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# Nation, Tribe, and Class: The Dynamics of Agrarian Transformation on the Fort Berthold Reservation

CASTLE MCLAUGHLIN

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1990-1991, FORT BERTHOLD RESERVATION,  
NORTH DAKOTA

*Foreclosed tribal rancher (since refinanced) and his wife, standing in a hillside pasture above the west bank of the Missouri River, where his family has raised cattle for three generations: "FmHA told us what we had to do was sell the cows. We put everything into that effort—all of our resources, all of our education, all of our talent.... And what gets me, is that the only self-sustaining industry we've ever had here is ranching. The whole history of the reservation involves livestock and farming."*

*Landowner, sitting at a linoleum table in a sagging house in New Town: "There's always been two sides, you know, and the councilmen won't listen to us—they'll always be for the rancher.... One time I got up and told my leaser off and he turned around and said, "You're alright, you're getting that welfare"—just like that. And the leasers*

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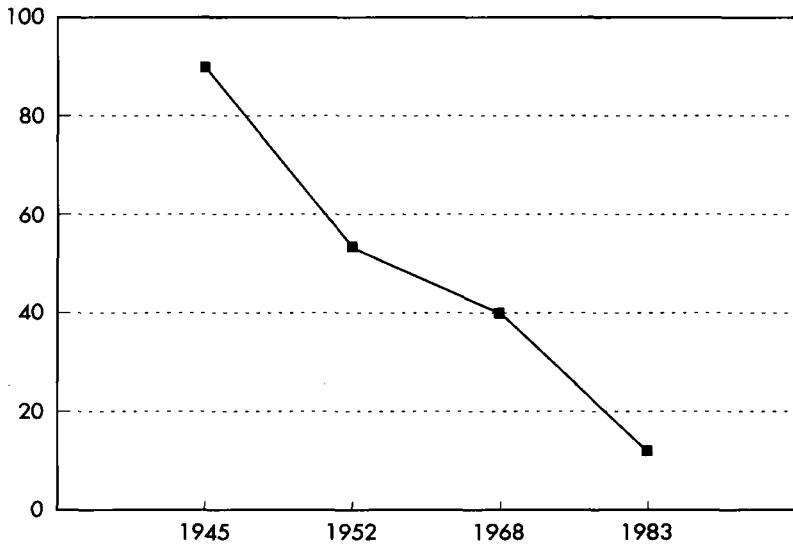
*will have brand-new cars—while I'm walking on the road sometimes they go by and me, a landowner, I'll always be on foot. A lot of times I'm feeling like taking a gun and shooting all them cattle out there."*

*Tribal council member, in tribal office complex: "When money was easy to get from FmHA, they would finance a person, give them a loan ... but then they don't have enough land to support it. So then they hit failure and they run to the tribal council ... and if we don't do anything, then we're the bad guys.... We have to protect the land base. Once we buy the land, we can never sell it, we can only exchange it. Someday the tribe will have most of the land; then they'll want us to divide it up for new allotments. I hope they don't get a damn thing."*

#### POLITICAL ECONOMY AND DISSONANT VOICES

This paper demonstrates the utility of the concept of social class for understanding reservation politics, while suggesting that most theoretical models of and for class analysis are inadequate for such an enterprise. A relational model of class dynamics is used to interpret the effects of agrarian transformation on the Fort Berthold reservation in central North Dakota, where the first-person accounts presented above were recorded during 1990.<sup>1</sup> At that time, the most recent "farm crisis" had gripped much of rural America for a decade. Fort Berthold was one of several reservation communities in the agriculturally dependent northern Plains at risk of losing lands mortgaged by tribal members through loan foreclosures or voluntary conveyance. The deflation of the reservation's livestock-based agrarian sector and the potential for land alienation generated a maelstrom of conflict between the Bureau of Indian Affairs (BIA), the Three Affiliated Tribes (TAT: Mandan, Hidatsa, and Arikara), tribal farm and ranch operators, Farmer's Home Administration (FmHA), and others.<sup>2</sup>

While the foreclosure issue raised new alarms, farming and ranching among the people of Fort Berthold has been steadily declining since World War II (figure 1). It is not difficult to discern the factors that have contributed to "farm failure" among Indians and others over the course of the twentieth century, or to present the recent "crisis" as an exemplar of the determining force of the global capitalist economy on tribal peoples.<sup>3</sup> But world system dynamics do not unfold unilaterally or uniform-



**Figure 1. Percent of Fort Berthold Families with Agricultural Income (Owner/Operator and Wage Labor), 1945-1983**

Source: Records of the Bureau of Indian Affairs

ly at the local level. This paper addresses some of the secondary effects of what Jorgensen and others have described as the "neocolonial" reservation context.<sup>4</sup> These effects include an uneven distribution of local resources, the differential positioning of reservation residents within the political economy, and ensuing internal politics.

As suggested in the statements presented above, people at Fort Berthold view themselves as situated in a more complex matrix of relationships with other people and to resources than is indicated by dichotomies such as those drawn between "tribe" and "nation-state." Likewise, while tribal policies regarding the ownership and use of tribal resources are often formed in response to group-level interests vis à vis the larger society, such policies may affect members of increasingly heterogeneous reservation communities in different ways.<sup>5</sup> The resulting interplay of interests can influence policy implementation from the ground up. As one Fort Berthold politico remarked to me, "They make the rules—then we make the "corrections."

Social class dynamics have seldom been suggested as a motivating force in reservation politics; most writers who have addressed intragroup variation within reservation communities have cast it in terms of contrasting ideologies and worldviews.

One contemporary ethnographer, for instance, states that while it is important to investigate the source of conflicts and their social effects, "Conflicts are not primarily about access to resources and power ... they are about how to make sense of the world and ... people's place in it."<sup>6</sup> I would maintain that how people "make sense of the world" is often related to their material position within it, even if expressed in other idioms.

To elucidate the contours of contemporary class interests at Fort Berthold, the account that follows suggests how these have progressively developed as a basis for local political action. As the outcome of historical processes, class relationships are linked to antagonisms structured by the land-tenure system imposed by the BIA and to policies encouraging Indian people to engage in farming and ranching even as the viability of small-scale agriculture was being eroded by larger market forces. A century of policies promoting agriculture as the basis for economic "development" on the reservation, while vacillating between the individual and the tribe as the locus of that project, has situated groups differentially with regard to both the larger political economy and to local resources, particularly reservation lands.<sup>7</sup> By evoking the term *class*, I am not suggesting that Indian communities can be understood solely in terms of material conflict and social hierarchy or that these define reservation life, nor do I wish to impose a "totalizing" theoretical construct. But I know of no other term that so well acknowledges the relationship between resources, power, and the landscape of competing sociopolitical identities that is episodically visible and subjectively experienced at Fort Berthold, and to which tribal members urged my attention.<sup>8</sup>

### CLASS AS AN HISTORICAL PROCESS

In his preface to *The Making of the English Working Class*, E.P. Thompson concluded, "Class is defined by men as they live their own history, and, in the end, this is its only definition."<sup>9</sup> His point that class interests are realized through the vagaries of historical experience and cannot be simply deduced from canonical structural "determinancies" launches my analysis, for at Fort Berthold, class formation has not neatly followed received theoretical logic. Following Thompson, I outline here a *relational* model of class interests, that is, one in which classes are viewed as relationships (not categories, groups, or

"things") that are generated over time by the "structured context" of the reservation political economy and in response to the situated positions and social identities of others.<sup>10</sup>

Russel Barsh has employed a Marxist model to argue that the introduction of ranching on Plains reservations at the turn of the century triggered the formation of social classes and the emergence of class conflict based on the differential ownership of land and cattle.<sup>11</sup> He suggests that the mechanism for class formation was the allotment of tribal lands, coupled with the government patronage of "progressive" individuals by rewarding them with greater access to livestock, loans, and other means of production. Allotment and subsequent land sales enabled successful Indian ranchers to increase their land ownership at the expense of a developing class of poor, landless individuals who sold their allotments and came to depend on occasional wage labor and public relief. Members of an emergent agrarian entrepreneurial class nearly achieved economic independence, only to have their accumulation of private property undermined by the emphasis on collective ownership and production set forward in the reformist Wheeler-Howard Act of 1934. Barsh avers that both agrarian entrepreneurs and impoverished, landless tribal members are now in conflict with a tribal "technocratic elite" empowered by "self-determination" policy.

Barsh's model provides an entree to a class-based interpretation of Plains reservation society. However, his emphasis on stratification and on functionally determined social classes (labor and capital) fails to fully account for the emergence of class antagonisms at Fort Berthold, for he applies an *a priori* model that defines classes "in and of themselves."<sup>12</sup> Productive relations and structural pressures have helped to create class relationships at Fort Berthold, but not in orthodox fashion and only, as Thompson would emphasize, as class interests have been realized from social conflict. In short, class is not reducible to relations of production, and class structures are inseparable from action. At Fort Berthold, the subjective identification of class antagonisms has been as much a political process shaped by interactions and the construction of relational identities as it has been an economic one, and it is this social field that commands my attention. Usufruct rights to land, as well as ownership, have been central to the realization of class interests, and those who define themselves as "landowners" occupy a subaltern position within the political economic milieu. Thus, theoretical assumptions about power relations between "owners"

and "workers" are *reversed* in this ethnographic and historical context. Moreover, oppositional relations have developed as a consequence of material positions created by the historical interplay of legal and economic niches created by BIA administrative control, not from productive relations per se. Emergent class identities are also implicated in and constituted by a local politics of culture and morality, a struggle over how to construct and conduct relationships with the social and the natural world. This paper focuses on the synergistic creation of class interests among differentially positioned socioeconomic groups (particularly "ranchers" and "landowners") at Fort Berthold, and on resulting antagonisms as their relationships have been built and rebuilt through the interplay of structure and agency.

## CATTLE PROGRAMS AND THE MAKING OF SOCIAL CLASSES AT FORT BERTHOLD

### **Dividing Lands and People: The Allotment Era**

During the late nineteenth and early twentieth centuries, federal Indian policies promoted the dissolution of tribal organization and the assimilation of Indian individuals into mainstream society. The Dawes Act (General Allotment Act) of 1887 undermined the corporate and political integrity of tribes by providing for the allotment of tribal lands in severalty and for the enfranchisement of allottees as citizens, and by extending U.S. law and regulatory authority over Indian peoples and their lands. Most Americans were farmers, and it was reasoned that the ownership and utilization of private property would provide allottees with both economic liberation and security, while encouraging the adoption of practices and values associated with a capitalist democracy, such as nuclear family organization, Christianity, the "Protestant ethic," and utilitarianism.

