Indian Politics and Activism Since 1900*. Santa Fe: School for Advanced Research Press, 2007.
- Parman, Donald. *The Navajo and the New Deal*. New Haven: Yale University Press, 1976.
- Parman, Donald. "The Indian and the Civilian Conservation Corps." *Pacific Historical Review* 40 (1971).
- Patai, Daphne. "U.S. Academics and Third World Women: Is Ethical Research Possible?" In *Women's Words: The Feminist Practice of Oral History*, Sherna Berger Gluck and Daphne Patai, eds. New York: Routledge, 1991.
- Pauls, Elizabeth P. "The Place of Space: Architecture, Landscape, and Social Life." In *Historical Archaeology*, Martin Hall and Stephen Silliman, eds. Malden, MA: Blackwell Publishing, 2006.
- Peters, Virginia Bergman. *Women of the Earth Lodges: Tribal Life on the Plains*. Norman: University of Oklahoma Press, 2000.
- Philips, Sarah. *This Land, This Nation: Conservation, Rural America, and the New Deal*. New York: Cambridge University Press, 2007.
- Philp, Kenneth. "Termination: A Legacy of the Indian New Deal." *Western Historical Quarterly* 14 (1983): 165-180.
- Potter, Tracy. *Sheheke: Mandan Indian Diplomat--The Story of White Coyote, Thomas Jefferson, and Lewis and Clark*. Helena, MT: Farcountry Press, 2003.
- Powers, Ramon and James Leiker. "Cholera among the Plains Indians: Perceptions, Causes, Consequences." *Western Historical Quarterly* 29 (1998): 317-340.

- Prucha, Francis Paul. *The Great Father: The United States Government and the American Indians*. Lincoln: University of Nebraska Press, 1995.
- Prucha, Francis Paul. *American Indian Treaties: The History of a Political Anomaly*. Berkeley: University of California Press, 1994.
- Rabinow, Paul. "Anthropological Observation and Self-Formation." In *Subjectivity: Ethnographic Investigations*, Joao Biehl, Byron Good, and Arthur Kleinman, eds. Berkeley: University of California Press, 2007. 108-9.
- Reifel, Ben. "The Problem of Relocating Families on the Fort Berthold Indian Reservation." *Journal of Farm Economics* 32 (1950): 644-646.
- Ridgeway, Marian. *The Missouri Basin's Pick-Sloan Plan*. Urbana: University of Illinois Press, 1955.
- Rietz, Robert. "Leadership, Initiative, and Economic Progress on an American Indian Reservation." *Economic Development and Cultural Change* 2 (1953): 60-70.
- Roach, Joseph. *Cities of the Dead: Circum-Atlantic Performance*. New York: Columbia University Press, 1996.
- Rosier, Paul. "'They Are Ancestral Homelands': Race, Place, and Politics in Cold War Native America, 1945-1961." *Journal of American History* 92 (2006):1300-26.
- Rosier, Paul. *Serving Their Country: American Indian Politics & Patriotism in the Twentieth Century*. Cambridge: Harvard University Press, 2009.
- Rusco, Elmer. *A Fateful Time: The Background and Legislative History of the Indian Reorganization Act*. Las Vegas: University of Nevada Press, 2000.
- Russell, Brian. "Flooded Lifeways: A Study of the Garrison Dam and its Environmental Impact upon the Three Affiliated Tribes of the Fort Berthold Indian Reservation." Masters Thesis, University of North Dakota, 2000.
- Russell, Brian and D. Jerome Tweton. *Promise of Water: The Legacy of Pick-Sloan and the Irrigation of North Dakota*. Bismarck, N.D.: North Dakota Humanities Council, 2002.
- Sack, Robert. *Human Territoriality: Its Theory and History*. Cambridge, UK: Cambridge University Press, 1986.
- Sanchez, George J. *Becoming Mexican American: Ethnicity, Culture and Identity in Chicano Los Angeles, 1900 – 1945*. New York: Oxford University Press, 1993.
- Sandstrom, Tessa. "A Re-emerging History: History of the Four Bears Bridge and the Lost Communities of North Dakota." Masters Thesis, University of North Dakota, 2006.
- Schmittou, Douglas and Michael Logan. "Fluidity of Meaning: Flag Imagery in Plains Indian Art." *American Indian Quarterly* 26 (2002): 559-604.
- Schrijer, Nico. *Sovereignty Over Natural Resources: Balancing Rights and Duties*. London: Cambridge University Press, 1997.
- Schulman, Bruce. *From Cotton Belt to Sunbelt: Federal Policy, Economic Development, and the Transformation of the South, 1938-1980*. Durham: Duke University Press, 1994.
- Scott, James. *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*. New Haven: Yale University Press, 1999.
- Sekula, Allan. "The Body and the Archive." In Richard Bolton, ed., *The Contest of Meaning: Critical Histories of Photography*. Cambridge, MA: MIT Press, 1989. 350-61.

