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THE AMERICAN INDIAN MOVEMENT AS A
REVOLUTIONARY ORGANIZATION

By

John F. Schuttler

B.A., Montana State University, 1986

presented in partial fulfillment of the requirements

for the degree of

Master of Arts

UNIVERSITY OF MONTANA

1991

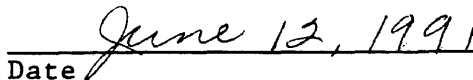
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History

The American Indian Movement as a Revolutionary Organization
(84 pp.)

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This thesis examines the origins, goals, and activities of the American Indian Movement (AIM). Such an examination disproves the common idea that AIM was a revolutionary organization. Many Indians, the media, and various agencies and members of the Federal government perceived and portrayed AIM as revolutionary and dangerous. The Senate Subcommittee of the Committee on the Judiciary went so far as to hold a hearing to determine the extent and direction of AIM's goals and activities. The subcommittee's chairman, James Eastland, believed and hoped to prove that AIM was inherently violent, had ties to communist organizations, advocated the overthrow of legitimate government forms, and posed a threat to society, in general. Moreover, this thesis contends that AIM's decline came about for a variety of reasons, not just the efforts of Eastland. Eastland's hearing constituted only the last blow to an already troubled organization.

AIM's origins can be found in the history of Federal Indian relations, the poor conditions in which most Indians lived, and the civil rights movement. To understand the nature of AIM's intentions, its development, goals, and activities are explored. AIM's origins and activities reveal neither designs for revolution nor an organizational reliance upon violence. Nevertheless, many groups, particularly the Eastland Subcommittee, perceived AIM as a dangerous and revolutionary organization. Negative perceptions of AIM were most often AIM's own fault. AIM had trouble gaining acceptance from reservation Indians, primarily, because AIM could not reconcile its brand of pan-Indianism with the strong bonds of tribalism. Additionally, AIM did not understand the extent, complexity, and intent of tribal law. Combined with its tenuous relationship with the media, the above factors all contributed to AIM's demise. It was Eastland's findings, though, that signalled the end of AIM. It is especially disheartening when, upon scrutinization, the hearing proved little, if anything, as to AIM's guilt as a revolutionary organization.

As an organization, AIM did not advocate violence, communism, or revolution. However, Eastland found otherwise. Eastland alone did not destroy AIM, but his efforts symbolized AIM's struggle for recognition and acceptance and effectively marked the end of AIM as a national organization.

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TABLE OF CONTENTS

	<u>Page</u>
ABSTRACT	ii
INTRODUCTION	1
CHAPTER ONE	5
CHAPTER TWO	20
CHAPTER THREE	48
CHAPTER FOUR	59
CONCLUSION	75
APPENDIX A: ORGANIZATIONAL CHART FOR TRIBAL GOVERNMENT	80
APPENDIX B: EARLY GOALS OF AIM	81
BIBLIOGRAPHY	82

INTRODUCTION

A Senate Subcommittee, chaired by James Eastland of Mississippi, conducted hearings on the character and goals of the American Indian Movement in 1976. In his opening statement, Eastland stated that "the purpose of today's hearing is to establish whether there is, in fact, reason for believing that the American Indian Movement (AIM) is a radical subversive organization rather than an organization committed to improving the lot of the American Indians."¹ As the hearings progressed, however, it became apparent that Eastland had already made up his mind. Relying on only one source, a former FBI informant named Doug Durham, Eastland set out to prove that AIM was, indeed, a "radical subversive organization."

In fact, the Subcommittee incorrectly labelled AIM as a

¹U.S., Congress, Senate, Committee on the Judiciary, Revolutionary Activities Within the United States: The American Indian Movement, Hearings before a subcommittee of the Committee on the Judiciary, 94th Congress, 2nd Session, (Washington, D.C.: Government Printing Office, 1976), p. 1.

radical, subversive, and revolutionary organization. On the contrary, AIM's leadership represented peaceful goals and objectives. AIM hoped to secure rights and lands guaranteed various tribes by the myriad of treaties signed by representatives of the Federal government and tribal leaders. AIM sought only to compel the government to enforce its treaty obligations - not to overthrow the government.

The first chapter presents background on the history of Federal-Indian relations and includes an examination of the treaties, laws, decisions, and attitudes that shaped federal Indian policy up to the 1960's. In addition, it explores the conditions, status, and reactions of American Indians under government supervision. The government failed to devise an efficient and acceptable policy for Indians which best served their economic, medical, and tribal needs and interests while preserving their dignity, hope, and culture. That failure led to inferior health conditions, economic uncertainty, loss of a viable land base, apathy, mistrust, and disgust. Those conditions opened the door for protest, assertion of constitutional rights, and demands for fulfillment of treaty obligations. AIM, along with other groups, rose out of the path of despair and provided a voice for past frustrations and hopes for the future.

Chapter Two examines the founding, development, and purpose of AIM. It explores the group's origins, goals, and activities. Neither AIM's goals nor its activities were particularly radical

or subversive. In fact, others had advanced most of AIM's goals long before its arrival on the scene. AIM asserted treaty rights guaranteed respective tribes and worked to attain those rights. AIM's position inspired some of its followers to engage in criminal behavior. However, the national leadership never advocated overthrow of the Federal government or violence against anyone. AIM attacked racism, government neglect, and the exploitation of Indian lands, resources, and people. This chapter will also examine AIM's defense of itself against increasing opposition by the government.

Chapter Three examines AIM's relationship with reservation Indians and the media. AIM's leadership failed fully to comprehend the intricacies of Federal Indian law and the importance of tribal bonds. AIM also failed to realize to what extent it could use the media as a tool for its message. Both failures contributed greatly to AIM's demise and the government's perceptions of AIM.

Chapter Four explores the findings of the Subcommittee chaired by Eastland. Eastland claimed AIM was a revolutionary and violent organization with communist affiliations. However, the testimony provided during the hearing failed to support that conclusion. Arguments for AIM, if they would have been allowed, refute the Government's case. Eastland simply followed the FBI's pattern of harassment and persecution of AIM. Finally, this chapter assesses the hearings contribution towards AIM's demise.

The Conclusion briefly describes AIM's demise and the

significance of the Eastland hearing to that demise. However, AIM had many internal problems that hampered perpetuating the organization. Throughout its existence, AIM came under fire. The U.S. government, media, and Indians all criticized AIM's goals, motives, and activities. Instead of using that criticism to its advantage, though, AIM pursued its own course. In doing so, it greatly offended some groups in the Federal government. In response, the Federal government tarnished and damaged AIM's image, effectiveness, and possible contributions to creating politically, economically, and culturally stronger Indian communities.

CHAPTER ONE

American Indians have struggled to achieve self-determination and control of their futures for a long time. John Marshall, Chief Justice of the Supreme Court in the early 19th century, began the struggle when he declared in *Cherokee Nation v. Georgia* that the "Indians are in a state of pupilage. Their relation to the United States resembles that of a ward to his guardian." He judged the Cherokee to be a "domestic dependent nation."¹ Subsequent courts and policy makers decided that Indians were still learning and growing as a people and, thus, needed a helping hand. They needed to be taught and converted to the ways of civilization - particularly, white, American civilization. The Federal government, then, designed its policy

¹Derrick A. Bell, Jr., Race, Racism, and American Law, (Boston: Little, Brown and Co., 1973), p. 67.

to foster dependency while attempting to educate and assimilate Indians into the white man's world. However, many Indians resisted efforts to compel assimilation. Through assimilation and absorption into white society, the Federal government hoped, eventually, to terminate wardship status and responsibility for Indians. Inefficient and undesired policies, though, provided few answers to the government's questions of how to satisfy Indians while relieving the government from its job as caretaker.

Congress declared an end to treaty-making in 1871 having signed hundreds of treaties with numerous tribes. The end of treaty-making clearly established two precedents. First, the government continued to violate existing treaty arrangements. Second, the Federal government placed tribes on reservations and assumed responsibility and management of the reservations. Indians were now subject to Congressional acts and executive orders. By the 20th century, the government implemented programs to speed assimilation. The government's one-sided policies contributed greatly to many Indians' refusal to assimilate for the next 100 years.

Congress passed the General Allotment Act (Dawes Act) in 1887. Through the Act, Congress hoped to instill an independent spirit and proper (white, middle-class) values of property ownership by allotting each Indian head of family 160 acres. The Indian landholder received a trust patent where the U.S. held title to the land in trust for 25 years. Once the trust period ended, he received a fee patent and was also granted U.S.

citizenship.² Problems arose, though. Allotted land was often arid and barren, many Indians knew nothing about farming or ranching, Indians had a difficult time obtaining credit to buy supplies, the government provided little instruction in farming techniques, and there was an inadequate supply of farm implements.³ Until 1904, the government purchased any surplus lands for sale after allotment (After 1904, tribes bought surplus lands).⁴ Despite the Act's good intentions, many Indians and tribes lost millions of surplus acres since they had few means of holding onto the land and land sales proved essential for tribal survival in many cases.⁵

Congress enacted further legislation concerning land use in 1891. It allowed individual Indians to lease their land for agricultural, grazing, mining, or logging purposes. The new legislation provided another way for Indians to support themselves. However, the government set low lease rates to encourage white settlements near reservations. Thus, in order

²Felix S. Cohen, Handbook of Federal Indian Law, (Washington, D.C.: Government Printing Office, 1942, p. 258.

³Robert F. Berkhofer, Jr., The White Man's Indian, (New York: Alfred A. Knopf, 1978), p. 174.

⁴Tribal consent had been required for government purchases. Though tribes purchased surplus land after 1904, the case of Lone Wolf v. Hitchcock (1903) affirmed Congress' rights as guardian to Indians and Congress' right to do what it felt was right concerning Indian lands regardless of tribal consent [From David H. Getches, Daniel M. Rosenfelt, and Charles F. Wilkinson, Cases and Material on Federal Indian Law, (St. Paul, MN: West Publishing Co., 1979), p. 186.].

⁵Berkhofer, The White Man's Indian, p. 174.

merely to survive, many Indians leased their lands and lost more control of their reservations.⁶

The early twentieth-century saw Indian leaders appeal to Congress for better protection of their rights and lands. In 1906, Congress issued the Burke Act which prevented seizure of Indian lands for debt payment. However, the restriction applied only during a trust period determined by the President.⁷ Additionally, the government granted full citizenship in 1924 to all Indians not covered by the Dawes Act.⁸ Citizenship, though, encouraged assimilation. Additionally, it failed to stop the flow of lands out of Indian hands or growing disenchantment with government policies. Increasingly, questions arose concerning allotment and the effectiveness of federal policies to provide a decent life for Indians.

The Brookings Institute issued The Problem of Indian Administration, also known as the Meriam Report, in 1928 in response to reformers' concerns for the problems in Indian country. The Report called for corporate management of tribal resources, strengthening of family and community life, and greater cooperation among government agencies. The Report's suggestions were well-received, especially among Indians, but the

⁶Ibid., p. 175.

⁷Felix S. Cohen, Handbook of Federal Indian Law, (Washington, D.C.: Government Printing Office, 1942), p. 80.

⁸Berkhofer, The White Man's Indian, p. 177.

government took no action for six years.⁹

Congress passed the Indian Reorganization Act (IRA) in 1934. The Act incorporated many of the Brookings Institute's recommendations. The Act also recognized allotment as a failure; quality of life for Indians remained low, millions of acres of Indian land had been taken, and the Indians failed to identify with the concept of private property. The IRA ended allotment and allowed for communal ownership of lands. The Act also redefined the purpose of the Bureau of Indian Affairs (BIA) and enabled tribes to draft new IRA constitutions.¹⁰

The BIA existed under various names and functions since 1824. Under the IRA, the BIA administered the law and, thus, played a greater role in the day-to-day lives of Indians and established a clear line of supervision within the Bureau on the reservations.¹¹ Corporate forms of government were established on reservations and in the structure of the BIA. The BIA appointed a supervisor for each reservation to act as a liaison and oversee the activities of the tribe. Tribal government consisted of a president or chairman and council to administer and manage tribal resources and needs. However, except for taxation of tribal members, arrest, courts, licenses and regulation of hunting and fishing, no act of tribal government could be executed and enforced without the expressed approval of

⁹Ibid., p. 180.

¹⁰Cohen, Handbook of federal Indian Law, p. 83-5.

¹¹Ibid., p. 174-82.

the BIA.¹² The IRA marked an improvement, but Indians were still not allowed a free hand in managing their lives or resources.

Indian leaders continued to call for reforms despite passage of the IRA. Tribal leaders founded the National Congress of American Indians (NCAI) in 1944 to act as an advocate for the benefit of all tribes. The NCAI chose the problem of land retention as its paramount concern. A continuing loss of control over tribal lands pushed each successive generation into further dependence upon friends, family or government. Less land also meant less agricultural output for Indians. Simply put, the shrinking land base of many tribes combined with rising populations made it difficult to survive. Unable to support themselves, many Indians left the reservations to find work. The lack of a viable land base and the increasing number of Indians leaving the reservations provided the government with a golden opportunity to achieve termination.

