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## **“The Ground You Walk on Belongs to My People”: Lakota Community Building, Activism, and Red Power in Western Nebraska, 1917-2000**

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“THE GROUND YOU WALK ON BELONGS TO MY PEOPLE”: LAKOTA COMMUNITY  
BUILDING, ACTIVISM, AND RED POWER IN WESTERN NEBRASKA, 1917-2000

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A dissertation submitted in partial fulfillment  
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## **Abstract**

Framed by histories of Lakotas in the twentieth century, American Indian Activism, and the “long civil rights movement,” this dissertation seeks to provide new perspectives on the American Indian civil rights movement. Although the United States government removed Lakotas from western Nebraska in the late nineteenth century, some returned to a portion of their homeland, settling and working in the border town of Gordon and the region’s two largest towns, Alliance and Scottsbluff, in the twentieth century. Between 1917 and 2000, Lakotas living in off reservation communities in western Nebraska created a grassroots reform movement, whose goals differed from the national and pan-Indian civil rights movement. Although many were enrolled tribal members of the Oglala or Síčhánǵu Lakota Nations, Lakotas in western Nebraska were more concerned with ending segregation and racism in their communities than explicitly addressing tribal sovereignty. Lakota leaders not only fought to end discrimination, but also for the federal government to continue providing its trust responsibilities to Lakotas in western Nebraska. This dissertation reveals that American Indian civil rights’ origins are more diverse than being rooted in national American Indian organizations. The movement that arose in western Nebraska provides an example of American Indian activism that developed in a rural off reservation region.

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## Chapter 1: Introduction

May in western Nebraska is an exciting month. As the weather warms, residents put their heavy winter coats in the closet and pull out their shorts. Rain from, sometimes violent, thunderstorms turns the Sandhills a magnificent emerald green. May also means high school graduations. On May 29, 1997, residents looked through the local high school graduating class' senior pictures printed in the *Alliance Times-Herald*, and they also read the front-page headline announcing the death of a Lakota inmate in the Box Butte County Jail. Although brief, the article represented issues much larger than most readers realized. Shane Dawn's death revived a decades old debate on race relations in western Nebraska. During a ten-month period in the early 1970s, four Lakota inmates died in Alliance jails. City officials attributed the deaths to suicide; Lakotas countered that they resulted from the police department's neglect or abuse. Thus, nearly three decades later, Lakotas remained wary of jail suicides and the legal system. Scottsbluff Indian Center Director and Nebraska Indian Commission (NIC) member Owen Patton remarked, "our concern is with the judicial system and the dual justice that still occurs with the Lakota people."<sup>1</sup> Dawn's jail death tore open decades old wounds and revealed a complex story of a civil rights struggle in western Nebraska.

This dissertation examines the Lakota civil rights movement in western Nebraska during the twentieth century. Although the United States government removed Lakotas from western Nebraska in the late nineteenth century, some returned to a portion of their homeland, settling and working in the border town of Gordon and the region's two largest towns, Alliance and Scottsbluff, in the twentieth century. Between 1917 and 2000, Lakotas living in off reservation communities in western Nebraska created a grassroots reform movement, whose goals differed

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<sup>1</sup> Marie Porterfield, "Jail Death of Lakota Man Sparks Community Anger: Shane Dawn Case Reminds Many of Abuse in Alliance," *Indian Country Today*, 21 July 1998, A1.

from the national and pan-Indian civil rights movement. Although many were enrolled tribal members of the Oglala or Sičhánǵu Lakota Nations, Lakotas in western Nebraska were more concerned with ending segregation and racism in their communities than explicitly addressing tribal sovereignty.<sup>2</sup> Off reservation Nebraska Lakotas struggled in between a lack of federal and state support. Once off the reservations, Lakotas lost federal assistance, while local and state Nebraska officials never sufficiently replaced the federal aid. The support the United States promised Lakotas through treaties and acts of legislation, such as the Indian Reorganization Act (1934), ended when Lakotas established communities in western Nebraska during World War II. Because of federal and state marginalization, western Nebraska Lakotas organized a civil rights movement. Lakota leaders not only fought to end discrimination, but also for the federal government to continue providing its trust responsibilities to Lakotas in western Nebraska. This dissertation reveals that American Indian civil rights' origins are more diverse than being rooted in national American Indian organizations. The movement that arose in western Nebraska provides an example of American Indian activism that developed in a rural off reservation region.<sup>3</sup>

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<sup>2</sup> By a civil rights movement, I mean Lakotas' fight for constitutional rights, equality before the law, and challenge to a social system that segregated and discriminated against them. Lakotas in western Nebraska lived within a settler colonial society. Settler colonialism is a structure that seeks to eliminate Indigenous peoples for control of land and society. The settler colonial structure in western Nebraska sought to erase Lakota claims to the land and to keep Lakotas at the bottom of the social ladder. Scholars frame the 1940s onward for American Indians in the context of movements for self-determination and tribal sovereignty. Lakotas in western Nebraska, however, participated in a civil rights movement more akin to what simultaneously occurred in the South. There, African Americans challenged white supremacy, which segregated and discriminated against them. See Martin Luther King, Jr., "Letter from a Birmingham Jail," in Eric Foner, ed., *Voices of Freedom: A Documentary History* (W.W. Norton: New York): 268-271. For more discussion of settler colonialism see, Patrick Wolfe, "Settler Colonialism and the Elimination of the Native," *Journal of Genocide Research* 8 (2006): 387-409; Patrick Wolfe, et al., "The Settler Complex: Settler Colonialism and Indigenous Alternatives in Global Context 1," *American Indian Culture and Research Journal* 37 (Issue 2 2013): 1-207; Lorezno Verancini, *Settler Colonialism: A Theoretical Overview* (New York: Palgrave Macmillan, 2010); Margaret D. Jacobs, *White Mother to a Dark Race: Settler Colonialism, Maternalism, and the Removal of Indigenous Children in the American West and Australia, 1880-1940* (Lincoln: University of Nebraska Press, 2009); John R. Wunder, "Retained by the People": *A History of American Indians and the Bill of Rights* (New York: Oxford University Press, 1994), 16-41.

<sup>3</sup> Andrew Fisher called for scholars to examine lesser known and off reservation American Indian communities. Andrew Fisher, *Shadow Tribe: The Making of Columbia River Indian Identity* (Seattle: University of

Scholars have neglected Lakotas in western Nebraska, instead focusing on South Dakota and the Lakota reservations.<sup>4</sup> Yet, Lakotas have long been a part of western Nebraska history and maintain deep historical and cultural ties to the region. Lakota creation stories do not place the Lakota *Oyate* (Nation) in Nebraska. Lakotas, however, absorbed western Nebraska into their homeland decades before white settlement. Before removal and confinement to reservations, Lakotas entered Nebraska to hunt buffalo in the Sandhills and along the North Platte River Valley. Lakotas recorded their history through winter counts, in which a Lakota band selected one significant event to remember the year. Winter counts revealed conflicts between Pawnees and Lakotas in the region. Language also connects Lakotas to the region as many Lakotas still refer to the western Nebraska's landmarks in Lakota terms. Lastly, the Treaty of Fort Laramie (1868), one of the most significant documents in Lakota history, ties Lakotas to the area because the treaty designated western Nebraska as unceded Lakota hunting grounds. Although the U.S. government seized western Nebraska, along with the Black Hills in 1877, Lakotas remain aware

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Washington Press, 2010). See also, Malinda Maynor Lowery, "People and Place: Croatan Indians in Jim Crow Georgia, 1890-1920," *American Indian Culture and Research Journal* 21 (Spring 2005): 37-64; David Beck, *Seeking Recognition: The Termination and Restoration of the Coos, Lower Umpqua, and Siuslaw Indians, 1855-1984* (Lincoln: University of Nebraska Press, 2009).

<sup>4</sup> Scholars often disregard or ignore Lakota claims to western Nebraska. Believing Lakotas are not indigenous to Nebraska, historical geographer David Wishart's study examining the dispossession of Nebraska Indians ignores Lakota removal in western Nebraska. See, David Wishart, *An Unspeakable Sadness: The Dispossession of the Nebraska Indians* (Lincoln: University of Nebraska Press, 1995). Although Lakotas possess ties to land in a variety of regions across the Great Plains, Lakotas' connection to land centers on the Black Hills (*Paha Sapa*). This is unsurprising given that the Black Hills are the most sacred section of Lakota land and its illegal seizure by the United States makes it a highly politicized issue. For more than a century, Lakotas have demanded the return of the Black Hills. Many scholars overlook the reality that western Nebraska is part of the Lakota homeland. Lakota oral histories, winter counts, and even federal treaties reveal this connection to western Nebraska. Edward Lazarus, *Black Hills: White Justice: The Sioux Nation Versus the United States, 1775 to the Present* (New York: HarperCollins, 1991); Ralph Hoyt Case, *The Black Hills Claim* (Washington, DC: Office of the Attorneys for the Sioux Nation, 1942); Vine Deloria Jr., "Reflections on the Black Hills Claim," *Wicazo Sa Review* 4 (Spring 1988): 18-23; Linea Sundstrom, "The Sacred Black Hills: An Ethnohistorical Review," *Great Plains Quarterly* 17 (Summer/Fall 1997): 185-212; Alexandra New Holy, "The Heart of Everything That Is: Paha Sapa, Treaties, and Lakota Identity," *Oklahoma City University Law Review* 23 (Spring/Summer 1998): 317-352.

of their treaty rights and claims to the region.<sup>5</sup> Their connection to western Nebraska fueled activism, as Lakotas fought marginalization in their homeland.

The historiography on western Nebraska Lakota communities is limited. Lakota leader Mark Monroe's memoir, *An Indian in White America*, details his life in Alliance as well as discusses the problems of racism and his actions to counter bigotry. In creating an Indian center, Monroe provided social programs for the Lakota community and forced civic leaders to acknowledge Lakota resident's concerns. Stew Magnuson's *The Death of Raymond Yellow Thunder* details the discrimination Lakotas encountered in Gordon during the 1970s. Magnuson not only focuses on the murder of Raymond Yellow Thunder at the hands of three cowboys, contending Yellow Thunder's death revealed the problem of racism in Gordon, which promoted change, but also connects the events to the current issues in Whiteclay, Nebraska. The alcohol problems of Whiteclay are imperative, but Magnuson overlooks the less publicized reemergence of civil rights injustices during the 1990s.<sup>6</sup> I have also written on Lakota communities in western Nebraska. "I Don't Know What We'd Have Done Without the Indians," explores Lakota workers in the potato industry. I argue that Lakotas and western Nebraska farmers formed a

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<sup>5</sup> Luther Standing Bear, *My People the Sioux* (1928; reprint, Lincoln: University of Nebraska Press, 2006); Candace S. Greene and Russell Thornton, eds. *The Year the Stars Fell: Lakota Winter Counts at the Smithsonian* (Lincoln: University of Nebraska Press, 2007; Delphine Red Shirt, *Turtle Young Woman's Granddaughter* (Lincoln: University of Nebraska Press, 2002).

<sup>6</sup> Mark Monroe, *An Indian in White America*, ed. Carolyn Reyer (Philadelphia: Temple University Press, 1994); Stew Magnuson, *The Death of Raymond Yellow Thunder: And Other True Stories from the Nebraska-Pine Ridge Border Towns* (Lubbock: Texas Tech University Press, 2008). Leslie Durhman's master's thesis "Nowadays We Call it South Alliance: The Early History of a Lakota Community," discusses the establishment of the Lakota community in Alliance from the 1940s through the 1950s. Durhman details the discrimination Lakotas faced and how Lakotas such as Mark Monroe pushed for civil rights. Leslie Durhman, "Nowadays We Call it South Alliance: The Early History of a Lakota Community" (M.A. thesis, University of Arizona, 1997). No studies that focus on the Scottsbluff Lakota community exist, except Larissa Petrillo's work about Lakota identity does briefly discuss Lakota migrant labor near Scottsbluff. Larissa Petrillo, *Being Lakota, Identity and Tradition on the Pine Ridge Reservation* (Lincoln: University of Nebraska Press, 2007). In addition, former western Nebraska AIM lawyer, Dale Mason, criticizes Magnuson for not understanding the source of tension between Mark Monroe and AIM leader Bob Yellow Bird. Mason also stresses that despite Yellow Bird's own struggles with addiction, he took police abuse of Lakotas seriously. Dale Mason, review of *The Death of Raymond Yellow Thunder: And Other True Stories from the Nebraska-Pine Ridge Border Towns*, by Stew Magnuson, *American Indian Quarterly* 33 (Summer 2009): 410-414.

fairly amicable relationship built on mutual economic necessity.<sup>7</sup> None of these works fully encompasses Lakota experiences in western Nebraska during the twentieth century. This dissertation does not focus on a few decades, but the entire Lakota twentieth century experience in western Nebraska. Lakotas first returned to western Nebraska during World War I to harvest potatoes, became permanent residents during World War II, and by the late 1960s, they were active participants in the civil rights movement. Western Nebraska's racial intolerance and marginalization of non-Anglo peoples made it a location for a civil rights movement. The civil rights movement included many organizations, individuals (men and women), and spanned the greater part of the twentieth century.

This dissertation broadens our understanding of Lakota history in the twentieth century. Students of twentieth century Lakota history too often focus on Lakotas living on reservations or in urban areas. Studies of Lakota reservations often examine the reservations' political economies and adjustments Lakotas have made to market forces. Scholars Ella Cara Deloria, Kathleen Pickering, and Jeffrey Means detail the challenges that capitalism created for the *tiyóspaye*, which is the Lakota kinship structure that promotes sharing of resources among kin. Capitalism promotes individualism, which counters the *tiyóspaye*, as those Lakotas who share resources achieve higher social status. Deloria argued that Lakotas struggled to adapt to capitalism, because they desired to maintain kinship obligations and communal sharing of resources. Pickering shows that the *tiyóspaye* continues to affect how Lakotas participate in

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<sup>7</sup> David R. Christensen, "'I Don't Know What We'd Have Done Without the Indians': Non-Indian and Lakota Relationships in Box Butte County's Potato Industry, 1917-1960," *Nebraska History* 92 (Fall 2011): 124-147.

capitalism. Means contends that the selling off of Lakota cattle herds during World War I weakened the *tiyóspaye*, because it forced Lakotas to enter wage labor.<sup>8</sup>

Politics, as much as economics, remain an important topic of study for scholars of twentieth century Lakota history. Frederick Hoxie's essay, "From Prison to Homeland: The Cheyenne River Indian Reservation before WWI," reveals the adaptation in Lakota leadership to younger boarding school educated males on the Cheyenne River Reservation. Similarly, Thomas Andrews notes Lakotas' use of reservation boarding schools to resist assimilation.<sup>9</sup> Another focal point for the reservation studies is the effects of the Indian Reorganization Act (IRA). The 1934 act, which ended federal assimilation policy, mandated that if Indian tribes voted to accept the IRA, they then had to establish a tribal government and draft a constitution. Thomas Biolsi's *Organizing the Lakota* and Akim Reinhardt's *Ruling Pine Ridge* emphasize the problems that the newly formed governments created and how the internal political arguments created the emergence of Lakota Red Power on the reservations including the occupation of Wounded Knee in 1973. Biolsi argues that the IRA allowed the Office of Indian affairs to control Lakotas and their resources, which delegitimized the IRA government in many Lakotas' eyes. Reinhardt contends that AIM "agitators" were not responsible for the occupation of Wounded Knee, rather the occupation resulted from Lakotas who were upset with forty years of indirect colonial rule from their IRA government. Both authors suggest the IRA was a failure, because it created more problems than it solved. The IRA failed to remove colonialism and federal control of tribal

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<sup>8</sup> Ella Cara Deloria, *Speaking of Indians* (New York: Friendship Press, 1944); Kathleen Ann Pickering, *Lakota Culture, World Economy* (Lincoln: University of Nebraska, 2000); Kathleen Ann Pickering, "Decolonizing Time Regimes: Lakota Conceptions of Work, Economy, and Society," *American Anthropologists* 106 (March 2004): 85-97; Jeffery Means, "From Buffalo to Beeves: Cattle and the Political Economy of the Oglala Lakota, 1750-1920" (PhD diss., University of Oklahoma, 2007).

<sup>9</sup> Frederick Hoxie, "From Prison to Homeland: The Cheyenne River Indian Reservation before WWI," *South Dakota History* 10 (Winter 1979): 1-24; Thomas Andrews, "Turning the Tables on Assimilation: Oglala Lakotas and the Pine Ridge Day Schools, 1889-1920s," *Western Historical Quarterly* 33 (Winter 2003): 407-430.

governments.<sup>10</sup> Paul Robertson's *The Power of Land* also addresses politics by emphasizing the importance of land on the Pine Ridge reservation as the Bureau of Indian Affairs and corrupt tribal governments produced failed land use policies. Robertson argues that the land policies and ineffective tribal governments created a landless class of Lakotas and social tension. Moving to the Termination era, Edward Valandra details how Lakota reservations resisted Public Law 280 by compelling the South Dakota state legislature to include a consent proviso, which forced state law enforcement to obtain tribal consent before entering reservations. Lakotas in South Dakota stopped the law designed to weaken tribal sovereignty by allowing state law enforcement and jurisdiction on reservation lands.<sup>11</sup> These works situate Lakota twentieth century politics on the reservation and emphasize resistance to assimilation. They, however, ignore civil rights activism in the off reservation rural Lakota communities of western Nebraska.

Donald Fixico, James LaGrand, and Kenneth Philip's studies of urban Indians, including Lakotas, emphasize the hardships they endured and the development of pan-Indianism, which was rooted in urban Indian centers. The authors insist that Bureau of Indian Affairs sponsored relocation to urban areas during the 1950s was another federal policy failure, because most Indians remained marginalized or returned home. Rosalyn LaPier and David Beck examine American Indian experiences in Chicago from 1893 to 1934. They detail the development of activism and alliances with non-Indians as Indians in Chicago sought to educate the public about Indigenous peoples and issues.<sup>12</sup> Myla Vinceti Carpio, Malinda Maynor, Nicolas Rosenthal, and

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<sup>10</sup> Akim Reinhardt, *Ruling Pine Ridge: Oglala Lakota Politics from the IRA to Wounded Knee* (Lubbock: Texas Tech University Press, 2007); Thomas Biolsi, *Organizing the Lakota: The Political Economy of the New Deal on the Pine Ridge and Rosebud Reservations* (Tucson: University of Arizona Press, 1992).

<sup>11</sup> Paul Robertson, *The Power of the Land: Identity, Ethnicity, and Class Among the Oglala Lakota* (Routledge, 2001); Edward Valandra, *Not without Our Consent: Lakota Resistance to Termination, 1950-59* (Champaign: University of Illinois Press, 2006).

<sup>12</sup> Donald Fixico, *Termination and Relocation: Federal Indian Policy, 1945-1960* (Albuquerque: University of New Mexico Press, 1986); Kenneth Philip, *Termination Revisited: American Indians on the Trail to Self-Determination, 1933-1953* (University of Nebraska Press, 2002); James LaGrand, *Indian Metropolis: Native*

Reyna Ramirez have shown how non-reservation Indians living in urban areas have maintained their identities and kinship relationships on their reservations. The authors reveal that urban areas were not places of solely pan-Indian identity, but where tribal groups preserved their distinctive identities. From the urban centers, the tribal groups launched civil rights movements.<sup>13</sup> Although not an urban setting, western Nebraska Lakota communities developed similar responses to migration. They preserved their Lakota identity and ties to their South Dakota reservations.

This dissertation broadens our understanding of American Indian civil rights during the Red Power era (1960s-1970s). Scholars often emphasize two conclusions regarding the Red Power movement. First, they suggest that the Red Power movement was unique for its agenda of tribal sovereignty, not integration. In the 1950s, the federal government created a policy of Termination, seeking to assimilate American Indians by ending its trust responsibilities to them. Termination threatened to dissolve reservations and, with that, tribal sovereignty. The threat of Termination and the sovereign status of Native nations meant that the American Indian civil rights movement, called Red Power or the tribal sovereignty movement, took a different course than the African American or Chicano/a rights movements. In 1969, Standing Rock Sioux scholar Vine Deloria argued that American Indians viewed civil rights differently compared to African Americans in that American Indians did not desire assimilation into American society. American Indians wanted the U.S. government to acknowledge their full tribal sovereignty as well as maintain their unique legal standing. The legal system acknowledges parts of tribal sovereignty along with the U.S. government's trust responsibility to federally recognized tribes.

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*Americans in Chicago, 1945-75* (Champaign: University of Illinois Press, 2002); Rosalyn R. LaPier and David Beck, *City Indian: Native American Activism in Chicago, 1893-1934* (Lincoln: University of Nebraska Press, 2015).

<sup>13</sup> Myla Vinceti Carpio, *Indigenous Albuquerque* (Lubbock: Texas Tech University Press, 2011); Malinda Mayor Lowery, "People and Place"; Reyna Ramirez, *Native Hubs: Culture, Community, and Belonging in Silicon Valley and Beyond* (Raleigh: Duke University Press, 2007); Nicolas G. Rosenthal, *Reimagining Indian Country: Native American Migration and Identity in Twentieth-Century Los Angeles* (Chapel Hill: University of North Carolina Press, 2012).

Unlike African Americans, American Indians were not fighting for inclusion into American society, as they sought to maintain their unique relationship with the federal government. Deloria argued that for Indigenous peoples, racial conflicts were not as important as actual events and experiences, stating “there is, therefore, basically no way in which the ideology of the Civil Rights movement could reach Indian communities in a communicative sense.” Outside of Black nationalism, Deloria continued, the civil rights movement offered nothing “by which the Indian people would have understood what the movement was all about.”<sup>14</sup> Similarly, in his examination of racism in Indian Country, Dean Chavers notes that unlike African Americans and Latinos, American Indians do not think in terms of civil rights violations. Other scholars have followed Deloria’s framework by emphasizing Native activism’s fight for tribal sovereignty and self-determination. Historian Peter Iverson stressed that American Indian leaders organized the struggle for self-determination as far back as the 1940s and 1950s, while scholars Charles Wilkinson and Donald Fixico frame their narratives of twentieth century American Indian history within the context of self-determination and sovereignty.<sup>15</sup> Lakotas in western Nebraska, launched a movement to first address civil rights and not self-determination or sovereignty. Lakotas’ racial experiences in western Nebraska allowed them to connect with the broader civil rights movement.

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<sup>14</sup> Vine Deloria Jr., *Custer Died for Your Sins* (1969; reprint, Norman: University of Oklahoma Press, 1988), 186.

<sup>15</sup> Peter Iverson, “Building toward Self-Determination: Plains and Southwestern Indians in the 1940s and 1950s,” *Western Historical Quarterly* 16 (April 1985): 163-173; Charles Wilkinson, *Blood Struggle: The Rise of Modern Indian Nations* (New York: W.W. Norton and Company, 2005); Donald Fixico, *Indian Resilience and Rebuilding: Indigenous Nations in the Modern American West* (Tucson: University of Arizona Press, 2013); Dean Chavers, *Racism in Indian Country* (New York: Peter Lang Publishing, Inc., 2009). John Wunder contends that for tribes, “self-determination meant legal and political sovereignty. Treaties would be honored literally; homelands would be returned and protected; and the trust relationship would be maintained. Some even argued that independence and separate nationhood were intrinsic to self-determination, rather than limited economic development supervised by the federal government.” Wunder. “*Retained by the People*”, 159-160.

Secondly, scholars have concluded that the Red Power movement has been located primarily in cities and on reservations. Scholars Fixico, Paul Rosier, Daniel Cobb and Bradley Shreve point to the fishing rights battle in the Pacific Northwest during the 1960s as an early Red Power movement. Paul Chaat Smith, Robert Allen Warrior, Dean Rader, Fixico, Wilkinson, and Rosier also connect Red Power's roots to urban areas and its expansion to reservations. James LaGrand discusses the rise of Red Power activism within urban areas.<sup>16</sup> On reservations, American Indian tribal governments sought to protect and increase their tribal sovereignty and establish self-determination. In urban locales, Indians from various tribal nations created Indian centers from which they launched Red Power movements. Yet, Red Power also developed in western Nebraska as some Lakotas embraced tenets, the term "Red Power," and direct action protest.

The American Indian civil rights movement used politics, litigation, and protest to achieve its goals. Shreve, Rosier, and Cobb reveal that tribal sovereignty remained a goal of Native activist groups such as the National Congress of American Indians (NCAI), the National Indian Youth Council (NIYC), and the American Indian Movement (AIM). These groups pressed the federal government to recognize inherent tribal sovereignty of Indigenous nations. Yet, the movement was diverse as groups argued over how best to achieve reform. Disliking militant tactics, the NCAI relied on lobbying and litigation to create reforms. The more youthful groups, such as the NIYC and AIM grew tired of the NCAI's actions and believed American Indians

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<sup>16</sup> Donald Fixico, *Indian Resilience and Rebuilding*; James LaGrand, *Indian Metropolis*; Paul Chaat Smith and Robert Allen Warrior, *Like a Hurricane: The Indian Movement from Alcatraz to Wounded Knee* (New York: W.W. Norton, 1996); Charles Wilkinson, *Blood Struggle*; Daniel Cobb, *Native Activism in Cold War America: The Struggle for Sovereignty* (Lawrence: University Press of Kansas, 2008); Paul Rosier, *Serving Their Country: American Indian Politics and Patriotism in the Twentieth Century* (Cambridge: Harvard University Press, 2009); Bradley Shreve, *Red Power Rising: The National Indian Youth Council and the Origins of Native Activism* (Norman: University of Oklahoma Press, 2011); Dean Rader, *Engaged Resistance: American Indian Art, Literature, and Film from Alcatraz to the NMAI* (Austin: University of Texas Press, 2011).

needed to become more aggressive and devise different protest and reform methods. They identified with the term Red Power.<sup>17</sup> Smith and Warrior show how AIM masterfully used militancy to garner national media coverage. By occupying federal land and buildings, most notably Alcatraz and the Bureau of Indian Affairs, AIM members demanded recognition of America Indians' inherent tribal sovereignty. Sherry Smith complicates the Red Power story by detailing areas where Red Power activists formed often tension-filled coalitions with non-Indian, Chicano, and black nationalist activist organizations to further tribal sovereignty and self-determination.<sup>18</sup> Red Power studies frame the 1960s and 1970s in the context of tribal sovereignty and not civil rights.

This study on the development of civil rights and activism in western Nebraska moves away from the narrative that activism began with AIM's occupation of Alcatraz Island in 1969. Troy Johnson, Adam Fortunate Eagle, and Warrior and Smith argue that the roots of the Red Power era began on Alcatraz. Similarly, the autobiographies of Dennis Banks and Russell Means place the origins of Red Power with AIM and Alcatraz.<sup>19</sup> These works limit Red Power's origins to one event or organization. This dissertation builds on recent work by scholars Charles Wilkinson, Daniel Cobb, Paul Rosier, and Bradley Shreve who have shifted the focus away from AIM and Alcatraz. Wilkinson traces the start of the tribal sovereignty movement as a response to

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<sup>17</sup> Smith and Warrior, *Like a Hurricane*; Wilkinson, *Blood Struggle*; Cobb, *Native Activism in Cold War America*; Paul Rosier, *Serving Their Country*; Shreve, *Red Power Rising*. Bradley Shreve makes clear that the NIYC was the first group to use the term Red Power.

<sup>18</sup> Sherry L. Smith, *Hippies, Indians and the Fight for Red Power* (New York: Oxford University Press, 2012).

<sup>19</sup> Dennis Banks with Richard Erdoes, *Ojibwa Warrior: Dennis Banks and the Rise of the American Indian Movement* (Norman: University of Oklahoma Press, 2004); Russell Means, *Where White Men Fear to Tread: The Autobiography of Russell Means* (New York: St. Martin's Press, 1995); Adam Fortunate Eagle, *Alcatraz! Alcatraz! The Occupation of 1969-1971* (Berkeley: Heyday Books, 1992); Troy Johnson, *The Occupation of Alcatraz Island: Indian Self-Determination and the Rise of Indian Activism* (Champaign: University of Illinois Press, 1996); Troy Johnson, "The Roots of Contemporary Native American Activism," *American Indian Culture and Research Journal* 20 (1996): 127-54; Warrior and Smith, *Like a Hurricane*.

Termination. Cobb, Rosier, and Shreve focus on other national organizations such as the NCAI and the NIYC. By focusing on the development of these organizations, the authors produce a narrative that discusses activism during the 1950s and early 1960s.<sup>20</sup> Both Rosier and Shreve also acknowledge the activism of the Society of American Indians during the Progressive Era. These works suggest that no specific date or event gave birth to Native activism. Cobb, Shreve, and other scholars have also emphasized the importance of the 1961 American Indian Chicago Conference in laying the foundation of the Red Power movement since the conference's student participants formed the NIYC.<sup>21</sup> These studies focus on national organizations, urban areas, and reservations, characteristics that do not apply in western Nebraska. In *Beyond Red Power*, Daniel Cobb and Loretta Fowler have argued that scholarly focus on the Red Power era (1970s) "obscures as much as it reveals about the ways in which American Indians have engaged in politics since the late nineteenth century."<sup>22</sup> While the anthology's essays take American Indian activism outside of the Red Power era, as have other works, they still center on national organizations and familiar American Indian communities—urban and reservation. This dissertation shifts focus to grassroots organization and activism in rural off reservation communities.

The western Nebraska Lakota communities provide an opportunity to examine the development of civil rights in a new setting. Lakotas in western Nebraska remind us that

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<sup>20</sup> Charles Wilkinson, *Blood Struggle*; Daniel Cobb, *Native Activism in Cold War America*; Paul Rosier, *Serving Their Country*; Bradley Shreve, *Red Power Rising*.

<sup>21</sup> Bradley Shreve, "'We Must Become One People, United, with a Singleness of Purpose': The American Indian Chicago Conference of 1961," *Journal of Illinois History* 12 (Summer 2009): 107-28; Robert Paul Brown "The Year One": The American Indian Chicago Conference of 1961 and the Rebirth of Indian Activism" (M.A. thesis, University of Wisconsin-Eau Claire, 1993). Daniel Cobb also discussed how many American Indians saw the conference as a failure. Although well intentioned, the Kennedy administration and the Bureau of Indian Affairs ignored the "Declaration of Indian Purpose." The youth caucus' fiery rhetoric worried many conference attendees.

<sup>22</sup> Daniel Cobb and Loretta Fowler eds., *Beyond Red Power: American Indian Politics and Activism Since 1900* (Santa Fe: School for Advanced Research, 2007).

American Indian civil rights did not emerge only in urban or reservation areas and that the Wounded Knee occupation of 1973, despite the preponderance of scholarly attention, was not the zenith of the civil rights movement in Lakota Country. On the other hand, most of the narratives examining the American Indian civil rights movement in western Nebraska focus on the murder of Raymond Yellow Thunder in Gordon, AIM's occupation of Wounded Knee, and the 1973 protest in Custer, South Dakota. Scholarly works only place Alliance, Nebraska into the narrative as the racist western Nebraska town that hosted the trial of the Hare brothers who were on trial for the murder of Yellow Thunder.<sup>23</sup> Indeed, Red Power scholarship has ignored or minimized the contributions of western Nebraska Lakotas, particularly women, to the civil rights movement. AIM leader Russell Means wrote that no Lakotas took reform action in western Nebraska until AIM arrived, as AIM finally challenged the racist "redneck" mentality of the non-Indian residents.<sup>24</sup> However, in 1973, unlike the Lakota leaders on the Pine Ridge reservation, Lakota leaders in Alliance rejected AIM assistance. Means, along with the other narratives supporting the AIM leadership, overlooked the early relationships between Lakotas and non-Lakotas in the region and placed AIM at center of the civil rights movement in western Nebraska. This ignores the instances where Lakotas demanded and worked for reform before and after the arrival of AIM and the grassroots nature of civil rights in western Nebraska. In 1971, following a number of mysterious deaths of Lakota inmates in Alliance jails, Lakota organizations demanded and were successful in gaining community wide reform. Thus, by the time AIM appeared in Alliance

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<sup>23</sup> Peter Matthiessen, *In the Spirit of Crazy Horse* (New York: Penguin Books, 1992); Robert Burnette and John P Koster, *The Road to Wounded Knee* (New York: Bantam Books, 1974); Mary Crow Dog and Richard Erdoes, *Lakota Woman* (New York: Grove Weidenfeld, 1990); Stew Magnuson, *The Death of Raymond Yellow Thunder*; Smith and Warrior, *Like a Hurricane*; Michael Joseph Engle, "Thunder on the Prairie: The Raymond Yellow Thunder Case and the Rise of the American Indian Movement" (M.A. thesis, University of Texas at El Paso, 1997). In 1973, AIM went to Custer to protest the killing of Lakota Wesley Bad Heart Bull. Bad Heart Bull's alleged killer, who was white, received charges of manslaughter and not murder.

<sup>24</sup> See Means, *Where White Men Fear to Tread*.

in 1972 for the trial of Yellow Thunder's murderers, Lakotas in western Nebraska had already established a successful civil rights movement and gained statewide attention.

A thorough examination of off reservation Lakota communities draws our attention to the diverse constituents who made up the civil rights movement in the United States. In the rural locations of Alliance and Scottsbluff, Lakotas did not create large Indian centers or share community with Natives from other tribal nations. It was up to the Lakotas themselves to build community and reestablish the federal trust relationship. Furthermore, this dissertation reveals the ways in which Lakotas achieved civil rights reform. Scholars suggest that nonmilitant reform that worked within the established political channels led to no major improvements on the national level.<sup>25</sup> However, Lakotas in Alliance experienced a different outcome on the local level, as their reform from within the system brought about changes in the community. Studying a rural off reservation community complicates the story of American Indian civil rights, because American Indian communities achieved reform successes outside of national and tribal sovereignty movements. Moreover, it places the manifestation of civil rights before events such as World War II (1940s), Termination (1950s), and Alcatraz (1969).

American Indian civil rights is part of a larger framework of what historian Jacquelyn Dowd Hall calls "the long civil rights movement," which is an analysis that does not center on the 1960s and 1970s to reveal larger historical processes.<sup>26</sup> Many scholars have examined civil rights in the West, but their focus is confined to urban areas. To move the historiography of African American civil rights away from the South and the urban areas of the Northeast and Midwest, scholars have produced works that examine African American communities in

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<sup>25</sup> See, Rosier, *Serving Their Country* and Cobb, *Native Activism in Cold War America*.

<sup>26</sup> Jacquelyn Dowd Hall, "The Long Civil Rights Movement and Political Uses of the Past," *Journal of American History* 91 (March 2005): 1233-1263.

Oakland, Los Angeles, and Phoenix. Douglas Flamming's *Bound For Freedom*, Josh Sides' *L.A. City Limits*, Robert Self's *American Babylon*, and Matthew Whitaker's *Race Work* all explain civil rights struggles in the West, as emigrants did not find complete social acceptance in their new communities. Flamming suggests that although African Americans encountered more freedom in pre-World War II Los Angeles, civil rights was "a way of life." Similarly, Sides contends that Los Angeles' racial composition and post war economy created both opportunity and limitations for African Americans' freedom. Self demonstrates that residential segregation, industrial development, and tax policies attacked the African American community in Oakland. Whitaker uses, African American business man Lincoln Ragsdale and his wife Eleanor's activism to discuss racism and the civil rights movement in Phoenix. The Mexican American civil rights movement has also been part of western historiography. Both Matt Garcia and José Alamillo discuss community building among citrus workers and how expressions of culture combated racism and anti-unionization efforts. Louis Alvarez reveals how young Mexican Americans used zoot suits as a form of expression to challenge Los Angeles' racial and social structure. Lorena Oropeza shows how Chicanos rejected patriotic U.S. nationalism during the Viet Nam War and how the violence surrounding the Chicano Moratorium shaped Chicano identity. Ernesto Chavez discusses Chicano organizations in Los Angeles contending that groups' Marxist ideology failed to unite the Mexican American community. These studies center in Los Angeles, California's Inland Empire (eastern Los Angeles suburbs), and Phoenix. They show that the convergence of peoples in the West created simultaneous civil rights movements, as Los Angeles and Phoenix saw both African Americans and Mexican Americans pursue civil rights.<sup>27</sup>

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<sup>27</sup> Douglas Flamming, *Bound For Freedom: Black Los Angeles in Jim Crow America* (Berkeley: University of California Press, 2005); Josh Sides, *L.A. City Limits: African American Los Angeles from the Great Depression to*

However, this convergence was not only an urban phenomenon, as Mexican Americans fought concurrently with Lakotas for civil rights in western Nebraska. Robert Allen Warrior and Paul Chaat Smith note that in Scottsbluff, Nebraska AIM and the local Chicano movement recognized commonalities in issues and tried to work together for civil rights.<sup>28</sup> Roger Davis' article, "Service not Power," also mentions the attempt of Lakotas and Chicano/as to build a coalition.<sup>29</sup> Yet, both works fail to discuss how Chicano activists from Denver influenced certain Lakota organizations in western Nebraska. Chicano/as rejected whiteness, identified with their indigenous heritage, and saw themselves as a colonized people.<sup>30</sup> Thus, connections for cooperation existed, and as Eric Meeks notes, Chicano/as' rejection of whiteness allowed them to identify with the civil rights movements of African Americans and American Indians.<sup>31</sup>

By the mid-1990s, scholars of African American civil rights in the South shifted from a focus on national organizations and leaders to rural, local, and grassroots organizations. John Dittmer frames African American civil rights in the context of local struggles in Mississippi,

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*the Present* (Berkeley: University of California Press, 2004); Robert Self, *American Babylon: Race and the Struggle for Postwar Oakland* (Princeton: Princeton University Press, 2003) Matthew Whitaker, *Race Work: The Rise of Civil Rights in the Urban West* (Lincoln: University of Nebraska Press, 2005), Eric Meeks, *Border Citizens: The Making of Indians, Mexicans, and Anglos in Arizona* (Austin: University of Texas Press, 2007); José Alamillo, *Making Lemonade out of Lemons: Mexican American Labor and Leisure in a California Town 1880-1960* (Champaign: University of Illinois Press, 2006); Matt Garcia, *A World of Its Own: Race, Labor, and Citrus in the Making of Greater Los Angeles, 1900-1970* (Chapel Hill: University of North Carolina Press, 2001); Louis Alvarez, *The Power of the Zoot: Youth Culture and Resistance during World War II* (Berkeley: University of California Press, 2008); Lorena Oropeza, *¡Raza Sí! ¡Guerra No!: Chicano Protest and Patriotism during the Viet Nam War Era* (Berkeley: University of California Press, 2005); Ernesto Chavez, *¡Mi Raza Primero! (My People First): Nationalism, Identity, and Insurgency in the Chicano Movement in Los Angeles, 1966-1978* (Berkeley: University of California Press, 2002); Mario Garcia, *Memories of Chicano History: The Life and Narrative of Bert Corona* (Berkeley: University of California Press, 1994).

<sup>28</sup> Smith and Warrior, *Like a Hurricane*.

<sup>29</sup> Roger Davis, "'Service not Power': The Early Years of the Nebraska Commission on Mexican-Americans, 1971-1975," *Nebraska History* (Summer 2008): 67-83.

<sup>30</sup> For the formation of Chicano identity see, Carlos Munoz, *Youth, Identity, and Power: The Chicano Movement* (London: Verso, 1989).

<sup>31</sup> Meeks, *Border Citizens*; See also, Lauren Araiza, "For Freedom the Other Men: Civil Rights, Black Power, and the United Farm Workers" (PhD diss., University of California, Berkeley, 2006); Lauren Araiza, *To March for Others: The Black Freedom Struggle and the United Farm Workers* (Philadelphia: University of Pennsylvania Press, 2013); Zaragosa Vargas, *Labor Rights Are Civil Rights: Mexican American Workers in Twentieth Century America* (Princeton: Princeton University Press, 2005).

revealing how ordinary people brought civil rights to the state.<sup>32</sup> Hasan Kwame Jefferies' *Bloody Lowndes* uncovers the influence that rural grassroots organization in an Alabama county had upon the formation of the Black Power movement. While grassroots organizing in western Nebraska did not have the same effect on American Indian civil rights nationally, Jefferies' work reminds scholars of the importance of civil rights in non-urban settings. Recently, Glenda Elizabeth Gilmore's *Defying Dixie* pushed the origins of the civil rights in the South to before 1950.<sup>33</sup> Abundant scholarly attention on the civil rights during the 1950s and 1960s has created the consensus that the struggle for reform first emerged during these decades. Yet like Gilmore, this dissertation stresses that the roots of civil rights for Native people developed before the 1950s and 1960s. The historiography of American Indian civil rights, however, has yet to see such a shift. Furthermore, this dissertation goes beyond the 1970s into the 1990s, because western Nebraska's Lakota community argued Shane Dawn's suicide revealed that civil rights and racial tension did not disappear.

Chapter one explores how the origins of an off reservation civil rights movement was formed in the economic changes of the early twentieth century Great Plains. During World War I, Lakotas temporarily left the Pine Ridge and Rosebud reservations to harvest potatoes on farms surrounding Alliance and Scottsbluff. While providing much needed income, working in the potato fields of western Nebraska enabled Lakotas to reaffirm cultural practices and ties to the land before returning to their reservations. Outside the watchful eye of reservation agents, Lakotas conducted traditional dances and migrated into western Nebraska, as their ancestors had

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<sup>32</sup> John Dittmer, *Local People: The Struggle for Civil Rights in Mississippi* (Champaign: University of Illinois Press, 1995); Charles Paine, *I've Got the Light of Freedom: The Organizing Tradition and the Mississippi Freedom Struggle* (Berkeley: University of California Press, 1995); Chana Lee, *For Freedom's Sake: The Life of Fannie Lou Hammer* (Champaign: University of Illinois Press, 1999); Hasan Kwame Jefferies, *Bloody Lowndes: Civil Rights and Black Power in Alabama's Black Belt* (New York: NYU Press, 2009).

<sup>33</sup> Glenda Elizabeth Gilmore, *Defying Dixie: The Radical Roots of Civil Rights, 1919-1950* (New York: W. W. Norton & Company, 2008).

in search of bison. The chapter also illustrates how Lakotas and farmers maintained amicable relationships. Lakotas viewed farmers as fictive kinship and expected growers to fulfill their obligations in return for harvesting their crops. Prejudices against Lakotas, not surprisingly, remained rare during the potato harvest's early years based on their economic relationship.

Chapter two examines the Great Depression, World War II, and the creation of Lakota communities in western Nebraska. Racial attitudes quickly shifted. With Depression era job competition, non-Indians grew upset when Lakota migrant laborers took harvest jobs. Non-Indian residents believed off reservation employment was reserved for whites. During the War, Lakotas established fixed residence in rural Nebraska as they took year-round construction jobs on air bases just outside of Alliance and Scottsbluff. With Lakotas no longer returning to the reservations after seasonal harvests, racism emerged as more pronounced and difficult for Lakotas to avoid. Non-Indians began viewing Lakotas as a drain on city resources. With the help of reservation officials Lakotas organized and spoke out against the increasing racism and segregation to South Alliance.

Chapter three explores Lakota response to the social and racial dynamics in western Nebraska during the 1950s. Now off reservation, Lakotas found themselves outside of the federal trust relationship, while the state and local governments deferred responsibility to help Lakota residents to the federal government. During the Blizzard of 1949, Lakotas struggled to survive as de facto terminated peoples. In 1954, two Lakotas' deaths brought racism to the forefront. Two white men forced fifteen year-old Jessie Red Hawk into their car. She fell out of the moving car and died. A jury found the men guilty of only assault and battery. Lakotas and the County Attorney believed race influenced the verdict. A few weeks later, a Gordon police officer shot and killed Vincent Broken Rope when the officer attempted to arrest Broken Rope and his wife

for intoxication. Although the Oglala Sioux Tribal Council demanded the city fire the police officer and threatened to boycott Gordon, the killing failed to create a change of racial relations that Raymond Yellow Thunder's murder would eighteen years later. The social and racial context of the 1950s determined why it took eighteen years for Lakotas to successfully force change.

The fourth chapter investigates how the earlier grassroots efforts fully bloomed into the civil rights movement during the 1970s, as the death of Lakota inmates spawned protests. Lakota organizations developed in Alliance and Scottsbluff intent on pursuing civil rights and self-determination. The newly formed Nebraska Indian Commission (NIC) and its Executive Director Robert Mackey emerged as an important ally for western Nebraska Lakotas as they worked to force reform of the local law enforcement's jailing practices to protect Lakota inmates. Lakotas in Alliance established a program to transport Lakotas in need of medical care to Pine Ridge because local hospitals refused to see Lakota patients. Lakota began to organize themselves in Lakota associations that fought for civil rights and self-determination.

Chapter five examines Raymond Yellow Thunder's death in the context of the developing grassroots Lakota organizations. The Hare brothers assaulted and murdered Raymond Yellow Thunder in Gordon but the murder focused attention on racial relations throughout western Nebraska. AIM arrived and demanded civil rights, but it remained one of many groups and individuals, including women, fighting for Yellow Thunder and an end to discrimination in western Nebraska. Paradoxically, the emergence of different organizations increased factionalism in the Lakota community. Lakotas vied for control of the Alliance Indian Center, as some supported the more militant action of the American Indian Movement (AIM), while others distanced themselves from the organization. Lakota organizations in Scottsbluff,

Gordon, and Alliance battled over funds, which mostly various Nebraska church groups provided. Additionally, the factionalism reached the state level that led to the ouster of the NIC's Executive Director. Instead of creating political impotence, however, factionalism created even more organization and reform efforts, as more Lakotas became politically active.

The sixth chapter addresses the last quarter of the twentieth century. Following the period of factionalism, Lakota organizations developed into successful advocacy groups forcing reform in law enforcement and jailing practices. The groups also expanded social programs, which provided more welfare and legal assistance. During the 1980s, Lakotas continued the community-building process despite lingering poverty and prejudice by relying on the organizations they created during the 1970s. The NIC also continued to address Lakota needs. Yet as early as 1979, an economic downturn and federal reduction in social spending created reduced funding. In 1985, following the lead of President Ronald Regan's Indian policy, the Nebraska State Legislature cut funds to the Nebraska Indian Commission and its associated social programs. Lakotas lost the needed social programs and protection from civil rights abuses. Western Nebraska Legal Services provided the only option to litigate attacks on civil rights. Still, discrimination failed to disappear. In 1993, Lakotas in western Nebraska brought a hearing to the Nebraska Advisory Committee to the U.S. Commission on Civil Rights in which members of the Latino community also provided testimony. Issues from the 1970s reappeared during the hearing: racism, police brutality, education, and cultural insensitivity.

Framed by histories of Lakotas in the twentieth century, the American Indian civil rights movement, and the "long civil rights movement," this dissertation seeks to provide new perspectives on the American Indian civil rights movement. By taking the analysis beyond the 1970s and the supposed zenith of the American Indian civil rights movement, this dissertation

also reveals the continuity in western Nebraska's racial relations and Lakota activism. Lakota civil rights struggles in western Nebraska transcend the 1960s and 1970s as its origins develop before these decades and do not fade away, continuing into the 1990s. In the 1990s, Lakota concerns in western Nebraska focused on civil rights, not tribal sovereignty, gaming, or international indigenous rights.

## Chapter 2: “If there is Anything I Do Know, it is This Country”: Lakotas, Potatoes, Culture, and the Nebraska Homeland

The arrival of cool and crisp air signaled the beginning of western Nebraska’s potato harvest season. Migrant workers from South Dakota’s Pine Ridge and Rosebud reservations packed their canvas tents, families, and dogs into wagons and began the four-day trip to the North Platte Valley potato fields. Farmers in the North Platte Valley grew anxious for each day brought closer the first freeze and impending financial disaster, as frost damaged and ruined the tubers. The *Scottsbluff Star-Herald* tried to ease farmers’ fears by reporting that Lakotas had assured the Scottsbluff County Agricultural Agent of their desire to come to the Valley. The journalist framed the Lakotas’ work in terms of acquisitive capitalism: the Lakotas were coming to collect wages and save the farmers’ potatoes from rotting in the fields, while the farmers sold the potatoes on state, national, and global markets. Lakotas, however, emphasized a different, sometimes misunderstood perspective. Lakotas revealed little excitement for earning wages or assisting farmers; instead they anticipated reaffirming their cultural ties to the North Platte Valley. The Lakotas had heard oral stories about their People’s previous experiences in the valley, which included skirmishes with Pawnees and Kiowas and hunting bison along the North Platte. If Lakotas could combine a visit to the region with “making some real money, why so much the better.”<sup>1</sup> For Lakota migrant workers, connecting to a lost piece of their homeland and maintaining kinship ties was equally as important as acquiring monetary income by picking potatoes.

This chapter argues that for the Lakotas, the “long civil rights movement” in western Nebraska originated in the region’s potato fields.<sup>2</sup> As Lakotas engaged in migrant labor, they

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<sup>1</sup> *Scottsbluff Star-Herald*, September 26, 1922, page 1.

<sup>2</sup> Jacquelyn Dowd Hall, “The Long Civil Rights Movement and Political Uses of the Past,” *The Journal of American History* 91 (March 2005): 1233-1263.

developed relationships with the non-Indian residents who occupied a part of their homeland. Lakotas possess strong historical ties to western Nebraska. Historian Thomas Andrews has challenged scholars to view a worker's relationship with their work environment through the concept of a "workscape." A workscape, Andrews writes, is a place where human labor and natural processes interact; "a constellation of unruly and ever-unfolding relationships—not simply land, but also air and water, bodies and organisms, as well as the language people use to understand the world, and the lens of culture through which they make sense of and act on their surroundings."<sup>3</sup> Following bison herds, Lakotas first reached Nebraska during the latter half of the eighteenth century. Lakotas hunted bison and drove the Kiowa south and Pawnee east. By 1851, the Horse Creek Treaty recognized western Nebraska as a part of the Lakota homeland. Until 1868, Lakotas defended western Nebraska, first against tribal enemies and later the U.S. Army. By 1877, however, the U.S. government forced Lakotas to cede their remaining Nebraska territory and settle on the South Dakota reservations. In the early twentieth century, the potato harvest brought Lakotas back to their old hunting grounds. The potato harvest served as a subsistence tool, because through the federal government policy of allotment, Lakotas lost control of the reservation's most important economic resource, the land.<sup>4</sup> Lakotas never viewed the potato harvest in purely monetary terms, and used migrant labor to travel, work, and live within their *tiyóspayes* (extended family). Lakotas used migrant labor to affirm cultural traditions that federal reservation policies attempted to weaken. Allotment sought to break up *tiyóspayes* by forcing Lakotas to live as a nuclear family. The harvest provided opportunities for Lakotas to

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<sup>3</sup> Thomas Andrews, *Killing for Coal: America's Deadliest Labor War* (Cambridge: Harvard University Press, 2008), 125.

<sup>4</sup> Jeffery Means, "From Buffalo to Beeves: Cattle and the Political Economy of the Oglala Lakota, 1750-1920" (PhD diss., Norman: University of Oklahoma, 2007). For one of the best discussions regarding allotment and assimilation policy see Frederick Hoxie, *A Final Promise: The Campaign to Assimilate the Indians, 1880-1920* (Lincoln: University of Nebraska Press, 2001).

participate in traditional dances and seasonal celebrations that reservation superintendents restricted. Harvest work also put Lakotas in contact with the predominately Euro American local population. After overcoming initial stereotypes on both sides, Lakotas and local residents formed amicable relations. Instead of turning to discrimination, non-Indian residents welcomed Lakota migrant laborers into their communities.<sup>5</sup>

Lakotas were part of a larger historical process occurring across the United States during World War I, the Great Migration. Attracted by the war industries in northern and western cities, hundreds of thousands of African Americans left the South. Similarly, wartime employment opportunities and the Mexican Revolution pulled and pushed Mexicans into the U.S. As Mexican and African American populations increased, so too did racism. These groups faced discrimination in housing, employment, and education. Even violence erupted in some of the nation's cities. However, in western Nebraska, Lakotas encountered, for the most part, amiable interactions with non-Indians. The migrant nature of Lakota labor, since they returned to the reservation, greatly influenced the development of race relations. Comprehension of the early race relationships is essential to understanding western Nebraska's "long civil rights movement," because prevalent racism against Lakotas did not exist in the early potato harvest years, it was a slower process than what occurred in the nation's cities.<sup>6</sup>

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<sup>5</sup> By traditional economy, I mean a *tiyóspayes'* collection of goods or resources and the subsequent dispersal of the items through kinship networks.

<sup>6</sup> Douglas Monroy, *Rebirth: Mexican Los Angeles from the Great Migration to the Great Depression* (Berkeley: University of California Press, 1999); Matt Garcia, *A World of Its Own: Race, Labor, and Citrus in the Making of Greater Los Angeles, 1900–1970* (Chapel Hill: University of North Carolina Press, 2001); David Torres-Rouff, "Mexican Segregated Schools and Social Scientists in Southern California, 1913–1946," *Southern California Quarterly* 94 (Spring 2012): 91-127; Douglas Flamming, *Bound For Freedom: Black Los Angeles in Jim Crow America* (Berkeley: University of California Press, 2005); Beth Tompkins Bates, *The Making of Detroit in the Age of Henry Ford* (Chapel Hill: University of North Carolina Press, 2012); Carl Sandburg, *The Chicago Race Riots: July 1919* (New York: Dover Publications, 2012); Alfred L. Brophy, *Reconstructing the Dreamland: The Tulsa Riot of 1921: Race, Reparations, and Reconciliation* (Oxford: Oxford University Press, 2003).

Scholars of the American West have shown that, during the Progressive Era and World War I, labor relations were turbulent. Race and class issues created tension, protest, and violence across the region's industries. Many studies stress how the hostilities boiled over into riots or vigilante suppression of labor activists. Western Nebraska, however, provides an example of cordial race and labor relations in the agriculture industry.<sup>7</sup> Lakotas and other migrant farm workers never attempted to organize for worker's rights. For Lakotas, the development of a kinship relationship with farmers reduced instances of tension. Lakota history from 1880 to the 1930s is a narrative centered on the reservations, allotment, Wounded Knee, tribal politics, and Show Indians in Wild West Shows.<sup>8</sup> This chapter reframes Lakota history by placing western Nebraska as a part of the Lakota homeland and moves the narrative during 1880s to 1930 beyond Wounded Knee, the reservations, and away from Show Indians to examine Lakota mobility and wage labor.

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<sup>7</sup> For examples of racial tension and conflict in the West see, Andrews, *Killing for Coal*; Katherine Benton-Cohen, *Borderline Americans: Racial Division and Labor War in the Arizona Borderlands* (Boston: Harvard University Press, 2011); Nigel Anthony, *Sellers, Oil, Wheat, & Wobblies: The Industrial Workers of the World in Oklahoma, 1905-1930* (Norman: University of Oklahoma Press, 2012); Greg Hall, *Harvest Wobblies: The Industrial Workers of the World and Agricultural Laborers in the American West, 1905-1930* (Beaverton: Oregon State University Press, 2001); Clayton D. Laurie, "The US Army and the Omaha Race Riot of 1919," *Nebraska History* 72 (Fall 1991): 135-143; Orville D. Menard, "Tom Dennison, *The Omaha Bee*, and the 1919 Omaha Race Riot," *Nebraska History* 68 (Winter 1987): 152-165.

<sup>8</sup> Paul Robertson, *The Power of the Land: Identity, Ethnicity, and Class Among the Oglala Lakota* (New York: Routledge, 2002); Thomas Biolsi, "The Political Economy of Lakota Consciousness," in *The Political Economy of North American Indians*, ed. John Moore (Norman: University of Oklahoma Press, 1993), 20-42; Jeffery Means, "From Buffalo to Beeves"; Frederick Hoxie, "From Prison to Homeland: The Cheyenne River Reservation before WWI," *Journal of South Dakota History* 10 (Winter 1979): 4-24; Jeffery Ostler, *The Plains Sioux and U.S. Colonialism from Lewis and Clark to Wounded Knee* (New York: Cambridge University Press, 2004); L.G. Moses, *Wild West Shows and the Images of American Indians, 1883-1933* (Albuquerque: University of New Mexico Press, 1998); Louis Warren, *Buffalo Bill's America* (New York: Vintage, 2005). The memoirs of Luther Standing Bear, Charles Eastman, and Zitkala Ša provide a Lakota and Dakota perspective of experiences both on and off the reservation. See, Luther Standing Bear, *My People the Sioux* (1928; reprint, Lincoln: University of Nebraska Press, 2006); *Land of the Spotted Eagle* (1933; reprint, Lincoln: University of Nebraska Press, 2006); Zitkala Ša, *American Indian Stories* (1921; reprint, Kissinger Publishing, 2010); Charles Eastman, *From the Deep Woods to Civilization* (1916; reprint, Dover, 2003). Scholars have recently stressed the significance of the Society of American Indians' contributions to civil rights during the Progressive Era, yet western Nebraska provides an example outside of that national organization. Until recently one Progressive Era American Indian organization that scholars overlooked is the Alaskan Native Brotherhood and Sisterhood, founded in Sitka, Alaska in 1912. The organization still exists today. Peter Metcalfe, *A Dangerous Idea: The Alaska Native Brotherhood and the Struggle for Indigenous Rights* (Chicago: University of Chicago Press, 2014).

Scholars and Lakotas offer contrasting viewpoints regarding how Lakotas reached Nebraska. Lakotas believe that they arrived in western Nebraska from the north. Some Lakota oral stories state that the Lakotas emerged from a cave or a high point in the *Paha Sapa* or Black Hills, which is the center of the Lakota world. Lakotas then spread out in the four cardinal directions: north, south, east, and west.<sup>9</sup> Lakotas moved south from the *Papa Sapa* and entered western Nebraska. A migration to western Nebraska is natural considering its close proximity to the sacred *Paha Sapa*.

In contrast, anthropological accounts argue that Lakotas began their movement west from the Great Lakes in the latter half of the seventeenth century.<sup>10</sup> Warfare with Ojibwes did not alone push Lakotas west, because economic stability through trading beaver skins also pulled Lakotas west.<sup>11</sup> Lakotas did not shy away from warfare with western Indian Nations. Attracted by bison and horses, Lakotas pushed further west leaving their Dakota cousins in present day Minnesota. By the 1750s, Lakotas stole Mandan, Hidatsa, and Arikara horses along the Missouri River. Like the Cheyenne and Comanche before them, horses allowed Lakotas to move onto the plains because they made Lakota warriors a more formidable foe, increasing the ability to

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<sup>9</sup> Severt Young Bear and R. D. Theisz, *Standing in the Light: A Lakota Way of Seeing* (Lincoln: University of Nebraska Press, 1994), 27-28. From the southern edge of the Black Hills, the Nebraska border is 30 miles south.

<sup>10</sup> William Warren first argued that Ojibwes and their Assiboine and Cree allies forced the Dakotas and Lakotas west. William Warren, "History of the Ojibway Nation," *Minnesota Historical Society Collections*, V (1885): 157-233. Following Warren's argument, Robert Larson, *Red Cloud: Warrior Statesmen of the Lakota Sioux* (Norman: University of Oklahoma Press, 1937), 11-24; Guy Gibbon, *The Sioux: The Dakota and Lakota Nations* (Malden: Blackwell Publishing, 2003), 86-92; Stephen E. Feraca and James H. Howard, "The Identity and Demography of the Dakota or Sioux Tribe," *Plains Anthropologist* 8 (May 1963): 80-84; James H. Howard, "Yanktonai Ethnohistory and the John K. Bear Winter Count," *Plains Anthropologist* 73 (August 1976): 1-78. Roy W. Meyer, *History of the Santee Sioux, United States Indian Policy on Trial* (Lincoln University of Nebraska Press, 1967).

<sup>11</sup> Richard White, "Winning of the West: The Expansion of the Western Sioux in the Eighteenth and Nineteenth Centuries," *The Journal of American History* 65 (September 1978): 319-343; Gary Clayton Anderson, "Early Dakota Migration and Intertribal War: A Revision," *Western Historical Quarterly* 11 (January 1980): 17-36. Anderson argues that scholars have over emphasized the idea that better armed Ojibwes forced Dakota migrations, because the evidence does not support the thesis. More recently, historian Robert Galler, Jr. takes a middle approach contending that it was pressures from better-armed Crees, Assinibionies, and Ojibwes as well as bison that pushed and pulled Lakotas and Dakotas west. Robert Galler, Jr., "Sustaining the Sioux Confederation: Yanktonai Initiatives and Influence on the Northern Plains, 1680-1880," *Western Historical Quarterly* 39 (Winter 2008): 467-490.

acquire control of the bison rich region. Once on the plains, the ecosystem, with its rich grasses, allowed Indigenous horse cultures to develop and flourish.<sup>12</sup> By the 1760s, large groups of Lakotas had reached the Missouri River. In 1775, a Lakota winter count reveals that a Lakota expedition party had been to the Black Hills and returned with a cedar tree.<sup>13</sup> The Oglala and Sičhąŋǵu Lakota bands followed Missouri tributaries west and one, the White River, led into northwestern Nebraska. By the early 1800s, Lakotas hunted, traded, and raided in western Nebraska. For the year 1811 to 1812, American Horse's winter count depicts Lakotas catching many wild horses south of the Platte River. Some winter counts from 1800 to 1810 show Lakotas fighting with Pawnees, which suggests that Lakotas entered Pawnee hunting grounds in western Nebraska. Outside of anthropological studies, Lakota oral histories and winter counts detail Lakotas, attracted by horses and bison, migrating south into western Nebraska.<sup>14</sup>

Western Nebraska offered Lakotas a source of subsistence through its rich hunting resources. The White, Niobrara, North Platte, and Republican Rivers attracted game animals. The Oglala and Sičhąŋǵu Lakotas absorbed western Nebraska into their seasonal migrations. Lakota Luther Standing Bear's *tiyóspaye* spent winter months in the safety of the *Paha Sapa* and the summer on western Nebraska's plains hunting buffalo. Numerous Lakota bands migrated to

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<sup>12</sup> Elliot West, *The Contested Plains: Indians, Goldseekers, & the Rush to Colorado* (Lawrence: University Press of Kansas, 1998); Pekka Hämäläinen, *The Comanche Empire* (New Haven: Yale University Press, 2009).

<sup>13</sup> Candace S. Greene and Russell Thornton, eds. *The Year the Stars Fell: Lakota Winter Counts at the Smithsonian* (Lincoln: University of Nebraska Press, 2007), 1; Pekka Hämäläinen, "The Rise and Fall of Plains Indian Horse Cultures," *Journal of American History* 90 (December 2003): 860. Lakota Severt Young Bear contends that Lakotas discovered the Black Hills in 1775. He argues that the winter count does not mean that it was the first time Lakotas had reached the Black Hills. Lakotas had probably already been to the Black Hills. Cedar was sacred to Lakotas. They used it for religious and healing practices. Bands sent men out to collect cedar. Therefore, there would be a special reason the band sent men to bring back a cedar tree and appearing in the winter count. Instead of discovering the Black Hills, the band might have remembered the event because they needed the cedar for special ceremonies. Young Bear and Thiesz, *Standing in the Light*, 28.

<sup>14</sup> Green and Thornton, *The Year the Stars Fell*, 140-145, 151; Hämäläinen, "The Rise and Fall of Plains Indian Horse Cultures," 860-861. Hämäläinen, also points out that while the Lakota were an equestrian power, their horse herds were much smaller than the tribal nations on the southern Plains, particularly the Comanches. Thus, Lakota herds never seriously damaged the river ecosystems and bison herds. The northern Plains bison herd declined more slowly than on the southern Plains.

western Nebraska to acquire bison. During the nineteenth-century, Lakotas first sent scouts into Nebraska to find the buffalo and then led the rest of the band to the herd.<sup>15</sup> The region's short grass prairie contained pronghorn, elk, mule deer, prairie chickens, and herds of American bison. Moreover, the Sandhills' grass-covered dunes, some reaching 200 to 300 feet high, attracted game animals. The Sandhills also contain valleys and lakes. These lakes result from the Ogallala aquifer, which creates a high water table. The aquifer produces many springs and rivers as well as naturally irrigating the valleys producing wild hay in a region susceptible to drought. During the fall and spring, the lakes provide staging grounds for millions of migrating waterfowl, offering another food resource. By the 1830s, Lakotas hunted along the North Platte River. Realizing that Lakotas hunted in western Nebraska, traders followed Lakotas west and south from the Missouri River, eventually reaching the North Platte River.<sup>16</sup> Reliable food and water attracted animals to the Sandhills and Indigenous peoples followed. Like the other Tribal Nations before them, Lakotas moved into the region to utilize its resources.<sup>17</sup>

During the nineteenth century, Lakotas made western Nebraska a workscape by hunting in *tiyóspayes*, small groups of families bound together by blood and marriage living side by side. *Tiyóspayes* moved seasonally utilizing resources and operating as a single unit. Men hunted together and women collectively gathered wild plants. At times, such as seasonal celebrations, two or more *tiyóspayes* camped together. An important part of the *tiyóspaye* is the *tirole*, "looking for a home," which is the traditional practice of Lakotas visiting each other. A *tirole* includes

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<sup>15</sup> Luther Standing Bear, *My People the Sioux*, 17-19, 48, 77; R. Eli Paul, *Blue Water Creek and the First Sioux War: 1854-1856* (Norman: University of Oklahoma Press, 2004).

<sup>16</sup> White, "Winning of the West," 334.

<sup>17</sup> See, William Ashworth, *Ogallala Blue: Water and Life on the Great Plains* (Countryman Press, 2007); Stephen R. Jones, *The Last Prairie: A Sandhills Journal* (Lincoln: Bison Books, 2006); David Owen, *Like No Other Place: The Sandhills of Nebraska* (Lincoln: Bison Books, 2012). Many of the Sandhills' lakes are an undrinkable water source, because they are alkaline.

overnight stays where Lakotas exchange family stories, humor, gifts, and meals. A *tirole* reaffirms kinship identity.<sup>18</sup>

Western Nebraska's rich game resources attracted many tribal nations, provoking intertribal warfare as the nations fought for control over the region. In the early 1800s, when Lakotas first arrived, the region was a neutral ground, but Lakotas wanted to control its game resources to ensure survival and power. Lakotas formed alliances with the Cheyenne and Arapaho, and fought with the more sedentary tribes residing in central and eastern Nebraska: Poncas, Pawnees, and Omahas. After planting and harvesting corn and squash, Poncas, Pawnees, and Omahas, traveled into western Nebraska to hunt bison, which brought them into conflict with Lakota bands following the region's bison herds. Lakotas and Pawnees often battled for control of western Nebraska's bison. Battiste Good's winter count for the years 1832 to 1833 notes the death of Stiff Leg, depicted in the winter count as an accomplished warrior. The Pawnees killed Stiff Leg in an engagement along the Platte River in which the Sičhánǵus killed one hundred Pawnees. Cloud Shield's winter count for the years 1836 to 1837 depicts Lakotas and Pawnees fighting each other across ice on the North Platte River. Lakota attacks combined with disease began to weaken Pawnees and disrupt their subsistence economy based on agriculture and bison hunts in western Nebraska.<sup>19</sup>

The Kiowas were another Lakota enemy, because they possessed lands the westward expanding Lakotas desired. During the latter half of the eighteenth century, Lakotas drove the Kiowas from the Black Hills and by 1803 from the White River in Nebraska. Kiowas moved

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<sup>18</sup> Ella Cara Deloria, *Speaking of Indians* (New York: Friendship Press, 1944), 40-41; Severt Young Bear and Theisz, *Standing in the Light*, 132-133.

<sup>19</sup> Greene and Thornton, *The Year the Stars Fell*, 193, 200; Richard White, *The Roots of Dependency: Subsistence, Environment, and Social Change among the Choctaws, Pawnees, and Navajos* (Lincoln: University of Nebraska Press, 1988).

south to the North Platte River. As Lakotas followed bison herds south, they again encountered Kiowas. The event Lakota American Horse selects to remember the years 1814 to 1815 in his winter count depicts a hatchet entering the head of a Kiowa. The pictograph commemorated a band of Lakotas who went to a Kiowa village, located on the mouth of Horse Creek near the present day town of Scottsbluff, for a peace council. The peace did not last and one of the Lakotas clubbed a Kiowa. After this failed peace negotiation ended in fighting, Kiowas moved and remained south of the North Platte River. Warfare between Kiowas and Lakotas was common in western Nebraska. Seeking control of the region's bison herds, Lakotas pushed the Kiowas out of the Black Hills and continued to drive them south through Nebraska.<sup>20</sup>

Western Nebraska did not only see intertribal violence, John O'Sullivan's cry for Manifest Destiny spurred a westward invasion of Anglo Americans into Indian Country. The idea that God ordained the United States to stretch from the Atlantic Ocean to the Pacific Ocean and the resulting push west created emigrant trails.<sup>21</sup> During 1840s, thousands of emigrants moved west along the Oregon Trail headed for Oregon Territory's rich farmland. In 1848, the U.S. military established Fort Kearny along the Platte River in central Nebraska to protect the wagon trains as well as the thousands of gold seekers who used the trail that same year from a perceived Indian threat. In 1849, the United States Army created Fort Laramie along the North Platte, and by 1850, more than one hundred thousand miners passed through the Fort. The Oregon Trail followed the Shell or North Platte River cutting directly through Lakota Country. At first Lakotas responded to the intrusion with curiosity and suspicion, but still traded with the

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<sup>20</sup> Greene and Thornton, *The Year the Stars Fell*, 156; James A. Hanson, *Northwest Nebraska's Indian People* (Chadron: Chadron Centennial Committee, 1983), 83-84. Horse Creek flows into the North Platte River from the south about sixteen miles northwest of Scottsbluff near the Wyoming border. The battle on the North Platte River ice also reveals that Lakotas were wintering in Nebraska at this time.