As on other reservations, agrarian enterprises—first farming, then livestock production—were used as a vehicle for promoting individual "civilization" at Fort Berthold. Cattle were first distributed as part of a federal payment following an 1886 agreement (ratified in 1891) by which the Fort Berthold people relinquished 228,168 acres of their 1,193,788-acre reservation and agreed to the allotment of the remaining 965,620 acres.<sup>13</sup> Between that year and 1902, the U.S. government spent 140,000

dollars of tribal funds on livestock, and the number of Indian-owned cattle rose from 416 to 7,000 head.<sup>14</sup> Prior to a 1910 land cession, the sale of beef to the government and to markets such as Chicago accounted for nearly half of the total income on the reservation. While “unearned income”<sup>15</sup> from land sales and leases became the most significant income source after 1910, during the following decade the value of crops raised (\$367,549) and livestock sold (\$419,984) at Fort Berthold far surpassed income from (primarily per diem) wage labor (\$144,951).<sup>16</sup>

As was also the case on other reservations, both cattle ownership and income from livestock sales became stratified.<sup>17</sup> Most tribal members became small-scale cattle operators, opportunistically participating in livestock programs orchestrated by government personnel and utilizing their herds to reproduce social relations through sharing and distributing meat.<sup>18</sup> Such families were interdependently linked in a network of community social life lubricated by reciprocal exchange. Others, particularly those who were relatively educated and of mixed heritage, began to engage in commodity livestock production and to adopt the ethics and management practices requisite to capital accumulation.<sup>19</sup> In testimony regarding the farm crisis in 1987, an older tribal cattleman from near the former Hidatsa ranching center of Independence commented that,

... the name “Independence” given to this community reflected the spirit of the group, which were hard-working and self-reliant people ... the Dawes Act, enacted earlier, had already forced the Indian into the role of a farmer or rancher, as well as forcing the values of capitalism on a society which lived different values. This group of people, which my father was one, accepted the challenge and became entrepreneurs.<sup>20</sup>

As Barsh notes, the government “patronage system” rewarded this incipient private sector through the provision of unsecured reimbursable loans and by utilizing proceeds from tribal land sales for the establishment of demonstration farms and for the purchase of high-grade livestock. Such practices were frequently protested by older traditional leaders, who regarded such use of tribal funds as inequitable and whose formal influence and ability to redistribute goods were undermined by the



emergent agrarian entrepreneurs.<sup>21</sup> Initially, ranchers organized economic labor and galvanized support within indigenous social institutions such as kinship groups, using their skills and relative wealth to become prominent leaders. Under pressure to assimilate and increasingly invested in market exchange, by the 1920s and 1930s agrarian entrepreneurs had begun to disengage partially from such social and moral networks and associated responsibilities. As the child of a successful Fort Berthold rancher recalled, "My father wasn't much of a 'pow-wowzer'; he regarded dances and give-aways as a waste of time and money."

Range ranching was a land-extensive enterprise, and access to grazing lands was the most critical problem facing cattlemen. Because of the limited size of allotments and their fractionation through inheritance, few individuals or families owned enough land for a sustainable cattle operation. Initially, the reservation agent established land-use and trespass regulations. At Fort Berthold, tribal cattle owners were allowed to graze their stock at large on unleased tribal and allotted lands.<sup>22</sup> Following a national survey of reservation grazing lands by the BIA's nascent Forestry Division in 1910 identifying inequitable livestock ownership and the "monopolization" of common lands by tribal "cattle barons" as problematic, a limit was placed on the number of animals that could be grazed free of charge.<sup>23</sup> At Fort Berthold this figure was one hundred head per operator.

As soon as the BIA began to impose fees and regulations that restricted their activities, ambitious tribal cattlemen began devising strategies to circumvent them. Many of the most successful ranchers were granted status as "competents" following the 1906 Burke Act, a measure that converted their allotments from trust to fee-patent status and theoretically granted them a measure of independence from other aspects of federal guardianship. In 1914, the agency superintendent complained that declarations of competency conferred on stockmen were hampering his ability to control the slaughter, exchange, and sale of livestock, and he threatened to rescind their range privileges and "place them on the same footing as a white man, charging them trespass fee."<sup>24</sup> Four years later, he reported that forty "of the more intelligent and thrifty Indians" ("competents") were avoiding reservation-wide roundups staged to enumerate cattle ownership, instead working their stock without agency supervision. Further, while roundups were

financed with common funds accrued from tribal lease revenues, cattle owned by "competents" were ranging at large with trust livestock.<sup>25</sup>

Allotment at Fort Berthold was completed between 1895 and 1930, transferring all but 23,475 of 630,473 acres to individual ownership.<sup>26</sup> By 1925, 144 fee patents had been awarded at Fort Berthold, and those who had sold their lands were regarded as the most destitute on the reservation.<sup>27</sup> Barsh stresses the role of fee patenting in creating a class of landless, impoverished tribal members who came to rely on government aid and/or episodic (often agricultural) wage labor. However, Fort Berthold ranchers did not necessarily use fee patenting to increase their land ownership at the expense of those eager to sell their allotments, thus creating confrontation between "owners" and "workers." In 1934, about one-third of the estimated 308 resident families still owned more than 1,200 acres, and only seven families had less than 160 acres or no land at all.<sup>28</sup> Of 63,510 fee acres sold by mid-century, roughly 95 percent were alienated to non-Indian buyers, an especially sensitive issue at Fort Berthold because repeated cessions and sales had created a "checkerboard" ownership pattern.<sup>29</sup>

The problem was fractionation. By the 1940s, some 550,000 acres had been partitioned into 3,401 allotments awarded to individuals; 1,860 allottees had died and their lands had subdivided into 9,300 interests held by living heirs.<sup>30</sup> Most families owned interests in scattered tracts and undivided estates, making their utilization problematic and leasing an attractive option.<sup>31</sup> Even had grazing lands been divided equally among the 1,415 residents in 1930, and contiguously to family members, the resulting holdings would have been half the size of an "average" non-Indian family ranch on the northern Plains.<sup>32</sup> The ways in which this legacy of allotment and subsequent efforts to redress it interfaced with diverging modes of production, political and economic shifts, and distinctive ideological orientations would spark social conflicts and promote the emergence of class consciousness at Fort Berthold.

### **The New Deal for Tribal Ranchers**

The reformist "Indian New Deal" implemented by John Collier during his tenure as commissioner of Indian Affairs (1933-1945) inaugurated a new approach to the administration of

reservations, that of systematic, long-term "development." Reflecting larger New Deal agendas, Collier's administration rejected overt assimilation and shifted the locus of bureau attention from the level of the mutable individual to the community. The hallmark 1934 Indian Reorganization Act (IRA; the Wheeler-Howard Act) established a model for the organization of tribal governments, reinstated the "tribe" as a legitimate political entity, and provided for the formation of tribally chartered corporations as vehicles for federal assistance. Importantly, the empowerment of tribes was explicitly linked to the reconstitution of a corporate land base and to the tribal control of resources. Sections of the act halted allotment, extended the trust status of lands indefinitely, and forbade the further sale of trust lands.<sup>33</sup> Tribal constitutions and bylaws were generated, providing tribes with limited decision-making powers regarding their lands.<sup>34</sup> A scientific, rational approach to land and resource management was also introduced, based on the emergent disciplines of range and soil science, forestry, and applied agronomy.

The BIA redoubled its commitment to reservation agriculture as the basis for reservation economic growth, while reformulating it as an inclusive, communal enterprise.<sup>35</sup> Barsh points out that Collier's repudiation of private property and individualism "crushed" the growing political and economic independence gained by Indian ranchers. But the New Deal did not stymie class formation at Fort Berthold. Instead, class antagonisms defined by conflict over access to lands became exacerbated as ranchers mobilized to protect their interests and sought ways to navigate the new political environment.

Within months of the 1937 ratification of a corporate charter by members of the newly formed Three Affiliated Tribes, the tribal corporation was awarded a \$50,000 loan for the development of the cattle industry, with monies to be drawn from a revolving loan fund established by the IRA.<sup>36</sup> Of the original loan, \$35,000 was earmarked for individual borrowers, the remainder to support cooperative ventures. As drawn up by BIA credit staff, the loan application identified only six of the 312 resident families as having sufficient land, cattle, capital, machinery, and other resources for both subsistence and income purposes, while the rest required some combination of capital and cattle. Nearly half of the resident families were receiving some form of government aid, primarily through the aegis of New Deal relief work programs. Wages from such pro-

grams accounted for 54 percent of the total individual income, while lease revenues provided 23 percent. Livestock sales were no longer the chief source of income, having declined to only 16 percent of the total.<sup>37</sup>

By 1945, the BIA had loaned tribal members 3,835 head of Hereford and Hereford-cross cattle through the tribal corporation, and the following year tribal members owned a total of 8,493 head.<sup>38</sup> Most of the cattle were loaned through an "in kind" revolving repayment program, in which borrowers returned heifers to a common pool rather than cash. In 1942 a cooperative Fort Berthold Stockmen's Association was formed, which integrated eight district livestock associations, served as a vehicle for loans, aided in reducing production costs for members, and encouraged the definition of common interests and goals.<sup>39</sup> The BIA's newly created Division of Extension and Industry also organized community gardens and canning cooperatives, coordinated credit activities, and provided agricultural training.

An immediate effect of New Deal agrarian programs was to increase the number of reservation residents raising livestock and planting home gardens. On a national level, banner beef prices during World War II coupled with federal support raised the Indian income from cattle sales by more than 1,000 percent.<sup>40</sup> By 1947 the tribal corporation had made 143 cash and 79 cattle loans to 92 borrowers, or approximately one-third of the heads of the 325 Fort Berthold households. The BIA granted the tribe an additional \$150,000 for the program in 1948. The percentage of Fort Berthold families owning beef cattle rose from 44 percent to 74 percent between 1937 and 1945, and the number of families owning at least fifty head, the number regarded as the minimum "economic unit," increased more than four-fold (from eleven to forty-nine) between 1937 and 1946.<sup>41</sup> Remarkably, by 1946 the net earned agricultural income (\$290,000; \$238,819 of which was from cattle sales) at Fort Berthold had again surpassed "unearned income" from leasing and land sales (\$273,000), although that income increased as well.<sup>42</sup>

This maiden venture into tribally administered "development" was also divisive. While virtually all households planted gardens and raised enough livestock to provision their families and to barter surplus products such as butterfat, few engaged in sustained market exchange. Income from agricultural sales was monopolized by the largest and best organized cattle operators.