Congress established the Indian Claims Commission in 1946. The Commission reviewed cases of Indian lands taken under questionable circumstances and passed judgement on whether those lands should be returned.¹³ Karl Mundt, Senator from South Dakota and supporter of the Commission, stated that "if any Indian tribe can prove it has been unfairly and dishonorably

¹²Robert Burnette and John Koster, The Road to Wounded Knee, (New York: Bantam Books, Inc., 1974), p. 297. See Appendix A for a flow chart of tribal government and the BIA.

¹³Berkhofer, p. 188-189.

dealt with by the United States it is entitled to recover. This ought to be an example for all the world to follow in its treatment of minorities."¹⁴ The Commission appeared to fulfill many Indians' desires. However, the Commission returned no land - only money. In fact, many Congressmen proposed termination of those tribes whose land base and population deemed them least fit to survive. Though no dates were set, eventually, all federal responsibility and supervision of Indians and reservations, in particular, would end. Congress perceived the Commission as a means to clear up grievances prior to termination.¹⁵

Four major measures continued the termination process in the 1950's. House Concurrent Resolution 108, in 1953, advocated an end to Indians' "status as wards of the United States." It called for a reexamination of treaties, existing legislation concerning Indians, and abolishing BIA offices and services in California, Florida, New York, and Texas.¹⁶ Congress terminated six tribes from federal wardship in the next session, and eventually, a total of twelve tribes were terminated.¹⁷ Resolution 108 advanced freedom from federal supervision for

¹⁴Vine Deloria, Jr., Custer Died For Your Sins, (New York: Avon Books, 1969), p. 58.

¹⁵Berkhofer, p. 188.

¹⁶House Concurrent Resolution 108 (1953), U.S. Statutes at Large, Vol 67, (Washington, D.C.: Government Printing Office, 1953), p. B132.

¹⁷Berkhofer, p. 188.

Indians, but, in reality, it sought only to achieve the end of government responsibility. Most of the terminated tribes could not survive without federal aid and lost their land, culture, and hope.

Public Law 280, also passed in 1953, granted the state governments of California, Minnesota, Nebraska, Oregon, and Wisconsin jurisdiction over criminal and civil actions committed by or against Indians.¹⁸ Prior to Public Law 280, Federal and tribal courts maintained jurisdiction over all cases involving Indians. Public Law 280 paved the way for termination in the above states by removing the Federal government and tribes from the judicial process and erasing a critical link in Federal - Indian relations (Most states returned to tribal and Federal authority, eventually. However, at the time, Public Law 280 was very important to termination efforts.).

Congress repealed the law prohibiting the sale of alcohol to Indians in 1953, also. Repeal of the law granted greater freedom, but alcoholism and its accompanying consequences - unemployment, suicide, high instances of infectious disease, death - had long been a problem for Indians. The government chose to disregard dire social and health problems in the guise of greater freedom. This measure served only to intensify the alcohol problem faced by many Indians and helped establish a flourishing liquor trade on the edges of reservations (Each tribe

¹⁸Public Law 280, U.S. Statutes at Large, Vol. 67, (Washington, D.C.: Government Printing Office, 1953), p. 588-590.

decides whether or not to allow the sale of alcohol within the borders of its reservation.)

Finally, Congress transferred all Indian health programs from the BIA to the Public Health Service in 1954. The measure reduced the services and responsibilities of the BIA and set the tone for removing other services from the administration of the BIA. By lumping Indians' health concerns with those of everyone else, Congress wanted to end duplication of services. The result, though, forced tribes to deal with yet another federal agency, denied their unique relationship with the federal government, and denied recognition of special health problems (alcoholism, tuberculosis, cirrhosis).¹⁹

The government's ultimate goal in the 1950's was termination of federal responsibility for Indians. Congress hoped to eliminate both the Indians' dependence on the government and their unique status. All termination measures advanced greater individual freedom and responsibility for Indians but failed to recognize that most Indians had no alternatives in which to exert those new freedoms. Lack of employment opportunities, reduced services and aid, and uncertainty forced many Indians to leave the reservations - yet another goal of termination. The termination policies of the 1950's produced an exodus from reservations, worsened health and employment conditions on and off the reservations, and fostered a growing resentment by Indians towards the government's treatment of Indians and their

¹⁹Berkhofer, p. 188.

unique problems.

Organized groups of Indians formed in the 1960's to tackle the problems they all faced. Taking their lead from the civil rights movement, those groups demanded their rights. Many tribes asserted hunting and fishing rights long denied them by state and Federal government.²⁰ Other groups and tribes demanded better living conditions on the reservations. The most outspoken group of this time, the National Indian Youth Council (NIYC) formed in 1961 as an alternative to the more conservative NCAI. The NIYC perceived the National Congress of American Indians (NCAI) as too conservative and too subservient to government interests in order to maintain power in the Indian community. The NIYC advocated treaty rights and return of lost lands. However, because of its unwillingness to compromise, the NIYC achieved little, if any material gains.²¹ Despite its lack of concrete achievements, though, the NIYC contributed new and different avenues for Indian indignation and protest.

The American Indian Chicago Conference brought together Indians from many tribes in June 1961 to discuss problems and solutions common to all Indians. The Conference issued the Declaration of Indian Purpose which made a number of recommendations: return of former reservation lands, protection of water rights, reappropriation of lost funds to enlarge reservation land bases, and greater control in deciding how

²⁰Burnette and Koster, p. 24.

²¹Ibid., p. 26.

Indians would be governed. The most important proviso requested that the government respect and keep its treaty obligations.²² Despite its honest and simple approach, though, Congress largely ignored the Declaration. However, it provided a blueprint for future demands upon the BIA and Congress by Indian groups.

Inefficiency, confusion, and incompetence by the government continued in the 1960's. President Lyndon Johnson's Great Society created more funds and opportunities for Indians, but it also increased the red tape. Though freed from BIA supervision, tribes now had to deal with numerous federal agencies (Office of Economic Opportunity, Labor Department, Federal Housing Authority, Economic Development Administration) instead of just the BIA. Separate applications and files had to be filled out for each agency.²³ More funds were available, but the bureaucracy made it more difficult to obtain. Federal appropriations to Indians (including money from the Public Health Service for Indian health and antipoverty programs through the Office of Economic Opportunity) totalled 460 million dollars in 1968, or approximately \$5,600 per reservation family if paid directly. Actual average family income, though, was \$1,500.²⁴ Also, Federally-sponsored education and health programs imposed white, middle-class values on Indians while ignoring and

²²Wilcomb E. Washburn, ed. The Indian and the White Man, Garden City, NY: Anchor Books, 1964, p. 400-404.

²³Deloria, Custer Died For Your Sins, p. 140-141.

²⁴Ralph Nader, "Lo, the Poor Indian," New Republic, March 30, 1968, p. 14-15,

degrading Indian history, culture, and heritage.

Indians attributed many of their problems to the loss of their land base and, consequently, their independence. Partitioning of land, invalidation of wills, forced sales, manipulation by government agents, and appointment of conservators were conducted under the authority of the BIA.²⁵ Thus, distrust of the government and its practices deepened the disgust and despair of Indians.

Rampant poverty, illiteracy, and high mortality and disease rates on reservations demanded attention by the late 1960's. Government figures revealed that in all areas of life Indians compared negatively with the general population. Unemployment among Indians reached 40% compared to a national average of 3.6%.²⁶ Indians could expect to live only two-thirds as long as whites.²⁷ The rate of illiteracy (30%) and school dropout rate (42%) were twice the national average.²⁸ Infant mortality for

²⁵Edgar S. Cahn and David W. Hearne, eds., Our Brothers Keeper: The Indian in White America, (New York: New Community Press, 1969), p. 35-74.

²⁶U.S., Department of Health, Education, and Welfare, Office of Special Concerns, A Study of Selected Socio-Economic Characteristics of Ethnic Minorities Based on the 1970 Census, Vol. III: American Indians, (Washington, D.C.: Government Printing Office, 1974), p. 49-51.

²⁷Ibid., p. 22.

²⁸U.S. Department of Interior, Bureau of Indian Affairs, Statistics Concerning Indian Education, Fiscal Year 1970, p. 1.

Indian babies was ten points higher than the national level.²⁹ Indians had higher than normal rates of tuberculosis, alcoholism, death by accident, and suicide.³⁰ Thirty-eight percent of Indians lived below the poverty line compared to approximately 14% of the larger population.³¹ Finally, Indians had lost 90 million acres since 1897.³²

Congressional committees and Presidential task forces investigated the myriad of problems faced by Indians in the late 1960's. Causes were rooted out and suggestions made, but the government implemented few noticeable changes. Many committee members failed to understand the Indians, their culture, their relationship with the federal government or the extent of federal supervision. Two examples demonstrated the confusion and lack of understanding between the government and the Indians. First, Congress passed the Indian Civil Rights Act in 1968. The first seven of the ten "rights" granted were taken directly from the Bill of Rights to the U.S. Constitution. The Bill recognized tribes as possessing the powers of self-government with those powers subject to the jurisdiction of the United States.³³ The

²⁹U.S., Department of Health, Education, and Welfare, Public Health Service, Indian Health Trends and Services, 1970 Edition, p. 14.

³⁰Ibid., p. 23.

³¹A Study of Selected Socio-Economic Characteristics, p. 68.

³²Nader, p. 14-15.

³³Public Law 90-284, Title II, "The Rights of Indians," U.S. Statutes at Large, Vol. 82, (Washington, D.C.: Government Printing Office), 1968, p. 77-78.

recognition of specific rights for Indians already granted all citizens, plus the powers of tribal self-rule, affirmed Indians and tribes as distinct and separate, but, at the same time, pointed to the government's failure to protect those rights in the past. Second, a Special Subcommittee hearing on Indian education finally determined Indians' true desires. Committee chairman Edward Kennedy, responding to John Belindo, executive director of NCAI, queried, "Summarizing your testimony . . . the fact that the common complaint is that the Indians are not playing the role of determining their own destiny, whether it is education, jobs, whatever it might be. They are not playing the role that they feel they should be playing. Rather than just a demand for more money or more programs, it is really a change in attitude on the part of the Federal Government that is needed."³⁴ The question had been asked before, but this time many Indians would not take no for an answer.

Congressional members proposed changes, but none of significance came to fruition. Indians could wait no longer. They had tired of idle talk and unfulfilled promises. Taking their lead from the civil rights struggle and the NCAI and NIYC, groups formed and acted out their disgust with Federal policies, or the lack thereof. The Declaration of Indian Purpose provided a framework of goals and ideas for the new groups. Some, like

³⁴U.S., Congress, Senate, Committee on Labor and Public Welfare, Indian Education, hearings before a special subcommittee of the Committee on Labor and Public Welfare, 90th Congress, 1st and 2nd Sessions, (Washington, D.C.: Government Printing Office), 1968, p. 223.

the American Indian Movement, spawned local movements, while others jumped into the national spotlight by seizing and demanding title to Alcatraz Island.³⁵ These new groups would lead the charge in demanding changes be made in Federal-Indian relations. The American Indian Movement emerged as the most visible group to rise to the challenge.

³⁵"Indian Group Stakes a Claim to Alcatraz," New York Times, November 21, 1969, p. 49.

CHAPTER TWO

Dennis Banks, Clyde Bellecourt, and George Mitchell, all Chippewa from Minnesota, founded the American Indian Movement (AIM) on July 28, 1968 in Minneapolis.¹ Banks and Bellecourt had worked together on a Minneapolis anti-poverty program. Mitchell was a social welfare worker in Minneapolis.² Banks and Bellecourt both claimed to have made a commitment to Indian rights during prison or jail terms. Many of AIM's leaders had trouble with the law in their youth. However, they moved on to successful careers with a greater commitment to helping Indians, and primarily urban Indians.³ They organized AIM to address the problems faced by Indians in an urban environment. Racism and poverty created grave problems for urban Indians for which they were ill-prepared to deal. AIM operated as a

¹Fay G. Cohen, The Indian Patrol in Minneapolis, Ph.D. Dissertation, University of Minnesota, 1973, p. 44.

²Rolland Dewing, Wounded Knee: The Meaning and Significance of the Second Incident, (New York: Irvington Publishers, 1985), p. 38-39.

³Ibid., p. 45-48.

"reformist social-action group" that also contained elements of a social club and mutual aid society.⁴ It sought to help urban Indians find jobs, housing, and solace.

The group drew up a list of objectives in mid-August 1968. The main objective was "to solicit and broaden opportunities for the urban Indian in order that he may enjoy his full rights as a citizen of these United States."⁵ At that point, AIM sought to help Indians on an individual basis. They enumerated other short- and long-term objectives. Short-range goals emphasized programs for better housing, education, employment opportunities, and improving communication between Indians and the greater community in which they lived. Long-range goals stressed greater unification among Indian people.⁶ AIM's founders envisioned unification as breaking down barriers between tribes and creating a pan-Indianism. The last objective played the greatest role in AIM's growth on the national scene and produced some of its greatest obstacles.