<sup>21</sup> John O'Sullivan, "Annexation," *The United States Magazine and Democratic Review* 17 (July 1845): 5-10.

emigrants. Yet, the increasing number of wagons on the trail carved deep ruts into the land, livestock trampled grass, and emigrants killed buffalo. The trail shifted bison migration patterns, because bison avoided forging on the Shell River's floodplain. The movement of bison deeply troubled Lakotas and some bands demanded that the United States compensate them for the overland travelers' damage.<sup>22</sup>

With the growing tension over the intrusion and destruction of a significant Lakota hunting ground, the federal government attempted to resolve the growing Lakota resentment. Seeking to avoid violence, particularly between tribal nations and emigrant travelers along the Platte River, the federal government sought negotiation with the region's Indigenous Nations. The government chose to hold the treaty council at Horse Creek, because it provided sufficient forging for the horses of the many different Tribal Nations who were present: Crow, Gros Ventres, Cheyenne, Arapaho, Mandan, Arikara, Assiniboine, and Shoshone. The Treaty of Fort Laramie 1851 or the Horse Creek Treaty provided annuities and in return, Tribal Nations allowed for safe passage of emigrants. The treaty also set boundaries for the Tribal Nations. The southern boundary for the Lakotas' land claim was at the North Platte River. Yet, Lakota bands reached well south of the North Platte, particularly hunting bison along the Republican River. The southern boundary line angered Lakotas, because they believed the land south of the North Platte River was Lakota territory. As Oglala Black Hawk argued:

Father, if there is anything I do know, it is this country, for I was raised in it, with the interpreters and traders. You have split the country and I don't like it. What we live upon, we hunt for, and we hunt from the Platte to the Arkansas, and from here up to the Red

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<sup>22</sup> Paul, *Blue Water Creek*, 10-13; Joseph Marshall III, *The Journey of Crazy Horse: A Lakota History* (New York: Viking Press, 2004), 28-35; Richard White, "Trashing the Trails," in *Trails Toward a New Western History*, ed. Patricia Nelson Limerick et al. (Lawrence: University Press Kansas, 1991), 26-39; White, "Winning of the West"; Michael Tate, *Indians and Emigrants: Encounters on the Overland Trails* (Norman: University of Oklahoma Press, 2006); Merrill J. Mattes, *The Great Platte River Road: The Covered Wagon Mainline via Fort Kearny to Fort Laramie* (Lincoln: University of Nebraska Press, 1987).

Bute [sic] and the Sweet Water. The Cheyennes and Arapagoes [sic] agree to live together and be one people; that is very well, but they want to hunt on this side of the river. These lands once belonged to the Kiowas and the Crows, but we whipped those nations out of them, and in this we did what the white men do when they want the lands of the Indians. We met the Kiowas and the Crows and whipped them again, and the last time at Crow Creek. This last battle was fought by the Cheyennes, Arapagoes [sic], and Oglalas combined and the Oglalas claim their share of the country.<sup>23</sup>

Lakotas and their allies had wrested the region from other Indian Nations and they were not about to give up the land. Even without the inclusion of lands south of the North Platte, the treaty is evidence of Lakota expanding into and absorbing western Nebraska into their workscape. Some thirty-six years after the failed peace negotiation with the Kiowa, the Lakota returned to the mouth of Horse Creek to negotiate peace with the U.S and their enemies, the Crow. Many winter counts note the peace with the Crow and not the U.S, revealing that in 1851 Crows concerned Lakotas more than the U.S government. In addition, the absence of a Kiowa delegation reveals the power of the Lakota, Cheyenne, and Arapaho alliance to push them onto the southern plains in less than four decades.<sup>24</sup>

With the federal government placing imaginary boundary lines on a map, Lakotas had a bordered homeland to protect. Compensating Lakotas for use of their land with rations had a profound affect. Seeking rations, the Fort Laramie Treaty 1851 attracted Lakotas to camp near the fort. In 1854, Lakotas butchered a Mormon Trail traveler's cow that wandered into the Lakota camp near the fort. Fresh out of West Point, an inexperienced and ignorant Lieutenant John Grattan attempted to arrest the guilty parties. A fight broke out leaving Grattan and his

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<sup>23</sup> *Daily Missouri Republican*, 10 November 1851.

<sup>24</sup> Delphine Red Shirt, *Turtle Young Woman's Granddaughter* (Lincoln: University of Nebraska Press, 2002), 103; Thomas Biolsi, "The Political Economy of Lakota Consciousness"; Greene and Thornton, *The Year the Stars Fell*, 229-230.

small detachment dead. The federal government then sent General William Harney, whom the Lakota call “Woman Killer,” into Lakota country to find “hostile” Lakotas and obtain retribution for Grattan’s death. On September 3, 1855, along Blue Water Creek two miles from the North Platte River and Ash Hollow, Harney attacked and massacred Little Thunder’s band of Lakotas as they prepared for winter by drying butchered buffalo meat.<sup>25</sup> Despite the attack, Lakotas remained in western Nebraska and continued to hunt south of the North Platte River along the Republican River.

In 1861, the outbreak of the Civil War forced the U.S. to send the majority of its western-stationed troops to the east, replacing these troops with volunteers. As Lakota resentment over Anglo encroachment increased and U.S. soldiers moved east, Lakotas and their allies increased attacks on emigrants passing along the Platte River. Settlers passing through Lakota country became a worsening threat each year. The invading settlers introduced cholera to the river system. Emigrant livestock ate the grass in the Platte Valley, forcing bison to look for other food sources. Expanding Indigenous horse herds also competed with bison for food. In 1864, Lakota, Arapaho, and Cheyenne warriors closed the overland trail for a month, disabled telegraph communities, attacked stage stations from Fort Kearny to Julesburg, Colorado, halted mail service, and drove settlers east. In 1865, after pledging allegiance to the U.S., captured Confederate soldiers arrived in Nebraska to protect the Platte Valley.<sup>26</sup>

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<sup>25</sup> See Paul, *Blue Water Creek* and Marshall, *The Journey of Crazy Horse*, 32-45, 57-69.

<sup>26</sup> James T. King, “Introduction,” in *The Nebraska Indian Wars Reader, 1865-1877*, ed. R. Eli Paul (Lincoln: University of Nebraska Press, 1998), 6-7; Joseph Marshall III, *The Journey of Crazy Horse*, 23, 31; Dan Flores, “Bison Ecology and Bison Diplomacy: The Southern Plains from 1800-1850,” *Journal of American History* 78 (September 1991): 465-485. Hämäläinen argues that Lakotas “largely escaped the deleterious effects of the changes sapping the strength of many Plains nomads after 1830—the removal of eastern Indians to Indian Territory, the opening of overland trails, and the consequent invasion of deadly microbes.” While Lakotas did not have to compete with removed Tribal Nations in Indian Territory, Hämäläinen underestimates the Oregon Trail’s effects on Lakota society by bringing disease, competition for resources, polluting water sources, and warfare. See Hämäläinen, “The Rise and Fall of Plains Indian Horse Cultures,” 861.

Following the Civil War, the U.S. responded to quell Indian “depredations,” particularly against the transcontinental railroad’s construction, which reached western Nebraska in 1867. Residing just west of the convergence of the North and South Platte Rivers, the Union Pacific Railroad selected North Platte for a major railroad hub. Government officials loathed that Sičhánġu leader Spotted Tail and his followers collected their annuities at North Platte instead of Fort Laramie, because they wanted Lakotas to remain north of the railroad. Lakota and Cheyenne bands seeking to drive out the invaders attacked railroad workers. Soldiers stationed at Fort McPherson, located eight miles southeast of North Platte, protected the railroad workers and emigrants. The army launched a full-scale campaign to drive the Lakotas out of the Platte Valley, but Lakotas desiring to remain in their homeland fought off the attacks and stayed.<sup>27</sup>

The Northern Plains Peoples’ resistance forced the U.S. to negotiate in hopes of protecting its growing westward empire. Like in Nebraska, Lakotas resisted invasion into the Powder River County of Wyoming along the Bozeman Trail. Lakotas under Red Cloud’s leadership defeated the U.S. Army’s attempts to drive them from the region, most notably following the 1866 Battle of One Hundred Slain. The U.S. withdrew from the Powder River and sought to end hostilities with the Lakotas and their allies with a second Fort Laramie treaty in 1868. Yet, the fighting along the Powder River alone did not force the U.S. to seek a new treaty. The U.S. used the second Fort Laramie Treaty to alleviate the Lakota, Cheyenne, and Arapaho attacks on emigrants and the railroad in Nebraska. Article 11 demanded that Lakotas and their allies “withdraw...opposition to the construction of the railroad now being built along the Platte

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<sup>27</sup> Thomas Buecker, “North Platte Station,” in *The Nebraska Indian Wars Reader, 1865-1877*, ed. R. Eli Paul (Lincoln: University of Nebraska Press, 1998). Kingsley M. Bray, “Spotted Tail and the Treaty of 1868,” *Nebraska History* 83 (Spring 2002): 23. The federal government and settlers viewed the attacks as depredations but Lakotas saw settlers as invaders and were defending their homeland. Joseph Marshall (Lakota) points out that Lakota councils wrestled over how to deal with the emigrant travelers. Some believed it might be best to move away from the trail until the travelers stopped coming. “The trouble with that, some replied, was that when one thing moved away from a place, something else often moved in.” Joseph Marshall III, *The Journey of Crazy Horse*, 31.

river and westward to the Pacific ocean, and they will not in future object to the construction of railroads, wagon roads, mail stations, or other works of utility or necessity.”<sup>28</sup>

Like the Horse Creek treaty, the 1868 treaty set boundaries for Lakota territory, which included western Nebraska. The Fort Laramie Treaty created the Great Sioux Reservation, which comprised the western half of South Dakota. The treaty also stipulated that the Lakota possessed hunting rights in the unceded land south of the reservation to the Platte River.<sup>29</sup> Article 11 required Lakotas to “relinquish all right to occupy permanently the territory outside their reservation as herein defined, but yet reserve the right to hunt on any lands north of the North Platte...so long as the buffalo may range thereon in such numbers as to justify the chase.”<sup>30</sup>

Furthermore, Article 16 reads:

the United States hereby agrees and stipulates that the country north of the North Platte River and east of the summits of the Big Horn Mountains shall be held and considered to be unceded Indian territory, and also stipulates and agrees that no white person or persons shall be permitted to settle upon or occupy any portion of the same; or without the consent of the Indians first had and obtained...<sup>31</sup>

The treaty provided Lakotas with hunting rights in regions over which they intended to retain control. Although Lakotas conceded the Republican River Valley, some bands continued to hunt there.<sup>32</sup>

Immediately following the treaty the U.S. sought to drive the Lakotas north of the Platte River. In 1869, as settler encroachment reached the Republican River, Cheyennes and Lakotas increased raiding. In June and July, the U.S. Army set off from Fort McPherson to drive the

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<sup>28</sup> Lazarus, *Black Hills: White Justice*, 440.

<sup>29</sup> William Fenelon, *Culturicide, Resistance, and Survival of the Lakota (“Sioux Nation”)* (Taylor & Francis, 1998), 20.

<sup>30</sup> Lazarus, *Black Hills: White Justice*, 440.

<sup>31</sup> Lazarus, *Black Hills: White Justice*, 441.

<sup>32</sup> Bray, “Spotted Tail and the Treaty of 1868,” 21.

Lakotas and the Cheyenne Dog Soldiers, an elite warrior society out of the Republican River. The army ended the raiding and drove militant Cheyennes and Lakotas from the region. However, bands returned in the following years to hunt the dwindling bison herds.<sup>33</sup>

The U.S. wanted Lakotas to reside on the Great Sioux Reservation, far from the railroad. The Fort Laramie Treaty also provided Lakotas with annuities, which required the Office of Indian Affairs to establish an agency to deliver goods, creating tension. The U.S. sent General William Tecumseh Sherman to negotiate with Spotted Tail and his Sičháŋǵus regarding placing the agency along the Missouri River in South Dakota. Spotted Tail and other Lakotas wanted to remain in Nebraska and hunt bison in the Republican River Valley until they disappeared. In 1868, the U.S. moved the agency to the Missouri River forcing Lakotas to follow in order to collect the annuities. In the fall of 1868 and 1869, Lakota bands seeking to separate themselves from militant bands in the Republican River Valley settled at the agency. Lakotas rejected farming and argued for a return to Nebraska. In 1874, the government relented to the Lakota desire of an agency in western Nebraska and moved Spotted Tail's agency back to Nebraska ten miles north of present day Hay Springs.<sup>34</sup>

Believing that western Nebraska remained Lakota territory, Oglala Lakota leader Red Cloud demanded that the U.S. place his people's agency along the Platte. Red Cloud stated in his autobiography that he was born in 1821 on Blue Water Creek in the Sandhills. Having lived his entire life moving through Nebraska, Red Cloud wanted to remain and continue to trade along the Platte. The U.S. wanted to establish Red Cloud's agency along the Missouri River in South Dakota, because it made transportation of goods easier and removed the Lakotas from Nebraska.

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<sup>33</sup> James T. King, "The Republican River Expedition, June-July, 1869," in *The Nebraska Indian Wars Reader, 1865-1877*, ed. R. Eli Paul (Lincoln: University of Nebraska Press, 1998).

<sup>34</sup> Kingsley M Bray, "Spotted Tail and the Treaty of 1868," 23-29.

In 1871, the U.S. relented to Red Cloud's demands and placed his agency 32 miles downriver from Fort Laramie on the Nebraska-Wyoming border. Yet, the government soon realized that it did not want Lakotas so close to the vital Platte River corridor and sought to move them to the White River further north in Nebraska. Red Cloud and others resisted, as Lakotas hunted well south of the Platte along the Republican River. In 1873, the government moved the Oglala Lakotas to the White River. The military established Camp Robinson to protect the agency, which developed into a colonial outpost for the government in Lakota country. Camp Robinson allowed the U.S. to station soldiers deep within the Lakota homeland.<sup>35</sup>

Red Cloud resisted U.S. colonialism in western Nebraska. The army placed a flagpole inside the agency and raised the U.S. flag. Red Cloud and a group of Lakotas entered the agency with axes hidden underneath their clothing and chopped down the flagpole, which nearly led to a fight with soldiers. Red Cloud's actions asserted that western Nebraska was Lakota land and agreeing to the Fort Laramie Treaty did not mean that the region transferred to U.S. control.<sup>36</sup> The Oglalas and Sičhánǵus wanted to remain in Nebraska and demanded the government keep them there, because these Lakota bands considered this region home.

Despite U.S. efforts to drive Lakotas onto the reservation in South Dakota, Lakotas continued to hunt in western Nebraska and keep others out of their homeland. Lakotas faced fierce competition for the declining bison herds. American Horse's winter count for 1872-1873 notes that white hunters killed three Oglalas along the Republican River. Lakota-Pawnee conflicts also escalated in the 1870s as Lakotas sought control over the rapidly declining bison

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<sup>35</sup> Larson, *Red Cloud*, 136-150; Ostler, *The Plains Sioux*, 113-116, 118.

<sup>36</sup> Charles Allen, "Red Cloud and the U.S. Flag," in *The Nebraska Indian Wars Reader, 1865-1877*, ed. R. Eli Paul (Lincoln: University of Nebraska Press, 1998): 113-121; Greene and Thornton, *Year the Stars Fell*, 274. By colonialism, I mean the process by which the U.S. attempted to conquer, relocate, and rule over Indigenous peoples. For more discussion, see Ostler, *The Plains Sioux*, 2-3.

herds and Pawnees fought to remain in their central Nebraska homeland. Luther Standing Bear recalls his combat with the Pawnees in western Nebraska around the year 1875. Standing Bear makes clear that the Lakotas saw the Pawnees as trespassers on Lakota hunting grounds.<sup>37</sup> Standing Bear possibly referred to an event that occurred at Massacre Canyon. In August of 1873, between 600 and 1000 Lakotas trapped Pawnee hunters in a ravine along a tributary of the Republican River, killing around 70. While this fight between the Pawnees and Lakotas is the most well known, the battle depicted in Battiste Good's winter count reveals that Pawnees were susceptible to large losses well before 1873. Yet, Massacre Canyon showed that Pawnees could no longer hunt in western Nebraska leaving them to starve on their Nebraska reservation. Lakota raiding and warfare proved successful, as in 1875, the Pawnees agreed to relocate in Indian Territory.<sup>38</sup> Paradoxically, Lakota militancy assisted the U.S. government by helping force Pawnee removal. As Lakotas and their allies drove other Tribal Nations out of western Nebraska, the region became a less contested ground.

Facing pressure from settlers and miners, the federal government devised a plan to shrink Lakota territory and open up more land. In 1867, Governor of Dakota Territory, Andrew Jackson Faulk and Brevet Major General Alfred Terry prohibited an expedition from exploring the Black Hills because the American citizens had no legal right to occupy the land and the army would not protect citizens in Lakota territory until Lakotas had extinguished title to the land. Faulk understood Lakotas would defend the Black Hills.<sup>39</sup> However, in 1874, the federal government sent George Custer's Black Hills expedition. The expedition discovered gold. Ignoring Lakota

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<sup>37</sup> Standing Bear, *My People the Sioux*, 49-57.

<sup>38</sup> Wishart, *An Unspeakable Sadness*, 190-191; Greene and Thornton, *Year the Stars Fell*, 271-273; Paul D. Riley, "The Battle of Massacre Canyon," in *The Nebraska Indian Wars Reader, 1865-1877*, ed. R. Eli Paul (Lincoln: University of Nebraska Press, 1998), 88-109; White, *The Roots of Dependency*.

<sup>39</sup> Alex Chambers to A.J. Faulk, April 21, 1868; A.J. Faulk to A.H. Terry, May 25, 1867, Folders 1-3, Box 1, Andrew Jackson Faulk's Letters and Speeches, Edward Ayer Collection, Newberry Library, Chicago, IL.

land rights, miners flooded the Black Hills and Lakota warriors defended the region by killing the invaders. The army could not expel trespassers from the region forever and the U.S. realized it needed to gain control of the region. Red Cloud, Spotted Tail, and other Lakota leaders traveled to Washington to meet with government officials. As both sides discussed the Black Hills, government negotiators also pushed Lakotas to cede their hunting lands in western Nebraska. The negotiators enticed Lakotas with a possible extension of article 10 in the Fort Laramie Treaty, which provided every Lakota with a daily ration of one pound of bacon and flour for four years. A congressional appropriation of \$25,000 further persuaded Lakotas. On June 25, 1875, Lakotas ceded the western Nebraska hunting territory between the North Platte and Niobrara Rivers. In the fall of 1875, the federal government offered to buy the Black Hills for \$6 million. Lakotas refused to sell the center of the universe, the *Paha Sapa*, setting the stage for military engagement. The federal government ordered all Lakota bands to return to their agencies on the Great Sioux Reservation by January 31, 1876. Deciding to use military force to obtain the Black Hills, the military deemed any band that did not report to the reservation as hostile. During the summer of 1876, Lakota bands hunting on territory guaranteed in the Fort Laramie Treaty amassed on the Greasy Grass along the Little Big Horn River. In late June of 1876, Custer and the Seventh Cavalry attacked the encampment and Lakota, Cheyenne, and Arapaho warriors decimated Custer's force.<sup>40</sup>

The Lakota victory at Greasy Grass was short lived. The army chased the Lakota bands throughout the winter forcing them to surrender. In 1877, after spending months evading the army following the Little Big Horn, Oglala leader Crazy Horse surrendered at Camp Robinson.

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<sup>40</sup> Charles C. Royce, *Indian Land Cessions of the United States*, 56th Congress, 1st Session, (Washington D.C.: Government Printing Office), 882-883; Larson, *Red Cloud*, 163-164; Marshall, *The Journey of Crazy Horse*, 200-207; Ostler, *The Plains Sioux*, 63-84.

His band starving, Crazy Horse had little choice. As armed guards transferred Crazy Horse outside the guardhouse, a scuffle occurred and a guard killed Crazy Horse with a bayonet in the back.<sup>41</sup> Following the Great Sioux War in 1876, government officials pressured Lakotas to sign away the Black Hills by threatening to withhold rations. Soldiers from Camp Robinson rode 30 miles east and disarmed Red Cloud and his band camping along Chadron Creek. Despite not receiving the necessary three-fourths adult male approval for land cessions, as required by the Fort Laramie Treaty of 1868, Congress ratified the agreement and the Act of February 28, 1877 removed the Black Hills from Lakota control.<sup>42</sup> The dubious act also removed the remainder of the Nebraska hunting lands from Lakota possession. Article 1 states, the Lakotas “do hereby relinquish and cede to the United States all the territory lying outside the said reservation, as herein modified and described including all privileges of hunting.”<sup>43</sup>

The cession agreement also required Red Cloud and Spotted Tail to move their agencies to the Missouri River unless the Lakota leaders could convince the President otherwise. In Washington D.C., both Lakota leaders told President Rutherford Hayes that living along the Missouri was undesirable. They wanted to remain in their western Nebraska homeland. Additionally, Spotted Tail stated he was unaware that the agreement meant his people would have to move to the Missouri. Hayes decided that the Lakotas could look for a new agency site in the spring. However, since supplies had already reached the Missouri, Hayes ordered the Lakotas to move there for the winter. In late October 1877, Lakotas set east for the supplies along the Missouri.<sup>44</sup>

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<sup>41</sup> Joseph Marshall III, *The Journey of Crazy Horse*, 262-263.

<sup>42</sup> Ostler, *The Plains Sioux*, 66-67, 85-105. Dallas Chief Eagle bases his historical novel *Winter Count* on Lakota oral histories. It depicts the Sioux War in 1876 and argues that Lakotas hunting in Montana committed no illegal act, because the Fort Laramie Treaty allowed hunting in the unceded lands. Dallas Chief Eagle, *Winter Count* (1967; reprint, Lincoln: University of Nebraska Press, 2003).

<sup>43</sup> Lazarus, *Black Hills: White Justice*, 452.

<sup>44</sup> Larson, *Red Cloud*, 217-225.

Upon returning to western South Dakota the following spring, many Lakotas realized how much land the U.S. had removed. Luther Standing Bear recalled:

The Sioux occupied the territory where Fort Robinson and Chadron, Nebraska, now are. But after our return from the Missouri River we noticed that the Red Cloud Indians stopped where their present agency is [Pine Ridge, SD]. At the time, not much thought was given the matter, but some time later there was reason for speculation. The white surveyors came in and it was discovered that the land west of Pine Ridge was no longer tribal territory. Then there were wonderment and complaint. No one seemed to know when the change had been made; no one seemed to know of any papers or treaty ceding this land. As the surveying progressed, it was found that one half of the waters of the Niobrara River which the Oglalas supposed they owned, was gone, and that reservation land was far north of the river.<sup>45</sup>

Standing Bear's response suggests that many Lakotas misunderstood how or why lands guaranteed under treaty disappeared from Lakota possession.

Although the U.S. removed Lakotas from Nebraska and encouraged them to remain on the reservation tending to their farms, Lakotas continued to access western Nebraska on hunting and gathering trips. During the 1880s, Lakota leader Young Man Afraid of His Horses asked reservation officials to leave the reservation once or twice a year to hunt.<sup>46</sup> In 1884, when Mari Sandoz's father Jules Sandoz arrived in western Nebraska, he befriended Lakotas hunting along the Niobrara River.<sup>47</sup> In the 1890s, Western Nebraska potato producer Harold Schmitt's grandfather watched Lakota hunting parties ride across his homestead near Hemingford, Nebraska.<sup>48</sup> Continuing into the twentieth century,<sup>48</sup> western Nebraska remained a vital source for Lakota subsistence hunting and gathering.

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<sup>45</sup> Standing Bear, *Land of the Spotted Eagle*, 183-184.

<sup>46</sup> Joseph Agonito, "Young Man Afraid of His Horses: The Reservation Years," *Nebraska History* 79 (Fall 1998): 124.

<sup>47</sup> Mari Sandoz, *Old Jules* (1935; reprint, Lincoln: Bison Books, 2005), 26-30.

<sup>48</sup> Harold Schmitt, interview by author, Hemingford, Nebraska, 20 May 2008.

While scholars continue to focus attention to Lakotas' Black Hills land claims, western Nebraska served as an important part of their homeland. Lakotas followed the bison herds into Nebraska absorbing the region into their workscape. The bison rich land was contested space; Lakotas drove out the Kiowas and defended the area from Pawnee hunters. Red Cloud and Spotted Tail demanded the U.S. place their agencies in western Nebraska, but because of dwindling bison herds and settler encroachment, by the 1880s, Lakotas ceded the land to the U.S. Although removed, Lakotas desired to maintain a relationship with western Nebraska and wage labor would eventually offer the opportunity to reaffirm connection.

With Lakotas removed, homesteaders moved into western Nebraska starting in the 1880s. Ranchers eyed the millions of acres of prime grasslands for their cattle. Settlers took advantage of the Homestead Act (1862), which provided farmers the opportunity to receive 160 acres of government land. Slowly ranchers and farmers settled in western Nebraska. In 1885, the Fremont, Elkhorn & Missouri River Valley railroad moved its way west across northern Sheridan and Dawes Counties and settlers incorporated the towns of Gordon, Rushville, and Chadron. Because of railroad access, Gordon and Rushville became supply staging areas for the Pine Ridge reservation. In Rushville, the Office of Indian Affairs (OIA) built warehouses to store supplies in which freighters, who were often Lakotas, eventually transported to the reservation. In 1888, the Burlington & Quincy Railroad reached the southeast corner of Box Butte County and the railroad's subsidiary, the Lincoln Land Company, created the town plat for Alliance. Alliance became the staging grounds for future railroad construction into the Wyoming coalfields and the Black Hills.<sup>49</sup>

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<sup>49</sup> Richard D. Loosbrock, "Living with the Octopus: Life, Work, and Community in a Western Railroad Town" (PhD diss., University of New Mexico, 2005), 26-52; The University of Nebraska website contains brief Nebraska county and town histories. See, <http://www.casde.unl.edu/history/index.php> [accessed October 25, 2014].

In 1890, the newspapers' sensational reporting of the Ghost Dance created panic among western Nebraska's recently settled residents. Lakotas acquired the dance from a Nevada Paiute man named Wovoka. Lakota Ghost Dance participants believed that the dance would remove whites from the earth and return the buffalo. Wovoka's teachings, however, also simultaneously encouraged Indians to embrace the present and seek work and education. Nonetheless, questions emerged regarding the Lakotas' intentions with participating in the Ghost Dance. Reporters from around the U.S. arrived 23 miles south of Pine Ridge Agency at Rushville, Nebraska to report what in their minds was a looming Indian "uprising." Serving as the nearest railhead and telegraph station to the reservation, Rushville was a center of activity. Fearful settlers armed themselves against an attack that never came.<sup>50</sup> Wounded Knee had no lasting effect on settlement in western Nebraska. Between 1890 and 1900, the population of western Nebraska increased 877 percent. The early 1890s brought drought and many settlers discovered that 160 acres was too little of land for a profitable farm. From 1890 to 1900, ten percent of settlers left their claims. Ranchers remained to run cattle on the public domain, and farmers again attempted to farm western Nebraska's grasslands.<sup>51</sup>

Despite drought-induced failure for many farmers in the 1890s, government action spurred settlement in western Nebraska. Western Nebraska is west of the 100<sup>th</sup> meridian and receives an average of less than 20 inches of rain per year. Tree rings in western Nebraska indicate a pattern of drought around every twenty years. In 1885, as homesteaders moved into the North Platte Valley, they built ditches to divert water from the North Platte River and irrigate

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<sup>50</sup> Sandoz, *Old Jules*, 128-131; Rani-Henrik Andersson, *The Lakota Ghost Dance of 1890* (Lincoln: University of Nebraska Press, 2008), 192-250; Louis Warren, "Wage Work in the Sacred Circle: The Ghost Dance as Modern Religion," *Western Historical Quarterly* 46 (Summer 2015): 141-168.

<sup>51</sup> Arthur R. Reynolds, "The Kinkaid Act and Its Effects on Western Nebraska," *Agricultural History* 23 (January 1949), 22.

crops. In 1887, Gering became an incorporated town just on the south side of the river. By 1889, Scotts Bluff County contained the highest number of irrigators in the state. That same year the Lincoln Land Company created the town plat for Scottsbluff just across the river from Gering. While private investment funded the irrigation ditches, the 1902 Reclamation Act used money collected from western land sales to fund irrigation projects reclaiming more than 400,000 acres in Wyoming and Nebraska. The act funded a dam and canal system in the North Platte Valley. Irrigation provided the incentive for potential settlers wary of drought and the ability to grow specialty crops such as sugar beets. In Scotts Bluff County, the number of farms increased from 421 in 1900 to 1,391 in 1920. The number of people per square mile increased from 2.6 in 1880 to 28.8 in 1920. During that time, population grew by more than 147 percent.<sup>52</sup>

In 1904, Congress passed the Kinkaid Act that allowed homesteaders in specific arid counties in Nebraska to take out 640 acres instead of 160. Seeing it as their last opportunity to acquire free government land, people waited in long lines at the Alliance land office to stake a claim. Most settlers in the Sandhills failed because the dunes and sandy soils made the cultivation of corn and wheat impossible and ranchers had already homesteaded the best water sources. Ranchers quickly absorbed the failed Kinkaid homesteads. In other parts of western Nebraska, such as Box Butte County, homesteaders found better success with more conducive agricultural soils. In 1914, high wheat yields and increasing prices from the outbreak of war in Europe also attracted settlers. From 1913 to 1919, settlers filed sixty percent of all 1,702 homestead patents in Sioux County.<sup>53</sup>

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<sup>52</sup> Sam S. Kepfield, "El Dorado on the Platte: The Development of Agricultural Irrigation and Water Law in Nebraska, 1860-1895," *Nebraska History* 75 (Fall 1994): 232-243; L. Carl Brandhorst, "The North Platte Oasis: Notes on the Geography and History of an Irrigated District," *Agricultural History* 51 (January 1977): 166-172; Esther Anderson, "The Sugar Beet Industry of Nebraska as a Response to Geographic Environment," *Economic Geography* 1 (October 1925): 383.

<sup>53</sup> Francis Moul, "The Biggest Partner: The Federal Government and Sioux County, Nebraska," *Nebraska History* 80 (Winter 1999): 151-155; C. Barron McIntosh, "Forest Lieu Selections in the Sand Hills of Nebraska,"

In the 1910s, western Nebraska farmers realized the potential of growing potatoes. Western Nebraska's climate and soils are perfect for potato cultivation. Western Nebraska's mean average growing season temperature, 66 to 68 degrees, is similar to other potato producing states, such as Minnesota and Wisconsin, largely because of the region's high altitude—between 3,500 to 5,000 feet above sea level. The region's sandy soils, light rainfall, and cool evening temperatures create perfect potato growing conditions.<sup>54</sup> Potatoes—like wheat, the other major western Nebraska crop—could endure the region's aridity and produce profitable yields. For the irrigated farmers in the North Platte Valley, potatoes' profitability made it a popular choice.

Local communities promoted the potato industry hoping to lure settlers. A 1914 Alliance Commercial Club pamphlet praised the potato industry's success and encouraged people to settle in Box Butte County, because the potato crop "never fails." In 1915, Alliance, Hemingford, and Marsland (a town northwest of Hemingford along the Niobrara River) built potato warehouses to protect the crop from frost while farmers waited to ship during peak prices. There was a growing market for western Nebraska potatoes. In the East, a growing urban population increased creating a demand for potatoes, as the Chicago-based Albert Miller & Co. contracted 100,000 bushels of potatoes for 1916.<sup>55</sup>

A lucrative business, the potato industry attracted farmers. Growers grew large amounts of potatoes simply because their returns often allowed them to pay off their land debts with a single harvest. For example, in 1915, seven acres of potatoes produced 1,232 bushels valued at \$520.72, a \$74.40 per-acre average. The next year, the *Alliance Semi-Weekly Times*, reported

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*Annals of the Association of American Geographers* 64 (March 1974): 87-99. Sioux County borders Scotts Bluff County to the north and Box Butte to the west.

<sup>54</sup> Esther Anderson, "The Potato Industry in Nebraska," *Economic Geography* 6 (January 1930): 37-39, 45, 52.

<sup>55</sup> Alliance Commercial Club, "Box Butte County, Nebraska," Alliance Printing Co., 1914, in the Knight Museum and Sandhills Center, Alliance, NE; *Alliance Semi-Weekly Times*, Oct. 4, 1912, 1; Oct. 22, 1915, 1; Oct. 29, 1915, 1.

county farms earned an average of \$1,250 from potatoes. E. I. Gregg, a farmer outside of Alliance, had forty acres in potatoes and received \$3,000, while another grower received \$5,000 on forty acres. Farmers planted an average of twenty-five acres in potatoes, yielding 150 bushels per acre.<sup>56</sup> Successful farming was always unpredictable, but potatoes looked like a surefire crop to help establish a homestead. The boom in potato acreage required a large harvest labor source. After a machine (potato digger) unearthed the tubers, the workers picked up the spuds and placed them in a wagon, or later, a truck. If a farmer waited too long to harvest, frost damaged the potatoes. Farmers and their children could not harvest large acres of potatoes before frost damage occurred.<sup>57</sup> Potato farmers soon looked to Lakotas to fill work quotas in Nebraska.

The Pine Ridge Agency Superintendent tried to help farmers asking for laborers, because the OIA wanted Lakotas to seek employment in the agricultural fields surrounding the reservations. In 1907, the OIA sent a letter to the Pine Ridge reservation notifying reservation officials of Supervisor of Indian Employment Charles E. Dagenett's upcoming trip to the reservation in an attempt to secure work for Lakotas "within a reasonable distance in surrounding country." For the OIA, off reservation labor offered a means of assimilation, as it wanted

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<sup>56</sup> *Alliance Semi-Weekly Times*, 23 November 1915 page 1; 20 October 1916, page 1; 24 October 1916, page 1. From 1919 to 1927, the average annual value per acre of potatoes was \$89.02, second to sugar beets at \$95.69. Yet, sugar beets required irrigation; something western Nebraska farmers outside of the North Platte Valley saw little of until 1936 with the development of pump irrigation. Wheat averaged only \$18.11 and corn \$16.92. See Anderson, "The Potato Industry in Nebraska," 50.

<sup>57</sup> In 1918, Box Butte County farmers greatly expanded potato acreage by putting 23,922 acres into production. In 1917, owners occupied 378 farms, while in 1918 that number jumped to 518 farms. In 1917, there were 110 tenant farmers and a year later the total had increased to 145 tenant farmers. Potatoes grew from 7,616 acres in 1917 to 11,037 acres in 1918. See *Alliance Herald* 15 November 1917, page 1; *Alliance Semi-Weekly Times*, 29 November, 1918, page 1. Potato acreage across Nebraska increased from 97,000 acres in 1915 to 115,000 acres in 1917. See Nebraska Department of Agriculture, *Nebraska Agricultural Statistics: Centennial Edition* (Lincoln: State-Federal Division of Agricultural Statistics, 1967), 25.

“Indians who have no profitable work at home to leave the reservation and go out into the world to make their living as white men do.”<sup>58</sup>

Wage labor fit well within the U.S. government’s assimilation policy. The U.S. wanted to “civilize” Indians and turn them into Americans. To accomplish this goal, American Indians needed to replace their Native customs with American culture. If Indians accepted wage labor, they resembled non-Indian Americans. The U.S. also developed boarding schools to help assimilate Indians, because the schools removed children from their reservations and their tribal influences, forcing them to accept American culture. Boarding schools attempted to erase all connections to Indigenous life. Teachers forbid children to speak their Native languages and forced them to choose a Christian name.<sup>59</sup> Within this context, it is unsurprising that three years after Dagenett arrived in Pine Ridge, he negotiated contracts with sugar beet farmers near Rocky Ford, Colorado. These agreements sent Hopi, Apache, and Ute boarding school students to work for the sugar beet farmers. OIA officials used wage labor as another method to assimilate boarding school students.<sup>60</sup>

Assimilationist U.S. government policy forced many Lakotas to seek off reservation labor to survive. The General Allotment Act of 1887 divided reservation lands in 160-acre sections. Each head of household received a 160 plot. By compelling Lakotas to live on

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<sup>58</sup> Acting Commissioner to U.S. Indian Agent, July 1, 1907, Indians Working Off Reservation, Box 124, General Records, General Correspondence by Subject, Fieldwork-Finance Information, Pine Ridge Agency, Records Group 75, National Archives and Records Administration at Kansas City (cited here after as NARAKC).

<sup>59</sup> For firsthand accounts of boarding schools see, Standing Bear, *My People the Sioux*; Zitkala Să, *American Indian Stories, Legends, and Other Writings* (New York, Penguin, 2003). For secondhand accounts see, Brenda Child, *Boarding School Seasons: American Indian Families, 1900-1940* (Lincoln: University of Nebraska Press, 1998); David Wallace Adams, *Education for Extinction* (Lawrence: University Press of Kansas, 1995); Clyde Ellis, *To Change Them Forever: Indian Education at the Rainy Mountain Boarding School, 1893-1920* (Norman: University of Oklahoma Press, 1996); Scott Riney, *The Rapid City Indian School, 1898-1933* (Norman: University of Oklahoma Press, 1999).

<sup>60</sup> Annual Reports-Indian Employment-Dagenett, Box 279, Reports of Charles, Char. Dagenett, E.D. Gregg, E.H. Hammond, and Miscellaneous, Narrative and Statistical Reports, Records Group 75, National Archives and Records Administration, Washington D.C. (cited hereafter as NARADC).

allotments, sometimes far from their relatives, the federal government attempted to force Lakotas to become self-supporting farmers or individualists, and to no longer rely on the *tiyóspaye* communities and assimilate into nuclear family living. The government then sold the surplus land to white settlers. In 1889, using threats and intimidation, Lieutenant General George Crook persuaded three-fourths adult male Lakotas, as required in Treaty of Fort Laramie, to support the Sioux Act. The act removed nine million acres of the Great Sioux Reservation and split the Lakotas into six separate reservations. The loss of the communal tribal land base made it difficult for Lakotas to continue an economy based on their *tiyóspayes*, because Lakotas were to farm and create an income as individuals on their own allotment. The reservation land was not conducive for profitable 160-acre farms. Some Lakotas successfully resisted and maintained their *tiyóspayes*, as relatives chose to move in with family instead of residing on their allotments. Lakotas also got together at every opportunity: weddings, dances, and give-aways.<sup>61</sup>

The failure of allotment was soon apparent, because it did not turn Lakotas into self-sufficient yeoman farmers. The lone bright spot in the Lakota economy was cattle ranching. In 1902, the OIA deemed around 1,000 Oglalas self-sufficient and dropped them from the ration roles. During the summer and fall months, the remaining 2,000 Oglalas sought on and off reservation employment. Making the situation worse, in 1904, government officials began issuing allotments on the Pine Ridge reservation. In 1909, the OIA reported that of the 6,666 Oglalas found on the 1900 census, 3,666 were not self-supporting and required rations.<sup>62</sup> By

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<sup>61</sup> Young Bear and Theisz, *Standing in the Light*, 134-135; Ella Deloria, *Speaking of Indians*, 95-97; Robertson, *Power of Land*, 21, 28; Marshall, *The Journey of Crazy Horse*, 49.

<sup>62</sup> Pine Ridge Agency to Commissioner of Indian Affairs, November 10, 1909, Indian Improvements, Box 127, General Records, General Correspondence by Subject, Pine Ridge Agency, Records Group 75, NARAKC. As early as the 1870s, Lakotas implemented wage labor as a self-subsistence tool. Lakotas who rejected farming in favor of cattle ranching entered wage labor through freighting goods from Gordon or Rushville to the agency. See also Jeffery Means, "From Buffalo to Beeves," 87; Superintendents' Annual Narrative and Statistical Reports, Microfilm Roll 106, BIA 1907-1938, NARADC. Like Lakotas, other American Indian groups also used wage labor as a subsistence tool. See Colleen O'Neill, *Working the Navajo Way: Labor and Culture in the Twentieth Century*

1915, 4,000 Oglalas lived solely on rations. Oglalas earned \$14,000 hauling freight, \$11,000 for reservation employment, \$12,000 harvesting potatoes in Nebraska, and \$13,000 performing for Wild West shows. Selling cattle to the predominantly mixed blood Oglalas and for husbands of Oglala women brought \$43,953.<sup>63</sup> Wage labor served as an important part to the reservation economy particularly for Oglalas unable to ranch.

Agriculture provided Lakotas with numerous employment opportunities. With the Pine Ridge reservation's close proximity to Gordon and northern Sheridan County, farmers sought Lakota harvest labor before the other potato producing areas of western Nebraska. In 1916, Gordon farmers asked Pine Ridge Superintendent John Brennan to send Lakotas to work in the harvest. Brennan put out the call for workers across the reservation districts and at the reservation fair. Brennan assured Gordon farmers that "a sufficient number will answer the call to supply the needs around Gordon."<sup>64</sup> The following year, an international crisis enlarged the need for Lakota labor.

The United States' 1917 entry into World War I increased the need for Lakotas to work off reservation, as it created a dire economic situation on the reservation. During the war, government officials coerced Lakotas to sell off their cattle, arguing Lakotas needed to show their patriotism by selling the herds. Mixed bloods and white men married to Oglala women bought cattle from full bloods and sold them to off reservation ranchers. This action greatly

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(Lawrence: University Press of Kansas, 2004); Robert Campbell, "Newlands, Old Lands: Native American Labor, Agrarian Ideology, and the Progressive-Era State in the Making of the Newlands Reclamation Project, 1902-1926," *Pacific Historical Review* 71 (May 2002): 203-238; Brian Hosmer, *American Indians in the Market Place: Persistence and Innovation Among the Menominees and Metlakatlans, 1870-1920* (Lawrence: University Press Kansas, 1999).

<sup>63</sup> Means, "From Buffalo to Beeves," 181.

<sup>64</sup> Superintendent to Lloyd Jordon, September 25, 1916, Laborers, Box 128, General Records, General Correspondence by Subject, Pine Ridge Agency, Records Group 75, NARAKC. Telegraph records from October of 1913 mention Lakotas working in Gordon. They do not, however, indicate the exact work, but given the month it was likely harvest work. See October 1913, Box 732, Telegrams Received and Copies of Telegrams Sent, Pine Ridge Agency, Records Group 75, NARAKC.

reduced the tribal cattle herds and opened the land to non-reservation lessees. Between 1913 and 1917, off reservation ranchers' use of allotted land jumped from 50,000 acres to 500,000. Cattle ranching had served as the basis of the Pine Ridge economy, as in 1911 3,548 Oglalas depended on stock raising and 2,718 obtained partial support from stock raising. By 1917, the numbers declined to 368 for Oglalas dependent and 988 for partial stock growers. This economic situation pushed Lakotas to search for wage labor.<sup>65</sup>

World War I required an increase in agriculture production, which shaped Nebraska's potato industry. The federal government asked farmers to produce as much as they could because the U.S. needed to feed its soldiers and those in Europe. Men who normally worked as harvest hands went into military service by either government conscription or enlistment. These actions produced a labor crisis for farmers. In the midst of the crippling labor shortage, Box Butte County Agricultural Agent George Neuswanger "sent out a call to farmers to list their needs at the county office so that a determined effort could be made through the State Department of Labor to supply the demand." Many farmers intended to store their tubers, which made a timely harvest more important. Neuswanger pointed out that "every grower is familiar with the evil results of storing potatoes which have been harvested too green or too ripe which is very liable to occur in some instances when help is scarce."<sup>66</sup> Neuswanger, with the help of a Lakota leader Philip Romero, recruited workers from the Pine Ridge reservation.

Romero and his family traveled to Alliance to help friends locate harvest work. Boarding school educated, Romero was familiar with the town having led negotiations between the City of Alliance and the Pine Ridge Superintendent to allow a group of Lakotas to dance at the 1910

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<sup>65</sup> Paul Robertson, *The Power of the Land*, 68-69, 123. See also Means, "From Buffalo to Beeves," 170-192.

<sup>66</sup> *Alliance Semi-Weekly Times*, 25 September 1917, page 1.

Box Butte County Fair.<sup>67</sup> Alliance's hospitable treatment attracted Romero. He told the *Alliance Semi-Weekly Times* "the Pine Ridge Indians have been prejudiced against the people of Alliance through the circulation of false rumors concerning the 'wild cowboys' and others who would tear their tents down and otherwise molest them."<sup>68</sup> Since the founding of the Pine Ridge reservation in 1889, Lakotas fought off reservation ranchers who illegally grazed their cattle on reservation lands. The OIA provided no assistance in stopping the unlawful grazing practices.<sup>69</sup> In 1912, the Rosebud superintendent reported that Lakotas and white settlers remained separate, but "the whites feel that they are superior to the Indian and have very little to do with the Indians only when they want to fleece them."<sup>70</sup> These experiences made Lakotas wary of off-reservation Anglos. Concerns about unlawful whites diminished after many Lakotas followed Romero and received good treatment. Following the 1917 harvest, Romero stated, "Box Butte farmers need have no fear concerning their potato harvest this year or any year, for the Indians will always come here when help is needed," as long as the growers paid and treated Lakotas well.<sup>71</sup>

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<sup>67</sup> Earl Mallory to Major Brennan, August 23, 1910, Superintendent Correspondence, Box 134, General Records, General Correspondence by Subject, Pine Ridge Agency, Records Group 75, NARAKC.

<sup>68</sup> *Alliance Semi-Weekly Times*, 12 October 1917, page 1; 16 October 1917, page 4.

<sup>69</sup> Robertson, *The Power of Land*, 84-115. Lakotas had faced violent encounters with non-Indians off reservation. In 1901, the Weston County, Wyoming sheriff along with local ranchers deterred Lakotas from hunting in the county through violent means. See Philip Deloria, *Indians in Unexpected Places* (Lawrence: University of Kansas, 2004), 17-20.

<sup>70</sup> Rosebud 1912 Narrative, Microfilm Roll 118, Superintendents' Annual Narrative and Statistical Reports, BIA 1907-1938, NARADC

<sup>71</sup> *Alliance Semi-Weekly Times*, 12 October 1917, page 1; 16 October 1917, page 4. Romero also appears to be one of the new leaders Frederick Hoxie discusses. New Lakota leaders on the Cheyenne River Reservation emerged because of their education as they could better understand government processes, negotiate with federal officials, and protect Lakota homelands. See Frederick Hoxie, "From Prison to Homeland," 4-24. Romero also was acting as a cultural broker. Romero is neither a "progressive" nor "traditional," because he advocated Lakotas to accept wage labor, but on Lakota terms, as they must receive favorable work conditions. Romero negotiates with farmers and city officials to ensure amicable relations. See, David Rich Lewis and William Wash, "Reservation Leadership and the Progressive-Traditional Dichotomy: William Wash and the Northern Utes, 1865-1928," *Ethnohistory* 38 (Spring 1991): 124-148; Brain C. Hosmer, "Reflections on Indian Cultural 'Brokers': Reginald Oshkosh, Mitchell Oshkenaniew, and the Politics of Menominee Lumbering," *Ethnohistory* 44 (Summer 1997): 493-509.

In 1917, calls from nervous farmers from across western Nebraska reached the reservation officials and Lakota leaders. Reservation officials posted recruitment posters across the reservation, notifying Lakotas of the Nebraska harvest work. Thanks to Gordon and Chadron's proximity to the Pine Ridge reservation, the communities had relied on Lakota labor before 1917. Box Butte County farmers, however, had only used this labor source sparingly, instead hiring German-Russian immigrants.<sup>72</sup> Reservation officials created a rudimentary map for display at the reservation fair (held the last week of September 1917) detailing the different areas seeking potato pickers and the locations with the highest wages. The map indicated that farmers around Scottsbluff and Morrill paid the highest amounts. It also provided the number of days it took to reach the fields: Chadron, one day; Crawford, two days; Marsland and Hemingford, three days; Scottsbluff and Morrill, four days; and Kimball, five days.<sup>73</sup>

On reservation, Lakota middlemen recruited harvesters, as a Lakota man in Hemingford helped to locate Lakotas asking only \$1 per head. He used the money to pay for transportation to the town and Lakotas received any remaining cash. This form of labor recruitment was common across the American West. It was easier for farmers to negotiate with and pay one person that represented all the harvest hands instead of dealing with individuals.<sup>74</sup>

Numbers following the harvest reveal just how successful it had been for both farmers and Lakota workers. Dawes County officials stated that roughly 200 Lakotas had picked potatoes

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<sup>72</sup> *Alliance Semi-Weekly Times*, 16 September 1910, page 1; Esther Anderson, "The Sugar Beet Industry of Nebraska," 383. Chadron is roughly 8 miles and Gordon is 10 miles from Pine Ridge's southern edge.

<sup>73</sup> "Potatoe Picking," Laborers, Box 128, General Records, General Correspondence by Subject, Pine Ridge Agency, Records Group 75, NARAKC.

<sup>74</sup> *Hemingford Ledger*, 14 September 1922, page 1. See Gunther Peck, *Reinventing Free Labor* (New York: Cambridge University Press, 2000); Frank Tobias Higbie, *Indispensable Outcasts: Hobo Workers and Community in the American Midwest, 1880-1930* (Champaign: University of Illinois Press, 2003); John Moore, "The Significance of Cheyenne Work in the History of U.S. Capitalism," in Alice Littlefield and Martha C. Knack, eds., *Native Americans and Wage Labor: Ethnohistorical Perspectives* (Norman: University of Oklahoma Press, 1996), 141.

near the town of Chadron for \$3.25 to \$3.50 per day. Some Lakotas remained to harvest corn for \$1.50 per load. Neuswanger reported that about 75 Lakota families had worked in Box Butte County. At Hemingford, they received \$3.25 and at Alliance \$3.75 per day, earning a family around \$275 to \$300 for the season. Farmers also provided Lakota workers with potatoes, kindling, and pasture for their horses. As in Chadron, some Lakotas remained to work the corn harvest. Neuswanger stated the farmers expected the Lakotas for next harvest season.<sup>75</sup>

The following year, western Nebraska farmers again sought Lakota laborers. The Hemingford Community Club Employment Agent, W.H. Clark requested 100 Lakota workers from Superintendent of the Pine Ridge reservation Henry Tidwell, stating “we need them badly.”<sup>76</sup> Tidwell responded that most of the available Lakota workers had already left the reservation to harvest in other parts of western Nebraska. Tidwell’s reply suggests a high number of Lakotas working off reservation. The labor shortage created a great demand for Lakota labor in all western Nebraskan industries. Even the potash plants in the wartime boomtown of Antioch, fourteen miles east of Alliance, requested Lakota laborers.<sup>77</sup>

For many Lakotas, migrant labor was a familiar experience, similar to hunting bison in western Nebraska. Potato farmers recalled that Lakotas entering western Nebraska for the harvest resembled a never-ending wagon train, which resembled Luther Standing Bear’s description of Lakota hunting bands migrating into Nebraska. Similar to sending scouts into Nebraska to find the buffalo and leading the rest of the band to the herd, small numbers of

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<sup>75</sup> W. Clark to C.L. Ellis, December 8, 1917; Fred Taylor to C.L. Ellis, November 20, 1917; George Neuswanger to C.L. Ellis, November 5, 1917, Laborers, Box 128, General Records, General Correspondence by Subject, Pine Ridge Agency, Records Group 75, NARAKC.

<sup>76</sup> W.H. Clark to Supt. Tidwell, no date given, Telegrams Received and Copies of Telegrams Sent, Box 735, General Record, Pine Ridge Agency, Record Group 75, NARAKC.

<sup>77</sup> Tidwell to W.H. Clark, October 5, 1918, Telegrams Received and Copies of Telegrams Sent, Box 735, General Record, Pine Ridge Agency, Record Group 75, NARAKC. German blockades cut off Allied supplies for Potash, an essential mineral for the manufacture of munitions and agricultural fertilizer.

Lakotas, such as Philip Romero, first came to the potato production centers to assess work conditions before the rest of the Lakotas came to harvest.<sup>78</sup> The *Scottsbluff Star-Herald* reported that the first Lakotas in the valley were “something in the nature of scouting parties, and if they found the valley and the work satisfactory, that a ‘real’ delegation would make the trip every season.”<sup>79</sup>

Lakotas used migrant labor to connect with places in western Nebraska and travel across familiar ground. As Lakotas moved south from the reservations into Nebraska, they entered the pine-covered butte and canyon area known as the Pine Ridge and from there two routes existed, one to Scottsbluff and another to Alliance. Lakotas heading southwest towards the potato fields surrounding Scottsbluff followed the White River on which the Red Cloud Agency once stood. The river led toward the sandstone buttes above Fort Robinson or *Paháska* (white butte). As the Lakotas neared the fort, they turned south and on their left stood Crow Butte. After traversing the Pine Ridge, the Lakotas entered the rolling prairie where they crossed *Mní Thánka Wakpá* (large water creek) or non-Indians call the Niobrara River. Eventually they reached the bluffs above the North Platte River Valley. From atop the bluffs the Lakotas could look across the valley recognizing the winding North Platte River, *Pňanžéska Wakpá* (Shell Creek). South of the river sits the massive rectangular butte *Miya Paha* “hill that’s hard to go around.” Non-Indians call the butte Scotts Bluff National Monument. Lakotas traveled into the valley arriving at their destination, Scottsbluff or *Pňanžéska Wakpá Othúnwakahe*.<sup>80</sup>

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<sup>78</sup> Standing Bear, *My People the Sioux*, 19, 48; Don Haas, interview by author, Hemingford, Nebraska, 15 May 2007.

<sup>79</sup> *Scottsbluff Star-Herald*, September 26, 1922, page 1.

<sup>80</sup> Jan Ullrich, *New Lakota Dictionary* (Bloomington: Lakota Language Consortium, Inc., 2008), 959, 889, 980, 786, 1016; *Scottsbluff Star Herald* 22 June 2011. Some Lakotas refer to the Niobrara River as Running Water instead of large water creek.

For Lakotas traveling to Alliance, they first passed by Beaver Creek, and the former location of the Spotted Tail agency located in the Pine Ridge just north of the present day town of Hay Springs, Nebraska.<sup>81</sup> As Lakotas went south from Hay Springs along the rolling prairie, like their fellow Lakotas further to the west moving towards Scottsbluff, they crossed *Mní Tháŋka Wakpá*. After crossing the river, the Sandhills appeared a few miles off to the Lakotas' left. The Sandhills remained alongside the Lakotas until they reached Alliance. The Lakota name for Alliance is *Čhasmú Okáħmi*, which translates to sand bend. When moving from a north to south direction, the Sandhills appear to bend around Alliance, as the Sandhills protrude to the northeast, east, south, and southwest of Alliance.<sup>82</sup>

Settler colonialism emerged in western Nebraska as settlers attempted to erase Lakota ties to the area.<sup>83</sup> Yet, Lakotas interpreted their historical and environmentally changed homeland and workscape by calling the rivers and other landscapes by their Lakota names. For the Lakota harvesters, western Nebraska spoke messages of previous experiences. Lakotas are not unique. For Indigenous peoples the land is alive and continues to carry important messages to help guide them. Oral stories also permit Native peoples to claim land.<sup>84</sup> Lakotas reaffirmed their sense of place and claimed western Nebraska, while traveling to harvest potatoes. Visiting places mentioned in winter counts and oral histories such as *Paháska* and *Mní Tháŋka Wakpá* provided

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<sup>81</sup> Crazy Horse's influence in the Pine Ridge remains. Lakotas have recently successfully lobbied the state of Nebraska to rename part of Highway 20 from Hay Springs to Fort Robinson the Crazy Horse Memorial Highway. *Lincoln Journal Star*, 21 September 2009; *Indian Country Today Media Network*, 5 June 2011, available: <http://indiancountrytodaymedianetwork.com/article/14th-annual-crazy-horse-ride-36459>.

<sup>82</sup> Standing Bear, *My People the Sioux*, 53; Ullrich, *New Lakota Dictionary*, 85, 443, 786, 959.

<sup>83</sup> Settler colonialism is a structure that seeks the elimination of the Native for control of land and society. The settler colonial structure in western Nebraska sought to erase Lakota claims to the land and valued Lakotas only as migrant laborers. For more discussion of settler colonialism see, Patrick Wolfe, "Settler Colonialism and the Elimination of the Native," *Journal of Genocide Research* 8 (2006): 387–409; Jeanne M. O'Brien, *Firsting and Lasting: Writing Indians Out of Existence in New England* (Minneapolis: University of Minnesota Press, 2010).

<sup>84</sup> Keith Basso, *Wisdom Sits in Places: Landscape and Language Among the Western Apache* (Albuquerque: University of New Mexico Press, 1996). I use past tense when discussing land because Lakotas today may still view the land in the same traditional ways, but their relationships with western Nebraska are not static and do change.

Lakotas the opportunity to acknowledge that the land in western Nebraska is a part of Lakota history and identity, despite removal and subsequent Anglo settler land claims. Additionally, harvesting along *Pħañkéska Wakpá* in the shadow of *Miya Paha* Lakotas claimed the southern boundary of their hunting lands guaranteed by the Fort Laramie Treaty. In 1922, before harvesting in the North Platte Valley, Lakotas discussed their excitement to see the valley where they held treaty-hunting rights and the valley was a part of many stories told by elders.<sup>85</sup>

As the difference among place names reveal, Lakota potato harvesters entered a colonized landscape.<sup>86</sup> After 1877, non-Indian settlers modified Lakota worksapes by tilling the soil, building irrigation ditches, and fencing in the plains. American farmers brought new plants with them and grew alfalfa, clover, and oats for horse fodder. Lakotas had relied on buffalo grass for their horses' survival, not these foreign plants. As Lakota Delphine Red Shirt's mother notes, "these plants were new to us and to the land. When our people roamed the Nebraska plains, it was grazing land for the buffalo. The waśícu [Anglos] brought seeds, built houses out of sod dug from the earth, planted their seeds and stayed."<sup>87</sup> Red Shirt's mother harvested potatoes while camping along *Tháhca Wakpá* or Deer Creek.<sup>88</sup> Non-Indians may have attempted to claim the creek by giving it a new name but for the Lakotas it remained Deer Creek and part of the

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<sup>85</sup> *Scottsbluff Star-Herald*, September 26, 1922, page 1; Chantel Norrgard notes that the Ojibwe used migrant berry picking to reaffirm treaty rights and claim land. See Chantal Norrgard, "From Berries to Orchards: Tracing the History of Berrying and Economic Transformation among Lake Superior Ojibwe," *The American Indian Quarterly* 33 (Winter 2009): 33-61.

<sup>86</sup> By "colonized," I mean non-Indian settlers altering the Lakota landscape to serve capitalist interests. Farmers plowed up the prairie and dug irrigation ditches in the North Platte Valley, while ranchers fenced in the prairie. Historian Jeffrey Shepherd notes, politicians and surveyors reinterpreted "non-Indian territories and extracted aboriginal homelands from the reach of Native peoples by new maps, new modes of power, and the very real growth of an economy and legal system that devalued Native territories and valued capitalist economies." See Jeffrey P. Shepherd, *We Are an Indian Nation: A History of the Hualapai People* (Tucson: University of Arizona Press, 2010), 48-49.

<sup>87</sup> Red Shirt, *Turtle Lung Women's Granddaughter*, 143.

<sup>88</sup> *Ibid.*, 49, 103; See also See Luther Standing Bear, 166. This may be the same Deer Creek the Lakotas referred to in Mari Sandoz's *Old Jules*.

homeland. Lakotas continued to define the changing western Nebraska landscape in their terms.

Red Shirt remembered that her great-grandmother, Turtle Lung Woman:

knew the old roads and in which direction lived our enemies and our allies. In the old days, the Phaláni, the Pawnees, our enemies, lived in what is now southwest Nebraska. The Oyáte Yámni, meaning “three tribes,” referred to the Poncas along with the Omahas and Otos, who lived along the Missouri River. We lived in what is now western Nebraska near our allies the Šahíyela, the Cheyennes, and Maḥpíya Thó, or “blue clouds,” the Arapahos.<sup>89</sup>

Foreign plants and barbed wire fence crisscrossed western Nebraska revealed how non-Indians colonized the region. The once wide-open Lakota homeland disappeared but the Lakotas adapted and used the potato harvest to reclaim places, for the rivers and buttes that had always been there remained.

Western Nebraska farmers and ranchers believed that Lakotas possessed no claims to the land. Western Nebraska writer, Mari Sandoz, recalled Lakotas camping at her family’s homestead along the Niobrara River, as they passed through on hunting and harvesting trips.<sup>90</sup> While Sandoz’s family welcomed Lakota visitors, most others saw them as trespassers. In July of 1906, a Justice of the Peace for Cherry County, Nebraska wrote Pine Ridge Superintendent John Brennan “...in regard to letting the Indians come down on *our territory* and gather berries during the fall season [emphasis mine].” According to the Justice of the Peace, Lakotas broke branches of the berry bushes and “annihilate everything along the Niobrara River...depriving the people of any fruit.” He also stated that landowners ordered him to arrest any Lakotas picking wild berries. The justice prohibited Lakotas from picking berries in certain township and ranges along with creeks and rivers.<sup>91</sup> Nonetheless, amidst the colonized landscape, Lakotas reestablished

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<sup>89</sup> Red Shirt, *Turtle Lung Women’s Granddaughter*, 147.

<sup>90</sup> Sandoz, *Old Jules*.

<sup>91</sup> William to Indian Agent Brennan, July 28, 1906, Superintendent Correspondence, Box 134, General Records, General Correspondence by Subject, Pine Ridge Agency, Records Group 75, NARAKC.

their historical ties to homeland, and this was not the only cultural continuity western Nebraska's potato harvest offered.

Lakotas also participated in the harvest because it allowed them to pursue their traditional political economy—acquiring resources through their *tiyóspayes*. Ella Deloria notes that kinship is “the scheme of life that works.”<sup>92</sup> The Lakota kinship system is central to the *tiyóspaye*, as kinship obligations influenced *tiyóspayes* to act as a single entity. Obligations influenced Lakotas to spread resources by giving since unselfishness is the key to being good kin. Those who refused to give appeared uncivilized. Rosebud Lakota Cedric DeCory remembers his grandfather's advice to “give much ask for little.”<sup>93</sup>

With the federal government attacking the Lakota “scheme of life” on the reservations through allotment, off reservation wage labor provided a means to circumvent the assimilationist policy. Since off reservation employment was outside the surveillance of the Indian superintendents, Lakotas used migrant labor to reaffirm their *tiyóspayes*. For one, Lakotas traveled as *tiyóspayes*. In 1917, an Alliance newspaper notified its readers that “when Indians go to work they take the whole family, the household goods, all of the horses and the dog. They move in caravans and groups and usually camp near town until the potato harvesting begins....”<sup>94</sup> DeCory remembers packing two trucks full of his aunts, uncles, grandparents, and cousins to harvest in Nebraska. They lived and worked together as a *tiyóspaye* and had secured harvest jobs before leaving the reservation. When the weather turned too cold for tent living, the family returned to the reservation.<sup>95</sup>

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<sup>92</sup> Ella Deloria, *Speaking of Indians*, 24.

<sup>93</sup> Cedric DeCory, interview by author, Scottsbluff, Nebraska, 16 May 2007.

<sup>94</sup> *Alliance Herald*, 27 September 1917, page 1.

<sup>95</sup> Cedric DeCory, interview by author, Scottsbluff, Nebraska, 16 May 2007.

With Lakota workers needing places to camp, Alliance, Chadron, Hemingford, and Scottsbluff created campsites just outside of the towns. For the farmers, the camps offered a place to recruit harvesters, but for the Lakotas the camps meant more than a job-recruiting center as they reaffirmed kinship ties. At the harvest campgrounds, Lakotas camped in traditional *tiyóspaye* clusters. These were large camps with hundreds of tents. Lakotas continued customary practices such as drying meat on wire in the campground except it was cattle instead of buffalo as before the non-Indian settlement of western Nebraska. Adult and teenage men and women harvest potatoes together.

A couple of substantial potato farmers established large elaborate campgrounds on their farms as way to control their workers and keep them from leaving. Lakotas purchased goods from campground stores, which the farmer deducted from their final paychecks. Indebted Lakota workers had to remain in the camps and harvest. The Lakota worker camps were lively places. Potato grower Bill Riis constructed an Indian camp on his farm north of Alliance. By 1949, the camp contained 70 tents with 300 Lakotas, a playground, store, and loudspeaker system to communicate with all his workers and broadcast radio programs for worker enjoyment.<sup>96</sup>

The practice of drying meat, however, created one of the few instances of racial strife during the early potato harvest years. After receiving livestock killed in transit from the Alliance

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<sup>96</sup> Ella Deloria, *Speaking of Indians*, 97; *Alliance Semi-Weekly Times* 19 September 1922, page 1; *Alliance Times-Herald*, 4 October 1949, page 1; *Hemingford Ledger*, 24 October 1957, page 1; William Wilbrand, interview by author, Alliance, Nebraska, 8 August 2008; Many Lakotas eventually developed relationships with their employers and went directly to their farmyards to camp and harvest instead of first going to the large town Indian camps. The camps were exploitive because Lakotas had to shop at the farmer's store. Lakotas often purchased goods on debt, which the farmer deducted at the end of the season. Farmers wanted to control their workers and keep them from going into town. Company towns are a part of nineteenth and twentieth century labor history. Many laborers lived and worked in paternalistic company towns. See, Thomas Andrews, *Killing for Coal*; Benton-Cohen, *Borderline Americans*; Oliver J. Dinius and Angela Vergara, *Company Towns in the Americas: Landscape, Power, and Working-Class Communities* (Athens: University of Georgia Press, 2011); Alison K. Hoagland, *Mine Towns: Buildings for Workers in Michigan's Copper Country* (Minneapolis: University Of Minnesota Press, 2010); Linda Carlson, *Company Towns of the Pacific Northwest* (Seattle: University of Washington Press, 2003); Neil White, *Company Towns: Corporate Order and Community* (Toronto: University of Toronto Press, 2012).

stockyards, Lakotas cured the meat. In 1924, when the city placed Lakotas on a new campsite in South Alliance, some residents complained about the smell of curing meat, and they wanted the Lakotas moved. The city manager, along with others, visited the camp and found the smell minimal. The South Alliance objectors discovered that campsite resided on privately owned land, which forced the city manager to move the camp to nearby city land. This upset the Lakotas, because as the Alliance newspaper reported, the “guests” of the city were not used to the lack of hospitality. Alliance was not living up to its reputation for cordial treatment of Lakota workers. The new campsite sat next to a septic tank and had no water, forcing Lakotas to walk to a house for water. The lack of forage for horses also troubled Lakotas. Lakotas stated that many would not return without adequate forage. The newspaper noted a town that prided itself on hospitality, needed to remedy the situation.<sup>97</sup>

Lakotas spread the resources attained during the harvest throughout their *tiyóspayes*. Even children received gifts, as DeCory recalls every Saturday when their family went to town to spend their wages, his grandfather allowed him to purchase a treat from the bakery.<sup>98</sup> Similarly, a Lakota girl who babysat and cooked while the adults worked in the fields enjoyed Saturdays because her *tiyóspaye* purchased goods in the local town. Her relatives bought a coat or some other item that she needed for winter.<sup>99</sup> Lakotas also assisted those who remained at Pine Ridge and Rosebud. Delphine Red Shirt’s mother remembered that her grandmother,

would notify our other relatives who also stayed behind and by the late afternoon on the next day when the grownups returned, all of our relatives would come to welcome them home. That was the way it was back then, whenever anyone came back from Nebraska it was a big event. Our relatives came for news, *but mostly to share*

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<sup>97</sup> *Alliance Times-Herald*, 23 September 1924, page 1, 4; 26 September 1924, page 12.

<sup>98</sup> Cedric DeCory, interview by author, Scottsbluff, Nebraska, 16 May 2007.

<sup>99</sup> Red Shirt, *Turtle Lung Women’s Granddaughter*, 146.

*in our good fortune* [emphasis mine]. When we all came together we feasted.<sup>100</sup>

Lakota harvest workers attained adequate goods to survive winter and spread them throughout their kinship networks.<sup>101</sup> Kinship requirements required Lakota harvesters to share with their not so fortunate relatives. As Severt Young Bear notes, it is “most honorable to give to those who are elderly or can’t give you anything back, or those who are having a hard time or are in mourning.”<sup>102</sup> Lakotas entered the capitalistic workplace not to amass individual wealth but to maintain their *tiyóspaye*.<sup>103</sup>

The potato harvest provided Lakotas with commodities as well as money and Lakotas spread these items through their *tiyóspayes*. On Sundays, harvesters went to the nearest town to buy goods such as flour, porcelain ware, clothes, saddles, and other supplies. Numerous farmers provided Lakotas money for groceries, which they took out of the worker’s paycheck at harvest’s end. Growers also gave workers a couple hundred-pound bags of potatoes and maybe beans or meat free of charge.<sup>104</sup> Money too passed between Lakota hands.

Kinship obligations could affect payment processes. Great-grandson of Oglala Lakota leader Red Cloud, Edgar Red Cloud served on the Oglala Sioux Tribal Council from 1936 to

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<sup>100</sup> Red Shirt, *Turtle Lung Women’s Granddaughter*, 152.

