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# The Battle over Termination on the Colville Indian Reservation

KATHLEEN A. DAHL

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*Termination is something no Indian should ever dream about. It is like giving your eagle feather away.*

—Lucy Covington  
Colville tribal member

## INTRODUCTION

Historians and scholars have interpreted the history of United States “Indian policy” in many ways: as a pendulum swinging between extremes of tribal sovereignty and tribal obliteration; as a roller coaster ride soaring and plummeting among programs calculated to assimilate Indian societies as abruptly as possible and those designed to cushion their transition into mainstream non-Indian life; as a steady march along that trail of broken treaties and irreparable cultural disintegration. Russel Lawrence Barsh wrote recently that rather than being “a series of policy reversals driven by a dialectic of separation and assimilation,” federal Indian policy “has been marked by a diversity of forms, but a continuity of effect,” particularly in terms of land and resources.<sup>1</sup>

Barsh argues that the 1934 Indian Reorganization Act promoted by Indian commissioner John Collier was but a temporary

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slowdown of the bureaucratic push for assimilation of Indian peoples that was begun before the turn of the century; the disproportionate attention paid to Collier's ideas merely "strengthens the image of an heroic, Manichean struggle" and obscures the fact that the appropriation of Indian lands and the acculturation of Indian people have been the primary goals of the dominant society all along.<sup>2</sup>

The 1953 Termination Resolution, following closely behind Collier's Reorganization Act, certainly was of the blatantly assimilationist variety of legislation, setting up a process for abolishing the trust status of Indian tribes and reservations once and for all and appropriating their resources for use by non-Indians in both the private and public sectors. During the 1950s and 1960s, 109 Indian tribes, bands, communities, and reservations, many with substantial natural resources, were terminated under the provisions of the Termination Resolution.<sup>3</sup> A small but growing number of tribes and bands have seen their federal trust relationship restored beginning in the 1970s. The first and perhaps best-known restoration case is that of the Menominee in the state of Wisconsin, who regained their federally recognized tribal status upon the signing of the Menominee Restoration Act by President Nixon in December 1973.<sup>4</sup> The second Indian tribe to achieve restoration was the Siletz in western Oregon in 1977, and the most recent case was that of the Ponca of Nebraska, whose restoration legislation became law in October 1990.<sup>5</sup> Soon to regain their federal recognition, in addition to a \$50 million land settlement, are the Catawba Indians of South Carolina.<sup>6</sup> For these tribes, and perhaps for a few others in the future, termination of federal status is "reversible"; but for many Indian communities, there is little hope of a swing of the pendulum back to federal restoration.

The Colville Confederated Tribes in north-central Washington State are among several tribes that struggled with the question of termination, ultimately rejecting it and escaping from its grasp at the last possible moment. But little has been written about the battle over termination on the Colville Reservation—how the various factions presented their cases and how the Colville Tribes eventually survived the termination era. In *Custer Died for Your Sins*, Vine Deloria, Jr. briefly mentioned the Colville termination debate as it unfolded in the early 1960s, and John Ross produced an invaluable master's thesis documenting the termination battle in progress. Deloria and Clifford Lytle refer to the Colville case

again in their book *The Nations Within*, although, for some reason, they never clearly state that the terminationists ultimately were defeated. Finally, Ruth Scofield wrote a non-Indian, pro-terminationist view of the results in 1977, but this obscure, undated manuscript is not widely available.<sup>7</sup>

There is, therefore, no concise and accessible summary of the whole ordeal written after the Colville made their final decision; nor is there anything analyzing the effects of the termination battle on Colville ethnicity and tribal identity. This paper is intended to bridge these gaps, as well as to illuminate what Colville tribal members themselves thought and did about the question of termination. Berkhofer and others have long encouraged ethnohistorians to consider the "objects" of their studies as "subjects" instead, active players in their own destinies.<sup>8</sup>

I have included not only materials gleaned from what has already been written about the Colville Tribes' brush with termination but also direct citations from transcripts of federal congressional hearings; articles and editorials in the Colville Tribes' newspaper; and tribal council resolutions passed between 1946 and 1990, which I studied in the Colville Tribes' archives in Nespalem, Washington, in 1989 and 1990. Most of these transcripts and documents have never been analyzed or published outside these immediate venues.