AIM centers arose in Milwaukee, Denver, Cleveland, Seattle with other cities following throughout 1969 and 1970. A loose national leadership existed as an informal group without much attention to titles, positions, or proscribed lines of command (This, of course, contributes to difficulty in assigning

⁴Cohen, Indian Patrol, p. 48.

⁵Ibid., p. 47.

B. ⁶Ibid., p. 47. For a complete list of objectives see Appendix

responsibility to AIM's leadership for certain actions and defining exactly who was the leadership.), but each center functioned independently and addressed the particular needs of Indians in that city. The national organization acted as a clearinghouse for information. Centers were apprised of those programs and methods that worked best. Under this umbrella and in the urban context, AIM functioned quite well.⁷

As it got under way, one of AIM's more successful programs was the Indian Patrol in Minneapolis. The Indian Patrol acted as a liaison between Indians and city police in an effort to improve relations and attitudes between the two groups. Indians suffered an unusually high number of drinking-related arrests and the Patrol worked to reduce that number. Patrol members met the police at the point of arrest and convinced them to release the Indian into their custody. After a shaky start, a working relationship between the Patrol and police developed. Indian arrests in Minneapolis dropped markedly with few accompanying problems. For a short time, things went smoothly.⁸

However, the Indian Patrol accused police of unwarranted arrests in the spring of 1969 and the relationship quickly soured. After AIM's accusations of police brutality against Indians in March, the police grew to distrust the Patrol and

⁷Rachel A. Bonney, "The Role of AIM Leaders in Indian Nationalism," American Indian Quarterly, Fall 1977, p. 219.

⁸Cohen, Indian Patrol, p. 56-7.

AIM.⁹

AIM's many urban community centers became the focus for increasing activism after 1969. They served as meeting places for young Indians dissatisfied with the lack of opportunities offered them in the cities. AIM and its followers increasingly voiced frustration with the Federal agencies that provided them with funding. Eventually, they came to see the Federal government as the source of urban Indians' troubles. Past government policies had pushed Indians off reservations and into a world they did not understand and which rejected them. In this urban environment, Indians faced racism, slums, competition for jobs, and the loss of their culture. AIM believed the Federal government should be held accountable for its actions, particularly towards urban Indians. AIM and its followers directed protests at the Bureau of Indian Affairs (BIA).¹⁰

No programs or services for urban Indians existed under the auspices of the BIA. The BIA's responsibility and authority for Indians ended at the borders of the reservation. It operated on the assumption that Indians left the reservation for jobs and, thus, did not need BIA assistance. In reality, jobs for Indians were scarce both on and off the reservation. By 1970, one-third of American Indians lived in cities.¹¹ AIM believed the BIA

⁹Ibid., p. 70-72 and 205.

¹⁰Alvin M. Josephy M., Now That the Buffalo's Gone, (New York: Alfred A. Knopf, 1982), p. 230.

¹¹"The Story of the Indians," New York Times, July 12, 1970, Section 4, p. 3.

had a responsibility to those urban Indians. Towards that end, AIM occupied the BIA's Minneapolis office for four days in March of 1970 to dramatize the plight of urban Indians and to demand change. No serious charges were brought against AIM members, but AIM had taken a decisive step towards its future.¹² Foretelling future contradictions and conflicts, AIM failed to realize that demanding change from the BIA continued dependence upon the BIA at a time when AIM, itself, asked for greater freedom and sovereignty for Indians.

A further glimpse into AIM's future came on November 20, 1969. On that day, a group calling itself Indians of All Tribes seized Alcatraz Island, reclaimed it as the property of all Indians, and announced plans for a center of Native American studies. They demanded the Federal government cede them title to the island and help fund the center.¹³ Though eventually unsuccessful in its demands, the occupation of Alcatraz remained a burr in the government's side for 18 months and inspired AIM and other groups to similar seizures.

AIM learned two things from the seizure of Alcatraz: the value of direct confrontation as a method of protest and the extent to which it may be used successfully. Upon first seizing Alcatraz, the Indians invoked a little-known law that authorized the Secretary of War to establish schools for any Indians holding

¹²Cohen, Indian Patrol, p. 198.

¹³"Indian Group Stakes a Claim to Alcatraz," New York Times, Nov. 21, 1969, p. 49.

"educational treaty claims on surplus Federal lands (some treaties required the Federal government to provide educations to the Indians in question)."¹⁴ Though the Indians of All Tribes, the group which claimed responsibility for the occupation, represented no tribe in particular, the law provided them with a legal foothold from which to begin negotiations. Out of concern for the safety of those involved, the government proceeded slowly. Finally, the Indians garnered public support by invoking legal justifications for their actions and by the large number (estimated as many as 1,000 people in early stage) of Indians who went to Alcatraz during the seizure. Using the media to get its message out, AIM employed many of the same methods and strategy over the next five years to gain attention and support for its objectives.

A rising tide of dissatisfaction among Indians moved President Richard Nixon to address the myriad of problems faced by all Indians. Before a joint session of Congress on July 8, 1970, Nixon stated what most Indians already knew - "The first Americans - the Indians - are the most deprived and most isolated minority group in our nation." He said, "On virtually every scale of measurement - employment, income, education, health - the condition of the Indian people ranks at the bottom."¹⁵ He presented an agenda for changes in services to Indians and the

¹⁴Chap. 363, U.S. Statutes at Large, Vol. 22, (Washington, D.C.: Government Printing Office, 1883), p. 181.

¹⁵"Excerpts From Nixon's Message on Indian Affairs," New York Times, July 9, 1970, p. 18.

extent of Federal authority over tribes. He proposed giving more operational control of aid programs to Indians through the establishment of tribal boards of education, the appropriation of more money for economic development and health programs, and the expansion of urban help centers.¹⁶ Except for the last item, all of Nixon's proposals were aimed at the reservations. Urban Indians felt ignored once again. Despite Nixon's promises, very little legislation was passed helping any Indians. Nixon's failed attempts in Congress and the persistence of problems for urban Indians sparked AIM to action.

Various groups of Indians attempted either to seize surplus Federal property or to occupy BIA offices in 1970 and 1971. AIM's chapters adopted both tactics. The reasons and objectives of each group determined the form of protest. The intent of those seizing government property was to take back formerly Indian territory or make redress for previously seized lands. Those protesters usually seized, or attempted to seize, military installations declared surplus or no longer in use, such as abandoned missile sites or military bases. However done, the Indians invoked educational clauses in treaties and requested title to the land. Such seizures took place in Seattle, Minneapolis, Milwaukee, and, more unusual, Mt. Rushmore.¹⁷

The takeovers were peaceful and resulted in arrests for most

¹⁶James N. Naughton, "President Urges Wider Indian Role in Aid for Tribes," New York Times, July 9, 1970. p. 1.

¹⁷Joseph, Now That the Buffalo's Gone, p. 230.

of the participants.¹⁸ However, one group succeeded. AIM members in Milwaukee seized an abandoned Coast Guard station in August 1971. For whatever reason, they were not removed. In fact, a year later, AIM remained there, had established a halfway house for recovering alcoholics along with a community school and had successfully negotiated for the title to the land.¹⁹

Although rare, the episode demonstrated two significant points. First, individual AIM centers acted independently of any national leadership, but they followed similar tactics and objectives. In this instance, the Milwaukee AIM chapter, on its own, sought redress for lands taken in Wisconsin; the national leadership had not made a universal call to action. Second, the Federal government did not, at this time, view AIM as a dangerous or violent organization. Most likely, the government would not have granted title to the land had they regarded AIM, nationally or even the Milwaukee chapter, as revolutionary.

Many AIM chapters chose to occupy BIA offices as their method of protest. Protesters demonstrated against BIA rule usually by sitting in the lobbies of Bureau offices and preventing business as usual - much like civil rights and student protesters before them. Occupations or sit-ins took place in Chicago, Minneapolis, Denver, Philadelphia, Cleveland, Albuquerque, Los Angeles, and Alameda, California. AIM neither

¹⁸Ibid., p. 230.

¹⁹"Indians Mark Land Seizure in Milwaukee, New York Times, Aug. 20, 1972, p. 44.

organized nor conducted all of these occupations, but many members participated. Once again, the demonstrations remained peaceful and most of those arrested were later released.²⁰ These demonstrations, though, brought AIM onto the national scene. Takeovers and occupations garnered media exposure and, thus, a wider audience. The protests also brought new faces to the attention of AIM's national organization. Russell Means, Carter Camp, and Leonard Peltier, representing a more radical direction in tactics and rhetoric, rose to prominence nationally in AIM through their efforts in local demonstrations. AIM's higher profile and new leaders sparked the growth and development of the national organization.

AIM's new focus became clear Thanksgiving Day of 1970. Russell Means and other AIM members buried Plymouth Rock with sand and boarded the Mayflower II on that day. On the Mayflower II, Means demanded "Listen. Listen to us, white men. Plymouth Rock is red. Red with our blood. The white men came here for religious freedom and he has denied it to us. Today you will see the Indian reclaim the Mayflower in a symbolic gesture to reclaim our rights in this country."²¹ Those words thrust Means and AIM into the national spotlight. Means' assumption of authority to speak for AIM and Indians, in general, contributed to the media's misperception of AIM as a unified whole and chief vehicle for

²⁰Josephy, p. 230.

²¹"Mourning Indians Dump Sand on Plymouth Rock," New York Times, Nov. 27, 1970, p. 26.

Indian activists. In reality, AIM never abandoned its philosophy that each center should determine its own course of action. However, AIM created a more unified and defined national leadership centered around Means, Banks, and Vernon and Clyde Bellecourt that formulated AIM's goals over the next two years.

The next two years saw continued occupations of BIA offices and land seizures. AIM increased the stakes on September 22, 1971, when members of AIM and the National Indian Youth Council (NIYC) barged into the BIA offices in Washington, D.C. They demanded to see the BIA Director of Education, Wilma Victor, to discuss what they considered her lack of understanding and sympathy for the problems of Indian education. Police arrested the group when they refused to leave. Later, though, the government dropped the charges and paid the Indians' way home.²² The government seemed to believe that they could make the questions and demands go away; however, AIM was not that easily deterred.

Officials in the White House and Department of Interior continued to submit legislation along lines proposed by Nixon in 1970 throughout 1971 and 1972. However, Congress passed none of the proposed legislation for revamping the BIA and the existing nature of Indian relations with the Federal government. AIM perceived the BIA as an increasingly cumbersome bureaucracy (The

²²William Blair, "24 Indians Seized in Capital Clash," New York Times, Sept. 23, 1971, p. 49.

BIA had one employee for every 30 reservation Indians by 1973).²³

The Trail of Broken Treaties march in 1972 addressed the problems left unanswered by Congress. More conservative, non-AIM activists such as Robert Burnette (former and later a tribal chairman at Rosebud (S.D.) Reservation), Hank Adams, and Sid Mills conceived the Trail of Broken Treaties as a cross-country caravan by Indians to Washington, D.C. Once there, the Indians presented a set of demands or "20 points" that they wanted the White House to address concerning the problems of Indians.²⁴

AIM leader Vernon Bellecourt stated the goal of the Trail caravan was to "remind elected officials of the common mistreatment and neglect of the American Indian."²⁵

The "20 points" included provisions concerning redress of past grievances, resumption of treaty-making, water rights, abolition of the BIA, and improved social, economic, and health conditions. Eight Indian organizations participated in planning the caravan and drawing up the proposals. Four other groups endorsed the concepts and purpose of the caravan.²⁶ Those

²³"Real Goals of the Restless Indians," U.S. News and World Report, April 2, 1973, p. 27.

²⁴B.I.A. I'm Not Your Indian Anymore, (Roosevelt, NY: Akwesasne Notes, 1973), p. 2.

²⁵"Indians to Drive to Capital," New York Times, Oct. 5, 1972, p. 95.

²⁶The eight groups involved in the planning were the National Indian Brotherhood (of Canada), Native American Rights Fund, American Indian Movement, National Indian Youth Council, Native American Indian Council, National Council on Indian Work, National

twelve organizations represented over 80 tribes; their goals and methods of change ranged from conservatism to militancy.

Burnette admitted to differences, but all factions agreed that economic and other pressures threatened to destroy Indian culture.²⁷ The caravan hoped to halt that process.

Caravans left from Los Angeles and Seattle. Along the way, the caravans stopped in reservations long enough to spread their ideas and gather more followers. A third caravan embarked from Denver. The organizers planned for the caravans to reach Washington the week before the 1972 Presidential election. They would present their demands before a national audience and wait for the government's response. The caravan's organizers felt the timing would force President Nixon to address their demands immediately. However, upon reaching Washington, the situation changed rapidly.