<sup>101</sup> Spreading money and goods received from off reservation labor through kinship systems is a common practice for American Indians. Some great examples include, O’Neill, *Working the Navajo Way*; Harald Prins, “Tribal Network and Migrant Labor: Mi’kmaq Indians as Seasonal Workers In Aroostook’s Potato Fields, 1870-1980,” in Alice Littlefield and Martha C. Knack, eds., *Native Americans and Wage Labor: Ethnohistorical Perspectives* (Norman: University of Oklahoma Press, 1996); William J. Bauer, *We Were All Like Migrant Workers Here: Work, Community, and Memory on California’s Round Valley Reservation, 1850-1941* (Chapel Hill: University of North Carolina Press, 2009).

<sup>102</sup> Young Bear and Theisz, *Standing in the Light*, 59.

<sup>103</sup> Not every single Lakota harvester continued to follow kinship protocol. There is an example in 1917 of some Lakotas bragging about the money and goods they acquired. This caused tension because bragging about wealth and not sharing makes a Lakota resemble bad kin. Thus, most Lakotas shared their harvest income with their kinship networks. See, *Alliance Semi-Weekly Times*, 8 January 1918, page, 1.

<sup>104</sup> Don Haas, interview by author, Hemingford, Nebraska, 15 May 2007; Harold Schmitt, interview by author, Hemingford, Nebraska, 13 August 2008; Warren Trank, interview by author, Alliance, Nebraska, 15 May 2007; Cedric DeCory, interview by author, Scottsbluff, Nebraska, 16 May 2007.

1972. He harvested potatoes on Kresten Marius Christensen's farm in western Box Butte County.<sup>105</sup> Red Cloud asked that Christensen pay wages in silver dollars. Christensen complied and made the weekly thirty-five mile round trip to the bank in Alliance to acquire silver dollars.<sup>106</sup> While Christensen had no explanation for the request, Ella Deloria notes silver dollars were "ideal gifts to seal a handshake—sometimes with a murmured, 'My relative, with this I shake your hand,' but, just as often, transferring it from palm to palm without a word."<sup>107</sup> With Red Cloud's status as a leader, he had many handshakes to seal.

The potato harvest built relationships between Lakotas and western Nebraska farmers. Unbeknownst to farmers, Lakotas accepted them into their social kinship networks. As Dakota Ella Deloria noted, kinship demanded relatives not harm each other, "so it was necessary first to make relatives of erstwhile strangers, thus putting them 'on the spot,' and then deal with them on that basis."<sup>108</sup> Lakotas expected farmers to remain honest, provide fair treatment, good wages, and potatoes in return for their honesty and hard labor. Many farmers and Lakotas developed relationships that evolved into kinship. Lakotas who had built a kinship relationship with a farmer over several years had a job waiting for them. Box Butte County farmers Don Haas, Harold Schmitt, and Kresten Marius Christensen employed the same Lakota families from the Pine Ridge for decades. Haas and Schmitt built lasting relationships traveling to the Pine Ridge to visit the families who harvested for them. DeCory recalled that farmers who had previously

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<sup>105</sup> F.W. Woosley, "Mission to Indian Country," *Courier-Journal & Times Magazine*, 12 May 1974. Virgil Vogel Papers, Edward Ayer Collection, Newberry Library, Chicago, IL.

<sup>106</sup> Howard Christensen, interview by author, Alliance, Nebraska, 28 December 2006.

<sup>107</sup> Ella Deloria, *Speaking of Indians*, 96-97.

<sup>108</sup> Ella Deloria, *Speaking of Indians*, 29. A couple farmers told me they never understood some of their Lakota workers' actions until years later after they read books on Lakota culture.

employed his *tiyóspaye* held the fields from harvest until their arrival. Growers came to expect the same family each year, and Lakotas anticipated having a job upon their arrival.<sup>109</sup>

While government officials assaulted Lakota culture by attempting to dissolve the kinship system, they also attacked culture with education. During the 1880s, the federal government removed Lakota children to boarding schools, such as the one in Carlisle, Pennsylvania, hoping to replace Indigenous epistemologies with Western ones. By 1890, the government realized that most American Indian students failed to readjust on their reservations and did not bring Western culture to their kin. In hopes of a more successful assimilation process, government officials developed day schools on reservations for children to start their education, then move on to reservation boarding schools, and finally around the age of 16 leave the reservation to continue their education at off reservation boarding schools. Non-native teachers from the East who could not speak Lakota nor understand Lakota culture created difficult learning environments. Luther Standing Bear criticized government schools for teaching a curriculum that emphasized American values, ideals, and heroes, such as George Washington, stressing that Native peoples also have their own Indigenous heroes.<sup>110</sup> Lakotas “turned the tables on assimilation” in the Pine Ridge day schools by adapting school curriculum to meet their own needs, which transformed the schools from instruments of assimilation to cultural preservation. Many Lakota parents, however, removed their children from day schools if an opportunity existed.<sup>111</sup>

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<sup>109</sup> Harold Schmitt, interview by author, Hemingford, Nebraska, 20 May 2008; Cedric DeCory, interview by author, Scottsbluff, Nebraska, 16 May 2007; Don Haas, interview by author, Hemingford, Nebraska, 15 May 2007; Howard Christensen, interview by author, Alliance, Nebraska, 28 December 2006.

<sup>110</sup> Standing Bear, *Land of the Spotted Eagle*, 178, 228, 241.

<sup>111</sup> Thomas Andrews, “Turning the Tables on Assimilation: Oglala Lakotas and the Pine Ridge Day Schools, 1889-1920s,” *Western Historical Quarterly* 33 (Winter 2003): 407-430. For more works showing how Native peoples resisted government schools’ assimilation agenda to strengthen community, identity, and culture see: Child, *Boarding School Seasons* and Ellis, *To Change Them Forever*; Riney, *The Rapid City Indian School*.

Since the potato harvest started in late September and early October, it offered Lakotas a means to avoid colonized institutions, such as day and boarding schools. In September 1919, a Lakota man notified the superintendent that he wished to take his son with him to harvest potatoes, he reassured the agent, “the people use [the harvest] to run away with their school children from you but I do not want to do [it] that way.”<sup>112</sup> The OIA and reservation superintendents tried to stop Lakota workers from taking their children to pick potatoes. In October 1919, Mary Young Bear informed Superintendent Tidwell that she was harvesting in Nebraska with her schoolchildren. Her children’s teacher notified her that the agency would withhold rations unless Tidwell granted her permission to have her children in Nebraska. Young Bear protested, “I don’t like that way because I am a widow so nobody makes money so I make money myself.” She asked Tidwell for permission to continue harvesting with her children and to telegraph the farmer who employed her.<sup>113</sup> Lakota parents encountered similar examples of government paternalism throughout the twentieth century. In 1930, the OIA notified Pine Ridge Superintendent James McGregor of the Office’s policy regarding school and the potato harvest: “that we do not approve of the children taken from school [to harvest potatoes].”<sup>114</sup> In October 1961, Principal at the He Dog School on the Rosebud reservation, Don Barnhart wanted his teachers to make sure they knew the “evils of spud picking.” Forty children were currently in Nebraska harvesting potatoes. Barnhart argued that, in some cases, men went to harvest leaving their wives to watch the schoolchildren, thus “it can be done!” He also ridiculed the harvest, stating that Lakotas returned in debt, as the cost to purchase supplies outweighed earnings.

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<sup>112</sup> Pine Ridge, S.D., September 29, 1919, File 1910-21, Box 953, Education Records, Superintendent’s Education Corr., Pine Ridge Agency, Records Group 75, NARAKC.

<sup>113</sup> Mary Young Bear to Sir, October 13, 1919, File 1910-21, Box 953, Education Records, Superintendent’s Education Corr., Pine Ridge Agency, Records Group 75, NARAKC.

<sup>114</sup> Assistant Commissioner to James McGregor, October 16, 1930, 981.1, Box 719, General Records, Main Decimal Files, Pine Ridge Agency, Records Group 75, NARAKC.

Barnhart proposed to contact farmers asking them to disallow any schoolchildren on their farms.<sup>115</sup> The potato harvest provided Lakotas the opportunity to resist government paternalism when it came to their children's education. The *tiyóspaye* based economy included children, something that the OIA despised.<sup>116</sup>

Lakotas also manipulated the potato harvest in western Nebraska to strengthen their identity and culture. Dance, song, and dress are parts of the performing section of Lakota celebrations. Traditionally most Lakota dances were part of male warrior societies and ceremonies. Lakota Severt Young Bear notes, "music is at the center of Lakota life in the old days and since the reservation days started."<sup>117</sup> Most importantly, however, singing provides Lakotas with an identity and a sense of pride. Young Bear recalls, "that a long time ago the Lakota people never had psychiatrists, they never had mind problems or social problems, because every tipi or home always had a hand drum in it and somebody in the family was always singing."<sup>118</sup> There are songs that fit all emotions and the songs can uplift people.

The U.S. government strictly regulated public affirmations of traditional Indian culture. In 1908, the OIA wrote to the Pine Ridge Agency regarding dancing, stating, "the office is much interested in the personal welfare of the Sioux Indians and does not desire to see them lose ground. Any practice or custom among them injurious to their industrial prosperity and hindering their advance in civilization should be discountenanced."<sup>119</sup> The federal government banned

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<sup>115</sup> "Spud Picking," Folder 170, Box 3, Murray Wax Papers, Edward Ayer Collection, Newberry Library, Chicago, IL. It is also not to say Lakotas did not value education. Rather it is more of self-determination that Lakota parents could decide what was best for their children. Cedric DeCory told me that he disliked being behind in school when his family returned from harvesting, but he still wanted to go to Nebraska.

<sup>116</sup> Other groups of American Indians used migrant labor to maintain their family based economies, which required taking their children out of school. See Bauer, *We Were All Like Migrant Workers Here*, 127-128.

<sup>117</sup> Young Bear and Theisz, *Standing in the Light*, 43.

<sup>118</sup> Young Bear and Theisz, *Standing in the Light*, 46.

<sup>119</sup> Acting Commissioner to U.S. Indian Agent, June 30, 1908, Indian Customs and Picture Writing, Box 127, General Records, General Correspondence by Subject, Pine Ridge Agency, Records Group 75, NARAKC.

dancing because it believed the activity impeded the process of assimilation. Government officials prohibited Lakotas to dance during Lakota holidays.<sup>120</sup> The OIA specifically prohibited “barbaric” dances in which lacerations occurred as in the Sun Dance. The OIA ordered reservation officials to use their discretion to prevent any practices that “may tend to lower the life of the Indians and retard their progress.”<sup>121</sup>

Even when reservation officials allowed dances, they supervised and regulated them. In March of 1915, Commissioner of Indian Affairs, Cato Sells wrote a letter to John Brennan, superintendent of the Pine Ridge School, regarding the reservation’s the Fourth of July celebration. Sells stated that Lakotas could participate in the Omaha Dance, but “wherever dances are immoral or suggestive they should not be allowed. Dances which are harmless in themselves and social in their nature can be permitted, with proper supervision.” Sells, however, believed Brennan should never permit give-aways, particularly when they involved horses, cattle, and other items of value.<sup>122</sup> By the 1920s, each reservation district could have only one Omaha Dance per month.<sup>123</sup>

Despite regulations against dancing, Lakotas created opportunities to dance. Young Bear recalls that most Lakotas danced behind drawn curtains in the safety and security of their own households. The practice of the Sun Dance went underground to the extreme rural parts of the reservation. Wild West Shows hired Lakotas and other American Indians to dance. Lakotas

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<sup>120</sup> Young Bear and Theisz, *Standing in the Light*, 87; Moses, *Wild West Shows*, 64.

<sup>121</sup> Acting Commissioner to U.S. Indian Agent, June 26, 1908, Indian Customs and Picture Writing, Box 127, General Records, General Correspondence by Subject, Pine Ridge Agency, Records Group 75, NARAKC. For a great description of the Lakota Sun Dance see Ella Cara Deloria, *Waterlily* (Lincoln: University of Nebraska Press, 1990).

<sup>122</sup> Cato Sells to John Brennan, March 5, 1915, Law and Order, Box 129, General Records, General Correspondence by Subject, Pine Ridge Agency, Records Group 75, NARAKC. See also the 1911 annual report from the Rosebud, Microfilm Roll 118, Annual Narrative and Statistical Reports, BIA 1907-1938, NARADC

<sup>123</sup> Superintendent to Chas. Burke, March 20, 1923, 068, Box 183, General Records, Main Decimal File, Pine Ridge Agency, Records Group 75, NARAKC.

joined other tribal nations in resisting the federal government's attempts to restrict dancing. Dancing helped to affirm cultural and community identity in the face of assimilation.<sup>124</sup>

Dancing at county fairs also was popular. During the early 1900s, many county fair organizers across western Nebraska requested Lakota dancers. The superintendents attempted to regulate the county fair dances. For example, although Lakotas had danced at the county fair in Alliance the previous year, in 1910, Superintendent John Brennan refused to release 100 Lakotas from the reservation for what he deemed "show purposes." Brennan suggested obtaining Lakotas from the Rosebud reservation. About a month later, Philip Romero visited Alliance to create a contract with fair officials. Romero promised the Box Butte County Fair Association that Brennan would approve the contract and allow Romero and a group of Lakotas dancers at the fair.<sup>125</sup> *The Alliance Semi-Weekly Times*, however, stated only after city officials negotiated employment for the Lakotas in the potato harvest did Brennan allow them to dance at the fair.

The potato harvest allowed Lakotas to dance off reservation far from the paternalistic control of the federal officials. Lakotas immediately used the harvest to dance, resist assimilation pressures and government paternalism, and reaffirm cultural values.<sup>126</sup> The first decades of the harvest contained large Lakota dances in the nearby towns. Following the 1917 harvest in Alliance, around one hundred Oglala families performed several dances on Box Butte Avenue

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<sup>124</sup> Young Bear and Theisz, *Standing in the Light*, 40-47; Clyde Ellis, "'We Don't Want Your Rations, We Want This Dance': The Changing Use of Song and Dance on the Southern Plains," *Western Historical Quarterly* 30 (Summer 1999): 133-154.

<sup>125</sup> Supt. & Spl. Disb. Agent to E.D. Mallery, July 26, 1910; E.D. Mallery to Major Brennan, August 23, 1910, Superintendent Correspondence, Box 134, General Records, General Correspondence by Subject, Pine Ridge Agency, Records Group 75, NARAKC.

<sup>126</sup> *Alliance Herald*, 15 November 1917, page 1; *Alliance Semi-Weekly Times*, 16 September 1910 page 1; Young Bear and Theisz, 87. After the *Standing Bear v. Crook* (1879) case, the federal government could not legally prohibit American Indians from leaving the reservation. Yet, the government tried to control Show Indians by forcing the off reservation entities seeking Indians to sign contracts. The contracts protected Show Indians by stating that Indians receive a "reasonable wage," but it also allowed the reservation superintendent to oversee the process providing them with control. See L.G. Moses, *Wild West Shows*, 257, 258. See also chapter 10.

(Alliance's main street). The Lakotas donned traditional attire, and Philip Romero provided a brief speech on Lakota history. A year later, fifty-six Lakota families, making up 212 people, asked to have a powwow in Alliance before returning to the reservation. Romero again organized the event. After consulting local officials, the Lakotas held their powwow at the fairgrounds. The plan called for a show managed by the Lakotas themselves, filled with "foot races, shooting exhibits, Indian raids, scalping expeditions, and all the Indian sport culminating in a big powwow at night with plenty of red paint and the usual bursting of drum heads as the dancers whirl faster and faster to the tune of the tom-tom."<sup>127</sup>

Harvest celebrations reveal cordial race relations. A town official told the *Alliance Semi-Weekly Times* that most businesses had agreed to close their stores to assist with the harvest if the war created a labor shortage, but with the aid of the Lakotas, their stores had remained open. The official believed that the community needed to demonstrate their appreciation by attending the dance, and "to do this we must declare a half holiday and make them king of the day." Grateful growers treated the Lakotas to a big feed after the dance. Not framing relationships with kinship, farmers failed to realize this was a display of great honor for the Lakota, because Lakotas feasted as part of celebrations. Essentially, the growers honored the Lakotas through Lakota customs save for having a give-away.<sup>128</sup> Unlike Lakotas, the community viewed relationships in economic terms, acknowledging the importance of Lakota harvests to the county's economic growth and survival. In the early years, farmers and residents appreciated and respected the Lakota harvesters, because it reflected their treatment of Lakotas.

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<sup>127</sup> *Alliance Semi-Weekly Times*, 15 October 1918, page 1; see also *Alliance Herald*, 17 October 1918, page 1; *Alliance Herald*, 17 October 1918, page 1; *Alliance Semi-Weekly Times*, 15 October 1918, page 1.

<sup>128</sup> *Alliance Semi-Weekly Times*, 15 October 1918, page 1. Alliance never held the 1918 dance because the town became quarantined because of the Spanish influenza epidemic.

From 1917 through the 1920s, the towns of Hemingford and Alliance invited the Lakotas to participate in their harvest celebrations. Alliance held the fall festival and Hemingford spud day. A large all-day event, the fall festival contained many activities and games, such as horse or car races, poultry and seed exhibits, and concerts. The local newspapers published daily reports regarding Lakotas anxiously awaiting the event. A favorite for the Lakotas was the Indian pony race, because pony races were a common part of the pre-reservation Lakota society. One year, Lakota women demonstrated how to cook a Lakota stew. Lakota women placed buffalo meat along with water and salt in the animal's stomach. The women then placed stones heated by a fire into the stomach. The stones boiled the water and cooked the meat.<sup>129</sup>

Lakotas enjoyed the games and demonstrations, but the harvest celebration dances held the most significance. In 1921, around 500 Lakotas came to dance and commemorate their annual harvest moon celebration in Alliance. Lakotas who were not even in the area picking potatoes migrated to Alliance just to dance. They adapted their seasonal dance to take place during the town residents' celebration. Lakotas did not have to celebrate the harvest moon in the secrecy of their reservation homes. Lakotas arriving only to dance illustrates their desire to reaffirm cultural practices and kinship relations. Starting in 1923, Lakotas carried out their performance under their own discretion. The western Nebraska civic officials did not regulate the dances like the Indian superintendents on the reservations. Lakotas were free to practice parts of their culture, providing a degree of self-determination and sovereignty. The chance to dance following the harvest was a motivational factor for Lakotas to come work the harvest.<sup>130</sup>

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<sup>129</sup> Standing Bear, *My People the Sioux*, 21, 43.

<sup>130</sup> *Alliance Times-Herald*, 29 September 1925, page 1; 15 October 1927, page 1; 2 October 1923, page 10; 23 September 1921, page 1; 4 October 1921, page 1; 30 September 1921, page 1; 16 October 1923, page 1; *Hemingford Ledger*, 28 September 1922, page 1; 25 September 1924, page 1; 2 October 1924, page 1.

The *Alliance Semi-Weekly Times* urged people to attend the dances, because they offered a chance to see Lakota culture before it “disappeared.” Along with many other non-Indians, the newspaper predicted that Lakotas would assimilate into American culture, abandoning their old ways. Lakotas would simply discard their “primitive” society for “superior” Western culture. Residents and growers openly demonstrated their appreciation for the Lakotas’ work, but most were more interested in seeing “authentic Indians” along with a culture they erroneously believed was vanishing. In the acceptance of “disappearing Indians,” Western Nebraska residents shared this belief with most other Americans and OIA officials who created a federal Indian policy to encourage the assimilation.<sup>131</sup>

Local citizens believed it was safe to watch a Lakota war dance because the Lakotas were now “pacified.”<sup>132</sup> In the early 1900s, western Nebraska residents viewed Lakotas as an “uncivilized” and warlike nation. In a 1909 local history of western Nebraska, Charles P. Bresee discussed the emergence of Anglo towns in Sheridan County stating “by October, 1886, there were within its borders nearly fifteen thousand people, and what eight years before had been the hunting ground of the most warlike tribe of Indians in America had in this short space of time become a happy community of civilized people.”<sup>133</sup> Early western Nebraska residents stereotyped Lakotas as inherently “savage” and “warlike,” but since the U.S. military had “pacified” Lakotas on reservations, local citizens did not fear contact with Lakotas.

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<sup>131</sup> *Alliance Semi-Weekly Times*, 26 October 1917, page 1; Paige Raibmon, *Authentic Indians: Episodes of Encounter from the Late-Nineteenth-Century Northwest Coast* (Durham: Duke University Press, 2005), see chapters 4 and 6; Young Bear and Theisz, *Standing in the Light*, 55; Clyde Ellis, *A Dancing People: Powwow Culture on the Southern Plains* (Lawrence: University Press of Kansas, 2003), chapter 4.

<sup>132</sup> See the “Violence” chapter in Philip Deloria, *Indians in Unexpected Places*. Towns desiring Lakotas to dance began to fade with the increase in racism, which I explain in the next chapter.

<sup>133</sup> *Compendium of History Reminiscence and Biography of Western Nebraska Containing a History of the State of Nebraska* (Chicago: Alden Publishing Company, 1909), 489.

By viewing Lakota dancing as a part of a “vanishing” culture, residents failed to see dancing as resisting assimilation through reaffirming cultural identity. Lakotas adapted their dances to fit modern needs. World War I brought a resurgence of Indigenous dancing because American Indians revived their pre-reservation warrior dances to honor and celebrate tribal members returning home from combat in Europe. While spectators viewed the Lakota warrior dances as an example of “authentic” Indianness, Lakotas altered centuries old dances to meet the current need of honoring their fighting men.<sup>134</sup> The resident audience viewed Indian dancing as a fading phenomenon, but Lakotas danced to reject assimilation, express cultural identity, and recognize those protecting the Lakota homeland.

Like other American Indians, Lakotas participated in wage labor to obtain monetary income, but they also used it to affirm culture and identity.<sup>135</sup> Lakotas found opportunities to participate in wage labor outside of the reservation and Wild West Shows. The seasonal migration linked Lakotas to a “removed” part of their homeland. Lakotas implemented their oral stories to reaffirm their connection western Nebraska. The landscape continues to hold cultural meaning for Lakotas. The harvest migration reaffirmed the Lakota relationship to a part of their homeland. Although allotment tried to dismantle *tiyóspaye* living, picking potatoes provided an opportunity for Lakotas to pursue their traditional economy in which *tiyóspayes* collected resources and spread the goods through kinship networks. Lakotas embraced the harvest celebrations to maintain their dancing culture challenging federal government attempts to restrict

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<sup>134</sup> Ellis, *A Dancing People*, 66-77, 123-124; Raibmon, *Authentic Indians*, chapter 4.

<sup>135</sup> For more examples of American Indians using wage labor to resist assimilation and affirm culture see, O'Neill, *Working the Navajo Way*; Campbell, “Newlands, Old Lands; Hosmer, *American Indians in the Market Place*; Bauer, *We Were All Like Migrant Workers Here*; Prins, “Tribal Network and Migrant Labor”; Norrgard, “From Berries to Orchards”; David Arnold, “Work and Culture in Southeastern Alaska: Tlingits and the Salmon Fisheries,” in Brian Hosmer and Colleen O'Neill, eds., *Native Pathways: American Indian Culture and Economic Development in the Twentieth Century* (Boulder: University Press of Colorado, 2004), 157-176; Eric Meeks, “The Tohono O’odham, Wage Labor, and Resistant Adaptation, 1900-1930,” *Western Historical Quarterly* 34 (Winter 2003): 468-489.

Indigenous dancing. The western Nebraska potato harvest not only allowed Lakotas to resist and counter assimilation policies, it also provided a successful adaptation to modern American society. Capitalism attacked Lakota culture as it colonized land and resources. Yet, Lakotas did not abandon their culture and assimilate into capitalism as government officials had desired. Lakotas manipulated capitalism to create an opportunity to preserve their culture and identity as they entered wage labor on their terms and for their own purposes. Viewing the potato harvest through a Western lens, government officials misperceived the harvest as a helpful agent of assimilation, rather than as a Lakota method of cultural revival.

The early racial relationships in western Nebraska were amicable and after years of interaction, some farmers and Lakotas developed lasting friendships. The region remained free from the tensions and violence other parts of the American West and urban endured, largely because farmers and townspeople viewed their relationships with Lakotas in economic terms. Lakotas assisted farmers in producing large amounts of potatoes that would have otherwise gone un-harvested. The increase potato acreage and the wartime agriculture boom in the county simply would not have been possible without Lakota labor. County citizens were appreciative of the laborers and showed it by their treatment inviting them to participate in the harvest celebrations. Lakotas viewed the relationships through the lens of kinship. They expected farmers to provide them fair treatment, forage for horses, and potatoes. The 1924 incident at Alliance Lakota camp underscores that Lakotas took offense to the western Nebraska residents breaking kinship obligations. Lakotas voiced their objections to poor treatment. Yet, tensions remained rare because, both Lakotas and western Nebraskans understood the need for each other. Lakotas wanted the income and relief from the reservation assimilation pressures and farmers required low wage dependable laborers. For the most part, farmers meet their kinship obligations

promoting pleasant racial relations. Nonetheless, the structure of settler colonialism shaped Lakota experiences in western Nebraska. Removed from their homeland, Anglo settlers plowed up prairie that once sustained bison herds and created an economic system that valued Lakotas only as low wage migrant laborers, which ensured Lakotas remained at the bottom of the social ladder.

From the 1910s through the 1920s, Lakotas had become familiar with the Anglo western Nebraska communities. Yet, a depression and international crisis changed the Lakota experience in western Nebraska. Lakotas in the region shifted from resisting assimilation, government paternalism, and colonialism to having to confront prevalent racism and discrimination. Western Nebraska's socioeconomic structure continued to confine Lakotas to manual labor, but they were no longer migrant laborers, as many returned to the Nebraska homeland permanently challenging the region's racial and social structure. The western Nebraska potato harvest underscores that racial relations between non-Natives and Lakotas were not always tense. The region did not have to develop racism, but it did. Philip Romero's view in 1917 of Alliance being hospitable to Lakotas vanished like the herds of bison grazing across the western Nebraska prairie.

### **Chapter 3: “Everything Changed for Us There”: The Great Depression, World War II, and Life on the Socioeconomic Periphery for Lakotas in Western Nebraska**

In his memoir, Lakota Mark Monroe fondly recalled his childhood in Wood, South Dakota, a town of 200 located on the edge of the Rosebud reservation. Wood had a white majority, but it accepted the many Lakotas residing in the community. Monroe enjoyed attending school free of harassment and believed he and his brother got along well with their white classmates. Monroe relished spending time with his cousins and grandparents. In the fall of 1941, however, Monroe’s father, having obtained work harvesting potatoes, informed the family that they were moving to Nebraska. “We came to Alliance, Nebraska,” Monroe reflected. “Everything changed for us there. Many times I was to look back on those days in Wood and remember how good our life had been.”<sup>1</sup> Monroe’s experience speaks to the changing race relations during the Great Depression and World War II.

With the onset of the Great Depression, Lakotas found themselves in the middle of shifting racial relations. Since the early 1900s, Lakotas traveled seasonally into western Nebraska to harvest and mostly received fair treatment.<sup>2</sup> During the 1930s, animosity between whites and Lakotas emerged. Depression and drought devastated the farms and communities across the region and the economic situation created tension between Lakotas and Nebraska residents. The once hospitable towns began to complain about Lakotas, seeing them as economic competition instead of a critical labor source. World War II only exacerbated race relations. Defense work brought Lakotas into western Nebraska communities to live permanently. White

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<sup>1</sup> Mark Monroe, *An Indian in White America*, ed. Carolyn Reyer (Philadelphia: Temple University Press, 1994), 16. Monroe’s Cheyenne grandfather Long Time Sleep was a Show Indian for Buffalo Bill. While in Europe, Long Time Sleep saw the name Monroe and adopted it. Monroe’s grandfather married an Oglala Lakota from Pine Ridge.

<sup>2</sup> For an in depth discussion of racial relations between Lakotas and Anglos in western Nebraska see David Christensen, “‘I Don’t Know What We’d Have Done Without the Indians’: Non-Indian-Lakota Racial Relationships in Box Butte County, Nebraska’s Potato Industry, 1917-1960,” *Nebraska History* 92 (Fall 2011): 124-147.

residents resented having to provide social services to Lakotas, believing they were the federal government's responsibility. The Depression and World War II allowed Lakotas seeking economic opportunities to build communities in the region, which also changed how western Nebraskans viewed Lakotas. A Jim Crow type of racial discrimination and segregation developed in western Nebraska, regulating the socioeconomic system and marginalizing Lakotas.

The 1930s brought change to Indian Country. Commissioner of Indian Affairs John Collier transformed federal Indian policy from assimilation to supporting Native multiculturalism. In 1934, Collier authored the Indian Reorganization Act (IRA). Under the act, the federal government ended allotment and created funds to purchase land as well as provide money to reservation schools and businesses. The IRA allowed tribal governments to manage local affairs, form corporations, and levy taxes. However, the act would not apply unless a Tribal Nation's adult male majority voted to approve it. After accepting the act, a Tribal Nation reorganized their government under IRA guidelines and created a constitution. There were problems with Collier's altruistic act. For example, the Secretary of the Interior had to approve a tribal government's constitution and the government's actions were subject to the interior secretary's review and approval. Thus, federal paternalism remained. The IRA governments' constitutions closely resembled the U.S. Constitution, instead of clan, band, or kinship structures making IRA tribal governments a Western form of administration. Although Collier intended to provide Tribal Nations with the ability to manage their own affairs, the IRA did not grant tribal sovereignty.<sup>3</sup>

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<sup>3</sup> In 1949, Flathead scholar D'Arcy McNickle praised Collier and the IRA, which is understandable considering that until the IRA, McNickle had lived his life under a federal policy of assimilation intending to make American Indians vanish. D'Arcy McNickle, *They Came Here First: The Epic of the American Indian* (Philadelphia: J.B. Lippincott Co., 1949). The American Indian Federation, made up of largely economically successful Natives, championed assimilation and allotment and supported the IRA. See Bradley Glenn Shreve, "The Evolution of Modern Indian Politics," in *The Political Culture of the New West*, ed. Jeff Roche (Lawrence: University Press of Kansas, 2008), 199-200; Laurence M. Hauptman, "The American Indian Federation and the Indian New Deal: A

The IRA intensified local political divisions on the Pine Ridge and Rosebud reservations. Pro-IRA Lakotas tended to be educated in government schools and involved with commercial ranching or agriculture. Anti-IRA Lakotas were more likely to be full-blooded Lakotas not participating in large-scale commercial agriculture or ranching. In October of 1934, both reservations voted to approve the act by almost a two-to-one margin. However, anti-IRA Lakotas questioned the election, because only around half of the eligible voters cast ballots. Anti-IRA Lakotas argued the election contradicted the Fort Laramie Treaty (1868), which required that all major decisions required three-fourths adult male approval. After the elections and constitution-drafting, the anti-IRA Lakotas on both reservations continued to question the legitimacy of their newly reorganized tribal governments and avoided participation in the economic development programs. The Office of Indian Affairs (OIA) still dominated the reservations, because it controlled the funding. Additionally, the IRA tribal council did not possess control over most OIA programs or agency operations. From its inception, the IRA polarized Lakota politics.<sup>4</sup> The

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Reinterpretation,” *Pacific Historical Review* 52 (November 1983): 378-402. Scholars have debated the IRA’s legacy. Some defend the IRA and praise Collier for shifting federal Indian policy to provide American Indians with tribal governments that still exist today. See Wilcomb Washburn, “A Fifty-Year Perspective on the Indian Reorganization Act,” *American Anthropologist* 86 (June 1984): 279-289; Theodore H. Haas, *Ten Years of Tribal Government under the Indian Reorganization Act* (Washington, D.C., 1947); Wilcomb Washburn, “Washburn Response to Biolsi,” *American Anthropologist* 87 (September 1985): 659. Other scholars criticize the act for failing to eliminate paternalism and creating inefficient Western tribal governments. They also condemn Collier for threatening Tribal Nations to accept the act. Lawrence C. Kelly, “The Indian Reorganization Act: The Dream and the Reality,” *Pacific Historical Review* 44 (August 1975): 291-312; Graham Taylor, *The Indian New Deal and American Indian Tribalism: The Administration of the Indian Reorganization Act, 1934-45* (Lincoln: University of Nebraska Press, 1980); Thomas Biolsi, *Organizing the Lakota: The Political Economy of the New Deal on the Pine Ridge and Rosebud Reservations* (Tucson: University of Arizona Press, 1992); Akim Reinhardt, *Ruling Pine Ridge: Oglala Lakota Politics from the IRA to Wounded Knee* (Lubbock: Texas Tech University Press, 2007); Paul Rosier, *Serving Their Country: American Indian Politics and Patriotism in the Twentieth Century* (Cambridge: Harvard University Press, 2009); Joseph Marshall III, *The Day the World Ended at Little Bighorn* (New York: Viking Press, 2006), 202-203. Peter Iverson and Martha Weisiger note that many Diné still hold contempt for Collier because of his sheep reduction in Navajo Country. Sheep maintain a cultural significance as well as provide power and independence to women as flock owners. Peter Iverson, *Diné: A History of the Navajos* (Albuquerque: University of New Mexico Press, 2002); Martha Weisiger, *Dreaming of Sheep in Navajo Country* (Seattle: University of Washington Press, 2009). Scholars portray the Great Depression era through the context of politics and reservations.

<sup>4</sup> Biolsi, *Organizing the Lakota*; Vine Deloria Jr., Biolsi, and Reinhardt argue that the IRA tribal government’s corruption led to the severe economic problems, political polarization, and the siege at Wounded Knee in 1973. Vine Deloria Jr., *Behind the Trail of Broken Treaties: An Indian Declaration of Independence* (New York:

economic failures of the IRA governments on Lakota reservations forced Lakotas to seek off reservation wage labor.

Perhaps no other twentieth century event changed Indian Country as much as World War II. In 1944, Dakota Ella Deloria stated “the war has indeed wrought an overnight change in the outlook, horizon, and even the habits of the Indian people—a change that might not have come about for many years yet.”<sup>5</sup> Twenty-five thousand American Indians, including around 800 women, served in the armed forces during the war. Yet, it also affected those who did not serve overseas. Forty-thousand men and women, aged 18 to 50, left their reservations for defense work. The Bureau of Indian Affairs encouraged the use of American Indians in the war industries. While numerous American Indians found reliable work, wartime relocation often removed them far from their cultural homelands and kinship relations. Many municipalities and social organizations incorrectly believed that the federal government still provided off reservation Indians with social aid, leaving defense workers without assistance from local civic governments. In cities, hospitals even denied care. Still, wartime experiences bolstered American Indian politics. In 1944, American Indians organized the National Congress of American Indians (NCAI), which started the postwar fight for American Indian civil, voting, treaty, and tribal sovereignty rights.<sup>6</sup> Western Nebraska provides an example to examine American Indian

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Dell Publishing, Co., 1974), 69-83. Joseph Marshall argues that the IRA governments undermined “an age old Lakota resource: the wisdom of elders.” As the years past after the 1930s, Lakotas elected more young men without life experiences and wisdom, making wisdom less of a factor in Lakota governance. Marshall, *The Day the World Ended*, 201-204. Frederick Hoxie notes that this change for younger and boarding school educated Lakota leaders happened in the decades before World War I. See, Frederick E. Hoxie, “From Prison to Homeland: The Cheyenne River Reservation Before World War I,” *South Dakota History* (Winter 1979): 1-24.

<sup>5</sup> Ella Cara Deloria, *Speaking of Indians* (1944; reprint, Lincoln: University of Nebraska Press, 1998), 144.

<sup>6</sup> Alison R. Bernstein, *American Indians and World War II: Toward a New Era in Indian Affairs* (Norman: University of Oklahoma Press, 1991); Kenneth William Townsend, *World War II and the American Indian* (Albuquerque: University of New Mexico Press, 2000); Jeré Bishop Franco, *Crossing the Pond: The Native American Effort in World War II* (Denton: University of North Texas Press, 1999); Jeré Franco, “Beyond Reservation Boundaries: Native American Laborers in World War II,” *Journal of the Southwest* 36 (Autumn 1994): 242-254; Mary Gouveia, “‘We Also Serve’: American Indian Women's Role in World War II,” *Michigan Historical Review* 20 (Fall 1994): 153-182; John Useem, Gordon Macgregor and Ruth Hill Useem, “Wartime Employment and

migration and their labor during World War II in a rural setting outside of the urban industrial centers.

The agricultural commodity price drop following World War I reached into western Nebraska. During the war, Lakotas earned between \$5 and \$7 per day, but during the 1920s, the average daily wage fell to \$3. Because of the development of seed potatoes, farmers still made a profit growing tubers by selling potato seed to farmers across the country. In 1927, one grower earned \$20,000 on 160 acres of certified seed while a few others received \$10,000. Potatoes generated the highest yield per acre and were second only to wheat in the county's tonnage. In 1925, the set price for harvesters was \$3 a day or \$0.06 cents a bushel. Farmers could pay what they wished, but they had to offer competitive wages if they wanted to find workers. Because of the market, tuber quality, and other factors, wages fluctuated yearly. Cordial relations remained and towns like Hemingford and Alliance continued to invite Lakotas to participate in harvest celebrations.<sup>7</sup>

The onset of the Great Depression hit Lakotas especially hard. Since the stock market crashed in late October, the 1929 potato harvest remained unaffected. The Pine Ridge superintendent reported that potato picking jobs were almost the only off reservation

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Cultural Adjustments of the Rosebud Sioux," *Applied Anthropology* 2 (January-March 1943): 1-9. Townsend and Bernstein argue that World War II changed Indian Country more than the IRA. Defense work attracted people to industrial centers in the North as well as the newly created industrial centers in the West. See, Gerald D. Nash, *The American West Transformed: The Impact of the Second World War* (Bloomington: University of Indiana Press, 1985). Josh Sides, *L.A. City Limits: African American Los Angeles from the Great Depression to the Present* (Berkeley: University of California Press, 2004); James N. Gregory, *The Southern Diaspora: How the Great Migrations of Black and White Southerners Transformed America* (Chapel Hill: The University of North Carolina Press, 2007). I will have a more in depth discussion of the NCAI in the next chapter.

<sup>7</sup> *Alliance Times-Herald*, 28 October 1927, page 1; *Hemingford Ledger*, 24 September 1925, page 1. During the 1920s farmers hired other laborers outside of Lakotas. In 1924, 6,000 laborers helped produce 60,000 sugar beet acres. Mexican migrants made up one-third and the other two-thirds were German-Russians. Yet, during the 1920s, Mexicans quickly replaced German-Russians because German-Russians started renting or buying farms. See, Paul S. Taylor, "Hand Laborers in the Western Sugar Beet Industry," *Agricultural History* 41 (January 1967), 22-23; Esther Anderson, "The Beet Sugar Industry of Nebraska," *Economic Geography* 1 (October 1925), 381.

employment available for Lakotas.<sup>8</sup> The following year, farm wages were the lowest since 1923 and there was a 40 percent increase in workers.<sup>9</sup> On the Pine Ridge reservation, a drought resulted in 50 percent crop failures, which combined with job competition, created a hard winter for Lakotas. Many people had to find harvest work in Nebraska.<sup>10</sup> For more than a decade, the potato harvest served as an important source of Lakota income, but with the onset of drought and depression, it became vital for economic survival.

In 1930, when Lakotas arrived in western Nebraska to harvest, they discovered that they faced competition from white transient workers. As the Depression intensified, many Americans sought seasonal agricultural labor and the influx of laborers created problems in western Nebraska towns. So many transients arrived in Alliance, at night, the city jail had “sleepers.” People voluntarily went to the police station requesting a place to sleep and the police “released” them in the morning.<sup>11</sup> Even with the increased number of laborers, however, plenty of work existed for Lakotas and whites, as producers shipped 3,000 carloads of potatoes. One major potato grower outside of Hemingford employed 40 pickers and 75 others to work in a tent sorting tubers. A warehouse in town employed a crew of 25 men who worked two eleven-hour shifts, sorting potatoes 24 hours a day. In the North Platte Valley, sugar beet factories employed 2,600

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<sup>8</sup> 1929 Annual Narrative Report, Microfilm Roll 106, Superintendents’ Annual Narrative and Statistical Reports, BIA 1907-1938, Pine Ridge, NARADC.

<sup>9</sup> *Scottsbluff Star Herald*, 21 October 1930, page 1.

<sup>10</sup> E. W. Jermark to Commissioner of Indian Affairs, July 11, 1930, 970, Box 719, Main Decimal Files, General Records Group 75, Pine Ridge Agency, NARAKC; Microfilm Roll 107, 1929 Annual Narrative Report, Superintendents’ Annual Narrative and Statistical Reports, BIA 1907-1938, Pine Ridge, NARADC

<sup>11</sup> The Depression forced some whites to seek seasonal agricultural work. Neil Foley, *The White Scourge: Mexicans, Blacks, and Poor Whites in Texas Cotton Culture* (Berkeley: University of California Press, 1998); Thomas Higbie, *Indispensable Outcasts: Hobo Workers and Community in the American Midwest, 1880-1930* (Champaign: University of Illinois Press, 2003); Eric Meeks, *Border Citizens: The Making of Indians, Mexicans, and Anglos in Arizona* (Austin: University of Texas Press, 2007), 117-126.

workers.<sup>12</sup> Western Nebraska's agricultural industry offered ample harvest employment to a variety of people during the first year of the Depression.

However, as the Depression worsened, low potato prices and high competition for the harvest work prevailed. In 1931, non-Indian laborers in search of seasonal work again flocked to western Nebraska's potato fields, which overwhelmed the town of Hemingford. The Charity Board struggled as the potential non-Indian workers filled the streets and 43 slept in city hall. Local people tried to help by providing the transient workers with meals, money, clothing, and other supplies. White transients joined Lakotas in the potato harvest, but not all found work. Farmers employed only about half of the workers as the previous year, and there was a push to hire local men first. Many who came seeking employment left disappointed. For those who could secure jobs found low wages, down to \$0.03 a bushel without board or \$0.02 with board.<sup>13</sup>

In 1931, race relations began to shift, because townspeople and white transients saw Lakotas as unwanted competition for the dwindling number of jobs. Pine Ridge officials became worried about the growing resentment towards Lakota laborers, since Lakotas now more than ever needed the income from harvest work. Officials reported their concerns to the Commissioner of Indian Affairs after a Nebraska newspaper reported on an effort to keep Lakotas from working in the potato fields. After conversing with farmers, however, reservation officials discovered that growers wanted Lakotas, because they finished the harvest. White transients often underbid Lakotas but then harvested a couple of days and quit. In other instances, white workers demanded that Lakotas refuse low pay to force farmers to provide a higher wage. Lakotas often rebuffed non-Indian laborers' demands to hold out for a higher wage,

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<sup>12</sup> *Hemingford Ledger*, 2 October 1930, page 1; 16 October 1930; 1 September 1932, page 9; *Alliance Times-Herald*, 26 September 1930, page 1; *Scottsbluff Star-Herald*, 29 October 1930.

<sup>13</sup> *Alliance Times-Herald*, 18 September 1931, page 1; 25 September 1931, page 1; 2 October 1931, page 4; 13 October 1931, page 2; *Hemingford Ledger*, 17 September 1931, page 1.

which caused further tension between Lakotas and transients.<sup>14</sup> Lakotas were entitled to harvest just as any other group, but some believed farmers should employ only white locals or transients.

Whites taking Lakota seasonal harvest jobs had terrible repercussions for Lakotas. Pine Ridge Superintendent James McGregor reported to the Bureau of Indian Affairs that 100 Lakotas left to harvest in 1931, but because whites replaced Lakotas, they failed to make their usual money. Many returned to the reservation before harvest's end with empty wagons, no flour, lard, coffee, beef, or clothing. Other Lakotas went to harvest sugar beets around Scottsbluff.

McGregor emphasized that many suffered hardships without earning income from harvesting. He also pointed out that Lakotas received wages for potato harvesting after each day, but in the sugar beet industry payment arrived at the end of the season.<sup>15</sup> This method of payment transferred more power to the employers, because Lakotas were forced to stay if they wanted to receive their wages.

In 1932, the region's economic situation worsened. A severe drought hit western Nebraska, which reduced yields to less than 25 bushels per acre. With low yields, several small farmers harvested the tubers themselves and larger growers only hired a few laborers. One of the county's largest producers only hired 30 workers compared to 125 in the preceding year. Still, even with low yields there were tubers to harvest, for by this time 95 percent of Box Butte County farms grew potatoes. Scores of non-Indian workers flooded the area, especially to the

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<sup>14</sup> B.G. Courtright to Commissioner of Indian Affairs, August 26, 1931, 147, Box 206, Main Decimal Files, Pine Ridge Agency, Records Group 75, NARAKC. Lakotas and white transients did not organize together against growers for higher wages like Mexican migrants and white migrants in California. Devra Weber, *Dark Sweat, White Gold: California Farm Workers, Cotton, and the New Deal* (Berkeley: University of California Press, 1994).

<sup>15</sup> 1932 Annual Narrative Report, Microfilm Roll 107, Superintendents' Annual Narrative and Statistical Reports, BIA 1907-1938, Pine Ridge, NARADC

center of the potato industry Hemingford. A tent city emerged, and some people sought shelter in city hall and vacant buildings.<sup>16</sup>

The drought and worsening agricultural depression placed Lakota families and potato farmers in a bind. For the first time since 1917, Alliance city officials requested that Lakotas not make the annual migration to harvest. Officials notified Pine Ridge Superintendent James McGregor that with a surplus of laborers, farmers would not need Lakotas for the harvest. “Economic necessity” required city officials to ask McGregor to keep as many Lakotas as possible on the reservation. McGregor’s 1931 concerns about western Nebraska restricting Lakota harvest labor became a reality. He responded to Alliance’s request with disappointment, noting that Lakotas looked forward to harvesting in Nebraska and needed the money for winter. Income from harvest work was something many Lakota families depended on to purchase necessary winter supplies.<sup>17</sup>

With its request, the City of Alliance affected both Lakotas and farmers. City officials discriminated against Lakota laborers by preserving work for locals and white transients. Alliance officials shifted their policy of encouraging Lakotas to harvest in Box Butte County to requesting they remain on the reservation. Farmers were unaware about the city’s request to McGregor, so when Lakotas failed to arrive for harvest, growers demanded answers until the city finally disclosed its responsibility. Farmers resented the city officials’ restrictions on Lakota labor, because growers depended on Lakota workers.<sup>18</sup> With Lakotas remaining on the reservation,

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<sup>16</sup> *Hemingford Ledger*, 29 September 1932, page 1; *Alliance Times-Herald*, 23 September 1932, page 1; 4 October 1932, page 1. Normal yields were from 150 to 200 an acre.

<sup>17</sup> L.A. Goines to James McGregor, September 19, 1932, 981.1, Box 719, Main Decimal Files, Pine Ridge Agency, Records Group 75, NARAKC; 970, Box 719, Main Decimal Files, Pine Ridge Agency, Records Group 75, NARAKC.

<sup>18</sup> *Alliance Times-Herald*, 7 October 1932, page 1; 9 September 1933, page 1. Whites in Alliance viewed agricultural labor as work that is below them. Thus, even in a Depression, they resisted harvesting potatoes. Similarly, Eric Meeks argues that whites in Arizona looked down upon migrants from Oklahoma and lower class

even in the midst of a depression, the county suffered from a labor deficiency. A few farmers, however, circumvented Alliance officials' wishes and employed Lakotas. The Koester brothers, large potato producers just outside of Alliance, employed six Lakotas for the 1932 harvest.<sup>19</sup>

In 1933, Alliance realized its mistake of relying on local labor. After a unanimous decision, the county commissioners and city officials sent a request to Pine Ridge Agency officials asking Lakotas to come work in the potato fields. With an abundance of moisture in the soil, farmers feared a freeze would heavily damage their tubers and desired Lakotas to make sure their potatoes remained frost-free. Farmers preferred Lakotas because their experience assured that the harvest would be done correctly and they continued to harvest while most others quit picking after a day or two. The majority of white men shied away from the actual harvesting and sacking, preferring to drive the horses.<sup>20</sup> McGregor responded to the request of Lakota workers, "I am sure your letter will give joy to some of our Indians as they look upon the annual pilgrimage to the potato country as an important event in their lives."<sup>21</sup>

Although city officials welcomed back Lakotas, some citizens wished they stayed on the reservation. Unemployed white men reported to the *Alliance Times-Herald* that there was plenty of local help available. Yet, the newspaper revealed that out of the 100 or so unemployed men, most likely only 60 or fewer would accept picking jobs and stay the entire harvest. One farmer even stated that he alone desired around 60 men. The newspaper also did not want to report on the labor shortage too extensively since it might bring more transients, leaving the county

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whites picking cotton because it was "stoop labor" that only Indians and Mexicans took. Meeks, *Border Citizens*, 124-126; See also Foley, *The White Scourge*.

<sup>19</sup> Judson Strook to James McGregor, October 12, 1932, 970, Box 719, Main Decimal Files, Pine Ridge Agency, Records Group 75, NARAKC.

<sup>20</sup> *Alliance Times-Herald*, 9 September 1933, page 1; 3 October 1933, page 1; Howard Christensen, interview by author, Alliance, Nebraska, 28 December 2006; Ethel Nation to U.S. Indian Agent, September 20, 1933, 970, Box 719, Main Decimal Files, Pine Ridge Agency, Records Group 75, NARAKC.

<sup>21</sup> James McGregor to Ethel Nation, September 25, 1933, 970, Box 719, Main Decimal Files, Pine Ridge Agency, Records Group 75, NARAKC.

oversupplied with the unemployed. In 1933, when white workers flocked to western Nebraska demanding higher wages, numerous townspeople preferred Lakotas because transients remained in town draining relief supplies whereas Lakotas left after the harvest.<sup>22</sup> Farmers wanted Lakotas not only for their experience and dependability, but also because they did not burden local charities.

In 1933, western Nebraskans' calls to save harvest jobs for locals reached other parts of the region. Resident Trigg Wilborn of Clinton, Nebraska (ten miles east of Gordon) asked superintendent McGregor "if there can be anything done about the Indians coming down here and taking the work from the *white men*. Such as picking spuds and corn husking (emphasis mine)." Wilborn also added that Lakotas drove down the prices, making it difficult for white men to provide for their families; therefore, Lakotas should not pick potatoes for less than \$2 per day. Wilborn concluded, "the government takes care of the Indians anyway."<sup>23</sup> The debate over which government level, federal, state, or local, was responsible for the Lakotas' well-being would only intensify in the coming decades. According to Wilborn, white families suffered because of Lakotas' employment. He and other western Nebraska residents failed to realize that U.S. government assistance was inadequate and Lakotas needed wage labor for economic sufficiency. McGregor responded to Wilborn stating that as U.S. citizens, Lakotas were entitled to work any job and with little opportunity to find work to support their families, people like Wilborn should not deny them the chance. He also referenced Alliance's request for Lakota

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<sup>22</sup> *Alliance Times-Herald*, 26 September 1933, page 1.

<sup>23</sup> Trig Wilborn to U.S. Indian Agent, September 25, 1933, 970, Box 719, Main Decimal Files, General Records Group 75, Pine Ridge Agency, NARAKC. Whites in the border towns requested and received relief work on the reservations. There was a double standard in the border towns that Lakotas were not to take employment from whites off reservation, but whites could seek work on the reservation. Eric Meeks points out that in Arizona "Okies" worked jobs that usually only Indians and Mexicans took, depriving them of an accustomed means of income. Additionally, in cities such as Phoenix, Anglos sought to employ whites for low paying jobs instead of Indians and Mexicans. Meeks, *Border Citizens*, 122-123, 130.

harvesters. McGregor closed by stating that the government did not just hand money to Lakotas, because, unless physically disabled, Lakotas must work for relief funds.<sup>24</sup> Wilborn's comments reveal the growing racialization in western Nebraska. Some in western Nebraska viewed Lakotas as an economic threat and responded by trying to discriminate them.

In 1935, New Deal work relief programs affected race relations in western Nebraska. President Franklin Roosevelt's New Deal created government agencies to provide relief. Agencies such as the Civilian Conservation Corps, Works Progress Administration (WPA), and Public Works Administration (PWA) provided millions of Americans with money and the satisfaction of a day's work. In western Nebraska, the WPA and PWA built roads, parks, swimming pools, and civic buildings. The New Deal transformed the West by building infrastructure and protecting natural resources. The region received more money per capita than any other U.S. region.<sup>25</sup> Moreover, the region's farmers became dependent on federal assistance to remain profitable.<sup>26</sup>

The New Deal projects' wages attracted workers, which created a labor shortage in the potato fields. In Scottsbluff, farmers placed 109 worker requests to the manager of the federal reemployment office, but with wages of two to four cents a bushel, only fifteen men answered the request. Similarly, in Alliance, the potato harvest delayed the start of local WPA work

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<sup>24</sup> James McGregor to Trig Wilborn, September 28, 1933, 970, Box 719, Main Decimal Files, General Records Group 75, Pine Ridge Agency, NARAKC.

<sup>25</sup> Eric Rauchway, *The Great Depression & the New Deal: A Very Short Introduction* (New York: Oxford, 2008); Richard Lowitt, *New Deal and the West* (Bloomington: Indiana University Press, 1984); Richard White, *"It's Your Misfortune and None of My Own": A History of the American West* (Norman: University of Oklahoma Press, 1991); Patricia Nelson Limerick, "The Case of the Pre-mature Departure: Trans-Mississippi West and American History Textbooks" in *Something in the Soil* (New York: Norton, 2000); Leonard Arrington, "The Sagebrush Resurrection: New Deal Expenditures in the Western States, 1933-1939," *Pacific Historical Review* 52 (February 1983): 1-16. Regarding New Deal spending, Arrington points out that "\$716 per capita was spent in the Mountain states, \$536 in the Pacific Coast states, \$424 in the Great Plains states, \$380 in the Midwest, \$306 in the Southeast, and only \$301 in the Northeast."

<sup>26</sup> R. Douglas Hurt, "Agricultural Politics in the Twentieth-Century American West," in *The Political Culture of the New West*, Jeff Roche ed. (Lawrence: University Press of Kansas, 2008): 51-73.

because there were so many harvest jobs available. Able-bodied men had to accept a harvest job and could not wait for other relief work. Farmers went to the employment office in Alliance looking for workers only to find none. Box Butte County farmers had to offer higher wages and a percent of the crop to entice people to pick. Some drove around looking for workers or brought Lakotas down from the Rosebud reservation to help alleviate the shortage.<sup>27</sup>

Farmers who arrived at the reservations to find workers discovered relief work from the PWA, WPA, and Civilian Conservation Corps-Indian Division (CCC-ID) kept most Lakotas on the reservation. Additionally, relief work guaranteed a wage, while picking potatoes depended on yield. Lower yields equaled less pay. On the Rosebud reservation, the PWA established a roads department and employees received \$4 per day for a man with a horse team and \$2.40 without a team. The CCC-ID workers constructed dams, drilling water wells, firebreaks, fences, and corrals. In 1935, CCC-ID wages accounted for the largest source of individual income at Rosebud. By 1942, seventy-five percent of the Rosebud male labor force had worked for the CCC-ID.<sup>28</sup>

The Great Depression started a shift in racial relations between Lakotas and non-Indians in western Nebraska. For western Nebraskans, Lakotas were no longer an essential labor force; instead, they were job competition. It was easier for whites to blame their economic troubles on Lakota laborers rather than recognize that Lakotas were entitled to off-reservation employment. In the midst of the Depression, seasonal agricultural labor became strictly “white men’s” work.

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<sup>27</sup> *Scottsbluff Star-Herald*, 4 October 1935; *Alliance Times-Herald*, 4 October 1935, page 1; 8 October 1935, page 1; 24 September 1935, page 1; Joe Starita, *The Dull Knives of Pine Ridge: A Lakota Odyssey* (Lincoln: University of Nebraska, 1995), 232. In 1937, 1938, and 1939, the WPA again shut down work on projects to force its employees to take harvest jobs. *Hemingford Ledger*, 16 September 1937, page 1; *Alliance Times-Herald*, 30 September 1938, page 1; 11 October 1938, page 1; 18 October 1938, page 1; *Alliance Times-Herald*, 6 October 1939, page 1; 20 October 1939, page 1; 24 October, 1939, page 1.

<sup>28</sup> Biolsi, *Organizing the Lakota*, 113-115; Useem et al., “Wartime Employment,” 2; See also the 1935 Rosebud Narrative Report, Microfilm Roll 118, Superintendents’ Annual Narrative and Statistical Reports, BIA 1907-1938, Rosebud, NARADC

People in western Nebraska viewed Lakotas as an economic threat. The Depression sowed the seeds of racial discrimination, because increasingly residents wanted Lakotas to remain on the reservations instead of traveling to their communities.

An international event ended relief work, bringing large numbers of Lakotas back to Nebraska in search of labor, which amplified the changing race relations. In the fall of 1939, when World War II broke out in Europe, the government reduced the CCC-ID's funds and shifted them to defense production. As relief work decreased in the 1940s, some Lakotas who had never picked potatoes used the employment to fill the void left by the stoppage of New Deal programs. After his relief work outside of Wood ended in 1941, Mark Monroe's father accepted a job picking potatoes near Alliance. Cedric DeCory recalls that his family heard about harvesting potatoes in Nebraska from his grandparents, aunts, and uncles on the Rosebud reservation. In 1941, after his father's CCC-ID relief work of building dams and roads across the reservation ended, his extended family went to Nebraska together. Lakotas again had to adjust in order to survive.<sup>29</sup>

In December of 1941, Japan's bombing of Pearl Harbor forced U.S. entry into World War II, and the responding mobilization created a boom in defense employment. Defense work came to western Nebraska in the form of building airbases. In 1942, the War Department selected 11 sites in Nebraska, including Scottsbluff and Alliance, for army airfields. The plan was for workers to construct bases in just 90 days. The airbases resembled military cities with

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<sup>29</sup> Mark Monroe, *An Indian in White America*, 8,16; R. Douglas Hurt, *The Great Plains during World War II* (Lincoln: University of Nebraska Press, 2008), 350-351, 354; Cedric DeCory, interview by author, Scottsbluff, Nebraska, 16 May 2007. The government disbanded the CCC-ID in July 1942. Eric Meeks notes a similar occurrence for the Akimel O'odham and Tohono O'odham in Arizona, because after relief work ended, they found employment as seasonal agricultural workers. In fact, the number of those working harvest jobs increased. The Indian New Deal failed to provide economic independence, instead producing a reliance on wage labor. Meeks, *Border Citizens*, 134, 142-143, 153-154.

aircraft hangers, barracks, warehouses, water towers, fire stations, hospitals, and chapels. The Alliance airfield contained 700 buildings and a 500-bed hospital.<sup>30</sup>

The airbases required many laborers. Alliance alone needed 5,000 workers and Lakotas quickly sought work constructing the airbases. In June of 1942, an official with the Indian Service told the Rosebud Tribal Council that the construction of air bases near the reservation employed many Lakotas. In the early summer of 1942, Monroe's father quit seasonal agriculture labor to secure work at the Alliance airbase and moved the family to South Alliance, settling amongst the two to three thousand Lakotas living in tents. Under the pressure of war, laborers worked long hours pouring cement and constructing hangers and buildings. The Alliance airbase became operational on August 22, 1942. As work wrapped up on the Alliance airfield, many Lakotas left for work on other bases, such as Scottsbluff and Ainsworth. The Scottsbluff airfield desperately needed workers, as the army halted construction in early October because of a labor shortage. DeCory's grandfather obtained work constructing the Scottsbluff airfield and, without transportation, walked an eight-mile roundtrip each day to work.<sup>31</sup>

Although the airfield construction lasted only 90 days, the bases still needed civilian workers for a variety of jobs, including truck drivers, firemen, janitors, and plumbers. Monroe's father remained employed at the airbase after construction, making around \$54 per week. At the Alliance Army Air Base, wages for junior firefighters were \$1680 per annum; for truck drivers and fireman boiler, \$0.83 per hour; for plumbers, \$0.89 an hour; and for base laundry workers, \$25.48 per week. Truck drivers could earn \$0.23 more per hour working at the base.<sup>32</sup> The work

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<sup>30</sup> Robert Hurst, "Nebraska Army Air Fields, A Pictorial Review," *Nebraska History* 76 (1995) 130-131, 135.

<sup>31</sup> Monroe, *An Indian in White America*, 17-18; Cedric DeCory, interview by author, October 26, 2011, Scottsbluff, Nebraska; *Alliance Times-Herald*, 15 September 1942, page 1; 22 September 1942, page 1; 29 September 1942, page 1; *Scottsbluff Star-Herald*, 4 October 1935; 6/16/1942-10/5/1942, Box 3, Rosebud Sioux Tribal Council and Committee Minutes 1936-1965, Series 45, Rosebud Agency, NARAKC.

<sup>32</sup> *Alliance Times-Herald*, 7 September 1943, page 1.

provided Lakotas with a much better employment option outside of seasonal agricultural labor, but it also established a permanent Lakota population in Alliance and Scottsbluff.

Defense work was much better than seasonal agriculture labor, because it paid well and was year-round. For example, wages in airplane manufacturing in Wichita, Kansas, were around \$40 a week and as much as \$12 per day. If a Lakota had the opportunity to relocate, a defense job averaged \$2000 to \$2500 annually. In contrast, in 1942, harvesting potatoes produced an average daily income from \$8 to \$10 per day. The base wage was \$0.10 per hundredweight (cwt) or \$0.06 a bushel, but it varied. In irrigated fields, the wage ranged from \$0.04 to \$0.05 per bushel and in dryland \$0.07 to \$0.08. People who boarded themselves received around \$0.08 a bushel, while truckers who drove potatoes from the fields to cellars or town, got \$0.60 an hour.<sup>33</sup>

By 1942, many Lakota men joined the armed services, by either enlistment or the draft, further reducing the available workers. The director of the Nebraska Certified Potato Growers discussed the pending work force shortage in a meeting. Box Butte County still required 800 to 900 more harvesters for all crops. Yet, Lakotas wanted to work for the higher wages that the defense industry paid. The government requested 100 Lakotas from the Rosebud to construct an ordinance depot railroad in Provo, Utah. Likewise, the North Platte Valley sugar beet producers were hiring a greater number of Lakotas; and the Holly Sugar Company in Sheridan, Wyoming sent people to talk with Lakotas working at the Alliance airbase. The labor shortage forced farmers to rely on schoolchildren to harvest potatoes. Hemingford closed their schools to allow students to harvest and more than one-hundred Alliance High School students harvested. In the North Platte Valley, farmers brought in Japanese internees to help with the labor shortage.<sup>34</sup>

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<sup>33</sup> Hurt, *Great Plains During WWII*, 70, 193, 199, 360; *Alliance Times-Herald*, 15 September 1942, page 1, 2; 25 September 1942, page 1.

<sup>34</sup> Hurt, *Great Plains in World War II*, 351, 364-365; *Alliance Times-Herald*, 15 September 1942, page 1; 22 September 1942, page 1; 29 September 1942, page 1; 6 October 1942, page 1; *Hemingford Ledger*, 24 September

Some Lakotas preferred to obtain defense work far from the surrounding reservations to avoid prevalent racism. If Lakotas worked in areas with a low American Indian population there was less chance non-Indians would have formed a racist viewpoint of them. People in Texas, Maryland, and Georgia, saw Lakotas as an “exotic other.” However, not all Lakotas had the monetary means to relocate to distant defense industries. A 1942 anthropological study surveyed 250 Lakota males between the ages of 15 to 65 and noted that the main obstacle to defense work was financial. Seventy-four percent stated that they lacked the necessary funds to travel and 59 percent believed that they could not afford room and board until the first payday.<sup>35</sup> In response, western Nebraska farmers transported Lakotas to and from the reservation for harvest work. To ensure the completion of airbase construction, the federal government used army trucks to bring Lakotas from the reservation to the construction sites.<sup>36</sup> Western Nebraska’s proximity attracted Lakotas who did not possess the funds to relocate far from the reservation.

The influx of permanent residing Lakotas into Alliance created racial tension. In 1942, a message reached the reservation stating that Alliance would not allow Lakotas to stay in town. The Alliance paper alleged that the “rumor” started from the “city asking some of the bad actors to leave town.”<sup>37</sup> Discrimination increased as Alliance residents grew weary of their new neighbors. While the city still allowed Lakotas to enter its boundaries, many Native people

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1942, page 1. 6/16/1942-10/5/1942, Box 3, Rosebud Sioux Tribal Council and Committee Minutes 1936-1965, Series 45, Rosebud Agency, NARAKC; Harold Schmitt, interview by author, Hemingford, Nebraska, 20 May 2008. Alistair Cooke, *The American Home Front 1941-1942* (New York: Grove Press, 2006), 204. President Franklin Roosevelt’s 1942 Executive Order 9066 allowed the U.S. military to remove the 120,000 Japanese and Japanese Americans from the west coast to internment camps across the intermountain west. See, Roger Daniels, *Prisoners Without Trial: Japanese Americans in World War II* (New York: Hill and Wang, 2004).

<sup>35</sup> Useem et al, “Wartime Employment,” 3. American Indians faced discrimination in the workplace. For example, because of BIA training many Indians were skilled laborers but often only worked lower paying unskilled labor in the defense industries. Franco, “Beyond Reservation Boundaries,” 245-250.

<sup>36</sup> *Alliance Times-Herald*, 8 September 1943, page 1; 1 October 1943, page 2; 7 October 1943, page 1; *Hemingford Ledger*, 30 September 1943, page 1.

<sup>37</sup> *Alliance Times-Herald*, 15 September 1942, page 1.

remained segregated in South Alliance.<sup>38</sup> Work at the airbases meant that Lakotas relocated to Alliance and Scottsbluff, adding a racial minority most in towns did not want.

The segregated Lakota communities in both Alliance and Scottsbluff were dreadful.<sup>39</sup> A railroad viaduct physically separated South Alliance from the rest of town, but it was also a racial and social barrier. Monroe recalls the early years in South Alliance:

Living in tents was really rough. We had no place to take a shower, no inside toilet, no conveniences. My mother would bathe us in tubs and wash us the best she could in the mornings. We used to have to go to the bathroom about a block away to an outside toilet. We lived in these tents for five or six years before we even got a shack.<sup>40</sup>

During the winter, the family relied on heat from a stove made from a cut-in-half fifty-gallon barrel.

In Scottsbluff, Lakotas also lived in tents confined to the southern edge of town along the Union Pacific Railroad tracks and the Shell River (North Platte River). With no plumbing, Lakotas had to obtain water from the river. For heat in the winter, Lakotas made stoves from old

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<sup>38</sup> The rise of racial tension in western Nebraska's rural towns parallels urban areas. Industrial centers and defense plants across the country developed racial tension. As African Americans, Mexican Americans, American Indians moved into cities a backlash from whites emerged in the form of prejudice and discrimination. Cities such as Detroit, MI, Mobile, AL, Harlem, NY, and Los Angeles, CA saw race riots. Josh Sides, *L.A. City Limits*; Robert Shogan and Tom Craig, *The Detroit Race Riot: A Study in Violence* (Chilton, 1964); Ann V. Collins, "'All Hell Broke Loose': A Comparative Analysis of American Race Riots from the Progressive Era through World War II" (PhD diss., Washington University-St. Louis, 2007); Dominic Capeci, Jr., *Layered Violence: The Detroit Rioters of 1943* (Jackson: University Press of Mississippi, 1991); Dominic Capeci, Jr., *Race Relations in Wartime Detroit: The Sojourner of Truth Housing Project in 1942* (Philadelphia: Temple University Press, 1984); José M. Alamillo, *Making Lemonade Out of Lemons: Mexican American Labor and Leisure in A California Town 1880-1960* (Champaign: University of Illinois, 2006); Louis Alvarez, *The Power of the Zoot: Youth Culture and Resistance during World War II* (Berkeley: University of California Press, 2008); Eduardo Pagan, *Murder at the Sleepy Lagoon: Zoot Suits, Race, and Riot in Wartime L.A.* (Chapel Hill: The University of North Carolina Press, 2006). A great firsthand account of wartime racial tension across the U.S. is from BBC correspondent Alistair Cooke and his *The American Home Front*.

<sup>39</sup> For discussion regarding how the Burlington Railroad's T-town planning kept development north of the railroad tracks and created South Alliance, see Richard Loosbruck, "Living with the Octopus: Life, Work, and Community in a Western Railroad Town" (PhD diss., University of New Mexico, 2005), 106-108. Racial minorities being forced into segregated communities was common during the war. Dominic Capeci, Jr., *Race Relations in Wartime Detroit*; Sides, *L.A. City Limits*; Cooke, *The American Home Front*.

<sup>40</sup> Monroe, *An Indian in White America*, 18.

gas tanks or barrels. DeCory and his family settled in the tent community along the river and he recalls “every once in a while in the wintertime we’d get one started on fire [and] the fire department was so far from town there was nothing you could do but let it burn, lost everything.”<sup>41</sup> Wintertime also brought rats into the tents. With spring, floods forced Lakotas to move their tents to higher ground. The Lakota communities suffered from unsanitary conditions, inadequate water supply, lack of civic utilities, and healthcare.<sup>42</sup> Lakotas not only lived on the edge of town, but the edge of society as well.

