

**Indigenous Commons and Advocacy to Promote Empowerment:
An Examination of Reservation Commons on the Central High Plains**

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Introduction:

Environmental degradation is a major topic worldwide, as global recognition of the realities of the interconnectedness of all aspects of the earth's ecosystem is recognized. Within this context, consideration and examination of the concepts of commons and common property is critical to the dialogs occurring daily, as efforts transpire to understand and address access to, and the use of, the earth's resources. Major components to this process are the definitions of commons and common property used in the context of these dialogs - definitions which must be larger and more comprehensive than those which are merely comfortable to a specific group who, perhaps, holds sway in the conversation by virtue simply of possessing great strength, power, and access to the dialogs due to a political or monetary currency. Positions of power which, when viewed in the context of time and world history, can logically only be considered as momentary, in contrast to the time frames of geologic and processual development of life on this planet, and the transitory nature of all the prior 'great' human civilizations which have fleetingly held sway upon it.

On that basis, the definitions used must, then, if man is to proceed in any rational and logical fashion, include relevant idioms which can speak for not only all the cultures of man, but for the cultures and societies of all living things. The dialog of commons and common property can not be viewed as complete and whole should it speak only for the special interest groups who currently are in a position to have a voice; it must include a platform which promotes and supports the hearing of the voices of all who share the commons, and do so with the understanding that the definitions used by those less heard, or hitherto unheard voices, might prove challenging or diametrically different to the conceptual frameworks which form the basis of the definitions used in the primary

dialogs. This should not be viewed as a path to chaos; rather, it should be viewed as a path to full cognizance of the rights of all to have a voice.

In view of these issues, this paper seeks to consider some of the perceptions of the indigenous peoples on the reservations of the central high plains of the United States in terms of their concerns and definitions of commons and the issues which they face as related to a loss of those commons. There are two main strands of analysis:

First, in a historical context, an examination, in overview, of events which occurred within the last two centuries, and which lead to the imposition of a restricted and limited land and resource base upon the indigenous nomadic populations. The establishment of reservation systems for those populations, and a later imposition of allocations of lands to private ownership, are discussed. A critical aspect of this area of examination is the impact of sequestration upon these traditionally hunter-gatherer nomadic populations, as well as the results of the attendant reduction in commons available to them.

Secondly, and critical to analysis of the contemporary issues for these indigenous peoples, is the consideration of the complexity of the existing structure of ownership and stewardship of the reservation lands, and a critical loss of ability by indigenous people, to address, on any immediate or practical level, either the needs of those ecosystems, or of the people who strive to survive within them.

In summation, an effort is made to draw some conclusions as to what measures might be taken, and actions initiated, to assist the indigenous peoples of the high plains in addressing the issues extant to their survival both on the prairie commons, and as integral members of the world commons.

Part one: Historical overview:

The central high plains of the United States were once the commons of a large and diverse population of Native American nations. In pre-contact times, these populations were primarily nomadic hunter-gatherer groups (1), who combined trade with allied nation with (in some rare cases) a minimal degree of subsistence agriculture. Most nations considered certain areas to be their domains for hunting, gathering, and traveling, and some degree of strife existed in the areas where such domains crossed the invisible boundaries of the domain of another nation.

Such strife related to the use of commons and the resources within it is typical worldwide(2). One main issue, relevant to this paper, is the cultural reality that while these native nomadic groups considered such areas or domains to be their traditional territories, and on such a basis, would at times, engage in conflict with other nations over the use of these areas, at no time did the concept of “ownership” as it was defined elsewhere, (i.e: Europe), come into the picture(3).

At the core of high plains tribal concepts regarding the lands upon which they lived was the belief that the earth and all upon it were to be regarded as sacred, and that man was but one of many inter-related nations who inhabited it (4). (See also: Hildebrandt, Carter, and First Rider: *The True Spirit and Original Intent of Treaty Seven*; Mander: *In the Absence of the Sacred*; and Versluis: *Sacred Earth - The spiritual Landscape of Native America*.) It was a world view to which the concepts of a shared mutuality of inhabitation, use, protectorship and respect towards all living things, including the earth as a living entity, were requisite. Inherent in this view were a number of ideas and practices which included practical issues and skills intrinsic to the hunting and gathering activities of the people. Informants state outright that, in their traditions

and stories, resources were gathered carefully and in such a manner as to not remove all of a species from any area, in order that a species might replenish itself, as a form of stewardship and a nurturing of the earth so that it might flourish.