Arrangements had been made with church and religious groups to provide lodging for the Indians upon their reaching the capital. However, for some unknown reason, the churches withdrew their offers upon the Indians' arrival. This left the Indians with shut-up, rat-infested buildings with no plumbing provided by

Indian Leadership Training, and the American Indian Commission on Alcohol and Drug Abuse. The groups lending endorsement were the Native American Women's Action Council, United Native Americans, National Indian Lutheran Board, and the Coalition of Indian-Controlled School Boards.

²⁷William Blair, "Indians to Begin Capital Protests," New York Times, Oct. 31, 1972, p. 31.

the government.²⁸ Amid claims of government pressure on the churches to rescind their invitations, the protesters marched on the BIA offices building on November 2. More than 500 Indians seized the building demanding better lodging and that attention be given to the "20 points." AIM supported this bold move and helped lead it, but they were not alone. When BIA officials refused to help, the Indians took control of the building.²⁹ The following day, November 3, Louis Bruce, an Oglala from Pine Ridge (S.D.) Reservation and Commissioner of Indian Affairs, visited the building. By now, the Indians refused to leave until the government established a White House task force to make recommendations to the President based on the "20 points." In support, Bruce said, "I'm willing to stick it out to assist you."³⁰ Such remarks eventually cost Bruce his job. Organizers claimed they represented 250 of the nation's 300 tribes, but AIM assumed control of the situation. AIM spokesman Dennis Banks stated, "We are trying to bring about some meaningful change."³¹ The Indians' position stiffened as the Army refused to let caravan members visit Arlington Cemetery for spiritual services honoring Indian war dead on the grounds that the caravan was a

²⁸Mary Crow Dog and Richard Erdoes, Lakota Woman, (New York: Grove Weidenfeld, 1990), p. 86.

²⁹William Blair, "500 Indians Seize U.S. Building after Scuffle with Capital Police," New York Times, Nov. 3, 1972, p. 1.

³⁰William Blair, "Indians in Capital Defy a Court Order," New York Times, Nov. 4, 1972, p. 42.

³¹Ibid., p. 42.

partisan event.³²

With AIM's leaders in the forefront, the Indians demanded negotiations before they would leave. Negotiations went on for 4 days before an agreement was reached. White House negotiators agreed to name a Federal study group to make recommendations to Nixon concerning the "20 points" by June 1, 1973.³³ As part of the settlement, negotiators recommended against prosecution and the Indians were granted \$60,000 to cover travel expenses home. On their way out of the building, Indians took what they called "incriminating" documents from BIA files. The BIA later demanded the documents' return, but, at the time, police made no effort to stop the Indians.³⁴

The government estimated damage to the building at one million dollars. During the occupation, files had been emptied, chairs and desks smashed, and graffiti painted on the walls. Damage was extensive, particularly to the accumulated documents from years of BIA administration.³⁵ The only reason for the destruction appeared to be frustration with an unresponsive government and an overbearing bureaucracy. Martha Gras, a 71-year old Pawnee involved in the occupation, summed up the general

³²Ibid., p. 42.

³³William Blair, "Militant Indians Agree to Leave," New York Times, Nov. 8, 1972, p. 49.

³⁴William Blair, "Indians Take Files as They Leave U.S. Building," New York Times, Nov. 9, 1972, p. 52.

³⁵William Blair, "Indians Ripped Up Federal Building," New York Times, Nov. 10, 1972, p. 17.

mood, "There are nothing but crooks and liars up here. They'll steal you blind."³⁶

The American Indian Movement received much of the blame for the BIA occupation. AIM's leaders were at the forefront of negotiations and acted as spokesmen for the many groups. However, the original eight groups who had organized the caravan participated also. AIM's avid support of militancy led outsiders to believe that AIM alone wanted and controlled the occupation. Those attitudes toward and media images of AIM spread throughout Indian country. Many reservation Indians saw the "20 points" as AIM's points. Focusing on the destruction to the building, conservative reservation Indians became guarded towards AIM. As a result, AIM's association with the BIA occupation and the "20 points" increased tensions between AIM and the reservations. The FBI listed AIM members as "key extremists" which caused further apprehension towards AIM.³⁷

AIM did not produce the "20 points" on its own, but AIM did become their most vocal advocates, particularly on those points concerning treaty rights. Many Indians, particularly those on reservations, did not appreciate AIM's efforts, though. Suggesting the abolition of the BIA and Federal relations based on treaties frightened many Indians. Problems existed within the BIA, but Indians had known nothing else. In its own peculiar

³⁶William Blair, "500 Indians Seize U.S. Building after Scuffle with Capital Police," New York Times, Nov. 3, 1972, p. 1.

³⁷Peter Matthiessen, In the Spirit of Crazy Horse, (New York: Viking Press, 1983), p. 56.

way, the BIA upheld treaty rights by enforcing tribal constitutions based on past legislation.³⁸ In addition, AIM's membership and leadership, in particular, drew almost exclusively from urban Indians. Reservation Indians resented being told who and what to believe by a group of outsiders. Moving on to the reservations in 1973 and after, AIM increasingly encountered opposition from Indians who claimed that AIM did not understand tribal sovereignty or the bonds of tribalism. AIM's lack of contact with and knowledge of tribal ties and the group's ignorance of the legal extent of tribal sovereignty became painfully clear at Wounded Knee, South Dakota in February 1973.

AIM began its move to the reservations during the Trail of Broken Treaties. Young Indians weary of the poverty and direction-less life on the reservation found appeal in AIM's objectives. AIM advanced pride and assertiveness - qualities that had been lacking in many reservation communities. Taking charge of one's life had great appeal. In addition, as one young Sioux AIM member recalled, "...you can't live off the deeds of Sitting Bull or Crazy Horse. You can't wear their eagle feathers, freeload off their legends. You have to make your own legends now."³⁹ AIM provided those young Indians with direction and hope.

The Pine Ridge Sioux Indian Reservation in South Dakota

³⁸Cahn and Hearne, Our Brother's Keeper: The Indian in White America, p. 14.

³⁹Crow Dog and Erdoes, Lakota Woman, p. 11.

became the focus of AIM's move to the reservations for several reasons. First, Russell Means came originally from Pine Ridge. Second, because of Means' association with the area, AIM leaders had been to South Dakota to participate in traditional Sioux ceremonies seeking their own sense of Indianism. Third, in March of 1972, Raymond Yellow Thunder had been found dead in nearby Gordon, Nebraska. Yellow Thunder was found in the trunk of a car having died from internal injuries. Just days before he was found, Yellow Thunder had been stripped from the waist down and thrown into the middle of a dance at the American Legion hall.⁴⁰ Yellow Thunder's case received worldwide media coverage due to the light sentence of manslaughter given the perpetrators. AIM went to Nebraska seeking justice. They declared that much of the problem stemmed from the overwhelming racism of whites in the area. Shortly after the incident, Indians at Pine Ridge invited AIM to participate in a discussion panel concerning discrimination and brutality in the area.⁴¹ Thereafter, AIM became a recurring fixture at Pine Ridge. Fourth, as Indians came to regard South Dakota as the "Mississippi of the North," the national leadership centered more of its activities there.

In February 1973, a white man stood trial for killing an Indian, Wesley Bad Heart Bull, in Custer, South Dakota. AIM and

⁴⁰"Death of Indian Sparks Protest," New York Times, March 8, 1972, p. 37.

⁴¹"Indians to Meet in Dakota to Discuss Bias Charges," New York Times, March 12, 1972, p. 27.

its followers descended on Custer to demand a more serious charge than that of manslaughter brought by the state. As Means and Banks tried to negotiate inside the courthouse, an angry mob led by Bad Heart Bull's mother engaged in a shouting and shoving match with state police. The situation escalated quickly into a riot during which the Chamber of Commerce building burned to the ground.⁴² State police brought the situation under control late in the day, but fears among whites of AIM greatly increased. Because they had organized the protest, AIM had to assume some responsibility for the violence. However, AIM's leaders had not gone to Custer advocating violence. Because they had organized the protest, though, they were also seen as the instigators.⁴³

Also, during early 1973, Pine Ridge experienced troubles with its elected tribal council and president, Dick Wilson. Some members of the tribal council called for Wilson's impeachment on charges of misuse of tribal funds, nepotism, failure to hold meetings, operating without a budget.⁴⁴ Wilson survived the impeachment, but tensions remained. Wilson symbolized many divisions within the reservation: half-bloods versus full-bloods, the power and centrality of Pine Ridge village over the outlying districts, and those who supported AIM and those who did not. Wilson strongly opposed AIM. Citing the fear created by

⁴²"22 Dakota Indians Seized after Clash with the Police," New York Times, Feb. 7, 1973, p. 34.

⁴³Ibid.

⁴⁴Dewing, Wounded Knee, p. 93.

the Custer riot, Wilson requested government protection. By February 14, there were 70 Federal marshals from a Special Operations Group in Pine Ridge with a machine-gun nest atop the BIA building.⁴⁵ In response, those opposing Wilson formed the Oglala Civil Rights Organization (OSCRO) and asked AIM to aid them in their efforts on Pine Ridge.⁴⁶ The Civil Rights Organization was made up primarily of traditional Oglala Sioux, most of whom were women.

In concert with the OSCRO, AIM seized and surrounded the small village of Wounded Knee on Feb. 28, 1973. They seized the owners of the local trading post and a priest as hostages, but vowed they would not hurt them, which they did not. They demanded hearings before the Senate Foreign Relations Committee on treaties, a full-scale investigation by the Senate of government treatment of Indians, and an inquiry into the Sioux reservations in South Dakota. Carter Camp, an AIM leader, stated, "We will occupy this town until the Government sees fit to deal with the Indian people, particularly the Oglala Sioux tribe in South Dakota. We want a true Indian nation, not one made up of Bureau of Indian Affairs puppets."⁴⁷ The stage was

⁴⁵Rex Weyler, Blood of the Land, (New York; Everest House Publishers, 1982), p. 72.

⁴⁶U.S., Congress, Senate, Subcommittee on Indian Affairs, Occupation of Wounded Knee: On Causes and Aftermath of Wounded Knee Takeover, 93rd Cong., 1st sess., 1975, p. 142. (Referred to as the Occupation hearings from hereout.)

⁴⁷"Armed Indians Seize Wounded Knee, Hold Hostages," New York Times, March 1, 1973, p. 1.

set for what turned out to be a 71-day ordeal replete with failed negotiations, broken promises, accusations, anger, and death.

Federal Bureau of Investigations officers joined Federal marshals already in Pine Ridge. Together, they formed a cordon around Wounded Knee. AIM responded by establishing its own barricades. The hostages were allowed to leave, but they chose to stay in support of AIM's goals. Along with former hostages and representatives of various churches, AIM submitted a four-point proposal to the government on March 3. It called for immediate evacuation of Wounded Knee by the Indians and Federal officers, restitution for personal property damage to be paid by the Federal government, no mass arrests, and for South Dakota clergymen to observe the procedures. The government rejected the proposal. The FBI and marshals would not withdraw before all Indians had evacuated Wounded Knee and would not guarantee that there would be no mass arrests.⁴⁸

Negotiations continued to falter as media attention grew. AIM and Wounded Knee received worldwide coverage. Due to a lack of information from the government, the media portrayed AIM's side of the conflict most often. At one point, a nationally-conducted poll showed that 51% of those polled approved of AIM's goals, and 21% opposed them.⁴⁹ Bob Burnette, one of the organizers of the Trail of Broken Treaties, asserted that AIM's main negotiating point was that the Federal government could ill

⁴⁸"Indians Offer Accord," New York Times, March 4, 1973, p. 42.

⁴⁹Occupation hearings, p. 180.

afford an Indian massacre in 1973, especially under the watchful eye of worldwide press coverage.⁵⁰ However, that press coverage did not deter the almost nightly exchange of gunfire that resulted in the deaths of two Indians and the serious wounding of an FBI agent.

Finally, both sides reached a settlement on May 5. Three days later, the FBI and Marshals pulled back their forces and all Indians left Wounded Knee. AIM gained a subcommittee hearing on the causes of the takeover, but most participants were charged with a variety of crimes ranging from disturbing the peace to conspiracy. However, the hearings came before the trials and answered many of the questions concerning AIM's involvement.

Senator James Abourezk of South Dakota conducted the hearings on June 16 and 17 on the Pine Ridge Reservation. AIM leaders, government officials, and the Indians of Pine Ridge presented testimony concerning the causes of the takeover and possible changes in policy. The most important testimony concerning AIM came from Russell Means and several Sioux women. The women claimed responsibility for bringing AIM to the reservation and helping to organize the takeover. Means supported those assertions by saying he had seen a list of 600 names represented by OSCRO. Also, he claimed that AIM went to Wounded Knee only after consulting with traditional Oglala chiefs and medicine men. Those meetings were open to anyone interested and took place on February 26 and 27. Thus, AIM

⁵⁰Burnette and Koster, The Road to Wounded Knee, p. 156.

neither instigated or initiated the activities at Wounded Knee on its own nor without consent from a large number of Indians on the reservation.⁵¹

Means discussed AIM's goals and future relationship with whites, Indians, and the Federal government. He described AIM's goals as sovereignty and self-determination for all tribes. AIM wanted reservations to be established as separate states under protectorate status with an end to wardship status.⁵²

Means believed that those objectives represented the views of traditional, full-blood Indians. However, he did note that "as a member of the American Indian Movement and as a leader of that movement we have never claimed, nor will we ever claim, that we represent all Indian people, we just represent a fact of Indian life." He added, "if not, I will be proven wrong."⁵³

In talking about demands for the return of the Black Hills, Means suggested reparations and/or lease payments to be worked out by Federal and state governments and the government of the Teton Sioux. It was for the elders and holy men to decide the course of action, though, not AIM.⁵⁴ Means also said, "In no way do we want to ostracize the present non-Indian owners of land that actually bought from the tribe, from the Government." The government, he continued, had to find a way to reconcile the

⁵¹Occupation hearings, p. 142-3.