In 1946, at the height of this relative prosperity, it was estimated that of 370 resident families, 131 (35 percent) earned less than \$250, 122 families (33 percent) received \$250 to \$750, 66 (18 percent) earned \$750 to \$1,250, and 51 (14 percent) families earned more than \$1,250.<sup>43</sup> BIA loan policies favored established operators, who had production and credit records and security. As one official explained, "It is under this principle of 'natural selection' for fitness and ability that the livestock industry should be developed ... since only a limited number of the whole people are properly qualified."<sup>44</sup>

Other tribal members regarded the uneven disbursement of loan funds as a violation of the corporate ownership of resources. During one reservation meeting in 1942, tribal members described by the superintendent as among the most impoverished and "least progressive" aired protests against the loan program, expressing the view that such "tribal monies" should be spent more equitably or be distributed in per-capita shares.<sup>45</sup>

The imposition of the range-unit system during the New Deal galvanized these emerging antagonisms. In 1931, the BIA's Forestry Division had promulgated the first General Grazing Regulations, which were designed to redress problems stemming from allotment and the unsystematic management of Indian grazing lands. These were implemented during the New Deal, as part of the BIA's new commitment to increase resource utilization through the application of scientific principles such as "sustained yield management." Key aspects of the new approach were the consolidation of individually owned tracts into discrete, contiguous range units, the restriction of grazing to an empirically defined carrying capacity, and the standardization of rates and schedules, all to be administered by the BIA as part of their expanded trust responsibilities. These reforms imposed new costs on tribal ranchers and required allottees to surrender control over the allocation of use rights to the BIA by power of attorney.<sup>46</sup>

On a local level, the implementation of the range-unit system entailed attempting to balance the interests of ranchers—by affording them usufruct rights "captured" by regulatory reforms—and allottees, for whom the BIA felt a responsibility to ensure "fair" capital returns and the conservation of their properties. Tribal ranchers had built their herds with unrestricted access to tribal and allotted grazing lands. Now they were faced with paying for grazing privileges, and their oper-

ations became subject to much greater regulation and scrutiny by an expanded cadre of BIA technocrats.

Livestock raising was the private sector industry on which the BIA had pinned its hopes for the "rehabilitation" of reservation economies on the northern Plains, and agrarian entrepreneurs personified the industrious, progressive spirit that the bureau sought to foster. To mitigate the effects of the range-unit system, units were not formed in the Indian grazing districts at Fort Berthold until the mid to late 1940s.<sup>47</sup> Dependent allottees, on the other hand, resented the BIA's usurping control of their lands in order to increase "Indian utilization," particularly those who had developed long-standing patronage relationships with non-Indian leasers.<sup>48</sup>

In his 1938 annual report, the agency superintendent noted that conflict between ownership and use rights to lands was "one of the oldest of unsettled problems on the reservation" and that it posed "a complex problem."<sup>49</sup> These tensions were exacerbated by the range-unit system, which structured the interests of tribal land owners and permittees in opposition to one another. When economic conditions worsened following the demise of the New Deal, the polarization of these interests was thrown into relief, along with the ideological orientations of those that held them.

### **Relocation, Capital Intensification, and the Formation of Class Interests**

A conservative swing in policy during the postwar period revived the goal of assimilation, recasting the early focus on the individual to that of terminating federal trust responsibilities towards tribes and their resources. The BIA virtually abandoned its agricultural programs and support of Indian farmers and ranchers, who were thrust into an increasingly competitive, capital-intensive market environment. At Fort Berthold these developments were exacerbated by the construction of the Garrison Dam, which Deloria has called "the single most destructive act ever perpetrated on any tribe by the United States."<sup>50</sup>

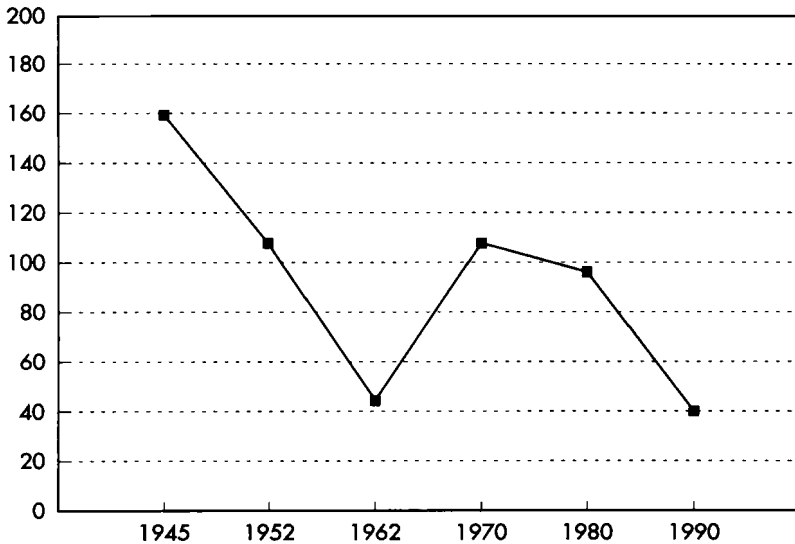
Conceived without Indian consultation in 1944 and completed a decade later, the dam was the first in a series of main-stem hydroelectric facilities that impacted six reservations located along the Missouri River.<sup>51</sup> Flooding 155,000 acres of

timbered alluvial bottom lands and pasture at Fort Berthold, the dam forced the relocation of 85 percent of the population and most farming and ranching operations to the drier, less sheltered uplands and divided the reservation into five residual "segments" separated by water.<sup>52</sup> Communities integrated by kinship and tribal affiliation were inundated, their residents dispersing to reservation housing projects, towns such as New Town or Parshall, or to off-reservation urban centers where services and opportunities were concentrated.

Unsuccessful at persuading the Three Affiliated Tribes to accept termination formally, the BIA implemented it administratively. Viewing relocation as a "splendid opportunity" to eliminate "wardship," the bureau declined to replace much of the reservation's infrastructure and withdrew many BIA programs and services.<sup>53</sup> To compel Indian farmers and ranchers to utilize state services, the Division of Extension and Industry was dissolved, and the revolving credit program was canceled. Although many tribal credit clients became delinquent, the commissioner insisted that repayment cattle accounts be cleared in cash, emphasizing that replacing in-kind lending with monetary exchanges would be in the "best interests" of the tribe and its members.<sup>54</sup> When tribal ranchers suggested the creation of a direct loan program, the assistant chief of the BIA Credit Branch responded that providing loans to individuals rather than to the tribe would be "a backward step."<sup>55</sup>

While a survey indicated that 75 percent of resident families hoped to pursue ranching (68 percent) and farming (7 percent) following relocation, only a handful of the largest and most well-established operators were able to do so.<sup>56</sup> Ranchers in the residual reservation were faced with acquiring suddenly scarce factors of production (land, capital, labor, water, etc.) that had been available at little cost before the dam. At the same time, the relatively inexpensive range ranching of steers was giving way to more management and capital-intensive methods of beef production, and the scale of operations necessary for commercial survival was rising.<sup>57</sup>

In the immediate aftermath of the dam, there were fewer full-time ranching enterprises, but those that survived became larger.<sup>58</sup> In subsequent decades, this core of agrarian entrepreneurs struggled to maintain operations, while the aggregate number of cattle owners vacillated in concert with conditions such as costs and the availability of loans, BIA support services, and grazing lands (figure 2). The percentage of families receiving income from



**Figure 2. Approximate Number of Individuals at Fort Berthold Owning 20 or more Head of Cattle, 1945-1990**

Source: Records of the Bureau of Indian Affairs

livestock fell from 61 percent to 30 percent between 1948 and 1960, while net annual returns to ranchers remained at parity.<sup>59</sup> Although small-scale operators spent more heavily to purchase cattle after relocation than did larger operators, 85 percent of them had none a few years later. Instead, they increased their income by becoming wage laborers.<sup>60</sup>

An assessment by the BIA's Missouri River Basin Investigations (MRBI) team determined that the residual reservation was incapable of supporting all of the families who wanted to farm and ranch.<sup>61</sup> When tribal leaders proposed using part of the more than \$12 million received in compensation for the dam to fund a comprehensive credit, land purchase, and consolidation plan, the proposition was defeated by those favoring per-capita payments. Again, those not participating in commercial livestock raising and who had regarded the New Deal programs as an inequitable use of "tribal" funds were critical of the plan, moving the assistant chief of the BIA credit branch to remark, "Some of the Indians have a peculiar attitude toward the function and purpose of credit. They take the position the credit fund is tribal money and should be used by all the members and not by a minority group which has land resources subject to development."<sup>62</sup> From another per-



spective, a farmer-rancher was quoted in the agency's newsletter as stating that the consolidation plan was too "communal" and that he opposed the reversion of allotted lands to the tribe, a harbinger of future conflict.<sup>63</sup> Subsequent efforts to "program" tribal funds to reconstitute the agrarian sector met with similar resistance.<sup>64</sup>

Both a redistribution of lands following the dam and the rising costs of agriculture fueled the emergence of class antagonisms. Since most families were displaced from agriculture, land ownership and use patterns became still more distinct, with fewer owners directly utilizing their tracts productively. At the time of relocation, individual land ownership was concentrated in the hands of older allottees and their heirs; 33 percent of this group owned more than 400 acres. Of 1,691 enrolled members for whom records were complete (out of a total of 1,782), 887 individuals, virtually all under the age of thirty, were then landless.<sup>65</sup> Many individuals from this cohort utilized off-reservation educational and training opportunities to later form a cadre of wage laborers employed on the reservation by federal, state, and tribal governments.<sup>66</sup>

In 1949, the MRBI staff ranked a sample of about one-third of the resident families into nine socioeconomic categories based on income and mode of production. When correlated with land ownership, these data provide a graphic, if imperfect, measure of the differential economic positioning of people whose interests became increasingly conflicted (Table 1). Bureau personnel discriminated the following nine categories: (1) large ranchers and farmers (owning more than 85 head of cattle), (2) medium-sized farmers and ranchers (50 to 84 head), (3) small-scale farmers and ranchers (less than 50 head), (4) farmers and ranchers whose primary income was from wages, (5) wage laborers, and (6-9) four categories of "others" in descending age cohorts.<sup>67</sup> In 1960, the BIA collected data on the expenditure of dam settlement funds by these families.<sup>68</sup> Two points are salient here.