Plants were gathered in this manner, making sure that adequate numbers remained for successful regrowth(5). Hunting was conducted in ways which allowed game to remain plentiful and herds or populations strong and viable(6). A way of transmitting this through the generations was to teach the young the ideas, the skills, and the practices which would, in essence, allow each generation to both survive with adequate resources, as well as to “leave no tracks”, and assure that those resources needed for continuance would be protected, and that the land across which each generation might travel would continue to be whole, intact, and essentially pristine through time(7).

Then came the great change - to some, a plague, to others a death sentence. To all, an invasion which continues to this day, and in a number of critical ways, has changed forever the landscape of the high plains and the indigenous people who call it home.

This change was the arrival of strangers - Europeans who later called themselves Americans - all of whom were operating on a cultural paradigm so foreign to native peoples as to be virtually incomprehensible. It was a paradigm of not only national (state) ownership, but private ownership. It was a paradigm of conquest, of privatization of commons and its resources, and an essentially unilaterally imposed conceptual base of ideas about land and resource use in which man, in this case man defined as Euro-American, was not cast in the role of protector and steward, but rather as master and dominator of the land and all upon it (8).

At the point of contact between the high plains nomads and the strangers, who first appeared as explorers and other Euro-Americans who later arrived as colonists, a number of events transpired rather quickly. The first was the immediate spread of diseases which decimated some tribal groups, and eradicated others (9). The second was the igniting of a desire in these Euro-Americans to possess this land and its resources, in its entirety, for their own use. This was not a new concept, or set of events, as for example, the East Coast of the United States had already been claimed, fought over, and settled. (See: Nichols, American Indian Past and Present re:Anderson and Merrell) Precedence existed in this land, just as it had in so many other areas of the world. There were wars, struggles, strategies, successes and failures in the grab for this commons area, events which had been repeated over centuries of colonization on other continents.

A critical difference in the situation was this: the early colonies of Europe had “treated” with the native peoples they discovered on these lands of the North American continent. At the point of the American revolution, the leaders of that revolution met with native nations known as the Iroquois Confederacy, and based the guiding principles of their fledgling nation upon the political system of the Iroquois Confederacy (10). Following the successful revolt of the European colonies, and the creation of the new political nation known now as the United States of America, this new nation continued to “treat” with the native nations with whom they came into contact, acknowledging these native nations as sovereign and independent nations to be considered and dealt with as equals (11). (See also Trafzer: As Long As The Grass Shall Grow and River Flow; and Jackson: A Century of Dishonor: A Sketch of the United States Governments Dealings with Some of the Indian Tribes.)

It is a matter of debate as to whether or not the Euro-Americans who made these treaties with the native nations had ever done so in good faith. In the very beginning, perhaps there had been an honest desire to find equitable accommodations between the new comers and the native peoples who were already present in this land, in the use of the resources and land base. If so, that good faith basis evaporated rather quickly.

One consideration, which must be given to this process, is in regards to the fact that two completely alien sets of concepts regarding ownership, entitlement, use and exchanges were meeting over paper, with little or no true understanding on either side of the conceptual structure, of the other, on these issues. (See Limerick, "The Legacy of Conquest: The Unbroken Past of the American West", Introduction, for further discussion.) It is entirely possible that early on it was a lack of true understanding of the meanings assigned to the structure of the treaties, on both sides, which ultimately led to confusion, dismay, alienation, and eventually the conflicts recorded in American history as "The Indian Wars". One thing that is a given in the years that followed initial contact is that the newcomers caught on very quickly to the fact that there were little or no consequences of great measure when treaties were broken, or disregarded entirely (other than some loss of life or property), and realized that the combination of epidemics, superior weapons, and endless replenishment of their own numbers from Europe gave them the edge over the native nations.

It was readily apparent that since no greater entity was policing the upholding of treaties with native nations, there was little or no recourse available to those native nations when treaties were broken. Directives from Europe, in the form of treatises from governments and religious leaders, had given and continued to give support to the idea of Manifest Destiny, which concept indicated that there were directives from a Higher

Power which ordained the colonization of the lands of the earth by Christian based Europeans, and which also supported ideas about the native peoples in those lands as less than human, and therefore to be regarded as impediments to progress rather than as equals in the eyes of politicians, bankers, land grabbers, and God. On the basis of these ideas, it was made acceptable and appropriate to use any means necessary to gain access to and control of all the lands available on the north american continent (see 8).