⁵²Ibid., p. 141.

⁵³Ibid., p. 171.

⁵⁴Ibid., p. 169.

claims justly. According to Means, AIM did not want others treated as Indians had been in respect to land seizures.⁵⁵

It is clear that Means understood the delicacy, if not the patience, required to achieve AIM's goals. He recognized that AIM had little control over decisions of the tribe or Federal government. AIM's leadership, including Means, favored a new tribal government with the elders and traditional chiefs in control. A letter delivered from Marvin Franklin, Assistant to the Secretary of the Interior, to the hearings recognized petitions signed by 1445 tribal members that called for a similar change in their form of government.⁵⁶ Attached resolutions from traditional Oglala leaders supported AIM and its objectives.⁵⁷ In addition to the above, further statements by tribal members showed that AIM did not act alone or without the consent of many groups on the reservation in seizing Wounded Knee. AIM, as represented by Means at the hearing, realized that greater cooperation and communication was needed between AIM and Indians, government, and whites. That realization heralded a change in AIM's tactics as the Wounded Knee trials approached.

There were two Wounded Knee trials. The first trial, known as the leadership trial, involved only Dennis Banks and Russell Means. They were charged with conspiracy, larceny, and assault. The second trial involved all others arrested at Wounded Knee.

⁵⁵Ibid., p. 180.

⁵⁶Ibid., p. 234-5.

⁵⁷Ibid., p. 311-12.

In arranging separate trials, the Justice Department made a distinction as to whom the government thought should bear the brunt of responsibility for the takeover and the problems it caused. The government singled out Banks and Means as the leaders of the siege and implied that, in general, AIM held ultimate responsibility.

The leadership trial opened on February 12, 1974 in St. Paul, Minnesota. Judge Fred Nichol moved the trial from Sioux Falls, South Dakota because he did not believe Banks and Means could get a fair trial there.⁵⁸ The trial lasted seven months and attracted tremendous attention. Finally, on September 16, Nichol dismissed all charges. Nichols decried the FBI's tactics in trying to gain a conviction and criticized the buying of witnesses and perjured testimony by FBI agents during the trial.⁵⁹

The second trial began in late 1974 in Omaha. The Justice Department charged defendants with many of the same offenses attributed to Banks and Means in the first trial. The Indians in the second trial, though, tried a new defense. They contended that the Fort Laramie Treaty of 1868 prevented the Federal government from involving itself in reservation matters and,

⁵⁸Martin Waldron, "Wounded Knee Trial Opens With Revolt Warning," New York Times, Feb. 13, 1974, p. 1.

⁵⁹Martin Waldron, "2 Freed as Judge Scores U.S.-Wounded Knee Case," New York Times, Sept. 17, 1974, p. 1.

therefore, their arrests had been made illegally.⁶⁰ However, District Court Judge Warren Urbom ruled that laws since 1868 superseded the treaty and, therefore, the Sioux had no sovereignty to support their defense.⁶¹ However, courts later dismissed many of the cases and counts. In addition, eleven indictments were dismissed against AIM leaders Carter Camp, Stan Holder, and Leonard Crow Dog.⁶² The Federal government could not successfully prosecute AIM on charges stemming from Wounded Knee. In fact, none of AIM's national leadership was ever convicted for any charges arising from Wounded Knee.

During the many legal battles between 1973 and 1975, AIM moved ahead. In November 1973, AIM's leaders met with the National Tribal Chairman's Association and the National Congress of American Indians in the hopes of forming a coalition to press for Indian rights.⁶³ Though ultimately unsuccessful, it forecast the new direction in AIM's activities. Dennis Banks mediated a peaceful resolution to a developing crisis in Ontario, Canada in August 1974. He negotiated a settlement between Indians protesting development at Kenora Park and the Canadian

⁶⁰Roxanne Dunbar-Ortiz, ed., The Great Sioux Nation: Sitting in Judgement on America, (Berkeley, CA: Moon Books, 1977), p. 16.

⁶¹Martin Waldron, "Sioux Claim of Sovereignty Rejected; Judge Says Laws Supersede Treaties," New York Times, Jan. 18, 1975, p. 24.

⁶²"Indictments Dismissed," New York Times, February 6, 1975, p. 35.

⁶³James Sterba, "Indian Militants Appeal For Unity," New York Times, Nov. 1, 1973, p. 12.

government.⁶⁴

Two other incidents indicated AIM's move towards less confrontational tactics by its leadership. First, from June 8-16, 1974 on the Standing Rock Sioux Reservation in South Dakota, AIM organized the First International Treaty Council. Representatives of 97 tribes from across North and South America formulated, issued, and signed a Declaration of Continuing Independence. The Declaration recognized all lands belonging to "Native Nations" as clearly defined by past treaties. The Council was formed to implement the declarations, establish offices in Washington, D.C. and New York City to approach "international forces" necessary to obtain treaty recognition, apply to the United Nations for recognition and membership, and open negotiations with the U.S. Department of State.⁶⁵ AIM directed its energies towards a resolution of treaty questions through international diplomatic channels. Though somewhat misguided and confused on the nature of treaty relations, the Council, as supported and advanced by AIM, signalled a turn in AIM's direction and a realization of the dangers of confrontation.

Second, Russell Means ran for tribal council president on Pine Ridge in 1974. Realizing that valid change and acceptance must come from legitimacy granted by the people, Means ran

⁶⁴Robert Trumbull, "Indian Standoff in Ontario Ends," New York Times, Aug. 20, 1974, p. 13.

⁶⁵Dunbar-Ortiz, The Great Sioux Nation, p. 200-202.

against Dick Wilson - the man AIM tried to depose during its seizure of Wounded Knee. Means and Wilson were the top vote-getters in the run-off election and moved on to face each other in the general election. Officially Wilson won, 1,714-1,514; but Means called for a government investigation and recount. The U.S. Commission on Civil Rights found a "pattern of widespread abuses and irregularities in the conduct of the election."⁶⁶ Almost one-third of all who voted did so improperly or illegally. The report chastised the BIA for not investigating sooner as the Wounded Knee Legal Defense/Offense Committee had requested. Finally, the report recommended that a new election be held with greater security, safeguards, and accuracy.⁶⁷ However, a new election was never held, and Dick Wilson remained tribal council president.

Though successes were few, AIM's leadership continued its new course. The politics of confrontation had cost them much in terms of money, legal battles, leadership, support, and respect. AIM's growing realization that mediation and negotiation were better accomplished through the system pushed them to more moderate and conventional political tactics. They amassed support from people and groups around the world who opposed the continued oppression of American Indians. By the time of the Eastland hearings in 1976, AIM had long since moved from its more

⁶⁶U.S., Congress, Commission on Civil Rights, Report of Investigation: Oglala Sioux Tribe, General Election, 1974, (Washington, D.C.: Government Printing Office, 1974), p. 2-3.

⁶⁷Report of Investigation, p. 3-28.

militant and volatile past. In fact, AIM's national leadership moved away from the reservations in order to solicit international support and assistance to put pressure on the U.S. government to hear AIM's claims of treaty violations. Worn out from constant government harassment, numerous legal battles, an increasingly unsympathetic media, and faltering public support by 1976, AIM's leadership concentrated on international solutions, rather than local uprisings. Despite AIM's changes in policy, though, the Eastland hearing judged AIM to be revolutionary. To understand why, one must know something of the Eastland committee, its perceptions of AIM, and where it gained those perceptions.

CHAPTER THREE

AIM's activities often drew attention. Despite many victories in court (Out of 542 charges brought against AIM members during the early and mid-1970's, only 15 resulted in convictions by jury.), many Indians as well as elements in the Federal government continued to regard AIM as dangerous.¹ At least in part for that reason, AIM could not achieve greater support on the reservations or prompt the government to make changes in Federal Indian policy. AIM's failures in those areas stemmed from persistent fears of AIM by reservation Indians, AIM's misunderstanding of Federal Indian law, and government perceptions of AIM.

AIM's membership, particularly its leadership, drew largely from urban areas or areas where tribal traditions and identity

¹Ward Churchill, "Goons, G-Men, and AIM," The Progressive, April 1990, p. 28.

systems were weak. Its ideology attracted persons without a strong sense of tribal identity or culture. AIM placed emphasis upon spirituality, Indianness, pride in being Indian, and Indian unity.² AIM's approach submerged tribal identities in favor of a generalized "Indianness."³ Members came to regard themselves as Indians and AIM members first and members of individual tribes second.⁴ Many reservation Indians neither accepted nor appreciated such a view. One noted Indian author, Vine Deloria, suggested that most Indians did not want unity and that efforts to achieve unity were, therefore, fruitless. Individual tribes wanted to retain the individuality and uniqueness of their own culture.⁵ AIM never grasped that principle.

A prime example of AIM's failure to understand tribalism occurred during the occupation of Wounded Knee in 1973. Those inside Wounded Knee named Dennis Banks, a Chippewa Indian from Minnesota, head of the Oglala Independent Nation.⁶ To native Oglala Sioux on the reservation, Banks' appointment affronted their unique tribal identity. Only an Oglala could serve as the head of an Oglala nation. As AIM intensified its efforts on

²Rachel A. Bonney, "The Role of AIM Leaders in Indian Nationalism," American Indian Quarterly, Fall 1977, p. 218-219.

³Ibid., p. 211.

⁴Ibid., p. 222.

⁵Vine Deloria, Jr., Custer Died For Your Sins, (New York: Avon Books, 1969), p. 220-221.

⁶Bill Kovack, "F.B.I. Agent Shot as Indians Warn U.S.," New York Times, March 12, 1973, p. 28.

reservations, many Indians sided with their tribes against AIM. Without a tribal tradition behind them, AIM's leaders failed to grasp the depth and strength of tribal bonds.

AIM's stress upon unity and universal goals for all Indians caused other problems. Without an understanding of tribal identity or tribalism, AIM failed to comprehend the relationship between individual tribes and the Federal government. AIM saw only the outward appearance of reservation life - poverty, illiteracy, sickness. They did not realize how tribal government worked, the extent of Federal control, or the process by which change might occur.

By the 1970's, the Federal government no longer treated or referred to Indians as wards. The government had become a trustee to individual Indians. Congress provided funds and assistance to tribes, but the BIA no longer participated in the daily workings of tribal government.⁷ Tribes had exclusive control over matters of internal self-government, unless otherwise limited by Federal treaties, agreements, or statutes. One such limitation was Federal jurisdiction over major crimes such as murder and conspiracy.⁸ The Indian Civil Rights Act of 1968 affirmed tribal sovereignty and supremacy on the reservation, while protecting civil rights for all Indians.

⁷Michael Smith, "The Constitutional Status Of American Indians," Civil Rights Digest, Fall 1973, p. 15.

⁸Rennard Strickland, ed. Felix S. Cohen's Handbook of Federal Indian Law, (Charlottesville, VA: Michie, Bobbs-Merrill, 1982), p. 663.

However, the Act did not include several limitations placed on Federal and state governments by the U.S. Constitution (Tribes are governed by treaties and Congressional Acts, not by the Constitution. Tribal members are governed by the Constitution and tribal laws.). Among the limitations omitted were guarantee of a republican form of government, prohibition of an established religion, requirement of free counsel for an indigent accused, right to a jury trial in civil cases, provisions broadening the right to vote, and prohibition against denial of the privileges and immunities of citizens.⁹ Congress omitted those limitations because it wished to limit its intrusion into traditional tribal independence and to insure the sovereignty of the tribes.¹⁰

AIM challenged tribal government in form and substance without realizing the extent of tribal autonomy. AIM attacked tribal government, in general, as corrupt and inefficient. It may have been. However, AIM failed to comprehend that tribal governments could be changed and adapted to fit the wishes of the tribe. Reservation Indians perceived AIM's attacks upon tribal government as an attack on its form, upon those who had chosen its form and leaders, and, thus, an attack upon the Indians, themselves. In failing to realize the extent of a tribe's control over its form of government, AIM failed to comprehend the implications of that self-governance.

AIM's inability to understand the roots of existing tribal

⁹Ibid., p. 667.