By 1943, thousands of troops began arriving at the Alliance Army Air base, increasing racial tension. On June 29, five intoxicated soldiers roamed the Lakota camp looking for women. With no luck, the men cut tent ropes collapsing tents on sleeping Lakota families. Pine Ridge Lakota David Pawnee emerged from his tent to investigate and upon contacting the soldiers with a flashlight, a fight ensued between Pawnee and one soldier. Michael Ambrosio, the soldier, stabbed Pawnee. John Lynagh stood behind Ambrosio with a knife in hand during the altercation. After the fight, the soldiers returned to the base where Alliance police officers and military police arrested them. One soldier, whom Pawnee could not identify, offered Pawnee \$100 not to testify against his friends. During a preliminary hearing, Pawnee testified against his attackers. County Judge P.E. Romig bound Ambrosio and Lynagh over to district court on charges of attack with intent to commit murder and to commit great bodily harm.<sup>43</sup>

The hotel, bar, and brothel, 101 Sweetwater further reveals the racial dynamics in Alliance. During the 1910s, 101 Sweetwater solved the Burlington Railroad’s problem of needing a place for its African American porters to stay overnight, since Alliance hotels refused

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<sup>41</sup> Cedric DeCory, interview by author, October 26, 2011, Scottsbluff, Nebraska.

<sup>42</sup> Useem et. al, “Wartime Employment,” 4.

<sup>43</sup> *Alliance Times-Herald*, 2 July 1943, page 1; 16 July 1943, page 1.

service to African Americans. The bar and hotel was located near the downtown just north of the railroad tracks. By the 1940s, 101 Sweetwater became the social center for the town's racial minorities, African Americans, Lakotas, and Mexican Americans. The bar and brothel also attracted men from the airbase. Black troops came for a place to drink and hire black prostitutes from Denver. Yet, 101 Sweetwater was not just for racial minorities, white locals and soldiers came for Lakota prostitutes. Town residents knew there was a lack of public services available to minorities, particularly African Americans.<sup>44</sup> A *Times-Herald* editorial called for a drinking and eating establishment for African Americans, because the increasing black airbase soldiers required it. The person noted, "Alliance has a splendid reputation for getting along with its colored folk."<sup>45</sup> While the editorial writer praised Alliance's "racial acceptance," at the same time, he or she also advocated for racial segregation.

During the war, the issue of prostitution negatively racialized Lakotas. Lakota prostitutes operated in and around 101 Sweetwater. The army feared its soldiers contracting sexually transmitted diseases. The *Times-Herald* referred to Lakota prostitutes as "health hazards" and "a menace to the health and welfare of Alliance."<sup>46</sup> In early 1943, believing the Lakota camp was nothing but a place of ill repute and disease, the army banned all military personal from visiting the camp. With South Alliance "out of bounds," military police guarded the viaduct under the railroad tracks to keep soldiers from entering and young Lakota women from leaving. Residents and the army stereotyped Lakotas as carriers of filth and disease.<sup>47</sup>

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<sup>44</sup> File on 101 Sweetwater, Knight Museum and Sandhills Center, Alliance, NE.

<sup>45</sup> *Alliance Times-Herald*, 6 July 1943, page 3.

<sup>46</sup> *Alliance Times-Herald*, 16 November 1943, page 1.

<sup>47</sup> Gloria Clark, *World War II: Prairie Invasion* (Kearney: Morris Publishing, 1999), chapter 5; William Deverell discusses racialization of disease among the Mexican American population in Los Angeles. Deverell, *Whitewashed Adobe: The Rise of Los Angeles and the Remaking of Its Mexican Past* (Berkeley: University of California Press, 2005).

Tension regarding prostitution continued into the fall of 1943. Segregating soldiers from the Lakota camp failed to keep intoxicated soldiers from locating prostitutes. The army urged city officials to remove the Lakota prostitutes from the streets. Officials contacted the Pine Ridge reservation for help and discussed moving “incompetent” Lakotas back to the reservations. The actions of the army and city officials offended Lakotas. Pine Ridge Lakota Ted Solway spoke for the Lakotas in Alliance arguing that the city and army could not blame Lakota women, arguing that white men were targeting young Lakota girls who did not realize what they were doing. Solway contended, prostitution was “a problem that can’t be solved just by blaming the Indians and letting all other sources of infection run rampant. It goes deeper than that.” Solway also attacked the disease stereotype noting “in some of these rooming houses you’ll find them [white alcoholics] and they are just as much a menace to the public health as anybody else.” He proclaimed that Lakotas were moral and related “some interesting facts concerning the white race that might be enlightening to others.”<sup>48</sup> Unfortunately, the newspaper failed to say just what the facts were. Solway’s statements are an early example of Lakotas defending themselves and criticizing racism in western Nebraska. Nonetheless, Solway arguments did little, because under pressure from the army and the newspaper’s “rid the city of ‘street solicitors’” campaign, police began picking up prostitutes and forcing them to leave town “by the truckloads.”<sup>49</sup> In the midst of war, city officials wanted to assist the army.

In 1943, the *Alliance Times-Herald* demanded action by reporting that the city had “a definite Indian problem that will continue and grow worse if the city and county authorities do not take immediate steps to control it.”<sup>50</sup> Alliance officials devised ways to deal with the growing

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<sup>48</sup> *Alliance Times-Herald*, 23 November 1943, page 1.

<sup>49</sup> *Alliance Times-Herald*, 28 November 1943, page 1.

<sup>50</sup> *Alliance Times-Herald*, 16 March 1943, page 1.

permanent Lakota population. In the spring, city officials met with welfare workers from the Pine Ridge reservation. The welfare workers called for the city to punish Lakota lawbreakers. In the fall, the city manager asked the Committee on Indian Affairs in Washington, D.C., how to care for the Lakotas. The manager also went to the Pine Ridge Indian Agency to request aid. Because Lakotas left at harvest's end, the city had always only made temporary measures, which were insufficient and unsanitary. With a growing Lakota population, the city was unprepared to support its new residents. Unlike several people in Alliance, the *Alliance Times-Herald* continued to realize Lakotas were crucial to successful harvests and the town's economic well-being thus the city government refused to force the Lakotas out if they wished to stay. The newspaper alleged that the environment at the camp exacerbated the problems Lakotas were having. The influx of people and soldiers created a housing shortage so even if Lakotas could find a house in Alliance, discrimination made sure Lakotas remained living in South Alliance's terrible conditions.<sup>51</sup>

The conditions in the tent communities were not the only problems that frustrated Lakotas. In Alliance, Lakotas encountered discrimination when they crossed the railroad tracks. In eighth grade, Mark Monroe, along with a couple of white friends, sometimes ate lunch downtown. The sign in the drugstore window read, "No Indians or dogs allowed." While Monroe waited outside, his friends went into the drugstore ordered lunch, ate it, bought Monroe a sandwich or soda, and handed it to him outside. Sometimes while waiting outside, Monroe wondered, "what in the world could cause people to do something like this to another human being."<sup>52</sup>

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<sup>51</sup> *Alliance Times-Herald*, 16 November 1943, page 1; Clark, *World War II*, chapter 5.

<sup>52</sup> Monroe, *An Indian in White America*, 20.

Scottsbluff's business district did not spare Lakotas either. "There was a lot of prejudice," recalls Cedric DeCory, "Like the King Fong Buffet [it] used to be on Broadway there run by the Japanese. We couldn't understand why anybody else could go in there but not [an] Indian, we couldn't go in there." Restaurants were not the only businesses that discriminated against Lakotas. DeCory remembers, "we had a heck of a time trying to keep our P's and Q's about us. We watched a lot of stores we knew we couldn't go into because they didn't allow minorities in there at that time. So we couldn't go in to stores."<sup>53</sup> Like Monroe, DeCory could not understand how someone could treat another human being so harshly.

Alcohol increased discrimination because residents used it to stereotype Lakotas. Non-Indians saw any Lakota who consumed alcohol as an "alcoholic." Although some American Indians developed alcoholism, others simply adopted the Anglo style of social drinking. American Indians have a long history of imitating their binge drinking white neighbors. For example, many Lakotas only participated in excessive drinking during certain events such as vacation, holidays, payday, or stress alleviation. The timing and setting of these drinking activities resembled those of their non-Indian neighbors. For instance, the *Alliance Times-Herald* reported about a Lakota in a car who people believed was dead. The man was very much alive; he had just over celebrated with his potato picking cash at the Fall Festival.<sup>54</sup> The man was just celebrating payday at a social event, as many in America do.

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<sup>53</sup> Cedric DeCory, interview by author, October 26, 2011, Scottsbluff, Nebraska.

<sup>54</sup> Beatrice Medicine, *Drinking and Sobriety Among the Lakota Sioux* (AltaMira Press, 2006), 69, 127; William Unrau, *White Man's Wicked Water: The Alcohol Trade and Prohibition in Indian Country, 1802-1892* (Lawrence: University Press of Kansas, 1996); Peter C. Mancall, *Deadly Medicine: Indians and Alcohol in Early America* (Ithaca: Cornell University Press, 1995); Kathryn A. Abbott, "Alcohol and the Anishinaabeg of Minnesota in the Early Twentieth Century," *Western Historical Quarterly* 30 (Spring 1999): 25-43; *Alliance Times-Herald*, 21 October 1938, page 1. Binge drinking among laborers has been a common custom across the West. See also, Alamillo, *Making Lemonade Out of Lemons*; Peck, *Reinventing Free Labor*.

The *Alliance Times-Herald*, however, pushed a negative image of Lakotas by stereotyping them as alcoholics. Every Monday, on the front-page, the paper listed Lakotas arrested and charged with alcoholic related offenses with headlines such as “Braves Caught Drinking,” “In Trouble for Fire Water,” “Drunken Indian Freezes to Death,” and “Indians Gulped Too Much Liquor.” “Indians Miss Weekend Jags,” noted the surprise that Lakota names were missing from the police roster.<sup>55</sup> In 1943, County Judge J.E. Romig declared, “we’re going to stop this thing of Indians buying liquor if we have to put the whole tribe in jail and a few so-called white men along with them” (emphasis mine).<sup>56</sup> By questioning the bootleggers’ whiteness, Romig revealed ideas of racial supremacy—whites did not engage in such immoral illegal activities.

By 1944, Alliance city officials attempted to calm racial tensions by addressing alcohol. The Alliance newspaper reported that social workers met with city officials to resolve the issue. Even a committee of “responsible Indians” formed to assist. City officials and the Lakota committee agreed that the correct solution was not an Indian police force, but rather to move the “problem Indians” back to the reservation where people trained in working with Indians could best care for them. Numerous Alliance Lakotas signed petitions supporting this action.<sup>57</sup> The city government made an effort to rectify the situation, but this action became the norm across western Nebraska. City and law enforcement officials left the Lakota community to take care of

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<sup>55</sup> *Alliance Times-Herald* 23 March 1943, page 1; 29 June 1943, page 1.

<sup>56</sup> *Alliance Times-Herald*, 6 April 1943.

<sup>57</sup> *Alliance Times-Herald*, 6 October 1944, page 12; Leslie Frances Durhman, “Nowadays We Call it South Alliance: The Early History of a Lakota Community” (M.A. thesis, University of Arizona, 1997), 35-36. Being off reservation made dealing with reservation affairs more difficult. Many Lakotas wrote the Pine Ridge Agency asking for loans to buy more cattle or assistance with managing leases on their allotments. A few Lakotas desired loans to finance economic enterprises such as starting a sheep ranch. Yet, agency officials notified them that they do not fund financial projects off reservation. Relocation meant Lakotas lost the financial support of the government. 003.2, Box 142, Main Decimal Files, General Records, Pine Ridge Agency, Records Group 75, NARAKC.

itself or sent those in trouble with the law back to the reservation.<sup>58</sup> Additionally, the signing of petitions reveals that several Lakotas wished to reduce alcoholism in their community and that they were fighting against the negative alcohol stereotype. Unfortunately, the petition did little to alleviate the alcohol problems and negative stereotyping.

Like American Indians nationally, for Lakotas in western Nebraska, the Great Depression and World War II greatly changed their lives. Agricultural harvests and defense work offered opportunity, but the once hospitable communities increasingly discouraged Lakotas settling in western Nebraska through segregation and discrimination. Residents tolerated Lakota workers as long as they did not take their harvest work or left after harvest's end, but a permanent Lakota community challenged the social structure. Lakotas had to endure a new life building a community in deplorable conditions and live on the margin of society. Monroe's early memories of South Alliance, "is of very bad experiences...When we lived in Wood, there was some racial tension, but it wasn't as bad as this. In Alliance we were just different, and we couldn't do anything right."<sup>59</sup> Racial attitudes shifted, but unlike the past they were not about to get any better.

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<sup>58</sup> Useem et. al, "Wartime Employment," 4.

<sup>59</sup> Monroe, *An Indian in White America*, 21.

#### **Chapter 4: “No Indians or Dogs Allowed”: The Civil Rights Struggle in Western Nebraska’s Lakota Communities, 1945-1960**

In March of 1954, the United States Supreme Court mulled over a case from Kansas involving a challenge to segregation. The Court issued its *Brown v. Board of Education* decision two months later resulting in a victory for African American civil rights. Lakotas in western Nebraska, however, saw no such civil rights victory in 1954. On March 7, a few miles east of Chadron, along Nebraska Highway 20, the seasonal March winds howled through the pine-covered canyons. As the cold wind swept the highway pavement, a 15-year-old Lakota girl Jessie Red Hawk lay dead, face up in a pool of blood that leaked from her fractured skull. Red Hawk’s death left the critical question of why had she died in such a violent manner. Red Hawk’s brother testified that after two men forced his sister into the backseat of the car, the door opened and somehow Jessie fell from the moving car. The two men kicked Jessie’s brother out of the car and sped away leaving him to deal with his sister’s lifeless body on that windy March night. Ten days later, in Gordon, a police officer attempted to arrest Vincent Broken Rope for intoxication. An altercation occurred, Broken Rope ran, and the police officer shot him in the lower back. On May 5, 1954, Broken Rope died from his gunshot wound. Lakotas saw Broken Rope’s death as just another example of police abuse against Lakotas. Tired of a disregard for their civil rights in western Nebraska, Lakotas demanded justice. The Oglala Tribal Sioux Council called for a boycott of Gordon if the offending officer maintained his job without a thorough investigation. Reports soon reached the Governor of Nebraska stating that the racial tensions were rapidly increasing in western Nebraska.

The deaths of Red Hawk and Broken Rope created a flashpoint for the Lakotas’ civil rights movement after World War II. Non-Indians in western Nebraska did not want outsiders to view their communities as racist. Even so, Lakotas endured racism, segregation, police brutality,

and lack of educational resources. Local, state, and federal governments were confused as to who was responsible for off reservation Lakotas. Lakotas were stuck in limbo as the federal government attempted to affix responsibilities of off reservation Lakotas to reluctant state and local governments. With failures from the non-tribal governments, Lakotas turned to their own tribal governments and church groups for socioeconomic assistance and civil rights protection. As the federal government began treating Lakotas as de facto terminated peoples, Lakotas questioned why the government's trust responsibilities ended as soon as they left the reservation. By 1954, the calls for justice and protection of Lakota civil rights in western Nebraska sounded loudly and continued throughout the 1950s. While Lakotas laid a foundation for civil rights activism, other groups in the United States simultaneously fought for social justice.

The American public and scholars view the year 1954 as a watershed moment in Civil Rights history. The Supreme Court ruling in the *Brown v. Board of Education* decision overturned the 1896 *Plessy v. Ferguson* "separate but equal" doctrine and provided civil rights activists legal grounds to attack segregation policies; however, the decision did not ensure civil rights for African Americans. Segregationists fought it, but the ruling served as a moral shift against Jim Crow and set the stage for the African American civil rights movement of the 1950s and 1960s.<sup>1</sup> Viewing 1954 from the windswept plains of Nebraska produces a different civil rights historical narrative. The year failed to establish legal victories for Lakotas to advance civil rights in western Nebraska. More troubling Red Hawk and Broken Rope's deaths reveal that western Nebraska, like the South, had a long way to go in ending racial violence and providing

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<sup>1</sup> James Patterson, *Brown v. Board of Education: A Civil Rights Milestone and Its Troubled Legacy* (New York: Oxford University Press, 2002); Harvard Sitkoff, *The Struggle for Black Equality, 1954-1992* (New York: Hill and Wang, 1993); Michael Klarman, *Board v. Board of Education and the Civil Rights Movement* (New York: Oxford University Press, 2007). Pawnee legal scholar Walter Echo-Hawk argues *Tee-Hit-Ton Indians v. United States* (1955) reveals that although the U.S. Supreme Court reversed "separate but equal" in *Plessy*, it did not overturn the doctrines of conquest and discovery. See, Walter Echo-Hawk, *In the Courts of the Conqueror: The Ten Worst Indian Law Cases Ever Decided* (Denver: Speaker's Corner, 2010), Chapter 13.

justice to families who lost loved ones to acts of violence.<sup>2</sup> Despite injustice found in the courts, Lakotas still fought for and demanded civil rights during the 1950s.

Nationally, American Indians were also on the defensive as they encountered changing federal policies aimed at assimilation. American Indians had only one option and that was to fight federal policies. In 1953, under House Concurrent Bill 108, the federal government created a policy of Termination, seeking to assimilate fully American Indians by ending its trust responsibilities to them. Termination threatened to dissolve reservations and with that, tribal sovereignty. In 1954, joint Congressional hearings produced six acts of Termination, which Congress passed that year. Seeking to accelerate the termination process, the federal government created programs to relocate American Indians in urban areas. The programs provided money and employment assistance to those seeking relocation. Indian Country was under attack and did not share an optimistic outlook with African Americans in the wake of *Brown*. Termination posed a serious menace to Indian Country.<sup>3</sup>

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<sup>2</sup> One of the most infamous racist murders in the South is that of Emmett Till. A jury acquitted the whites who violently lynched Till. Christopher Mettress, *The Lynching of Emmett Till: A Documentary Narrative* (Charlottesville: University of Virginia Press, 2002); Davis Houck and Matthew Grindy, *Emmett Till and the Mississippi Press* (Oxford: University of Mississippi Press, 2008). Later in 1964, Klansmen killed three civil rights workers in Neshoba County, Mississippi. The court found the murders not guilty. See Howard Ball, *Murder in Mississippi: United States and the Struggle for Civil Rights* (Lawrence: University Press of Kansas, 2004).

<sup>3</sup> Donald Fixico, *Termination and Relocation: Federal Indian Policy, 1945-1960* (Albuquerque: University of New Mexico Press, 1986); Kenneth Philip, *Termination Revisited: American Indians on the Trail to Self-Determination, 1933-1953* (University of Nebraska Press, 2002); Charles Wilkinson, *Blood Struggle: The Rise of Modern Indian Nations* (New York: W.W. Norton and Company, 2005), 57-86, 102-106; Donald Fixico, *Indian Resilience and Rebuilding: Indigenous Nations in the Modern American West* (Tucson: University of Arizona Press, 2013); James B. LaGrand, *Indian Metropolis: Native Americans in Chicago, 1945-75* (Champaign: University of Illinois Press, 2002); Kent Blansett, "A Journey to Freedom: The Life of Richard Oakes, 1942-1972" (PhD diss., University of New Mexico, 2011); Roberta Ulrich, *American Indian Nations from Termination to Restoration, 1953-2006* (Lincoln: University of Nebraska Press, 2013); Edward Valandra, *Not without Our Consent: Lakota Resistance to Termination, 1950-59* (Champaign: University of Illinois Press, 2006); Nicolas Rosenthal, *Reimagining Indian Country: Native American Migration and Identity in Twentieth-Century Los Angeles* (Chapel Hill: University of North Carolina Press, 2012); Daniel Cobb, *Native Activism in Cold War America: The Struggle for Sovereignty* (Lawrence: University Press of Kansas, 2008); Paul Rosier, *Serving Their Country: American Indian Politics and Patriotism in the Twentieth Century* (Cambridge: Harvard University Press, 2009). The only study focused on the Alliance Lakota community during the 1940s and 1950s is Leslie Frances Durhman, "Nowadays We Call it South Alliance: The Early History of a Lakota Community" (M.A. thesis, University of Arizona, 1997).

For Lakotas in western Nebraska, though, most parts of Termination and relocation policies did not apply, because by living in a rural area off reservation setting, the federal government considered them de facto terminated peoples. The government denied them federal benefits including relocation assistance.<sup>4</sup> Moreover, the communities in western Nebraska remained Lakota. Settlement in this region did not place Lakotas into what historian Kent Blansett describes as Intertribalism—the development of coalitions between Tribal Nations, particularly in urban environments. Given its proximity to the South Dakota Lakota Reservations, western Nebraska never developed multi-tribal communities, but created Lakota communities that maintained connections with other western Nebraska towns and the reservations.<sup>5</sup>

Scholars begin the discussion of civil rights in western Nebraska with Lakota Raymond Yellow Thunder. In 1972, three cowboys murdered Yellow Thunder in Gordon, Nebraska. The American Indian Movement (AIM) soon arrived to protest and demand civil rights for western Nebraska Lakotas.<sup>6</sup> Jessie Red Hawk and Vincent Broken Rope's, deaths as well as other episodes of racial tension during the 1950s demonstrate that Yellow Thunder's death and the

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<sup>4</sup> Andrew Fisher's study of the Columbia River Indians discusses the difficulties they faced because the federal government did not recognize them and provide benefits, particularly treaty fishing rights. The Columbia River Indians spent the 1950s and beyond fighting for fishing rights. I fully agree with Fisher's assessment that more scholarship is need on off reservation American Indian communities. See, Andrew Fisher, *Shadow Tribe: The Making of Columbia River Identity* (Seattle: University of Washington Press, 2010).

<sup>5</sup> Blansett, *A Journey to Freedom*, see Introduction. I still recognize the independent sovereignty both the Pine Ridge and Rosebud tribal governments possess. My point is that the Native communities in western Nebraska are strictly Lakota.

<sup>6</sup> Paul Chaat Smith and Robert Allen Warrior, *Like a Hurricane: The Indian Movement from Alcatraz to Wounded Knee* (New York: W.W. Norton, 1996); Stew Magnuson, *The Death of Raymond Yellow Thunder: And Other True Stories from the Nebraska-Pine Ridge Border Towns* (Lubbock: Texas Tech University Press, 2008); Peter Matthiessen, *In the Spirit of Crazy Horse* (New York: Penguin Books, 1992); Robert Burnette and John P Koster, *The Road to Wounded Knee* (New York: Bantam Books, 1974); Mary Crow Dog, and Richard Erdoes, *Lakota Woman* (New York: Grove Weidenfeld, 1990); Michael Joseph Engle, "Thunder on the Prairie: The Raymond Yellow Thunder Case and the Rise of the American Indian Movement" (M.A. thesis, University of Texas at El Paso, 1997); Russell Means, *Where White Men Fear to Tread: The Autobiography of Russell Means* (New York: St. Martin's Press, 1995).

resulting appearance of AIM was not the original flashpoint of racial tension between whites and Lakotas in western Nebraska. Stew Manguson's work on Lakotas in western Nebraska discusses the deaths of Red Hawk and Broken Rope, emphasizing that Lakotas could not receive justice in 1954. Only when AIM appeared in 1972 did Lakotas march in the streets and achieve civil rights. Indeed the cases represent injustice, but Magnuson remains too fixated on Yellow Thunder by restating Banks and Russell Means beliefs that AIM was the first group to challenge racism in Gordon and achieve results. By only consulting newspaper articles regarding the events of 1954, he misses the Lakota voices and demands for civil rights in wake of the racial violence. Western Nebraska Lakotas were not helpless silent "victims" before the 1970s. In addition, there were valid reasons why Lakotas did not protest in the Gordon streets. In 1954, Martin Luther King Jr. and other African American civil rights leaders had yet to begin marching across the South protesting segregation and their protests had not yet influenced American Indians.<sup>7</sup> This chapter reveals that scholars have too narrowly focused their attention to AIM and Yellow Thunder overlooking the "long civil rights movement" in western Nebraska. Lakota demands for civil rights in western Nebraska began decades before AIM even became organized. Yellow Thunder was not the only significant civil rights incident in western Nebraska, because a culmination of events led to the Yellow Thunder protest in 1972.

Following World War II, Lakotas found themselves living in horrible conditions on the outskirts of towns with little public assistance. Most Lakotas did not possess the money to move back to the reservation and reverted to seasonal agricultural jobs in the beet and potato fields. In

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<sup>7</sup> While American Indians emphasized that land and tribal sovereignty differentiated Native Americans from African Americans civil rights, American Indians used African American protest tactics such as the fish-ins across the Pacific Northwest. See, Vine Deloria Jr., *Custer Died for Your Sins* (1969; reprint, Norman: University of Oklahoma Press, 1988); Charles Wilkinson, *Blood Struggle*.

the summer of 1948, the *Alliance Times-Herald* published an article titled “Indians Living in Squalor—Need Help.” Lakotas in South Alliance lived in “conditions that wouldn’t be allowed for cattle.” The newspaper promoted the purchase of a barracks from the newly closed Army Air Base and moving it to South Alliance where the city would furnish it with sanitary facilities. People could donate to a fund that aided in obtaining the barracks.<sup>8</sup> Residents believed that the federal government still provided off reservation Lakotas with socioeconomic support. The city failed to act because “the county had waited half a century for the federal government to do something about this.”<sup>9</sup> As newly established de facto terminated peoples, if the federal government had not provided assistance in the past, it was certainly not going to in 1948. Alliance and other western Nebraska towns had to struggle with the question of just which body of government local, state, or federal was responsible for Lakotas’ welfare.

Many Alliance residents finally decided that a local form of assistance was needed since the federal government refused to help. During the 1940s, Lakotas asked Pine Ridge Superintendent W.O. Roberts for loans to purchase homes, equipment, or livestock. Roberts denied the funds because federal regulations prohibited loans for off reservation enterprises. Off reservation Lakotas represented de facto terminated peoples and were not entitled to federal benefits. When Lakotas settled in western Nebraska, the federal government ended its trust responsibilities to those individuals. In the federal government’s view, local and state governments were responsible to provide socioeconomic support to Lakota residents.<sup>10</sup> Lakotas

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<sup>8</sup> *Alliance Times-Herald*, 30 July 1948, page 1.

<sup>9</sup> *Alliance Times-Herald*, 3 August 1948, page 1.

<sup>10</sup> See the large amount of correspondence between Lakotas in western Nebraska and W.O. Roberts in 003.2, Box 142, Main Decimal Files, Pine Ridge Agency, General Records, RG 75, National Archives and Records Administration at Kansas City, cited hereafter as NARAKC.

received support from some residents particularly farmers and Church groups and the Alliance Council of Churchwomen took donations. One farmer stated:

This is one civic enterprise that I believe in. In the past I have had occasion to hire Indian help on my farm and I have always found them to be steady and industrious. But when I took these workers back to their camps, I felt ashamed of myself. There wasn't much I could do and it is gratifying to me to see that others are joining in this endeavor. I'm glad to help.<sup>11</sup>

While some residents supported the barracks project, others objected to the housing plan. Living in close proximity, South Alliance residents did not want Lakotas to remain in the town, claiming that Lakotas stole gardening supplies. The proposed housing project required the city to install a new well and septic tank. This action further angered South Alliance residents, because they had requested water and sewer lines for last 27 years. City officials stated that they had made plans to bring water and sewer to the South Alliance before the barracks project emerged.<sup>12</sup> Prejudiced South Alliance residents used the barracks issue in hopes of moving Lakotas further out of town.

Despite the complaints, the Lakota housing project went forward with the city council approving to move the barracks to South Alliance. Sponsors bought the building from the city for \$300. The barracks would become a community center that contained sanitary facilities, such as hot water, washtubs, sinks, and toilets, but not a vehicle for self-determination. The Alliance Council of Churchwomen, not Lakota residents, supervised the center. Even so, the barracks project was the first of its kind to provide sanitary facilities for Lakota workers in western Nebraska.<sup>13</sup> The Churchwomen were vital to helping Lakotas because they pressured the city to

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<sup>11</sup> *Alliance Times-Herald*, 10 August 1948, page 1.

<sup>12</sup> *Alliance Times-Herald*, 13 August 1948, page 1; 10 September 1948, page 1.

<sup>13</sup> *Alliance Times-Herald*, 13 August 1948, page 1; 27 September 1948, page 1; 1 October 1948, page 1; Durhman, "Nowadays We Call it South Alliance," 74-78.

provide Lakotas some basic civic services. The city incorporated South Alliance and brought it water. Although the barracks plan was in place, it was far from complete.

While residents worked to assist Lakotas with the barracks project, labor issues complicated race relations in western Nebraska. For decades, the contract had been oral argument often sealed with a handshake. Although the *Alliance Times-Herald* stated that Box Butte County potato growers had not committed unfair labor practices, it documented examples from other parts of western Nebraska, particularly the North Platte Valley. The most common unjust practice involved growers refusing to return Lakota families to the reservation. In 1947, farmers abandoned a number of families, who required tribal relief funds to get back home.<sup>14</sup> Several other farmers, mainly outside of Box Butte County, did not provide hospitalization or even first aid in cases of injury. The *Times-Herald* reported that in one case when a Lakota became ill, a North Platte Valley farmer refused to call a doctor. The person died and the farmer still declined help, leaving the dead man's family to return to the reservation in an old truck that broke down near Alliance. The family then had to carry the body about six miles to town.<sup>15</sup>

The Oglala Sioux Tribal Council (OSTC), which had formed under the 1934 Indian Reorganization Act, decided to protect its tribal members by proposing to supply potato and beet workers to western Nebraska farmers on a contractual basis. The council chairman met with potato growers along with the head of the Nebraska Employment Service to discuss a contract that would protect both farmers and Lakotas. The OSTC created a list of reliable workers to ensure these harvesters completed their part of the agreement. Farmers agreed to provide transportation to and from the reservation, including cases of emergency. If Lakotas decided to remain in the area after harvest, the farmer's responsibility to take them home terminated. The

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<sup>14</sup> *Alliance Times-Herald*, 14 September 1948, page 1.

<sup>15</sup> *Alliance Times-Herald*, 14 September 1948, page 1.

contract required growers to leave a deposit with the tribal treasurer to cover the expense of transportation, in case they did not return their workers. Regarding health care, any injury on the job growers had to find sufficient medical care and if needed hospitalization. For any work related injury, the farmer needed to cover the medical expenses. Growers agreed to “provide water, fuel, and sanitary facilities.” Finally, it was necessary for a farmer to arrange entry into the public school for children of a Lakota family working more than three weeks.<sup>16</sup> It is difficult to gauge the success of the contracts, because I have found no further mention of them in the archives. The contracts reveal that the OSTC sought to provide protections for its people while working off reservation. Yet, the contracts mainly protected migrant Lakota laborers who maintained residence on reservation. Safeguarding Lakotas living in western Nebraska proved more challenging for the OSTC.

In 1948, the OSTC also confronted the racism Lakotas faced in Gordon. During an OSTC meeting, Joe Leedom Jr., the editor for the *Gordon Journal*, told the council that his newspaper was combating discrimination in Gordon, stating the community was “a front line town in the battle of racial prejudice.” O.H. Barnes, editor of the *Sheridan Star*, also spoke and argued that whites needed to erase the racial barrier against Lakotas. Barnes wanted to start over and build better relationships. The editors urged Lakotas to become skilled laborers before they left the reservation so they would arrive as a competitive labor resource, which would allow them to break down racial barriers. White residents in Sheridan County viewed Lakotas as unskilled laborers who drained resources, not as contributing members to society. This mentality is even more apparent during a natural disaster that struck western Nebraska.<sup>17</sup>

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<sup>16</sup> *Alliance Times-Herald*, 21 September 1948, page 1; *Hemingford Ledger* 23 September 1948, page 1.

<sup>17</sup> Minutes of the Tribal Council, 1948, Box 1207, Records of the Oglala Sioux Tribal Government, RG 75, NARAKC.

The Blizzard of 1949, a weather event etched into the memories of western Nebraskans, crippled the region. In November of 1948, a blizzard struck western Nebraska, but the storm that struck on January 2, 1949 was far worse, incapacitating the region. The snowstorm raged for three days and created twenty-foot snowdrifts in some places. In Alliance, the blizzard dumped more than twenty inches of snow on top of the sixteen from previous storms. After the snowfall, high winds kept the drifts from melting, which closed roads and railroads. The blizzard stranded families on their farms and ranches and livestock required hay.<sup>18</sup> The Blizzard of '49's popular narrative focuses on how the federal government rescued farmers and ranchers, which neglected the effects the storm had on Lakotas living in western Nebraska. Local, state, and federal officials dealt with not only rescuing stranded families and livestock, but also responded to the crisis of the Lakota tent communities in western Nebraska.

Lakotas in western Nebraska encountered a slow response in aid. In Alliance, 250 Lakotas endured the blizzard in their tents. Some Lakotas found shelter in the unfinished barracks project. The *Alliance Times-Herald*, Box Butte County Red Cross, residents, and Alliance Grocery Store donated food and clothing items and \$179.80 in cash to Lakotas. A state report noted that Lakotas benefited from Alliance being a larger community in comparison with other towns' Lakota camps, because greater opportunity existed for charity and work.<sup>19</sup>

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<sup>18</sup> Harl A. Dalstrom, "'I'm Never Going to Be Snowbound Again': The Winter of 1948-1949 in Nebraska," *Nebraska History* 82 (2002): 110-166. Dalstrom briefly mentions the Lakotas' dire situation. In another article, Harl and Kay Cañame Dalstrom provide greater discussion of the storms effects on Lakotas. However, the Dalstroms never places their narrative in the context of Termination Era federal Indian policy, which helps explain the federal government's lack of response. The Dalstroms discuss local towns' request for federal aid to assist Lakota residents, but they do not connect the lack of federal aid with the debate about the federal government attempting to shift socioeconomic responsibility for Lakotas to local and state governments. The Dalstroms summarize, "federal authorities worked to be more flexible in meeting Indian relief needs as they became aware of the magnitude of the western blizzards." Yet, shifting federal Indian policy towards de facto Termination for off reservation Lakotas had more to do with the delayed federal relief than ignorant federal officials. See "It's 'Going Down in History': The Blizzards of 1949," *South Dakota History* 29 (Winter 1999): 263-326.

<sup>19</sup> Report on Indians, January 17, 1949, Folder 627, Box 60, RG1 SG33, Val Peterson Governor Papers, NSHS cited hereafter as NSHS; Dalstrom, "'I'm Never Going to Be Snowbound Again'," 135.

Yet, western Nebraskans were unclear as to who was responsible for Lakotas. The village of Gordon shifted responsibility for assisting Lakotas to the federal government. Approximately 300 Lakotas, largely from the Pine Ridge and Rosebud reservations, resided in Gordon and around five families lived there permanently. Lakotas worked on the railroad and harvested corn and potatoes. As in Alliance, Lakotas faced a dire state of affairs with no money or work and enduring the blizzard in tents and shacks. The local Red Cross tried to address the situation but lacked the resources to feed the Lakotas and their horses. The organization provided eleven frozen cattle and potatoes for food and railroad ties for firewood, hoping that the Pine Ridge Agency would care for the Lakotas. Some local residents provided Lakotas with pheasants that died in the storm.<sup>20</sup>

The City of Gordon also sought outside assistance for the Lakotas. On January 10, a Gordon city official contacted the Pine Ridge Superintendent asking if the federal government would take care of the Lakotas or if Gordon officials should return them to the reservation. Pine Ridge Superintendent C. H. Powers responded that the agency possessed insufficient funds for on reservation Lakotas, thus could not provide financial help for off reservation Lakotas. In addition, Powers indicated his own problems in dealing with a snowbound reservation. He needed to open roads to disperse relief goods. This decision to deny assistance angered the City of Gordon. Powers recalled a Gordon official's insulting response that as reservation leaders "we were not fulfilling our responsibility that the Indians were definitely our responsibility and that they were going to leave no stone unturned to see that we did care for them."<sup>21</sup>

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<sup>20</sup> "Social Workers Report on the Storm Disaster," Folder 031.3, Box 154, Main Decimal Files, General Record, Pine Ridge Agency, Records Group 75, NARAKC; Report on Indians, January 17, 1949, Folder 627, Box 60, RG1 SG33, Val Peterson Governor Papers, NSHS; Dalstrom, "'I'm Never Going to Be Snowbound Again'," 134.

<sup>21</sup> "Memorandum for the Files," 031.3, Box 154, Main Decimal Files, General Record, Pine Ridge Agency, Records Group 75, NARAKC.

Gordon officials then turned to the state for assistance. On January 12, Gordon Mayor L. E. Morgan informed Nebraska Governor Val Peterson that Lakotas living around Gordon had no money or work, that city possessed no more funds, and Lakotas required assistance. It cost from \$600 to \$700 a week to feed the Lakotas. The Pine Ridge Superintendent refused aid, leaving Morgan to request Peterson to seek funds from Congress or the Bureau of Indian Affairs (BIA).<sup>22</sup> By January 18, Governor Peterson received a telegram notifying him that “Sheridan County find[s] their funds exhausted for relief of approximately 400 Indians located in county.”<sup>23</sup>

Governor Peterson and the state needed to respond to the Lakota camps’ growing crisis, but the status of Lakotas in western Nebraska society made proper responses difficult. A state report revealed the Lakota situation, particularly in Gordon, and left the state government confused as to which government body was responsible for Lakota relief: “we wonder, too, as to the precedent which has been set by counties in not providing for general relief for Indians. Is their care a local responsibility, or a national one, and, if national, why is it not being met by the Federal agency involved?”<sup>24</sup> Peterson decided that the federal government was responsible for Lakotas. On January 19, Peterson sent a telegram to General Philip B. Fleming, the Administrator of the Public Works Administration, notifying him of the desperate situation among Lakotas in Gordon and Alliance and requested federal relief. Peterson urged, “immediate action required to prevent great human suffering.”<sup>25</sup>

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<sup>22</sup> Telegram, L.E. Morgan to Val Peterson, January 12, 1949, Folder 627, Box 60, RG1 SG33, Val Peterson Governor Papers, NSHS.

<sup>23</sup> Telegram, Lloyd Tiensvold to Val Peterson, January 18, 1949, Folder 627, Box 60, RG1 SG33, Val Peterson Governor Papers, NSHS.

<sup>24</sup> Report on Indians, January 17, 1949, Folder 627, Box 60, RG1 SG33, Val Peterson Governor Papers, NSHS.

<sup>25</sup> Telegram, Val Peterson, Philip Fleming, January 19, 1949, Folder 627, Box 60, RG1 SG33, Val Peterson Governor Papers, NSHS.

On January 25, Commissioner of Indian Affairs William Zimmerman allotted \$28,000 from President Harry Truman's emergency fund for relief of Lakotas in western Nebraska.<sup>26</sup> Western Nebraska Lakotas did not directly receive the relief funds because Commissioner Zimmerman transferred the money to Pine Ridge Superintendent Powers who then distributed the money to the local county assistance directors. However, Zimmerman did not notify Governor Peterson that the \$28,000 covered Lakotas both on and off the reservation in western Nebraska and South Dakota. Powers used his discretion to divide the money: \$15,000 to clear roads and \$13,000 for relief. Of the \$13,000, Powers allotted \$8,000 to the reservation and \$5,000 going to help off reservation Lakotas. Of that amount, \$2500 went to Lakotas in South Dakota and the remaining to those in Nebraska. In the end, Lakota families in western Nebraska received \$15 to \$25. In Alliance, Lakotas formed a committee to survey and report relief needs, which Pine Ridge social workers noted proved very effective. Social workers also stated that they handled 285 cases of off reservation relief with 25 percent stemming from Rapid City, South Dakota. Under the perils of de facto termination, off reservation Lakotas were the last to receive federal government relief funds.<sup>27</sup>

While welfare agencies in Alliance and Scottsbluff doled out relief funds to Lakotas, Gordon officials continued to balk at assisting Lakotas. Superintendent Powers notified Governor Peterson and officials in Washington that although the agency had relief funds ready to deliver, the county commissioners refused to allow the assistant director in Gordon to administer the relief. The commissioners claimed that the storm had already overburdened the director with

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<sup>26</sup> Telegram, Eugen O'Sullivan to Val Peterson, January 28, 1949, Folder 627, Box 60, RG1 SG33, Val Peterson Governor Papers, NSHS.

<sup>27</sup> Telegram, John Provinse to C.H. Powers, January 25, 1949, 031.3, Box 154, Main Decimal Files, General Record, Pine Ridge Agency, Records Group 75, NARAKC; Telegram Hugh Butler to Val Peterson, January 28, 1949, Folder 627, Box 60, RG1 SG33, Val Peterson Governor Papers, NSHS.

cases and she could not assist the Lakotas. Many Sheridan County residents believed Lakotas were the federal government's responsibility, because in their minds they were not residents of Sheridan County, even though some had lived there for many years. On January 28, Commissioner Zimmerman ordered Powers to allot the funds through the Red Cross. The following day, \$1795 worth of relief supplies in the form of hay and fuel reached the Gordon mayor's office. The Red Cross handled the relief until February 1 when two local men took over. Outside of the federally allotted money, the Red Cross contributed \$3,256.06 to assist Lakotas in western Nebraska.<sup>28</sup>

Governor Peterson believed the amount of federal money was insufficient. On February 3, Peterson sent a telegram to Secretary of the Interior Julius Krug calling the federal relief of the Lakotas disgraceful. A family of nine Lakotas received only \$18 for one month. Peterson argued that the relief totals of \$15 to \$25 per family were insufficient. He noted "in my judgment, such allowances in the middle of one of the worst winters in history is hopelessly inadequate and reflects great shame on the Government of the United States."<sup>29</sup> On February 16, Krug responded to Peterson, "Congress does not provide sufficient funds to enable us to make adequate grants to our needy Indians, even those residing on the reservation, and it has been the *policy not to extend assistance to those residing away from the reservation.*"<sup>30</sup> Krug noted that the blizzard created an unusual situation forcing him to allot money from the President's emergency fund. Peterson also

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<sup>28</sup> C. H. Powers to Val Peterson, January 29, 1949, 031.3, Box 154, Main Decimal Files, General Record, Pine Ridge Agency, Records Group 75, NARAKC; 627, Box 60, RG1 SG33, Val Peterson Governor Papers, NSHS. Zimmerman selecting the Red Cross to allocate funds was not unique because during the same time the Red Cross provided \$216,000 worth of emergency relief funds to snowbound Navajos in New Mexico. Philip, *Termination Revisited*, 62. Scholars mention the importance the Blizzard had on the Navajo Reservation in influencing federal Indian policy, yet they neglect the storm's impact on Lakotas in Nebraska, South Dakota, and North Dakota, even though they also required emergency federal funds.

<sup>29</sup> Telegram, Val Peterson to Julius Krug, February 3, 1949, Folder 627, Box 60, RG1 SG33, Val Peterson Governor Papers, NSHS.

<sup>30</sup> Julius Krug to Val Peterson, February 16, 1949, Folder 627, Box 60, RG1 SG33, Val Peterson Governor Papers, NSHS (emphasis mine).

contacted Nebraska Senator Kenneth Wherry, a member of the Senate Committee on Appropriations, who replied that the committee approved a request to investigate the living conditions of American Indians in North Dakota, South Dakota, and Nebraska. He reported that a Senate hearing revealed in some cases funds reached Lakotas and, in others, did not.<sup>31</sup>

Krug told Peterson that the Lakotas in western Nebraska were not the federal government's responsibility and that Lakotas received federal funds not because they were Indians, but because the federal government assisted its citizens regardless of race during natural disasters. Moreover, the federal government appropriated money as reports and images of dying, starving, and frozen Lakotas would have been a public relations nightmare and provided political fodder for the Soviet Union. The U.S. criticized the Soviet Union for the oppression and denial of self-determination in its satellite countries, but this rhetoric made it vulnerable to hypocrisy concerning treatment of American Indians.<sup>32</sup>

The federal government, however, had to walk a fine line regarding American Indians. Although it worried about reports of Indian oppression on the international stage, some members of Congress viewed Indian reservations as bastions of socialism and communism in the U.S. Their solution was dissolving the BIA and reservations. Although Truman grouped American Indians' experiences together with other racial minorities, he still recognized the importance of self-determination. Yet, he also believed American Indians were entitled to civil rights and full citizenship. To completely receive his "Fair Deal" and become prosperous, Native peoples had to be free of government oversight; thus, reservations needed to disappear. Furthermore, the Truman Administration wanted American Indians to leave the reservations and take part in the

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<sup>31</sup> Kenneth Wherry to Val Peterson, February 19, 1949, Folder 627, Box 60, RG1 SG33, Val Peterson Governor Papers, NSHS.

<sup>32</sup> See, Cobb, *Native Activism in Cold War America*; Rosier, *Serving Their Country*.

growing American economy since reservations segregated them from other Americans.<sup>33</sup> Krug's statement regarding not providing assistance to off reservation Lakotas shifted the responsibility to local and state governments, anticipating what would occur under Termination.

State, local, and federal governments responded to the natural disaster with funds and military equipment. The State of Nebraska appropriated \$500,000 to provide relief. The National Guard received \$150,000. These funds supported "Operation Snowbound," from January 29 through mid-March, men and material plowed open roads, brought relief on military track vehicles to stranded farmers and ranchers, and the Air Force dropped food and fuel to ranchers as well as hay to their livestock. Cities and counties spent some \$1,865,500 on snow removal, the State of Nebraska \$1,239,250, and the federal government \$8,000,000.<sup>34</sup> The Air Force spent millions to save ranchers' cattle. Caught in a purgatory of government responsibility, Lakotas in western Nebraska struggled to receive relief funds. The blizzard demonstrated a failure of local, state, and federal governments.

After the blizzard of 1949, Lakotas, church groups and state officials reassessed the situation of off reservation Lakotas in western Nebraska. Church organizations were one of the few places western Nebraska Lakotas found socioeconomic support. Slowed by inadequate funds, the barracks project in Alliance did not become a reality until 1950. After that, the Indian Social Center developed activities to aid the Lakota population in learning English, reading, and sewing skills. The center tried to help Lakotas adjust to life off the reservation. The United Church Women believed their activities assisted in producing a positive image and created more

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<sup>33</sup> See, Philp, *Termination Revisited*; Brian Hosmer, "Harry Truman and Native Americans," in Brian Hosmer, ed., *Native Americans and the Legacy of Harry S. Truman* (Truman State University Press, 2010), xxiv-xxvi; Clayton R. Koppes, "From New Deal to Termination: Liberalism and Indian Policy, 1933-1953," *Pacific Historical Review* 46 (November 1977), 557-560.

<sup>34</sup> Dalstrom, "I'm Never Going to Be Snowbound Again," 138, 153. The Air Force also dropped hay to ranchers in Nevada. See, James A. Young, "Operation Hay Lift: The Winter of 1949," *Rangelands* 6 (June 1984): 116-119.

job opportunities. By the end of the decade, the center offered activities for all ages. The Alliance churchwomen remained very involved, but by 1957, the center had Lakota caretakers. It opened each afternoon and evening except on Sunday. Activities consisted of night school for young and old; English classes and sewing groups; boxing in the spring along with baseball in the summer for Lakota boys; games, books, music, and magazines for children; parties on holidays like Christmas and Easter; fellowship suppers; square or traditional Indian dances; table games; and movies. Lakotas used the center for weddings, birthday parties, and for laundry and showers.<sup>35</sup>

Christian organizations also offered support to Lakotas in Scottsbluff. Reverend Earl Bailey recalled that in 1949, because of the rampant racism in Alliance, he began preaching in the tents of South Alliance. In 1954, he established an Indian Mission there. That same year, he moved to Scottsbluff to create a mission, which served as a socioeconomic support mechanism and a social center for Scottsbluff Lakotas. Lakota Cedric DeCory remembers, “over there on 14<sup>th</sup> Avenue, [Reverend Bailey] built a little chapel, a basketball court, and a church. He built that specifically [to] help out the Indian people, overcome their shortcomings and stuff, the prejudice... done the different sporting events and helped out with powwows, they had powwows right there in their little area at 14<sup>th</sup> Avenue.”<sup>36</sup> Going forward, the missions in Scottsbluff and Alliance proved to be essential resources in the Lakota communities. The missions offered a place for Lakotas to engage in social events in a prejudice free environment.

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<sup>35</sup> *Alliance Times-Herald*, 13 September 1949, page 1; 6 October 1950, page 2, 15 October 1956, page 1; 26 October 1959, page 1. Mark Monroe, *An Indian in White America*, ed., Carolyn Reyer (Philadelphia: Temple University Press, 1994), chapter 4; Warren Trank, interview by author, Alliance, Nebraska, 15 May 2007; Durhman, “Nowadays We Call it South Alliance,” 81.

<sup>36</sup> Cedric DeCory, Interview by Author, October 11, 2013, Scottsbluff, NE.

While Christian organizations assisted Lakotas, some western Nebraska churches discriminated against non-white groups. DeCory remembers the only real social contact between Lakotas and Mexicans occurred at church. In Scottsbluff, DeCory and other Catholic Lakotas attended Our Lady of Guadalupe, because the other Catholic Church “was more for rich White people.” DeCory continues, “they kind of broke it up into social classes and to us that was a no cuz [sic] we didn’t have the clothes to wear to such a church you know.”<sup>37</sup> As a state committee would reveal, Lakotas were in western Nebraska’s lower social class.

In the early 1950s, Nebraska Governor Robert Crosby took an interest in protecting the rights of minorities. Crosby proclaimed Nebraska must follow the Truman Administration’s lead in combating racial discrimination. In 1953, Crosby created the Human Relations Committee (HRC) to ensure civil rights for all Nebraskans by identifying prejudice and discrimination. Crosby wanted to use legislation to correct any violations of civil rights that had occurred in the state. In the wake of government failure across all levels during the Blizzard of 1949, Lakotas had to support the statement “government, whether on the local, state or federal level exists for the promotion and protection of the welfare of all of its citizens.” The committee used surveys to locate discrimination based on race, religion, or nationality. The surveys focused on employment, education, health, housing, and statutes. The governor appointed 15 citizens to serve on the committee based on their knowledge and experience of minority groups in Nebraska.<sup>38</sup>

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<sup>37</sup> Cedric DeCory, Interview by Author, October 11, 2013, Scottsbluff, NE.

<sup>38</sup> Robert Crosby to Arthur McCaw, September 4, 1953, Folder 96, Box 3, RG1 SG 34, Governor Papers of Robert B. Crosby, NSHS.

The HRC's sudden shift to protect civil rights in Nebraska is unsurprising when viewed in a Cold War context. Crosby and other state officials acknowledged the ideological battle occurring between the United States and the Soviet Union. Crosby wanted to promote ideas of democracy and equality in the face of Soviet "oppression." A report on the HRC noted, "that to deny any resident of the great State of Nebraska anything less than the freedom and opportunity which should be enjoyed by all is undemocratic and unpatriotic."<sup>39</sup> Likewise, in a memorandum regarding the committee, Nebraska Budget Supervisor Arthur McCaw stated:

One could not help but react, as I did, upon seeing the pictures and reading the accounts of our returning Korean veteran, and there were those who can never return, that in this valiant fight for freedom against the spread of the communistic evil, American boys of all colors, religions and nationalities fought and died together so that we might continue to live in a democratic society.<sup>40</sup>

The HRC surveys contacted local welfare agencies in western Nebraska for information on the Lakota and Mexican American communities. Esther Goldsmith, Director of Scotts Bluff County's Department of Public Welfare, that although Scottsbluff had permanent Lakota

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<sup>39</sup> Robert Crosby to Arthur McCaw, September 4, 1953, Folder 96, Box 3, RG1 SG 34, Governor Papers of Robert B. Crosby, NSHS. Scholars have noted how Cold War ideology influenced and fostered civil rights movements in the United States. Minority groups challenged the hypocrisy of United States' rhetoric that unlike the Soviet Union, the U.S. promotes democracy, equality, and does not oppress its citizens. Activists brought attacks on civil rights to the attention of the international community and such international shaming forced the U.S. to make civil rights reforms to avoid losing the ideological battle to the Soviets. See Mary Dudziak, *Cold War, Civil Rights: Race and the Image of American Democracy* (Princeton: Princeton University Press, 2000); Thomas Borstelmann, *The Cold War and the Color Line: American Race Relations in the Global Arena* (Cambridge: Harvard University Press, 2001); Brenda Gayle Plummer, *Rising Wind: Black Americans and U.S. Foreign Affairs, 1935-1960* (Chapel Hill: University of North Carolina Press, 1996); Brenda Gayle Plummer, ed., *Window on Freedom: Race, Civil Rights and Foreign Affairs, 1945-1988* (Chapel Hill: University of North Carolina Press, 2003); Azza Salama Layton, *International Politics and Civil Rights Politics in the United States 1941-1960* (Cambridge: Cambridge University Press, 2000); Jonathan Rosenberg, *How Far the Promised Land: World Affairs and the American Civil Rights Movement from the First World War to Vietnam* (Princeton: Princeton University Press, 2006); Carol Anderson, *Eyes off the Prize: The United Nations and the Struggle for Human Rights* (Cambridge: Cambridge University Press, 2003); Mary Dudziak, "Brown as a Cold War Case," *Journal of American History* 91 (June 2004): 32-42; Timothy B. Tyson, *Radio Free Dixie: Robert Williams and the Roots of Black Power* (Chapel Hill: University of North Carolina Press, 1999); Daniel Cobb, *Native Activism in Cold War America*; Paul Rosier, *Serving Their Country*.

<sup>40</sup> Robert Crosby to Arthur McCaw, September 4, 1953, Folder 96, Box 3, RG1 SG 34, Governor Papers of Robert B. Crosby, NSHS.

residents, migrants made up a large percentage of the Lakota community. Lakotas who resided in Scottsbluff usually worked construction jobs and lived in hovels. Some Lakotas made money by selling beadwork. Goldsmith added that both the Mexican Americans and Lakotas “do not seem to prosper....These groups present a social and financial problem for this county. The cost of medical care for these indigents is a large sum yearly.”<sup>41</sup> Zeola Barnes, Box Butte County Public Welfare Director, notified the HRC that like Scottsbluff, Lakotas could only obtain unskilled jobs, usually migrant agricultural work. She also pointed out that in Alliance, African Americans, Mexican Americans, and Lakotas lived south of the railroad tracks segregated from the rest of the population. Housing remained a problem because the city had not built any rental units for minority groups. Most Lakotas still lived in tents. The city bought the Federal Housing Project, which the federal government built during World War II to provide housing for Army Air Base officers and their families. Barnes stated that there was no discrimination in housing, but numbers suggested otherwise: 86 white families, 4 Mexican families, 5 Lakota families, and 2 African American families resided in the housing project. Alliance contained 15 African American families, 50 Lakota families, and 47 Mexican families.<sup>42</sup> With a part of the Lakota population being migrant, it is difficult to obtain an accurate number of Lakota families, since the *Alliance Times-Herald* listed the number of families between 200 and 300.<sup>43</sup> Minority groups in Alliance had to remain in South Alliance because of the lack of housing options north of the railroad tracks and city officials had convinced themselves this segregation was not a form of discrimination.

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<sup>41</sup> Esther Goldsmith to Verne Vance, July 27, 1954, Folder 241, Box 6, RG1 SG 34, Governor Papers of Robert B. Crosby, NSHS.

<sup>42</sup> Zeola Barnes to Mayme Stukel, June 18, 1954, Folder 241, Box 6, RG1 SG 34, Governor Papers of Robert B. Crosby, NSHS.

<sup>43</sup> *Alliance Times-Herald*, 1 April 1954, page 1.

Despite the HRC's goals, Nebraska failed to promote and defend civil rights. In fact, it resembled to the Jim Crow South. On a two-day visit to Alliance, the conditions Lakotas faced appalled the recently appointed Pine Ridge Superintendent, Benjamin Reifel. A Lakota born on the Rosebud reservation, Reifel could identify with Lakotas in Alliance like no previous superintendent. He challenged Alliance businesses to remove signs stating "No Indians or Dogs Allowed." Reifel told Alliance residents that more Lakotas would be coming to Alliance, because only around 75 Pine Ridge Lakotas made sufficient money as farmers to survive and the remaining 1,500 families had to seek work off reservation. Alliance needed to find a place in society for Lakotas and as U.S. citizens, not wards, they could establish residence in the community. While Reifel stated he would assist Lakotas in preparing for life off reservation, he shifted responsibility to local governments: "your people must taken [sic] even greater interest in them than before. You must see that they get work, that they get schooling and leadership—that their personalities do not become shriveled up." He placed his arguments in a Cold War context arguing that the negative publicity regarding Alliance's treatment of Lakotas "would seem to be excellent material for some Communist propaganda. America can't afford to have anything bordering on segregation for the enemies of this country to exploit in their propaganda."<sup>44</sup> Like other America Indian leaders, Reifel used fear of losing an ideological battle with the Soviet Union to advance civil rights. It was Alliance business' patriotic duty to open their doors to Lakotas and for residents to assist their Lakota neighbors.

Like Reifel, OSTC Treasurer David Black Cat used Cold War discourses to combat discrimination in off reservation Lakota communities and garner support for increased federal funding. In an editorial to the *Rapid City Journal*, Black Cat argued that it was more important

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<sup>44</sup> *Alliance Times-Herald*, 1 April 1954, page 1. For more on American Indians framing civil rights in a Cold War context see: Cobb, *Native Activism in Cold War America*; Rosier, *Serving Their Country*.

for the federal government to appropriate funds to American Indians rather than send billions to foreign nations. Black Cat was most likely referencing the Marshall Plan that sought to keep Western Europe free from Communism by investing millions of dollars to rebuild the war torn region. Black Cat provided a powerful statement regarding Lakota civil rights:

Yes there is a war [Korean War] going on and our sons and are fighting side by side with your sons for freedom and democracy and even now many of the Sioux Warriors have given their lives for this great cause, and yet like the negro race, we have experiences of discrimination every place we go. Are they really fighting for freedom? Or will our Sioux warriors be mistreated when they come home from the battlefield... Will they be able to buy where they please, eat in the cafes of their choice, or will they be turned away, or meet signs at doors that read 'no Indians allowed,' or 'WE DO NOT SOLICITATE WITH INDAINS.' When will the democracy of the United States show its worth towards the minority group of people.<sup>45</sup>

In northwestern Nebraska, the brutality of racism and lack of civil rights brought racial tensions to a boiling point. For the small Nebraska towns, city officials expressed frustration with the de facto terminated status of their Lakota residents. In February 1952, the *Lincoln Journal and Star* published "Indians Settle Permanently, Raise Problem for Gordon: Uncle Sam's Former Wards Quit Reservation, Lose Dole." The article discussed the repercussions from the federal government no longer supporting Lakotas who resided off reservation in Gordon. Gordon established a long relationship with Lakotas through potato picking and dancing at the Sheridan County Fair. However, "Gordon could ignore any [financial] obligation because Uncle Sam assumed it." The shift in federal policy coincided with more Lakotas settling in western Nebraska towns. The paper questioned Lakotas' ability to "assimilate." Lakotas struggled to acquire adequate housing, because "until they learn to accept responsibility and cleanliness,

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<sup>45</sup> David Black Cat to *Daily Journal*, January 19, 1951, Minutes of the Tribal Council, 1951, Box 1208, Records of the Oglala Sioux Tribal Government, BIA Records, RG 75, NARAKC.

private enterprise is unwilling to furnish housing.” Lakotas in Gordon had previously struggled through natural disasters. The 1918 flu epidemic killed many. The article alleged that Gordon held the highest death rate of any city in the U.S. The recent blizzard also challenged the Lakota community. Lakotas continued to live near the stockyard and sewage disposal plant in tents or shacks. A Gordon City Council member noted that it would cost \$100,000 to provide the camp with running water, toilets, and showers. The city did not possess this amount of money. Furthermore, the city and county feared providing welfare to Lakotas, because they did not want to entice more to move from the reservation. Education remained a problem with only 12 to 15 Lakota students enrolled in Gordon schools. The Church of God created a school for Lakota children to prepare them for entering the Gordon schools. A school board member remarked that if Lakotas could meet health and educational standards they could attend school. The article pointed out the shift to de facto terminated Lakotas and the growing source of tension non-Indian residents developed towards their new Lakota neighbors.<sup>46</sup>

In February 1954, after complaints from citizens and an investigation by City of Chadron and county officials, Dawes County Sheriff James Butler visited the Lakota encampment and ordered Lakotas to move back to the reservation. Located on the northeast side of Chadron, adjacent to the city dump, the *Chadron Record* described the camp as “rat infested,” “potential disease center,” and an “eyesore.” Lakotas responded that they lacked the funds to return to the reservation. The effort to remove the Lakotas began because health officials confirmed one case of tuberculosis in the camp. Three Lakota children attended Kenwood Elementary School and parents demanded the school remove the children and give them a health examination. PTA President Kenneth Bentley stated, “camp children were entitled to an education—both as a vital

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<sup>46</sup> *Lincoln Journal and Star*, 24 February 1952, page 2-D.

need and as a citizen's right. The position of the PTA simply was that it would be grossly unfair and wrong to endanger the health of the other children by allowing the camp children to attend school under present circumstances." Lakota schoolchildren who did not live in the camp could continue to send their children to school. School officials contacted Superintendent Reifel to discuss the incident. Reifel responded that Lakotas were citizens and "they cannot be forced to go back to their reservations and, if they become destitute, they become the problem of the community in which they are staying."<sup>47</sup> Like in Alliance, Reifel shifted responsibility for Lakotas to local government from the federal government. Chadron and county officials struggled with deciding who had to pay to move the Lakotas back to the reservation. By the first week of March, all but one Lakota family had moved back to their reservations. The county released some funds, residents donated \$30, and volunteers fixed Lakota automobiles in an effort to rid Chadron of its "Indian" camp. The HRC investigated Lakotas in Chadron reporting that they had a welfare and educational problem. Lakotas needed more assistance from local and state governments.<sup>48</sup> Yet, regarding Kenwood Elementary, the committee noted, "It seems to be a case of discrimination against filth rather than race."<sup>49</sup> Like elsewhere in the U.S. West, civic officials and residents used disease to stereotype racial groups. A characterization of uncleanliness and disease helped to justify removal of Lakotas from western Nebraska communities.<sup>50</sup>

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<sup>47</sup> *Chadron Record*, 11 February 1954, page 4. According to Pine Ridge reservation Doctor Robert Ruby, Reifel believed Lakotas in Nebraska must apply hygienic practices to avoid the discrimination. Robert H. Ruby, *A Doctor Among the Oglala Sioux: The Letters of Robert H. Ruby 1953-1954*, Cary C. Collins and Charles V. Mutschler eds. (Lincoln: University of Nebraska Press, 2010), 112.

<sup>48</sup> *Chadron Record*, 25 February 1954, page 1; 4 March 1954, page 1; Kathryn Duerfeldt to Arthur McCaw, May 4, 1954, Folder 241, Box 6, RG1 SG 34, Governor Papers of Robert B. Crosby, NSHS.

<sup>49</sup> Page 19 of HRC Report, Folder 242, Box 6, RG1 SG 34, Governor Papers of Robert B. Crosby, NSHS.

<sup>50</sup> See William Deverell, *Whitewashed Adobe: The Rise of Los Angeles and the Remaking of Its Mexican Past* (Berkeley: University of California Press, 2005); Nayan Shah, *Contagious Divides: Epidemics and Race in San Francisco's Chinatown* (Berkeley: University of California Press, 2001); Natalia Molina, *Fit to Be Citizens?: Public Health and Race in Los Angeles, 1879-1939* (Berkeley: University of California Press, 2006).

The refusal of western Nebraska towns to care for their Lakota residents frustrated Pine Ridge reservation Doctor Robert Ruby. He described numerous cases of Nebraska hospitals and social workers “dumping” Lakotas on the reservation instead of providing them with necessary care. Ruby noted that they pay taxes in Nebraska, “BUT the moment one gets ill Nebraska wants to shove them back to the reservation hospital. This is discrimination. The people who have established residency should be entitled to the community services of the place in which they reside.”<sup>51</sup> He pointed out that a town in Nebraska wanted to send two boys, who had lived in Nebraska for seven years, to the reservation for tuberculosis treatments. Ruby was also aware of Chadron forcing Lakotas to leave. He noted how one family lived in Chadron and were “bona fide” residents but struggled to acquire healthcare in Rapid City. After leaving Chadron, another family struggled to settle back on the Slim Butte area of the reservation. Gordon mulled a similar removal of its Lakota residents.<sup>52</sup>

Just as Chadron relieved itself of the camp “problem,” a far worse racially charged incident occurred. On Saturday March 6, 1954, recently discharged paratrooper 22-year-old Robert Walton and 20-year-old Mickey Shelly both of Gordon met at the American Legion Club in Rushville for a dance. Meanwhile, 15-year-old Lakota Jessie Hanna Red Hawk, her older brother Ward Red Hawk, and two unnamed friends left the Pine Ridge reservation’s Pine Ridge Legion Hall for Chadron. Following the dance in Rushville, Walton and Shelly headed westbound along Highway 20 for Chadron in Walton’s newly purchased sedan. They reached the town at 12:45 a.m. After purchasing some cigarettes, the two men began their trek back to Gordon. On the edge of town, they encountered the Red Hawks who were hitchhiking to Rushville where they hoped to contact friends for a ride to Pine Ridge because the driver of their

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<sup>51</sup> Ruby, *A Doctor Among the Oglala Sioux*, 131.

<sup>52</sup> Ruby, *A Doctor Among the Oglala Sioux*, 171-173.

vehicle was intoxicated. Walton and Shelly stopped and offered a ride, which the Red Hawks accepted and got in the backseat; however, only a few miles down the road the car stopped. Walton asked Ward Red Hawk if his sister would sit in the backseat with him. Ward refused since his sister was a minor, so the Red Hawks began to walk back to Chadron. Walton and Shelly temporarily drove away only to return forcing the Red Hawks to walk in the ditch and hide as Walton's sedan drove up and down the highway. Believing Walton and Shelly had finally left, the Red Hawks returned to the highway, but the car soon reappeared. Walton ordered Jessie to get in the car. Jessie bolted but Walton chased, grabbed, and threw her into the backseat. She resisted by kicking, screaming, and scratching Walton's face. Meanwhile Shelly ordered Ward into the front seat. Ward got in and the car took off. A minute or so later the door flew open and Jessie Red Hawk fell onto the highway where an approaching westbound car struck her. Shelly stopped the car, forced Ward out, and drove away. Red Hawk went to his sister's body where the couple who had hit Jessie returned to assess the situation. The couple left Red Hawk with his sister and went to Chadron to report the incident to the police.<sup>53</sup>

When the Nebraska State Patrol reached the crime scene, they found the in-transit sign from Walton's newly purchased sedan near Jessie's body. Meanwhile in Gordon, Walton packed his belongings and left for Omaha. Walton made it to Valentine where Cherry County officials arrested him. As Walton was in transit to Dawes County Jail, the state patrol picked up Shelly in Gordon. On Tuesday March 9, Dawes County Attorney Ernest Johnson filed manslaughter charges against Walton and Shelly.<sup>54</sup>

As the trial approached, the *Chadron Record* printed a picture of Walton showing the scratches Jessie Red Hawk carved into his face as she fended off an alleged sexual assault. On

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<sup>53</sup> *Chadron Record* 11 March 1954, page 1.

<sup>54</sup> *Chadron Record*, 11 March 1954, page 1.

March 23, Walton's trial began. A four-man and eight-woman jury heard the testimony. The trial focused on how Red Hawk "fell" out of the vehicle, whether under her own power or if Walton pushed her. Ward Red Hawk stated that he did not see how his sister fell out of the car but estimated the car's speed at 50 to 55 miles per hour. Ward stated that Shelly pushed him out of the car before it came to a complete stop and the car disappeared into the night. Red Hawk recalled the large amount of blood around his sister's head. A medical examiner concluded that Jessie received multiple skull fractures leading to death. Walton stated, however, that Jessie screamed saying that she would turn Walton and Shelly in, so Walton became nervous. After Jessie agreed to be quiet, he let her up. Jessie asked Walton to remove a leaf from her hair and as Walton attempted to remove the leaf, the door opened and he attempted to reach for Jessie as she fell out of the car. Walton claimed that Jessie opened the door and denied pushing her out. The prosecution argued that regardless of how Red Hawk exited the vehicle, Walton's assault led to her death. The defense maintained that the death was an accident and the state failed to prove its case beyond reasonable doubt.

On March 27, after deliberating for two hours and twenty-five minutes, the jury convicted Walton of assault and battery. Dawes County officials subsequently reduced Shelly's charge to assault and battery to which he pled guilty. On April 1, District Judge E. L. Meyer sentenced Walton and Shelly to six months in the Dawes County Jail. The two only had to pay the costs of prosecution and no fines.<sup>55</sup> As de facto terminated peoples, western Nebraska Lakotas had little recourse for assistance in dealing with local law and court systems. Lakotas struggled to afford hiring attorneys. The OSTC attempted to help its people, but outside of

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<sup>55</sup> *Chadron Record*, 18 March 1954, page 1; 25 March 1954, page 1, 8; 1 April 1954, page 1, 5; 8 April 1954, page 1.

denouncing the problems Lakotas endured and organizing boycotts, it could not provide further legal assistance and protection.