- Sekula, Alan. "Reading an Archive: Photography between Labor and Capital." In Liz Wells, ed., *The Photography Reader*. New York: Routledge, 2003. 359-60.
- Shah, Nyan. *Contagious Divides: Epidemics and Race in San Francisco's Chinatown*. Berkeley: University of California Press, 2001.
- Shama, Simon. *Landscape and Memory*. New York: Vintage, 1996.
- Sherow, James E. *The Grasslands of the United States: An Environmental History*. Denver: ABC-Clio, 2007.
- Shuman, Amy. *Other People's Stories: Entitlement Claims and the Critique of Empathy*. Urbana: University of Illinois Press, 2005.
- Smelser, Neil J. and Paul B. Baltes, eds. *International Encyclopedia of the Social & Behavioral Sciences*. Oxford: Elsevier, 2001.
- Smith, Andrea. *Conquest: Sexual Violence and American Indian Genocide*. Cambridge, MA: South End Press, 2005.
- Smith, Paul Chaat and Robert Warrior. *Like a Hurricane: The Indian Movement from Alcatraz to Wounded Knee*. The New Press, 1996.
- Stange, Maren. "The Pittsburgh Survey: Lewis Hine and the Establishment of the Documentary Style." In Stange, *Symbols of Ideal Life: Social Documentary Photography in America, 1890-1950*. New York: Cambridge University Press, 1992. 47-87.
- Tagg, John. *The Burden of Representation: Essays on Photographies and Histories*. Amherst: University of Massachusetts Press, 1988.
- Thiessen, Thomas D., W. Raymond Wood, and A. Wesley Jones. "The Sitting Rabbit 1907 Map of the Missouri River in North Dakota." *Plains Anthropologist* 24 (1979): 145-67.
- Trennert, Robert. "Educating Indian Girls at Nonreservation Boarding Schools, 1878-1920." *Western Historical Quarterly* 13 (1982): 271-290.
- Troutman, John. "Citizenship of Dance." In Daniel Cobb & Loretta Fowler, eds., *Beyond Red Power: American Indian Politics and Activism Since 1900*. Santa Fe: School for Advanced Research Press, 2007.
- Troutman, John. *Indian Blues: American Indians and Politics of Music, 1879-1934*. Norman: University of Oklahoma Press, 2009.
- Valandra, Edward and Vine Deloria, Jr. *Not Without Our Consent: Lakota Resistance to Termination, 1950-1959*. Urbana: University of Illinois Press, 2006.
- VanDevellder, Paul. *Coyote Warrior: One Man, Three Tribes, and the Trial that Forged a Nation*. New York: Little, Brown, 2004.
- Vaughn, Stephen L., ed. *Encyclopedia of American Journalism*. New York: Routledge, 2008.
- Warhus, Mark. *Another America: Native American Maps and the History of Our Land*. New York: St. Martin's Press, 1997.
- Washburn, Wilcomb E. "A Fifty-Year Perspective on the Indian Reorganization Act." *American Anthropologist* 86 (1984): 279-289.
- Wedel, Waldo. *Prehistoric Man on the Great Plains*. Norman: University of Oklahoma Press, 1961.
- Weisiger, Marsha. "Gendered Injustice: Navajo Livestock Reduction in the New Deal Era." *Western Historical Quarterly* 38 (2007).
- Wessel, Thomas. "Agent of Acculturation: Farming on the Northern Plains Reservations,