It seems that all of these events led to a new approach to treaty making, as the newcomers moved further and further into the interior of the continent. Treaties continued to be created, signed, and disregarded. The general consensus of opinion, in the discussions to which I was privy in the field, is that there was never any intention of honoring these treaties with the northern plains nomad nations, or with any of the other native peoples with whom they were signed (see 11). Rather, the opinion which I heard voiced repeatedly is that these treaties were made, on the part of the newcomers, merely as a temporary strategy to assuage native nations with the idea that there was an agreement which would be honored, and keep to them at bay, until a large enough number of newcomers could be gathered. When the swelling of the ranks, armed with superior weapons, was substantial enough, then damage could be done to where the native nations were so weakened, that the treaty could be disregarded. At that time, inevitably, new treaties would replace the old, treaties which always reduced the holdings and rights of the native peoples yet further.

On the high plains it took less than 100 years to reduce the native nations in those areas to the point of starvation and despair. The newcomers had decimated the people with disease and warfare. They had destroyed the ranges, migration routes, and

the buffalo herds upon which the high plains nomadic nations depended for the majority of their needs. They had arrived in the hundreds of thousands, built towns and railroads, littered the prairies with the dead and dying, and strewn seeds and animals from Europe clear across the continent. As Limerick states, “ The introduction of cattle, sheep, and goats was, in many regions, a shock to the ecological system from which it never quite recovered... domestic animals...often stay too long in one place, depleting the plants and their capacity to regenerate. Wild animals, if their range becomes drastically overstocked, will die off until the numbers and the resources rebalance; domestic animals...have populations maintained too long at artificially high levels. Sustained, intensive grazing can rearrange the basic workings of an ecosystem.” This same premise must be extended, in this case, to include the indigenous human inhabitants of that same ecosystem. In order to accommodate these hordes of land hungry people, the American government created reservations for what was left of the native populations, and hunted, badgered, threatened, massacred, and coerced them into those areas (12). The locations of these reservations was determined, essentially, on the basis of which areas were least desirable to the newcomers, and which were also situated so as to be the least troublesome in terms of actually moving the native peoples into them, and then managing to keep them there. As each reservation was established on the high plains, it was almost immediately reduced in size, and continued to be reduced in size, drastically, until in the late 1800's and early 1900's, the process ceased, and these reservations exist today at that size(13).

All the nomadic nations, who formerly had ranged the central high plains and great basin areas of the north American continent, found themselves, in less than 150 years, trapped on postage stamp sized tracts of barren lands, with the great bison herds

decimated; restricted from possessing weapons and so, from hunting what game was available, and from stepping foot outside of those lands without permission. These people of big sky, open country, and freedom were reduced to begging permission to see family members who had been placed on other distant reservations, and forced to remain where they were and survive on supplies of food and goods agreed upon in the last treaty agreements with the American government. These allocations of supplies were frequently late, or never arrived at all. When they did arrive, the food supplies were generally found to be much smaller than agreed upon or needed, and also to be of either poor or inedible condition.

The next step in this process by the American government in determining the fate of these native nations was the decision to distribute the lands of the reservation into allotments, to be assigned to various tribal members; these lands were then to be used by those tribal members for farming or ranching, as a means of supporting and feeding their families(14). It was never a serious consideration on the part of the government that peoples who were hunter gatherer nomads might not be particularly adept at, knowledgeable of, capable of, or even particularly interested in suddenly becoming farmers and ranchers (see 11). Nor was any thought given to the cultural structure of these nomadic groups, who operated on an egalitarian system of extended family and shared resources, and to whom the ideas of individual and private ownership or entrepreneurship were completely foreign.

It was decreed that the remaining lands not allocated would be managed by the government, rather than by the native peoples, as it was the opinion of the government that native peoples were not competent to manage these excess lands properly. An interesting concept, to say the least, since native peoples had managed to survive on

these lands not only quite well, but also without, in comparison to the ecological damages of the last 150 years, doing any major damage to the ecosystems for millennia.

Now incarcerated on reservations, dependent upon irregular or non-existent supplies from the government, and expected to leap from nomadism to pastoralism almost overnight in terms of the more standard time frames of such a development, the high plains tribes were critically stressed. Everything they depended upon for their survival and their comfort was either gone, inaccessible, or in such short supply as to be inconsequential. They had one thing, however, which existed in this new and unfamiliar realm, although as an alien concept. They “owned” land. The land they had been allotted. Land they didn’t know how to grow anything on, land they had no means of ranching, and no cattle that survived their hunger long enough to breed, had they even been familiar with the skills of cattle herding.