First, families with the most remunerative ranching operations had the highest income levels on the reservation, and as a group they invested the greatest percent of their settlement payments in the purchase of lands. While land ownership among those with the fewest capital resources declined, dam-related land sales became so brisk that the tribal council asked the BIA to intervene, and established ranching families increased their aggregate holdings between 1948 and 1960.<sup>69</sup>

Reinvestment in Land							
Families Reporting		Dollars	Percent of Total Funds	Acres Purchased	Acres Sold	Average Acres Owned Per Family	
Group	No.					1948	1960
1	14	75,542	26	7,581	320	743	1,026
2	16	53,437	17	7,987	160	977	1,200
3	36	41,078	6	5,444	1,449	829	736
4	8	10,125	9	205	400	737	546
5	18	6,142	2	538	1,174	559	389
6	8	6,300	5	400	626	972	668
7	15	2,369	1	480	1,318	767	547
8	15	900	1	916	260	270	238
9	7	943	2	1,480	0	0	165
<b>TOTAL</b>	<b>137</b>	<b>196,836</b>		<b>25,031</b>	<b>5,707</b>	<b>694</b>	<b>657</b>

**Table 1. Land Ownership Before and After Relocation, By Families Included in 1960 Survey of Fort Berthold Reservation**

Source: Bureau of Indian Affairs, Missouri River Basin Investigations (MRBI) Report # 166, Table 8

Although this reflects their level of commitment to land ownership and to cattle raising, few if any amassed private holdings sufficient for a large-scale livestock operation.

Second, as a consequence of allotment the oldest and the most impoverished residents were among the largest landowners prior to relocation. Whether by design or through historical vagaries these people did not directly use their lands for market-oriented production, relying instead on "unearned" income sources such as leasing. Among them were some of the most self-consciously "traditional" tribal members, for whom reciprocity and the sharing of goods, assistance, and capital resources not only served an important material function but remained a defining ideal.

By mid-century at Fort Berthold and on other Plains reservations, such allottees had begun to call themselves "landowners" in contrast to those they referred to as "ranchers" or "cattle people," and to lobby tribes and the BIA as informally organized groups.<sup>70</sup> The construction of these social categories, which represented incipient classes, developed from the synergistic effects of exogenous economic conditions and BIA land-management policies. At Fort Berthold, relocation, the demise of ranching as a communitywide activity, and the range-unit

system exacerbated long-standing material and ideological differences between these groups and provided a legal-political basis for new contrasts. Following relocation, conflict between the owners and the users of grazing lands over rates, the allocation of units, and the management practices of permittees became endemic at Fort Berthold. BIA policies designed to nurture the Indian utilization of reservation grasslands through livestock production, such as establishing the rates for allotted grazing lands permitted to tribal stockmen at below market value, were perceived by others as "favoring" ranchers. One effect of such policies was that revenues to tribal landowners for allocated grazing lands formerly utilized by non-Indians generally declined after relocation. The instability and capital intensification of the agricultural economy compounded matters, as tribal ranchers were at times unable to make their payments on their grazing permits. Landowners thus deprived of their modest revenue persistently protested their inability to determine who would use their lands and under what terms.

Faced with increasing constraints on maintaining or beginning a cattle operation, tribal ranchers sought and often found novel opportunities for circumventing or exploiting the regulatory environment of BIA management. One such strategy, which has led to a flourishing "infrapolitics of resistance" against the bureau while increasing conflicts between livestock producers and landowners, has been that of "subcontracting" range units, which first developed as an illicit practice following relocation.<sup>71</sup> By securing range units and filling them with cattle owned by others (often non-Indians) willing to pay the permittee substantially more than the Indian allocation rate, tribal permittees (those who have been allocated grazing lands, generally through Indian preference) became able to extract surplus value from allotted lands. Through subcontracting, the acquisition of range units could be made profitable enough for a marginal cattle operator to maintain a presence in the industry, even when productive activities were unremunerative. In fact, subcontracting is lucrative both when cattle prices are high and when off-reservation grazing lands are scarce, such as during droughts. For obvious reasons, the practice of "subcontracting" range units can also encourage overgrazing. Regardless of conditions, allottees whose lands are subject to subcontracting realize only the minimum allocation rate imposed on permittees and become even less able to exercise control over their lands than when they are utilized by the pri-

mary permittees. The allocation and management of range units became increasingly politicized as industry costs rose and the BIA began to relinquish some regulatory responsibilities over their use to the Three Affiliated Tribes. Increasingly autonomous cattle operators (and even some non-cattle owners) began to compete against each other for choice allocations, while as a group they continually advocated for low permit rates, assistance programs, and policies beneficial to the cattle industry. Long encouraged by the BIA to regard the use of reservation grazing lands for cattle production as a de facto right chartered in treaties, some also came to denigrate those landowners who were dependent on "unearned" lease income. "Landowners," on the other hand, charged subcontractors with "skinning the backs of their own people," regarding those who profited from the use of range units as violating the ethics of reciprocity and other cultural values.<sup>72</sup>

Through several generations of such conflict, "landowners" and "ranchers" began to develop class consciousness, that is, the way in which each group realized their opposing interests and symbolically represented and expressed their positions and social identities.<sup>73</sup> It is important to note that the terms *rancher* and *landowner* are not objective descriptions—not all who own land represent themselves as landowners, for instance.<sup>74</sup> Rather, these terms refer to people who are situated in and dependent on political-economic and legal "niches" that are structurally oppositional to others and who also feel a commitment to what they perceive as significantly different sets of ideologies, values, and life experiences. As is true of class interests among all human groups, at Fort Berthold these are situationally hyperstated, while at other times they may be repressed or transcended by other aspects of social identity (for instance, membership in tribal and kinship groups) and by mechanisms that promote integration rather than differentiation.

The redistribution of land and power after the dam also laid groundwork for conflict between tribal interests and those of individual ranchers. Since the dam reduced trust acreage by 28 percent and tribal land ownership from 27,729 to an estimated 3,000 to 6,500 acres, restoration of the tribal land base became a priority for tribal leaders.<sup>75</sup> Fractionation continued; by 1968, 1,798 tribal members owned (trust and fee) interests in some 380,600 acres, but only 930 tracts were in single ownership status.<sup>76</sup> In 1951 the tribal council, which had established

a land committee, activated a land purchase account for the acquisition of individual interests that might be traded or consolidated, providing their own seed money. Later this fund was augmented by docket claims awards and a series of Indian Tribal Land Acquisition Program loans from FmHA.<sup>77</sup>

### **Class and the Conundrum of Self-Determination**

Since the late 1960s, tribal "self-determination" has emerged as the guiding paradigm of late twentieth-century Indian policy. While the dependency of tribes on the federal apparatus remains, the regulatory empowerment of tribal governments has changed the allocation of resources and power at the local level. The empowerment of tribal councils has evolved, Barsh notes, "into a new patronage system based on the reorganized councils' regulatory monopoly of economic resources, including local employment and relief payments as well as land and natural resources."<sup>78</sup> Changing economic and policy conditions have boosted wage-labor employment (primarily governmental) significantly in the past several decades, while segments of the population remain impoverished and dependent on aid programs and "unearned" income.<sup>79</sup> The tribe has emerged as the largest employer on the reservation, having contracted more than thirty administrative and service functions (education, law enforcement, etc.) from the BIA under the aegis of the 1975 Tribal Self-Determination and Educational Assistance Act (P.L. 93-638) and undertaken several business ventures, including a casino.<sup>80</sup>

The number of tribal farmers and ranchers has been thinned by the increasing volatility and capital intensification of the American agricultural sector. During the 1970s, rising land and cattle prices and the availability of government (particularly FmHA) loans encouraged many tribal members to initiate or expand agricultural operations; in fact, the first reservation-based FmHA office in the country was opened in New Town in 1970. During the boom years, approximately one hundred Fort Berthold range units were allocated to Indian stockmen, many of whom organized as the Fort Berthold Land and Livestock Association.<sup>81</sup> By 1990, that number had declined by nearly one-half. Less than 10 percent of the resident population (representing less than half of the enrolled members) remained active in agriculture, and virtually all owners of full-time

farm/ranch enterprises (most more than fifty years of age) were the descendants of agrarian entrepreneurs who established operations at the turn of the century.<sup>82</sup>

As on many reservations, economic stratification is marked at Fort Berthold, with household income per year ranging from less than \$5,000 (18 percent in 1990) to more than \$75,000 (fewer than 1 percent).<sup>83</sup> The gross income of large-scale ranchers as well of that of tribal council members and many other "technocratic elites" is well above the "average" income of \$17,282 calculated for Indian households in the 1990 census.<sup>84</sup> But ranching, like tribal council service, is an unstable occupation. Most who remained in ranching in 1990 were heavily burdened by debt, and escalating costs had barred young people from launching farming and ranching enterprises.

The combination of declining conditions for farmers and ranchers and the empowerment of tribal government has created tensions over land between tribal managers and tribal stockmen. Since the 1970s, the Three Affiliated Tribes have become the largest single owner of lands on the reservation (roughly 75,000 acres in 1990) and have become increasingly responsible for regulating its allocation and use. The tribe, rather than the BIA, now has responsibility for allocating range units and for establishing leasing rates for tribal lands, while the BIA continues to set grazing rates for allotted lands. As the agrarian sector has shrunk, the council has come under continual pressure to purchase lands from tribal members. While tribal land acquisition policies initially focused on consolidating fractionated interests, priorities later shifted towards the acquisition of properties that more readily generate cash flow. Such lands aid the tribe in repaying its own loans, help provide operating expenses, and can be used strategically to maintain boundaries against the non-Indian population. To redress the continuing problem of fractionation, the tribes implemented the 1983 Indian Land Consolidation Act, which mandated that small interests in allotted lands revert to tribes upon the death of their owners. The Three Affiliated Tribes amended their code of laws governing the distribution and descent of allotted land interests, and 904 escheatments had been made to the tribe by May 1991.<sup>85</sup>

While advocates of self-determination have emphasized that "tribal sovereignty and the tribal value of land ownership of property are highly interrelated to the point of being inseparable,"<sup>86</sup> the consolidation of resources by tribes intersects in

problematic ways with individual and class interests that have evolved over the past century. Following widespread litigation and protest by allottees against the Indian Land Consolidation Act, in June 1996 the Supreme Court agreed to review the law.<sup>87</sup> At Fort Berthold, many ranchers view the "retribalization" of the land base and the emergence of tribal businesses as threatening to private sector development, ownership rights, and the Protestant ethics they have internalized. One tribal rancher avowed, "The General Allotment Act *worked* for cattlemen—here today, there's no real communal ownership feeling about land."<sup>88</sup> Another stated, "I'm against anything socialistic, which now seems to be encouraged by the federal government, even though we live in a democratic society ... the tribe should be a regulatory body like the state, county, and federal governments, not out competing with their members in a business sense.... The thing about the tribe buying land is that then no one else can buy it later."<sup>89</sup>