As Walton and Shelly's trials played out in Chadron, neighboring Sheridan County saw its own violent incident between Lakotas and whites. On March 17, Gordon Police Chief Clarence Lane received a complaint about a disturbance at a gas station. Lane arrived to find Vincent Broken Rope, a World War II veteran and his wife, who were intoxicated. The *Gordon Journal* reported as Lane attempted to arrest the couple a fight ensued and Broken Rope cut Lane with a knife. Afterwards, Broken Rope fled. As he ran, Lane fired twice into the ground and then shot Broken Rope in the lower abdomen. Local emergency units rushed Broken Rope to the Gordon Memorial Hospital where the Sheridan County Attorney and Sheriff charged Broken Rope with assault with intent to do great bodily harm.<sup>56</sup>

After successful surgery, doctors believed Broken Rope would make a full recovery, but on May 4 Broken Rope succumbed to his gunshot wound. The following day, the county launched an inquest into his death. At the same time, the OTSC approved to purchase a tract of land from the Broken Rope family to pay for Vincent's funeral expenses and provided \$200 to Broken Rope's brothers. Rushville attorney Frank Aplan spoke to the council stating that the shooting was the "rottenest and dirtiest deal ever pulled in our country." There were four to five Lakota witnesses but the county called none to the inquest. A Mr. Looking Horse stated that Broken Rope did not resist arrest, but his wife refused to get into the police car and a scuffle ensued. Broken Rope came around the car and Lane hit him with his nightstick. Broken Rope then ran and without warning Lane shot three or four times at Broken Rope. Aplan wanted no payment for his services; he just wanted justice. Council member Ethel Merrival proposed a

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<sup>56</sup> *Gordon Journal*, 17 March 1954, page 1; 24 March, page 1.

resolution to boycott Gordon if the city council did not suspend or fire Officer Lane. She hoped Lakotas would no longer go to the town “so no more of our members will be shot down like dogs.” The council’s Resolution 54-62 “Protesting Unwarranted Action of City Police Gordon, Nebraska,” stated that Officer Lane’s actions violated police ethics by using unnecessary violence and “unless the City Council start action to suspend Clarence Lane of all duties of a Police [officer] for the unwarranted death of Vincent Broken Rope or request the resignation of Clarence Lane or relieve him of his duties the Oglala Tribal Sioux Council does hereby pledge that a move shall be planned wherein Sioux Indians will boycott the City of Gordon in trading with the merchants the city of Gordon....” This was a serious threat because Gordon merchants depended upon Lakota customers. The council sent copies of the resolution to the BIA, Gordon City Council, and surrounding newspapers. On May 6, the council passed the resolution with a vote of 23 to 0.<sup>57</sup>

On Saturday, May 8, the inquest exonerated Officer Lane. A six-man jury returned a verdict stating, “Vincent Broken Rope came to his death as a result of complications flowing from a gunshot wound justifiably inflicted by Clarence Lane in the performance of his duty as a police officer while the deceased was fleeing to avoided arrest after making an assault upon said Clarence Lane with a deadly weapon.” The jury repeated Lane’s testimony. The *Gordon Journal* reported that the inquest provided a chance for all witnesses to testify, which conflicted with Aplan’s statements to the OTSC. Sheridan County Attorney John Keriakedes, “emphasized that officials were earnestly attempting to get the facts [so] that a right and just verdict might be returned.” With the lack of witnesses, Keriakedes handed the case to the jury.<sup>58</sup>

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<sup>57</sup> Minutes of the Tribal Council, 1954, Box 1208, Records of the Oglala Sioux Tribal Government, BIA Records, RG 75, NARAKC.

<sup>58</sup> *Gordon Journal*, 12 May 1954, page 1.

Broken Rope's death made clear to the OTSC that the threat of Public Law 280 was not just a weakening of tribal sovereignty, but also the potential problems that could arise if border town non-Native law enforcement officers enforced the law on the Pine Ridge reservation. In 1953, Congress passed Public Law 280, which transferred civil and criminal jurisdiction from reservations to the states of California, Minnesota, Nebraska, Oregon, and Wisconsin. The law allowed other states to elect to transfer jurisdiction, which South Dakota did. In a protest to the BIA, the OSTC stated they were fearful of Public Law 280 because it placed Lakotas in state courts where tribal members would face prejudice and not receive justice.<sup>59</sup> However, behind determination and great political maneuvering, the Lakota Tribes of South Dakota forced the South Dakota State Legislature to include a consent proviso, which required state law enforcement to obtain tribal consent before entering reservations.<sup>60</sup> As de facto terminated peoples, off reservation Lakotas in western Nebraska had no choice but to deal with the region's law enforcement agencies.

Northwestern Nebraska became a center of attention for racial discrimination as the BIA launched an investigation to see if racial prejudice influenced the cases of Red Hawk and Broken Rope. Dawes County Attorney Ernest Johnson believed Walton and Shelly's convictions were an injustice and urged investigation. In June 1954, Johnson sent a letter to South Dakota Congressman Ellis Yarnal Berry regarding Red Hawk's death. He stated that he was pleased the BIA was examining the cases but he advocated for more inquiry from the Justice Department or Federal Bureau of Investigation. In August, Johnson asked Superintendent Reifel if the Pine

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<sup>59</sup> Johnson Holy Rock to William Keeler, Oglala Sioux, Box 31, Office Files of the Associate Commissioner James E. Officer, 1959-67, RG 75, National Archives and Records Administration, Washington D.C. (cited hereafter as NARADC).

<sup>60</sup> Paul Robertson, *The Power of the Land: Identity, Ethnicity, and Class Among the Oglala Lakota* (Routledge, 2001); Edward Valandra, *Not without Our Consent*.

Ridge's investigation had yielded any new information, since the BIA's report was pithy and only alluded to negligence. Johnson also reported that the news of a BIA investigation "created a terrific furor in this county." He believed that the reaction was the reason Dawes County voters did not reelect him. He pointed out voters also ousted Sheridan County Attorney John Keriakedes because of the Broken Rope case. The belief that he presented ample evidence to convict Walton and Shelly angered Johnson. He stated in meeting with the Nebraska Attorney General's Office, "there is also considerable conjecture on why a complaint for rape, hit and run, or first and second degree [sic] murder charges were not filed." In October, Johnson notified Governor Crosby that race was the reason the jury failed to find Walton and Shelly guilty of manslaughter, "I personally feel that had the deceased been a white girl, the jury would have convicted the defendant."<sup>61</sup> He believed they had ample evidence and a confession of the assault and battery, which led to Red Hawk's death. Yet, Johnson could not confirm how Red Hawk fell out of the car. Johnson stated many times that because of the democratic process, he could not criticize the jury, but for him, race certainly played a role.

The residents' "furor" that Johnson alluded to in his letters was evident. While Johnson acknowledged that racism existed and was a problem in western Nebraska, the notion of being prejudice offended others. In a May 12 editorial, a Gordon resident questioned the presence of racism stating, look at "the business of discrimination. I have heard this charge leveled against Gordon, haven't you?" The writer provided a few examples to counter the allegations of bigotry. The first example, classmates selected a "minority" high school female for prom royalty. She was an outstanding student who made the town proud. The writer also pointed out that a freshman male "minority" was a great athlete and the entire crowd applauded him at the annual

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<sup>61</sup> Ernest Johnson to Robert Crosby, October 6, 1954, Folder 241, Box 6, RG1 SG 34, Governor Papers of Robert B. Crosby, NSHS.

sports banquet. In another example, the writer noted that when they ate at a restaurant they noticed, “the minority group...are served with the same attention and courtesy with which I am served.”<sup>62</sup> This citizen believed the charges of racism served to discredit the town. Even if residents overlooked incidents of racism by citing a few examples of racial acceptance, the killings of Red Hawk and Broken Rope, the following BIA investigations, and the Lakota demands of justice, forced these people to question and evaluate their society.

Racial tension in northwest Nebraska grew in the wake of the deaths of Red Hawk and Broken Rope. The Association on American Indian Affairs (AAIA) notified the Omaha Anti-Defamation League of B’nai B’rth of the situation. Like the NCAI, the AAIA fought Termination, but most members were non-Native scholars and retired government bureaucrats. During the 1950s, writer and anthropologist Oliver LaFarge served as the AAIA’s president and the association notified people about Indian affairs, engaged federal Indian policy, and involved itself in Indian committees.<sup>63</sup> AAIA Assistant to the Director LaVerne Madigan, who soon became the AAIA’s Executive Director, stated that the AAIA knew of the violence between whites and Lakotas, particularly Broken Rope’s death, “his death brought the tension to a head.”<sup>64</sup> The AAIA reported that Lakotas demanded action thus it requested an investigator. The Anti-Defamation League referred the AAIA to the HRC, where Kathryn Duerfeldt, an editor for the *Lincoln State Journal* and a former resident of Gordon, could answer questions regarding the situation. She reported to the HRC that because of the Broken Rope case “there is a great deal of feeling between the reservation Indians and the Gordon community.” Lakotas in Gordon needed

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<sup>62</sup> *Gordon Journal*, 12 May 1954, page, 2.

<sup>63</sup> Daniel Cobb, *Native Activism*, 14-17. The AAIA joined the NCAI in supporting the IV Point Program, which opposed Termination, affirmed tribal sovereignty, demanded a reduced BIA role, and called for federal funds to support economic development on reservations.

<sup>64</sup> LaVerne Madigan to Seymour Kaplan, August 16, 1954, Folder 240, Box 6, RG1 SG 34, Governor Papers of Robert B. Crosby, NSHS.

state and federal help.<sup>65</sup> The AAIA's presence reveals that although Broken Rope and Red Hawk failed to receive national media attention, people outside of Nebraska knew of the racial tension and the Lakotas' civil rights struggle in western Nebraska.

Another area that the HRC reported Lakotas required help was education. Lakotas faced discrimination in western Nebraska schools. In Alliance, Grandview was the closest elementary school to South Alliance. Grandview created the "opportunity room," which confined most Lakota children of all ages. Here the teachers taught rudimentary reading, writing, and arithmetic, not expecting Lakotas to advance in the classroom. The only way to avoid the opportunity room was to demand placement in regular classes. Going to school with other children, however, meant facing prejudice as non-Lakota children ridiculed Lakotas often leading to fights. Lakota Mark Monroe remembers daily fights between Lakotas and white kids. The sight of their beaten up children frightened parents. Yet, complaints to the city and school officials did nothing to end discrimination, which made attending school an undesirable activity for Lakota youth. Many dropped out.<sup>66</sup>

Zeola Barnes, Box Butte County Public Welfare Director, described the "opportunity room" differently to the Human Relations Committee. Barnes stated that the Alliance city schools created the "opportunity room" "since [Lakota children] do not attend school regularly, they are very far behind in their school work and they keep the children in this special room until they are able to do the work in the regular classes with the other children."<sup>67</sup> Barnes also reported that only one Lakota boy was in high school and that the school system employed zero minority teachers. The notion that the children were behind in school was nothing but a stereotype,

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<sup>65</sup> Page 19 of HRC Report, Folder 242, Box 6, RG1 SG 34, Governor Papers of Robert B. Crosby, NSHS.

<sup>66</sup> Monroe, *An Indian in White America*, 18-21; Durhman, "Nowadays We Call it South Alliance," 52.

<sup>67</sup> Zeola Barnes to Mayme Stukel, June 18, 1954, Folder 241, Box 6, RG1 SG 34, Governor Papers of Robert B. Crosby, NSHS.

because Lakotas such as Monroe attended school before arriving in Alliance. Monroe stated that the reason Lakotas did not attend school regularly was fear of facing ridicule and violence from fellow classmates.<sup>68</sup> Barnes response was another example of non-Indians in western Nebraska failing to see discrimination in their towns.

Racism also seeped into Scottsbluff schools. Lakota Cedric DeCory remembers facing bigotry in school because he knew some of his teachers called Lakota students “savages” and “cowards.” DeCory recalls that fear of ridicule from teachers affected how Lakotas participated in school:

Roberta Hawk and myself we were the first two Indians to graduate from Scottsbluff High School, class of '54. And that was quite an ordeal too... Yeah a lot of times there was prejudice in the classroom... Sometimes I knew an answer to a problem that the teacher would ask but I would make believe that I didn't know it just, just because I didn't want to be better than anybody else. That was...our way of defense mechanism I guess. We didn't want to be known as better than you, you know...we tried to avoid prejudice when we could by pretending we were dumb and not, not telling the truth...because we didn't want to look any smarter than anybody else. And that was hard to do.<sup>69</sup>

DeCory noted that most of his classmates “were good people” and did not slander them with racial slurs. Despite the racism, DeCory participated in track and field and was a member of the 1953 state championship team.

Western Nebraska Lakotas' experiences of living in substandard housing and confined to poor areas of the communities resembled that of other American Indians who moved to cities during and after World War II. Lakota tribal government officials complained to the BIA that relocation produced terrible results. The federal government established relocation to assist in its Termination policy. By moving American Indians off the reservation and into cities, they would

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<sup>68</sup> Monroe, *An Indian in White America*, 18-21.

<sup>69</sup> Cedric DeCory, interview by author, Scottsbluff, Nebraska, 26 October 2011.

eventually assimilate into American society. Relocation's origins stem from 1947 under Public Law 39, which authorized \$2 million emergency relief funds to the Navajo Nation. The BIA used \$500,000 of the funds to establish an Office of Employment and Placement to assist Navajos in finding off-reservation jobs. This effort to place Navajos in off reservation employment evolved into a program to relocate Natives from across Indian Country into cities.<sup>70</sup> In 1956, tribal government officials from the Pine Ridge and Rosebud reservations met with the Commissioner of Indian Affairs Glen Emmons. Tribal officials told Emmons that they received negative reports from Lakotas in Chicago, Denver, San Francisco, and Los Angeles. OSTC Secretary Charles Little Hawk noted that relocatees in California "are forced to live in the slum areas....one of our citizens in Pine Ridge had to drive day and night to reach his boy in California in Los Angeles, and found his boy in destitute condition, 2 or 3 weeks behind in rentals [rent] and sick in bed and no help."<sup>71</sup> The father brought his son back to Pine Ridge. Many American Indians returned to their reservations with stories of hardship.

During the meetings, Emmons revealed a shift in the Relocation Program to include adult vocational training.<sup>72</sup> Yet, the vocational training was for men. Emmons reminded the tribal representatives that Indian women must learn how to use modern appliances to better adjust to urban areas. The BIA held classes to train women, "so that when they get to Los Angeles or Chicago or wherever it is, they will know what a gas stove or an electric stove is and how to operate it."<sup>73</sup> Between 1880 and 1920, boarding school officials employed similar programs of

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<sup>70</sup> Philip, *Termination Revisited*, 57-67.

<sup>71</sup> Aberdeen Area Bureau Tribal Conferences, Omaha, NE, 2<sup>nd</sup> Session, July 23-25, 1956, 2 of 2, Box 1, Tribal Conference Files of Commissioner Glen L. Emmons 1956-58, Records of the Office of the Commissioner of Indian Affairs, RG 75, NARADC.

<sup>72</sup> Fixico, *Indian Resilience and Rebuilding*, 105.

<sup>73</sup> Aberdeen Area Bureau Tribal Conferences, Omaha, NE, 2<sup>nd</sup> Session, July 23-25, 1956, 2 of 2, Box 1, Tribal Conference Files of Commissioner Glen L. Emmons 1956-58, Records of the Office of the Commissioner of Indian Affairs, RG 75, NARADC.

“gender assimilation” in their curriculum.<sup>74</sup> In the 1950s, the BIA officials again returned to “gender assimilation” in the context of Cold War domestic culture. The BIA offered relocated women domestic training because their role was in the home. Staying home taking care of children and consuming products was the best way for women to combat Communism.<sup>75</sup>

Although Lakotas in western Nebraska and urban areas encountered similar living conditions, those in Nebraska, did not receive relocation assistance or job training.<sup>76</sup> Since western Nebraska Lakotas were already “relocated” off the reservation, the BIA provided them with no assistance and did not establish any relocation centers. A 1977 study on relocation reported that relocated families had much higher incomes than migrant families who did not receive BIA assistance.<sup>77</sup>

Towards the end of the 1950s, western Nebraska communities finally came to terms that their Lakota residents were a permanent part of their towns and officials must develop solutions to ease socioeconomic problems. In May 1958, 59 community leaders, county officials, citizens, tribal governments, and BIA officials held the second Conference on Indian Affairs in Rushville, Nebraska. Reverend Earl Bailey presided over the meeting. The conference discussed ways to curb alcoholism noting that for Lakotas 90 percent of arrests in Sheridan County were alcohol related. The methods to reduce alcohol abuse were better education, preventive law enforcement, more dutiful probation officers, and the creation of Alcoholics Anonymous chapters. Next, the conference focused on how to integrate Lakotas into the communities. Participants proposed

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<sup>74</sup> Katrina Paxton, “Learning Gender: Female Students at the Sherman Institute, 1907-1925” in Clifford E. Trafzer, et al. *Boarding School Blues: Revisiting American Indian Educational Experiences* (Lincoln: University of Nebraska Press, 2006): 174-186.

<sup>75</sup> Elaine Tyler May, *Homeward Bound: American Families in the Cold War Era* (Basic Books, 1988).

<sup>76</sup> The BIA set up relocation centers in the urban areas where American Indians could find assistance in locating housing and employment. The BIA provided funds to more and vouchers to purchase food and pay for rent. Fixico, *Indian Resilience and Rebuilding*, 96-106.

<sup>77</sup> James H. Gundlach, P. Nelson Reid and Alden E. Roberts, “Labor Mobility, and Relocation Assistance: the Case of the American Indian,” *Social Service Review* 51 (September 1977): 464-473.

using youth organizations, women's clubs, church organizations, and creating greater community awareness to keep children in school. Officials also noted that county governments need better communication to assist Lakotas. The conference promoted discussion between local and tribal agencies. The conference attendees decided to create a permanent organization with a chairman, vice chairman, secretary, "and one person from the Indian group." They decided to meet twice a year and the next meeting would be in November in Scottsbluff, because Scotts Bluff County contained 1500 Lakotas.<sup>78</sup> The Inter-Cultural Association formed to gain a better understanding and relationships of the Lakotas as well as helping them adjust to living in western Nebraska communities.<sup>79</sup> Moving into the 1960s, the association proved an important resource for the Lakota community.

The iconic image of future Supreme Court member Thurgood Marshall celebrating the *Brown* victory on the steps of the United States Supreme Court commemorates the year 1954 as seminal for the advancement of civil rights in America. However, the subdued look of Walton the day following his arrest shows a man with cuts scratched into his face, representing an image of racial strife. Western Nebraska Lakotas faced many challenges during the post-war period. Seen as undesirables by local governments and terminated Indians by the federal government, Lakotas endured failures in socioeconomic support. With little government assistance, Lakotas reached out and relied on their tribal governments and church organizations for support and civil rights protection. Lakotas had yet to organize locally and take control of their self-determination. Although some western Nebraska residents denied the existence of racism, Lakota experiences told a different story. Lakotas faced segregated sub-standard housing, prejudice in schools,

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<sup>78</sup> Summary of the Second Conference on Indian Affairs, May 14, 1958, 050.1, Box 167, Main Decimal Files, General Records, RG 75, NARAKC.

<sup>79</sup> Proposed Indian Commission, Box 99, RG1, SG39, Norbert Tiemann Papers, NSHS.

banishment from businesses, and violence. Despite the post war period's difficulty, Lakotas demanded justice and civil rights. In 1954, as the NCAI counterattacked Termination on the national level, Lakotas attacked racism on the local level in western Nebraska.

While AIM and Yellow Thunder garner scholarly and public attention as being the most significant civil rights event in western Nebraska, 18 years earlier, the injustices regarding Red Hawk and Broken Rope and the Lakota responses are critical to understanding Lakota civil rights. Moreover, scholars need to examine similar civil rights struggles in Native communities during the 1950s on a local level instead of focusing on national organizations and movements. In the context of a "long civil rights movement", the post war era provided a building block for western Nebraska Lakota civil rights, because Lakotas learned from their experiences and would rely less on tribal government and church organizations instead finding their own voices and desires for self-determination.

## Chapter 5: “There are Four People Buried Real Deep and Forever”: The Rise of Lakota Activism Western Nebraska, 1960-1972

On July 15, 1971, as evening fell in the small western Nebraska town of Alliance, the unmistakable sound of car tires on a brick street carried through downtown as youths cruised “the Butte,” what locals call Box Butte Avenue—the street that runs through the downtown district. The local bars were full of thirsty railroaders, businessmen, ranchers, and farmers. Conversations about moving cattle, haying, laying irrigation pipe, railroad work, fishing, Cornhusker football, and the unseasonably cool 80-degree weather reverberated through the hazy, smoke-filled bars. Outside, the police were patrolling for “drunks.” That night, police officers arrested an intoxicated as well as an ill looking Lakota woman named Irene Blackfeather. The police officers neglected to render her medical aid, instead putting her in a city jail cell to sleep it off. Blackfeather had a long history of health problems and the police believed she was only intoxicated. By the next morning, Blackfeather had died from bronchial pneumonia in the jail, becoming the fourth Lakota inmate to die under police care in less than a year. Only a few days after Blackfeather’s death, an outraged Robert Mackey, the commissioner of the brand new Nebraska Indian Commission (NIC), responded to the events in Alliance by stating, “There are four people buried real deep and forever.”<sup>1</sup> The NIC united with the emerging Lakota grassroots organizations to force reform in western Nebraska.

This chapter argues that a series of jail deaths incited grassroots Lakota activism in Alliance and validated the NIC as a strong advocate for Nebraska Indians.<sup>2</sup> Local grassroots Lakota organizations in Alliance, Nebraska and an emerging Nebraska state Indian leadership

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<sup>1</sup> *Lincoln Journal Star* article, available, Indian-White Relations File, Knight Museum and Sandhills Center, Alliance, NE (cited hereafter as IWRP).

<sup>2</sup> The NIC’s fight for retrocession of Public Law 280 on the Omaha Reservation was also an important event in solidifying the NIC as an Indian advocate.

struggled for and changed jailing practices. After decades of continued racism and civil rights violations, the deaths of Lakota inmates became the flashpoint that compelled Lakotas to become socially and politically active through forming grassroots organizations. Without access to federal programs, such as the Office of Economic Opportunity, which on reservation and urban Indians used to broaden their sovereignty and initiate civil rights reforms, Lakotas relied on themselves to create associations to combat racism and poverty. In the wake of the jail deaths, Lakotas, led by Mark Monroe and Cleo Herrera magnified discrimination and police harassment in western Nebraska. Lakotas stepped forward and demanded investigations and social justice. Lakotas and non-Indian residents also debated solutions to Lakotas' troubled socioeconomic status. Western Nebraska could no longer ignore the civil rights issues that existed in its communities. When looking for assistance to resolve the law enforcement issues, Lakotas found a willing advocate in Mackey and the NIC. Mackey relentlessly fought for inquest and solutions in western Nebraska, which helped establish the NIC as a critical resource for Nebraska Indians as they moved into the era of self-determination.

This chapter expands our understanding of social movements in the 1960s and 1970s, especially in a non-urban setting. Most narratives examining Red Power and the American Indian civil rights movement in western Nebraska begin with the Raymond Yellow Thunder's 1972 death in Gordon, Nebraska and focus on male leadership.<sup>3</sup> These histories overlook earlier

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<sup>3</sup> See Peter Matthiessen, *In the Spirit of Crazy Horse* (New York: Penguin Books, 1992); Robert Burnette and John P. Koster, *The Road to Wounded Knee* (New York: Bantam Books, 1974); Mary Crow Dog and Richard Erdoes, *Lakota Woman* (New York: Grove Weidenfeld, 1990); Stew Magnuson, *The Death of Raymond Yellow Thunder: And Other True Stories from the Nebraska-Pine Ridge Border Towns* (Lubbock: Texas Tech University Press, 2008); Paul Chaat Smith and Robert Allen Warrior *Like a Hurricane: The Indian Movement from Alcatraz to Wounded Knee* (New York: W.W. Norton, 1996); Michael Joseph Engle, "Thunder on the Prairie: The Raymond Yellow Thunder Case and the Rise of the American Indian Movement" (M.A. thesis, University of Texas at El Paso, 1997); Donald Fixico *Indian Resilience and Rebuilding: Indigenous Nations in the Modern American West* (Tucson: University of Arizona Press, 2013); Russell Means, *Where White Men Fear to Tread: The Autobiography of Russell Means* (New York: St. Martin's Press, 1995); Dennis Banks with Richard Erdoes, *Ojibwa Warrior: Dennis Banks and the Rise of the American Indian Movement* (Norman: University of Oklahoma Press, 2004). An exception is

violations of civil rights, ignoring the earlier efforts of Lakotas demanding and working for reform. Western Nebraska Lakotas petitioned state and federal agencies for changes in law enforcement practices before Yellow Thunder. While many scholars have produced histories examining American Indian civil rights in urban and reservation settings during the 1960s and 1970s, the western Nebraska Lakota communities offer a look into a non-urban Indian community at the height of the American Indian activism.<sup>4</sup>

Unlike the national scene, during the early 1960s, western Nebraska Lakotas did not organize themselves for civil rights and self-determination. The National Indian Youth Council (NIYC), formed in 1961, which like the NCAI, defended Indian rights and produced the important Indigenous leaders Clyde Warrior and Mel Thom. These intertribal associations produced a more effective Indian voice.<sup>5</sup> Yet, because of the Lakotas rural off-reservation location, the growing national activism, which focused on reservations or urban Indians, neglected western Nebraska Lakota communities. As de facto terminated peoples, western Nebraska Lakotas were not fighting termination or for fishing rights as the Pacific Northwest Tribal Nations had with the help of the NIYC during the 1960s. Although nationally Indian leadership and activism matured during this period and became a powerful proponent of change,

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Native American Literature scholar Kenneth Lincoln's look at the importance the jail deaths had in Alliance Lakotas' civil rights struggle. See, his *The Year the Sun Died* (Publish America, 2006).

<sup>4</sup> Recently, scholars have emphasized the importance of examining American Indian civil rights prior to AIM. See, Daniel Cobb and Loretta Fowler eds., *Beyond Red Power: American Indian Politics and Activism Since 1900* (Santa Fe: School For Advanced Research, 2007); Charles Wilkinson, *Blood Struggle: The Rise of Modern Indian Nations* (New York: W.W. Norton and Company, 2005); Daniel Cobb, *Native Activism in Cold War America: The Struggle for Sovereignty* (Lawrence: University Press of Kansas, 2008); Paul Rosier, *Serving Their Country: American Indian Politics and Patriotism in the Twentieth Century* (Cambridge: Harvard University Press, 2009); Bradley Shreve, *Red Power Rising: The National Indian Youth Council and the Origins of Native Activism* (Norman: University of Oklahoma Press, 2011). In his work on the Columbia River Indians, Andrew Fisher argues for the need to scholarship is need on off reservation American Indian communities. See, Andrew Fisher, *Shadow Tribe: The Making of Columbia River Identity* (Seattle: University of Washington Press, 2010).

<sup>5</sup> Wilkinson, *Blood Struggle*, 102-106; Paul Chaat Smith and Robert Allen Warrior, *Like a Hurricane: The Indian Movement from Alcatraz to Wounded Knee* (New York: The New Press, 1996), 38-59, 121; Peter Iverson, "Building Toward Self-Determination," *Western Historical Quarterly* 16 (April 1985): 167-168, 173.

western Nebraska saw a slower but nevertheless significant local articulation for civil rights process.<sup>6</sup>

By 1969, Lakotas in Alliance organized and established a voice in the community, as Korean War veteran Mark Monroe started Lakota-led activism. Born on the Rosebud reservation in 1930, Monroe and his family came to the Alliance area in the fall of 1941 to harvest potatoes and later moved to town seeking employment at the air base. After battling and overcoming alcoholism, Monroe sought to help the Alliance Lakota community. Monroe attacked the city's process of dealing with Lakotas arrested for alcohol related offenses. Instead of helping rehabilitate Lakotas who had alcohol problems, the city fined and jailed them, leaving them to repeat the process. The city even put Lakotas to work picking up trash to pay off their fines. Monroe believed if the city would elect him police magistrate, he could develop an alcohol recovery program and prevent Lakotas from falling into a vicious cycle.<sup>7</sup>

Monroe's unprecedented run for public office in western Nebraska meant that he had to acquire 300 signatures of registered voters for the city to place him on the ballot. Monroe went door to door and bar to bar in Alliance obtaining signatures eventually reaching the required threshold. Monroe's candidacy proved highly controversial in a community with widespread prejudice. Monroe awakened every morning to an egged sidewalk and derogatory signs in the

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<sup>6</sup> Charles Wilkinson, *Blood Struggle*, 102-106; Paul Chaat Smith and Robert Allen Warrior, *Like a Hurricane*, 38-59, 121; Peter Iverson, "Building Toward Self-Determination."

<sup>7</sup> Mark Monroe, *An Indian in White America*, ed., Carolyn Reyer (Philadelphia: Temple University Press, 1994), 17, 123-125; Magnuson, *The Death of Raymond Yellow Thunder*, 192; Beatrice Medicine, *Drinking and Sobriety Among the Lakota Sioux* (AltaMira Press, 2006), 70; On the national level, American Indians sought to reduce alcohol problems. During the 1960s, tribal nations and organizations such as the National Congress of American Indians and AIM realized the issues of alcohol consumption created. These groups offered workshops providing solutions to reduce drinking among Indians. Moreover, AIM argued alcohol was evil introduced by non-Indians as part of their genocide policies. AIM also tried to prevent police from arresting intoxicated Indians by taking them home and ensure that police kept from abusing Indians. See, Medicine, *Drinking and Sobriety Among the Lakota Sioux*, 80-81; 137-138; Warrior and Smith, *Like a Hurricane*.

yard. Such overt actions reminded Monroe of the ingrained racism that some Alliance residents possessed. Undeterred, Monroe continued.<sup>8</sup>

Monroe persuaded many Lakotas to register to vote and take an interest in the political process. As with other civil rights leaders in the 1960s, Monroe believed that enfranchisement was a crucial step in creating social reform because having elected officials in the city government could provide Lakotas with a direct influence in city policy. Even if the Lakota community failed to elect a Lakota representative, a strong showing at the polls could force non-Indian candidates to recognize their concerns. When Monroe took Lakotas from the city jail to register, a few listed the jail as their address.<sup>9</sup> Although he lost the election, Monroe believed that he “created a lot of awareness of Indian people, and as a result a lot of White people changed their opinions.”<sup>10</sup>

Following the election, Monroe created a committee to establish a base for a grassroots organization. Monroe formed the American Indian Committee to expose Lakotas’ rights and views to the non-Indian population in Alliance, determine why the city sent high numbers of Lakotas to jail, and reduce racism. The committee operated out of the local Community Action Center’s building and during its first meeting, a group of Lakotas elected Monroe chairman.<sup>11</sup>

Monroe stated:

We have organized an American Indian Committee. A committee of non-violence. We have no wish to violate the laws of city or state. We have no ideas of revenge. We simply want to know our rights and what could be done when these rights are violated. We feel that many of them have been violated and would like very

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<sup>8</sup> Monroe, *An Indian in White America*, 131-135.

<sup>9</sup> Monroe, *An Indian in White America*, 127-136; Kenneth, Lincoln, *The Good Red Road: Passages into Native America* (San Francisco: Harper & Row, 1987), 31-32.

<sup>10</sup> Monroe, *An Indian in White America*, 152.

<sup>11</sup> Monroe, *An Indian in White America*, 138-143.

much to have an explanation. We think that working as a group will be more effective in solving our problems.<sup>12</sup>

This statement reveals that the American Indian Committee preached non-violence similar to what Vine Deloria Jr. called for in *Custer Died for Your Sins* as well as other Indian organizations such as the NCAI.<sup>13</sup> The American Indian committee was the first organization in Alliance to provide Lakotas with a platform to voice their concerns to city officials and means for self-determination.

Western Nebraska Lakotas joined other Nebraska Indians to fight for civil rights. A few weeks before a group of American Indians put the entire nation on notice demanding self-determination and civil rights by seizing Alcatraz Island in the San Francisco Bay, Nebraska Indians had already made similar declarations of Indigenous rights. In early November 1969, during a town hall meeting on the Winnebago Reservation, the Indian Citizens of the State of Nebraska, a group of reservation and off-reservation Nebraska Indians, requested that Republican Governor Norbert Tiemann create a state Indian commission. The group included reservation and off-reservation Indians. Lakotas Carl Janis of Alliance and Virgil Charging Thunder of Gordon represented western Nebraska. Nebraska Indians sought opportunities to solve socioeconomic problems in their communities and criticized federal Indian policy, "There is no Indian Problem! You have never understood our way of life, our religion, our culture, and have characterized it as inferior...The so-called 'Indian Problem' to us only means that you

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<sup>12</sup> Monroe, *An Indian in White America*, 139. A few months after its creation, the American Indian Committee, which became the American Indian Council in 1973, moved into its own building. Believing that the purpose of the Indian Social Center had expired, the United Church Women terminated its lease with the city in 1968, allowing the American Indian Committee to take control of the center. The city permitted Monroe to lease the building for \$1 a year. Following a renovation of the building, on June 1, 1969, Monroe moved his family into the new home of the Alliance Indian Committee.

<sup>13</sup> Vine Deloria Jr., *Custer Died For Your Sins: An Indian Manifesto* (1969; reprint, Norman: University of Oklahoma Press, 1988), 255. Martin Luther King also preached non-violence in the African American civil rights movement.

recognize that you have failed in your attempts to make us as you are.” These Native leaders proclaimed that they desired their peoples to share in the United States’ prosperity. They also declared their right to self-determination by defining their role in the commission, notifying Tiemann that by “‘working together’ we do not mean that you or anyone else will tell us what is right for us. We know our own needs...Self determination is essential in those matters affecting our lives and our destiny.”<sup>14</sup> Simply, the commission must not be an organization where “‘friends of the Indians” decided Indigenous people’s fate, but rather be an agency in which Native peoples decide their own future. Refusing to rely on national Indian organizations, Nebraska Indians led their own fight for self-determination and civil rights reform.

The proposal for an Indian commission received widespread coverage across the state. After watching a televised newscast discussing the proposed Indian commission, cofounder of the Inter-Cultural Association and head of the Indian mission in Scottsbluff Reverend Earl Bailey wrote Governor Tiemann and urged him to form the commission and to include western Nebraska. Bailey had carried out missionary work in both the Alliance and Scottsbluff Lakota communities since the 1940s. Bailey’s association assisted Lakotas in the region and he believed such a commission should help bring reform and relief.<sup>15</sup>

Tiemann embraced the formation of a commission and began plans to staff it. He sought to create the commission by executive order and then hoped the legislature would adopt the commission by law during its next session. The Governor believed that the commission must only consist of Nebraska Indians so they could determine their own destiny. In January 1970, Tiemann appointed Nebraska Indians from across the state to gather and present

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<sup>14</sup> Resolution of the Indian Citizens of the State of Nebraska, Proposed Commission on Indian Affairs, Box 99, RG1 SG 39, Governor Papers of Norbert Tiemann, NSHS (underlined in original).

<sup>15</sup> Reverend Earl Bailey to Governor Tiemann, November 8, 1969, Proposed Commission on Indian Affairs, Box 99, RG1 SG 39, Governor Papers of Norbert Tiemann, NSHS (cited hereafter as NSHS).

recommendations regarding the commission. Tiemann originally dismissed Bailey's concerns and thought it necessary only to appoint representatives from the Santee, Omaha, and Winnebago Reservations.<sup>16</sup> However, off reservation Nebraska Indians noted they too faced serious problems. Tiemann then selected two leaders from each Nebraska reservation, two from Omaha, one from Lincoln, and Alliance's Carl Janis from western Nebraska. Tiemann appointed Norfolk resident and Santee Dakota Donald LaPointe to head the steering committee.<sup>17</sup> Western Nebraska Lakotas finally had a state-wide platform to voice their concerns.

On April 7, 1970, Governor Tiemann issued an executive order that established the Governor's Commission on Indian Affairs. Listening to Nebraska Indians' desires for self-determination, Tiemann's order mandated that the commission consist entirely of Indigenous members setting it apart from other state commissions. The commission consisted of 13 governor appointed members: three each from the Winnebago, Santee, and Omaha Reservations; two from the City of Omaha; one from the City of Lincoln; and one at large member. Appointees then elected a chairman. Members did not receive compensation but reimbursement for expenses incurred while serving. The governor tasked the commission with advancing civil rights, developing solutions to socioeconomic problems in Indian communities, and gathering information to develop and influence state legislation. Members met monthly and had to present a report to the governor by November 7. The order allowed the commission to hire a paid executive with governor approval and available funding.<sup>18</sup> Tiemann hoped "the commission will

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<sup>16</sup> In 1962, Congress decided to terminate the Ponca Tribe of Nebraska and the tribe did not receive restoration until 1990.

<sup>17</sup> *Omaha World-Herald* clipping (no date), Proposed Commission on Indian Affairs, Box 99, RG1 SG 39, Governor Papers of Norbert Tiemann, NSHS.

<sup>18</sup> Original Executive Order, Proposed Commission on Indian Affairs, Box 99, RG1 SG 39, Governor Papers of Norbert Tiemann, NSHS. Instead of using the commission's official name, I use the term Nebraska Indian Commission because it was always referred as the NIC in the correspondence.

be a vehicle whereby the Indians of the State of Nebraska are able to work together to solve many of their common problems.”<sup>19</sup>

In June 1970, the commission hired Nebraska native and Santee Dakota Robert Mackey as director. During WWII, he served in the Marines and was wounded in the Pacific Theater. After the war, Mackey earned his B.S. in business administration from the University of Southern California. He returned to Nebraska after working for the General Learning Corporation, which assisted unemployed Indians in Arizona. Mackey stated that he wanted to converse with all Nebraska Indians to assess their problems. Although the Governor’s Office embarrassed the commission when it failed to attend the ceremony that officially named Mackey as director, Mackey emerged as a fixture in Nebraska Indian activism and a relentless defender of Indian civil rights.<sup>20</sup>

Immediately, Mackey faced a number of Indian welfare problems across Nebraska and contacted local leaders such as Mark Monroe. During the first week of August 1970, Mackey toured western Nebraska. Mackey discovered that Lakotas remained a low wage employment pool for Nebraska ranchers and farmers who offered no benefits. Many Lakotas lived in old hog and chicken shacks, boxcars, and cars. Mackey sought to devise a plan with Director of the South Dakota Indian Commission Vernon Ashley to solve border town problems. The Bureau of Indian Affairs (BIA) office gave Mackey a “bland” answer regarding the housing problem and that its concerns were on reservations.<sup>21</sup> Continuing its policy from the Termination Era, the BIA offered western Nebraska Lakotas little assistance.

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<sup>19</sup> April 7, 1970, Press Release, Proposed Commission on Indian Affairs, Box 99, RG1 SG 39, Governor Papers of Norbert Tiemann, NSHS.

<sup>20</sup> *The Lincoln Star*, 11 July 1970, available: Indian Commission, Box 144, RG1 SG39, Governor Papers of Norbert Tiemann, NSHS. Many civil rights leaders fought in World War II. Many original members of the National Congress of American Indians’ were veterans.

<sup>21</sup> Robert Mackey to Vernon Ashley, August 17, 1970, Indian Commission, Box 144, RG1 SG39, Governor Papers of Norbert Tiemann, NSHS.

Mackey also discovered the Economic Opportunity Act failed to assist Lakotas in western Nebraska. Under President Lyndon Johnson's "War on Poverty," the Economic Opportunity Act (1964) used \$800 million to fund programs to eliminate poverty such as Job Corps; Community Action Program; Volunteers in the Service to America; housing; education; Head Start; and work training. The act allowed for the creation of the Office of Economic Opportunity (OEO), which coordinated Community Action Programs in communities. The OEO also established an Indian Division headed by Oglala Lakota Dr. Jim Wilson, who before going to Washington D.C., taught at Chadron State College. American Indians used the OEO to determine their own needs, design Community Action Programs (CAP), and apply to the OEO for funding. For instance, an OEO grant allowed the Nebraska Indian Commission to hire Mackey.<sup>22</sup>

Although American Indian communities across the country quickly organized Community Action Programs, the OEO did not benefit Lakotas in western Nebraska. During his August tour, Mackey found deplorable conditions. Lakotas did not receive even minimum benefits from federally funded programs or county assistance. Mackey noted, "the problem is a classic one as to who is responsible for emergency medical-dental service and welfare assistance, which is critically needed." Previously the staff of the Northwest Nebraska Community Action Program (NNCAP) was ineffective in addressing Lakota needs and excluded Lakotas from their programs. Mackey only found one Lakota staff member, Carl Janis, a counselor for manpower programs in Chadron. Scottsbluff CAP staff was mainly Mexican-American and contained no

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<sup>22</sup> For excellent discussions of the OEO programs in Indian Country see the following works by Daniel Cobb, "Philosophy of an Indian War: Indian Community Action in the Johnson Administration's War on Indian Poverty, 1964-1968," *American Indian Culture and Research Journal* 22 (1998): 71-102; "'Us Indians Understand the Basics': Oklahoma Indians and the Politics of Community Action, 1964-1970," *Western Historical Quarterly* 33 (Spring 2002): 41-66; *Native Activism in Cold War America*, Chapter 5.

Lakotas, despite a population of more than 1,200.<sup>23</sup> The Termination Era problem of which government entity was responsible for western Nebraska Lakotas' social welfare remained.

Western Nebraska Lakotas grew tired of the NNCAP's failures to support their communities and decided to organize themselves to improve their social, legal, and economic conditions. In August of 1970, members of the Organization for More Indian Youth Representation, a segment of the Young Indian Leaders United (YILU), organized a petition to secure representation on the Northwest Nebraska Community Action Council, with hopes of directing more programs for Lakota communities. The council responded that it could not accept the petition because the YILU possessed no constitution. Committee Chairman Lloyd Charging Thunder sent copies of the petition with forty-six signatures to the Region VII OEO Field Representative Richard Sumpter in Kansas City. Charging Thunder argued that he never received notice of the requirement for a constitution. Sumpter contacted Mackey stating that he had "the feeling that the CAP Board may try to oppose the move by using technicalities, legalism, etc."<sup>24</sup> Mackey notified Sumpter that CAP board members did not have to belong to an organization that possessed a constitution. Mackey believed this delaying tactic was "typical and classic." He urged Sumpter to ensure that OEO programs assisted Lakotas in western Nebraska. Mackey noted that little evidence existed of real programs focused on Lakotas' needs, which included housing, medical-care, welfare, employment training, education, and alcoholic rehabilitation programs. Mackey reminded Sumpter "the displaced Indians in the Northwest-Panhandle region of Nebraska...are in off reservation status, and neither Nebraska or their tribes

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<sup>23</sup> Robert Mackey to Vernon Ashley, August 17, 1970, Indian Commission, Box 144, RG1 SG39, Governor Papers of Norbert Tiemann, NSHS. Mackey also sent letters to the Governor's office highlighting the OEO problems.

<sup>24</sup> Richard Sumpter to Robert Mackey, September 22, 1970, In-Coming Correspondence 1970, Box 1, RG 93 SG1, Nebraska Indian Commission, NSHS, (underlined in original).

feel any responsibility for their needs. They are exploited only as a cheap labor force to the seasonal agricultural industry.”<sup>25</sup> With federal support lacking, Western Nebraska Lakotas had to turn to the NIC and their own organizations for an advocate and self-determination.

Although the OEO program’s failures remained a concern, complaints alleging police brutality in Alliance garnered the NIC’s full attention. On October 13, 1970, Scottsbluff resident Edith Frerichs complained to the Nebraska Equal Opportunities Commission that Alliance police officers used excessive force. As a former resident of Alliance, Frerichs recalled that during the summer of 1970, the police used mace on Lakota Matthew Fights Over. On September 27, 1970, three police officers arrested 19-year-old Lakota Wayne Cross for intoxication. The police officers maced Cross so severely that two days later, Cross arrived at the Sheriff’s office with first degree burns covering his face. Frerichs ended her protest stating, “if three policeman [sic] can’t arrest a 140 lb. boy without resorting to this type of action, then they are in the wrong profession.”<sup>26</sup> In a letter two days after Frerichs’, Box Butte County Jail matron Ellen Marsh explained that for “quite sometime” Lakota prisoners had complained to her about their treatment by police officers in the city jail. Reluctant prisoners did not protest because they feared reprisal the next time they were in jail. Disturbed, Marsh reached out to the city council, who reported the allegations to the city manager. The reports of abuse continued.<sup>27</sup>

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<sup>25</sup> Robert Mackey to Richard Sumpter, September 25, 1970, Indian Commission, Box 144, RG1 SG39, Governor Papers of Norbert Tiemann, NSHS. Mackey and western Nebraska Lakotas were not alone in their disappointment and criticism of the OEO. National Indian Youth Council members Mel Thom and Clyde Warrior criticized the failures of the OEO to establish effective Community Action Programs in Indian Country. Like American Indians across the country, Mackey and western Nebraska Lakotas wanted to use the OEO not only to combat poverty but also as a means to create self-determination. See, Cobb, *Native Activism in Cold War American*.

<sup>26</sup> Edith Frerichs to Reid Devoe, October 13, 1970, Alliance, NE Law and Order Problem 1971, Box 1, RG 93 SG 4, Nebraska Indian Commission, NSHS.

<sup>27</sup> Ellen Marsh to Robert Mackey, October 15, 1970, Alliance, NE Law and Order Problem 1971, Box 1, RG 93 SG 4, Nebraska Indian Commission, NSHS.

With Mackey aware of allegations of police brutality in Alliance, the situation worsened. In the early morning hours of October 30, 1970, the Alliance police arrested 26-year-old Lakota Arthur Gene Black Horse. Six hours later, the jailer found him dead in a city jail cell. Police officials determined Black Horse had attempted to hang himself with a belt, but the belt broke. Black Horse then tied the two pieces together and ended his life. On November 3, Mackey notified State Attorney General Clarence A.H. Meyer, that his office received several complaints of police brutality. Allegations included physical abuse, use of leaded gloves to assault inmates, and men and women in cells without a matron on duty. In regards to Black Horse, Mackey stated, “firstly, belts are always removed from the prisoners...I sincerely hope that an autopsy was performed to determine the exact cause of death.”<sup>28</sup>

Deputy Attorney General Gerald S. Vitamvas responded and it was not what Mackey or Alliance Lakotas wanted. After receiving the list of complaints, Vitamvas believed that a lack of evidence did not allow for criminal charges. Vitamvas argued that it was the Nebraska Department of Justice’s responsibility to examine the alleged police brutality, because it possessed no investigative staff. Vitamvas questioned if the NIC contained the authority to investigate the case since Governor Tiemann created the commission by executive order. Vitamvas urged the county attorney to investigate and collect sufficient evidence to file criminal charges. Only after the county attorney found evidence to use in court could a jury find the accused “guilty beyond a reasonable doubt.” Vitamvas contended, “the correction of the deficiencies in the action of the police departments is one of local concern and should be discussed with the governing bodies of the cities involved.”<sup>29</sup> Stunned by the unwillingness to

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<sup>28</sup> Robert Mackey to Clarence Meyer, November 3, 1970, Indian Commission, Box 144, RG1 SG39, Governor Papers of Norbert Tiemann, NSHS.

<sup>29</sup> Gerald Vitamvas to Robert Mackey, November 12, 1970, Alliance, NE Law and Order Problem 1971, Box 1, RG 93 SG 4, Nebraska Indian Commission, NSHS.

investigate and criticism of the NIC, Mackey argued to Vitamvas, “your statement regarding being created by executive order is irrelevant because any citizen of this state has the right to look into complaints of alleged acts against other human beings, especially when there is reportedly strong feelings against Indians in these areas of complaints.” Mackey would try the Box Butte County Attorney next and if needed the U.S. Justice Department.<sup>30</sup> Unconcerned with immediately finding officers “guilty beyond a reasonable doubt,” Mackey wanted an inquest to confirm if acts of police brutality occurred in Alliance. For Mackey, allegations of civil rights were not just a local matter since the state needed to protect all of its citizens.

Mackey continued to fight for an investigation but received resistance from Box Butte County Attorney Paul D. Empson. Upon receiving copies of allegations into police brutality from Mackey, Empson contacted the Governor’s Office asking for clarification on the NIC’s origin. Empson accused Mackey of dereliction of duty for demanding an inquest. Mackey told Empson this was an unfair charge, because allegations of police brutality against Nebraska citizens should be concerns. Mackey tried to make Empson aware, as he had with Vitamvas, that Nebraska Lakotas were citizens and entitled to their civil rights. Mackey had simply forwarded the complaints he received from Lakotas and non-Indian residents in Alliance hoping for Empson to investigate them, but instead realized that he would have a fight on his hands.<sup>31</sup>

Events forced Mackey to keep the pressure on state agencies and Alliance city officials. On December 31, 34-year-old Lakota Joe No Leaf, arrested for intoxication, committed suicide in the city jail by hanging himself with a sweatshirt. Lakotas in Alliance, led by Henrietta Treloar, Evelyn White Crane, Rita Iron Rope (YILU), and Manuel Sanchez (YILU), contacted

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<sup>30</sup> Robert Mackey to Gerald Vitamvas, November 16, 1970, Indian Commission, Box 144, RG1 SG39, Governor Papers of Norbert Tiemann, NSHS.

<sup>31</sup> Robert Mackey to Paul Empson, November 30, 1970, Indian Commission, Box 144, RG1 SG39, Governor Papers of Norbert Tiemann, NSHS.

the NIC to call attention to the second death in the Alliance City Jail in two months.

Furthermore, the city had yet to release Black Horse's autopsy report. These Lakotas proposed solutions to the ongoing problems. They suggested "a detoxification center, since close to 60% of the arrests made over a one-year period are directly related to alcohol. An enormous number of these are Indian people and we feel there is a definite lack of constructive action, and therefore, a need for such a center." The group also wanted a television monitoring system in the jail to which the Alliance Police Department refused. The Alliance Lakotas requested Mackey's help to ensure these suggestions became reality.<sup>32</sup>

Mackey responded that he understood the situation in Alliance and believed that the two men's survivors could sue for "negligence," because "permitting a prisoner to have a belt, shoe laces, and clothing that is dangerous to their health." Mackey also urged the people of Alliance to write numerous letters full of detailed complaints to the newly elected Nebraska Democrat Governor J.J. Exon and to Senator Carl Curtis of the Rules and Administration Committee, and contact Mark Atcheson, Community Action Program Planning Officer, in Chadron to request more programs and services for western Nebraska Lakotas. "I will exert similar pressure from here," stated Mackey, "and perhaps we can jar the white eyes into action. It is time that we do!"<sup>33</sup>

On January 7, 1971, Mackey reached out to two organizations for assistance. First, he alleged to Executive Director of the Nebraska Commission on Law Enforcement Walter Weaver that the Alliance jail night shift had mistreated prisoners. Mackey stated, "Walt, something is radically wrong in Alliance and in other communities where Indians live...double standards do exist and is not receiving protection as prescribed under the Constitution of the United States."

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<sup>32</sup> Alliance Neighborhood Center to Robert Mackey, Received January 8, 1971, Alliance, NE Law and Order Problem 1971, Box 1, RG 93 SG 4, Nebraska Indian Commission, NSHS.

<sup>33</sup> Robert Mackey to Alliance Neighborhood Center, January 11, 1971, Outgoing Correspondence 1971, Box 1, RG 93 SG 1, Nebraska Indian Commission, NSHS.

Second, Mackey contacted the America Civil Liberties Union (ACLU) for assistance. He noted that Lakotas living in western Nebraska had voiced complaints about police brutality and negligence. Mackey stated that these police methods resulted in the unnecessary deaths of two Lakotas in Alliance. Mackey asked if Lakotas could sue for negligence. The ACLU responded that it would need to know more facts before it could determine if it could bring a legal case and requested an investigative report from the NIC.<sup>34</sup>

Lakotas in Alliance appreciated Mackey's determination to help them. Lakota Cleo Herrera, whose father killed himself in jail in 1962, supported Mackey. She thanked Mackey for helping Alliance Lakota Sara Pawnee, "I have been greatly encouraged by your letter to Mrs. Sara Pawnee. I am so relieved to know there are good honest people as Governor Exon and yourself who are willing to help the Indians in this town." Herrera encountered unwillingness from the Alliance legal system to prosecute individuals who had committed crimes against Lakotas. On February 28, 1971, two white teenage boys beat up and robbed her 11-year-old son of 85 cents. Questioning a lack of law enforcement protection, Herrera argued, "there is no justice in this town for the Indian people, which there is much discrimination and hatred for us...The White people here do not like to be accused of maltreatment of the Indians..." Herrera alleged that city officials turned Lakotas against each other so they would focus on feuding instead of challenging the city to reform. She was thankful that Mackey took not only an interest in Lakotas in Alliance, but also action to bring an inquest.<sup>35</sup>

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<sup>34</sup> Robert Mackey to Walter Weaver; Robert Mackey to ACLU, January 7, 1971, Outgoing Correspondence 1971, Box 1, RG 93 SG 1, Nebraska Indian Commission, NSHS. I found no response from Walter Weaver in the archives.

<sup>35</sup> Cleo Herrera to Robert Mackey, March 28, 1971, Proposed Indian Commission, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS. In late March, Lakota Sara Pawnee wrote Mackey and alleged that Lakota Mark Monroe's wife beat up her 17-year-old daughter. When Pawnee sought assistance from County Attorney Empson, he directed her to the county judge. The judge requested \$100, which Pawnee did not possess. Afterwards, Pawnee's daughter ran away to Omaha and she wanted to find her. Additionally, when Pawnee took her 15-year-old son to the Pine Ridge reservation hospital, he ran away. She requested Mackey's assistance in bringing her children

In May 1971, the Nebraska State Legislature passed LB 904, which made the NIC a statutory agency. The commission consisted of 13 members of Indigenous ancestry: three each from the Omaha, Santee, and Winnebago Reservations; two from Omaha; one from Lincoln; and Alliance's Carl Janis from western Nebraska. The members from the Governor's Nebraska Indian Commission constituted the initial members of the new commission. Afterwards, the governor appointed members from a list of nominees. The commission was a legal entity that could collect and administer funds. The commission could also hire an executive director, but the director had to be of Indigenous descent and resident of Nebraska.<sup>36</sup> With the backing of the state legislature, Mackey remained director and continued his work to help western Nebraska Lakotas.

A month later, on June 28, 1971, 18-year-old Lakota Chillo Whirlwind Soldier Swalley died in the Box Butte County Jail, which further increased the outrage among western Nebraska Lakotas and Mackey's calls for investigation. While Swalley was awaiting trial for breaking and entering the Alliance Loan and Investment Co., he hung himself with a bath towel in the Box Butte County Jail. The young man left a suicide note revealing that the current socioeconomic situation in Alliance offered little hope to Lakotas. Some Lakotas stated they had witnessed police brutality and wondered if the suicides were cover-ups from police abuse. Several Lakotas never dismissed the notion of foul play and questioned if the deaths were actually suicides.<sup>37</sup> After decades of enduring police harassment, the Lakota community refused to trust the police department.

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home. Mackey notified the Omaha Indian Center and the Pine Ridge reservation to help find her children. He also informed Governor Exon of the situation, revealing his genuine concern for Pawnee's circumstances. See Sara Pawnee to Robert Mackey, March 25, 1971, Indian Commission, Box 53, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

<sup>36</sup> See copy of LB 904 in Proposed Indian Commission, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

<sup>37</sup> *Alliance Times Herald*, 30 October, 1970, page 1; 31 December 1970, page 1; 28 June, 1970, page 1; available IWRP.

Three jail deaths in eight months created concern among Lakota and non-Indian residents. Frustrations appeared in the local newspaper. The editor of the *Alliance Times Herald*, Hugh Bunnell, suggested that Alliance needed to create an alcohol detoxification center, because Alliance's jails were inadequate to handle intoxicated people and care for Lakotas, "throwing ill, indigent men or women into a jail cell is not the best way or the only way to handle such a problem." Another non-Indian resident supported Bunnell's call for a detoxification center since the current system failed to rehabilitate chronic drinkers. Mark Monroe and many Lakotas supported the proposed detoxification center. However, groups could not raise enough funds, most likely because the program Monroe proposed used non-Indian methods and Lakota healing practices such as medicine men and sweat lodges.<sup>38</sup>

While a resident wanted a new county jail to fix the problem, one with a closed circuit television system to monitor inmates at all times, Lakotas and non-Lakotas looked deeper into the social issues that contributed to the three men's suicides. A Lakota resident stated that a new jail would never solve the problem; Alliance required a new system to deal with social problems because the future for many Lakotas remained the same: "poor housing, little food, contempt, or no response at all from the masters of this land [whites]." This citizen and a non-Indian resident believed that whites required a new attitude toward Indian peoples to create a society that was just as bright for Indians as it was for non-Indians. The Lakotas of Alliance needed hope and faith in themselves and their future.<sup>39</sup>

In the midst of Alliance residents discussing the social problems facing all Lakotas, another jail death finally forced a state-led inquest. On July 15, 1971, police arrested 43-year-old Lakota Irene Blackfeather and her husband for intoxication. At 7:05 the next morning,

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<sup>38</sup> *Alliance Times Herald*, 21 July 1971, page 8; 25 June 1971, page 6; IWRP.

<sup>39</sup> Law Enforcement File, Alliance, Nebraska, Knight Museum and Sandhills Center, Alliance, NE.

Blackfeather called out for the police and the officers arrived to find her on the floor vomiting. The police called an emergency unit but Blackfeather died before it arrived.<sup>40</sup> The police officers' failure to recognize that Blackfeather was more ill than intoxicated greatly increased Lakota activism in Alliance. Blackfeather had recently been suffering from liver problems, which required medication.

The debate concerning the Lakotas' social problems and the jail deaths raged in the *Alliance Times Herald*. The newspaper provided an outlet for Lakotas to make the residents of Alliance aware of their concerns. A range of viewpoints developed in the paper's editorial section. A few non-Indians voiced support for social reform and criticized the lack of support the community provided Lakotas. In contrast, some non-Indian residents perpetuated stereotypes believing that Lakotas should stop complaining because all Lakotas were "lazy tax burdens" who received federal government funding for programs and never took advantage of opportunities. Several also thought Lakotas were "drunks," making them unreliable workers.<sup>41</sup> A few negative incidents allowed some residents to stereotype the entire Lakota population.

Lakotas responded by stating that the racist attitude prevented them from improving their socioeconomic status. Cleo Herrera lambasted non-Indian residents: "Indians are not making this town indecent, you are by condoning the hatred and racism directed toward the Indian."<sup>42</sup> Indeed, health and social behavior scholarship has linked prejudice with a sense of hopelessness. The discrimination Lakotas faced as adolescents made them more prone to depression, self-loathing, and substance abuse.<sup>43</sup> Herrera also pointed out while non-Indians helped Lakotas there

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<sup>40</sup> *Alliance Times Herald*, 16 July 1971, page 1.

<sup>41</sup> See the collected *Alliance Times Herald* editorials sent to editor Hugh Bunnell in the IWRF.

<sup>42</sup> *Alliance Times Herald*, "Rumblings," 31 August 1971, available, IWRF.

<sup>43</sup> Les B. Whitbeck, Dan R. Hoyt, Barbara J. McMorris, Xiaojin Chen, and Jerry D. Stubben, "Perceived Discrimination and Early Substance Abuse among American Indian Children," *Journal of Health and Social Behavior* 42 (2001): 405-424.

were always many more “pulling the Indian down.” The editorials reveal that the Lakota community stood up for their rights and demanded to find the cause of the jail deaths.<sup>44</sup> The jail deaths activated the Lakota community as they challenged stereotypes, city policies, and police harassment.

The emergence of activism in Alliance, Mackey’s tireless work in exposing the jail deaths, and media coverage finally forced County Attorney Empson to act. On July 22, 1971, Empson requested the Board of the County Commissioners to consider increasing the County Attorney’s budget by \$5,000 for an “investigator and consultant”:

The reason for this request is that another person of Indian descent has died in a jail within our county. Consequently, we find ourselves more than ever under the gun of public opinion all across the state of Nebraska. My information is that Alliance is a byword and a daily topic of conversation in and around the State Capitol. As you know, we have been subject at least to implied criticism by the Nebraska Indian Commission and by news media all across the state.<sup>45</sup>

The 512 Lakota residing in Box Butte County comprised a small percentage of the population but made up all four jail deaths. Empson noted he understood the city did not possess the funds to build a detoxification center. Empson also stated, “not only law enforcement personnel, but members of governing bodies and the citizens in general in Box Butte County are entitled to something more than the sniping which they have been subjected to from communities far across the state.”<sup>46</sup> As Herrera noted earlier, non-Indian Alliance residents detested the thought of the rest of the state considering them a racist community.

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<sup>44</sup> See the collected *Alliance Times Herald* editorials sent to editor Hugh Bunnell in the IWRF.

<sup>45</sup> Paul Empson to Board of County Commissioners, July 22, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS; also available IWRF.

<sup>46</sup> Paul Empson to Board of County Commissioners, July 22, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

The following day, Empson contacted Sixteenth District Judge Robert Moran about Blackfeather's death. Blackfeather had a history of health problems, requiring hospitalization numerous times the previous two years. Dr. Francis Hatch of Scottsbluff determined Blackfeather died of bronchial pneumonia caused by cirrhosis of the liver, but was awaiting results from further testing. Empson concluded, "unless the report of the pathologist or the other reports received show a violation of state law, court rules, or decent conduct, no further action is contemplated by this office."<sup>47</sup> Moran actively examined why the jail deaths occurred. He asked Empson if Blackfeather's death violated jail rules. Moran questioned if the officer on duty had any contact with Blackfeather either indirectly or directly and if the officer had the proper training to recognize danger signs in intoxicated people. He desired to know when the matron was present and if officers could have detected Blackfeather's illness earlier.<sup>48</sup> Moran also notified Mackey of his actions regarding the jail deaths. He wanted Mackey to alert him of any information concerning prisoners in the sixteenth judicial district. "If you ever feel," concluded Moran, "that you have been dealt with unfairly by any public official with respect to any inquiries you might make concerning prisoners, please let me know immediately."<sup>49</sup>

The sluggish state investigation into Blackfeather's death upset numerous members of the Lakota community and revealed tensions within western Nebraska's Lakota leadership. Cleo Herrera wanted to know why the police put such an ill person in jail. She urged Lakotas to take action and not merely give speeches. However, Mark Monroe undercut Herrera's call for investigation when he organized a meeting with the Sheriff, Chief of Police, and County

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<sup>47</sup> Paul Empson to Robert Moran, July 23, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

<sup>48</sup> Robert Moran to Paul Empson, August 4, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

<sup>49</sup> Robert Moran to Robert Mackey, September 23, 1971, Alliance, NE Law and Order Problems, 1971, Box 1, RG93 SG4, Nebraska Indian Commission, NSHS.

Attorney to discuss the jail deaths. Following the meeting, Monroe proclaimed that Alliance did not require a state investigation of the jail deaths and people should refrain from blaming the police. Monroe believed that the jail deaths were a local problem and local people must solve it; Lakotas had removed some prejudice from the community and interference from the state would only create interracial tension.<sup>50</sup> In reply, Herrera expressed her annoyance with Monroe, “[he] has even assumed to be the Indian leader of this town. Of course he is not; he may be able to tell a few what is what but not all.” Herrera and many other Lakotas wanted to know why and how Blackfeather died, since “apparently Mrs. Blackfeather was living her last hours and she was more ill than drunk.”<sup>51</sup> When Monroe called a meeting with city officials, he tried to speak for all Lakotas, which upset Herrera and others who wanted an investigation because they believed that the police committed injustices and played a role in the jail deaths. Some Alliance Lakotas referred to Monroe “as an ‘apple’—red outside, white inside.”<sup>52</sup> Monroe wanted a local solution to the problem, while Herrera sought assistance from state agencies and organizations.

It is unclear why Monroe refused a state investigation. Even Mackey questioned his reasoning. In a letter to the Herman Thompson, Civil Rights Division, U.S. Justice Department, Mackey noted that following Blackfeather’s death, Monroe contacted the Governor’s Office to request a meeting with a governor representative and himself on August 4. A few days later, however, Monroe canceled the meeting and stated that he disliked Mackey’s statements to the media, because they caused great problems for Alliance Lakotas. Mackey believed the state needed to conduct an inquest into the Alliance law enforcement practices against Lakotas and

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<sup>50</sup> *Alliance Times Herald*, 24 July 1971, page 1.

<sup>51</sup> Cleo Herrera letter to the editor, no date provided, available: IWRP.

<sup>52</sup> *Lincoln Star*, 24 August 1971, page 5.

“that the white establishment is putting pressure on Mark Monroe in their effort to call off any investigation.”<sup>53</sup>

Mackey questioned Monroe on his change of heart. Monroe had told Mackey that Lakotas in Alliance needed help and were very upset with Blackfeather’s death. A month earlier Monroe requested Mackey’s help when the Loggers Inn Tavern denied Monroe check cashing services and asked him to leave. Monroe wanted the establishment closed because they “treated Indians badly.” Mackey did not understand why Monroe called him stating there were no police problems and that “White people treated the Indians ok.” Mackey contended that Alliance Lakotas had problems with law enforcement, housing, welfare, medical care, education, and employment. He continued:

You also stated that several “big shots” from town had called you and put you in a “bad light” regarding the State Indian Commission effort to try in bringing a correction of these problems which do exist! It is our feeling that you have been threatened, and intimidated by some White people, or else you have “sold out” to the White people who have apparently mistreated your Indian Community. It is pretty obvious that pressure has been brought upon you because you said that you were “forced to make a news statement” to the effect that the Indian Commission doesn’t speak for the Alliance Indians.<sup>54</sup>

Mackey reminded Monroe that the NIC was a permanent state agency and the only real friend that can protect Alliance Lakotas. He refused to believe that Monroe was protecting white interests, but if he had “sold out,” he would become useless. The NIC sought to ensure that law enforcement reform in Alliance would occur.<sup>55</sup>

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<sup>53</sup> Robert Mackey to Herman Thompson, July 22, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

<sup>54</sup> Robert Mackey to Mark Monroe, July 23, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

<sup>55</sup> Robert Mackey to Mark Monroe, July 23, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

The group of upset Lakotas turned to the Lincoln newspapers for a voice, since while the *Alliance Times Herald* supported Lakota social reform and allowed Lakotas to publish editorials, it never published highly critical articles blaming city officials for the deaths and censored some editorials. The *Lincoln Star* printed a story alleging that the Alliance Police beat Lakota inmates and then allowed inmates to fight each other in cells. In the article, Herrera also discussed the incident where two white youths beat up her son. Although her son could identify the youths, the police never investigated the alleged crime. For Herrera, this incident exposed the double standard in Alliance's law enforcement, for if two Lakotas assaulted and robbed a non-Indian youth, the police would surely pursue and arrest the suspects. Lakotas alleged that the police failed to protect Lakotas outside or inside the jail and they were more inclined to protect non-Indians. Herrera rallied fellow Lakotas to ignore Monroe and demand action from city officials to address the jail situation.<sup>56</sup>

The *Lincoln Star* article also allowed the Alliance Police Chief, Verlin Hutton, to voice his opinion. He believed that the jail deaths were unfortunate and his men received unfair blame. Hutton noted that proper supervision was a problem, but a closed circuit TV system was unacceptable because women dispatchers monitored the system. In an apparent attempt to save white women's virtue Hutton stated: "I can't have women watching those men and the sex acts that go on in the 'drunk tank.'" Even after the suicides, Hutton also believed Lakotas enjoyed going to jail since they received a bed and a hot meal. Jail was a dark and desperate place for many Lakotas and the lack of care in the outdated jails exacerbated the conditions.<sup>57</sup>

While debate raged in newspapers, Mackey fought for an investigation. On July 22, he contacted several federal agencies. In his message to the BIA Aberdeen, South Dakota office

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<sup>56</sup> *Lincoln Star*, 24 August 1971, page 5.

<sup>57</sup> *Lincoln Star*, 24 August 1971, page 5.