Enter the Euro-American cattlemen and farmers. The newcomers, the people who did know how to farm and ranch, and who, even after having swept into the area and claimed all the lands they could grab hold of and lay title to - still were hungry for land. Primarily, land to run their cattle on, in order to further increase their herds, although in some small measure, there were some few who sought more fields for crops, primarily for feed for their livestock. The outcome? Hungry and desperate nomads found they had a new type of resource offered to them - lease these lands they had been allotted, through an agent, to these cattlemen for their “ugly and stupid spotted cows”, and these cattlemen would, through the agents, pay the native people for those grazing rights. Money could buy clothing and food. The deals were made, and the fate of the lands, the ecosystem, and the native people on the reservations was sealed.

As Hardin states in his work, *The Tragedy of the Commons*, “Each man is locked into a system that compels him to increase his herd without limit – in a world that is limited.” In the case of the reservation leasing arrangement, these men - the cattlemen - in collusion with a federal government operating on what can only be considered a laissez faire attitude towards the needs of the native nations, went beyond the limits of their own carrying capacity of the lands they “owned”, and used the desperation of the native people to survive as the lever to access the last remnants of their land base - and did so without remorse. At a later point in his article, Hardin states that “....even at this late date, cattleman leasing (national) land on the Western ranges demonstrate no more than an ambivalent understanding, in constantly pressuring (federal) authorities to increase the head count to the point where overgrazing produces erosion and weed dominance.” Hardin made that statement in 1968. It was true then, and it is true now, not only on the reservations which are the subject of this paper, but in actuality, across the entire prairie and high plains of the United States. One can only ponder the seemingly incredible inability of the people who promote these practices to “see” the results incurred, much less to take heed of those results and cease and desist from any continuance of them.

Current Issues:

The Rosebud Sioux Reservation is located in Todd County, South Dakota, just north of the Nebraska state line. It is the reservation on which the dialogs included in this paper were conducted, and is named in this paper as representative of the situations described, as they exist on the majority of the high plains reservations today.

Approximately 5,000 square miles in size, this reservation runs roughly 50 miles, north to south between the Nebraska border and Interstate 90, and 100 miles

east to west, between Winner and Martin, South Dakota. It is a windswept, semi-arid high plains land of flat prairies and low rolling hills, cut with canyons and gullies and badlands. A land of sand and clay gumbo soils, dotted with scrub oaks, cottonwoods, sagebrush, it is a place of extremes. The winter temperatures in a bad year can drop for weeks below 0 degrees (F) , and at times, fall to -20F or -30F, with wind chills reaching -70F. Snow pack has been known to reach a depth of six feet. Summers bring intense and searing heat into the +100F range and frequent violent and tornadic storms with torrential downpours. In all seasons, the wind rarely ceases, other than in those quiet moments before a breaking storm(15).

Communities are scattered across the reservation. Some are vulnerable and exposed, strewn out on the flat prairies, others huddle tucked into what corners of protection the low hills might afford them.

Surrounding all the communities of tribal federal housing, clapboard and run down privately owned homes (which were substandard HUD homes sold to occupants for as low as \$1.00 due to the unwillingness of the Federal Government to bring them up to a basic standard), disintegrating and minuscule old mobile homes, and an ever present collection of rusting car bodies setup on cinder blocks, are thousands of miles of barbed wire fencing. Its purpose? To contain the uncountable number of cows grazing everywhere you look, and everywhere you go on this reservation. Dotted across the landscape as far as your eye can see, are the slow-moving, cud chewing forms of cattle. Driving through the reservation, you can occasionally glimpse, among the fields of cows growing there, a truly decent house, set back from the road, with a fairly new pickup truck, or perhaps a new car. These are the outposts of primarily non-native ranchers who managed to purchase land from one of the tribal members early on, and who

maintains their cattle operation, within the reservation boundaries, but at an economic, social, and cultural distance from the people of this reservation.

There are elders on these lands of the Rosebud Sioux Tribe, who remember and mourn their childhood days, and earlier ways. Dialogs with some of these elders brought forth stories, of living without electricity or phone, using a horse and wagon to travel; or riding ponies in the wind, and of gathering foods with their relatives. Memories of good meals of venison, memories of a time when they hadn't a clue that they were "living in poverty", because they had not been so informed via television and other media. But always intermixed with the good memories, were others which reflect the losses the people of this tribe have suffered, and the things they have watched evolve over the years to bring their situation to the point at which it stands today.