Conflict over individual and tribal property ownership came to a head during the 1980s "farm crisis," when many tribal agriculturalists became delinquent on loans secured primarily through FmHA. In 1986 the General Accounting Office reported that 78 percent of the borrowers at Fort Berthold were in the process, or at risk, of losing 34,594 of 45,863 (43,383 trust allotted; 2,480 fee patent) acres pledged to FmHA.<sup>90</sup> Initially the tribe worked with members of the Land and Livestock Association to prevent the alienation of mortgaged properties on the grounds that such disposition of lands would violate the federal trust responsibility for Indian lands.<sup>91</sup>

A fissure developed between the tribe and tribal ranchers following passage of the Agricultural Credit Act of 1987 (P.L. 100-233), which sought to redress the farm credit system and forestall farm foreclosures. Crafted in North Dakota with input from tribal leaders, the act dealt directly with the threat to trust lands. In summary, while providing original landowners and other tribal members with the first option to repurchase foreclosed properties, the act also provided secondary "buy back" rights to tribes. Further, tribal governing bodies were provided with discretion to revise the statutory order of priority and to buy such lands first. As a failsafe measure to protect the tribal land base, the act provided for the transfer of unredeemed trust lands to the secretary of Interior, to be held in trust for the tribe.<sup>92</sup>

In the words of one rancher whose lands were at risk, "That pitted the tribe against their own members, because the tribe

stood to benefit if the owner lost the land. And the facts speak for themselves—any lands that are lost, the tribe ends up with.<sup>93</sup> As of 1991, the Three Affiliated Tribes had not elected to revise the statutory order of priority established for the disposition of mortgaged property lost to lenders. They had begun to acquire foreclosed trust lands, leading in at least one case to threats of violence and litigation from the former owner, a rancher.

At-risk ranchers also complained that tribal land purchase initiatives inflated reservation land values (based on comparable sales), placing the tribe in competition with its members. One rancher seeking to buy out his debts from FmHA commented that, "The tribe is an active buyer—they should put a stop to that, because it jacks the price up, and that is a problem. They should be redeeming lands, not bidding ... they're buying any and all lands at higher prices than they can afford to pay back, and higher than I can pay."<sup>94</sup>

The farm crisis also inflamed antagonisms between tribal ranchers and landowners. During the 1970s and 1980s, conflicts over grazing rates and subcontracting triggered several heated disputes between these groups, which both the BIA and the tribe attempted to mediate. The most public example was a protracted episode of confrontations and lawsuits following an attempt by the bureau in 1979 to raise grazing rates on allotted lands, which were then being allocated to tribal members for less than one-third the rate advertised to non-Indians.<sup>95</sup> When a group of tribal cattlemen refused to pay the increased fees and moved their livestock off the reservation, leaving some units unutilized, the Aberdeen area director authorized the agency superintendent to waive Indian preference guidelines for allocations.<sup>96</sup> In that dispute, the BIA essentially sided with landowners, on the grounds that BIA trust responsibility included ensuring that they received "fair returns" for use of their properties. However, ranchers successfully litigated a reversal of the decision.

By 1989 tribal governments and the BIA had become concerned about the erosion of agricultural enterprises on reservations across the northern Plains as a consequence of drought and foreclosures. The BIA instigated emergency feed programs, lowered grazing rates in some areas, and convened a task force on Indian agriculture.<sup>97</sup> The Fort Berthold tribal council took the controversial step of authorizing subcontracting for allocated (Indian) permittees, since many no longer had



enough cattle to meet even reduced ownership requirements necessary to qualify for an allocation.

For many landowners, such measures reinforced their perception of ranchers as differentially privileged by the tribe and the BIA, while their own interests were sublimated:

Why should I be a nursemaid to them when they get all the benefits? I used to think that I owned my land, but I don't, the government does. You should see the way the landowners live. They're elderly, and a lot of them are in poor health, living in places that aren't fit to live in. And the cattle people drive around with a fancy horse trailer, and their big cowboy hats.<sup>98</sup>

Class consciousness has developed from both opposing material interests and contrasting ideological and moral frameworks that guide interaction between people and the natural world. Landowners have been led to assign commodity values to their lands and have constructed their identity in part from their inability to control and realize "fair returns" for its use; they have developed a keen sense of their position within the local political economy. Unequal relations of exchange, not production per se, have engendered the construction of these class identities. Ranchers are viewed as having repudiated the signs and practice of reciprocity, which both functions as a material "safety net" and serves as a metaphor for the commensal social order: "Half of us are starving, but they'd die before they'd give us a beef."<sup>99</sup> Age, gender (most landowners are tribal elders, and today many are women), internally perceived racial differences (many ranchers are of mixed heritage), and commitment to traditional values are all drawn on for the discursive construction of materially reproduced differences. One young landowner characterized conflict between ranchers, landowners, and the tribe as "spiritual warfare" and forecast, "Eventually the tribe will end up buying all of the land, and then Uncle Sam will come and collect."<sup>100</sup>

But ranchers, many of whom regard ranching as both a traditional enterprise and one legislated by treaty rights and bureau policy, have their own structured perspective. As a middle-aged man who had struggled to make a living raising livestock commented, "There's people whose families have cattle and those who don't. And there's a lot of conflict—they have ideas about each other. People think that if

you have cows, you have a lot of money and all this ... but they don't know what it takes to bring those cows through the winter."<sup>101</sup>

Differential class interests and historic patterns of interaction among ranchers, landowners, the tribe, and the BIA have also shaped the resistance of tribal members to the retreat of the BIA in the face of tribal self-determination measures. In 1989 the tribal council announced plans to contract certain functions (including the administration of grazing units) of the BIA range and realty division. Galvanized by ranchers, a petition drive was mounted to force the first special referendum election at Fort Berthold, in which the tribe's bid was defeated by a vote of 580 to 161 on September 6, 1989. Ranchers with whom I spoke cited mistrust of the tribal apparatus and of tribal designs on reservation lands, one commenting that cattlemen preferred the bureau because "we know how to handle them."<sup>102</sup> Landowners expressed apprehension about weakening bureau trust responsibilities and associated regulations protecting their lands from overstocking and ensuring minimum grazing rates.<sup>103</sup> It seems that the BIA, as the agency charged with ensuring compliance of federal codes regarding Indian resources, has come to function in this context as an agent of mediation, displacing conflicts arising from the class interests that it helped to create.

These interests have also been made over time by generations of Fort Berthold people actively engaging with the opportunities and constraints presented by evolving circumstances. In this complex ethnographic, political-economic, and historic context, unique niches and bases for power have opened up, so that no single measure of social class (access to the means of production, occupation, and the like), whether viewed as a theoretical construct or an entity, is sufficient for modeling sociality, although such factors may be salient. Nor can we expect to "discover" class structures, identities, and discourses that conform to interpretive models generated in other contexts. Class relations have been generated from the differential positioning of people and resources at Fort Berthold, and class consciousness has developed from the oppositional interests that have resulted. But these interests and identities have been formed within a range of overlapping social fields and relationships that imply and construct each other referentially.

## ACKNOWLEDGMENTS

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## NOTES

1. Field and archival research on the social history of ranching at Fort Berthold was conducted between 1989 and 1991. See Irene Castle McLaughlin, "Colonialism, Cattle, and Class: A Century of Ranching on the Fort Berthold Reservation," Ph.D. dissertation (Columbia University, 1993). Policies and circumstances are presented as they existed during the research period.

2. For consistency, I have referred only to the Bureau of Indian Affairs (BIA) throughout this paper without noting the transition in name from the Office of Indian Affairs (OIA).

3. Useful introductions to the causes and effects of the transformations in agriculture during the twentieth century can be found in Gilbert C. Fite, *American Farmers: The New Minority* (Bloomington: Indiana University Press, 1981), and in Steve H. Murdock and F. Larry Leistritz, *The Farm Financial Crisis: Socioeconomic Dimensions and Implications for Producers and Rural Areas* (Boulder and London: Westview Press, 1988). The same dynamics driving changes in the global agricultural sector (e.g., rising production costs, declining returns, vertical integration, vacillating environmental and fiscal conditions) have worked to reduce the number of Indian farmers and ranchers, who are often differentially disadvantaged in terms of land, capital, technology, and other factors of production. For a brief summary of these issues, see Theodore Downing, "The Crisis in American Indian and non-Indian Farming," *Agriculture and Human Values* 2:3 (1985): 18-24. Thomas Biolsi has pointed out that rural Indian communities are better able to withstand the effects of agricultural transformation than non-Indian communities due to "reverse surplus flows"; see "The Political Economy of Lakota Consciousness," in *The Political Economy of North American Indians*, ed. John H. Moore (Norman: University of Oklahoma Press, 1993). There are, of course, environmental and social reasons to question the long-term desirability of "mainstream" agricultural production, and some tribes and reservation farmers and ranchers have begun to explore alternative forms. See David Cleveland's paper, this volume.

4. Joseph G. Jorgensen has used the term *neocolonial* to typologize the political and economic domination of American Indian communities, particularly their dependent "niche" within the capitalist world system, in which they

function to provide resources. See, for example, his extended application of dependency theory in *The Sun Dance Religion: Power for the Powerless* (Chicago and London: University of Chicago Press, 1972). The "metropolis-satellite" model of political economy that he has elaborated explains unequal development on a macro-level, in which the units of analysis are groups, nations, and regions.

5. A sociological survey of the parameters of intertribal and intratribal diversity based on census data is presented by C. Matthew Snipp in *American Indians: The First of this Land* (New York: Russell Sage Foundation, 1989).

6. Loretta Fowler, *Shared Symbols, Contested Meanings: Gros Ventre Culture and History, 1778-1984* (Ithaca and London: Cornell University Press, 1987), 241.

7. The term *development* appears in quotation marks to acknowledge the constructed nature of that concept and related discourse, particularly as it has shaped representations of "underdeveloped" peoples and regions. For an entree into current analytic projects that engage this issue, see Arturo Escobar, *Encountering Development: The Making and Unmaking of the Third World* (Princeton: Princeton University Press, 1995).

8. I began to incorporate issues of class into my research at Fort Berthold after it became clear that tribal members used such distinctions to classify, discuss, and maneuver within their social landscape (though not all used the term *class*). Bourdieu notes, "Any theory of the social universe must include the representation that agents have of the social world and, more precisely, the contribution they make to the construction of the vision of that world, and consequently, to the very construction of that world." Pierre Bourdieu, "What Makes a Social Class? On the Theoretical and Practical Existence of Groups," *Berkeley Journal of Sociology: A Critical Review* 22 (1987): 10-11.