¹⁰Ibid., p. 667.

forms and authority created additional problems. The Indian Reorganization Act (IRA) of 1934 allowed Indians to choose how they wished to govern internal tribal affairs. Additionally, tribes that had rejected governance under the guidelines of the IRA could choose whatever governmental form they desired.¹¹ However, most tribes patterned their governments along the republican forms of white society. One Indian, Joseph Muskrat, a regional director for the U.S. Commission on Civil Rights, suggested Indians had little choice in the matter. Muskrat asserted that constant defeats and subjugation cost Indians the ability to govern themselves; they could no longer protect their land, property, families, or culture. Indians had no other examples from which to draw ideas on self-governance. Other possibilities had been erased by time. Thus, many tribes simply copied the government of their conquerors.¹²

Thus, AIM's attacks on tribal government and calls for a return to tribal rule by traditional chiefs and medicine-men carried the implication that mistakes had been made. Indians did not take kindly to the idea that they and their ancestors had made bad choices. AIM failed to recognize, again, how Indians perceived such attacks.

AIM's failure to comprehend the development and extent of

¹¹Indian Reorganization Act (1934), U.S. Statutes at Large, vol. 48, (Washington, D.C.: Government Printing Office, 1934), p. 984.

¹²Joseph Muskrat, "Thoughts on the Indian Dilemma," Civil Rights Digest, Fall 1973, p. 49-50.

tribal government or the strength of tribalism, combined with AIM's self-righteousness, drastically curbed the organization's effectiveness on reservations. Reservation Indians resented having their faults and mistakes pointed out by a group of outsiders. They did not appreciate being told how to run their reservations. Finally, they reacted unfavorably to a group that failed to recognize the uniqueness of each tribe's culture. As a result, AIM alienated itself from the people it wanted to help.

AIM's militant stance created further negative impressions on reservations. AIM leaders initially adopted the position that only confrontation could accomplish its goals, but later toned down their methods.¹³ In the course of confrontation, AIM members were willing to die for their cause and expected other Indians to feel the same way.¹⁴ In their minds, dying would make them martyrs and, thus, focus more attention on their goals. Such an attitude received a negative reaction from tribal leaders worried about takeovers on their reservations similar to the one at Wounded Knee.¹⁵ Moreover, they feared government reprisals against their reservations for such confrontations. Once again, AIM posed a threat to tribes from the outside.

The American public, including Indians and the Federal government, obtained much of their information on AIM from the

¹³Bonney, "The Role of AIM Leaders in Indian Nationalism," p. 221.

¹⁴Ibid., p. 219.

¹⁵Ibid., p. 221.

media. In the early 1970's, the media actively courted AIM and portrayed them as yet another deprived minority attempting to throw off the yoke of oppression and racism. AIM reciprocated by giving the media what it wanted. AIM first learned to export its message through the media during the occupation of the BIA Building in 1972. According to one member, AIM learned that when Indians are nice and quiet, no one listened, However, when they made noise and acted out their frustrations, they received plenty of public support and media coverage.¹⁶ Todd Gitlin's examination of the New Left's relationship with the media revealed similar patterns. Gitlin stated that "the media were giving lurid prominence to the wildest and most cacophonous rhetoric, and broadcasting the most militant, violent, bizarre, and discordant actions, and within the boundaries of any action, the most violent segments."¹⁷ Many times it became difficult to judge who used whom in this scenario. Nonetheless, the media swarmed to cover the oppression of yet another minority group, especially one as proud and noble as the American Indian.

Many government officials correctly believed that AIM manipulated the press. At Wounded Knee, the government and some reporters thought that AIM used the media to draw out the conflict and gain wider sympathy.¹⁸ In the Chicago Sun-Times,

¹⁶Crow Dog, Lakota Woman, p. 88.

¹⁷Todd Gitlin, The Whole World is Watching, (Berkeley, CA: University of California Press, 1980), p. 182.

¹⁸Victor Gold, "Of Fallen Trees and Wounded Knees," National Review, April 27, 1973, p. 464.

Tom Fitzpatrick described the "arrest" of four ranchers at Wounded Knee. After their arrest, AIM members marched the ranchers before TV cameras and then released them.¹⁹ Robert Enstad of the Chicago Tribune reported a similar incident at Wounded Knee on March 25, 1973. He said, "On one occasion, a young man guarding an Indian roadblock had to be reminded that he didn't look very mean or warlike with an expensive camera dangling next to his rifle. So he put the camera aside as he posed as a warrior for a photograph."²⁰ Talking about AIM's use of the press, Terri Schultz of Harpers said, "We wrote good cowboy-and- Indian stories because we thought it was what the public wanted, and they were harmless, even if they were not all true."²¹ The government did not regard the stories as harmless.

Charles Ablard, assistant Deputy Attorney General, claimed, "The press has created a climate of undue sympathy for AIM."²² Charles Soller, an aide in the Department of the Interior, further claimed, "It could have been settled in a week if it weren't for this horde (reporters)."²³

¹⁹Desmond Smith, "Wounded Knee: The Media Coup d'etat," Nation, June 25, 1973, p. 808.

²⁰Victor Gold, 'Of Fallen Trees and Wounded knees," National Review, April 27, 1973, p. 465.

²¹Terri Schultz, "Bamboozle Me Not at Wounded Knee," Harpers, June 1973, p. 56.

²²"Trap at Wounded Knee," Time, March 26, 1973, p. 67.

²³Ibid., p. 67.

AIM's perceived manipulation of the press offended two groups: the Federal government and reservation Indians. AIM's favorable press coverage and the media's presentation of the government as an overbearing, uncaring, cheating step-father to Indians angered the government bureaucracy. Indians opposed the intrusion upon their lives by the press. They regarded this as another example of outsiders pointing out the flaws and shortcomings of reservation life and government. Indians knew their system was not perfect, but it was their system. While the press depicted AIM in a favorable light, the media portrayed reservation Indians as direction-less and in need of AIM's assistance. Reservation Indians resented that portrayal.

Finally, disregard for public and private property caused further resentment of AIM by Indians and the government. The destruction of property and theft of documents during the BIA occupation as well as the destruction of private property at Wounded Knee disturbed the government. In the latter case, the government used Federal agents to prevent further damage. In both cases, Indians feared personal recriminations for AIM's actions. However, none were forthcoming. In fact, Congress established the American Indian Policy Review Commission on January 2, 1975, in the wake of Wounded Knee, to investigate Federal Indian policy and make recommendations.²⁴ In addition, Congress passed the Indian Self-Determination and Education Act in 1975 to support greater goals of education to provide

²⁴Dewing, Wounded Knee, p.

effective future leaders to advance tribal self-determination. The Act provided additional funding for education and gave Indians greater control and autonomy over educational and political institutions previously administered by the BIA.²⁵ The new freedoms would, thus, open the door for new ideas and leadership.

However, despite legislation that reinforced AIM's goals, AIM's favorable portrayal in the media, the government's inability to convict AIM's leaders of wrongdoing, and a change in tactics by AIM's leadership, many Indians and elements in the Federal government still perceived AIM as dangerous. The murder of two FBI agents, Jack Coler and Ronald Williams, on the Pine Ridge (S.D.) Reservation on June 26, 1975 confirmed those fears.²⁶ Two years later, a Federal District Court jury found AIM member Leonard Peltier guilty of the murders. The court sentenced Peltier to two consecutive life sentences in prison.²⁷ Despite Peltier's conviction, some doubt remained as to what really happened that day. However, most people, including Indians and those in the Federal government, discerned the causes and consequences of the murders.

For many, the occupation of Wounded Knee in 1973 produced

²⁵Strickland, Handbook of Federal Indian Law, p. 662.

²⁶John Crewsdon, "2 F.B.I. Men Die, Indian Reported Slain in Sioux Village Near Wounded Knee," New York Times, June 27, 1975, p. 1.

²⁷"Indian Gets Life Sentences In Killing of F.B.I. Agents, New York Times, June 3, 1977, p. 10.

the murders. At Wounded Knee, AIM exposed and highlighted the concerns that divided Indians on Pine Ridge. Those divisions, then revolved around two divergent positions - those who supported AIM and those who did not. The division became more pronounced as tensions remained high after the occupation ended. With the barricades for both sides down, the tension exploded into over two years of violence and lawlessness on the reservation. Between March 1, 1973 and March 1, 1976, the FBI documented 61 violent deaths on Pine Ridge. Those numbers equated to a yearly murder rate of 170 per 100,000 (Detroit, the city with the highest murder rate for the same period, had a rate of 20.2 per 100,000.).²⁸ For many, especially Indians on Pine Ridge, AIM's presence on Pine Ridge caused the violence and, eventually, the deaths of the two Federal agents.

Many blamed AIM for the climate of fear and violence on Pine Ridge. The media presented images of chaos, confusion, and lawlessness. Indians, elsewhere, feared similar situations on their reservations. Whites feared violence would move outward from the reservations. The Federal government saw the violence on Pine Ridge, and particularly the murders of Coler and Williams, as a symptom of AIM's inherently dangerous tactics. The continued opposition to AIM from many sources led, eventually, to the Eastland Committee's hearing on AIM in 1976.

²⁸Bruce Johansen and Roberto Maestas, Wasi'chu: The Continuing Indian Wars, (New York: Monthly Review Press, 1979), p. 83.

CHAPTER FOUR

James O. Eastland used his committee chairmanship of the Internal Security Subcommittee of the Senate Judiciary Committee, to attack communism.¹ Throughout his 36 years in the Senate, Eastland had been a stern foe of both communism and liberalism. He opposed desegregation and occasionally referred to blacks as "inferior."² He accused liberals of attempting to undermine the

¹Revolutionary Activities hearing, p. II. Members of the Subcommittee included Birch Bayh of Indiana, John McClellan of Arkansas, Strom Thurmond of South Carolina, and William L. Scott of Virginia. However, only Eastland and the Subcommittee's chief counsel Richard L. Schultz were in attendance at the hearing on AIM. In fact, Bayh refused to participate in the hearing and later condemned the Subcommittee for issuing a report "on the basis of the unchallenged testimony of one solitary witness." He added that the report "seem to have no other purpose than to discredit a number of individuals, including . . . the American Indian Movement." Johanna Brand, The Life and Death of Anna Mae Aquash, (Toronto; James Lorimer and Co., 1978), p. 108-9.

²Marjorie Hunter, "James O. Eastland Is Dead at 81; Leading Senate Foe of Integration," New York Times, Feb. 20, 1986, Section 4, p. 23.

Constitution so they could bring socialism to America. He charged that many Supreme Court decisions made during Chief Justice Earl Warren's tenure favored the Communist Party. During an investigation of major newspapers, Eastland accused the New York Times of communist sympathies.³

In general, Eastland saw communism everywhere and, through the Internal Security Subcommittee, sought to eradicate it. Under Eastland's direction, the Subcommittee's hearings resembled an inquisition more than an investigation. The Subcommittee heard only testimony that reinforced Eastland's allegations of communist ties and/or revolutionary behavior. Eastland's emphasis was quite similar to the McCarthy hearings of the 1950's, but Eastland's Committee had far less impact. In AIM's case, Eastland seemed to have concocted a formula of violence plus communism equalled advocacy of revolution.⁴ Thus, he attempted to connect AIM's sometimes hostile confrontations to a larger communist threat. In reality, no connection existed. That, however, did not deter Eastland.

The testimony of Douglas Durham provided the sole basis for Eastland's assertions. Durham had infiltrated AIM as a paid informant for the FBI. He joined AIM in March 1973 and remained a member for approximately 2 years. During that time, he served as public relations director and, later, assistant director of the Des Moines, Iowa chapter. He also held several positions

³Ibid.

⁴Revolutionary Activities, p.1.

with the national organization: national AIM pilot, national security director, director of national offices of AIM, and bodyguard to Dennis Banks. During his 2-year tenure, Durham became familiar with AIM's leadership and goals.⁵ Durham's observations and the documents he produced constituted the entirety of the hearing.

Eastland accepted Durham's testimony and accusations without question. For our purposes, though, Durham's reliability must be explored before accepting the validity of his accusations. On March 7, 1975 AIM leaders exposed Durham as an informant and asked him to leave the organization. At a press conference a few days later, Durham said he was "relieved" to have been found out because he respected Banks and believed AIM to be a "legal, social organization that wasn't doing anything wrong."⁶ A year and a half later at the Eastland hearing, Durham claimed, in reference to AIM, "They are in fact a violent group that have stated they are non-violent. They are dedicated to the overthrow of our Government, and they have trampled the civil rights of Indian, as well as non-Indian, citizens in the country."⁷

Durham gave no reason for this change in attitude. In fact, despite his belief that AIM might terminate suspected informants,

⁵Ibid., p. 4.

⁶John Kifner, "Security Chief for Militant Indian Group Says He Was a Paid Informer for F.B.I.," New York Times, March 13, 1975, p. 31.