Mackey pointed out many Lakotas in Alliance were enrolled tribal members of South Dakota Lakota Nations and that he had exhausted all state level possibilities for assistance.<sup>58</sup> In correspondence with the BIA Judicial Prevention and Enforcement Services Mackey requested an undercover U.S. Treasury agent to evaluate the reported drug traffic in Box Butte County. The agent would then be able to study the treatment of Lakota prisoners. He also noted that during a local radio interview in Lincoln several former Alliance residents stated “that police brutality was a fact, especially against Indians where they were physically beaten by police wearing ‘leaded’ gloves... ‘poor’ white residents are compelled to pay a ‘protection fee’ which is in most cases, not rendered.” Mackey also worried about a newly formed AIM chapter in Alliance inciting violence and making the situation worse. He argued that since law enforcement denied Lakotas civil rights, it was not a local but a federal issue.<sup>59</sup>

Mackey also continued to urge a state investigation. He called for the State Attorney General’s office to conduct a complete investigation into the treatment of Lakotas in Alliance. The state replied that it lacked the funds or manpower and Mackey should contact the Box Butte County attorneys. Mackey noted that county officials showed resistance when he contacted them about an investigation. He wanted to help eradicate the discrimination by talking to the community “to bring about a change in this red-neck philosophy...”<sup>60</sup> Mackey also contacted the Governor’s Office making them aware of Blackfeather’s death. He argued that “extreme negligence” prevails because prisoners were unsupervised and the failure to remove shoestrings

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<sup>58</sup> Robert Mackey to Wyman Babby, July 22, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

<sup>59</sup> Robert Mackey to E.T. Suarez, July 22, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

<sup>60</sup> “Mackey Wants Grand Jury Probe of Indian Treatment,” *Lincoln Journal* clipping no date given, IWRP. Retired western Nebraska law officer John L. Shaw wrote an editorial in the *Lincoln Journal* criticizing Mackey. Shaw argued that Mackey should stop spreading “hate propaganda” and understand the “suicidal desire on the part of members of his race and then try to correct it.”

and belts resulted in suicides. People arrested for intoxication should not die in jail. Mackey asked if the governor could do anything to alter the law enforcement methods in Alliance. “Something has to be done,” Mackey stated, “to let these people know that this kind of negligence won’t be tolerated and it is regrettable [sic] that Alliance is creating a negative image for itself.”<sup>61</sup>

The Governor’s Office requested Mackey provide the governor with a brief report on the Alliance situation. The same day Governor Exon received the report, his office notified Box Butte County Officials to send information related to the jail deaths.<sup>62</sup> After weeks of demands, Governor Exon conducted an investigation into the jail deaths. On August 4, the Governor’s Office received Police Chief Hutton’s report detailing the arrests and deaths of each of the three who died in the city jail. Christina Red Feather told Hutton that Black Horse’s suicide occurred on the anniversary of his father’s hanging suicide in his South Alliance tent. Hutton and Mark Monroe helped take Joe No Leaf into the hospital in Pine Ridge three times in the two months before his hanging death. The hospital visits were for a broken jaw, not acquired in jail. Following Black Horse and No Leaf’s deaths, Hutton moved the “drunk tank” to the main floor; bought a concave mirror to view the cell at all times; made a woman’s cell upstairs; hired a matron on call at all times; and never unlocked the woman’s cell unless a matron was present or in case of emergency. Hutton noted that Blackfeather died in jail and officers called a doctor in the morning. All arrests resulted from public complaints. Hutton never mentioned Swalley’s death because it occurred in the county jail.<sup>63</sup>

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<sup>61</sup> Robert Mackey to John Sullivan, July 22, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

<sup>62</sup> Robert Mackey to J.J. Exon, July 26, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

<sup>63</sup> V.R. Hutton to Governor Exon, August 3, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

Hutton also enclosed detailed accounts of the jail deaths written by his officers. During the arrest of Black Horse, Lieutenant D.A. Thomas stated that he “personally did not observe whether he was wearing a belt or any other article of clothing unless it is to be used as evidence. Black Horse did not make any statements or threats to indicate or lead me to believe that he had it in mind to commit suicide at this time.” Officers checked on Black Horse at 3:30am, then left to investigate a false burglary alarm at a local business. Around 6:30am, the officers returned to find Black Horse dead. Thomas called for a doctor and Empson to examine and photograph the body. The pithy report of No Leaf’s death noted that police arrested No Leaf for intoxication and “raising hell.” He used his sweatshirt to hang himself. The more detailed account of Blackfeather reported that police arrested her along with five others including her husband and sister. Early in the morning, Blackfeather turned ill, to which the officer believed she suffered from delirium tremens. At 6:00 am, the officer called Dr. Raymond Olson who responded he did not believe it was necessary to examine her, but if she remained ill, he would after his office opened. An hour later Hutton and his officers heard a commotion in the women’s cell. They discovered Blackfeather lying in her vomit and failed to respond. The men called for emergency units and they could not revive her.<sup>64</sup>

Hutton was also aware of Mackey’s allegations and defended himself and his officers. Hutton alleged that Mackey provided the Civil Rights Division, U.S. Justice Department and BIA with incorrect information. At least to his knowledge, his officers did not own a pair of leaded gloves. He continued that the allegations were nothing new, because police officer Donald Montgomery caught Sheriff Freddie Marsh with his wife and after a car chase, Montgomery beat up Marsh. Both parties filed lawsuits and Marsh claimed that Montgomery

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<sup>64</sup> V.R. Hutton to Governor Exon, August 3, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

used leaded gloves. Hutton alleged Montgomery did not use them and that Marsh pulled a gun. Box Butte County voters did not reelect Marsh following the incident. His wife Ellen Marsh and sister-in-law Edith Frerichs vowed to cause trouble for the Alliance Police Department. Hutton concluded, “the pay for protection of ‘POOR’ whites is a new slant that we have not been accused of before.”<sup>65</sup>

Following the nearly month-long investigation, Exon’s assistants urged the Governor to move cautiously. The proposal noted that Exon “should make this statement only if necessary. The best course is probably silence and action.” The announcement read that Exon could not hold any person or group accountable for the jail deaths, because “if one wishes to commit suicide, even in jail, sooner or later the opportunity will arise.”<sup>66</sup> Governor Exon’s investigation uncovered that the situation in Alliance jails was undesirable and an indictment to Nebraska Indians’ current living conditions. He instructed the Nebraska Commission on Law Enforcement and Criminal Justice to provide funds to improve the Alliance city jails and encouraged more training for law enforcement. Exon noted that Alliance Police Department implemented twenty-four-hour surveillance and was investigating the purchase of a T.V. monitored system. He also contacted Alliance officials hoping that they were aware of the situation and corrected it.<sup>67</sup> Exon and his assistants did not wish to make the statement public, but Mackey did.

The inquest proved unsatisfactory for the NIC and Lakotas. Governor Exon found no intentional or criminal negligence in the four jail deaths and blamed the deaths on the Lakotas’

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<sup>65</sup> V.R. Hutton to Governor Exon, August 3, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

<sup>66</sup> Glen Soukup to John Sullivan, August 26, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

<sup>67</sup> J.J. Exon to Stan Maztke, September 10, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS; For a copy of Exon’s memorandum see, Alliance, NE Law and Order Problems, 1971, Box 1, RG93 SG4, Nebraska Indian Commission Files, NSHS.

social conditions. Mackey called the verdict a “bland writeoff.”<sup>68</sup> To rectify the conditions, Mackey proposed a three-pronged program that would create housing, job training, and reduce alcoholism. Mackey believed this plan would help Lakotas as well as all rural poor. The investigation upset Mackey and he concluded, “this is politics.”<sup>69</sup> Mackey thought that police negligence contributed to the jail deaths and the guilty parties needed to face punishment.

Although the investigation had finally occurred, the Governor’s Office directed it from Lincoln. Box Butte County Attorney Empson informed the *Alliance Times Herald* that nobody from Lincoln travelled to Alliance, but rather the state used a telephone and correspondence to conduct the inquest. The Director of State Technical Assistance Glen Soukup and the Governor’s Administrative Assistant John Sullivan directed the investigation. These men collected information from city officials and the western Nebraska official of the Nebraska Indian Commission. Even though the investigation’s outcome disappointed Mackey, he acknowledged that the attention on Alliance forced city officials to be more careful in their relations with Lakotas.<sup>70</sup> In the face of statewide criticism, city officials had to recognize the demands and concerns coming from the Lakota community.

Soukup and Sullivan realized the probability that their investigation was inconclusive because they needed to gather more information to develop a clearer picture of the situation in Alliance. On August 26, Soukup notified Sullivan that the materials only provide a “sketchy” picture of what occurred in Alliance. “The first,” stated Soukup, “being that there was no malicious disregard for human life in caring for these prisoners. My second conclusion is that

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<sup>68</sup> *Alliance Times Herald*, 11 September 1971.

<sup>69</sup> *Lincoln Star* clipping, available: IWRF.

<sup>70</sup> Hugh Bunnell, draft of “Robert Mackey, Nebraska’s Indian commissioner, calls Governor Exon’s investigation of the jail deaths in Alliance, which the public became aware of last Thursday, a ‘bland writeoff,’” IWRF.

ignorance, lack of training and very probably prejudice all contributed to these deaths.” He continued that this was a problem for rural law enforcement, low wages and lack of training exacerbates a bad situation. Soukup noted, “twice in these reports, I came across the mention of prisoners being in jail with their belts. This is not only contrary to good police training, but common sense.” Mackey had been pointing out this negligence to the Governor’s Office for months. Soukup called for increased wages, although he knew for political reasons, this was an unlikely option. The second proposal was for better training through the Nebraska State Patrol’s training center in Grand Island. Soukup closed his report believing there were many “unanswered questions such as, how much are the Indians in Alliance discriminated against? The only way we could answer this and the other unanswered questions involving these instances would be to go to Alliance and carry out an on-site investigation.”<sup>71</sup> Such a state investigation would not happen.

Alliance realized that its attempts to reform jail practices proved insufficient. On January 1, 1971, the city had implemented a new policy to keep intoxicated individuals from committing self-inflicted harm, but as evidenced by Swalley and Blackfeather’s death, it did not always protect inmates. Empson noted that the jailer had a clear responsibility to protect an inmate from harm caused by authorities and other inmates. The jail deaths rattled Empson, he did not “know where the problem begins or ends, or even where we [Alliance] can go from here.” He believed that constant surveillance of inmates might create resentment. Furthermore, Empson thought the lack of manpower created tension because the arresting officers were the jailers as well. Trying to make sense of Blackfeather’s death, Empson had a feeling, and it was “only a feeling, from my conversation with Dr. Hatch is that Mrs. Blackfeather might not have been saved had she

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<sup>71</sup> Glen Soukup to John Sullivan, August 26, 1971, Alliance, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

been taken directly to the hospital instead of directly to jail.” Nonetheless, Empson and other residents desired to remedy the problem.<sup>72</sup>

Following the Governor’s inquest, investigations continued in Alliance. On September 11, Edith Frerichs sent a letter to Governor Exon alleging more police brutality. Frerichs believed Alliance city officials gave a sigh of relief when the Governor ended any further investigation. Nick Dafney, the owner and operator of the Phillips 66 station, told Frerichs that he witnessed police abuse one night at the Alliance City Jail. Dafney saw two policemen holding up a man and another officers said “hit me, come on hit me.” The prisoner repeated, “leave me alone, I’m not that drunk.” As the prisoner struggled, the officers hit him and dragged his limp body upstairs to a cell. Dafney then went over and picked up the glove officer Donald Montgomery used and found it lined with lead. Dafney decided not to report the incident to the city manager because he had teenagers and did not want the police to hassle them. Frerichs, however, reported the story and also mentioned the Wayne Cross case. She continued with another incident involving officer Montgomery. “When booking the Indian,” Marsh stated, “Montgomery asked him to put his hands up on the counter. The Indian didn’t move fast enough, so Montgomery grabbed him by the hair and smashed his face down on the counter. The blood just flew.” Frerichs also detailed a story that Montgomery and another officer caught a Mexican American male and white female having sex in a car. Infuriated by the racial mixing, Montgomery threatened to castrate the man. Frerichs explained that she was “not asking you to make a blanket condemnation,” she just did not want Governor Exon to dismiss the problems. Frerichs stated she would not give up and continue to contact outside agencies for assistance, as

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<sup>72</sup> Paul Empson to Hugh Bunnell, July 22, 1971, IWRF.

she had already contacted the OEO in Kansas City and the U.S. Justice Department. She urged Governor Exon to cooperate with Mackey and reminded him “Indians can vote too, you know.”<sup>73</sup>

On September 17, Frerichs’ sister Ellen Marsh provided Mackey with more allegations of police malfeasance. She reported that ex-Sheriff’s Deputy A. B. Peterson sold the car belonging to a Lakota prisoner while he was in the state penitentiary and kept the money. The county attorney never filed charges even after Peterson admitted it. Peterson was running for sheriff and the county attorney did not want to file charges in case the deputy won fearing that it would harm their potential working relationship. She believed County Attorney Empson was “the poorest excuse for an attorney Alliance has ever had.” Marsh also questioned Officer Montgomery’s character and cited two retired officers telling her that she would not believe what happened at the police department.<sup>74</sup>

On September 20, in a letter to the Governor’s Office, Empson responded to Frerichs’ allegations against him and the Alliance Police Department. He believed there was reason for

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<sup>73</sup> Edith Frerichs to Robert Mackey, September 11, 1971, Alliance, NE Law and Order Problems, 1971, Box 1, RG93 SG4, Nebraska Indian Commission, NSHS. Frerichs also attacked Montgomery’s character and her family’s problems with him. She claimed that Montgomery and an attorney attempted to extort her brother-in-law Freddie Marsh. During the court battle, Marsh’s lawyer discovered what Frerichs believed made him “an undesirable candidate for a police officer’s job.” She claimed that previously physicians admitted him to a mental hospital in Hastings, Nebraska for a couple of days. Montgomery also lost his drivers license for a year after causing an accident that resulted in a fatality.

<sup>74</sup> Frerichs to Mackey, September 17, 1971, Alliance, NE Law and Order Problems, 1971, Box 1, RG93 SG4, Nebraska Indian Commission, NSHS. Marsh revealed why she disliked the Alliance Police Department. In May of 1970, Peterson beat her husband in a close Republican Primary for sheriff. Marsh complained about Peterson’s ethics, but Alliance officials believed that it was “sour grapes” after her husband lost the election. Following the election, Marsh and her husband moved to Tucson, Arizona. After Peterson lost in the general election to Don Underwood, the Alliance Police Department hired him. Marsh claimed city officials rigged the lost election, because her husband “said it like it was.” Empson helped clarify the situation between the Marsh’s and Montgomery. In December of 1969, Montgomery arrived at Empson’s residence stating he had just “punched out” Freddie Marsh who was the Sheriff at the time. Like Hutton, Empson detailed why Montgomery and Marsh got into a fight. After the altercation, both parties filed civil suits: the court dismissed Montgomery’s case and a jury awarded nothing to either party in Marsh’s petition. Marsh and Montgomery’s fight intensified a strained relationship between the Box Butte County Sheriff’s Department and the Alliance Police Department. Empson continued that Ellen Marsh and her sister Edith Frerichs have made accusations against Montgomery and Peterson to harm their characters. Frerichs had already made the same charges in her letter to the city manager and city council to which “have been checked out by the responsible authorities.”

concern “when a citizen from the Nebraska Panhandle, one not directly connected with any minority group, makes statements...” Empson established his office’s “official view” but acknowledged political and personal relationships with all those involved. Empson noted Frerichs had never named Nick Dafney as a witness to police brutality previously describing the person as a businessman. Empson contacted Dafney who stated he wanted to come to Empson’s office and provide a statement. Dafney said over the phone that he heard the words “go ahead and hit me,” which he believed a policeman said. Dafney did not see anything, no blood, and was unsure if any “blows were struck.” Dafney picked up a hat and glove, but the glove was not leaded, although may have been padded. Empson noted, “Frerichs is correct when she implies that Nick has had some bad experiences with the Alliance Police. I therefore believe that he would not white wash this incident in his statement to me.”<sup>75</sup>

Empson continued by discussing the case involving Wayne Cross. Police officers responded to a fight involving intoxicated individuals including Cross. As Officer Montgomery frisked Cross, he attacked. Montgomery wrestled Cross into the backseat of the police car, but he attempted to kick out the window. Another officer opened the door and Cross knocked him to the ground. Three officers, including Montgomery subdued Cross, but he refused to get into the car and began fighting. An officer maced Cross, which allowed the officers to take him to jail. Three days later, the Box Butte County Sheriff took Cross to a doctor who reported to Empson that in his opinion most of Cross’ cuts and bruises stemmed from the earlier fight before the police arrived. He also stated that Cross’ eye condition was minor and the burns were not third degree. Empson filed an assaulting an officer charge against Cross. Cross pled guilty to a lesser charge, and received 18 months probation. Empson could not verify or disprove Frerichs’ accusation that

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<sup>75</sup> Paul Empson to John Sullivan, September 20, 1971, Alliance, NE Law and Order Problems, 1971, Box 1, RG93 SG4, Nebraska Indian Commission, NSHS.

Montgomery smashed a Lakota prisoner's face into the counter. Montgomery denied the incident and no other officer had verified it. Empson believed the case where Montgomery threatened a Mexican American man for being with a white woman happened at the Alliance Airport on Halloween probably in 1969. Montgomery was patrolling with Marsh and Empson thought the Mexican man was Frank Renteria who had since moved out of state, but his parents remained in Alliance. Empson stated, "Renteria is probably the only one who could tell the dispassionate truth of that incident, since the woman must remain nameless." Empson agreed with Mackey that Box Butte County needed a grand jury inquest. However, he believed that if he called such a grand jury "and if the results of the grand jury investigation were to be what I expect, the inevitable result would be cries of 'whitewash.'" Empson closed that if needed he would try to provide more information or assistance to the Governor's Office.<sup>76</sup>

Mackey's unremitting pressure on federal agencies kept the investigation alive. On September 21, U.S. Attorney Richard Dier responded to Mackey's concern about Governor Exon's conclusions regarding the Alliance jail deaths. Dier forwarded Mackey's correspondence to the Federal Bureau of Investigation (FBI) and the Civil Rights Division of the DOJ. He pointed out that the U.S. Attorney's office did not have its own investigative staff and relied on inquests conducted by other agencies. Prosecution depended on the evidence found and the federal agencies would conduct a quiet investigation without media coverage.<sup>77</sup> Mackey thanked Dier's assistance and revealed that information from both Lakotas and non-Indians continued to arrive at his desk. Mackey stated, "the Nebraska Indian Commission has continued to be

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<sup>76</sup> Paul Empson to John Sullivan, September 20, 1971, Alliance, NE Law and Order Problems, 1971, Box 1, RG93 SG4, Nebraska Indian Commission, NSHS. The Hastings State Hospital reported to the District Court in Buffalo County, Nebraska that two physicians admitted Montgomery on March 8, 1967 and he was discharged March 10, 1967.

<sup>77</sup> Richard Dier to Robert Mackey, September 20, 1971, Alliance, NE Law and Order Problems, 1971, Box 1, RG93 SG4, Nebraska Indian Commission, NSHS

concerned in these matters of law and order both in Thurston County and Box Butte County, and is requesting that these matters be kept under surveillance until full Civil Rights are assured the Indian people.”<sup>78</sup>

A federal inquest commenced as investigators arrived in Alliance. The Civil Rights Office of the DOJ began examining the jail deaths. In October 1971, FBI agent Bob Kinsey talked to Frerichs who relayed the information to Mackey. She noted that the FBI was concerned with the allegations police brutality. Hutton and city manager Robert Laing told Kinsey that Montgomery was a fine police officer. Judge Moran had the District Court of Box Butte County also launch an investigation. Newly appointed special attorney for Box Butte County Clark Nichols, examined the law enforcement issues in Alliance. As a former Alliance resident, Nichols was familiar with the situation of Lakotas in Alliance.<sup>79</sup> Mackey responded by thanking Frerichs for the updates. He urged Frerichs to locate competent witnesses to testify that officers used lead-lined gloves, because “this is a civil rights matter and must be firmly established if we are ever to be recognized in the courts.”<sup>80</sup>

In November 1971, in a letter to John Sullivan, Mackey detailed Nebraska Indians’ frustration with the state and the need for the NIC. The law enforcement problems in Thurston and Box Butte Counties highlighted the civil rights problems Nebraska Indians faced. “This all proves,” Mackey contended, “that a lot of cracks are in the state government where there is no one to turn to in critical matters where people can die from sickness and injury, [and] go to jail for lack of proper legal services.” Nebraska Indians believed they received inadequate

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<sup>78</sup> Robert Mackey to Richard Dier, October 7, 1971, Indian File, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS. The reference to Thurston County was the NIC’s assistance to the Omaha Nation to retrocede Public Law 280. The Thurston County Sheriff was harassing Indians and putting them in jail.

<sup>79</sup> Edith Frerichs to Robert Mackey, October 12, 1971, Human Rights & Civil Rights, 1971-1972, Box 3, RG93 SG4, Nebraska Indian Commission, NSHS.

<sup>80</sup> Robert Mackey to Edith Frerichs, October 13, 1971, Indian File, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS.

cooperation and protection from state agencies. Mackey reasoned, “the Indian Commission has the capability in dealing with their survival needs and have a long list of achievements to date. The Indians are dealing with human lives, human needs, and should be encouraged with occasional words of confidence from the administration.”<sup>81</sup>

In March of 1972, Frerichs relayed more information to Mackey concerning the ongoing federal and county investigations. After Frerichs participated in the investigation via interviews, Kinsey, Nichols, Empson, and Moran met with Dafney to discuss what he saw at the police station. Dafney denied Frerichs’ story. Frerichs told Mackey “I think I know him [Dafney] well enough to believe he was telling the truth. I can only guess what happened to make him change his story. If they can make that out to look like a lie, then nothing I say would be valid, would it?”<sup>82</sup> Dafney’s denial is interesting since, according to Empson, Dafney only denied parts of the story per their earlier telephone conversation. Frerichs tried to push the investigation by phoning Kinsey, but he told her not to call him again.

In July of 1972, Frerichs, Marsh, Mackey, and Alliance Lakotas finally received one of their wishes, as Alliance City Manager LeRoy Schindler dismissed Montgomery from the Alliance Police Department. After committing actions unbecoming of an officer, the Alliance Civil Service Commission held a public hearing. The commission upheld Schindler’s ruling. The commission commended Montgomery’s service before his “personal incident.” Montgomery

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<sup>81</sup> Robert Mackey to John Sullivan, November 24, 1971, Indian File, Box 13, RG1 SG40, Governor Papers of J.J. Exon, NSHS. Mackey and Governor Exon had a strained relationship from the start. After Exon defeated Tiemann, Exon publicly attacked Mackey on a Sioux City, Iowa television station. Exon believed Tiemann started the commission for “political purposes.”

<sup>82</sup> Edith Frerichs to Robert Mackey, March 15, 1972, Human Rights & Civil Rights, 1971-1972, Box 3, RG93 SG4, Nebraska Indian Commission, NSHS.

took out an ad in the newspaper thanking individuals for their friendship and support, including Empson.<sup>83</sup>

The debate concerning the jail deaths opened many people's eyes to Lakotas' socioeconomic situation. *Alliance Times Herald* editor Hugh Bunnell wrote, "a door has opened a crack in Alliance...Let's help that door to open in 1971, not lean against it."<sup>84</sup> Western Nebraska residents finally acknowledged Lakotas' voices and concerns. The jail deaths rallied Lakotas to protest racism and nefarious law enforcement practices. Yet, the issue was more than just police abuse, their efforts challenged Alliance's non-Indian residents to acknowledge the effects racism placed on the Lakota community. Although Lakotas and the NIC never presented the piece of evidence required to stand in court, they forced Alliance city officials to admit they had law enforcement problems and needed to alter their jailing practices. While Lakotas such as Mark Monroe and Cleo Herrera disagreed regarding reform action, both wanted an end to racism and better lives for their fellow Lakotas. Nonetheless, the seeds for factionalism existed only to intensify in the coming years. Under Mackey's leadership, the NIC developed into more than just a viable agency, but a strong defender of Nebraska Indians' civil rights. Mackey's diligent pressure on the Governor's Office and federal agencies was crucial to starting investigations and modifying Alliance's law enforcement practices. Within the context of the Alliance jail deaths, western Nebraska Lakotas organized themselves politically and socially, while the NIC established itself as a vital Nebraska Indian advocate. Western Nebraska Lakotas' struggle for civil rights had only begun, as 1972 brought the death of Raymond Yellow Thunder in Gordon at the hands of white cowboys. By the time AIM leaders Dennis Banks and Russell Means arrived

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<sup>83</sup> Newspaper clipping, July 28, 1972, Alliance, NE Law and Order Problems, 1971, Box 1, RG93 SG4, Nebraska Indian Commission, NSHS.

<sup>84</sup> Draft of Hugh Bunnell's editorial, no title or date provided, IWRF.

and loquaciously challenged city officials demanding reform, these local groups had already laid the foundation for the expansion of civil rights and self-determination in western Nebraska.

## **Chapter 6: “We Are Human Too”: Red Power, Self-Determination, and Factionalism in Western Nebraska Lakota Communities 1972-1976**

On March 8, 1972, Director of the Nebraska Indian Commission (NIC) Robert “Bob” Mackey sent an urgent message to Governor J.J. Exon regarding the situation surrounding the protest of Lakota Raymond Yellow Thunder’s death. On February 12, local cowboys Leslie Dean Hare and Melvin Pat Hare physically assaulted Yellow Thunder and forced him into their car’s trunk. After driving around, the men took Yellow Thunder from his car, stripped him to his underwear and pushed him into the American Legion Hall in Gordon. Yellow Thunder walked off into the cold night. On February 20, kids found Yellow Thunder deceased in an abandoned vehicle. As word spread through the local Lakota community, anger grew and the news reached leaders of the American Indian Movement (AIM). Yellow Thunder was the latest example of the mistreatment Lakotas received in western Nebraska. AIM, led by Dennis Banks and Russell Means left from Omaha for Gordon to protest racism and ensure those responsible for Yellow Thunder’s family received justice. AIM’s tactics sent fear into not only Gordon, but also the Governor’s office. Governor Exon sent Mackey to investigate the incident and maintain peace. In his message to the Governor, Mackey revealed a “critical” situation in Gordon and urged Exon to create security measures to protect the police, schools, Sheridan County Attorney, and to place the National Guard on standby. Authorities were conducting a second autopsy and rumors reported that Yellow Thunder’s attackers had castrated him. Mackey noted that if the autopsy revealed castration, “the lid will blow off.” He closed, “the Indian Commission accomplished the ‘defusing’ for one day.”<sup>1</sup> Speaking to the protestors, Mackey tried to maintain peace, but he also

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<sup>1</sup> Robert Mackey to Stan Matzke, March 8, 1972, Governor’s Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS (cited hereafter as NSHS). Yellow Thunder did not suffer castration.

wanted justice for Yellow Thunder and argued for investigation. Mackey and Exon were uncertain about what AIM's arrival meant for western Nebraska's Lakota communities.

This chapter examines how, during the mid-1970s, various grassroots Lakota civil rights organizations were established and matured both during and immediately following Yellow Thunder's death. Although factionalism developed in Lakota communities, Lakotas still achieved aspects of civil rights and self-determination, and improved their socioeconomic status. As the National Congress of American Indians, National Indian Youth Council, and AIM battled to lead the tribal sovereignty movement on the national level, Lakota organizations in western Nebraska desired local civil rights reforms but disagreed about how best to achieve them.<sup>2</sup>

Although scholars have argued that factionalism made American Indian politics disorganized and politically impotent this chapter stresses that factionalism produced well-organized and powerful Lakota groups, which fought for social reform. Lakotas wanted and fought for reform, but different groups possessed different ideas on how best to achieve it. Factionalism prompted most in the Lakota community to become politically and socially active, which forced local and state officials to field complaints from the various groups sparking reform. Political infighting did not stop the reform and self-determination processes.<sup>3</sup>

AIM added another, more public, dynamic to western Nebraska, but it remained only one of many groups fighting for Lakotas' civil rights. Too often scholarly discussion centers on AIM and Yellow Thunder's death. Civil rights in western Nebraska during the 1970s were more

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<sup>2</sup> Paul Chaat Smith and Robert Allen Warrior *Like a Hurricane: The Indian Movement from Alcatraz to Wounded Knee* (New York: W.W. Norton, 1996); Charles Wilkinson, *Blood Struggle: The Rise of Modern Indian Nations* (New York: W.W. Norton, 2005); Bradley Shreve, *Red Power Rising: The National Indian Youth Council and the Origins of Native Activism* (Norman: University of Oklahoma Press, 2011); Philip LaGrand, *Indian Metropolis: Native Americans in Chicago, 1945-1975* (Champaign: University of Illinois Press, 2002), chapter 8.

<sup>3</sup> Malinda Maynor Lowery argues in her examination of the Lumbee, that factionalism is inseparable "from political organization itself." Political disagreement is evidence of Native self-determination in action. Malinda Maynor Lowery, "Telling Our Own Stories: Lumbee History and the Federal Acknowledgment Process," *American Indian Quarterly* (Fall 2009): 500-501.

expansive than Yellow Thunder's death and AIM, because local grassroots Lakota organizations and the NIC played significant roles in instituting social reform in western Nebraska following the march on Gordon. Civil rights resulted from the combined efforts of numerous individuals and organizations. Moreover, men did not dominate leadership as Lakota women emerged as leaders. AIM's actions responding to Yellow Thunder were a significant piece to civil rights. AIM cofounder Ojibwe Dennis Banks believes "without AIM they [the Hare brothers] would have gone free without serving a single day."<sup>4</sup> The conviction, however, that AIM alone brought social justice to western Nebraska Lakotas discounts others who fought just as hard. Lakota activism in western Nebraska started before and continued after Banks and Means left. Moreover, western Nebraska ties to AIM occurred before Yellow Thunder's death. This chapter does not discredit AIM's contributions, but emphasizes that scholars' focus on AIM and Yellow Thunder overlooks other Indigenous Nebraskans' important actions during the 1970s.<sup>5</sup> Lakotas outside of AIM stepped forward demanding investigation and social justice. While this divided Lakotas, western Nebraska Lakotas pressed local, state, and federal offices to investigate

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<sup>4</sup> Dennis Banks and Richard Erdoes, *Ojibwa Warrior: Dennis Banks and the Rise of the American Indian Movement* (Norman: University of Oklahoma Press, 2005), 118.

<sup>5</sup> See Peter Matthiessen, *In the Spirit of Crazy Horse* (New York: Penguin Books, 1992); Robert Burnette and John P. Koster, *The Road to Wounded Knee* (New York: Bantam Books, 1974); Mary Crow Dog, and Richard Erdoes, *Lakota Woman* (New York: Grove Weidenfeld, 1990); Stew Magnuson, *The Death of Raymond Yellow Thunder: And Other True Stories from the Nebraska-Pine Ridge Border Towns* (Lubbock: Texas Tech University Press, 2008); Smith and Warrior, *Like a Hurricane*; Wilkinson, *Blood Struggle*; Michael Joseph Engle, "Thunder on the Prairie: The Raymond Yellow Thunder Case and the Rise of the American Indian Movement" (M.A. thesis, University of Texas at El Paso, 1997). Scholarly focus on Yellow Thunder creates a repetitive narrative when discussing Red Power or AIM. Donald Fixico's latest book mentions Yellow Thunder, adds an incident in Gallup, New Mexico, the First International Indian Treaty Council, and then moves forward to the BIA takeover, Custer, South Dakota, and Wounded Knee II. Fixico also maintains only AIM's actions pressured local officials to charge the Hare brothers with murder. See, Donald Fixico, *Indian Resilience and Rebuilding: Indigenous Nations in the Modern American West* (Tucson: University of Arizona Press, 2013), 142-146. Magnuson does shift a little and discusses factionalism between Mark Monroe and Bob Yellow Bird, but the situation in western Nebraska was more complex with additional groups and individuals. Magnuson also calls the NIC a "toothless" organization that wrote memos and "could raise a stink." See Magnuson, 239-240. While the NIC possessed no legislative power, its western Nebraska office did more than write letters. Former western Nebraska VISTA lawyer and scholar Dale Mason's article diverts from centering on Means and Banks by focusing solely on Nebraska AIM leader Bob Yellow Bird's activism most of which occurred after Yellow Thunder. See, Dale Mason, "You Can Only Kick So Long: American Indian Movement Leadership in Nebraska 1972-1979," *Journal of the West* 23 (1984): 21-31.

discrimination and provide economic assistance. With the federal government continuing to view western Nebraska Lakotas as de facto terminated peoples, Lakota organizations had to fight for socioeconomic aid and legal support to institute self-determination in their communities.

Before AIM leaders Dennis Banks and Russell Means made their March 1972 appearance in western Nebraska, Lakotas formed organizations to fight for civil rights. In 1957, Nellie Ghost Dog spearheaded the creation of the Platte Valley Lakota Association (PVLA). Ghost Dog started a bingo group in Scottsbluff and Gering, raising funds to provide Lakota children with Christmas presents. In January 1970, the volunteer committee that oversaw fundraising decided it could provide more help. On August 15, 1971, the PVLA rented a building at 805 North Street in Gering. In October, the Gering City Council approved the Lakotas' use of the building as a mission, birthing the Lakota Cultural Mission. The Diocese of Grand Island provided the mission with \$1,000 for a down payment on the purchase of the building, which required an additional \$2,000. On December 6, 1971, the committee incorporated the PVLA with a mission statement: "to minister on a non-denominational basis, to the spiritual, social and physical needs of the Indian people. To assist Indian people to better their lives through self-betterment. And to preserve the Indian culture and heritage."<sup>6</sup>

The PVLA emerged as a significant organization for Platte Valley Lakotas. By March 1972, the PVLA desired funds to establish a multi-purpose building, because the association "is outgrowing the volunteer concept of operation from homes and between racks of old clothes in the center." The PVLA required a place for a director to work and maintain files. The association identified problems with housing, education, economic development, healthcare, and American

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<sup>6</sup> Platte Valley Lakota Association Incorporation, Governor's Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS.

Indian history. The PVLA offered food, clothing, small emergency loans, and sponsored two powwows that drew crowds of 305 for the first and 700 for the second. An arts and crafts program served as a cornerstone for the PVLA and in 1972, the Nebraska Panhandle Community Action Agency (NPCAA) awarded it a fourteen-month \$40,000 grant to fund operations to develop the Lakota arts and crafts.<sup>7</sup> An OEO program finally provided a Lakota organization with significant financial support.

The Young Indian Leaders United (YILU) was another organization in western Nebraska that agitated for Lakota civil rights. By 1971, the YILU's efforts centered in the North Platte Valley. According to director of the YILU Carol Iron Rope Herrera, Mark Monroe, head of the American Indian Council, pushed her out of Alliance when she threatened the power structure. Iron Rope Herrera moved to Minatare, a small community nine miles downstream from Scottsbluff. Iron Rope Herrera's usage of direct action protest confirmed the YILU's differing ideology on how to achieve reform, which created tension. On December 22, 1971, Iron Rope Herrera penned a scathing letter to the new director of the PLVA and Gering Police officer Keith Matzke, who was from Oklahoma and claimed Cherokee ancestry, regarding the arrest of Lakota parents. After receiving a complaint of fighting, police arrived, arrested the parents, and then placed their eight children falling into child services' custody. Iron Rope Herrera criticized Matzke for being unable to speak Lakota fluently, sniping that he was "not one of us." Iron Rope Herrera accused Matzke of kidnapping one of the children. She wanted to know why social workers did not place the children with their grandparents. Iron Rope Herrera sent Mackey a carbon copy.<sup>8</sup> Matzke defended himself in a letter to Robert Mackey and claimed Iron Rope

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<sup>7</sup> Proposal of Platte Valley Lakota Association, March 24, 1972, Governor's Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS.

<sup>8</sup> Carol Iron Rope Herrera to Keith Matzke, December 22, 1971, Platte Valley Lakota Association, Gering, Nebr., 1972, Box 10, SG93, SG4, Nebraska Indian Commission, NSHS

Herrera spread misinformation. Matzke pointed out that he did not kidnap a child since he had a court order to take in all of the children. Furthermore, he and the social workers deemed the grandparents unable to care for the children because of their age and physical deficiencies. Matzke believed Iron Rope Herrera targeted him because of the PVLA's constructive work and her "purpose is to divide, destroy, and separate the Indian people of this area."<sup>9</sup>

In her letter, Iron Rope Herrera revealed her affiliation with AIM. Iron Rope Herrera sent carbon copies of her letter to Matzke to a number of individuals, including Vernon Bellecourt. Herrera closed her letter to the brother of an AIM cofounder Clyde Bellecourt with the statement "RED POWER." Vernon Bellecourt helped establish an AIM chapter in Denver, Colorado, 200 miles south of Scottsbluff. The correspondence points to the emergence of Lakotas in western Nebraska identifying with AIM.<sup>10</sup> Certain Lakotas increasingly looked to counter groups that refrained from protest and using provocative rhetoric such as Mark Monroe's American Indian Council (AIC) and the PVLA.<sup>11</sup>

Methodist Reverend Alden B. Sears' letter to Lincoln Bishop Noah W. Moore provides an account to the emerging division between Iron Rope Herrera and the PVLA. Sears recalled a PVLA meeting held December 8, 1971 in Gering. The meeting attempted to finalize of plans for a December 11 powwow at the Gering National Guard Armory. The PVLA organized the

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<sup>9</sup> Keith Matzke to Robert Mackey, no date provided, Platte Valley Lakota Association, Gering, Nebr., 1972, Box 10, SG93, SG4, Nebraska Indian Commission, NSHS.

<sup>10</sup> The public and scholars have used the term Red Power in many different cases and contexts that it is difficult to provide an absolute meaning. Bradley Shreve offers an excellent discussion regarding the term Red Power and argues that the National Indian Youth Council first started to use the slogan. As Shreve suggests, scholars should allow, "Native activists to abide by their own definitions of Red Power...those who used the slogan remain proponents of Red Power and those who did not can be excluded from the movement." Applying this definition to western Nebraska, groups like the AIC and PLVA, who abhorred any sort of militant action, are excluded from Red Power, while groups such as Robert Yellow Bird's Gordon AIM chapter and YILU identify with the movement's tactics of militant protest and occupation of landmarks. Shreve, *Red Power Rising*, 7.

<sup>11</sup> Platte Valley Lakota Association, Gering, Nebr., 1972, Box 10, SG93, SG4, Nebraska Indian Commission, NSHS. In the summer of 1971, in a speed memo, Mackey noted that the YILU and the "A.I.M." people invited him to speak at a meeting in Alliance, Nebraska. Monroe's American Indian Committee became the American Indian Council, Incorporated in 1973.

powwow as a social event and a fundraiser to purchase their building. Iron Rope Herrera, her two sisters, mother, and three Chicanos arrived at the meeting twenty minutes late. Still, she dominated the meeting. Iron Rope Herrera opposed Lakotas having to pay 50 cents to enter the powwow and believed that Lakotas should enter for free. She argued that the meeting must proceed using only the Lakota language, however, not all Lakotas present spoke it fluently. Sears noted, “but from this point on, Mrs. Herrera and her faction would speak nothing but Sioux [Lakota].” Herrera complained that the PVLA should not plan a powwow when Lakota people starved in the Valley. Yet, Sears stated that the PVLA’s food pantry possessed enough food to feed Lakotas. Iron Rope Herrera accused the PVLA of withholding information from the Lakota community. She tired of arguing and eventually left the meeting. Iron Rope Herrera previously interrupted meetings in such fashion. Sears stated that most Lakotas opposed Iron Rope Herrera and “the Lakota Association at present, represents the Indian people who are trying to help themselves and other Indians, but do it in a legitimate, straight forward way; co-operating with the whites or anyone else that they can to forward their goals.”<sup>12</sup> As Lakotas organized themselves to push for civil rights, it became obvious that individuals differed on how best to achieve reform. While Lakotas battled discrimination, they fought each other, particularly with the growing segment of Lakotas under Carol Iron Rope Herrera who enjoyed directly challenging non-Indians with fiery rhetoric. In a political and socially conservative area, this kind of protest stood out. The death of a Lakota man in western Nebraska soon provided the budding AIM activists with a larger platform.

After a group of boys discovered Raymond Yellow Thunder’s lifeless body in Gordon, word spread across the Lakota community. The Hare brothers would not get away with their

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<sup>12</sup> Alden Sears to Bishop Noah Moore, Jr., December 9, 1971, Incoming Correspondence October-December 1971, Box 1, RG93 SG1, Nebraska Indian Commission, NSHS.

assault many declared. Upon hearing about Yellow Thunder's death, NIC director Robert Mackey immediately pushed for justice. On March 3, 1972, Mackey sent Burt Greenspan of the Community Relations Service, U.S. Department of Justice, copies of a newspaper article reporting Yellow Thunder's death. Connecting Yellow Thunder with the jail deaths in Alliance, Mackey said, "racial hatred is rampant in the Nebraska Panhandle because of the 'throw back' to the covered wagon days when the whiteman invaded the Indian's land and when the Indians tried to defend their lands they were regarded as 'savages' and were placed upon political prisons called 'reservations.'" Mackey believed non-Indians taught their children racism, which was evident "in acts of dehumanization and brutalizing of the Indian people."<sup>13</sup> Insufficient education, housing, medical care, employment, and legal services remained problems for Lakotas. After pursuing inquest of the jail deaths in Alliance the previous two years, Mackey hoped he could use the public uproar over Yellow Thunder's death to rally support for social, economic, and political change in western Nebraska.

While Mackey started to investigate what happened in Gordon, Yellow Thunder's family on the Pine Ridge reservation looked for help. Oglala Sioux Tribal Council Chairman (OSTC) Gerald One Feather withdrew almost \$1 million in tribal funds from Gordon banks. Yellow Thunder's family wanted One Feather to do more, but One Feather's term as was coming to an end and newly elected Richard Wilson waited to take over.<sup>14</sup> In the midst of an upcoming transfer of power, the OSTC did not play a role in organizing protest in Gordon. However, like the boycott during the 1954 Vincent Broken Rope case, the OSTC applied financial pressure on Gordon.

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<sup>13</sup> Outgoing Correspondence 1972, January-March, Box 1, RG93 SG1, Nebraska Indian Commission, NSHS.

<sup>14</sup> Akim D. Reinhardt, *Welcome to the Oglala Nation: A Documentary Reader in Oglala Lakota Political History* (Lincoln: University of Nebraska Press, 2015), 27.

Yellow Thunder's relatives then contacted Russell Means, a leader of AIM, who happened to be in Omaha, Nebraska attending a conference. They believed AIM was their best chance to receive justice for Yellow Thunder.<sup>15</sup> And, for good reason. AIM started in 1968 in Minneapolis to advocate for local Native people seeking to create better housing, health care, and educational opportunities. The organization quickly grew and emerged on the national scene following the 1969 Alcatraz occupation. AIM used aggressive tactics to force social reform, which caught the media's attention. The organization carried out highly publicized takeovers of Mount Rushmore and the Mayflower II. At the center of AIM's goals were treaty rights. They wanted the U.S. to atone for its deliberate violation of treaties and recognize the sovereignty of Indian nations under those treaties. AIM occupied Mount Rushmore because the group asserted that under the Fort Laramie Treaty 1868, the Black Hills remained Lakota land. The U.S. violated Lakota sovereignty by violating the treaty and seizing the Black Hills. Their direct action protest reminded the U.S. government of its treaty violations.<sup>16</sup>

En route to Gordon, AIM made fiery statements to the media, threatening to burn the town to the ground. AIM reached the Pine Ridge reservation on March 7 and stated it would march on Gordon the following day. Exon arranged for the Nebraska State Patrol to escort protestors from the state line to Gordon. Exon also sent Mackey and Clive Short, a former Chadron resident, to report on the situation and maintain peace. As AIM began its march, Mackey found himself in a tense situation. Short attempted to deliver the Governor's message of peace, but as Mackey reported, "he made the mistake of announcing that 'the Governor came

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<sup>15</sup> Manguson, *Death of Raymond Yellow Thunder*, 57-61; Smith and Warrior, *Like a Hurricane*.

<sup>16</sup> Wilkinson, *Blood Struggle*, 137-140; Smith and Warrior, *Like a Hurricane*, 34-37, 99; Fixico, *Indian Resilience and Rebuilding*, 135-144. California based United Indians of America also participated in the Mount Rushmore occupation. AIM sent a delegation to Alcatraz but other urban Indian leaders, most notably Mohawk Richard Oakes, organized the takeover. See, Kent Blansett, "A Journey to Freedom: The Life of Ranolies-Richard Oakes, 1942-72" (PhD diss., University of New Mexico, 2011).

from Lake Andes [South Dakota, located in the southeastern part of the state within the Yankton Reservation].’ The So. [South] Dakota Indians have had bad experiences there.”<sup>17</sup>

AIM arrived in Gordon with a prepared statement. Claiming inaction by the local, state, and federal government, AIM issued recommendations and demands: a congressional hearing in Gordon investigating American Indians in the justice system; a federal grand jury on the dual system of justice for American Indians; the NIC conduct state hearings on Indian complaints; President Richard Nixon establish a Red Ribbon Grand Jury System; U.S. Congress establish a date for a national holiday to honor Raymond Yellow Thunder; and that alcohol sales cease until the investigation proceedings ended. AIM then met with local officials and Short. The groups agreed to investigate Yellow Thunder’s death and create a Human Relations Council to establish an organization for Lakotas to place grievances with Gordon officials.<sup>18</sup> Although an uneasy situation, violence did not break out as the Governor had feared.

While Mackey opposed AIM’s violent threats, he supported its demand for further investigation into Yellow Thunder’s death and racism across the Nebraska Panhandle. On March 8, Mackey contacted the BIA requesting an inquest and federal grand jury to examine Yellow Thunder, the Alliance jail deaths, and other problems Nebraska Indians encountered.<sup>19</sup> Two days later, Mackey defended his statements about the Gordon protest to Nebraska State Attorney General Clarence Meyer. Meyer, Western Nebraska NIC representative Carl Janis notified Mackey, believed he had “gone too far” in Gordon. Meyer and a few Nebraska State Senators blamed Mackey for bringing AIM to western Nebraska and creating bad publicity. Mackey

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<sup>17</sup> Robert Mackey to Keith Matzke, March 8, 1972, Governor’s Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS.

<sup>18</sup> Undated Newspaper Clipping, Raymond Yellow Thunder File, Knight Museum and Sandhills Center, Alliance, NE; Manguson, *Death of Raymond Yellow Thunder*, 57-61; Smith and Warrior, *Like a Hurricane*.

<sup>19</sup> Robert Mackey to Jim Egar, March 8, 1972, Outgoing Correspondence 1972, January-March, Box 1, RG93 SG1, Nebraska Indian Commission, NSHS.

retorted “if going ‘too far’ means that I was deeply concerned with this alleged shocking crime, then indeed I am guilty...I am shocked to think that anyone would expect me to discount or dilute the true conditions that exists with those Indians who reside in western Nebraska.”

Mackey pointed out that he previously contacted Meyer’s office about the jail deaths in Alliance and received no assistance. Furthermore, Mackey noted that local, state, federal, and AIM all approved the agreements reached in Gordon. He also revealed Yellow Thunder’s family contacted AIM requesting aid.<sup>20</sup>

Despite Meyer’s criticism, Mackey continued to push federal agencies to investigate. On March 14, Mackey urged Commissioner of Indian Affairs Louis Bruce to examine the complaints and protests from Lakotas in western Nebraska. Mackey called for a congressional investigation and insisted Native peoples be a part of the inquest. He also pointed out the Nebraska Attorney General’s Office had attempted to stifle the NIC’s actions, but the commission would continue to advocate for Nebraska Indians. Since state funding proved inadequate, Mackey requested funds for a vehicle and travel expenses to maintain contact with the Indian communities.<sup>21</sup> Brice replied the BIA, as a federal agency, could not interfere in state government affairs or provide funds to state employees. Once again, de facto termination emerged as a roadblock to social reform and self-determination in western Nebraska. After the BIA’s preliminary inquest, it believed that the U.S. Department of Justice could conduct a full investigation into discrimination in western Nebraska under the 18 US 241 (Conspiracy Against Rights of Citizens). However, the U.S. Attorney General’s Office determined that the Justice Department possessed no jurisdiction to intervene in the Yellow Thunder case. Brice only

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<sup>20</sup> Robert Mackey to Clarence Meyer, March 10, 1972, Outgoing Correspondence 1972, January-March, Box 1, RG93 SG1, Nebraska Indian Commission, NSHS.

<sup>21</sup> Robert Mackey to Louis Bruce, March 14, 1972, Outgoing Correspondence 1972, January-March, Box 1, RG93 SG1, Nebraska Indian Commission, NSHS.

offered the NIC his support.<sup>22</sup> The trials of the men who assaulted Yellow Thunder would serve as a place for Lakotas to voice their protests and further divide the western Nebraska Lakota community. While the growing factionalism forced Lakotas to choose sides, it also pushed them to participate in civil rights activism.

In May of 1972, the Hare brothers' trial began in Alliance.<sup>23</sup> Upon arriving in Alliance two days before the trial on May 19, AIM immediately sought concessions from the city demanding that city officials give them food and money. Unlike Gordon, the city turned them down, but agreed to close liquor stores. AIM carried out protest marches calling Alliance a racist town, believing the white jury would let the Hare brothers go free.<sup>24</sup> Alliance had yet to see this form of activism, because the Alliance Lakota community never made such aggressive demands.

AIM also protested at the Alliance High School graduation claiming that no Lakotas had ever graduated and white residents prospered while Lakotas struggled. In fact, only a handful Lakotas had graduated. Many Lakotas in Alliance refused to support the graduation protest because, the year before, a group of mostly out of town individuals protested at graduation. In response, 42 Lakota residents signed a petition, created by Mark Monroe that opposed the protest because these Lakotas had children in elementary and high school. They believed the activism only produced agitation and they needed to solve their own problems and had to avoid blaming the school system. Moreover, the Indian Guidance project showed that the city had already begun to address its Indian education deficiencies.<sup>25</sup> AIM's protests concerning racism and

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<sup>22</sup> Louis Bruce to Robert Mackey, May 11, 1972; Louis Bruce to Robert Mackey, July 6, 1972, Incoming Correspondence 1972, June-July-August, Box 1, RG93 SG1, Nebraska Indian Commission, NSHS.

<sup>23</sup> Magnuson, *The Death of Raymond Yellow Thunder*, 11-24, 37-62, 185-190.

<sup>24</sup> Magnuson, *The Death of Raymond Yellow Thunder*, 193; Means, *Where White Men Fear to Tread*, 214.

<sup>25</sup> *Alliance Times Herald*, 5 June 1971, page 1. The Indian Guidance Project was a Title III funded project to assist Lakota schoolchildren by providing tutoring and support. The project also taught teachers about Lakota culture. Oglala Lakota and Chadron State College student Reginald Cedar Face ran the project. See, Indian White Relations File, Knight Museum and Sandhills Center, Alliance, NE (hereafter cited as IWRF) and the Nebraska Indian Commission correspondence files at the Nebraska Historical Society.

education failed to create a new awareness for Alliance residents as the town had discussed these issues during the previous year.

While the jury found the Hares guilty of false imprisonment and manslaughter, some Lakotas questioned the sentences. Three days after the Hares' sentencing on August 25, 1972, AIM created a rather tense moment. Pat Hare received two years and Les four of a maximum ten. AIM leaders believed these were light sentences. In front of the courthouse, AIM lowered the American flag, turned it upside down, and then raised it along with an AIM flag. The AIM banner flew only a short time as a Marine home on leave from Vietnam lowered it, gave it back to the AIM members, and returned the American flag right side up. What looked like a sure outbreak of violence strangely ended peacefully.<sup>26</sup>

The desecration of the American flag outraged both non-Indian and Lakota residents. Jennie Lone Wolf stated that her son had served in World War II and she “firmly believe[d] in the flag of the United States of America. I will not be a member of any organization that will desecrate our flag.” Some Alliance Lakotas formed a local AIM chapter and supported the flag incident. Betty Hernández revealed that AIM turned the flag upside down to mourn Raymond Yellow Thunder and serve as “a distress signal to signify an oppressed people,” not as a sign of disrespect.<sup>27</sup> In Alliance, AIM created another viewpoint and method about how to achieve social reform and self-determination. The flag incident shows the growing factionalism in the Lakota community between AIM and non-AIM members.

An “insider”-“outsider” mentality appeared in Alliance. Lakota Jesse Howard believed that nobody wanted “to listen to a bunch of radicals, shouting, and obviously prejudiced

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<sup>26</sup> Magnuson, *The Death of Raymond Yellow Thunder*, 216-217; Banks, *Ojibwa Warrior*, 118; Raymond Yellow Thunder File, Alliance, Nebraska, Knight Museum and Sandhills Center, Alliance, NE.

<sup>27</sup> Jennie Lone Wolf, letter to editor; Betty Hernandez, letter to editor, Raymond Yellow Thunder File, Knight Museum and Sandhill Center, Alliance NE.

*outsiders*, presenting a list of demands, so ridiculous, it makes their whole cause seem ridiculous.” Howard thought the radicalism would only make the Lakota community suffer after AIM left. If AIM truly wanted to help, Howard suggested, it needed to build housing and provide food and clothing. Non-AIM Alliance Lakotas distanced themselves from the organization and made it clear they were not members. In a letter to the editor, Jennie Lone Wolf noted, “I want it to be known that I do not belong to the American Indian Movement—AIM.”<sup>28</sup> Many Lakotas in Alliance disagreed with AIM’s militancy and recognized that the non-Indian residents disliked AIM and refused to help such an organization. Alliance had showed more willingness to assist social reform for non-militant groups particularly supporting Monroe’s AIC, which for some Lakotas made Monroe a “sell out.” Like many American Indians on the national scene, numerous Alliance Lakotas believed backing demands with violence was counterproductive, because the government, in this case the city government, refused to hand over decision-making ability to militants.<sup>29</sup>

Other Lakotas in Alliance identified with AIM’s message. AIM’s focus on making their members aware of their culture and treaty rights is evident. An Alliance Lakota and AIM member Bob Wolf wrote a letter to the editor that discussed his anger over the loss of land and culture. Lakotas had once lived without greed, malice, prejudice, and mistrust. Wolf concluded, “look around you [non-Lakotas] the ground you walk on belong[s] to my people it has not been paid for yet!”<sup>30</sup> Even when disagreeing about ideology, most non-AIM Lakotas probably agreed

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<sup>28</sup> Jesse Howard, letter to editor; Jennie Lone Wolf, letter to editor, IWRF [emphasis Mine]; Anthropologist Paula Wagoner points out in the town of Martin, South Dakota, Lakota and non-Lakota residents viewed AIM as “outsiders” and believed they failed to understand the social situation like the “insiders” and provided no solutions. See, Paula Wagoner, *“They Treated Us Just Like Indians”: The Worlds of Bennett County, South Dakota* (Lincoln: University of Nebraska Press, 2002), 76-93.

<sup>29</sup> Vine Deloria Jr., *Custer Died for Your Sins* (1969; reprint, Norman: Oklahoma University Press, 1988), 255.

<sup>30</sup> Bob Wolf, Letter to the Editor, IWRF.

with this statement because Alliance sat on traditional Lakota land. Lakotas had a right to live and receive justice on their land.

The Alliance Lakota community divided into three groups: supporters of Mark Monroe, AIM, and those who supported neither Monroe nor AIM. Lakota Jesse Howard pointed out there were too many Lakota leaders who spoke for themselves but used the word “us.” Lakota Cleo Herrera believed “the puppets [Monroe] or the militants [AIM] are not going to solve the problems of the Indian.”<sup>31</sup>

Following the Yellow Thunder protests, local non-Indians continued to harass Lakotas. On August 23, 1972, Alliance AIM chapter Chairwoman Lakota Ruth Flood informed Mackey on August 14 two white men in their twenties followed a car with two Lakota girls, a Chicano George Hernandez, and seventeen-year-old Lakota Schuyler Dawn as they made their way home. The white men yelled racial slurs such as “dirty Indians,” until the vehicles stopped and a fight ensued. Flood drove by and chased the white boys away. The next Thursday, police arrived, arrested Dawn, and placed a \$200 bond. At a hearing, the court charged Dawn with assault and malicious destruction of property. Dawn pled not guilty.<sup>32</sup> Two days later, Flood provided Mackey with more information. The State Patrol, Alliance Police Department, and Box Butte County Sheriff’s office investigated Dawn as if she was a criminal, which upset Flood. She remarked, “We don’t want to happen to us what has happened to Raymond Yellow Thunder. We

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<sup>31</sup> Jesse Howard, Letter to the Editor; Cleo Herrera, Letter to the Editor, IWRP. Factionalism has long haunted the Lakotas especially after the 1934 Indian Reorganization Act created intense political rivalries as groups vied for control of the reservations. See, Akim Reinhardt, *Ruling Pine Ridge: Oglala Lakota Politics from the IRA to Wounded Knee* (Lubbock: Texas Tech University Press, 2007); Thomas Biolsi, *Organizing the Lakota: The Political Economy of the New Deal on the Pine Ridge and Rosebud Reservations* (Tucson: University of Arizona Press, 1992).

<sup>32</sup> Ruth Flood to Robert Mackey, August 23, 1972, Ruth Flood, Alliance, NE, 1972, RG93 SG4, Nebraska Indian Commission, NSHS.

are harassed all the time by whites and when we protect ourselves we are charged and put in jail.”<sup>33</sup> Lakotas still questioned the ability to receive equal treatment in the legal system.

Flood also recalled earlier examples of harassment. Non-Indian residents egged their vehicles. She alleged that the justice system was unfair, remarking that when she was 18-years-old, two non-Indian boys shot at her with a .22 rifle. She wanted to file a complaint with the county attorney, but he said the case would go nowhere and instead had the two boys apologize. Two years earlier, a young white driver hit Lakotas Eugene Iron Rope and Theresa Eagle Man as they walked home and fled the scene. The accident crippled Eagle Man. Police charged the driver with hit and run, but he was free on two years parole. Recently she noted that non-Indians assaulted three Lakota boys and the boys did not file a complaint believing the local law enforcement and justice system would do nothing. Flood contended that since the four jail deaths, Lakotas feared going to jail. Under the threat of harassment, she dreaded walking through town. Flood asked Mackey to do something for Lakotas in western Nebraska. She closed stating, “I hope The Great Spirit will will [sic] hear our prayers for justice for our people. We are Human Too.”<sup>34</sup>

Mackey responded by telling Flood that the Dawn case is yet another example “of those ‘Cruel Practical Jokes’ like the one in Gordon...Who are the real savages?” He promised to contact all state and federal offices to ensure justice, because “it is classic whereby the Indian boy who was attacked is charge with Assault and Malicious Destruction of Property, and is denied the right to charge the white men...”<sup>35</sup> Mackey also forwarded Flood’s letter to Governor

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<sup>33</sup> Ruth Flood to Robert Mackey, August 25, 1972, Ruth Flood, Alliance, NE, 1972, RG93 SG4, Nebraska Indian Commission, NSHS.

<sup>34</sup> Ruth Flood to Robert Mackey, August 25, 1972, Ruth Flood, Alliance, NE, 1972, RG93 SG4, Nebraska Indian Commission, NSHS.

<sup>35</sup> Robert Mackey to Ruth Flood, August 24, 1972, Ruth Flood, Alliance, NE, 1972, RG93 SG4, Nebraska Indian Commission, NSHS.

Exon and claimed that if true regarding Dawn, then the Nebraska state motto “equality before the law” and justice ceased to exist. Disturbed about the allegations, Exon thanked Mackey for the update into the situation in Alliance and encouraged him to “thoroughly investigate the matters” in Alliance and properly register the complaints.<sup>36</sup>

Following the flag incident in Alliance, AIM plotted their next move to honor Yellow Thunder. It organized a protest to voice Native communities’ needs in Washington, D.C. Dubbed the Trail of Broken Treaties, AIM organized three caravans originating from Seattle, San Francisco, and Los Angeles. AIM scheduled the San Francisco caravan to pass through Alliance on October 25, picking up Lakotas who desired to protest in the nation’s capital. On November 1, 1972, the caravan arrived in the capital. After the BIA agreed to but never provided accommodations for the protesters, they found themselves staying in a rat-infested church. Frustrations grew and the caravan decided to occupy the BIA building. The anger over a lack of BIA support turned into trashing the building. Protesters wrote graffiti, smashed furniture, and stole important documents. After providing \$66,000 to the protestors to return home, on November 8, the remaining AIM members left the building.<sup>37</sup>

The BIA takeover further influenced how many non-Indian western Nebraska residents thought of AIM and militancy. A group of 24 non-Indian Alliance residents expressed their displeasure with AIM’s actions to Governor Exon. They recognized the existence of prejudice, but believed the destruction of the BIA building to be an improper protest method. The residents

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<sup>36</sup> Robert Mackey to J.J. Exon, August 28, 1972; J.J. Exon to Robert Mackey, August 30, 1972, Governor’s Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS. Mackey also took the time to press the legislation issues most importantly the repeal of the Indian Bounty Act. The “Indian Bounty Act” was the state statute that provided county sheriffs on Indian reservations funds for each Indian they arrested. Exon agreed and thanked Mackey for bringing it to his and the State Legislature’s attention. *Standing Bear v. Crook* (1879) was the first case that tested the idea of equality before the law in Nebraska. The case had national implications because it solidified that under federal law American Indians were human-beings entitled to *habeas corpus*. See Joe Starita, *“I am A Man”*: Chief Standing Bear’s Journey for Justice (St. Martin’s Griffin, 2010).

<sup>37</sup> Smith and Warrior, *Like A Hurricane*, 150-165; AIM Press Release, October 1972, IWRF.

questioned why the government allowed AIM to take over the BIA and steal documents. Furthermore, they wondered if “minorities” abused tax money and called for a better government program to distribute funds to “minority groups.”<sup>38</sup> Exon responded that he would ensure people received equal treatment, “but that violence and unreasonable demands should never take the place of legitimate channels for redress of grievances.”<sup>39</sup> Exon’s statement revealed he intended to aggressively deal with AIM in Nebraska.

Less than a week later, western Nebraska AIM member Bob Yellow Bird and around fifty others, including Chicano leader LeRoy Casados from Alliance, occupied the museum at Fort Robinson. Yellow Bird served two tours in Vietnam as a Navy radio specialist. While a student at Chadron State College, the Alliance jail suicides attracted Yellow Bird’s attention to Lakota civil rights. The takeover of Fort Robinson resulted from more than just an act of occupation on state owned property. In 1948, the federal government declared the fort surplus and transferred its land to the U.S. Department of Agriculture for a beef research station. In 1955, the Nebraska Game and Parks Commission acquired a parcel of the old post to create a state park and a year later the Nebraska State Historical Society established a museum. In 1971, the beef station closed and left the federal government to transfer the rest of the land. The State of Nebraska wanted the land to push the park’s total acres to more than 22,000. However, Lakotas desired it as well. American Indians on Alcatraz claimed the island under the Treaty of Fort Laramie 1868, which stated that federal surplus lands would revert to the Lakotas. Unlike the distant Alcatraz Island, sitting in San Francisco Bay, Fort Robinson actually stood on treaty

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<sup>38</sup> Concerned Citizens to J.J. Exon, November 16, 1972, Governor’s Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS.

<sup>39</sup> J.J. Exon to John Miller, November 18, 1972, Governor’s Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS.

reserved Lakota hunting grounds.<sup>40</sup> On June 12, 1972, officials from the Nebraska Governor's office, OSTC, NIC, Nebraska Game and Parks, and the BIA met to discuss the Oglala Sioux Tribe's application to the U.S. Department of Interior, which claimed rights to 11,000 acres of land near the fort. The Oglala Sioux Tribal Planning Committee presented its plan for the development of the land. The committee believed it could develop the fort into a tourist attraction in conjunction with the reservation. Their objectives were to create jobs and inform tourists about Oglala Lakota heritage. The Secretary of the Interior had already rejected a BIA application for the land. Stan Matzke, Nebraska Director of Economic Development and Governor Exon's meeting representative, remarked, "it was evident to me that the Tribe did not want to have a lease back agreement but wanted to have ownership or title to the land."<sup>41</sup> Yet, the Interior Department quietly transferred the land to the State of Nebraska.

Yellow Bird followed AIM tactics. He argued that under the Fort Laramie Treaty, the state must shift the land back to Lakotas. Otherwise, the transfer was another federal government and State of Nebraska land theft. Yellow Bird threatened to burn the museum down if Exon forced the protesters out. Influenced by AIM's BIA building takeover, Governor Exon sent the Nebraska State Patrol to handle Yellow Bird. He refused to give into Yellow Bird's demands and return the land. However, Yellow Bird and the protesters left before Exon had to make the decision to send in the State Patrol. The state and Dawes County offered not to charge any protesters with misdemeanors, not felonies, if they left and Exon promised a meeting with AIM representatives. Yellow Bird agreed and vacated the museum after fourteen hours. Police arrested Yellow Bird and Casados for interfering with a government function and unlawful

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<sup>40</sup> Fort Robinson Timeline, Nebraska State Historical Society, available: <http://nebraskahistory.org/sites/fortrob/timeline.htm>; Smith and Warrior, *Like a Hurricane*, 10-14.

<sup>41</sup> Stan Matzke to Norman Otto, July 31, 1972, Governor's Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS.

assembly.<sup>42</sup> Western Nebraska Lakotas and Chicanos who desired direct action protest formed a coalition to challenge police harassment and discrimination in the region's communities.

Concerned about AIM, the Nebraska State Patrol sought to identify militant Lakotas and Chicanos. On November 16, Lieutenant D.E. Mayhew sent Captain V.W. Byler a confidential report regarding militancy. He used information provided from Mackey to create the report. Following the march in Gordon, Mackey grew weary of AIM "off-shoot" groups that criticized and threatened organizations working within the system such as the PLVA or Indian Guidance Project. In April of 1972, Mackey reported to Mayhew that he obtained information regarding Chicanos in Minatare and in May, he provided more details indicating the possibility of Lakota and Mexican schoolchildren receiving anti-American militant training by "Chicano agitators" from Denver.<sup>43</sup> In September, Mackey met with the State Patrol and requested certain individuals' criminal records, which the State Patrol denied because of security reasons. During the meeting, Mackey provided names of individuals and allegations of their actions. He believed Carol Iron Rope Herrera's group wrongfully used the name AIM to solicit funds from churches, since they were unaffiliated with the "true" AIM organization. They used the money to fund their own livelihoods at the expense of helping the Lakota community. Mackey claimed that a Lutheran Church group provided a mini-bus and the militants wrecked it in a "drunken orgy." He also alleged that the public school administrators and teachers in Minatare feared the militants

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<sup>42</sup> Dale Mason, "You Can Only Kick So Long"; IWRF.

<sup>43</sup> Denver possessed strong Chicano activism. Denver resident, Rodolfo "Corky" Gonzales emerged a leader after his poem "*Yo Soy Joaquín*" helped to create a Chicano identity. Chicanos in Denver and across the Southwest challenged the Anglo cultural hegemony in U.S. society particularly in public schools. They demanded more teaching of Chicano history and culture. See, Rodolfo Gonzales, *Message to Aztlán: Selected Writings of Rodolfo "Corky" Gonzales* (Arte Publico Press, 2001); F. Arturo Rosales and Francisco A. Rosales, *Chicano! The History of the Mexican American Civil Rights Movement* (Arte Publico Press, 1997); Carlos Munoz, *Youth, Identity, and Power: The Chicano Movement* (London: Verso, 1989); Ernesto Chavez, *¡Mi Raza Primero! (My People First): Nationalism, Identity, and Insurgency in the Chicano Movement in Los Angeles, 1966-1978* (Berkeley: University of California Press, 2002).

and refused to speak, not wanting to incite retribution. The patrol created a list with ten names and a brief description of “militants” in western Nebraska. The list characterized Iron Rope Herrera and her husband Tillo Herrera as possessing “intense hatred for whites” and active in removing children from school.<sup>44</sup>

The Fort Robinson protesters’ meeting with Exon never materialized, instead he sent his assistant Norman Otto. On November 20, Otto told the protestors to present their demands the following day at the fort. Dennis Banks, Yellow Bird, Owen Young of Omaha AIM, and John Twobirds Arbuckle of Lincoln AIM called for the state to return the Fort to the Lakotas, Indigenous representation on the state parole board, and argued for the repeal of the Indian Bounty Act. The state refused to remove the strong law enforcement presence making the meeting tense and negotiations moved nowhere. Two days later, Exon denied the request to allow the protesters to hold a Thanksgiving feast on the Fort’s grounds. Defiantly around 80 activists held a feast on the side of Highway 20, which runs through the park. During Yellow Bird’s hearing, District Judge Robert Moran asked him to acknowledge that Fort Robinson remained state land, he refused, and Moran sent him to county jail. Despite the failed occupation, Yellow Bird’s leadership thrust him to the forefront of AIM in western Nebraska. By 1973, the Nebraska state AIM coordinator Yellow Bird established a base of operations on Ash Street in Gordon.<sup>45</sup>

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<sup>44</sup> D.E. Meyer to V.W. Byler, November 16, 1972, Governor’s Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS. Also on the list were Keith Matzke and Dolores Kills in Water. These two were part of the earlier organization of the PVLA. It appears their support of militancy pushed them away from the PVLA. Matzke became the head of Scottsbluff AIM. In a November 8, 1972 correspondence, Governor Exon told Mackey that he was aware of the problems in western Nebraska regarding militant Lakotas funded by church groups. Despite not agreeing with the aggressive tactics, Exon stated that the State could not bring any legal action against the militant groups. Exon suggested Mackey notify churches to redirect their funding to “legitimate” groups.

<sup>45</sup> Dale Mason, “You Can Only Kick So Long”; Magnuson, *Death of Raymond Yellow Thunder*, 225. Yellow Bird continued to fight for control of Fort Robinson.

Many Nebraska residents praised Exon for his handling of the occupation. Exon took a stern stance with AIM and the situation ended without destruction unlike the BIA building takeover. As he noted in correspondence with Gordon resident Melvin Armstrong, Exon disagreed with providing AIM \$66,000 to leave the BIA building stating, "I can assure you that we will never operate on the basis of bribing people in Nebraska to obey the law."<sup>46</sup> Exon believed AIM fostered illegitimate Indian leaders. In a response to Omaha resident John McCurry, Exon noted, "certainly all of us feel an obligation to consider the requests of the legitimate Indian representatives on matters such as this [Fort Robinson land claims]."<sup>47</sup> Others condemned his actions, believing the Lakotas were entitled to the land. These Nebraskans questioned if the federal government could legally ignore treaty rights and transfer the land to the state. In response to Albion, Nebraska critic LaVern Babel, Exon lambasted AIM's common tactic of using the media, arguing in meeting with elected Lakota representatives they "didn't make a big todo [sic] in the press. They were interested in accomplishing something for the Indians and not in getting publicity for themselves. They were residents of Nebraska and South Dakota, not rabble rousers from some other state."<sup>48</sup> Exon used the "rabble-rousers" line in almost all of his inquiry responses. Yet, Exon never mentioned that Bob Yellow Bird was an Oglala Lakota and Nebraska resident, far from being an out of state "rabble rouser."<sup>49</sup>

Bob Mackey identified with Lakota rights to the land, but criticized the militant approach. He informed Exon that he learned of the occupation through a news report on the evening of November 15. Mackey commended Exon's actions believing AIM's militancy posed

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<sup>46</sup> J.J. Exon to Melvin Armstrong, December 7, 1972, Governor's Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS.