The 1953 House Concurrent Resolution 108 (commonly, if inaccurately, referred to as the "Termination Act") called for the liquidation of assets belonging to several specific Indian tribes, followed by the cancellation of their federal trust status. The first list of tribes to be "emancipated," as the government called it, included the Klamath Indians in southern Oregon and northern California and the Wisconsin Menominee.<sup>9</sup> In the years that followed, other Indian tribes also were subjected to termination legislation; in fact, between 1953 and 1958, termination was supposed to be mandatory for all tribes.

Economic ambitions on the part of outsiders (as well as some Indians) and territorial conflicts were key motivations behind the termination legislation: Most of the targeted tribes and their reservations had timber, minerals, agricultural lands, and other natural resources coveted by non-Indians. The Klamath and Menominee reservations, for example, contained large, forested tracts; the Menominee eventually achieved restoration of their lands as well as their tribal status. The Klamath tribe regained its federal recognition in 1986, but most of the former Klamath

Reservation remains part of the National Forest system.<sup>10</sup> The Colville Reservation, too, had economic assets, particularly timber and agricultural acreage, that proved irresistibly alluring to speculators, settlers, entrepreneurs, and the state and federal governments. Not surprisingly, many Indian reservations in the "least desirable" areas of the country, such as the high Plains and the desert Southwest, escaped either the earlier process of allotment or the pressure to terminate their tribal status, or both.

The Colville Indian Reservation was established by an executive order under President U.S. Grant in 1872.<sup>11</sup> Eleven different Plateau bands were eventually assigned to it: Colville, San Poil, Nespelem, Lakes, Southern Okanogan, Entiat (or Chelan), Methow, Columbia (or Moses), Wenatchi, Palus, and Nez Perce.<sup>12</sup> The latter group, known as the Chief Joseph band of Nez Perce, were sent to the Colville Reservation after their years-long imprisonment in Oklahoma following Joseph's dramatic last stand against the United States cavalry in 1877. Chief Joseph died and was buried on the Colville Reservation in 1904.

Within months after the reservation's creation, the government reclaimed the eastern third of its original 4.5 million acres, which contained prime farmlands already occupied by non-Indians. The remaining lands were reduced by almost one-half in 1879, leaving the current 1.4-million-acre reservation. The rescinded North Half, as it is still called, contained valuable natural resources, including timber and gold, and soon became the Colville and Okanogan national forests. Allotment, the Homestead Act, and the construction of Grand Coulee and Chief Joseph dams on the Columbia River all took their toll on the tribal lands; through the years, the Colville Tribes have received little or no compensation for this steady erosion of their land and resource base.

The current tribal membership of about 7,500 people is governed by the Colville Business Council, which consists of fourteen council members serving two-year terms. The Colville Tribes today operate several business enterprises, run a culturally sensitive boarding school (formerly a Catholic mission school) for 175 Indian children, have their own fish hatchery, and enjoy a growing influence on local and state resource management. They also suffer the serious problems that seem endemic to the reservations, but they are working hard to find effective solutions. It is difficult today to believe that a short two decades ago, the Colville Confederated Tribes faced the chilling prospect of termination.

## THE TERMINATION BATTLE BEGINS

In a 1956 act of Congress, the Colville Tribes were ordered to submit to the secretary of the interior "proposed legislation providing for the termination of federal supervision." The same congressional legislation (Public Law 772) promised to restore 818,000 acres of ceded lands in the North Half to tribal ownership but only for the purpose of including the value of these lands in the tribes' liquidation of assets.<sup>13</sup> In other words, the tribes would not recover the ceded lands themselves but would receive a compensatory payment for the lands, and only upon termination. Again, as with the earlier allotment process, the government used the promise of compensation for the North Half to try to force the Colville Confederated Tribes to comply with the latest government policy.