⁷Revolutionary Activities, p. 4.

he admitted that he had never been threatened.⁸ Banks and Vernon Bellecourt discussed with James Thomas, a United Methodist Bishop, and John Adams, a columnist for Christian Century, how to handle Durham's expulsion. Once confronted, Durham confessed and offered to expose further FBI infiltration of AIM.⁹ If AIM's leaders planned to eliminate Durham, it is doubtful they would have discussed his situation with anyone outside of AIM. In addition, AIM had nothing to gain by silencing Durham or any other informants. Such a move would only have created more problems for AIM. Therefore, Durham's reversal in attitude towards AIM defied explanation. His reliability must, therefore, be questioned.

Durham's presence as sole witness presented another interesting question: Why were not FBI files used to implicate AIM in revolutionary activities? Although Durham worked for the FBI, they provided no documents or information to support his testimony. The FBI had amassed 316,000 file classifications on AIM.¹⁰ Yet, the Eastland committee saw none of that mass of information. In fact, Clarence Kelley, Director of the FBI, at a trial of AIM members in 1976 stated, "It is my very definite knowledge that the American Indian Movement is a movement which

⁸Ibid., p. 8-9.

⁹John H. Adams, "AIM and the FBI," Christian Century, April 2, 1975, p. 325-6.

¹⁰Ward Churchill and Jim Vander Wall, Agents of Repression: The FBI's Secret War Against the Black Panther Party and the American Indian Movement, (Boston: South End Press, 1988), p. 177.

has fine goals, has many fine people, and has as its general consideration of what needs to be done, something that is worthwhile; and it is not tabbed by us as an un-American, subversive, or otherwise objectionable organization."¹¹ Kelley admitted further that an FBI memo released to the press stating that AIM members had M-16 machine-guns and planned to blowup buildings, shoot tourists and policemen, take action against Mt. Rushmore, and assassinate South Dakota's Governor, Richard Kneip was totally false.¹² Considering this, it is no wonder Eastland chose not to use FBI sources of information except for Durham.

Durham and Eastland made many assertions concerning AIM's revolutionary nature. They sought to prove that AIM was a violent, communist-oriented organization that had little support from Indians. On the last point, Eastland claimed "the record is clear that the elected tribal councils look upon the American Indian Movement as a radical and subversive organization."¹³ A letter from the National Tribal Chairman's Association (NTCA) to the then-Secretary of the Interior, Roger Morton, provided the basis for Eastland's assertion. The NTCA accused some members of the Department of the Interior of conspiring to help AIM by giving heed to their ideas and providing travel money to some AIM

¹¹Matthiesen, In the Spirit of Crazy Horse, p, 312.

¹²Paul Delaney, "F.B.I. Chief Admits Alert on Indians Lacked Proof," New York Times, July 8, 1976, p. 16.

¹³Revolutionary Activities, p. 2.

members.¹⁴ Durham added, "In this letter they have stated their disdain for the people who they say are operating adversely to the interest of reservation Indians . . ."¹⁵ While it is true the NTCA opposed AIM, the NTCA, in this letter, seemed more concerned with the "open complicity" between undesirable elements in AIM and the BIA. The NTCA worried that its influence with the BIA might wane. Two more factors must also be considered in assessing the usefulness of the letter to verify AIM's lack of acceptance among tribal leaders. First, the letter was written three years before the hearing in the wake of Wounded Knee. Eastland did not bother to check on the NTCA's current attitude towards AIM. Second, Eastland and Durham implied that AIM's leadership sought to speak for all Indians. AIM attempted to speak for tribal issues, but AIM leader Russell Means simply considered AIM to be a "fact of Indian life."¹⁶

Eastland believed that AIM's lack of support from the Indian community stemmed from AIM's revolutionary nature. For Eastland, AIM's revolutionary character stemmed from its violent nature and communist affiliations. In order to support those assertions, Eastland attempted to prove that the national organ of AIM had ties to many communist or leftist organizations that advocated violence as a viable means for achieving their goals.

Early in the hearing, Eastland produced a staff report

¹⁴Ibid., p. 79-81.

¹⁵Ibid., p. 7.

¹⁶Occupation hearings, p. 171.

allegedly tying AIM to the Communist Party. The report claimed AIM had once called itself the American Indian Liberation Movement.¹⁷ AIM never used that name. The report further stated that the Communist Party wished "to win the widest mass support for the current and developing struggles for Indian liberation; to give special attention to winning the working class."¹⁸ Communists have often decried the American government's and people's treatment of Indians as yet another example of American racism and weakness. The Party's devotion to Indian liberation made no direct reference to AIM or to violence. However, Eastland asserted that the connection had been made.¹⁹

In his testimony, Durham claimed that the national AIM received direct financial support from the Communist Party during the standoff in Kenora Park, Ontario in 1974.²⁰ Dennis Banks negotiated the peace resolution, but the incident involved no national leaders; it had been a local movement.²¹ Moreover, Durham did not say what happened to the money or how it was used. He also claimed that the Communist Party of the U.S.A. (CPUSA) played a role in operating the Wounded Knee Legal Defense/Offense

¹⁷Revolutionary Activities, p. 2.

¹⁸Ibid.

¹⁹Ibid.

²⁰Ibid., p. 53.

²¹Robert Trumbull, "Indian Standoff In Ontario Ends," New York Times, Aug. 20, 1974, p. 13.

Committee office.²² The Committee provided legal support for defendants in cases arising from the occupation of Wounded Knee. Again, Durham did not describe CPUSA's role or provide evidence to support his accusation. Despite a lack of evidence, Eastland readily accepted the accusations as true.

Durham continued to draw connections between AIM and communist or leftist organizations. He listed organizations that expressed support for AIM or had direct contact with AIM. Durham claimed that Dennis Banks met with officials of the Palestinian Liberation Organization while at a meeting sponsored by the World Council of Churches in 1974.²³ In the course of that meeting, according to Durham, the PLO offered support to Banks. Durham did not provide information on whether support extended from Banks to AIM, if Banks accepted, or if the PLO and AIM ever had any other dealings. Durham also claimed that AIM members met with members of the Irish Republican Army (IRA) in 1974 during the Wounded Knee trials of Banks and Means. Durham claimed that, later, Sean O'Connaith, an IRA leader, invited AIM members to Ireland for a meeting (Durham admitted, though, that AIM did not attend.).²⁴ Despite his claims, Durham again provided no evidence besides his testimony and gave no indication that AIM leaders had accepted anything other than vocal support.

Durham then listed numerous organizations which voiced

²²Revolutionary Activities, p. 53.

²³Ibid., p. 69.

²⁴Ibid.

support or demonstrated in support of AIM. According to Durham, AIM did not solicit support or acknowledge it. All of the groups simply voiced support for AIM and its goals.²⁵ In addition to the groups mentioned by Durham, many church groups, government employees, and Amnesty International gave vocal support of AIM in its struggle against racism, poverty, and government oppression.²⁶

Durham weakened his own arguments on several points. First, he failed to provide substantial proof or documentation for his accusations. Second, he provided no evidence that AIM's leadership ever solicited, accepted, or acknowledged the support it received. Third, Durham believed the United Farm Workers and the National Organization of Women were communist or extremely leftist organizations. He also claimed that the raised, clenched fist was a symbol of communism.²⁷ It may have been, but in 1960's America it also symbolized the "power" movements of that generation. His mislabelling, lumping of several fairly

²⁵Ibid., p. 73, 77, 90, 180.

Here is a listing of groups named by Durham: Organization of Arab Students, Iranian Students' Association, American Servicemen's Union, Black Panther Party, New York Consulate of the Republic of New Africa, Carlos Feliciano Defense Committee, American Committee on Africa, Youth Against War and Fascism, National Alliance Against Racist and Political Oppression, Lincoln De-Tox Program, New York American Indian Movement, Indo-China Solidarity Committee, Prisoners' Solidarity Committee, Middle Eastern research and Information Project, International Committee to Free South Vietnamese Political Prisoners from Detention, Torture and Death, Weather Underground, Revolutionary Student Brigade, Puerto Rican Solidarity Committee, and the Symbionese Liberation Army.

²⁶Johansen and Maestas, Wasi'chu, p. 113.

²⁷Ibid., p. 74-75.

mainstream organizations as communist, and misleading and, somewhat, erroneous designation of symbols and rhetoric muddled Durham's accusations in confusion. They presented a picture of a man who did not understand communism, but felt qualified to identify it and to accuse groups of being communist. Finally, Durham admitted that Banks wanted an assessment of values and goals for the groups offering AIM support.²⁸ Banks wanted AIM to associate only with those groups most useful in achieving the goals of the national organization. AIM's focused goals took precedence over the goals of a greater revolutionary cause. However, Durham and Eastland lumped AIM together with all suspected revolutionary organizations.

Along with a communist threat, Eastland considered all "revolutionary" groups violent. Therefore, to fulfill Eastland's requirements of a revolutionary threat, AIM's violent nature had to be proven. Towards that end, Durham listed violent situations and confrontations. He mentioned Wounded Knee, the riot at Custer, the BIA offices occupation, Kenora, Ontario, an alleged plot to kidnap the governor of Iowa, and AIM's plan for the Bicentennial.²⁹

There is no doubt that violence erupted at many of AIM's protests and confrontations, however, Durham had not wholly supported his accusations that AIM was inherently violent or revolutionary. Wounded Knee did result in two deaths and several

²⁸Ibid., p. 77.

²⁹Ibid., p. 67.

injuries for which AIM must share responsibility because of its leadership role during the occupation. Violence was a consequence of the tense posturing presented by both sides there. AIM could ill afford to have its tenuous public image tarnished by becoming overtly or expressedly violent, though. The riot at Custer and the destruction caused at the BIA offices had been spontaneous with anger, frustration, and violence directed at property, not people. And, at the BIA offices, AIM had not acted alone; many non-AIM Indians also took part. In addition, AIM leaders attempted to diffuse both situations before they erupted. Threats of violence were not carried out at Kenora, and AIM leaders were not involved. AIM did not kidnap the governor of Iowa, Robert Ray. In fact, AIM had positive dealings with Ray on two occasions. On August 23, 1973 AIM members occupied the Grimes State Office Building in Des Moines under the leadership of Douglas Durham. After presenting their demands to Ray, AIM members voluntarily gave themselves up for arrest.³⁰ On the second occasion, in the fall of 1976, Dennis Banks requested and received a meeting with Ray to discuss the problems of Indians in Iowa.³¹ As for AIM's plans for the Bicentennial, nothing happened. In this case, AIM's words spoke louder than their actions.

When violence did occur, it was not under the direction or insistence of AIM's leaders, but the consequence of decisions and

³⁰Ibid., p. 32-33.

³¹Ibid., p. 36.

actions made by individual members. Though AIM's leadership condoned violence as a consequence of action, usually, they did not coordinate, supervise, or actively participate in violent behavior. Durham provided no hard evidence for his accusations, but Eastland accepted them nonetheless. The fact that AIM members, and more important AIM's leaders, were rarely convicted of wrongdoing also damaged Durham's assertions. Granted, AIM members had committed indictable offenses, but the inability of the courts to prove AIM's leadership liable or responsible did not help Durham. At Kenora, the Grimes Building, and the BIA occupation, AIM members suffered no fines or imprisonment. State, local, and Federal law enforcement agencies rarely let dangerous revolutionaries off the hook. Durham admitted throughout his testimony, though, that that had been the case. In addition, Durham undermined his own testimony by admitting that the protests and demonstrations in which he had participated had been peaceful.³² Granted, Durham did not want to engage in illegal acts, but how could he make claims of AIM's revolutionary character if he never participated or witnessed such behavior?

Durham also accused AIM of stockpiling arms. AIM did gather and maintain arms for future use and members were not adverse to using arms if a hostile or violent situation arose. However, Durham charged that AIM members stole from armories in the Pacific Northwest and bought 15 semi-automatic rifles of Czechoslovakian make. However, he provided no dates for the

³²Ibid., p. 26.

robberies, knew of no plans concerning the robberies, and made no connection between AIM's leadership and the weapons.

Furthermore, none of the weapons Durham claimed to have been stolen or bought turned up in AIM hands.³³ Once again, the Subcommittee had only Durham's word to support his accusations.

A press release furnished the most damaging evidence of AIM's violent nature. Durham submitted an article from the Des Moines Tribune of August 28, 1973 in which Ron Petite, AIM's Midwest National Field Director, called on Indians to bear firearms "at all times to protect ourselves and family."³⁴ Petite claimed to have Banks' authorization for the statement.³⁵ The announcement resulted from the confusion that followed the shooting of Clyde Bellecourt by fellow AIM member Carter Camp. The details as to what precipitated the shooting have never been fully clarified, but it appears to have resulted from an argument over tactics. Whatever the motives behind Petite's words, neither Banks nor other AIM members publicly endorsed or acknowledged the statement.

In fact, Aaron Two Elk, a leading member of Iowa AIM, claimed later that Durham had issued the statement over Petite's signature. Two Elk claimed Durham was "always right out front, urging everybody to get it on. His thing was that if you didn't have continuous confrontations going on, you weren't really

³³Ibid., p. 65.

³⁴Ibid., p. 52.