<sup>47</sup> J.J. Exon to John McCurry, December 7, 1972, Governor's Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS.

<sup>48</sup> J.J. Exon to LaVern Babel, December 4, 1972, Governor's Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS.

<sup>49</sup> Governor's Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS.

a danger in western Nebraska. Mackey pointed out that the surplus lands were only one issue for Lakotas, since many remained upset about poor education, lack of health resources, Yellow Thunder, and the Alliance jail deaths. Although weary of AIM, Mackey and AIM desired solutions to Nebraska Indians' problems. The issue, however, revolved around the tactics as Mackey noted, AIM's philosophy "is readily understood because our Indian problems do concern all of us however, we do not condone violence and destruction of property. Terrible conditions do exist... There is a need for an organization such as AIM to bring the Indian problems to the surface and dealt with, [but] there is no place for violence and destruction."<sup>50</sup>

Mackey also wanted control of the Fort Robinson situation. He argued that the correspondence must pass through western Nebraska's NIC member Carl Janis and that the newly formed United Indians of Nebraska (UIN) (October 27, 1972) leaders John Twobirds Arbuckle, Stephen Janis, and Keith Matzke should speak on the issue. The UIN offered Mackey a means not only to achieve self-determination but also to counter militant groups receiving funds.<sup>51</sup> The NIC did not possess funds to grant to Indian organizations, but the UIN's original purpose was to work with the NIC, receive funding from church groups, and allot the money to various Nebraska Indian organizations' projects.<sup>52</sup> Little did Mackey realize, this group resulted in his ouster.

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<sup>50</sup> Robert Mackey to J.J. Exon, November 16, 1972, Governor's Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS. Mackey possessing the same goal as AIM fits with what occurred outside of Nebraska. Bradley Shreve points out that the NIYC "stood on the same sidelines" with the NCAI in terms of pushing to strengthen treaty rights, tribal sovereignty, and self-determination. The youthful leaders, however, just believed it necessary to implement more direct action to achieve those goals. See Shreve, *Red Power Rising*, 14, 90-91.

<sup>51</sup> Robert Mackey to J.J. Exon, November 16, 1972, Governor's Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS.

<sup>52</sup> United Indians of Nebraska-1973, Box 13, SG93 SG4, Nebraska Indian Commission, NSHS. Interchurch Ministry to Nebraska Indians Director Robert Jeambey identified the reasoning for churches to work with the UIN, stating "in the interest of Indians self-determination in Nebraska, the participating churches have agreed not to deal directly with recipient organizations, but work through the coalition of United Indians of Nebraska." Cooperative Ministries to Nebraska Indian Project 1973, Box 2, RG93, SG4, Nebraska Indian Commission, NSHS.

For Mackey, Fort Robinson validated his concern regarding militant groups of Lakotas and Chicanos in Minatare creating factionalism. Mackey notified Exon's assistant Norman Otto that *La Raza* endorsed AIM's fort occupation, "this is the same combination of renegade members who have been involved with the disruption of the PVLA organization in their efforts to work within the system to help themselves in their problems." Mackey claimed these groups intimidated others to receive church money and brainwashed their children with anti-American thoughts. Mackey requested the state investigate *La Raza* and AIM members. He also argued that these groups were dangerous criminals.<sup>53</sup> In response, Otto stated the Governor's Office knew AIM leaders' prison records, since they obtained the files. Yet, the state could not simply re-arrest the leaders because Mackey disagreed with them. The best course of action for Mackey and western Nebraska Lakotas was to develop organizations to counter militant groups and convince churches to shift their donations.<sup>54</sup> Mackey attempted to use his NIC position to coerce the state to silence Lakota organizations who advocated direct action and militancy.

After the BIA and Fort Robinson occupations, some western Nebraska Lakotas separated themselves from and criticized militant groups. On November 29, 1972, PLVA Board member Stephen Janis revealed to Mackey the growing tensions among Platte Valley Lakotas. Janis reported that the past year saw the development of three direct action organizations: New Congress Community Development, *La Raza*, and YILU. Janis pointed to problems in the

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<sup>53</sup> Robert Mackey to Norman Otto, December 4, 1972, Governor's Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS.

<sup>54</sup> Norman Otto to Robert Mackey, December 12, 1972, Governor's Commission on Indian Affairs, Box 39, RG1 SG40, Governor J.J. Exon Papers, NSHS. The Chicano influence is evident as Chicanos across the American Southwest protested against the teaching of only Anglo history and culture in schools. In 1970, Chicanos in Texas formed the *La Raza Unida Party* to address Chicano needs. Democrats and Republicans had failed to act on their promises to Chicanos thus *La Raza* served to counter unresponsive politicians. The movement spread throughout the Southwest and Midwest advocating for Chicano rights. See Armando Navarro, *La Raza Unida Party* (Philadelphia: Temple University Press, 2000); Ignacio Garcia, *United We Win: The Rise and Fall of the La Raza Unida Party* (Tucson: University of Arizona Press, 1989).

Minatare schools as the groups removed children and taught them to “hate the white man and his government.” In April, Scottsbluff Junior High School Vice Principle Larry Bradley called Janis to report that AIM was set to march on the school. Janis persuaded AIM not to march. In September, Janis claimed the militant groups brought young women to the *La Raza* center in Minatare for “immoral purposes” as witnesses reported they drank alcohol. In October, Ramon Perez and Carol Iron Rope Herrera led a protest with schoolchildren in front of the Panhandle Legal Services in Scottsbluff. Janis abhorred children learning radical methods of dealing with the legal system. Janis, like others in the Platte Valley, feared the public stereotyping all Lakotas as militants, “these self-styled Indian leaders have to be dealt with now. Many of the responsible Indian leaders of this county area are getting ‘up-tight’ about the whole situation. They are mad and want law and order now.”<sup>55</sup>

The situation remained tense in the North Platte Valley. In January of 1973, AIM leaders Vernon Bellecourt, Russell Means, John Twobirds Arbuckle, and Carter Camp met with Chicanos, led by New Congress Community Development Director Roman Perez, to discuss a coalition. Indeed, the arrival of AIM leaders convinced law enforcement to monitor AIM’s actions. The police received their opportunity to do more than observe. During the conference, late night partying at the Park Motel produced a disturbance complaint. Shortly before 3 a.m. on January 13, police arrested Russell Means and Edgar Downey Bear Runner. Means faced charges of intoxication, resisting arrest, disorderly conduct, and carrying a concealed weapon. The arrests furthered AIM and Chicanos’ belief that law enforcement unfairly targeted the minority community. After AIM posted Means’ bail the following day, he and Perez led a conference with the county commissioners to alter law enforcement tactics, end racism in the

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<sup>55</sup> Stephen Janis to Robert Mackey, November 29, 1972, Incoming Correspondence, November-December 1972, Box 1, RG93 SG1, Nebraska Indian Commission, NSHS.

community, and a double standard of justice. At 8 p.m. on January 15, a firebomb exploded in the Scottsbluff Junior High School causing minor damage. Later that evening, police pulled over LeRoy Casados finding three handguns, marijuana, and firebomb materials. Police arrested Casados and his four other passengers, including Carter Camp and Twobirds Arbuckle.<sup>56</sup> A few days later, Perez and Means attempted to meet with officials at the NPCAA in Gering, but the agency had an injunction against Perez. When officers arrived to remove Perez and the other protesters, frustrations erupted into a scuffle leading to the arrests of five people including Perez and Ted Means, Russell's brother. Fear of violence in the communities forced the cancellation of high school basketball games.<sup>57</sup> Following the AIM takeovers of the BIA and Fort Robinson, law enforcement viewed AIM as a threat not a legitimate civil rights organization.

An editorial in the *Scottsbluff Star-Herald* revealed that non-militant western Nebraska Lakotas feared militancy alienated non-Indian support of civil rights. Bill Davis argued that there was a great amount of racism in the valley and unfortunately, with the events of the AIM-Chicano conference, it would only increase. AIM and Perez's actions damaged the civil rights goals of the Valley's minorities. He believed militancy ruined civil rights movements, because it accomplished nothing but violence and death. Davis stated that AIM and Chicano leaders were mistaken to deem all whites as racists since hundreds in "conservative" Scottsbluff believed their

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<sup>56</sup> *Scottsbluff Star Herald*, 16 January 1973; Roger Davis, "'Service not Power': The Early Years of the Nebraska Commission on Mexican-Americans, 1971-1975," *Nebraska History* (Summer 2008): 78-79; Smith and Warrior, *Like a Hurricane*, 181-182. Means claimed that the marijuana was actually tobacco inside Twobirds Arbuckle's medicine bundle. AIM accused the press of overreacting, as Clyde Bellecourt stated, "the press is a bunch of scholastic retards who know nothing about the Indians." See, *Scottsbluff Star-Herald* 17 January 1973. A jury found Casados guilty of possessing firebomb materials and he received a six-year sentence. See, newspaper clippings, IWRP.

<sup>57</sup> *Scottsbluff Star Herald*, 18 January 1973. Upon arrest, Madeline Navarro listed her address as *Aztlán*, the Chicano homeland making up California and the American Southwest. This statement suggests the influence Denver based Chicano organizations had in western Nebraska.

grievances were pressing and legitimate. Davis left a postscript, “be careful in commending the police. They are not perfect and are not incapable of wrongdoing.”<sup>58</sup>

Concerned Scotts Bluff County officials organized a Community Relations Committee to examine the problems the Mexican American and Lakota communities faced. Dolores Kills in Water represented the Lakota community and revealed significant problems in employment and housing. Discrimination made it hard for Lakotas to attain homes to rent, since many landlords refused to rent to Lakotas. Kills in Water noted, “when you call the phone number of a place for rent and they hear you have an Indian sounding name, right away they tell you they have no vacancy.” A proprietor even told a Lakota woman they did not rent to “Indians,” but when her Mexican husband called, they stated that they rent to Mexicans. Both Kills in Water and Eli Cardona, the Mexican American representative, provided complaints against law enforcement for harassment and an indifferent welfare office, which needed Mexican and Lakota employees. The committee concluded that for minorities in Scotts Bluff County, “discrimination in the public and private sector of life is a stark reality.”<sup>59</sup> For race relations to advance, the County and its municipalities needed to fix the complaints.

Following the firebombing, the non-local AIM leaders moved on to challenging the OSTC’s Dick Wilson, leading to a standoff with federal law enforcement at Wounded Knee.<sup>60</sup> In wake of a divide in the Platte Valley Lakota community, a leader emerged in a role that brought

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<sup>58</sup> From *Scottsbluff Star Herald*, January 1973 available IWRP.

<sup>59</sup> Community Relations Committee Report, IWRP.

<sup>60</sup> On the Pine Ridge reservation, a portion of residents accused tribal council president Dick Wilson of corruption and failing to provide assistance to certain areas of the reservation. These residents reached out to AIM for help in removing Wilson from power. On February 27, 1973, armed protesters occupied Wounded Knee in which a siege ensued with federal law enforcement whereby the two sides exchanged gunfire. The protesters demanded Wilson’s removal from office. After 71 days, protesters gave up their weapons and left. Federal officials then tied up AIM leaders with litigation regarding the event. See, Smith and Warrior, *Like a Hurricane*; Matthiessen, *In the Spirit of Crazy Horse*; Burnette and Koster, *The Road to Wounded Knee*; Crow Dog, and Erdoes, *Lakota Woman*; Stew Magnuson, *Wounded Knee 1973: The American Indian Movement, the F.B.I., and their Fight to Bury the Sins of the Past* (Courtbridge Publishing, 2013).

attention and solutions to Lakota problems. Stephen Janis left his job of eighteen months for the NPCAA to become an administrative assistant in a western Nebraska NIC office. In an interview to the *Scottsbluff Star-Herald* Janis stated he was a moderate who viewed both sides of the issue. In his new job starting April 1, 1973, he sought to organize the 1,200 off-reservation Panhandle Lakotas into a cohesive unit to address needs through proper channels and non-militancy. Janis worked within the system not using “radical” tactics as AIM displayed at Wounded Knee. He stated that “four-fifths of the Indians with whom I have contact with were not involved with AIM and don’t care to be...we are all suffering from the AIM agitation at Wounded Knee.” Janis believed Native peoples should not allow their heritage to hold them back “Indians must preserve their culture, but they must also progress with the rest of the country.” He wanted to assist Lakotas, since he pointed out the loss of federal benefits off reservation Lakotas encountered. Janis noted access to healthcare remained a serious issue since the BIA refused to cover patients in the local hospitals. Janis desired the BIA to build a medical service center in western Nebraska. His first task required determining the census information regarding Panhandle Lakotas, which would allow him to verify what local, county, or state agencies could offer assistance.<sup>61</sup>

Janis organized a January 11, 1974 NIC meeting in Alliance at Mark Monroe’s AIC. During the previous year, the Nebraska State Legislature amended the NIC and created a northern and southern panhandle representative, Mark Monroe and Minatare resident Lakota Dolores Kills in Water respectively. The conference dealt with civil rights, discrimination,

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<sup>61</sup> *Scottsbluff Star-Herald* clipping, no date, Steve Janis Correspondence 1973-1974, Box 2, SG93 SG1, Nebraska Indian Commission, NSHS. Janis also left his appointment on the UIN’s executive committee with the understanding that Mervin Garneau of the PVLA would replace him. This did not happen. After Janis assessed the Lakota population, his number increased to between 1,500 and 1,600 Lakotas in western Nebraska. By 1974, the NIC shared its western Nebraska office with the Mexican American Commission.

housing, employment, education, welfare, and veteran's benefits. Following the meeting, Janis wrote to Regional Administration Department of Housing and Urban Development (HUD) Elmer Smith requesting assistance. Janis noted that some 1,600 western Nebraska Lakotas across fifteen counties required adequate housing. He hoped HUD could help with comprehensive planning of housing. Janis closed stating, "the Indian people of this State are again getting 'up-tight' and want action."<sup>62</sup>

In February, more problems surfaced in Alliance. Jessie Howard contacted Mackey with complaints of racism and police brutality. "The Alliance Police Dept are messing with us," Howard wrote. "They beat us up and break in our houses and say we'll steal things. They throw us in jail for no reason at all. Some White people pulled guns on us and we tell the police. But they just say they are just playing with us." Howard argued that the police would not let Lakotas make complaints.<sup>63</sup> Mackey responded he would do everything he could to assist. He also noted this type of treatment is the reason for the BIA building takeover and Wounded Knee II and there would be more if federal agencies failed to listen. "If we aren't being listened to," Mackey reasoned, "the lid will be blown off by the militant organizations."<sup>64</sup>

Police harassment was not the only problem in Alliance. In December 1973, the Nebraska Northwest Community Action Program (NNCAP) fired Lillian Bordeaux and Ruth Flood from the Alliance Head Start. Mark Monroe organized an informal hearing in February where it was discovered that non-Indians complained that the women had excessive tempers, used profane language, left children unattended, and forced children to eat food. The Parent

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<sup>62</sup> Stephen Janis to Elmer Smith, January 18, 1974, Steve Janis Correspondence 1973-1974, Box 2, SG93 SG1, Nebraska Indian Commission files, Nebraska Historical Society.

<sup>63</sup> Jesse Howard to Robert Mackey, February 15, 1974, Indian Commission, Box 102, RG1 SG40, J.J. Exon Papers, NSHS.

<sup>64</sup> Robert Mackey to Jesse Howard, February 19, 1974, Indian Commission, Box 102, RG1 SG40, J.J. Exon Papers, NSHS.

Council members could not substantiate the allegations and signed the petition to fire the women based on hearing the complaints. Mackey contacted Walter Echo-Hawk of the Native American Rights Fund for assistance, since Mackey and Lakotas in Alliance believed the NNCAP fired the women on hearsay evidence.<sup>65</sup> Mackey argued, “the kind of treatment reported merits the Civil Rights action necessary to eliminate this treatment of our Indian people and other minorities.”<sup>66</sup> After the NARF legal assistance, the women unsuccessfully sued the NNCAP. Nonetheless, the Lakota organizations assured the women their day in court.

While continuing to address the situation in Alliance, Janis helped coordinate western Nebraska agencies to identify and propose solutions for assisting Lakotas. On March 27, 1974, an Indian Planning Workshop Phase IV took place at Scottsbluff’s Ramada Inn. The two-day conference brought together numerous agencies and officials: Scottsbluff City Manager Frank Koehler, NIC, Scottsbluff Police Department, United Sioux Tribes, BIA Aberdeen Area Director Wyman Babby, Pine Ridge Superintendent Albert Trimble, Rosebud Superintendent Elmer Compton, the local Headstart, Scottsbluff County Welfare Office, Box Butte County Welfare Office, and Gering’s alcohol and drug rehab center. The police department answered questions regarding policies on Lakotas arrested for intoxication. Babby, Trimble, and Compton’s inquiries dealt with possibilities of assisting western Nebraska Lakotas, particularly healthcare. Lakotas asked the welfare offices to provide information concerning services available and eligibility.<sup>67</sup>

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<sup>65</sup> The non-profit Indian law firm Native American Rights Fund started in 1969 with its main office in Boulder, Colorado. See, Wilkinson, *Blood Struggle*, 242.

<sup>66</sup> Robert Mackey to Walter Echo-Hawk, February 19, 1974, Indian Commission, Box 102, RG1 SG40, J.J. Exon Papers, NSHS. Eventually, Bordeaux and Flood lost a civil rights suit filed with the Nebraska Equal Opportunity Commission. Like nearly every issue, the UIN attached itself to the suit. In a letter to Dan Garneaux, Mackey claimed that the UIN withdrew their allocation to cover the expense of the women’s attorney. Now the attorney demanded the women pay \$3,000 for his services. Mackey argued that this was another reason that Nebraska churches must withdraw their funding from the UIN. See, United Indians of Nebraska, SG93 SG1, Nebraska Indian Commission files, Nebraska Historical Society.

<sup>67</sup> Indian Planning Workshop (Phase IV), March 27, 1974, Steve Janis Correspondence 1973-1974, Box 2, SG93 SG1, Nebraska Indian Commission, Nebraska Historical Society.

In July, Janis and the NPCAA held an Indian health planning meeting. Indian Health Service (IHS) officials stated that off reservation Indians did not qualify for IHS care unless they were in a migratory stream, meaning that individuals had to return to their reservations to receive treatment. Healthcare reform remained a priority for Lakotas and the NIC.<sup>68</sup> Getting the BIA to expand resources outside of the reservations proved difficult. Even so, by 1974, western Nebraska Lakotas emerged as a more organized unit pressing for self-determination despite tensions within the Indigenous community from Yellow Thunder and the firebombing.

In May, Yellow Bird and Janis held a two-day Panhandle Communities Workshop in Gordon and created four resolutions. The first dealt with Fort Robinson, citing the Treaty of Fort Laramie, the resolution urged Nebraska to deed the Fort to western Nebraska Lakotas. With the fast approaching country's bicentennial, the action would show good faith and concern for Indigenous Nebraskans. The second addressed the BIA's lack of assistance, requesting the BIA establish western Nebraska satellite offices to administer basic needs. The third regarded legal representation as the legal system denied Lakotas their civil rights and due process of law. The resolution desired the expansion of the Panhandle Legal Services (PLS) to cover the entire Panhandle not just the Platte Valley. The fourth addressed housing. A Gordon AIM survey revealed inadequate housing for Lakotas. Surveys conducted by the Nebraska Department of Economic Development, the City of Gordon, HUD, and Farmers Home Administration

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<sup>68</sup> Indian Health Planning Meeting, July 25, 1974, Indian Commission, Box 102, RG1 SG40, J.J. Exon Papers, NSHS. Lakotas urged the BIA to create healthcare programs in western Nebraska. The IHS had recently received more funding as the Revenue Sharing Act (1972) increased its budget to over \$6 million. In 1973, the IHS help fund the first health clinic for off reservation Natives in Minneapolis, providing \$150,000. See, *Minneapolis Tribune* 2 1973, available, Michael Scullin Collection, Newberry Library, Chicago, IL; Association on American Indian Affairs Newsletter, Folder 178, Box 28, Virgil Vogel Collection, Newberry Library, Chicago, IL. In 1972, Gordon Memorial Hospital detailed their relationship with the IHS. While the hospital had a contract with the IHS to treat Lakotas, it was on a referral basis. Unless an emergency, an IHS doctor had to examine the Lakota patient before they could seek treatment in Gordon. Thus, the hospital denied admission until a Lakota patient followed proper IHS protocol. See, Gordon, Nebraska, Gordon Memorial Hospital, Discrimination Complaint, 1972, Box 3, RG93 SG4, Nebraska Indian Commission, Nebraska Historical Society.

suggested Lakotas did not need housing. The resolution alleged that the Nebraska State and Gordon surveys were faulty, containing ambiguous questions and no designated low-income Lakota group. It resolved, “that all means necessary be used to produce adequate housing” for Lakotas.<sup>69</sup> These proactive ideas required money, and funding remained an issue with the BIA’s refusal to assist financially. Janis and Yellow Bird believed the BIA’s benefits should expand beyond reservations.

Even without BIA money, Monroe’s AIC emerged as the leader in offering social programs to Lakotas. Programs consisted of para-professional counseling to alcoholics, housing, and job service, but the most successful social programs dealt with health services. The center developed a nutritional program teaching low-income families how to prepare nutritious meals and served one hot meal per day. By August 1975, the AIC served 6,663 meals to 499 low-income people. These programs were open to all low-income people regardless of race. In 1969, the AIC developed a medical screening program that allowed Lakotas to receive free local medical examinations; however, in cases that required hospitalization, Lakotas had to go without. In December of 1972, Monroe started the medical busing program with a 1965 Ford van, which possessed no air conditioning or heater. The program transported patients from Box Butte, Dawes, and Sheridan Counties to the Pine Ridge reservation hospital. The bus made weekly and emergency trips. In 1973, the program transported 255 patients and in 1974, 375. In 1974, the Presbyterian Church provided Monroe with \$5,000 for a new van in which Monroe purchased a 1974 GMC Suburban that could transport eleven people. Extremely successful,

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<sup>69</sup> Panhandle Communities Workshop Resolution on Fort Robinson, May 18-19, 1974; Panhandle Communities Workshop Resolution on Legal Aid, May 18-19, 1974; Panhandle Communities Workshop Resolution on Housing, May 18-19, 1974; Panhandle Communities Workshop Resolution for Action, May 18-19, 1974, Indian Commission, Box 102, RG1 SG40, J.J. Exon Papers, NSHS.

Reverend Don Mink still operates the medical bus.<sup>70</sup> Monroe's programs were a sense of pride for the Alliance Lakota community as he stated the AIC "is an example of the philosophy of self-determination. We are self-governed and self-administered. We use church and county money, but we're able to do the work ourselves."<sup>71</sup> Even as factionalism increased, Lakota organizations created programs to assist their community.

Funding fueled the AIC's success, but it also reduced other regional Lakota organizations' access to monies. While factionalism in the Alliance Lakota community already existed, control of the AIC and its funding intensified the conflict across western Nebraska. In late December 1974, Mackey sent a report to NIC Chairman Ho Chunk Louis La Rose discussing his recent trip to western Nebraska. While at the NIC's Scottsbluff office, Mackey and Janis pressed the NPCAA's director to fund the PVLA's arts and crafts program, because the UIN failed to provide the money. During a PVLA meeting, Mackey described an apparent internal struggle as some attacked Janis for failing to receive UIN funding for the arts and crafts program. Others criticized NIC representative Kills in Water who was also on the UIN's board of directors, for failing to provide UIN funds. UIN director Jan Searcey refused to meet with the PVLA. Mackey met with Alliance resident and Yellow Bird's brother-in-law William Cross who initiated a petition against Monroe stating that Monroe failed to serve the Lakota community, "instead has used the money, food, clothing contributed by the Nebraska churches for his own use and for his own family, and ignoring the needs of the Alliance Indians." He also accused Monroe of nepotism since the AIC's board of directors consisted of Monroe's two sister in-laws,

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<sup>70</sup> Medical Busing Program, IWRF; Mark Monroe, *An Indian in White America*, ed., Carolyn Reyer (Philadelphia: Temple University Press, 1994), 192-196.

<sup>71</sup> Monroe, *An Indian in White America*, 194.

daughter, and wife.<sup>72</sup> Western Nebraska Lakotas started to create more self-determination projects, but these ideas required funding and the failure of some to receive it created division and frustration.

Kills in Water disliked the PVLA and Steve Janis and favored the more recently formed self-determination valley organization the Flying Eagle Council (FEC). The FEC formed to counter the PVLA. Thus, factionalism created another grassroots Lakota civil rights organization. On May 15, 1975, Dan Garneaux wrote Mackey claiming that ever since Kills in Water became an NIC and UIN member, the PVLA had not garnered any representation. Garneaux stated that Kills in Water's allegations scared Lakotas away from the PVLA and wished to have her removed from the commission.<sup>73</sup> A May 27, 1975 report stated Kills in Water set up the meeting and requested Monroe chair it. During the meeting, Kills in Water verbally attacked Janis by degrading his reputation. Mackey emphasized that Kills in Water and others must properly document allegations against Janis' character for them to be valid.<sup>74</sup>

In the midst of verbal attacks, Janis continued his work. In his monthly report for March 1975, Janis detailed his work in referring Lakotas with legal trouble to the Panhandle Legal Services in Gering. Janis helped coordinate local agencies to work together as the Scottsbluff County Head Start held an Indian Health Clinic that focused on testing for tuberculosis and diabetes. Forty-one Lakotas participated. Janis remarked, "the Native American of Western Nebraska are fastly [sic] becoming aware of what can be done when we coordinate with existing

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<sup>72</sup> Robert Mackey to Louis La Rose, December 23, 1974, Correspondence January-July 1975, Box 2, RG93 SG1 Nebraska Indian Commission, NSHS. Thirty-six Alliance residents signed the petition. Alliance Indian Petition, Indian Commission 1975, Box 134, RG1 SG40, J.J. Exon Papers, NSHS.

<sup>73</sup> Dan Garneaux to Robert Mackey, May 15, 1975, Indian Commission 1975, Box 134, RG1 SG40, J.J. Exon Papers, NSHS.

<sup>74</sup> Bob Mackey Report, May 27, 1975, Indian Commission 1975, Box 134, RG1 SG40, J.J. Exon Papers, NSHS.

agencies.”<sup>75</sup> Despite critics, Janis continued to help his fellow Lakotas and desired a united Lakota population.

While the AIC provided much needed resources to Alliance Lakotas, its funding power, thanks to the UIC, exacerbated factionalism among western Nebraska Lakotas. Monroe had served on the UIN Board of Directors since 1973. By October 1974, the UIN funded 21 projects totaling \$21,274. The AIC received the most funding for the entire state: \$1,000 for medical bus operations; \$5,474.94 for bus purchase and insurance; 3,600 for program support; and \$300 for an emergency fund. The UIN funded only three other panhandle projects, the NPCAA obtained \$300 for their emergency assistance fund, \$100 for Yellow Bird’s workshop, and Delores Cameron of Minatare accepted a \$300 scholarship. Box Butte County also provided \$150 per month to fund the AIC medical busing program. After October, the UIN approved another \$3,600 grant for the AIC’s nutritional program.<sup>76</sup>

The PVLA complained to Mackey about funding. It questioned why the AIC essentially received all of the western Nebraska’s UIN funding for 1974 and 1975. The PVLA noted that it had finally obtained reimbursement for a bad UIN check dated April of 1973. The organization further believed that the appointment of Monroe and Kills in Water to the UIN’s board of directors was illegal because the UIN failed to announce the meeting in which the elections took place in Alliance. The PVLA argued, “the Western Representatives on the UIN Board of Directors are using this organization UIN for their own good and are causing a division between organization of the West.”<sup>77</sup> The concentration of funding only benefited a few Lakotas.

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<sup>75</sup> Stephen Janis to Robert Mackey, April 8, 1975, Indian Commission 1975, Box 134, RG1 SG40, J.J. Exon Papers, NSHS. The Panhandle Legal Service was important. Janis argued that without access to legal representation, the legal system unfairly convicted Lakotas.

<sup>76</sup> United Indians of Nebraska 1974 Programs/Grants, Robert Mackey Special File-Letters, Box 171, RG1 SG40, J.J. Exon Papers, NSHS; United Indians of Nebraska, 1975, Box 13, RG93 SG4, Nebraska Indian Commission, NSHS; IWRF.

<sup>77</sup> Dan Garneau, July 25, 1975, Indian Commission 1975, Box 151, RG1 SG40, J.J. Exon Papers, NSHS.

Moreover, Monroe established the Comprehensive Employment Training Act (CETA) for western Nebraska and administered the CETA money, which upset the PVLA. The PVLA requested the NIC to investigate the UIN. The group wanted to help their people but could not without money.<sup>78</sup>

The June 13, 1975, NIC meeting in Alliance dealt with the growing criticism of the UIN's funding practices. Some questioned if commission members such as Mark Monroe and Dolores Kills in Water could also be UIN members, alleging it created a conflict of interest. Monroe stated he believed this claim untrue. Janis also had a concern as to what the UIN did with applications. He sent several proposals and the UIN never responded. Unfortunately, the meeting also conducted a closed session to address Janis' alcohol struggles. The NIC recognized Janis' drinking problem, having briefly suspended him a month earlier, and asked that he receive treatment at a rehabilitation center of his choice. On June 23, he entered treatment in Hastings. Members continued to support Janis and believed he was a valuable employee. Alliance Lakotas sent Mackey and Governor Exon a thirty-two signature petition of support requesting Janis not face termination because of his alcohol problems. They noted that Janis had come to Alliance several times to assist with problems mainly in dealing with the Alliance Police Department. He helped organize a Human Relations Board in which the Lakota community elected two Lakotas to discuss matters with the Chief of Police and other city officials.<sup>79</sup>

By late summer 1975, western Nebraska Lakotas had chosen sides. In September, Governor Exon had to reappoint or appoint new NIC panhandle representatives. Gordon resident

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<sup>78</sup> Monroe, *An Indian in White America*, 198-201. For more complaints against the UIN and Monroe's operation of CETA see, Comprehensive Employment Training Act 1975, Box 2, RG93 SG4, Nebraska Indian Commission, NSHS.

<sup>79</sup> Nebraska Indian Commission Meeting June 13, 1975; Dan Garneau to Robert Mackey, May 8, 1975, Indian Commission 1975, Box 134, RG1 SG40, J.J. Exon Papers, NSHS.

and Director of the newly formed Sheridan County Lakota Association (SCLA) Madeline J. Morgan requested Exon reappoint Monroe. Morgan stated that Monroe had been helping to establish the soon to be incorporated SCLA representing Gordon, Rushville, and Hay Springs. President of Chadron based Eagle Feather Crafts CO-OP Cecilia (Girly) Bartlett also urged Exon to reappoint Monroe citing the success of the medical busing and nutrition program. Likewise the AIC's Board of Directors wrote Exon in support of Monroe. Monroe's sister Lillian Bordeaux submitted three Alliance residents to replace her brother. Bob Yellow Bird recommended Exon appoint Myrtle Ash of Gordon. He noted that Ash lived in Gordon for thirty-six years and understood the problems Lakota residents encountered having worked for the NNCAA, a Gordon Human Relations Board member, Gordon Food CO-OP assistant manager (a grocery for low-income residents), and currently a member on the Policy Advisory Board for Alcohol and Drug Abuse Program in Dawes, Box Butte, Sheridan, and Sioux Counties. The PVLA contacted Mackey nominating its Chairman Dan Garneaux for the Southern Panhandle representative. Members noted that Garneaux directed the Indian Arts and Crafts program, which ran successfully for thirty-two months on a fourteen-month budget. The Reverend of the Native American Church at Scottsbluff, Geo Gap submitted Head Start employee Elizabeth Leftwich to replace Dolores Kills in Water. FEC Vice Chairman David Iron Horse wrote Exon to nominate Kills in Water for reappointment. Iron Horse stated that the FEC's "charter states that among our functions, one of them [sic] most important is the improvement of life for Native Americans. We feel that this nomination is consistent with the purpose of our organization."<sup>80</sup> While these

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<sup>80</sup> Madeline Morgan to J.J. Exon, July 31, 1975, Indian Commission 1975, Box 134, RG1 SG40, J.J. Exon Papers, NSHS; Fred Bear Killer to Robert Mackey, August 14, 1975; David Iron Horse to J.J. Exon, August 25, 1975; AIC to Governor Exon, July 22, 1975; Cecilia (Girly) Bartlett to J.J. Exon, July 25, 1975; Lillian Bordeaux to Robert Mackey, August 18, 1975; Indian Commission 1975 Box 151, RG1 SG40, J.J. Exon Papers, NSHS.

Lakotas quarreled amongst themselves, Lakota leaders still constructed programs that served their communities.

Factionalism created more Lakota organizations. Running the AIC ensured Monroe a voice in civic affairs, control of its programs, and use of the facility. Still, some Lakotas believed that Monroe never represented their interests. In August of 1975, disaffected individuals, led by Lillian Bordeaux, formed the Alliance United Lakotas (AUL), claiming to serve the entire Lakota community. The organization refused to associate with AIM and sought to establish recreational activities for youth, medical services, scholarships, and legal representation. These goals were similar to the AIC's, but this group believed that Monroe failed to effectively help the Lakota community. The AUL claimed that he refused admittance to certain persons and only helped his family. The AUL challenged the AIC's lease with the city hoping to obtain it. Monroe countered by stating the accusations were false and AIM members were the only people prohibited entry to the AIC. He also offered to open his financial books to prove that the organization acted responsibly.<sup>81</sup> Monroe had the power to run the center his way and certain members of the Lakota community believed Monroe acted irresponsibly. Yet, the AUL emerged as another organization providing essential assistance to the Lakota community.

Monroe faced intense criticism and challenges from Yellow Bird's AIM. Yellow Bird constantly tried to attain control of the AIC's Indian center by showing up at Alliance City Council meetings, attacking the center's programs, and its monopolization of the funding. Yellow Bird disliked Monroe and the feeling was mutual. Monroe believed "many of the people that were elected for chairmanships of local chapters were people who would never be good leaders. They were drunken people, uneducated people, not respectful, and did not believe in

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<sup>81</sup> *Alliance Times Herald*, 28 August 1975; IWRP; Dale Mason, "You Can Only Kick So Long"; Monroe, *An Indian in White America*, 203-205.

working within the system.” He argued that AIM was jealous of the AIC and wanted to work outside the system.<sup>82</sup> In 1975, the AIC contracted a \$22,000 CETA program, which trained individuals for public service jobs. It employed ten Lakotas. Yellow Bird accused Monroe of mismanaging the program by pointing out that Monroe mishandled funds, disregarded the desires of the Lakota community, and selected certain individuals to partake in the program.<sup>83</sup> Monroe reported the contract signed with UIN for CETA in 1975 was actually \$59,000.<sup>84</sup> While Monroe received a great amount of criticism and attacks, nobody presented enough evidence to force Monroe from control of the AIC. As Monroe stated, the books “were in order and everything was well run.”<sup>85</sup> City officials avoided Lakota infighting and from their vantage point, the AIC was a self-run organization helping create a better social situation. Whether or not nepotism and financial misconduct existed, the social programs Monroe helped develop greatly assisted the Alliance Lakota community. The AIC programs offered self-determination and opportunity. In 1975, Congress passed the Indian Self-determination and Education Assistance Act, which directed the BIA to contract with tribal governments and jointly administer programs. Tribes directly received funding and controlled their own programs.<sup>86</sup> However, western Nebraska Lakotas fell outside of the BIA support and without federal money and programs, church funding proved the key to self-determination.

By December 1975, tension regarding the UIN increased to the point that Governor Exon spoke on the matter. Attached to a December 13 NIC meeting was a resolution from “Off Reservation Community Members” in which they argued for the UIN to truly represent all

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<sup>82</sup> Monroe, *An Indian in White America*, 204.

<sup>83</sup> Monroe, *An Indian in White America*, 204-205; Bob Yellow Bird to Arthur T. May, March 13, 1975, IWRP; Dale Mason, Review of *The Death of Raymond Yellow Thunder: And Other True Stories from the Nebraska-Pine Ridge Border Towns* by Stew Magnuson, *The American Indian Quarterly* 33 (Summer 2009): 412-414.

<sup>84</sup> August 12, 1972 AIC Report, IWRP.

<sup>85</sup> Monroe, *An Indian in White America*, 206.

<sup>86</sup> Wilkinson, *Blood Struggle*, 197.

Indigenous Nebraskans or dissolve. The group sought an audit, criticized the hiring of non-Indians, and employing a lobbyist.<sup>87</sup> Mackey's involvement in opposing the UIN backfired. In the *Lincoln Star*, Exon attacked the criticism against the UIN specifically targeting Mackey. Indeed, Exon was not the only person to dislike Mackey's actions. Monroe let his frustrations regarding Mackey be known in a late December 1975 letter to Exon. Monroe commended Exon for stating his displeasure with Mackey's attacks on the UIN and wished he could fire Mackey. Monroe pointed out that Mackey threatened to stop funding AIC programs and that Mackey tried to stack the NIC by opposing Kills in Water and his reappointments to the commission. Monroe proclaimed that "Mrs. Kills in Water is by far the most concerned and knowledgeable [sic] person on Indian problems, than anyone I know in the Southern Panhandle of Nebraska." He further stated that Mackey caused the division in western Nebraska "by threatening some organizations and helping others, he is not consistent in his work on Indian problems. Robert Mackey should resign his position in the best interests of Nebraska Indian people." Exon responded telling Monroe that he and the commission possess the power to fire Mackey. Mackey was not their boss, because he worked for the NIC and as an employee, they could terminate him.<sup>88</sup>

Mackey continued to press the issue in a January 10, 1976 report to the NIC members by arguing that the UIN represented a conflict of church and state as it received church funding and participated in politics as the group recently lobbied Governor Exon to appoint candidates they supported to the NIC. Bob Yellow Bird, the AUL, and PVLA all leveled the same claims against the UIN. Mackey also noted western Nebraska Lakotas desired to know the whereabouts of \$22,000 in which the Presbyterian Church of the Rocky Mountain Synod provided to the UIN.

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<sup>87</sup> Attachment #2, Nebraska Indian Commission Minutes, December 13, 1975, Indian Commission 1975 Box 151, RG1 SG40, J.J. Exon Papers, NSHS.

<sup>88</sup> Mark Monroe to J.J. Exon, December 19, 1975; J.J. Exon to Mark Monroe, December 23, 1975, Indian Commission 1975 Box 151, RG1 SG40, J.J. Exon Papers, NSHS.

The Presbyterians earmarked the money only for western Nebraska. The report revealed that NIC Chairman La Rose supported the UIN and disliked Mackey for writing letters critical of the UIN. Mackey stated, “these letters were in response to Indians who were ignored and neglected by local Indian authorities, where activities were questioned by the Indians in these communities, and no one apparently advocated for them.”<sup>89</sup> This support, however, did Mackey no favors in the political sphere because it alienated him from the NIC Chairman, Vice Chairman, and the Governor. The UIN morphed into its own entity, autonomous of the NIC and Mackey’s control.

Mackey did not go down without a fight and refused to support the UIN. The commission members acted quickly and on January 10 held a tense meeting in Winnebago, Nebraska. Factionalism engulfed the meeting. During the meeting Yellow Bird requested the NIC terminate Mark Monroe’s membership, and Mervin Garneaux protested Kills in Water’s reappointment. Members carried a debated motion stating that the director must cease opposition to the UIN and other organizations or face termination. Yellow Bird objected to the motion arguing that it defeated the purpose of the commission. The members then moved to fire Mackey on the grounds of irresponsible leadership, promoting factionalism, and derogatory, if not libelous, statements. During discussion, Yellow Bird defended Mackey stating that the director always helped and that the commission should get a consensus from the Indigenous community. La Rose criticized Mackey for claiming to Exon that tribal governments were unstable. With a 4 to 3 vote, the NIC fired Mackey as Executive Director. Stephen Janis briefly served as director until the NIC hired Ho Chunk Felix White Jr. Mackey’s ouster resulted from criticism claiming he had taken sides in political feuds, quarreled publically with Governor Exon, and failed to direct Indian programs competently. Mackey was not the only NIC representative, employee or

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<sup>89</sup> Robert Mackey to Nebraska Indian Commission, January 10, 1976, Indian Commission 1976, Box, 171, RG1 SG34, J.J. Exon Papers, NSHS.

member, to have chosen sides and he had fought Exon since the first month of his NIC employment in 1970. Mackey garnered supporters as after his firing, A Coalition of Concerned Nebraska Indians, consisting of twelve different organizations, met in Kearney and drafted a resolution that the NIC must reinstate Mackey. The group included organizations from Omaha, Lincoln, and western Nebraska (AIM and PLVA).<sup>90</sup>

As the Coalition of Concerned Nebraska Indians revealed, bitterness over Mackey's firing remained, yet a move towards reducing factionalism emerged. On July 20, 1976, Janis wrote to Director of the Omaha Sioux Indian Center, Alex Lunderman discussing his meeting with the Chairman of the UIN Mark Monroe. The brief conference revolved around funding for Lakota organizations throughout the state. Monroe provided positive ideas, but the UIN had expended all funds at present. After years of fighting over the UIN funding, a sense of moving forward developed. Janis stated, "I have reason to believe that Mark is willing to work for the benefit of our Lakota people throughout the State. I believe we must remember that Mark has been Chairman of U.I.N. for a short time and really cannot be held responsible for what had happened in the past. We are 'Lakotas' and eventually our 'Hoop' will once again form the perfect circle."<sup>91</sup> Moving forward, western Nebraska Lakotas attempted to work together rather than quarrel. In 1977, Panhandle organizations the PVLA, AIC, SCLA, FEC incorporated the Western Nebraska Indian Council, which being a fraternal benevolent organization sought "solidarity within the community."<sup>92</sup> Indeed, resentment and rivalries did not disappear

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<sup>90</sup> Nebraska Indian Commission Minutes, January 10, 1976, Indian 1976, Box 186, RG1 SG40; Coalition of Concerned Nebraska Indians, "To the People of Nebraska," J.J. Exon Papers, NSHS.

<sup>91</sup> Stephen Janis to Alex Lunderman, July 20, 1976, Correspondence Scottsbluff Office-1976, Box, 3, RG93 SG1, Nebraska Indian Commission, NSHS. The Lakota's sacred medicine wheel (*cangleska*) or "hoop" consists of four colors and represents the power of life. The medicine wheel is circular with a two lines intersecting in the middle. The circle signifies life. See, Joseph Marshall, III, *The Lakota Way: Stories and Lessons for Living* (New York: Penguin, 2001).

<sup>92</sup> Western Nebraska Indian Council Alliance, Box 13, RG93 SG4, Nebraska Indian Commission, NSHS.

completely, as the most infamous case occurred in 1978 when Yellow Bird physically assaulted Monroe and the two exchanged gunfire in Alliance.<sup>93</sup> Yet, by summer 1976, factionalism and infighting rarely appears in NIC records whereas Lakotas leaders' criticizing and allegations of each other dominated between 1972 through spring 1976. Lakotas understood that working together to achieve a unified civil rights movement would produce more successes.

The Hare brothers' trial brought AIM and its loquacious leadership, including Russell Means and Dennis Banks to western Nebraska. The arrival of AIM kept pressure on the region's municipalities and state officials to address the social situation but divided Lakotas on the best path for social reform. While AIM created another group in the divided Lakota community, factionalism mobilized Lakotas to discuss, demand, and formulate solutions to improve their lives. With the diverse organizations, the Panhandle saw militant protests and an occupation as well as efforts to work within the system through legal actions and lobbying. Fighting for civil rights and social programs proved difficult. The BIA yielded to state authority for litigation and providing social services for non-reservation Lakotas. With their demands for expansion of BIA services in the Panhandle, Lakota leaders suggested that the BIA look beyond the physical boundaries of the reservations, because the socioeconomic problems extend past lines on a map. Despite funding issues and factionalism, Lakotas had laid a foundation for community improvement and remained active pushing for reform in the subsequent years. Starting in 1973, Lakota organizers established better access to medical services, employment training, and legal representation. By 1976, the Lakotas' numerous social programs provided an improved standard of living and created positive images in the community. As the grassroots organizations matured

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<sup>93</sup> Yellow Bird arrived at Monroe's house armed and punched Monroe. Monroe ran to retrieve his pistol and as Yellow Bird fled, the two sides shot at each other. A jury later refused to convict Yellow Bird, although he did admit to hitting Monroe. Monroe, *An Indian in White America*, 207-208.

and factionalism waned, the future looked bright. However, political changes on the federal and state levels soon posed a challenge to the progress made for Lakota civil rights.

## Chapter 7: “We Just Want to Be Treated Like Human Beings”: The Continuity of Racial Relations and Lakota Activism in Western Nebraska

In early May 1993, a journalist with *Indian Country Today* interviewed Steve Janis regarding the Advisory Committee of Nebraska to the United States Civil Rights Commission’s recent community hearing in Scottsbluff. Janis, a 47-year-old Lakota leader and paralegal for Western Nebraska Legal Services in Scottsbluff, had grown up in the small western Nebraska town. Janis had encountered racism since grade school, when his peers called him “that dirty little Indian.” Lakotas demanded an end to continued harassment. “The people are hot, man,” Janis stated, “They’re ready to march... We just want to be treated like human beings.”<sup>1</sup> Such fiery rhetoric, uncommon for Janis, derived from pent up frustration at seeing his decades-long work for Lakota civil rights and self-determination erode. Janis’ statements revealed the lingering racial discrimination and social problems for Lakotas living in the rural off-reservation western Nebraska towns of Gordon, Alliance, and Scottsbluff.

The civil rights hearing addressed and proposed ways to resolve the racial discrimination in the three towns. Lakotas voiced their anger over what Janis described as “backsliding” racial relations since 1985, when Nebraska’s legislature cut funding to the Nebraska Indian Commission (NIC). The commission no longer helped the state’s Indigenous residents lobby state lawmakers and the governor to create helpful state Indian legislation and provide services, such as investigating civil rights violations.<sup>2</sup> Without a funded NIC, racial insults, police brutality, and educational problems reappeared in the region. The hearing made clear that the

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<sup>1</sup> Jerry Reynolds, “Race Relations in Western Nebraska Get Federal Hearing” *Indian Country Today*, 5 May 1993: A1-A1.

<sup>2</sup> Nebraska Indian Commission, *The Report of Nebraska Indians* (Lincoln: Nebraska Indian Commission, 1973); Steve Janis, “Racism: ‘Someday We Will Have Equal Rights,’” *Indian Country Today*, 19 May 1993, A6.

1970s civil rights movement failed to establish social equality and eradicate racism in western Nebraska. During the activism of the 1970s, NIC programs and lobbying, and grassroots organization at the local Indian centers produced reforms, community awareness, self-determination, and social justice for western Nebraska's Lakota communities. By the late 1970s, these groups minimized infighting and acquired the necessary experience to use the legal system to create reforms, particularly with western Nebraska's law enforcement and jail system. Lakotas came to depend on the NIC and other grassroots organization for assistance. In the 1980s, diminishing state and federal funding impeded the NIC and Lakota organizations' ability to support the Lakota communities. By the 1990s, the 1970s achievements had eroded, leaving Lakotas to rely again on grassroots organization to fight for reform. The 1993 forum exposed an ongoing story of western Nebraska's civil rights struggle. This chapter argues that western Nebraska's civil rights struggle continued after the 1970s and revealed the continuity in western Nebraska's racial relations and Lakota activism.

Scholars of American Indian civil rights have recently paid more attention to events before American Indian activists occupied Alcatraz Island in 1969.<sup>3</sup> Yet, few studies move beyond the events of the 1970s to examine if the decade's civil rights reforms endured.<sup>4</sup> Scholars examining Lakota civil rights center on Wounded Knee 1973 and the following struggles against the federal law enforcement. Furthermore, scholarly work discussing American Indian civil

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<sup>3</sup> Charles Wilkinson, *Blood Struggle: The Rise of Modern Indian Nations* (New York: W.W. Norton and Company, 2005); Daniel Cobb, *Native Activism in Cold War America: The Struggle for Sovereignty* (Lawrence: University Press of Kansas, 2008); Paul Rosier, *Serving Their Country: American -Indian Politics and Patriotism in the Twentieth Century* (Harvard University Press, 2009); Bradley Shreve, *Red Power Rising: The National Indian Youth Council and the Origins of Native Activism* (Norman: University of Oklahoma Press, 2011); Donald Fixico, *Indian Resilience and Rebuilding: Indigenous Nations in the Modern American West* (Tucson: University of Arizona Press, 2013).

<sup>4</sup> George Pierre Castile, *Taking Charge: Native American Self-Determination and Federal Indian Policy, 1975–1993* (Tucson: University of Arizona Press, 2006); Wilkinson, *Blood Struggle*. Native American Literature authors address racism in the post 1970s era. See, Louise Erdrich, *The Round House* (Harper Perennial, 2013).

rights in western Nebraska focuses on AIM and the death of Raymond Yellow Thunder, which neglects a much richer history of civil rights in the region, one that scholars cannot confine to the 1970s or the current alcohol related issues of Whiteclay, Nebraska.<sup>5</sup> Thus, the 1980s and 1990s are a neglected, yet crucial, period in the history of a long Lakota civil rights movement.

With western Nebraska Lakotas newly-pledged commitment to working together to help their communities, Lakotas continued their civil rights and self-determination struggle. The Western Nebraska Indian Council signified the commitment for western Nebraska organizations to work together. Lakotas and the NIC focused their efforts in Gordon. During a February 1976 NIC meeting in Macy, Nebraska, VISTA paralegal Dale Mason revealed that Lakotas comprised the majority of Sheridan County arrests. Furthermore, Mason noted that District Judge Robert Moran only appointed one public defender—Charlie Plantz—to Lakotas. Plantz often failed to both meet with his clients and defend Lakota rights. In response, NIC members changed their upcoming March 12 meeting in Gordon to March 11 to coincide with a Gordon City Council meeting, which allowed Lakotas to present their grievances to the council. On March 11, the NIC held the meeting in Gordon chaired by Vice Chairman and Alliance Lakota Mark Monroe. Among the non-members present at the NIC meeting included American Indian Movement (AIM) leader Russell Means and U.S. Commission on Civil Rights Regional Attorney Melvin Jenkins. Gordon AIM leader Lakota Bob Yellow Bird discussed the reality of racial

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<sup>5</sup> See Peter Matthiessen, *In the Spirit of Crazy Horse* (New York: Penguin Books, 1992); Robert Burnette and John P. Koster, *The Road to Wounded Knee* (New York: Bantam Books, 1974); Mary Crow Dog and Richard Erdoes, *Lakota Woman* (New York: Grove Weidenfeld, 1990); Stew Magnuson, *The Death of Raymond Yellow Thunder: And Other True Stories from the Nebraska-Pine Ridge Border Towns* (Lubbock: Texas Tech University Press, 2008); Paul Chaat Smith and Robert Allen Warrior, *Like a Hurricane: The Indian Movement from Alcatraz to Wounded Knee* (New York: W.W. Norton, 1996); Michael Joseph Engle, “Thunder on the Prairie: The Raymond Yellow Thunder Case and the Rise of the American Indian Movement” (M.A. thesis, University of Texas at El Paso, 1997). Akim Reinhardt argues that Lakota history after Wounded Knee in 1973 is severely lacking. Akim Reinhardt ed., *Welcome to the Oglala Nation: A Documentary Reader in Oglala Lakota Political History* (Lincoln: University of Nebraska, 2015), 247-264.

discrimination in Gordon. Yellow Bird argued that agreements made as a response to Raymond Yellow Thunder's death in 1972 had failed. The town failed to hire an American Indian police officer and the Human Relations Board remained ineffective. Gordon officials never responded to complaints regarding police brutality and sexual assaults of Lakota women. County judges set excessive bonds for bail and Lakotas possessed no voice in civic government. Yellow Bird believed the legal system and law enforcement failed to grant equal constitutional rights to Lakotas. Allegations included illegal searches, police harassment, and assault (beating non-resisting Lakotas). Following the meeting, Janis presented the allegations to the Gordon City Council who accepted the complaints and promised an inquest. Yellow Bird also offered his grievances. A Gordon Journal photographer captured the moment with a stern Yellow Bird, cigarette and list of complaints in hand, addressing the council. The council stated it would contact the U.S. Justice Department for guidance on how to alleviate the community's conflict. In June, a Humans Relations Board and a Police Review Board finally materialized.<sup>6</sup> Janis also sent additional details regarding police misconduct to Melvin Jenkins so Jenkins could draft a report.<sup>7</sup>

In May of 1976, Stephen Janis reached out for federal help contacting James Bluestone of the American Indian Policy Review Commission Task Force #8. Janis revealed that off

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<sup>6</sup> Nebraska Indian Commission Meeting Minutes, February 20, 1976, Indian File, Box 186, RG1 SG40, Governor J.J. Exon Papers, Nebraska State Historical Society, Lincoln, NE (cited hereafter as NSHS). Nebraska Indian Commission Meeting Minutes, March 11, 1976, Indian File, Box 186, RG1 SG40, Governor J.J. Exon Papers, NSHS; Stephen Janis to Louis LaRose, March 12, 1976, Indian File, Box 186, RG1 SG40, Governor J.J. Exon Papers, NSHS. Stew Magnuson noted the NIC's role in the meeting. He called the NIC a "toothless group that could raise a stink by writing memos. Its members had no real power...and the fact that the commissioners had traveled hours from Lincoln to investigate concerns about Gordon surely meant something." This statement ignores the NIC's critical actions and its previous investigations in western Nebraska. The NIC regularly held meetings in the Panhandle and was far from "toothless," playing a significant role in western Nebraska Lakotas' civil rights movement. Correspondence between Yellow Bird and the NIC is frequent in the archives; Yellow Bird often sought its assistance. See, Magnuson, *The Death of Raymond Yellow Thunder*, 239-240.

<sup>7</sup> Stephen Janis to Melvin Jenkins, April 26, 1976, Indian File, Box 186, RG1 SG40, Governor J.J. Exon Papers, NSHS; *Gordon Journal*, 17 March 1976.

reservation Lakotas received no services from the Pine Ridge or Rosebud reservations. Lakotas garnered little help from the State of Nebraska, because the legislature never passed legislation to amend the problems. Lakotas believed that the Bureau of Indian Affairs (BIA) should extend its benefits to all tribally enrolled American Indians. A BIA office would help with settling reservation land leases and settlements, since it tied up NIC resources. Janis pointed out other issues Lakotas faced: alcohol abuse, housing shortages, healthcare access, and a prejudiced legal system. Lakotas needed alcohol treatment programs administered by American Indians. Western Nebraska Lakotas also struggled to find housing and lived in sub-standard housing. The Alliance Indian Council's (AIC) medical busing program required more funding and should include Scotts Bluff County. Only one legal service served Scotts Bluff County leaving Lakotas in other western Nebraska areas with poor legal representation. Janis closed "we are attempting to explain that we are self-determined Indian people who are fighting for self-survival in a vast frontier."<sup>8</sup> Janis noted Lakotas' desire for self-determination, but that required resources and in the "frontier" of de facto termination, Lakotas struggled to obtain the resources necessary for survival.

The NIC and western Nebraska Lakota organizations focused to reform the conditions Lakota inmates endured in the Sheridan County Jail in Rushville. On August 12, 1976, Don L. Bearrunner wrote to Dale Mason detailing civil rights violations within the Sheridan County legal system. Bearrunner stated that in June 1976 the Sheridan County Sheriff's Office received

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<sup>8</sup> Stephen Janis to James Bluestone, May 26, 1976, Correspondence Scottsbluff Office 1976, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS. Without the presence of the BIA support in western Nebraska, the NIC replaced the BIA and tribal governments to assist with legal problems and healthcare. In October 1976, Janis requested the Indian Health Services pay the medical bills of a Scottsbluff Lakota resident and enrolled Rosebud tribal member. Indian Health Services on the Rosebud started care before transferring the man to Scottsbluff and then Denver hospitals. The man still needed 20 percent of his medical bills paid and Janis asked the Indian Health Services for financial assistance. See, Stephen Janis to Larry Scott Schneiderman, October 12, 1976, Correspondence Scottsbluff Office 1976, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

a grant of \$98,068 to consolidate the law enforcement offices of Rushville and Hay Springs. With the additional funding, the County hired more deputies. Berrunner noted that “excessive bail” and alcohol-related fines kept Lakotas incarcerated for days and sometimes months. The County needed to focus on rehabilitating Lakota drinkers rather than incarcerating them. Professional counseling and rehabilitation centers could solve the issues, but Lakotas sat in overcrowded jails. Lakotas believed the County violated their rights and claimed they struggled to obtain adequate court representation because of the pervasive poverty in the region. Berrunner asked Mason to investigate, “many of our Indian people are willing to stand up and fight for their rights but without concerned and reliable sources on the outside to help us, many will continue to experience injustice and impartiality...” Berrunner and eighteen Lakotas signed the letter.<sup>9</sup>

On September 3, Janis, a NIC paralegal and a Nebraska Health Department official inspected the Sheridan County Jail. The Health Department representative notified the Sheridan County Sheriff of the problems he needed to fix. The jail windows required screens. The jail cells contained a seven-inmate capacity because no prisoner should sleep on the floor. The jail’s water system required a tempering device to keep hot water below 120 degrees. Each prisoner should receive two wool blankets to alleviate rash problems.<sup>10</sup> Janis requested Sheridan County

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<sup>9</sup> Don Berrunner to Dale Mason, August 12, 1976, Correspondence Scottsbluff Office 1976, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS. Tension increased in Gordon surrounding Bob Yellow Bird. Janis noted that upon his arrival a segment of Lakotas feared reprisals from the community. The Sheridan County Lakota Association determined to write a newspaper editorial stating that not all Lakotas support Bob Yellow Bird. Janis advised Yellow Bird to “play it cool” and file charges with the County Attorney. See, Stephen Janis to Felix White, September 24, 1976, Correspondence Scottsbluff Office 1976, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS. In May of 1976, during a bar fight, police kicked Yellow Bird’s pregnant wife Joann in the stomach in which she later lost her baby. Yellow Bird “declared war” on Gordon. The Yellow Bird’s sued stating the Gordon police violated Joann’s civil rights. In 1979, a jury agreed and the Yellow Birds received \$300,000. See, Magnuson, *The Death of Raymond Yellow Thunder*, 243-245, 254.

<sup>10</sup> Gary Gibbons to M.J. Talbot, September 9, 1976, Correspondence Scottsbluff Office 1976, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

Lakota inmates to state their grievances.<sup>11</sup> The inmates' letter detailed deplorable conditions. Overcrowding forced some to sleep on the floor. In the summer heat, the jail provided little fresh air because of the partially closed windows. Jailers refused to allow Lakotas to make phone calls, while white inmates arrested for intoxication could make more than one. Lakotas could not afford lawyers and the public defender cared little about Lakota clients. The public defender often asked Lakotas to plead guilty for a lesser charge and failed to subpoena witnesses. The County Court sentenced an 81-year-old man to thirty-four days on an intoxication charge. High bond payments forced most Lakotas to remain in jail. Occasionally, the Sheriff denied visitors on the specified visitation day. The inmates closed "we the Indian Inmates of Sheridan County Jail feel that there should be some Indian people working in the jail and around the court house if Indians is [sic] the only people to be in the Sheridan Co jail."<sup>12</sup> The NIC was the organization that gathered these Lakotas' complaints, pushed for reform, and tied prisoners' rights to the civil rights movement in western Nebraska.<sup>13</sup>

Access to legal services remained a significant problem for western Nebraska Lakotas. Janis argued that Panhandle Legal Services (PLS) must expand throughout the region, since the public defender system remained ineffective. Janis believed that "far too many of our Lakota people have been victims of a 'speedy' trial. Our Penal Complexs [sic] are filled with human

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<sup>11</sup> Stephen Janis to David Challad, September 9, 1976, Correspondence Scottsbluff Office 1976, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS

<sup>12</sup> Indian Inmates, September 3, 1976, Correspondence Scottsbluff Office 1976, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>13</sup> James Jacobs, argues that scholars must view prisoners' rights as a sociopolitical movement such as civil rights. James B. Jacobs, "The Prisoners' Rights Movement and Its Impacts, 1960-80," *Crime and Justice* 2 (1980): 429-70. Recently, scholars have connected incarceration with civil rights. See Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (The New Press, 2012); Naomi Murakawa, *The First Civil Right: How Liberals Built Prison America* (Oxford: Oxford University Press, 2014); Brian Samacki, "In the biting stage': The 1955 Nebraska State Penitentiary Riots and Violent Prison Activism," *Nebraska History* 96 (Fall 2015): 2-13. Moreover, mass incarceration has been a part of the U.S. West's history, as California has led the way. See Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley: University of California Press, 2007).

beings who have been misjudged because of lack of preparation and proper representation.”<sup>14</sup> On November 30, 1976, after two years of Janis’ lobbying for expansion, the PLS Board of Directors passed a reorganization plan to expand its services beginning January 1, 1977.<sup>15</sup> Lakotas in Dawes, Sheridan, and Box Butte counties would no longer have to rely on public defenders for legal guidance.

Alliance Lakotas encountered their own problems, namely the Burlington Northern Railroad. With the coal boom in Wyoming’s Powder River Basin, the Burlington Northern expanded its Alliance depot and placed its sights on Lakota homes in South Alliance. Mark Monroe and the AIC contacted Janis for assistance to keep Lakotas in their homes. In September 1976, Janis reached out to Richard Collins of the Native American Rights Fund and asked if Lakotas had a case based on the Treaty of Fort Laramie 1868, because the Burlington Northern could not pressure or force Lakotas to sell or abandon their homes.<sup>16</sup> Collins notified Janis that Lakotas could not make any treaty claims against the railroad. Janis then informed Monroe, “I am saddened by the fact that, again, our Sioux people are being forced from their humble surroundings and land holdings.”<sup>17</sup> Nonetheless, Janis promised the NIC would “exhaust all resources” to fight the Burlington Northern.

Monroe took his fight to the Alliance City Council and accused members of racism. In a press release, Monroe argued that the prejudice of council members Anthony Yeager, Bob Laing, and Tom Podhaisky shocked the “minority people” in attendance. The three voted against every

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<sup>14</sup> Stephen Janis to David Challad, July 20, 1976, Correspondence Scottsbluff Office 1976, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>15</sup> Stephen Janis to Bert Schoetgner, December 20, 1976, Correspondence Scottsbluff Office 1976, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>16</sup> Stephen Janis to Richard Collins, September 20, 1976, Correspondence Scottsbluff Office 1976, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>17</sup> Stephen Janis to Mark Monroe, October 1, 1976, Correspondence Scottsbluff Office 1976, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

request the minority groups brought to the council. With the Burlington Northern Railroad's purchase of land in South Alliance, families sought housing across the railroad tracks (the proverbial racial barrier), which had separated Lakotas from the rest of town since the 1920s. Monroe called Laing "an old line Indian hater," because he "made the comment that the American Indian Center building could be purchased and moved. But not across the tracks to north Alliance. This very definitely is a racial comment, and he was supported by Yeager and Podhaisky." Monroe believed that Laing "did not want Indians or Blacks in his part of town." He alleged that the local media suppressed the racist comments. Monroe also discussed the local welfare department rejecting funds for the AIC's nutrition program. He noted that outside sources provided the most support for AIC programs and he requested local financial support. In return, the council and welfare department ridiculed the AIC with allegations that the AIC failed to serve nutritious meals to low-income people. Monroe called upon Stephen Janis and the NIC to investigate the matters.<sup>18</sup>

Residents debated Monroe's comments and Nelson Boerschig's *Alliance Times-Herald* editorial criticized the AIC leader. Boerschig alleged that Monroe's frustration stemmed from the council refusing to sell Monroe the AIC building, instead leasing it for \$1 per year. Boerschig stated that he had taken Lakotas to the Pine Ridge hospital because Monroe refused. He also sent Lakotas to the welfare office and they received ample assistance. Boerschig argued that Lillian and Leonard Bordeaux (Alliance United Lakotas) deserved the credit for helping Lakotas.<sup>19</sup> The Alliance United Lakotas (AUL) called a special meeting to refute Monroe's charges of racism. The Bordeauxs argued that Monroe's allegations were unfounded and his actions harmed, rather

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<sup>18</sup> Mark Monroe to Stephen Janis, October 19, 1976, Correspondence Scottsbluff Office 1976, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>19</sup> Rumblings, Nelson Boerschig, "I think the welfare is doing their job," Correspondence Scottsbluff Office 1976, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

than helped, Lakotas. The Bordeauxs did not witness any racism at the meeting and experienced amicable relations with the councilmen. Furthermore, Lakotas that the AUL referred to the welfare office always received help. The AUL office stood across the street from city hall signifying the lack of discrimination.<sup>20</sup> Regardless of the debate, racial barriers existed and Lakotas relied on local Lakota organizations for support.

In the midst of dealing with problems in western Nebraska, a change in NIC leadership complicated issues for Panhandle Lakotas. In the past, Robert Mackey not only urged Janis to investigate Lakota concerns but he also frequently travelled to the Panhandle for inquest. While there, Mackey attended the western Nebraska Lakota organizations' meetings and encouraged the groups to contact the NIC for assistance. Felix White, however, requested Janis ignore western Nebraska Lakota organizations. White notified Monroe that he needed to conduct the letter writing and "leg work" to solve his problems with the city council and press. White believed that as NIC employees, he and Janis lacked the power to help in situations such as Monroe's and they had plenty of other work to complete. He requested that Janis put his "emphasis in the area of more general concern for the total people."<sup>21</sup> White asked Janis not to work with Monroe. Janis balked, believing that Alliance and Gordon's situations required his assistance: "I feel that I'm caught in between two forces that won't let go." Janis defended his actions stating that Northern Panhandle NIC Representative Monroe and the Southern Panhandle NIC Representative Delores Kills in Water requested his help with investigating police brutality in Alliance. Janis noted the impossibility of not working with an NIC member when issues arose

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<sup>20</sup> *Alliance Times-Herald* clipping, no date given, 1-1-22.2, Box 26, RG1 SG41, Governor Charles Thone Papers, NSHS. By 1979 as funding became scarce, the AUL again called for investigation of Monroe. They petitioned State Senator Samuel Cullan alleging Monroe only hired family members to run AIC programs. Monroe did not represent all Alliance Lakotas. See, the correspondence in the above folder.

<sup>21</sup> Felix White, Jr., to Stephen Janis, November 12, 1976, Correspondence Scottsbluff Office 1976, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

in their territory. Since his hiring in April 1973, Janis had made a commitment to assist Lakotas “and if we don’t make a stand now, we just as well be another paper organization like the other Commissions.” Section 2 of LB 904, which created the NIC, stated that the NIC’s purpose served to enhance the cause of Indian Rights and develop solutions to problems all Nebraska Indians encountered. Janis told White, “that in order for me to stop working in Monroe’s area, I would need a letter stating so.”<sup>22</sup> Since 1973, Janis responded to every call for inquest from western Nebraska Lakotas and he was not about to stop. He saw the NIC as an organization of action and this meant exhausting every resource to achieve reforms and responding to all cases of reported injustice. During 1976, the NIC’s western Nebraska office traveled 12,000 miles.<sup>23</sup> Tensions with White and western Nebraska Lakotas continued into 1977.

Following the efforts in Gordon, Lakotas turned to addressing discrimination in other western Nebraska locations. In January 1977, Janis worked with the local Alliance Lakota organizations to develop a strategy to increase civil rights. The plan proposed to continue community meetings, present recommendations to the city council, and promote cultural awareness in schools. On February 24, 1977, concerned individuals and organizations held the Legal Coalition Conference in Lincoln to create awareness and address western Nebraska’s discrimination problems. Representatives present included the Civil Rights Division of the Department of Justice (DOJ), American Civil Liberties Union, PLS, and Walter Echo-Hawk (Pawnee) of the Native American Rights Fund.<sup>24</sup>

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<sup>22</sup> Stephen Janis to Felix White, Jr., November 24, 1976, Correspondence Scottsbluff Office 1976, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>23</sup> Stephen Janis to Felix White, Jr., January 6, 1977, 1977, Nebraska Indian Commission, Box 206, RG1 SG40, Governor J.J. Exon Papers, NSHS.

<sup>24</sup> Stephen Janis to Felix White, Jr., January 13, 1977, 1977 Nebraska Indian Commission, Box 206, RG1 SG40, Governor J.J. Exon Papers, NSHS; Stephen Janis to Felix White, Jr., March 1, 1977, 1977 Nebraska Indian Commission, Box 206, RG1 SG40, Governor J.J. Exon Papers, NSHS. For more information regarding Echo-Hawk’s distinguished career as an Indian rights lawyer see, R. David Edmunds, *The New Warriors: Native American Leaders Since 1900* (Lincoln: University of Nebraska Press, 2001).