9. E.P. Thompson, *The Making of the English Working Class* (New York: Vintage Books, 1963), 11.

10. By "structured context," I mean one that to some extent exerts determinative pressures and sets limits on future activity; in this case, BIA policies and the larger economic environment are structural agents. The notion is from William Roseberry, "Political Economy," *Annual Review of Anthropology* 17 (1988): 161-185. During the past several decades, an increasing interest in approaching social class as a system of relational differences has developed. In addition to Thompson's work, an early and influential attempt to articulate such a perspective was undertaken by David Stark in "Class Struggle and the Transformation of the Labor Process: A Relational Approach," *Theory and Society* 9:1 (1980): 89-131.

11. Russel L. Barsh, "Plains Indian Agrarianism and Class Conflict," *Great Plains Quarterly* 7:2 (1987): 83-90.

12. Much debate formerly turned on the distinction suggested by Karl Marx in *The Poverty of Philosophy* (Moscow: Progress Printing, 1955) between an objectively defined "class in itself" and a self-conscious "class for itself." An enormous literature exists on the concept of social class and the ways that it has been operationalized by social thinkers of varying theoretical persuasions.

Recent surveys of past and current approaches that include postmodern critiques include: Patrick Joyce, ed., *Class* (Oxford and New York: Oxford University Press, 1995), and Rosemary Crompton, *Class and Stratification: An Introduction to Current Debates* (Cambridge: Polity Press, 1993).

13. The first issue of livestock was instigated by agent John Murphy, who argued that livestock raising was a more rational enterprise on the northern Plains than was farming, which the central office sought to promote. In 1891 the people at Fort Berthold received cattle, work oxen, sheep, and horses. The rapid increase in cattle numbers was due largely to subsequent purchases. See "Report of the Fort Berthold Agency" in *Sixty-First Annual Report of the Commissioner of Indian Affairs to the Secretary of Interior* (Washington, DC: Government Printing Office, 1892): 356. Recently, the 1891 agreement has been used by the Three Affiliated Tribes and by tribal ranchers to argue that the U.S. in effect chartered agriculture at Fort Berthold and so must facilitate its future.

14. Douglas Martin, "Historical Report on the Fort Berthold Reservation in North Dakota," Vol. 2, n.d., 47. Defendant's exhibit, United States Court of Claims, Docket 350-G, *Fort Berthold Tribes v. the United States*. Files of the Fort Berthold Agency, New Town, ND.

15. The term *unearned income* has long been employed by the BIA to designate passively generated income such as lease revenues, in contrast to that generated by labor. This of course reflects the ideological and value-driven construction of the categories that organize administrative discourse.

16. Annual Reports of the Commissioner of Indian Affairs, 1902-1919.

17. While the Fort Berthold superintendent reported in 1910 that all reservation residents owned livestock and that 80 percent were receiving some income from this source in 1914, he added that six families owned considerably more cattle than others; their combined stock totaled 820 head. Martin, "Historical Report on the Fort Berthold Reservation," Vol. 1, 78. A survey of one Hidatsa community in 1915 found that of forty-three individuals enumerated, nearly half owned no cattle, and only three owned more than thirty head, while the rest owned between one and ten animals. Elbowoods District Farmer's Report, 1915, File 516687-532, Fort Berthold Agency, Record Group 75, Central Plains Branch, National Archives, Kansas City, Missouri.

18. Edward Goodbird, a turn-of-the-century Hidatsa cattle owner, commented thusly on the reciprocal exchange of meat during the early ranching period: "We Indians have a custom that when we kill an animal we send a present to our friends. When I slaughter a steer, I send ten pounds to each of the other families of my friends in Independence. In this way the steer is gone to my friends, but when my friends kill a steer they do likewise, and always remember me." Carolyn Gilman and Mary Jane Schneider, *The Way to Independence: Memories of a Hidatsa Indian Family, 1840-1920* (St. Paul: Minnesota Historical Society Press, 1987), 242. The Office of Indian Affairs attempted to suppress such practices through its system of issuing or withholding permits for the use and disposition of cattle, which were regarded as trust property.

19. Several observers of Indian cattle ranching (including Barsh) have

noted an inverse correlation between the degree of Indian blood of cattle operators and the size and stability of their cattle operations (see also Sattler, this volume). While not all of the most successful Fort Berthold ranchers have been biological or social "mixed bloods," such a pattern is evident. Education and a willingness to adopt "rational" management techniques, as well as access to factors of production, are no doubt better predictors of commercial participation and success than biological heritage.

20. U.S. Congress, Senate, Agriculture Committee, 100th Cong., 1st sess., *A Fact Finding Forum on Indian Agriculture* (September 1, 1987), Before Kent Conrad, U.S. Senator, New Town, North Dakota.

21. When the act of June 1, 1910 (36 Stat. 455) affected the cession and sale of more than 200,000 acres of arable lands at Fort Berthold, the secretary of Interior was authorized to set aside land and \$25,000 of the proceeds for the establishment of a demonstration farm to improve the bovine and equine breeding stock on the reservation. Supported by funds from the leasing of tribal grazing lands to non-Indians, it operated until 1926, when the process of allotment was virtually complete. On at least one occasion, "older and more influential" tribal members temporarily blocked the renewal of the lease, insisting that funds be distributed on a per-capita basis rather than utilized for the purchase of machinery, stallions, and stock, which they argued benefited relatively few. Superintendent to commissioner, July 25, 1914, File 64154-1914-301; Fort Berthold, Central Classified Files; Records of the Bureau of Indian Affairs, Record Group 75; National Archives, Washington, DC.

22. The first herd and trespass regulations were devised by agent John Murphy in 1892, who also adjudicated trespass disputes that arose between tribal farmers and ranchers following the influx of cattle. The only initial constraint imposed on cattle owners was that they keep livestock away from settlements during the growing season. Annual Report of the Commissioner of Indian Affairs, 1892, 356. Beginning at the turn of the century, several thousand acres of reservation grazing lands west of the Missouri River were leased to non-Indian ranchers. See Castle McLaughlin, "The Big Lease: Confined-range Ranching on the Fort Berthold Reservation, 1910-1950," *North Dakota History: Journal of the Northern Plains* 61:4 (Fall 1994): 3-17.

23. J.P. Kinney, *Indian Forest and Range: A History of the Administration and Conservation of the Redman's Heritage* (Washington, DC: Forestry Enterprises, 1950), 89-90.

24. Superintendent to commissioner, 1915, File 20377-1915-272, Fort Berthold, Central Classified Files, 1907-1939; Records of the Bureau of Indian Affairs, Record Group 75, National Archives, Washington, DC.

25. Superintendent to commissioner, January 26 and April 26, 1918, File 9401-1918-916, Fort Berthold, Central Classified Files; Records of the Bureau of Indian Affairs, Record Group 75; National Archives, Washington, DC. There is still a flourishing "infra-politics" of resistance to BIA range management at Fort Berthold.

26. Nyce, "Working Plan Report," 2.

27. Martin, "Historical Report," Vol. 1, 234.

28. Application of the Three Affiliated Tribes for a Revolving Credit Loan, December, 1937, superintendent's narrative, 4; forwarded from assistant commissioner to superintendent, December 13, 1937, File 19582-1936-259; Fort Berthold, Central Classified Files; Records of the Bureau of Indian Affairs, Record Group 75, National Archives, Washington, DC.

29. Proposed Tribal Extension and Credit Program, Part 1, 1949; File 18626-1946-259; Fort Berthold, Central Classified Files; Records of the Bureau of Indian Affairs, Record Group 75; National Archives, Washington, DC. A general chronology of land transactions at Fort Berthold can be found in Roy W. Meyer, *The Village Indians of the Upper Missouri: The Mandans, Hidatsas, and Arikaras* (Lincoln: University of Nebraska Press, 1977). The roughly twelve million acres described as the territory of these tribes in the 1851 Fort Laramie Treaty were alienated to non-Indians through executive orders, the agreement of 1891, and subsequent congressional acts providing for the cession of agricultural lands "surplus" to the allotment process. Between 1910 and 1920 the most productive arable lands on the reservation were ceded and offered for sale to non-Indian homesteaders, leaving grazing lands the chief resource. In 1970, a circuit court ruled that lands ceded consequent to the act of June 1, 1910 were still part of the reservation, a decision that generated tension between tribal members and non-Indians, who comprise nearly half of the resident population.

30. Ben Reifel, "Three Hundred Indian Families Behind the Garrison Dam Must Move," U.S. Department of Interior, Bureau of Indian Affairs, Fort Berthold Agency, New Town, North Dakota (n.d.), 39. An initial 949 allotments located near the river bottoms of the Missouri River were awarded in 1900 and a second group of 765 allotments was assigned in 1910. From 1912 to 1915, a third group of 1,131 supplemental allotments was awarded to previous allottees; these were not contiguous to the river bottom allotments, but consisted of rangelands. A fourth group of 556 allotments from upland areas west of the river was made to unallotted children between 1923 and 1929. U.S. Department of Interior, Bureau of Indian Affairs, "Social and Economic Report on the Future of Fort Berthold Reservation, North Dakota," *Missouri River Basin Investigations Report No. 46* (Billings, MT, 1948), 55.

31. For example, Comes Along Pink was awarded a trust patent to eighty acres on December 31, 1900. The allottee died two years later, leaving eighteen original heirs. By 1947, fifteen of those heirs had died, leaving forty-seven heirs. More than half of the heirs claimed interest to less than one acre of the tract, while the largest interest consisted of eleven acres. U.S. Department of Interior, Bureau of Indian Affairs, "Land Consolidation Problems on the Fort Berthold Indian Reservation Arising from the Garrison Project," *Missouri River Basin Investigations Report No. 53* (Billings, MT, 1948), plate 5.

32. The resulting holdings would have been 327 acres, or 1,308 acres for a family of four. At the estimated carrying capacity of thirty acres per head at Fort Berthold, 1,308 acres would support about forty-four cattle, providing that

all lands were equally well endowed with water, shelter, and good quality grass, which of course they were not. In 1933 non-Indian ranching families operated an average of 2,634 acres (1,000 acres in private ownership) and owned, on average, 124 head of cattle. John T. Schelbacker, *Cattle Raising on the Plains, 1900-1961* (Lincoln: University of Nebraska Press, 1963), 149, 165.