The Business Council that was in place when Public Law 772 was passed was essentially antitermination; although the council members reluctantly agreed to submit a plan for termination, "the plans they made were directed toward keeping the reservation intact, to be operated by themselves as communally owned property."<sup>14</sup> Prior to this point, they had been concerned with many issues related to environmental use, sovereignty, and tribal rights. They had requested that a relocation program be established on the reservation to expand job training and educational opportunities for tribal members so that they would not have to rely on welfare. As the Business Council expressed it, "our people are desirous of becoming self-supporting, self-respecting, self-reliant and exclusive of any form of public assistance."<sup>15</sup>

Throughout this period, the Colville Tribes continued to forge alliances with regional and national pan-Indian organizations. In 1956, they joined the Affiliated Tribes of Northwest Indians, stating in a resolution that "the Business Council recognizes the fact that only through united efforts can the rights and the properties of the American Indians be protected."<sup>16</sup> The tribes were already members of the National Congress of American Indians, founded in 1944 when John Collier was still the commissioner of Indian affairs. Both NCAI and ATNWI were against termination. In another resolution describing the functions of ATNWI, the Business Council declared, "Many Indian leaders . . . will convene to bring about a recognized representation of American Indians to work against the extinguishment of Indian rights."<sup>17</sup> In 1958, the council specifically opposed termination,

arguing that "the American Indians must have an adequate land base if they are to continue to exist."<sup>18</sup>

Those tribal members—and their many non-Indian supporters—who did want some sort of termination plan claimed that the Business Council at this time did not represent the people. Ironically, the same charge was made by antiterminationists a few years later when the Business Council that was elected in 1964 supported termination. The struggle over termination split the Colville Tribes into several factions, with each group desperately trying to win over the tribal membership, the politicians, and the non-Indian public to its own way of thinking about the reservation and its assets. The belief that a sitting tribal council "does not represent the people" and the division of tribal members into competing and often bitter factions are both commonly experienced by Indian tribes throughout the United States and Canada as they struggle to manage their affairs. Issues pertaining to economic resources and tribal assets are particularly divisive, and factionalism is intensified when people perceive their resources to be finite, scarce, or shrinking.<sup>19</sup>

Noneconomic factors pertaining to identity and sovereignty also played a role in the termination debate on the Colville Reservation. Much of the pro-termination feeling was actually a revolt against the BIA rather than a specific desire to dissolve the Colville Confederated Tribes. The paternalistic arrangement (prior to the Indian Self-Determination Act in the 1970s) whereby the bureau managed everyone's money and tribal affairs was demoralizing, to say the least, and kept Indian people politically and economically dependent, helpless, and under control. And the many financial abuses and scandals that plague the BIA to this day were more than many tribal members could tolerate. To attribute all pro-termination views to individual greed or selfishness or lack of Indian identity, as antiterminationists did at the time and as some writers (such as Deloria and Lytle) have done in retrospect, is inaccurate, simplistic, and unfair.

According to Ross, the two major pro-termination organizations that formed on the reservation during this period were the Colville Indian Association (CIA), composed partly of members from an earlier organization of the same name, and the Colville Liquidation Promoters, started by the more radical members of the Colville Indian Association. The CIA was formed in 1956. In an early document, it strongly criticized the Business Council for allegedly squandering tribal resources, for spending too much

time and energy “organiz[ing] themselves with Indians of other tribes who are no concern of ours,” and for generally betraying the interests of tribal members.<sup>20</sup> The CIA declared its support for termination, writing that “the Association is organized for the sole purpose of bringing about an equitable settlement of the so-called Indian problem” by supporting legislation that would provide “each enrolled Indian with full citizenship rights by extinguishing the Federally created so-called tribal entity . . . .” Eventually, the CIA established chapters in all the towns on the reservation, as well as in Bremerton, Seattle, Spokane, Tacoma, and Portland.<sup>21</sup>