Lakotas also turned their attention to healthcare issues. Janis worked with the West Nebraska General Hospital in Scottsbluff to establish a contract with Indian Health Services (IHS). The IHS contracted with Gordon Memorial Hospital and it reimbursed the hospital for treatment of Lakotas. Janis and West Nebraska General Hospital officials sought a similar deal to alleviate the problem with servicing uninsured Lakota patients. The Aberdeen IHS's director responded that the IHS lacked the funds to expand coverage to Scottsbluff. Its focus remained on reservations and that "many Indian people choose to leave those areas in which IHS health service delivery systems are maintained and make their homes in places where health resources and programs serving the general public are located and are accessible to the Indian people on the same basis as to other citizens."<sup>25</sup> Simply, if Lakotas did not make it to an IHS facility, they were on their own to secure healthcare. The IHS contract with Gordon's hospital was the exception, because BIA continued to believe once Lakotas left the reservations the agency's support ceased.<sup>26</sup>

Western Nebraska Lakotas worked together to end discrimination and they defended their leaders when they came under attack. In the summer of 1977, Felix White, Jr., asked Mark Monroe to resign for missing more than two NIC meetings. In a letter to Governor J.J. Exon, Monroe provided a valid excuse for each missed meeting and the inaccuracy behind White's statement that Monroe possessed no concern for Indian people. Monroe also denounced the discussions of him taking money from an organization in Gordon and believed he deserved an

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<sup>25</sup> Rice Leach to Gary Gunder, April 8, 1977, Correspondence Scottsbluff Office 1977, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>26</sup> Since the Indian Reorganization Act's Johnson-O'Malley Act, the BIA negotiated with state and local governments to provide healthcare for American Indians. In North Carolina Johnson-O'Malley brought additional medical care to the Eastern Band of Cherokees. Therefore, for whatever reason, the BIA did not find it necessary to negotiate healthcare for Lakotas in Alliance and Scottsbluff under the Johnson-O'Malley Act. Western Nebraska Lakotas struggled to shake de facto Termination. See, John Finger, "The Eastern Cherokees and the New Deal," in Albert Hurtado, et al. *Major Problems in American Indian History* (Cengage, 2015), 431.

opportunity to defend himself. Exon responded that he held no control over the NIC's actions and Monroe's removal remained a matter he could not change. Before Monroe, White requested the resignation from six other NIC members. Chairwoman of the Sheridan County Lakota Association (SCLA) Midge Morgan wrote Exon stating that the association desired Monroe to remain their NIC representative. Director of the Platte Valley Lakota Association (PVLA) Mervin Garneau also notified Exon of his displeasure regarding White's actions and the organization's support for Monroe. The Western Nebraska Indian Council drafted a resolution claiming White acted unprofessionally and without authority in demanding Monroe's resignation. The council asked White to resign. Dan Garneau (PVLA), Midge Morgan, Loretta Hawk (Flying Eagle Council) and Connie Stairs (AIC) signed the resolution. On August 22, the council again notified Exon of their grievances arguing that NIC members from eastern Nebraska disrespected the Panhandle. The western NIC office needed more funding (the office only received \$3,500 of the NIC's \$94,751 1976 appropriation). Western Nebraska required greater representation; therefore, the NIC needed at least four Panhandle members or split the NIC in two with an eastern and western commission. Exon replied that their desired reforms required legislation changes and that it would not be helpful for the future.<sup>27</sup> With or without Monroe as the Northern Panhandle NIC representative, western Nebraska Lakotas continued their fight.

Janis continued to reject White's recommendations for the NIC's western office. White believed the western office resembled an Indian Center. Janis explained that the PVLA referred

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<sup>27</sup> Mark Monroe to J.J. Exon, June 9, 1977; J.J. Exon to Mark Monroe, June 24, 1977; Mervin Garneau to J.J. Exon May 11, 1977; Midge Morgan, June 18, 1977, Resolution of the Western Nebraska Indian Council, June 18, 1977, 1977 Nebraska Indian Commission, Box 206, RG1 SG40, Governor J.J. Exon Papers, NSHS. J.J. Exon to Western Nebraska Indian Council, September 6, 1977; Dan Garneau, et alt. to J.J. Exon, August 22, 1977, Correspondence with the Governor 1982, Box 4, RG 93 SG1, Nebraska Indian Commission Files, NSHS. Governor Exon appointed Alliance resident Eileen Jensen (Rosebud Lakota) to replace Monroe in July 1978.

many Lakotas to the office and the system proved effective. He also stated that the office involved itself in the court system because most Lakotas did not fully comprehend the charges against them and considered the public defenders ineffective. Janis did not want to return to the factionalism of recent years as he noted “step by step, we are working towards self-determination. We are certainly committed to our people and we also have traveled down that troubled road of internal disturbance...we have been able to put our personal grievances aside and work together for the benefit of our people.”<sup>28</sup> Janis’ balanced approach effectively guided the NIC’s western office and the previous years’ experience made western Nebraska Lakota leaders cognizant of how to create successful reform.

In May of 1978, the Law Enforcement Assistance Administration (LEAA) released its inquest report on law enforcement in Gordon. It noted that although less than 10 percent of the town’s population, Lakotas comprised 91.7 percent of all arrests. Statewide American Indians accounted for only 8.6 percent of arrests. Alcohol provided the majority of arrests and the treatment facility proved inadequate, only open 8 hours per day. Other findings revealed that half of the Gordon police officers possessed no law enforcement training. Sheridan County Attorney Michael Smith’s report from 1976 alarmed the LEAA, specifically Smith’s comment that a couple of officers “do not seem to feel that they are public servants, but rather overlords whose word is law, and if they give a command, it better be obeyed, and immediately and without question.” Like Smith, the LEAA believed Gordon officers required proper training via a law enforcement agency. The administration noted that Gordon had made efforts to create a better rapport with Lakotas and that relations had “somewhat stabilized in the last 18 months,” thanks

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<sup>28</sup> Stephen Janis to Felix White, Jr., May 18, 1977, Correspondence Scottsbluff Office 1977, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

to changes in police personnel and departure of “militant Indians.”<sup>29</sup> The LEAA proposed better alcohol treatment programs, police leadership, officer training, and countywide law enforcement as well as taxes for economic viability.

In December 1978, in response to a pessimistic article pointing out the past racial problems Gordon endured, Gordon Human Relations Council member Lakota Kaye Buckles detailed the improvements the town made between non-Native and Lakota relations. The Police Department implemented a screening process to insure hiring qualified officers. Gordon also implemented a \$389,000 Community Development Grant to upgrade areas of the town inhabited by Lakotas. Gordon provided financial support for two alcohol treatment programs. The town, community organizations, and the Pine Ridge reservation worked together to discuss and solve problems. Local merchants and individuals funded the Sheridan County Lakota Powwow. Buckles praised Gordon’s commitment to reducing racial discrimination because the town saw success.<sup>30</sup> By the end of the 1970s, racial conditions had improved in parts of western Nebraska.

When Janis received an appointment to the Nebraska State Advisory Committee to the U.S. Commission on Civil Rights (NSAC) in May 1978, NSAC inquest followed.<sup>31</sup> In February 1979, the NSAC held a sub-committee hearing in Gordon. The committee found Gordon significantly improved in racial relations particularly the police department. The department enhanced its services and hired better-trained personnel. Communications between the Pine Ridge Tribal Council and Gordon officials strengthened as the Gordon City Manager and Police

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<sup>29</sup> Law Enforcement Assistance Administration Police Technical Assistance Report, March 1978, Correspondence Scottsbluff Office 1978, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>30</sup> “Rumblings,” *Gordon Journal*, 20 December 1978.

<sup>31</sup> *Scottsbluff Herald*, 11 May 1978. The Civil Rights Act 1957 created U.S. Commission on Civil Rights an independent Federal agency that reported civil rights violations to the President and Congress with advisory committees in all states.

Chief traveled to the reservation numerous times and hosted a joint police-training program instructed by a Utah Indian Police training program.<sup>32</sup>

On March 19 and 20, Janis travelled to Washington, D.C. to provide testimony for a U.S. Commission on Civil Rights hearing on American Indians. Janis pointed out that the majority of Lakotas in western Nebraska lived at or below the poverty level and in substandard housing. They encountered higher unemployment, arrest, and school drop out rates. “These rates are in no way unique to the Native-Americans of western Nebraska,” Janis stated, “They are however, singularly disadvantaged in that there is no federally recognized reservation in western Nebraska. The lack of a reservation severely curtails access to federal funds and programs, particularly in the areas of health care and housing.” De facto termination continued to affect western Nebraska Lakotas’ socioeconomic status. Additionally, an unresponsive state legislature and support from prejudice communities offered little assistance. Janis used statistics to argue that western Nebraska Lakotas suffered from a racially biased legal system. From April 1971 to November 1978, the Sheridan County Attorney could have charged 26 defendants as habitual criminals. “Of those 26 defendants,” Janis noted, “eighteen were Native American and eight were white; of the 26 persons eligible, only eight were charged as habitual criminals; of the eight persons so charged, seven were Native Americans.” He argued that the numbers showed that police officials violated the equal protection clause of the U.S. Constitution. Janis moved on to address healthcare, because Lakotas saw a high infant mortality rate and low average lifespan. Lakotas could not afford the cost of medical care or insurance because many lived in impoverished conditions. Western Nebraska hospitals referred non-emergency cases to the Pine Ridge or Rosebud reservations, forcing families to transport sick family members hundreds of miles. In

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<sup>32</sup> Minutes of Sub-Committee on Gordon, Nebraska, February 21, 1979, Correspondence Scottsbluff Office 1979, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

cases of emergency, Lakotas struggled to pay for medical services received. Janis then discussed housing; a survey conducted in Scotts Bluff County revealed that more than 90 percent of Lakotas described their housing as substandard. Less than five percent owned homes. Landlords forcibly evicted some Lakota families, who lacked legal recourse. Federal housing projects failed to meet the demand in western Nebraska. Many Lakotas in Gordon lived in a “shanty town” near the railroad tracks. Janis concluded that Lakotas needed solutions.<sup>33</sup> On March 31, 1979, the NSAC held a meeting in Scottsbluff to receive public comments regarding the provision of public services to Mexican Americans and Native Americans in western Nebraska.<sup>34</sup>

Virginia Bear Shirt’s case revealed that Lakotas continued to lack of access to public services. The seven-months pregnant Bear Shirt moved from the Pine Ridge reservation to Gering and applied for welfare assistance. The Scotts Bluff County Welfare Board denied her application citing failure to meet residency requirements. With guidance from Western Nebraska Legal Services, Bear Shirt filed suit seeking a writ of mandamus. The legal services’ attorney argued that no durational residence requirement existed for providing aid to dependent children. Before the hearing took place, citing newly discovered information regarding residency, the welfare board reversed its decision and approved Bear Shirt’s application. Three other women previously denied also received services creating a “big step forward for the Indian people of Western Nebraska.”<sup>35</sup> Grassroots Lakota organizations and the NIC proved effective in protecting rights of western Nebraska Lakotas.

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<sup>33</sup> Testimony of Stephen F. Janis, March 1979, Correspondence Scottsbluff Office 1979, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>34</sup> United States Commission on Civil Rights, Press Release, March 26, 1979, Correspondence Scottsbluff Office 1979, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>35</sup> Stephen Janis to Harlene Holtz, June 13, 1979, Correspondence Scottsbluff Office 1979, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

By the late 1970s, Lakota organizations developed into effective advocacy groups that forced reform. Their presence in Gordon forced the town to implement changes it agreed to following the Yellow Thunder protests. Gordon altered their law enforcement practices and improved treatment of Lakota inmates and improved access to welfare programs and healthcare. The expansion of legal representation outside of the public defender system provided Lakotas with greater opportunity to defend themselves and avoid jail.

On the heels of these civil rights successes, the spread of a national recession and the ensuing U.S. government cutting measures by Jimmy Carter's administration started to affect efforts, because funding evaporated. Carter sought to eliminate government waste in its programs. Carter's goal of a balanced budget separated him from former Democratic presidents Franklin Roosevelt and Lyndon Johnson. Johnson and Roosevelt created large federally funded social programs. While the Carter administration supported self-determination in theory, underfunding threatened it. In 1978, South Dakota Senator James Abourezk complained that lack of funding existed to support Indians' self-determination policy. Unfortunately, for American Indians, their self-determination goals depended on unpredictable federal funding.<sup>36</sup>

An anemic economy and budget cuts quickly affected western Nebraska. In September 1979, Janis notified the recently hired NIC Executive Director Marvin Buzzard (Cherokee) that western Nebraska Lakotas desired the western NIC office assume a role akin to an Indian center. The western Nebraska Lakota organizations depended upon local money to operate. The NIC provided technical assistance to the groups assisting with program development. The organizations, however, competed against each other for funds and Lakota leaders wanted to eliminate competition. They sought the NIC to secure Lakota programs for one year and they

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<sup>36</sup> Carter and his staff did not take a great interest in Indian affairs. See, Castille, *Taking Charge*, 27-30.

would eventually “spin-off” to the Lakota organizations to operate. The AIC emerged as the only western Nebraska group that could locate funding.<sup>37</sup> Buzzard replied that the western office “could probably be a flow-thru agency for funds,” but questioned the legal limitations of the commission’s authority for such operations. Buzzard understood western Nebraska required Indian center type services, but remained unsure if the western office could legally serve in that function.<sup>38</sup>

In 1979, the state of Nebraska investigated solutions to funding its Governor’s commissions. In January, the Nebraska Legislature mulled LB 368, which sought to consolidate the NIC, Mexican American Commission, Commission on the Status of Women, Commission on Aging, and select an African American representative creating the Governor’s Commission on Minority Affairs. Although LB 368 failed, the Unicameral continued to develop methods of reducing the state budget.<sup>39</sup> In November, Executive Assistant and future governor Kay Orr notified Buzzard that the NIC needed to complete a survey to update information on file so the state can “be better acquainted” with the NIC. Buzzard returned the survey by January 1980 and it revealed that the commission received \$142,194 for fiscal year 1979/1980 and requested \$151,927 for fiscal year 1980/1981. Of these funds, the NIC used \$37,000 annually for direct services to alcohol programs and employed seven full time employees. Buzzard also detailed the NIC’s major activities for the past five years. The survey was more than to get “better acquainted” because within a year, the Governor’s Task Force on Governmental Improvement recommended the elimination of the NIC and other state funded advocacy agencies. Like the

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<sup>37</sup> Stephen Janis to Marvin Buzzard, September 21, 1979, Correspondence Scottsbluff Office 1979, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>38</sup> Marvin Buzzard to Stephen Janis, November 7, 1979, Correspondence Scottsbluff Office 1979, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>39</sup> Rhonda Maddox to Rex Haberman, January 19, 1979, LB 368, Proposed Consolidation of Commissions 1979, Box 2, RG 93 SG1, Nebraska Indian Commission Files, NSHS. In 1981, the Unicameral explored the option of abolishing the NIC. See, *Lincoln Star*, 15 December 1981.

federal government, reduction of state programs helped the state achieve its desire for a balanced budget in the wake of an economic recession.<sup>40</sup>

With a budget crisis looming, the NIC continued to look for funding solutions. In December, Janis and the NIC organized a meeting of the Panhandle Indian Planning Session, Phase One for January 1980. Janis pointed out that Panhandle Lakota organizations struggled to obtain funding for the programs they needed, because “most funding sources require that a larger number of Native Americans be represented than any one Panhandle Community can provide. This restriction prevents individual communities from creating effective, independent programs.” The NIC believed western Nebraska Lakotas needed greater influence over their funding.<sup>41</sup> During the January meeting, Janis, Buzzard, Dan Garneaux, and other Lakotas discussed solutions the NIC could provide if the state Attorney General’s Office permitted it to administer programs for housing, education, and employment. The programs would create interview training, healthcare referral services, transportation to medical facilities, food co-ops, and funds to develop energy efficient housing.<sup>42</sup>

By March, Panhandle Lakotas decided not to wait for the Attorney General’s decision and devised another method to obtain more funding. Lakotas reorganized the Western Nebraska Indian Council (WNIC), which disbanded in 1977. The WNIC represented the PVLA, FEC, the Native American Alcohol Service of Scottsbluff, SCLA, and the Southern Panhandle United Lakotas of Sidney. The WNIC’s reemergence revolved around creating an organization representing all of the estimated 1,200 western Nebraska Lakotas to reduce the competition for

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<sup>40</sup> Kay Orr to Governor’s Committees and Commissions, November 6, 1979, Governor 1982, Box 4, RG 93 SG1, Nebraska Indian Commission Files, NSHS; Marv Buzzard to Western Office, March 17, 1981, Correspondence Scottsbluff Office 1981, Box 4, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>41</sup> Stephen Janis to Dear Friends, December 21, 1979, Correspondence Scottsbluff Office 1979, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>42</sup> *Scottsbluff Star-Herald* 27 January 1980, Correspondence Scottsbluff Office January-March 1980, Box 4, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

funds. The WNIC would funnel federal monies to the six community groups and ensure cooperation between local social service agencies. The NIC and WNIC also pushed for accurate counting of the 1980 census, because Barbara Walking Stick, representative of the Regional Census Center at Denver, noted that the 1970 census indicated a small Lakota population in western Nebraska. Many Lakotas remained skeptical of the federal government and chose not to participate, which led to insufficient grant money for community programs.<sup>43</sup>

After the planning meetings, the PVLA created a grant application to administer social programs. The application contained survey findings conducted by Creighton University, NIC, and the NSAC. Fifty-six percent of Panhandle Lakotas lacked a high school diploma and 30 percent disliked the Anglo-centric curriculum at local schools. Unemployment ranged from 25 to 30 percent with 57.6 percent of families interviewed reported annual incomes of \$5,000 or less. The project's goal sought to create "a self-advocacy approach to institutional change within the Indian community," based on providing administrative education. Representatives from the WNIC would participate in an administrative training program. Training modules would inform Lakotas of their rights and available social services. Project staff would hold cultural sensitivity workshops for non-Indians. A special program would focus on perusing litigation matters. The project also identified resolving the issues around the Indian Child Welfare Act of 1978 (ICWA).<sup>44</sup> The act mandated tribal court jurisdiction regarding custody hearings on reservations. Off-reservation, ICWA ordered judges to transfer most cases to tribal courts and those that remained in state court, the act directed judges to provide opinions in favor of Indian families

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<sup>43</sup> *Scottsbluff Star-Herald* 9 March 1980, Correspondence Scottsbluff Office January-March 1980, Box 4, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>44</sup> Campaign for Human Development, 1981 Application for Funding, Correspondence Scottsbluff Office 1981, Box 4, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

before removal of children to non-Indian families.<sup>45</sup> The Panhandle saw between 10 and 40 children yearly affected, since social services and judicial systems tended to ignore it. Thus, western Nebraska needed a communication system regarding juvenile placement.

While the Nebraska legislature rejected an amendment to defund the Governor's commissions in 1982, law enforcement problems reemerged in Gordon. Lakota William Cross wrote Janis stating that the conviction rates in Sheridan County remained too high, because judges convicted nearly every Lakota brought before the court.<sup>46</sup> Moreover, the courts denied appeals, even in light of new evidence. Cross used the example of a Lakota man awaiting sentencing for assaulting a police officer. The man claimed innocence and that the officer assaulted him. The judge denied the man a trial despite witness statements supporting his version of events. Simply, Cross claimed, Lakotas needed more attorneys. Cross believed Lakotas failed to receive fair trials because most attorneys were "half assed" leaving Lakotas "railroaded." He also recognized that "it seems things are getting out of hand again. We deal with the situation they conform when we leave it alone they go back to their racist ways of doing things." Cross urged the NIC to assist and investigate.<sup>47</sup> Janis agreed that it appeared the region was reverting to its previous system of "justice." He suggested a meeting to discuss matters.<sup>48</sup>

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<sup>45</sup> Wilkinson, *Blood Struggle*, 259-261. Western Nebraska aligned with the rest of Indian Country regarding ICWA. Child welfare services removed between 25 to 35 percent of Indian children. Charles Wilkinson notes that racism played a role in child removal and that caseworkers along with judges believed children would be better off "with lawns and white picket fences." Yet, they failed to understand the importance of extended family relations and growing up in a tribal culture.

<sup>46</sup> Charles Thone to Robert Mackey, August 10, 1982, Correspondence Governor 1982, Box 4, RG 93 SG1, Nebraska Indian Commission Files, NSHS. The western office's operations budget for 1980 to 1981 was \$12,819. Scottsbluff Office Operations Budget, Budget, Scottsbluff, 1980-1981, Box 3, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>47</sup> William Cross to Stephen Janis, July 22, 1982, Correspondence Scottsbluff Office 1982, Box 4, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

<sup>48</sup> Stephen Janis to William Cross, July 27, 1982, Correspondence Scottsbluff Office 1982, Box 4, RG 93 SG1, Nebraska Indian Commission Files, NSHS.

A reduced budget made it difficult for the NIC to function effectively. In November 1982, Janis notified State Senator Jerome Warner of the Appropriations Committee of the monetary restrictions. The NIC hoped to fill a position but could not with the Governor's hiring freeze. Commission members restricted their travel, particularly out of state, and no longer attended important workshops and conferences. The NIC believed that agency directors should determine what budget cuts to make. Meetings, both scheduled and emergency, were a critical part of the commission's success, but travel restrictions made this difficult. Conference telephone calls in place of meetings remained unsatisfactory, since the "face to face contact—we depend on—is almost totally lost."<sup>49</sup> NIC members' decade long physical presence in Nebraska Indian committees for advocacy and inquest diminished under budget cuts.

Reduced appropriations carried a great impact on Nebraska Indians, because American Indians depended on the funds. The loss of federal monies also severely hurt western Nebraska Lakotas since they relied on programs like the Comprehensive Employment and Training Act (CETA). Mark Monroe's AIC had administered CETA in western Nebraska and employed ten Lakotas. Under President Ronald Reagan the BIA's appropriation for contracts via the Indian Self-Determination and Assistance Act actually increased. This measure provided federal funding to Tribal Nations to create and administer social and educational programs. The act, however, did almost nothing to assist Panhandle Lakotas who had fought to obtain BIA assistance since the 1940s. Unless the Oglala Sioux Tribe (OST) used BIA money for projects in western Nebraska, Lakotas living there failed to benefit.<sup>50</sup> Once again, Panhandle Lakotas resided on a precarious island between federal and state support.

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<sup>49</sup> Nebraska Indian Commission to Jerome Warner, November 2, 1982, Budget 1982-1983, Box 3, RG93 SG5, Nebraska Indian Commission Files, NSHS.

<sup>50</sup> Castile, *Taking Charge*, 54-56. Federal legislation such as the 1988 Indian Civil Rights Act and the Indian Law Enforcement Reform (1990), and the Indian Housing Act of 1988 provided more autonomy to Tribal

The defunding of the Governor's Commissions occurred under Democrat Governor Robert Kerry's administration. For the NIC, the cuts meant the closing of the vital NIC western office. Panhandle Lakotas lost an important advocate and resource. The new NIC Executive Director Reba White Shirt led the fight for refunding. White Shirt met with Kerry and emphasized that the NIC's priority remained refunding to accomplish its goals.<sup>51</sup> Kerry believed that the legislature's defunding did not eliminate any commissions. The Governor urged the commissions to locate other financial resources to maintain services and directed the Commissioner of Labor to assist the groups with that process. Kerry also noted that "laid off" commission employees received priority in securing work with the state.<sup>52</sup> Yet, if White Shirt and Janis provided any indication, commission employment meant more than a job to earn income, helping their people remained the primary desire. Defunding, but not eliminating the NIC, tied the Nebraska state government to Reagan's Indian policy. Both supported American Indian self-determination, but believed they must achieve it without government support.<sup>53</sup>

The defunding proved short-lived, but problems remained. By July 1986, the legislature reapproved funding but at a substantially lower rate of \$70,646 for fiscal year 1986/1987. Proposed budgets for fiscal year 1987/1988 were \$74,976.<sup>54</sup> White Shirt and the NIC requested a biennium budget from 1987 to 1989 of \$105,661. The situation remained fluid as Kerry eyed a

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Nations. Reagan also sought energy independence and supported energy development on reservations in which tribes had gained more control of with the Council of Energy Resource Tribes in 1975. Of course, unless the OST developed projects in western Nebraska, Lakotas struggled to benefit from the pro-self-determination policies. See, Fixico, *Indian Resilience and Rebuilding*, 158-169. Fixico also states that tribes and the federal government maintained positive relationships between from the 1980 to 2000.

<sup>51</sup> Meeting Minutes, July, 7, 1986, Box 1, RG93 SG3, Nebraska Indian Commission Files, NSHS; Meeting Minutes, July 10, 1987, Budget, Spring 1987, Budget Request Justification, Box 3, RG93 SG5, Nebraska Indian Commission Files, NSHS.

<sup>52</sup> Robert Kerry to Lucy Cullers, August 5, 1985, Mexican-American Commission, Box 67, RG001 SG42, Joseph Robert Kerry Papers, NSHS.

<sup>53</sup> Castile, *Taking Charge*, 52-68; C. Patrick Morris, "Termination By Accountant: The Reagan Indian Policy," *Policy Studies Journal* 16 (June 1988): 731-750.

<sup>54</sup> Agency 72 Department of Economic Development, Budget, Spring 1987, Budget Request Justification, Box 3, RG93 SG5, Nebraska Indian Commission Files, NSHS.

U.S. Senate run, creating a Nebraska gubernatorial election without an incumbent. The NIC realized it would have to fight for survival. Republican Kay Orr believed the state should provide no money for commissions and Democrat Helen Boosalis wanted to see the commissions restructured.<sup>55</sup> Kay Orr won and entered the appropriation debate.

In the midst of the budget battle, Rosebud Lakota, St. Paul resident, and NIC member Phyllis Stone stressed the NIC's importance to the Nebraska Unicameral to save it from a "slow death." While Stone realized Nebraska Indians' population was much lower than other minorities, she argued "WE WERE HERE FIRST. We are your Native people and it behooves the state of Nebraska to uphold the responsibility it chose to take from the federal government in 1953." In 1953, the state of Nebraska supported Public Law 280, which granted state and county law enforcement jurisdiction on reservation lands. However, the state mishandled its added responsibility. The Indian Bounty Act provided bonuses for arresting Indians on the Omaha and Winnebago Reservations. The state's treatment of off-reservation Indians was little better. Stone noted that she represented non-reservation Nebraska Indians, which represented 68.9% of the state's 9,145 Indian population. The NIC offered the only recourse for non-reservation Indians. The commission provided the vital communication link between Nebraska Indians and non-Indians. It also created much-needed Indigenous role models for Native youth.<sup>56</sup>

Nebraska Indians pushed Governor Kay Orr to restore sufficient funding to the NIC. The American Indian National Republican Federation's President and Chairman for Nebraska petitioned Orr to continue funding the NIC. Chairman for Nebraska and Oglala Lakota Charles Trimble understood the "depressed economic" situation created a tight state budget, but asked

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<sup>55</sup> NIC Meeting Minutes, August 22, 1986, RG93 SG3, Nebraska Indian Commission Files, NSHS.

<sup>56</sup> Phyllis Stone, March 8, 1987, Indian Commission Budget, Box .025 RG001, SG43, Kay Orr Papers, Nebraska Indian Commission Files, NSHS.

Orr to provide adequate funding to the NIC. Recently moving to Omaha from Washington D.C., Trimble understood bureaucratic processes having served as the executive director of the National Congress of American Indians and American Indian Press Association. Trimble argued that a strong NIC could help create Nebraska Indian business ventures that would strengthen the state's economy. He also noted, "the social and humanitarian considerations are equally important. The commission can be very effective in to devise programs to help Nebraska's Indian citizens to become economically self-sufficient, and to help those who are not able to work."<sup>57</sup> The NIC provided a vital liaison between tribes and states. Trimble had supported Orr's campaign for governor. Orr responded that she agreed with the NIC's importance, but she disagreed about spending taxpayer money on the commission. "This position stems not from tight budgets," stated Orr, "but a conservative philosophy about the proper role of government. Advocacy-type entities are most effective when they are financially independent of the government officials who set policy."<sup>58</sup> Orr revealed that her line-item veto still allowed for \$23,549 for fiscal year 1988-1989. She encouraged Trimble to locate other funding resources so that the NIC could achieve financial independence. Tribal chairmen for the Omaha and Winnebago Nations lobbied Orr not to item-line LB-780, which allotted \$93,646 for the NIC. Orr's response stayed the same, she agreed with the NIC's goals but tax dollars should not pay for advocacy functions. The funding she appropriated remained to allow the NIC time to acquire outside monies.<sup>59</sup>

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<sup>57</sup> Charles Trimble to Kay Orr, March 22, 1987, Indian Commission Budget, Box .025 RG001, SG43, Kay Orr Papers, Nebraska Indian Commission Files, NSHS.

<sup>58</sup> Kay Orr to Charles Trimble, June 2, 1987, Indian Commission Budget, Box .025 RG001, SG43, Kay Orr Papers, Nebraska Indian Commission Files, NSHS.

<sup>59</sup> Doran Morris to Kay Orr, May 21, 1987; Kay Orr to Doran Morris, May 28, 1987; Rueben Snake to Kay Orr, May 21, 1987; Kay Orr to Rueben Snake, June 2, 1987, Indian Commission Budget, Box .025 RG001, SG43, Kay Orr Papers, Nebraska Indian Commission Files, NSHS

Orr's comments reveal she followed Reagan's Indian Policy. Like Reagan, Orr encouraged Nebraska Indians to achieve more self-government, but they also required more self-sufficiency, which meant reducing dependence on government funding. Government, no matter federal or state, did not resolve issues for American Indians, claimed 1980s conservatives. American Indians needed less government and more self-support. The policy harkened back to assimilation and termination policies by promoting individualism and self-sufficiency. Tribes needed to rely on themselves to recruit private capital to create economic development on their lands and in their communities. The policy believed solutions resided with private economic enterprise rather than communal.<sup>60</sup> Orr's "proper role of government" was to remove itself, allowing the NIC to locate outside funding, which would make it self-sufficient and hopefully trickle down to the people it served.

During the 1980s, western Nebraska Lakota organizations struggled to maintain services. Without state help, Lakotas in Gordon turned to churches and the OST. By 1986, the OST paid the SCLA employees' salaries, while the Interchurch Ministerial Society of Lincoln, Nebraska paid rent and utilities for the SCLA's Indian Center. The funding allowed the SCLA to provide referral services (food and clothing), GED pre-testing, tutors, and job training. The SCLA also collaborated with the Oglala Lakota College for assistance to apply for Pell Grants. The center possessed a stop for the AIC's medical bus. The SCLA served the 520 Lakotas living in Sheridan County.<sup>61</sup>

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<sup>60</sup> Castile, *Taking Charge*, 53-69.

<sup>61</sup> "Gordon, Nebraska: Indian Center Alive and Well," *Indian Country Today*, 5 November 1986. The late 1980s also saw the Lincoln Indian Center, Inc. establish and fund an Indian center in Scottsbluff. In 1987, Eagle Star, Inc. in Scottsbluff implemented cultural programs that focused on connecting Lakota children with their culture. Programs included dancing and Lakota language classes. See, *Scottsbluff Star-Herald*, 25 January 1992.

In Alliance, the successes of the AIC programs kept them operating, but funding worries still arose. The AIC's end of the year report for 1985 revealed that it received \$31,624 to fund its programs particularly medical busing and nutrition. Area churches and residents donated money to the AIC. Both Sheridan and Box Butte Counties provided \$1,800 to the medical busing, while the Box Butte United Way gave \$8,000. The nutrition program served 853 meals and the medical bus transported 572 Lakotas to the Pine Ridge Hospital. The AIC only had \$21,040 in expenses leaving \$10,583 to carry into 1986. Yet, the 1986 proposed budget failed to match costs leaving a \$6,632 deficit.<sup>62</sup> In August 1986, the AIC created a proposal to acquire donations for the nutrition program. The AIC stressed that the program provided a crucial service and served meals to all needy regardless of race. In the midst of the national recession, unemployed residents greatly needed its services. Each meal cost \$2.92, resulting in a cost of \$1,877 per month. The proposal detailed the costs and requested \$23,000 for 9,135 meals during 1987. The nutrition program decreased shoplifting of food and prevented food poisoning from starving people eating out of dumpsters. In the past, the National Presbyterian Hunger Fund provided a large portion of funding, but looked to support the program no longer.<sup>63</sup> The reduction in federal funding for social programs shifted more responsibility to local organizations to keep their programs operating.

The following year, changes in IHS rules threatened the medical busing program. Mark Monroe and *Alliance Times-Herald* editor Hugh Bunnell reached out to western Nebraska's congressional representative, Republican Congresswoman Virginia Smith. Bunnell noted that a conversation with the Pine Ridge Hospital's assistant administrator notified the AIC that only

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<sup>62</sup> American Indian Council, Year End Report 1985; Proposed Budget for 1986, Indian-White Relations File, Knight Museum and Sandhills Center, Alliance, NE (hereafter cited as IWRF).

<sup>63</sup> Proposal for funding: August 18, 1986, IWRF.

Lakotas living in adjacent counties (Sheridan and Dawes) would remain eligible for treatment. Lakotas in Box Butte and Scotts Bluff Counties would lose service. The change would occur September 16, 1988, but allow Lakotas a six-month period to find alternatives. Monroe stressed that most Lakotas worked minimum wage jobs or were unemployed, leaving them without medical insurance. He also stated, “because of prejudice and the lack of funds to pay for medical care, we are not being seen or treated by our local Clinics and Hospitals. Many Indian people have lost their lives because of inadequate medical care in Northwest Nebraska.”<sup>64</sup> Smith contacted the Department of Health and Human Services requesting a full report on the issue.<sup>65</sup>

As in Gordon, the AIC worked with the OST to fund projects in Alliance. The federally funded Johnson-O’Malley program operated from Pine Ridge, South Dakota allowed for a summer recreation program via a Local Indian Education Board in which Mark Monroe served as Alliance’s representative. The board distributed funding in the form of baseball gloves, shoes, and athletic clothing. The board determined that each eligible child would receive \$70.<sup>66</sup> Lakota children finally possessed the equipment to play in Alliance’s youth baseball and softball leagues.

In the midst of fighting for funding, civil rights issues once again emerged. In late summer 1988, Lakotas in Gordon banded together to combat prejudice in schools and law enforcement. A DOJ federal mediator Pascual Marquez arrived to conduct meetings in Gordon. Lakotas argued that police entered homes without warrants, unfairly arrested juveniles, and taped their interrogations without legal guardians present. The meetings concluded that communication

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<sup>64</sup> Mark Monroe to Virginia Smith August 11, 1988, IWRF.

<sup>65</sup> Hugh Bunnell to Virginia Smith, August 1, 1988; Virginia Smith to Hugh Bunnell, August 8, 1988; Virginia Smith to Hugh Bunnell, August 25, 1988, IWRF. I was unable to locate a Health and Human Services full report, but since today the Indian Mission Church in Alliance continues to bus Lakotas to the Pine Ridge Hospital, the rule changes never went into effect.

<sup>66</sup> *Alliance Times Herald* 26 May 1989.

issues created the problems. SCLA President John Red Hawk noted “I don’t think it’s bad enough to get up in arms about.” Nonetheless, Marquez planned to conduct workshops to help police and Lakotas better understand each other. Most Lakotas remained unaware of their rights when dealing with law enforcement. The issues at the high school concerned Marquez. Lakotas complained that the basketball coach caused some Lakota players to quit because he treated them unfairly. Using federal grant money, the school hired Red Hawk to act as a liaison between the coach and his Lakota players. Lakota students also complained about white students ridiculing them on American Indian Day held in September. Despite the meetings’ conclusions, some Lakotas feared a return to police harassment once federal officials left.<sup>67</sup>

Their fears proved valid. In 1992, a Gordon police officer shot and killed Lakota Dennis Cross. The County Attorney said that on February 4, Officer Curtis Schipper drove past Cross and noticed he was holding a rifle. Schipper stopped, ordered Cross to drop the rifle and walk towards the patrol car. Cross walked towards Schipper’s car without dropping the rifle and began to operate the gun’s lever action. Schipper drew his gun; Cross pointed his rifle at Schipper’s beltline; and the officer fired. Cross later died at the hospital. Investigators discovered that Cross’ rifle was unloaded and stolen from a nearby pickup. On February 19, a sixteen member Grand Jury, which included American Indians, began hearing testimony from 21 witnesses. On February 21, the jury returned a verdict of “no true bill” and determined Schipper’s actions justified under the laws for use of deadly force and self-defense. Lakotas, such as Stephen Janis, viewed Cross’ death as continuation of an unfair justice system and that law enforcement reverted to the early 1970s.<sup>68</sup> Janis fought for reform in the justice system and law enforcement during the 1970s but his, and others work, was unraveling.

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<sup>67</sup> PR Gregg, “Gordon Residents Say Bias in City,” *Indian Country Today* 30 August 1988, 1.

<sup>68</sup> *Gordon Journal* 26 February 1992, Steve Janis, “Racism: ‘Someday We Will Have Equal Rights,’” A6.

Lakotas in Alliance dealt with their own recurrence of police harassment. In 1992, Lakotas submitted complaints to the City of Alliance regarding mistreatment by the Alliance Police Department. Concerned Lakotas mentioned several problems, including: police acting in a threatening manner; unprofessional conduct; selective enforcement; harassment of police officers; unlawful use of force; unfair treatment; and no search warrant. In July, around thirty Lakotas, led by Monroe's daughter Connie Stairs, attended a city council meeting alleging that law enforcement used a different set of standards for Lakotas. Officers always arrested Lakotas. Stairs presented a book of 40 written complaints including police kicking in doors without warrants and arresting individuals with no evidence. Stairs noted that they wanted to approach the council first before contacting the NSAC. The mayor arranged Stairs to present evidence to the city manager. The city manager launched an investigation, but with unsatisfactory results for the Lakota community. He decided officers needed a cultural sensitivity workshop. The city manager ignored the actual cases of misconduct. Stairs responded that to receive an unbiased investigation, they would have to look outside the city.<sup>69</sup>

Lakotas, such as Stephen Janis, believed the reemergence of civil rights problems resulted from the NIC's loss of funding. Providing testimony in support of the NIC, Janis, newly employed as a paralegal for Western Nebraska Legal Services, argued that in 1985 when the NIC's western office closed the loss of programs greatly hurt Nebraska Indian communities. He believed "that during the years of 1985-1990, when the commission was not so active in western Nebraska, the general attitudes reverted back at least 15 years!! [*sic*] During the past four (4) months the commission has once again proven that this state needs the commission to resolve problems of it's [*sic*] native people." Janis continued to assist the commission whenever needed,

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<sup>69</sup> *Alliance Times-Herald*, 10 July 1992; 27 July 1992; Stephen Janis, "Racism: 'Some Day We Will Have Equal Rights,'" *Indian Country Today*, 19 May 1993: A6.

because he was committed to helping his people. Janis argued that the “commission saved taxpayers money by providing community education in the areas of Health, Education, Welfare, Law Enforcement, Legal, Housing, and leadership.” He believed that the NIC would be a crucial part of the state government during the fiscal year 1992/1993.<sup>70</sup> As funding for the NIC increased, so did its role to push back the reemergence of civil rights problems, but the western office would never return.

As the situation worsened, Lakotas turned to federal assistance and the NSAC once again held a hearing to discuss civil rights in western Nebraska. On April 28 and 29, 1993, Lakotas and the Mexican American community voiced their complaints. The hearings focused on four western Nebraska towns: Scottsbluff, which possessed a Lakota population of 662; Alliance, with 302 Lakotas; Chadron with 355 Lakotas; and Gordon with 524 Lakotas. Lakota leaders sought to invalidate stereotypes in western Nebraska. Janis noted the dual system of justice, housing discrimination, and the lack of healthcare. Connie Stairs pointed out that Alliance Lakotas saw prejudice everywhere particularly in stores when store employees followed Lakotas to prevent shoplifting. NIC member Dr. Reaves Nahwooks (Comanche and Kiowa) revealed that the commission developed a 5-year plan to include healthcare, education, employment, economic development, and civil rights. He also believed to combat the problems of civil rights and housing discrimination, the NIC needed a western office. Executive Director of the Native American Center in Chadron, Susan Esparza stated that currently non-Indians called Lakotas “squaw” or remarked “dirty Indian, go back to your tepees.” Esparza continued discussing discrimination in education. Lakota children endured racism in school as classmates harassed

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<sup>70</sup> Stephen Janis, Testimony of February 18, 1992, Correspondence Executive Director 1991-1992, Box 5, RG93 SG1, Nebraska Indian Commission Files, NSHS. The testimony provides no indication who Janis was speaking to, but it seems like the State Legislature.

them stating, “your kind is not wanted here.” Another student told a Lakota classmate Crazy Horse Malt Liquor existed because Indians were “drunks.” Originally, Chadron schools enrolled 120 Lakota students but the number dropped to around 69. Esparza argued the school system needed reform. Teachers required an understanding of Indigenous cultures. She asked families to provide written statements, but they refused fearing retaliation from police and harassment from the public. Chadron School District Superintendent Steve Sexton responded that the district had made changes providing teachers with training and sought assistance with developing multicultural curriculum. The Advisory Committee hoped race relations would continue to improve and that a dialogue on the matter remained vital to progress.<sup>71</sup>

In response to the allegations of police abuse, the four police chiefs stated that they believed they, for the most part, maintained good relations with Lakotas. In particular, Alliance Police Chief Robert Jatzak defended his department. Jatzak noted cultural sensitivity training improved relations specifically communication. He wanted to recruit an American Indian officer to join the force of 18 men, two women, and no minorities. However, the Advisory Committee believed they needed to take some action and planned to form a cultural awareness team to provide training to departments that could not afford such education. The committee also looked to create access, via a federal commission with an accessible local officer, to impartial officials where people could file a complaint. Occasionally, the committee believed that law enforcement, city managers, and attorneys conspired not to respond to complaints.<sup>72</sup>

Despite the hearing, problems persisted. In Scotts Bluff County, police and local agencies continued to circumvent ICWA by removing Lakota children from their families and placing

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<sup>71</sup> Melvin Jenkins, “Race Relations in Western Nebraska,” Nebraska State Advisory Committee to the U.S. Commission on Civil Rights, December 1994.

<sup>72</sup> *Scottsbluff Star-Herald*, 30 April 1993.

them in foster care. In May of 1993, the parents of a Lakota family drove a neighbor to Denver and placed their 17-year-old daughter in charge of her siblings. One child started a mattress on fire. The daughter put out the fire, but called the fire department. Later in the day, the police and Department of Social Services (DSS) returned, taking the children into custody. When the parents arrived, they contacted the Western Nebraska Legal Services and the Oglala Sioux Tribe for legal assistance. Thankfully, for the family ICWA prevailed and the Department of Social Services returned the children. The family overcame the DSS's brash decision to remove the children in violation of ICWA.<sup>73</sup> A hearing proved that this family was not the only one to have their rights violated.

In September of 1993, the NIC held a hearing to uncover the western Nebraska Lakota communities' needs. State Senator Joyce Hillman recognized the potential of reopening a western office, but appropriations made it difficult. Participants discussed the DSS's failures to follow ICWA. Cheryl Little Eagle complained that the DDS twice removed her children and a foster parent molested her daughter. AIM representative Frank Kills Right noted that the DSS removed children without cause, medical doctors encouraged untrue child abuse accusations, and DSS did not follow ICWA because the agency remained unaware of the act's guidelines. Wilson and Ella Coleman described their case. The DSS violated ICWA and took their ten children. The Wilsons contacted NIC member Gloria Herald to use ICWA to petition the DSS for the return of their children. The DSS took the Wilsons to court for child neglect, but the judge dismissed the case and ordered the DSS to return the children.<sup>74</sup>

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<sup>73</sup> Steve Janis, "Racism: 'Someday We Will Have Equal Rights,'" *Indian Country Today*, A6. Of course, the problems with ICWA were/are not unique to western Nebraska. Perhaps no other Indian legislation has produced more litigation. See, B.J. Moses et al., *The Indian Child Welfare Act Handbook: A Legal Guide to the Custody and Adoption of Native American Children* (American Bar Association, 2008); Matthew L.M. Fletcher, et al., *Facing the Future: The Indian Child Welfare Act at 30* (East Lansing: Michigan State University Press, 2009).

<sup>74</sup> Commission on Indian Affairs, September 30, 1993, 1993 Misc. Correspondence, Box 5, RG93 SG1, Nebraska Indian Commission Files, NSHS.

Another issue regarded the Northwest Community Action League (NCAL). Chadron resident Tom Cook (Mohawk) served on the NCAL's board of directors. Cook argued that 51 percent of the agency's clients were American Indian, but its staff of 75 only employed one American Indian. The NCAL failed to recognize Cook's appointment to chair of the Equal Opportunity Committee. Cook believed racial prejudice guided the NCAL's actions. The NIC promised investigation. Other problems remained; Mark Monroe voiced frustration with the NIC. During a recent AIC meeting, members believed the NIC ineffective and never heard from it. The AIC wanted regular communications between constituents and commissioners as well as Stephen Janis serving as western Nebraska's ombudsman.<sup>75</sup>

Stephen Janis also spoke during the hearing. Janis pointed out organizations such as Eagle Star, Inc. had helped the community with its annual powwow and cultural awareness programs. Johnson-O'Malley funds via the Pine Ridge reservation assisted students. Yet, Janis noted "there is an invisible shield of prejudice and unhealthy attitudes of other races toward Native Americans." NIC members asked Janis to clarify "unhealthy attitudes" in which he revealed having a grocery store clerk assume he used food stamps and a store employee followed him while shopping. He continued by pointing out that Lakotas relied on grassroots organization once again. A week earlier Lakotas and DDS personnel attended a workshop at Chadron State College, which helped create better communication between the two groups. In Alliance, volunteers from Western Nebraska Community College and Lakotas initiated the Police Community Relation to Improve workshop in Alliance. Scottsbluff's Indian Center assisted with

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<sup>75</sup> Commission on Indian Affairs, September 30, 1993, 1993 Misc. Correspondence, Box 5, RG93 SG1, Nebraska Indian Commission Files, NSHS.

welfare and placing families in housing. Janis believed the NIC needed to solidify its goals and resurrect cultural awareness.<sup>76</sup>

The police and city governments were not the only forms of prejudice in western Nebraska. Some individuals continued to discriminate, such as in the case of the First National Bank of Gordon. In 1995, the nationally chartered banks regulatory agency, Comptroller of the Currency, notified the DOJ that from September 1992 through March 1994 the bank in Gordon maintained discriminatory loan practices against Lakotas, most of whom resided on the Pine Ridge reservation. The DOJ filed suit and discovered that the bank had no formal standards or written criteria for setting interest rates on consumer loans. Instead, the bank allowed loan officers broad discretion to set rates and did not review loan decisions. Lakota customers revealed that the bank charged American Indian borrowers higher interest rates than similarly situated non-Indians, which was a violation of the Equal Credit Opportunity Act and Fair Housing Act. Although the bank claimed it did not discriminate against Lakotas, in May of 1997, the bank agreed to a settlement of \$275,000 to assist the victims of the loan discrimination. The bank also had to conduct a personal money management education program for persons on the reservation to inform them on how to establish and manage credit with the bank. It also had to take affirmative steps to increase the pool of qualified American Indian applicants for bank positions, particularly loan officers.<sup>77</sup> The protests following the death of Yellow Thunder failed to end permanently discrimination in Gordon.

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<sup>76</sup> Commission on Indian Affairs, September 30, 1993, 1993 Misc. Correspondence, Box 5, RG93 SG1, Nebraska Indian Commission Files, NSHS. Part of the meeting dealt with Lakotas demanding Southern Panhandle NIC Representative Gloria Herald resign. Some believed Herald proved ineffective. Factionalism never entirely disappeared but it did not dominate affairs as in the early 1970s. Furthermore, factionalism is part of the political process as Janis stated, "It may appear at times that some Native American people are fighting amongst ourselves, but so do the political parties of our nation."

<sup>77</sup> "DOJ Sues Nebraska Bank For Lending Bias Against Indians," *ABA Bank Compliance* 17 (May 1996): 5; David Melmer, "Redlining Rates: Nebraska Bank Lands in Court Over Interest Charged American Indian,"

Problems with the DDS continued. In 1998, police “terrorized” a Scottsbluff Lakota family. Fern Cross and Gilbert Little Spotted Horse argued that police used excessive force during a January 9 drug raid. Police possessed a search warrant for methamphetamine believing Cross’ two teenage sons were drug dealers. Yet, the raid yielded no drugs. Instead, police with weapons drawn ransacked the house and frightened Cross’ children. Police forced the seven children out of the house and used the mess they created to put them in foster homes. Cross recalled, “I’ll never forget, as long as I live, when my 7-year-old daughter hung onto the door as she screamed for me to help her. It took three officers to free her fingers from the door.”<sup>78</sup> The situation only worsened.

Following the raid, Scotts Bluff County Attorney Special Investigator Vicky Moreno contacted media sources before a court hearing to ensure the children remained in foster homes, which the local TV station news director noted was unusual for similar cases of child removal. Moreno claimed the dirtiness of house made it unfit for children. She pointed to cockroach infestation, an uncaged rabbit leaving feces on the floor, and the children had head lice. Moreno stated she did not want to be in the house for fearing bugs crawling across her. Cross argued that Moreno greatly exaggerated conditions in the home and, that while cockroaches were a problem, misrepresented the level of squalor in the home. Facing eviction, the media attention made it difficult for Cross to find another home.<sup>79</sup> As with federal Indian policy, the police and local government protruded a paternalistic mentality that they knew best for their Lakota residents. This mindset openly violated Lakota resident’s civil rights.

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*Indian Country Today* 30 April 1996: A1; “Discrimination Case Settled by Nebraska Bank: Agreement Sets Aside \$275,000,” *Indian Country Today*, 19 May 1997, A1.

<sup>78</sup> Jean Roach, “Raid of Terror,” *Indian Country Today*, 27 April 1998: B1.

<sup>79</sup> Jean Roach, “Nebraska County Officials Use Media to Displace Lakota Family,” *Indian Country Today*, 27 April 1998, B1; *Scottsbluff Star-Herald* 28 January 1998, page 1.

One event tore open decades-old wounds. In May of 1998, police arrested 22-year-old Lakota Shane Dawn and charged him with criminal mischief, burglary, and theft. After receiving an 18 to 24 month sentence, at 4:44 am a jailer on a routine check found Dawn deceased. City officials called in the Nebraska State Patrol and in less than a day, the patrol determined Dawn's a suicide. Investigators stated that Dawn died of asphyxiation by hanging. Dawn apparently used a shoelace and a portion of a T-shirt.<sup>80</sup> The death sparked outrage for Lakotas in western Nebraska who saw it as a product of the continued unfair treatment from police and courts. Dawn's family along with the Lakota community believed jailers beat him to death. Dawn's mother proclaimed, "I don't believe my son committed suicide." While Dawn awaited transfer to the state prison in Lincoln, he planned for the future, telling his girlfriend to look for housing in Lincoln so she could move with their son.<sup>81</sup>

Yet, Box Butte County Attorney, Roger Schneekloth, who also served as the coroner, because of a Nebraska state statute, stated no foul play occurred. Owen Patton, the regional delegate for the NIC and director Scottsbluff's Indian Center, argued that jail deaths in western Nebraska reported as suicides actually resulted from beatings by jailers. "The prosecuting attorney and the court appointed public defender," contended Patton, "are in collaboration with a cover up that has been going on for years...they refuse to let outside investigations occur and insist on having their own police department conduct them. Nothing ever comes of it." One hundred and forty eight Lakotas in Scottsbluff and Alliance signed a petition seeking outside help with an unfair justice system. The petition stated, "Our concern is with the judicial system and the dual justice that *still* occurs with the Lakota people [emphasis mine]." Lakotas held

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<sup>80</sup> *Alliance Times-Herald*, 30 May 1997.

<sup>81</sup> Marie Porterfield, "Jail Death of Lakota Man Sparks Community Anger: Shane Dawn Case Reminds Many of Abuse in Alliance," *Indian Country Today*, 21 July 1998, A1.

meetings in Scottsbluff and Alliance to discuss and gather discriminatory complaints to submit to the NIC.<sup>82</sup> The similarity between the Dawn case and the jail deaths of the 1970s is striking.

Alliances officials proclaimed that they had reformed their law enforcement and jailing practices to protect Lakotas. Dawn's death, however, proved that reforms of the 1970s had failed. Still, as in the 1970s, Lakotas organized and fought for civil rights.

Scholars portray the civil rights movement of the 1970s as ushering in a lasting social justice. In western Nebraska, the movement certainly brought reform and improved race relations, law enforcement, and self-determination. Yet, positive racial relations did not last. Only two decades later, Lakotas again found themselves fighting the same civil rights battles. The lack state and federal funding for the NIC and grassroots Lakota organizations during the 1980s along with diminishing concern from the non-Indian community spelled disaster for Lakotas in western Nebraska. Under budget cuts, Lakotas lost their organizations' protection, funding, social programs, lobbying, and legal assistance. By the late 1980s, western Nebraska Indians encountered the discrimination of earlier decades. Yet, as funding slowly remerged, Lakotas again pushed back the reemergence of racism, sought reform, and found justice in the courts. Western Nebraska serves as an example to remind us that civil rights struggles can and do transcend the 1970s.

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<sup>82</sup> Ibid.

## Chapter 8: Conclusion, A Proud Indigenous Community Remains

In the summer of 2001, a group of friends and I decided to organize a slow-pitch softball team and play in Alliance's adult league. We had recently graduated high school and believed a softball team would be one last group event before we all left and went on our separate life journeys. Not to mention, softball kept boredom at bay for a bunch of eighteen-year-olds stuck in a small town. One of the strongest memories of softball that year remains playing team Lakota. It was an experience to play team Lakota, because a large portion of the Lakota community arrived to watch and cheer on their team. Vans and pickup trucks with couches in the truck bed lined the outfield. As an outfielder, I quickly learned this was one game to expect heckling, which was good-natured ribbing. Team Lakota wore white T-shirts with a Lakota warrior wearing a headdress outlined in red. No mascot controversy existed, the image actually reflected their ancestors and identity. Thus, I soon realized and even greater upon reflection, playing team Lakota meant more than participating in a game. For Lakotas, their softball team served as a source of pride, they were proud to be Lakota and had a strong community. Despite decades of racism and marginalization, they remained and continued to be active community members.<sup>1</sup>

The culture and community visible at the softball games unveiled a historical continuation dating back over a century in western Nebraska. Drawn by horses and bison, Lakotas in the early nineteenth century settled in the region that would become western Nebraska. Both Treaties of Fort Laramie in 1851 and 1868 recognized the region as Lakota land. By 1877, Lakotas lost access to western Nebraska, but by the early 1900s, migrant wage labor

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<sup>1</sup> Works that have examined baseball as community empowerment and racial pride: LeAnne Howe, *Miko Kings: An Indian Baseball Story* (San Francisco: Aunt Lute Books, 2007); Patty Loew, "Tinker to Evers to Chief: Baseball from Indian Country," *Wisconsin Magazine of History* 87 (Spring 2004): 2-13; Jose Alamillo, "Peloteros in Paradise: Mexican American Baseball and Oppositional Politics in Southern California, 1930-1950," *Western Historical Quarterly* 34 (Summer 2003): 191-211.

provided a means to return and regain the connection to land. Although Anglo-American settlers filled their land, Lakotas and their non-Indian employers carved out amicable relations. Thus, the racial tension did not always exist in western Nebraska.

Friendly relations proved only a brief period because by the 1930s non-Indian's views on Lakotas began to shift. The onset of depression produced job competition and unemployed western Nebraska residents blamed migrant Lakota laborers for driving wages down and taking jobs. To non-Indians, Lakotas emerged to symbolize an unwanted economic threat. World War II increased resentment in western Nebraska because Lakotas quickly settled in the region's communities building and working at the Army Air bases. No longer a migrant population, many non-Indian residents saw the Lakota community as a financial drain and desired their return to the reservations. Racial views segregated towns as Lakotas lived in hovels and tents on the edge of communities. Racism toward Lakotas intensified in the form of police abuse, assaults, questionable deaths, and school discrimination. The 1954 deaths of Jessie Red Hawk and Vincent Broken Rope highlighted the growing racial tensions. Lakotas questioned if they could receive justice in western Nebraska and turned to the Oglala Sioux Tribal Council for assistance and protection. Lakotas had yet to develop civil rights organizations. The Oglala Sioux Tribal Council proved one government during the 1950s to help western Nebraska Lakotas, as it criticized police actions and attacks on Lakotas in border towns and instituted a boycott of Gordon.

By the late 1960s, Lakotas developed a local grassroots civil rights movement in response to law enforcement harassment and racism in their communities. During the early 1970s, the jail deaths in Alliance created a flashpoint for western Nebraska Lakotas, because, Lakotas organized a protest to demand investigation into treatment of Lakota inmates. Community-wide

discussion expanded into the socioeconomic problems present in the Lakota community. Western Nebraska Lakota leaders reached out to the newly formed Nebraska Indian Commission. The organization emerged as a major supporter of Lakota civil rights. Lakotas created Indian centers and forced reform in law enforcement policies as well as healthcare. By 1972, with AIMs arrival under the protests regarding Raymond Yellow Thunder's death, western Nebraska Lakotas already had created organizations and launched a civil rights movement. Contrary to AIM leaders' views, the group cannot claim sole responsibility of putting the Hare brothers behind bars.

By the mid-1970s, the establishment of numerous Lakota organizations created factionalism. The groups fought over the small available funding resources and some differed on how best to achieve reform and self-determination, working within the system, or protesting in the streets. However, instead of weakening the movement, factionalism encouraged more Lakotas to participate in social activism and demand reform. Throughout the rest of the 1970s, factionalism among Lakota groups waned when Lakotas realized working together allowed for greater success. The cooperation created major reforms in jailing standards and housing. Federal investigators noted the improvements made in the Gordon Police Department. Lakota organizations matured and possessed the experience to develop programs that benefitted the Lakota community. They continued to push for BIA assistance, particularly funding and building a BIA healthcare clinic, yet the federal government maintained its policy to yield to state and local social welfare systems.

The late 1970s and 1980s saw the state end allocating money for programs that assisted Nebraska Indians, which increased difficulty for Lakotas to access funding. With little financial assistance, Lakota organizations struggle to maintain the fight for reforms. Lakotas found it hard

to support their successful social programs. During the 1980s, the process to de-marginalize the Lakota community quietly broke down. By the 1990s, the civil rights victories of the 1970s eroded under the lack of financial support. In 1993, Lakotas helped bring a hearing to the Nebraska Advisory Committee to the U.S. Commission on Civil Rights. Issues from the 1970s reappeared during the hearing: racism, police brutality, education, and cultural insensitivity. Shane Dawn's alleged suicide tore open decades old wounds. Western Nebraska's racial discourse in the 1990s resembled to the 1970s. Lakotas drew parallels between the decades and identified the 1980's funding reductions as the culprit for the regression of racial relations. Yet, like the 1970s, Lakota community leaders organized and continued the civil rights movement.

Western Nebraska Lakotas shaped Indian policy. As the federal government shifted towards Termination, the new policy was clear, federal trust responsibly ceased and local and state governments were supposed to take responsibly. Lakotas required socioeconomic assistance, not provided by civic governments. Under the dire circumstances created by the blizzard of 1949, Lakotas found themselves devoid of any level of government support. The federal government saw off reservation Lakotas as a de facto terminated people, meaning they no longer were entitled to federal aid or benefits. Being an enrolled member of a federally recognized tribe meant little to federal officials once Lakotas crossed the reservation boundary. Local and state governments pushed liability to the federal government. While the different government levels debated responsibility, Lakotas struggled in the cold and the snow, until the federal government relented and granted a limited amount of money. However, the Secretary of the Interior clearly stated Lakotas received the financial aid because of the natural disaster and not because of any federal trust responsibilities. The federal government's treatment of off-reservation Lakotas in comparison with the Diné during the blizzard of 1949 unveils a forming

federal Indian policy. The Navajo Nation received a rehabilitation bill, while federal officials left state and local governments to assist western Nebraska Lakotas. The federal government differentiated between on and off reservation Indians, deeming those off as terminated peoples. A few years later, during government sponsored relocation efforts during Termination Era, the BIA eventually cut off financial support to American Indians in urban areas. Thus, even small rural off reservation communities influenced and affected federal Indian policy. Scholars cannot only examine twentieth century American Indian history on reservations and in urban Indian communities. Lakotas in western Nebraska received different treatment from the federal government, which begs for more examination into rural off reservation communities.

The tribal sovereignty movement, American Indian civil rights, and Red Power's origins are more diverse than previous scholars have appreciated and are not only rooted in national American Indian organizations that developed in urban areas and on reservations. Western Nebraska's story is a "long civil rights movement." It began well before the 1960s and 1970s and continued past those decades. Civil rights in western Nebraska remains a long complex historical process that cannot fit within a few decades. Western Nebraska's movement did have a connection to the larger American Indian Civil Rights movement when AIM appeared following Yellow Thunder's death. Scholars still focus on AIM and its leaders Dennis Banks and Russell Means' western Nebraska protests. Infamous national leaders are a part of the history, yet western Nebraska's movement remained separate and different. Lakotas had their own methods and situation. Lakotas continued to base their actions on grassroots organization and they struggled between the state and federal support vacuum. Scholars need to identify off reservation rural communities and tell their stories to create a more complete picture of American Indians in the twentieth century.

With recent events such as the deaths of Trayvon Martin and Eric Brown, voter ID requirements, and the amnesty debate, racial tension remains in the public's consciousness. Today's racially charged events are not occurring in a vacuum, a post 1960s and 1970s civil rights movement continues. Many scholars are addressing the long civil rights movement by looking prior to the mid-twentieth century, but more scholars should look past the 1960s toward the turn of the century.<sup>2</sup> Western Nebraska reveals American Indians, like other racial minorities, continued to encounter racism and marginalization into the 1990s. Furthermore, scholars should attempt to understand civil rights struggles outside cities and national Indian organizations. The struggle for civil rights did not simply end in the 1970s, because racism, law enforcement harassment, and socioeconomic problems continue to not only be a problem for western Nebraska Lakota communities, but for minorities across the U.S. However, despite lingering racism and socioeconomic problems, the long civil rights movement allowed Lakotas in western Nebraska to move away from society's margins. As their softball team reveals they regained their community and self-respect and want western Nebraska residents to know it.

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<sup>2</sup> A few recent works have started to address post 1970s civil rights issues in the U.S. Most of these focus on the African American community and the U.S.'s high incarceration rates. Scholars must include American Indians in these post 1970s civil rights conversations. See, Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (The New Press, 2012); Khalil Gibran Muhammad, *The Condemnation of Blackness: Race Crime, and the Making of Modern Urban American* (Harvard University Press, 2011); Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley: University of California Press, 2007).

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- \_\_\_\_\_. "Trashing the Trails." In *Trails Toward a New Western History*, edited by Patricia Nelson Limerick, Clyde A. Milner II, and Charles E. Rankin, 26-39. Lawrence: University Press Kansas, 1991.
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### **Thesis or Dissertation:**

- Blansett, Kent. "A Journey to Freedom: The Life of Richard Oakes, 1942-1972." PhD diss., University of New Mexico, 2011.
- Brown, Robert Paul. "'The Year One': The American Indian Chicago Conference of 1961 and the Rebirth of Indian Activism." M.A. thesis, University of Wisconsin-Eau Claire, 1993.
- Durhman, Leslie. "Nowadays We Call it South Alliance: The Early History of a Lakota Community." M.A. thesis, University of Arizona, 1997.
- Engle, Joseph Michael. "Thunder on the Prairie: The Raymond Yellow Thunder Case and the Rise of the American Indian Movement." M.A. thesis, University of Texas at El Paso, 1997.

Loosbrock, Richard D. "Living with the Octopus: Life, Work, and Community in a Western Railroad Town." PhD diss. University of New Mexico, 2005.

Means, Jeffery. "From Buffalo to Beeves: Cattle and the Political Economy of the Oglala Lakota, 1750-1920." PhD diss., University of Oklahoma, 2007.

## Curriculum Vitae

David R. Christensen  
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### Education

Ph.D. (Expected Spring 2016): History, University of Nevada-Las Vegas

Major Field: United States History

Minor Fields: North American West, Public History

Dissertation: “‘The Land You Walk On Belongs to My People’: Lakota Community Building, Activism, and Red Power in Western Nebraska, 1917-2000.” (tentative title) Advisor: William Bauer

M.A. (December 2008): History, University of Nebraska-Lincoln

Thesis: “‘I Don't Know What We'd Have Done Without the Indians’: Box Butte County, Nebraska's Potato Industry and Lakota Sioux Labor, 1917-1960” Advisor: John Wunder

B.S. (December 2005): History/Geography, University of Nebraska-Kearney

### Publications

“‘I Don't Know What We'd Have Done Without the Indians’: Non-Indian-Lakota Racial Relationships in Box Butte County, Nebraska's Potato Industry, 1917-1960,” *Nebraska History* (Fall 2011): 124-147.

### Public History Experience and Projects

Future NEH grant proposal that required collaboration with the Atomic Testing Museum and UNLV library's special collections to locate and digitize photos, paintings, pamphlets, and documents regarding the Nevada Test Site.

Founder of the Knight Museum and Sandhills Center Oral History Project, Knight Museum, Alliance, NE

Internship, Knight Museum and Sandhills Center, Alliance, NE, Summer 2012

Consultant, Knight Museum and Sandhills Center, Alliance, NE, 2009-Present

Consultant for Lakota and U.S. West History, Dorling Kindersley Publishing, London, Great Britain, 2014

### Teaching Experience

Teaching, Hist. 101: U.S. History to 1877, UNLV, Fall 2013-2014

Teaching, Hist. 102: U.S. History 1877 to Present, UNLV, 2012-2013, Spring 2014, Spring 2016

Teaching, Hist. 110: History of Multicultural America: American Indian History Since 1830, UNLV, Spring 2014, Fall 2014, Spring 2015, Fall 2015, Spring 2016

Teaching Assistant, History Department, UNLV, Hist. 101: U.S. Colonial Period to 1877, Fall 2009; Hist. 102: U.S. History 1877 to Present, Spring 2010; Hist. 100: Hitler and Weimar

Republic, Fall 2010; Hist. 100: Greek and Roman History, Spring 2011; Hist. 101: U.S. Colonial Period to 1877, Fall 2011; Hist. 102: U.S. History 1877 to Present Spring 2012.

### **Fellowships/Awards**

2015: Newberry Consortium on American Indian Studies Summer Institute

2014: Best Doctoral Student, History Department, University of Nevada-Las Vegas

2013: Nebraska State Historical Society Fellowship, Lincoln, NE

2012: Newberry Consortium on American Indian Studies Graduate Student Fellowship, Chicago, IL

2012: Alliance Public Schools Foundation Graduate Student Scholarship, Alliance, NE

2011: Dean's Graduate Student Stipend Award College of Liberal Arts, University of Nevada-Las Vegas

2011: Best Graduate Student Seminar Paper Award History Department, University of Nevada-Las Vegas

2009-2010: Hal Rothman Student Scholarship University of Nevada-Las Vegas

2005: Summer Student Research Program University of Nebraska-Kearney

12/2005: Outstanding History Graduate College of Natural and Social Sciences at the University of Nebraska-Kearney

### **Book Reviews**

Rani-Henrik Andersson, *The Lakota Ghost Dance of 1890*, in *Studies in American Indian Literatures* 21 (Winter 2009)

Ralph Salisbury, *So Far So Good*, in *Western American Literature Journal* (Spring 2014)

Akim Reinhardt, *Welcome to the Oglala Nation*, in *Kansas History: A Journal of the Central Plains* (upcoming)

### **Presentations**

“Burn the Damned Place Down’: Lakota Activism and the Occupation of Fort Robinson, Nebraska,” Ethnohistory Conference, Las Vegas, NV, November 2015.

“Your people must take even greater interest in them than before’: The Blizzard of 1949 and De Facto Termination in Western Nebraska’s Lakota Communities,” Newberry Consortium on American Indian Studies Graduate Student Fellowship, Chicago, IL, August 2015.

“‘We Just Want to Be Treated Like Human Beings’: The Continuity of Racial Relations and Lakota Activism in Western Nebraska,” Ethnohistory Conference, Springfield, MO, November 2012.

“‘Give Much Ask for Little’: Lakota Laborers Maintaining Culture in Western Nebraska’s Potato Harvest,” Newberry Consortium on American Indian Studies Graduate Student Fellowship, Chicago, IL, August 2012.

Guest Speaker, “Lakota Culture and Labor in Western Nebraska’s Potato Industry,” Knight Museum and Sandhills Center, Alliance, NE, June 2012.

“‘The Ground You Walk on Belongs to My People’: The Emergence of Red Power in a Western Nebraska Lakota Community, 1950-1975,” Western History Association Conference, Oakland, CA, October 2011.

“‘Give Much Ask for Little’: The Cultural Relevance of Lakota Potato Harvesters in Western Nebraska,” Native American and Indigenous Studies Association Conference, Sacramento, CA, May 2011.

“‘The Ground You Walk on Belongs to My People’: The Struggle for Social Reform in a Western Nebraska Lakota Community, 1950-1975,” Southwest Regional Phi Alpha Theta conference, Las Vegas, NV, April 2010.

“Forgotten First Sioux War: The Battle of Blue Water Creek, Ash Hollow,” Biennial Phi Alpha Theta Convention, Philadelphia, PA, January 2006.

“Endless Battle: A Statistical Analysis of Historical Opinion on the Battle of Gettysburg” UNK Fall Symposium, Kearney, NE, September 2005

“The Move for Resistance in Denmark During WWII,” Regional Phi Alpha Theta Conference, Omaha, NE, March 2005