33. Initially, Collier hoped to legislate the return of allotments to tribal ownership, but withdrew this plan under widespread protest from allottees. The act did, however, provide for the voluntary exchange of lands between tribes and their constituents, as well as for the restoration of "surplus" lands to tribes and for future acquisitions. As Barsh notes, Collier's proposed land reforms were also aired at several congressional hearings, during which ranchers protested the retribalization of tribal lands, accusing him of being a "communist." Barsh, "Plains Indian Agrarianism," 87.

34. Article IX of the Constitution and Bylaws adopted by the newly created Three Affiliated Tribes of Fort Berthold and approved by the secretary of Interior on June 29, 1935 (and subsequently amended) addressed land issues. As provided in the constitution, tribal lands cannot be mortgaged, sold, or ceded without the consent of the secretary and cannot be allotted to individual Indians, but may be assigned or leased by the tribal business council. The council is also empowered to acquire lands and interests in lands through purchase, exchange, relinquishment, or other means approved by the secretary of Interior.

35. The necessity of shifting BIA initiatives from the individual to the group was expounded in the influential "Meriam report," Lewis Meriam, et al., *The Problem of Indian Administration* (Baltimore: The Johns Hopkins Press, 1928).

36. Interest on the government loan was established at 1 percent for the tribe, which in turn charged individual borrowers 4 percent to help defray administrative costs. For security, the tribe pledged lease income from tribal trust lands.

37. Application by the Three Affiliated Tribes for an Office of Indian Affairs Revolving Credit loan, December 1937, superintendent's narrative, p. 36; File 19582-1936-259; Annual Report of Extension Work, 1937, Division of Extension and Industry, File 4587-1937-031; Fort Berthold, Central Classified Files; Records of the Bureau of Indian Affairs, Record Group 75; National Archives, Washington, DC.

38. Henry W. Kipp, *Indians in Agriculture: An Historic Sketch*, United States Department of Interior, Bureau of Indian Affairs, (Washington, DC, 1987), appendix.

39. As were most forms of organization imposed on tribes accepting the Wheeler-Howard Act, livestock associations were designed by the bureau and were required to conform to given standards. They thus also served as mechanisms for integrating local communities within the central bureaucratic structure and as conduits for the transmission of practices and principles associated with "mainstream" livestock production. In order to benefit from loans and other incentives predicated on membership, individuals were required to follow approved regimens of land and cattle management.



40. "Hard Riding Indian Cowboys Combine Old Time Skills with Modern Methods to Make Cattle Business Pay," U.S. Department of Interior, Bureau of Indian Affairs, *Indians at Work*, 8:4 (1940): 7.

41. Application of the Three Affiliated Tribes for a Revolving Credit loan, 1937, File 19582-1936-259; Application of the Three Affiliated Tribes for a Revolving Credit Fund loan, 1946, File 18626-1946-259; Annual Reports of Extension Workers, 1936-1947; Annual Report of Revolving Credit Fund operations, 1947, File 45684-1938-031; Fort Berthold, Central Classified Files, Records of the Bureau of Indian Affairs, Record Group 75; National Archives, Washington, DC.

42. Application of the Three Affiliated Tribes for a Revolving Credit loan, Superintendent's report, March 16, 1948, 9-10, File 18626-1946-259; Fort Berthold, Central Classified Files, Record Group 75, Records of the Bureau of Indian Affairs, National Archives, Washington, DC.

43. *Ibid.*, 10.

44. U.S. Congress, Senate, *Survey of Conditions of the Indians in the United States, Hearings Before a Subcommittee of the Committee on Indian Affairs, Part 22: Grazing on Indian Lands*. 71st Cong., 2nd sess., 1932, 12288-89.

45. Agency report on a meeting held in Water Chief Hall, June 19, 1942, File 36687-1942-175, Fort Berthold, Central Classified Files, Records of the Bureau of Indian Affairs, Record Group 75, National Archives, Washington, DC.

46. Many allottees expressed opposition to relinquishing control over the leasing of their lands during the New Deal, and this has remained a point of contention ever since. Mechanisms have been devised whereby landowners can withhold their lands from range units, but doing so is generally counter-productive as they then do not benefit from bureau management strategies such as the advertising of available tracts.

47. Report of the Branch of Forestry and Range Management, April 10, 1947; File 845-1944-301, Fort Berthold, Central Classified Files, Records of the Bureau of Indian Affairs, Record Group 75, National Archives, Washington, DC. The initial range-unit permits awarded to Indians at Fort Berthold were allocated to the eight district livestock associations and to a handful of the largest and most stable individual operators. In a 1948 review of grazing activities on northern Plains reservations, it was discovered that as many as 46 percent of the grazing lands in the Aberdeen and Billings administrative districts were still not included in the range-unit system. Indian utilization of existing range units ranged from 3 percent at Crow Creek to 76 percent at Rocky Boys in Montana. "Range in Units Review, 1940-1962" forms for fifteen reservations, Files of the Bureau of Indian Affairs, Aberdeen Area Office, Aberdeen, South Dakota.

48. See McLaughlin, "The Big Lease."

49. Superintendent's Annual Report, 1939, no file number, 1939-031, Fort Berthold, Central Classified Files; Records of the Bureau of Indian Affairs, Record Group 75, National Archives, Washington, DC.

50. Cited in Michael L. Lawson, *Dammed Indians: The Pick Sloan Plan and the Missouri River Sioux, 1944-1980* (Norman: University of Oklahoma Press, 1982), xiv.

51. See Lawson, *Dammed Indians*.

52. The designated "taking area" included 175,716 acres comprising 26 percent of the reservation area; 154,911 acres under Indian ownership and 20,805 acres owned by non-Indians. U.S. Department of Interior, Bureau of Indian Affairs, "Social and Economic Report on the Future of the Fort Berthold Indian Reservation, North Dakota," *Missouri River Basin Investigations (MRBI) Report* No. 46 (Billings, Montana, 1948), plate 2. Use rights to a strip of unflooded shoreline grazing lands within the taking area were returned to the tribes in 1962. Virtually all irrigable lands were inundated, as well as the sheltered river bottoms.

53. Alonzo Spang, "Relocation Activities on the Fort Berthold Reservation After the Construction of the Garrison Dam," Bureau of Indian Affairs, Fort Berthold Agency, 1986, 293.

54. Acting commissioner to tribal chairman, March 15, 1954, File 18626-1946-259, Fort Berthold, Central Classified Files, Records of the Bureau of Indian Affairs, Record Group 75, National Archives, Washington, DC. Tribal leaders, North Dakota Congressman Usher L. Burdick, and the Aberdeen area director protested these changes to no avail. The 1948 revolving credit loan was awarded in part to assist farmers and ranchers with relocation, but the amount awarded per client was decreased in order to disperse the funds more widely. By 1954, the year relocation was actualized, only one-seventh of the capital resources available in 1950 were dispersed. Delinquency rates escalated during relocation; in 1951, only seven revolving cash clients were delinquent, but by 1953 the figure had risen to forty-nine and it continued to climb. "Summary of Lending Operations on Fort Berthold Reservation for Five Years, 1950-1954," File 18626-1946-259, Fort Berthold, Central Classified Files, Records of the Bureau of Indian Affairs, Record Group 75, National Archives, Washington, DC.

55. Field report of assistant chief, BIA Credit Branch, March 17, 1955, File 18626-1946-259, Fort Berthold, Central Classified Files, Records of the Bureau of Indian Affairs, Record Group 75, National Archives, Washington, DC.

56. "Social and Economic Report on the Future of Fort Berthold Indian Reservation, North Dakota," MRBI, 5.

57. In 1948, the BIA estimated that fifty cow-calf pairs comprised the minimal "economic unit" necessary for commercial survival. By 1952, the size of an "average" non-Indian ranch was 3,990 acres, far more than most reservation ranchers had access to or could afford once reservation grazing lands were commodified and enclosed within range units. Schlebacker, *Cattle Raising*, 215.

58. In 1950, sixty-four tribal stockmen ran 2,139 head of cattle on 51,132 acres in range units. In 1960, forty-five Indian permittees grazed 4,522 cattle on 104,756 acres in range units. Correspondence of the superintendent, Fort Berthold Agency, February 17, 1961, Agency files, New Town, North Dakota. By the 1980s, there were more than one hundred range units at Fort Berthold.

59. Net returns to livestock operators at Fort Berthold in 1960 averaged \$962, compared with \$910 in 1948. While the income of families with large cat-

tle operations still exceeded the average, the percent of reservation income marshaled by this group declined from 30 percent in 1948 to 10 percent in 1960. U.S. Department of Interior, Bureau of Indian Affairs, "Use of Funds Received by Indians in Connection with Three Large Missouri River Construction Projects," *Missouri River Basin Investigations Report* No. 166, (Billings, Montana 1961), 129-130.

60. *Ibid.*, 123, 129.

61. "Social and Economic Report on the Future of Fort Berthold," 1948.

62. Report of the Assistant Chief, Branch of Credit, March 17, 1955, File 18626-1946-259, Part 2, Fort Berthold, Central Classified Files, Records of the Bureau of Indian Affairs, Record Group 75, National Archives, Washington, DC.

63. "Fort Berthold Indians Air Problems in Washington," *Fort Berthold Agency News Bulletin* 6:3, May 1, 1952.

64. As late as 1972, when the per-capita issue resurfaced in regard to settlements awarded by the Land Claims Commission, a tribal member stated, "The word 'program' has an historical stigma. To many Indians, the word carries the meaning of [sic] cattle enterprise program in which few members of the tribe benefitted while the rest had to go without." *Fort Berthold Action News*, 2: 17, March 3, 1972.

65. *Proposed Tribal Extension and Credit Program for use of P.L. 437 Settlement Funds*, 1950, File 18626-1946-259, Part 1, Fort Berthold, Central Classified Files, Records of the Bureau of Indian Affairs, Record Group 75, National Archives, Washington, DC. Of course, many of these individuals later inherited interests in land, but few would acquire discrete tracts of any size and even fewer would directly utilize them.

66. One reason for imagining classes as sets of relationships rather than as groups per se is that in reservation communities, class identities cross-cut family, generational, and even occupational lines, and are to some extent situational. There are also class "fractions" among ranchers and landowners. The point is that in this complex ethnographic, legal-political, and historic context, new niches for the basis of local power and oppositional interests have been created, so that no single measure of class membership as a theoretical construct or as identifiable entities ("occupation," "stratification," ownership of the "means of production," etc.) is sufficient for modeling sociality, although they may be salient.

67. "Use of Funds Received by Indians," MRBI, 120-130. A verbatim description of the categories presented in Table 2, p. 120, is as follows:

**Group 1** (n=14): *Larger size livestock and farm operators.*  
Generally 85 or more cattle or equivalent counting \$50 crop sales equal 1 head of cattle;

**Group 2** (n=16): *Medium size livestock and farm operators.*  
Generally 50 to 84 head or equivalent in crop sales.  
Agriculture main income;

**Group 3** (n=36): *Small size livestock and farm operators.*

Generally 10 to 49 head or equivalent in crop sales.