The elders with whom I met and spoke did not speak in the languages and jargons of political science, or sociology, or anthropology. They did not use words such as "commons" or unilateral or egalitarian. Rather they spoke simply of their history, their awareness, and of the lands which are their home. At their request, for their privacy to be maintained, some full identities are withheld. On this basis, those elders will be referred to in this paper by an appropriate Lakota term, and their first initial.

An elder woman, Tunwin E, told me that she was "...glad she wouldn't live very much longer, because it was too sad to watch all the young people losing what little remnants of their traditional ways they still had." This was a sentiment I heard repeatedly during the conversations and dialogs I had with the elders on the Rosebud Sioux Reservation.

When I would ask what might be one of the most critical things which they thought might be contributing to this, the reply most consistently given me was this: that

the land was no longer theirs, even though it was their reservation.

Some talked about the fact that it was now required that tribal members get a hunting license in order to hunt deer, turkey, pheasant, elk, etc, and the limits each licensee could take were extremely low. This was considered a terrible thing, since it meant that the tribal members were restricted from being able to effectively feed their families with traditional meat resources, if they chose to do so. Instead, it meant that tribal members, the majority of whom are not able to find employment, must continue to rely on the government for handouts, in the form of food stamps or commodity food programs, in order to feed their families. It was seen as terrible that all the young people had grown up unfamiliar with their traditional foods, and that the health of all had been adversely affected as a result. Considered more terrible even than these was the idea that it was no longer possible, and considered a punishable offense in some cases, to access the land and its resources; as such this loss of commons was equated with a loss of culture, and with despair as a loss of connection to the younger generations.

Discussion about this reflected a variety of concerns, among which was the idea that the tribal authorities and the state government had restricted hunting for several reasons. Some of the reasons given me as possible explanations included the idea that game populations were lower than they should be, due to the cattle utilizing all the forage and land. That on that basis, the authorities were controlling the number of deer, etc. that tribal members could hunt, in order to make sure that outside sport hunters, who would pay a higher hunting license fee, would be able to shoot enough game to assure that they would return every year, and continue to pay those fees. That the cattlemen might have had something to do with it, since they probably didn't want tribal members out on the land with rifles, inadvertently shooting their cattle, and then taking

the meat home to eat it, since it was already dead. These dialogs reflected dismay, confusion, and the thought that there was a lack of clear information about who had done what to whom and why, indicating a fairly high degree of feelings of loss of control over their own resources and by extension, over their own lives.

I asked about other food resources, and very few had positive responses. Instead, the responses reflected the reality that while wild turnips, bead potatoes, and traditional other food plants still grew in some places on the reservation, the young people were not learning to harvest them. The reasons given for this were varied, but connected. They spoke about the fact that the young peoples parents didn't gather or eat these foods anymore, because of two main factors:

One: the lands where all of these things grew were fenced, leased out, and covered with cows, and people were looked upon with suspicion if found walking across those lands, since it was assumed that they might rustle cows as a part of their foraging. In order to avoid conflict, the majority of these people in the middle age range had all long ago stopped foraging, since it was dangerous, and their own parents, who were the elders to whom I was speaking, had decided to refrain from all possibility of conflict.

The second reason given was that, having grown up eating processed foods, via commodity surplus distribution, and later, with the food stamps program, these younger people had grown away from the traditional foods, and also had lost the skills needed to identify, gather, properly preserve, store or cook them, other than for a few items. The elders considered it almost a lost cause, in most cases, and would attempt to make a feeble joke about how these young people were microwave and MacDonalds kids, and not turnip pickers or hunters.

Another critical area of dialog in relationship to the above mentioned concerns

was in regards to the minimal degree to which it was still truly possible to be “out on the land”. Discussion with the elders brought up problems in a wide range of issues, all of which were directly connected to the leasing of land to non-member ranchers, and the problems associated with the use of those lands for grazing.

One elder, to whom I shall refer as Leksi V, spoke at length about the fact that it was no longer likely that young people would ever have truly free use of the lands of their own country. He spoke about children who didn't have horses, because the only places they could ride them were along the sides of the roads, since the prairies were all fenced, the fields full of cows, and no access is given or permitted; since most of the lands are used for grazing cattle, there was space for horses to be kept close to where people lived in most cases. He spoke about areas where the land had been so badly over-grazed, that it had eroded out into steep gullies of crumbling shale and limestone. He talked about, sadly, that it seemed that what land was open for unrestricted riding was open only because it was full of prairie dog towns, and so was full of holes for horses to break a leg in, and high populations of rattlesnakes which could trigger those horses to suddenly rear and run, throwing the youngsters into the middle of snake hunting grounds.. He spoke of the fact that his people, who had always been nomads, first on foot, and later on horseback, traveling freely anywhere they chose to go, were now reduced to little square boxes of houses and cars, and were forgetting the messages of the wind.