³⁵Ibid.

serious, that if we weren't engaged in confrontations, we couldn't generate any sort of progress for Indian people."³⁶ Two Elk offered nothing more than his word of honor for his statement. However, that is all Durham offered for most of his testimony. In addition, Two Elk's remarks more closely resemble the intent of an FBI operative, Durham, bent on proving AIM's violent tendencies. Eastland, though, accepted Petite's statement as further proof of AIM's inherently violent message.

Durham also produced a memo from Dennis Banks to be issued as a press release in December 1973. To protect against further dispossession of Indian lands, Banks encouraged tribes "to resist, by arms, if necessary."³⁷ Banks and AIM wanted it known that they would not stand idly by if the government tried to take Indian lands as they had in the past. He did not encourage Indians to go looking for a fight or to assume the worst and shoot all reservation trespassers. However, he made it clear that Indians should not act as shrinking violets towards possible government land seizures. Banks repeated AIM's persistent theme - protection and recognition of those reservation lands still intact. However, the Subcommittee saw only the potential for violence.

Durham and Eastland failed to prove AIM inherently violent or communist-directed. In actuality, Durham's testimony revealed some points in AIM's favor. First, all of Durham's testimony

³⁶Churchill and Vander Wall, Agents of Repression, p. 224.

³⁷Revolutionary Activities, p. 143.

related to evidence in 1973 and 1974 - two years before the hearing. He did not address AIM's changed tactics. By 1974, AIM's leadership had moved away from direct confrontation in the hopes of achieving recognition and satisfaction of grievances through legal and diplomatic channels. In fact, Durham decried the Declaration of Continuing Independence issued in the summer of 1974. He said the desire for tribal sovereignty, autonomy, and return of lands to be achieved through international diplomatic channels "clearly follows the old tactics of divide and conquer."³⁸ Durham did not elaborate on who or what was to be divided and conquered. The Declaration simply addressed a desire to achieve recognition by the United States Government through the United Nations of past treaty claims. AIM did not want to conquer anyone.

Second, the press covered most of AIM's activities, goals, and plans. Many examples used by Durham to demonstrate AIM's violent tendencies were press releases by AIM or were provided by newspaper accounts of AIM's activities. AIM volunteered information to the press. If AIM had wanted to be known as a subversive, revolutionary group, it probably would have announced that to the press, also. It is more likely that AIM used the press as it always did - to gain and keep AIM in the spotlight by whatever means. AIM needed and wanted constant exposure. Its success in that area is due, in part, by shocking the press and public into listening. AIM's activities and statements did

³⁸Ibid., p. 78.

precisely that.

Finally, Durham introduced as evidence by-laws and policy programs for AIM. None of those documents mentioned the use of violence as a tool in achieving AIM's goals. Neither did they list political philosophies and doctrines. Those documents set guidelines concerning membership, organizational structure, and goals. While it is true that many organizations set goals and structures which they do not follow, it is unlikely that AIM would have produced detailed internal documents if they did not have credence.

All in all, Durham's testimony proved little. It did not prove that AIM had communist ties. It did not prove that AIM was fundamentally violent. It did not prove AIM wished to overthrow the Federal government. It did not prove AIM's guilt or innocence as a revolutionary group. However, Senator Eastland had already made up his mind. Eastland believed AIM was revolutionary and dangerous and that is what he found.

CONCLUSION

The American Indian Movement lost much of its support, voice, and importance by the end of 1976. Lengthy legal battles, an unresponsive media, nonacceptance by many reservation Indians, and government allegations contributed to AIM's downfall. No longer able to garner favorable media coverage, AIM's leadership had few ways to transmit its message.

In the face of such opposition, underlying internal divisions among AIM's leadership came to the surface. Some, such as Russell Means, preferred to maintain the group's radical and potentially violent posture. Others, such as Clyde and Vernon Bellecourt, pursued United Nations recognition of the International Indian Treaty Council and legal recognition of treaty claims. Frustrated by a nation, white and Indian, and a government that AIM considered unresponsive and uncaring, its leadership splintered.

In addition, individual AIM chapters declined rapidly in number and influence after 1976. Internal power struggles, additional legal entanglements, fear of violent reactions from non-AIM Indians, and less radical, but new progressive tribal leadership destroyed most chapters. AIM members, nationally and locally, continued to decry racism and government abuses, but they lacked the strength AIM had given their words a few years earlier. As a national organization, AIM no longer existed.

AIM's demise was unfortunate. Despite AIM's militant and sometimes hostile posture, their activities spurred both Indians and the government to action. Tribes examined their leadership and goals. Tribal Indians began to speak up for what they wanted and how they wanted to be governed. In South Dakota, the site of many of AIM's activities, Robert Burnette and Al Trimble both supporters of AIM, were elected chairman of their respective tribes, on the Rosebud and the Pine Ridge reservations, in the mid-1970's. They did not assume AIM's militant stance, but they did bring change.

AIM challenged the bonds of tribalism in asserting pan-Indianism. In so doing, AIM created a greater awareness among Indians of their tribalism. Indians began to question and explore the roots and extent of their tribal heritage in order to better understand their attitudes and feelings about their tribe and AIM. Many Indians realized that they did not know from whence they came or from where their loyalties sprang. AIM awakened an awareness that encouraged Indians to find themselves.

Unfortunately for AIM, that awakening led Indians, in many cases, away from AIM and closer to their tribes. As a consequence, Indians moved towards a greater sense of unity within their own communities in an effort to repair the rifts and divisions within each tribe. AIM sparked the renewal in Indian pride it had hoped for, but at the expense of its own interests.

Government action also increased in regard to the status and conditions of Indian life. In early 1975, Congress passed the Indian Self-Determination and Education Act. The Act provided more money for Indian education and made it easier for tribes to assume control over education, health, and other programs formerly administered by the government, but under Federal compliance.¹ Congress established the American Indian Policy review Commission in 1975. The Commission made 206 recommendations for changes or clarifications in Federal Indian policy.² For the most part, though, Congress implemented few changes.

Both of the above-mentioned measures sprang from the Wounded Knee Occupation hearings and its chairman, Senator James Abourezk. Abourezk, though not necessarily a supporter of AIM, saw the inequity and inefficiency of Federal Indian policy that AIM portrayed. AIM did not play a direct role in bringing about changes in Washington, D.C. and on the reservations. However,

¹"U.S. Indians: On Legal Trail - And Winning," U.S. News and World Report, May 26, 1975, p. 52-53.

²"Panel on U.S. Indian Policy Urges Tribes Be Recognized as Sovereign," New York Times, March 16, 1977, Section 4, p. 17.

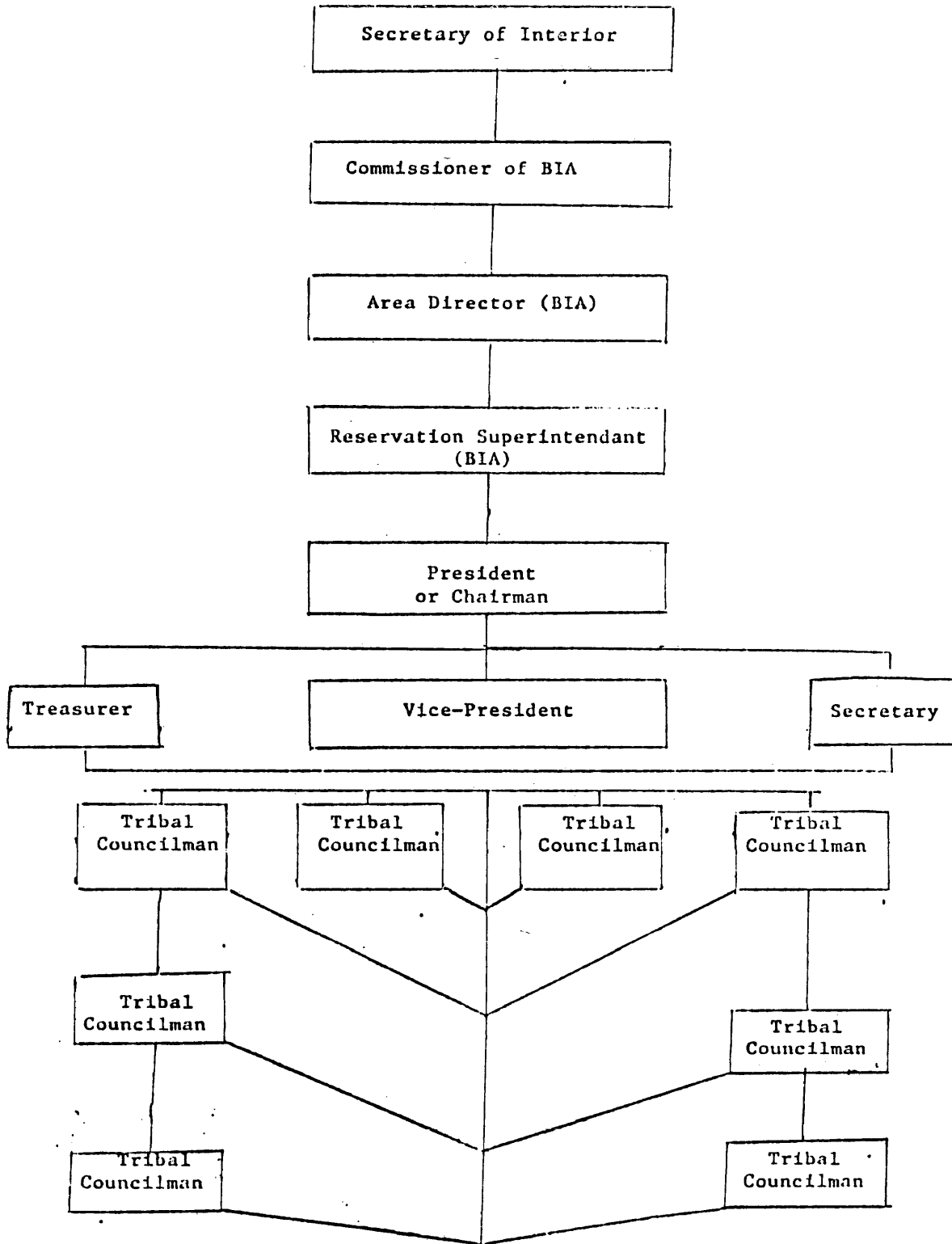
AIM most certainly brought widespread attention to the plight of Indians in America. AIM's persistent and defiant stance forced lawmakers and Indians to look at what they did. Though not always accepted, AIM furthered the cause of self-pride and self-determination for Indians. As one AIM member put it, "We were not angels. Some things were done by AIM, or rather by people who called themselves AIM, that I am not proud of. But AIM gave us a lift badly needed at the time. It defined our goals and expressed our innermost yearnings. It set a style for Indians to imitate."³

Many factors led to AIM's demise. Conflicts with tribal leaders, hostility from many reservation Indians, and a misunderstanding of tribal bonds and the nature, scope, and complexity of Indian law all contributed to AIM's problems in Indian country. AIM's often tenuous and inconsistent relationship with the media created confusion over AIM's goals and activities. That confusion also led to persistent attacks by the Federal government. The Internal Security Subcommittee, headed by Eastland, provided the culmination of the government's efforts. Eastland's hearing had little impact on an already crumbling AIM, but its findings symbolized the struggles AIM had faced. Eastland declared AIM dangerous and revolutionary; the same labels applied to AIM by other government agencies. The significance, however, of the Eastland's report can be found in its timing. Eastland's accusations gave the appearance of

³Crow Dog and Erdoes, Lakota Woman, p. 82.

contributing to AIM's downfall. In reality, the accusations simply coincided with AIM's demise and demonstrated the lengths to which certain government officials and agencies had gone to damage AIM's image, credibility, and leadership.

APPENDIX A



People of each district elect one councilman.

APPENDIX B

OBJECTIVES OF THE AMERICAN INDIAN MOVEMENT (1969)

We, the Concerned Indian Americans, residents of the Minneapolis area, organize to upgrade the conditions in which the urban Indian lives, and to improve the image of the urban Indian.

We the Concerned Indian Americans, to be known as the American Indian Movement (A.I.M.), residents of the Minneapolis and greater Minneapolis area, do hereby adopt the following goals:

Our main objective is to solicit and broaden opportunities for the urban Indian in order that he may enjoy his full rights as a citizen of these United States.

SHORT RANGE OBJECTIVES

- A. Establish a program to better the Indian housing problem.
- B. Establish a program directed toward Indian youth.
- C. Establish a positive program for employment of Indian Americans.
- D. Establish a program to educate industry in the area of Indian culture and its effect on the Indian.
- E. Establish a program to improve the communications between the Indian and the community.
- F. Establish a program to educate the Indian citizen in his responsibility to his community.

LONG RANGE OBJECTIVES

- A. To generate unification within the Indian people.
- B. To inform all Indian Americans of community and local affairs.
- C. To encourage Indian Americans to become active in community affairs.
- D. To bring the economic status of Indian Americans up to that of the general community.

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