Agriculture main income;

**Group 4** (n=8): *Medium and small size livestock and farm operators with wage income exceeding farm income;*

**Group 5** (n=18): *Persons dependent mainly on wages, holding regular job paying more than \$1,000 a year;*

**Group 6** (n=8): *Other persons 50 years of age and older;*

**Group 7** (n=15): *Other persons 30 to 49 years of age;*

**Group 8** (n=15): *Other persons 20 to 29 years of age;*

**Group 9** (n=7): *Other persons under 20 years of age who have established livestock enterprises since relocation.*

68. Restrictions on the supervision and withdrawal of settlement funds in Individual Indian Money accounts were only in force during 1950 and 1951, when payments for individual lands taken and the disbursement of the first of several per-capita payments were made. Data were collected only during that period.

69. Contributing to this process was a BIA mandate that lands sold by one tribal member to another would be converted from trust status to patent in fee, making them eligible for tax assessments. The lands owned by large ranching families were primarily used as home sites and headquarters for their operations (haying lands, barns, pastures); they were still inadequate to meet grazing needs.

70. In a passage from his recent autobiography, Russell Means also comments as follows about Pine Ridge society during the 1970s: "By that time, the traditional elders of the Pine Ridge Treaty Council and the Landowner's Association were almost all gone. The few still alive were mostly ill or enfeebled. The next generation, men and women in their fifties and sixties, were a different breed, having been raised in boarding schools and taught to hate themselves and their culture." Russell Means with Marvin J. Wolf, *Where White Men Fear to Tread* (New York: St. Martin's Press, 1995), 398. Also pertinent is Thomas Biolsi's analysis of the implications of allotment among the Lakota for their consensus to governance by the nation-state. "The Birth of the Reservation: Making the Modern Individual Among the Lakota," *American Ethnologist* 22:1 (1995): 33-34.

71. The "subcontracting" of reservation grazing lands is seldom recognized and often confounds figures purporting to illustrate Indian land utilization through livestock grazing. The earliest records that I am aware of noting this practice at Fort Berthold date from 1953, when relocation was underway and a petition protesting the contract grazing of cattle was presented to the BIA by a group of tribal members, including some ranchers.

72. Interview with Suzette James (pseudonym), July 18, 1989.

73. Again, I have found E.P. Thompson's application of this concept in *The Making of the English Class* useful.

74. Given its use on many Plains reservations, it seems likely that the term *landowner* was first coined in BIA administrative discourse.

75. Documents addressing the extent of tribal lands remaining in the after-

math of the Garrison dam cite conflicting figures.

76. "Socio-Economic Study for Use of Claims Money," United States Department of Interior, Bureau of Indian Affairs, Files of the Fort Berthold Agency, New Town, North Dakota, 2-3.

77. Spang, "Relocation Activities," 5. The Three Affiliated Tribes received the first FmHA Tribal Land Acquisition loan in the country and were in fact instrumental in having that program established.

78. Barsh, "Plains Indian Agrarianism," 88.

79. According to one source, in 1985 Fort Berthold had an unemployment rate of 51 percent, significantly higher than the unemployment rate in North Dakota, but considerably lower than three of the four other reservations in the state and much lower than estimates twenty years previous. Wages and salaries accounted for 66 percent of the income to individuals. "State of the Relationship—A Tribal Perspective," Report prepared for the 49th North Dakota legislative assembly (North Dakota Indian Affairs Commission and United Tribes Educational Technical Center, 1985), 28, 32. Among tribal members in the labor force and enumerated in the 1990 U.S. census, 32 percent were unemployed in 1990. Educational attainment at Fort Berthold is high relative to many reservation communities and had nearly reached parity with non-Indian residents on the reservation in 1990. U.S. Census, 1990: Census of Population and Housing, Summary Tape File 3, Fort Berthold Reservation, P58, P71, University of Missouri-St. Louis Data Center. Prior to the dam, when the utilization of subsistence resources (domestic animals, cultigens, and wild foods) was widespread and social networks ensured their distribution, Fort Berthold had a relatively low rate of service from state and federal (BIA) public assistance programs. While data are incomplete, a 1986 study indicated a significant rise in the number of cases and expenditures over the past several decades. H. Paul Friesema and Charles S. Matzke, "Socioeconomic and Cultural Effects of the Garrison Dam Upon Members of the Three Affiliated Tribes of Fort Berthold Indian Reservation" (Center for Urban Affairs and Policy Research, Northwestern University, 1986), 28-32.

80. In 1985 numbers of employees by source of employment were as follows: tribal government (n=145), BIA (n=71), Indian Health Service (n=25), Private Industry/Business (n=81), Self-Employment (n=60), Other (n=109). "State of the Relationship," 32. During the past decade, the contracting of additional BIA services and the establishment of a tribally owned casino has further swelled the ranks of tribal employees.

81. In 1990 a landowner that I interviewed commented on the name of the Land and Livestock Association, saying that it had been selected to confuse "the higher ups" into thinking that landowners were included. The landowners group is called simply "The Fort Berthold Landowner's Association."

82. According to BIA records, in 1990 there were approximately sixty-nine tribal members engaged in commercial ranching and/or farming on a full-time or part-time basis, a decline of some 50 percent since the 1970s. Since the U.S. Census Bureau surveys occupational trends for the reservation at large and 43

percent of residents were non-Indian in 1990, it is difficult to determine the extent of agrarian wage labor among tribal members. In 1990, only 10 percent of the entire population of those employed on the reservation, once overwhelmingly comprised of ranch/farm operators and laborers, reported occupations in "farming, forestry, or fishing." U.S. Census, 1990: Census of Population and Housing, Summary Tape File 3, Fort Berthold Reservation, P78, University of Missouri-St. Louis Census Data Center.

83. According to 1990 census data, 18 percent of the Indian households at Fort Berthold received less than \$5,000, 26 percent received \$5,000-\$9,999; 16 percent received \$10,000-\$14,999; 13 percent received \$15,000-\$24,999; 11 percent received \$25,000-\$34,999; 9 percent received \$35,000-\$49,000; 6 percent received \$50,000-\$74,999; and less than 1 percent received \$75,000-\$99,999. U.S. Census, 1990: Census of Population and Housing, Summary Tape File 3, Fort Berthold Reservation, P82, University of Missouri-St. Louis Census Data Center.

84. The per-capita income for Indians was \$4,849; for whites, \$10,908. U.S. Census, 1990: Census of Population and Housing, Summary Tape File 3, Fort Berthold Reservation, P115A, University of Missouri-St. Louis Census Data Center. Salaries for tribal council members were more than \$40,000 per annum and the gross income of the largest ranchers also exceeded \$50,000; some ranchers have grossed more than \$75,000. (Tribal salaries are made public; I rely on personal communication and court documents for ranchers' income.)

85. Briefing Report to the Chairman, Select Committee on Indian Affairs, U.S. Senate, *Indian Programs: Profile of Land Ownership at 12 Reservations* (Washington, DC: U.S. General Accounting Office, 1992), 26. According to this report, the tribe owns more than twice as many tracts of land in their entirety (4,243) as the number of tracts owned by any single tribal member (1,831).

86. Jerry D. Stubben, "American Indian Values and their Impact on Tribal Economic Development," *Agriculture and Human Values* 8:3 (1991): 59.

87. *Indian Country Today*, Northern Plains Edition, June 11-18, 1996, 1. For sources on the 1983 Indian Land Consolidation Act and other aspects of federal Indian law related to the Dawes Act and its legacies, see Michael R. McLaughlin, "The Dawes Act, or Indian General Allotment Act of 1887: The Continuing Burden of Allotment: A Selective Bibliography," *American Indian Culture and Research Journal* 20:2 (1996): 59-105.

88. Interview with Jake Jones (pseudonym), July 11, 1990.

89. Interview with Clifford Jones (pseudonym), September 5, 1990.

90. Report to Congressional Requesters, *Farmers Home Administration: Information on Agricultural Credit Provided to Indians on 14 Reservations* (Washington, DC: U.S. General Accounting Office, 1987), 18. Indian landowners with lands in trust status can execute mortgages subject to approval by the secretary of Interior; see 25 U.S.C. 483a. For a historic and legal review of trust land mortgaging, see John Fredericks III, "Indian Lands: Financing Indian Agriculture: Mortgaged Indian Lands and the Federal Trust Responsibility," *American Indian Law Review* 14 (1989): 105-137.

91. See Fredericks, "Financing Indian Agriculture."

92. Agricultural Credit Act, Sec. 335(e)(1)(D)(ii)(II); Memorandum of Understanding Between the Bureau of Indian Affairs and Farmers Home Administration, 1989, files of the Farmers Home Administration, New Town, North Dakota.

93. Interview with Wayne Grey (pseudonym), July 11, 1990.

94. Interview with Carey Breaks (pseudonym), September 4, 1990.

95. In 1975, the average grazing rate for allocated, allotted grazing lands at Fort Berthold was \$2.01 per animal unit month, less than one-third the \$6.12 average rate for lands advertised to non-Indians. U.S. Department of Interior, Bureau of Indian Affairs, "Alternatives to the Use and Apportionment of Indian Owned Range Resources," *Planning Support Group Report No. 260*, n.d., Appendix II, 59.

96. Accounts of this dispute may be found in the following Fort Berthold tribal newspapers: "Suit Filed Against BIA for Grazing Regulations," *Action News*, March 7, 1981; "53,000 Acres of Fort Berthold Pasture Unleashed," *Ahead of the Herd*, May 20, 1983; "Interview with Area Director," *Ahead of the Herd*, June 21, 1983; "BIA Loses Grazing Fee Case," *Ahead of the Herd*, January 28, 1983. See also *Danks v. Fields*, 696 F.2d 572 (1982).

97. That task force evolved into the Intertribal Agricultural Council.

98. Interview with Rose Franklin (pseudonym), July 11, 1991.

99. Interview with Mildred White Stone (pseudonym), July 11, 1991.

100. Interview with Edgar Jackson (pseudonym), July 8, 1991.

101. Interview with Webster Black (pseudonym), October 11, 1990.

102. Interview with Gerald Goings (pseudonym), June 9, 1989.

103. Of course, trust responsibilities are not contractible, and these fears would not have been realized in a literal sense. Both ranchers and landowners, however, expressed the desire that the bureau retain management of this sensitive area.