At one point during my stay on this reservation, during an extremely hot summer, it was brought to my attention that a number of people had suddenly fallen seriously ill within days of each other. Inquiry into this matter brought to light that fact that one of the few centrally located and accessible large bodies of water on this reservation, the lake

created by Rosebud dam, was apparently the source of the illnesses. It was reported that, since it was extremely hot, and the lake was in the middle of the community of Rosebud, a large number of people had gone to the lake to swim and cool off, and had then become seriously ill. Questioning a variety of tribal members, as well as some of the staff at the local tribal hospital, I was informed that the water in the lake had indeed been identified as the vector for the illnesses. Further inquiry revealed that the source of pollution which had contaminated the lake was extremely high quantities of cow manure which had sluiced into the lake from the high pastures directly above the lake, following recent heavy rains. It was stated that the rancher leasing those lands "...knew better than to have those cows up there this time of year" but it was the considered opinion of my informants that "...these ranchers don't care, and do whatever they want - and there is nothing we can do about it.". Talking afterwards to community members, the statements I heard reflected dismay and disgust at the reality that once again, cows were the problem, this time, in terms of making people ill, and removing from common use one of the only recreational and social resources of the community, not to mention one of the only sources of relief from the extreme heat, in this land where an air conditioner in a home is a practically unheard of luxury.

In speaking to another community member, Tunwin O., the conversation touched upon some of the larger problems related to overgrazing on the reservation. Tunwin O. owned 80 acres of land, in a remote area of the reservation. In order to reach her home on this land, it was necessary to travel through several quarter sections of leased land. In order to traverse each section, a person must stop at each fence line, get out, open an unwieldy fence of 6 foot high, heavy pole and barbed wire fencing, and drag it to the side. Once you had driven across the fence line, you then had to again get out of the

car, and close the fence by dragging the whole cumbersome item back into position, struggle to line it up, arrange the loops of fence wire, and tie it off. To make things more difficult, each year the lessees would plow up the right of way road into her land, which, immediately upon the next storm arriving, would turn into a three foot deep trench of impassible gumbo, making it impossible to get into or out of her property. This would remain the situation through the rest of the warm months, until in winter, the road would freeze solid again. Tunwin O is a woman in her late 70's, and because of this situation, was unable to live in her own house on her own land for most of the year. Tunwin O. was also having other cow and overgrazing related problems due to erosion, and her situation was not unique. The back part of her lands had at one time been a gentle slope down into a valley, and then up again onto prairie flats. Over the years, a combination of overgrazing, and windblown invasive and alien grasses had resulted in some massive erosion. What at one time was a gentle slope was now a morass of steep, runneled, and dangerous gullies, which, following each rain, left the land washed out and flooded. Over the several year period, during which I visited, the erosion had reached the point where it was no longer possible to take a vehicle through her land to reach those high flats without serious risk of injury. At the time I left the reservation, my greatest concern was the speed with which that erosion was approaching the spot upon which her home was placed, and the reality that this elder did not have the resources with which to address moving her home or halting the erosion process.

The population of Todd County, which is actually the whole Rosebud Sioux Reservation, was, according to the 1990 census, estimated to be approximately 19,000 people, in a land base of close to 5,000 square miles. Of this population, 97% live in crowded communities, with only 3% living across the width and breadth of the

reservations land base. Discussion of issues regarding to housing, overcrowding, and related factors brought to the surface a number of concerns which will need to be addressed with in the short term. The most critical of these, as applicable to this paper, again relates to the reservations system, the attendant federal management of the reservation - and cows.

Over the years since the creation of the reservation in the 1800's, a number of programs have been instituted by the federal government, in response to external pressure from the American public, as media made information available to them about the realities of the reservation and the situation of the indigenous people living on them. One of these more recent programs was the implementation of the Federal H.U.D. (Housing and Urban Development) programs, which was to provide safe and adequate housing for tribal members, and which is now administrated for the federal government by tribal housing agencies. Historically, and to the present, this system has proven to be a nightmarish wedding of policies created originally for inner-city low income people, and later, for more rural populations, also low income, but nevertheless, members of established American communities at large. As a result, this system never took into consideration the indigenous model of extended family systems, a model critical to the survival of families, the rearing of young, and the collection, productions, utilization, and dispersal of resources within the context of extended family support networks. Instead, it superimposed a nuclear family criteria of heads of households, incomes, numbers of residents in a particular unit, and rigidly enforced these criteria upon a population who, culturally, are intrinsically fluid in movement, and who rely heavily on the ability to provide assistance to other family members, and to receive such assistance, as needed. Frequently, this translates to mean that members of extended families will move

between residences and share resources as a situation requires. This pattern, however, is in direct conflict with the housing allocation criteria of the tribal housing authority under the aegis of H.U.D. This results in an amazing level of instability for reservation residents of this housing,