- 1880-1910." *Agricultural History* 60 (1986): 233-245.
- White, Richard. "Using the Past: History and Native American Studies." In Russell Thornton, ed., *Studying Native America: Problems and Prospects*. Madison: University of Wisconsin Press, 1998.
- White, Richard. *Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*. New York: Cambridge University Press, 1991.
- Wilkins, David. *American Indian Sovereignty and the U.S. Supreme Court: The Masking of Justice*. Austin: University of Texas Press, 1997.
- Will, George F. "Some Hidatsa and Mandan Tales." *Journal of American Folklore* 25 (1912): 93-94.
- Wazyatawin, Angela Wilson. *Remember This! Dakota Decolonization and the Eli Taylor Narratives*. Lincoln: University of Nebraska Press, 2005.
- Wazyatawin, Angela Wilson. "Power of the Spoken Word: Native Oral Traditions in American Indian History." In Donald Fixico, ed., *Rethinking American Indian History*. Albuquerque: University of New Mexico Press, 1997.
- Wazyatawin, Angela Wilson. "Grandmother to Granddaughter: Generations of Oral History in a Dakota Family." In Devon Mihesuah, ed., *Natives and Academics: Researching and Writing about American Indians*. Lincoln: University of Nebraska Press, 1998.
- White, Richard. *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*. New York: Cambridge University Press, 1991.
- Williams, Robert. *The American Indian in Western Legal Thought: The Discourses of Conquest*. New York: Oxford University Press, 1990.
- Williams, Robert. *Like a Loaded Weapon: The Rehnquist Court, Indian Rights, and the Legal History of Racism in America*. Minneapolis: University of Minnesota Press, 2005.
- Wilson, Gilbert. *Agriculture Of The Hidatsa Indians: An Indian Interpretation*. Minneapolis: University of Minnesota, 1917.
- Wilson, Gilbert. *Waheenee: An Indian Girl's Story*. American Museum of Natural History, 1921.
- Wilson, Gilbert. *Buffalo Bird Woman's Garden*. Saint Paul: Minnesota State Historical Society Press, 1987 (reprint).
- Wood, W. Raymond. *An Interpretation of Mandan Culture History*. Smithsonian Institution, Bureau of American Ethnology, Bulletin 198. U.S. Government Printing Office: Washington, DC, 1967.
- Wood, W. Raymond. *The Origins of the Hidatsa Indians: A Review of Ethnohistorical and Traditional Data*. Lincoln: J&L Reprint Company, 1986.
- Wood, W. Raymond and Thomas Thiessen. *Early Fur Trade on the Northern Plains: Canadian Traders Among the Mandan and Hidatsa Indians, 1738-1818*. Norman: University of Oklahoma Press, 1985.

Other Sources

- American Indian Quarterly* v15 n1 (Winter 1991).
- Case, Ralph Hoyt. *Fort Berthold Dam Site v. the Garrison Dam Site: Statement of Fact and Law*. Location and publisher unknown, 1947.

- Chrisman, Gabriel, "The Fish-in Protests at Franks Landing,"
<http://depts.washington.edu/civilr/fish-ins.htm>.
- Fargo Forum*. Garrison Dam construction photograph collection. Fargo, N.D.: Fargo Forum, 1946-1953.
- Fort Berthold Indian Defense Association. *Indian Tribes Fight Eviction*. Elbowoods, N.D.: The Association, 1946.
- Harris, Leo. *Water is Coming: Souvenir Garrison Dam Project*. Fargo, N.D.: Forum Publishing Company, 1949.
- Missouri River Natural Resources Committee and the U.S. Geological Survey, Biological Resources Division, Missouri River Environmental Assessment Program, 1998.
- National Endowment for the Humanities. *History of the Upper Great Plains as Recorded by the Participating American Indian Tribes from 1850 to the Present: A Suggested Approach to Showing on Television the Historical Background for Vital Contemporary Plains Indian Issues*. 1970s.
- "Navajo 'Self-Government,'" *Indian Truth* (v14, n5, May 1937),
<http://www.accarchives.org/ec/4-65.pdf>.
- Neal, Bigelow. *The Valley of the Damned*. Garrison, N.D.: Independent Pub. Co., 1949.
- North Dakota. *Garrison Dam and Reservoir Project*. Bismarck: North Dakota State Dept. of Public Instruction, 1947.
- Peinado, J. Carlos. *Waterbuster*. DVD. Brave Boat Productions, 2006.
- Peter Kiewit Sons' Co. *Miracle on the Missouri*. Riverdale, N.D.: Morrison-Knudsen Company, 1954.
- Robinson, Sheila. *Taming the Big Muddy: The Story of Garrison Dam*. Garrison, N.D.: BHG, Inc., 1997.
- United States. *Garrison Dam on the Missouri*. Riverdale, N.D.: U.S. Army, Corps of Engineers, Garrison District, 1955.
- United States. Hearings before the United States Senate Committee on Indian Affairs, Seventy-Ninth Congress, first session, on Oct. 9, 1945 (Washington, D.C.: U.S. G.P.O., 1945).
- United States, S. 2480-S. 2663: hearing before the Select Committee on Indian Affairs, United States Senate, Ninety-eighth Congress, second session, June 21, 1984, Washington, DC.
- USGS-Biological Resources Division, "Missouri River Commission Maps,"
<http://aa179.cr.usgs.gov/1894maps/>.