It is not unusual for the housing authority to notify a household that it must move within three days. Generally, should a listed member of the household be absent for several weeks, whether the reason be educational, medical or social, the housing authority, when made aware of this information, determines that the numbers of current household members is insufficient for the size of the housing unit. They are informed that they are ineligible to remain in the unit, and have been assigned a smaller unit. During the time I was present on this reservation, I was aware of several instances of such actions being taken. One household group of 5 person was living in a three bedroom unit, and had been in residence in that unit for approximately 2 years. The household was made up of the primary renters, a middle aged couple; their 16 year old daughter, and the aged parents of one of the two who were the middle-aged couple. In the two years prior to taking up residence in this particular unit, the couple had been moved twice by the housing authority, and had occupied, at one time, a tiny and deteriorating 2 room apartment (by themselves); a five bedroom two story house (with a number of relatives and foster children), and then the current three bedroom unit. At the time of this report, they were again faced with another move. The reason given by the housing authority was, again, that their household composition had changed and reduced, and they were no longer eligible for a three bedroom unit. They were given three days to move - back, it turned out, to the earlier 2 room apartment. The realities to the situation, however, were: their 16 year old daughter was temporarily incarcerated in

a psychological treatment center, and would be released after six months of treatment. The elderly parents were temporarily in Rapid City, S.D., due to the mothers need for medical care which could not be provided at the local Indian Health Service Hospital; following the completion of a course of treatment and successful dialysis, they would also be returning home. The situation came down to this: The housing authority, under the aegis of the federal governments H.U.D. guidelines, could not, and did not, take into consideration that such changes in residence would, upon the return of the temporarily absent members of the household, mean that this family could not possibly resume living together as an extended family group in a two room, dilapidated apartment. Instead, all members of this once supportive and solid family group would find themselves caught in a senseless trap of inadequate housing, lacking room, security, and possibly even facing homelessness. Such events were not unusual. They were, in fact, a regular occurrence. This process destabilizes families and communities; reduces the likelihood of tribal members, in tribal housing, investing any effort in maintaining or improving their homes and communities; and also has a critical impact on the ability of a family to adequately house, maintain, support, or care for their temporarily absent children or elderly in a secure home setting.

How, you might well ask, might the information just discussed, tie in with broken treaties, reservations, allotments, erosion, cows, and the overall topic of the commons? It is my hope that the following summation will provide that context.

Summation:

Over the years since the establishment of the reservation boundaries as they now exist, the allotment of lands to reservation members, and the remaining lands managed by the federal government, time measured in generations has passed. During

that time, the allotted lands, mostly leased out, have been passed down to increasing numbers of heirs. Investigation at the Bureau of Indian Affairs (B.I.A.) office in Mission, S.D., turned up information regarding those lands which only serves to further complicate its use. As an example, I will relate the following story:

A couple, tribal members, on the reservation, sought to be assigned a home site. A home site is two and a half acres of land, upon which could be set a mobile home, or a privately built home, or application made for a home to be built by the tribal housing authority, and which the owners would then pay for on a mortgage basis. This sounds simple in practice, but in reality, it is nearly an impossibility. The couple involved, in this case, spent over 4 years searching for that home site within the five thousand square mile area of the reservation, without success. The situation was explained to me this way: The B.I.A. office does not have information available which would provide anyone seeking a home site with a list of available tracts. Instead, a person must wander the reservation, looking around for something they might be interested in applying for at the B.I.A. office. There are no markers anywhere on these lands. When applying at the office, assuming anyone is available in the office to assist you, it then becomes necessary to try and figure out, from maps which can range from 25 to 75 years old, where this land might be located. Weeks later, you are informed as to whether or not that parcel is available. In the case of the couple in this scenario, one parcel they identified turned out to be part of an original allotment, which was leased out, and to which, there were currently over 300 heirs. In order to get approval for having the parcel assigned to them, it would be necessary for them to contact each of the listed heirs, as well as any heirs which those known might have and who were not listed. From those heirs, it was then necessary to procure a written and notarized statement of permission

for the B.I.A. to allocate the two and a half acres. The B.I.A. did not have the addresses for the heirs, and no information as to their last known location, or even if they were alive, incarcerated, or deceased. The couple, living in housing on a monthly B.I.A. General Assistance payment of \$145.00, was without a telephone or computer with which to attempt locating all the heirs. No assistance with the process was available from either the B.I.A. or the tribal authorities.

Other parcels which they requested turned out to fall under the same conditions, or were not available to them, since the land was part of the federally managed land base, and also leased out for grazing.

The basis for presenting this story is this: the lands of the reservations are a patchwork of tangled ownership, heirship, leasing, and involve not only tribal members, but also a variety of non-tribal owners, lessors, and government agencies, including some tribal entities. As stated earlier in this paper, 97% of the land is used for grazing. The land base has been seriously degraded by over-grazing, introduction of non-native species of flora, and erosion.

Critical to the discussion are two realities. One: as of 1998, 65% of the population was under the age of 21; unemployment stands at approximately 89% of the adult population. Two: the lack of housing, in any condition, had reached crisis proportions.

Also critical to the discussion is this: There is a swelling movement towards reduction of cattle grazing, establishment of large interstate managed bison ranges, and restoration of degraded prairie habitats with native species of flora and fauna.

If one considers the information presented earlier in the paper, along with these last several statements, it becomes possible to perceive some possible strategies which might serve to alleviate a number of the issues of the reservation commons. I will

attempt to provide a cohesive statement regarding such strategies as follows:

In light of the degraded nature of the reservation land base, it is unlikely that continued grazing of cattle will be viable for very long, at a level which would continue to make such grazing economically remunerative to ranchers. As the movement to create a multi-state bison range proceeds, in concert with efforts towards restoration of degraded prairie, it is likely that cattle operations will reduce in the area, and in some cases, cease completely. A bison range will require the removal of thousands of miles of cattle fencing, with an attendant project of massive proportions to reintroduce both the flora and fauna native to the prairie in order to provide adequate species to maintain the health of both those species, the bison, and the prairie itself. This process will require that the people involved must directly engage in the process on these lands. In the case of the reservations, the people are already in place who can assume this stewardship.

The keys are these: A multilevel program of advocacy, inclusionary education, training, and information can provide the members of reservations with the tactical skills and practical tools needed to engage in such a project. Such a program would require involvement of tribal members at all levels from the outset, in order to assure that such a program could begin to empower tribal members through inclusion in its core design.

A reduction in cattle grazing, and hence, the profitability of cattle operations and land leasing, will make a greater proportion of the land base available for other uses, such as housing. As a component of the multilevel program, it might be feasible to introduce training to a reservation population in ecologically sound and alternative housing construction, using materials which are available. Such a component would provide the skills and techniques which would allow tribal members to construct

affordable and adequate housing on the now available lands of their reservation. The incorporation of alternative technologies for energy, sanitation, and water reclamation would further enhance the ability of tribal members to successfully live on their lands, and would also provide ecologically sound solutions to housing issues which make private construction of a home, on the reservation, a virtual impossibility.

If the population of the reservation were in a position to once again resume access to their land base; and were they fully incorporated into a program of prairie restoration and bison range development, it would then proceed logically that this same population would be the most suitable and likely to handle the actual processes involved in addressing the needs of the lands in terms of erosion control, and reintroduction of native flora and fauna. The restoration of the prairie would not mean simply a restoration of adequate fodder for bison. It could easily mean the restoration of a healthy prairie as a whole. The people of the Rosebud Sioux Reservation are a people of the prairie - a people who in this way, might regain a commons which, while very different from that of 150 years ago, can be such as to provide them with a level of stability, independence, purpose, and shared responsibility which would reflect their traditional values of community, extended family, and stewards of the land.

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- 5: Agnes White Mouse, discussion, 1997, Rosebud, South Dakota
- 6: Gene Crow Good Voice, discussion, 1994, Rosebud, South Dakota
- 7: (see 3, above)
- 8: Lauren: Power and Predjudice
- 9: Lehmer: Epidemics Among the Indians of the Upper Missouri and: American Indian Holocaust and Survival: A Population History since 1492
- 10: Calloway: New Directions in American Indian History
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- 13: Hasserick: The Sioux, and Trafzer ()
- 14: (see 3 above)
- 15: United States Government: websites (various)

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