The Liquidation Promoters organized in 1963. Rather than boycotting Business Council elections as the association did in 1962, they ran for and won council positions in 1964, thereby gaining majority control over the Business Council and shifting the council from an antitermination stance to a pro-termination stance. The Liquidation Promoters were dissatisfied with what they believed were an ineffective tribal government and the lack of power and jurisdiction necessary for solving social and legal problems on the reservation. They saw state jurisdiction over tribal members and eventual termination of the reservation as the only feasible answers.<sup>22</sup>

A few years earlier, a report titled *An Analysis of Development Possibilities of the Colville Indian Reservation*, commissioned by the Business Council and issued by the Stanford Research Institute, argued that “the best course of action open to the Colville Reservation would be to liquidate their tribal assets rather than continue with any other plans for economic development.”<sup>23</sup> It estimated the tribal assets at \$30,000 per person, a seductive amount of money to many people.<sup>24</sup> Partly as a result of this study, the Liquidation Promoters came up with a termination plan that included a referendum of the tribal members, an appraisal of tribal assets, payments to members in either cash or land, and the sale of the reservation’s forests to the United States government. The plan also called for establishing some sort of corporation or trusteeship for tribal members who did not want to terminate.<sup>25</sup> The termination plan was introduced as United States Senate Bill 1442 by Senator Henry Jackson.<sup>26</sup>

The Colville Tribes soon dropped their memberships in the pan-Indian organizations that opposed termination. In 1964, they declined to participate in the annual meetings of the National Congress of American Indians and asked that the name *Colville*



*Confederated Tribes* not be included in any statements or legislation passed by the NCAI.<sup>27</sup> The next year, the Business Council, controlled at this time by members of the Liquidation Promoters, voted 7–6 in favor of termination.<sup>28</sup> It also passed a resolution to withdraw from the Affiliated Tribes of Northwest Indians and the Western Inter-tribal Coordinating Council, because these groups had “gone on record opposing S. 1442, the termination bill affecting the Colville Confederated Tribes, and expressed reasons for that opposition which are in direct conflict with the Constitution of the Colville Confederated Tribes.”<sup>29</sup>

The Business Council also asked that the state of Washington “take full and complete jurisdiction over the Colville Confederated Tribes of the State of Washington, their territory, reservation, country and lands.”<sup>30</sup> Later that year, the Business Council again voted for termination, giving the following justifications:

[T]he primary fundamental issue appears to be whether or not the tribal members regard continuance of the present tribal entity as a separate social and economic structure as being practical or desirable in the light of present day situations . . . . [The] geographic boundaries of the Colville Reservation have not maintained a distinct Indian society as such but, instead, the Indian owners of the reservation have intermingled both on and off the reservation with non-Indian neighbors and have become generally integrated with the larger society.<sup>31</sup>

The language in this tribal resolution mirrored the language presented to outsiders; it implied that “intermingling” with non-Indians had somehow diluted or weakened “Indianness” and tribal identity and therefore had invalidated any attempts to preserve the federal trust status of the Colville Tribes and reservation.

Amid this flurry of pro-termination activity on the reservation, there was one antitermination organization called the Petitioner’s Party, formed in 1956 the day Public Law 772 called for termination of the Colville Reservation. According to Ross, “Anti-termination sentiment was widespread” on the reservation, and 375 tribal members had signed an earlier petition opposing the section of Public Law 772 that required the Business Council to submit a plan for termination. The Petitioner’s Party, which wanted to maintain “federal supervision of the reservation and continue Bureau control over the Colville Confederated Tribes,”

counted 450 paying members between 1958 and 1960. Ross believes that the rapid decline of membership in the Petitioner's Party during the 1960s was partially due to the fact that they had to "contend with pro-termination factions who [had] been unlimited and unchallenged in their use of propaganda." Interestingly, most of the "direction and financial support" for the Petitioner's Party came from off the reservation, a situation that would work to the party's detriment, as I will explain.<sup>32</sup>

Articles in the Colville Tribes' newspaper, the *Tribal Tribune*, which began publishing in 1960, seem to indicate that more people favored termination than preservation. In September 1966, an opinion poll was mailed to all 2,523 adult tribal members, age twenty-one and over (twenty-one being the voting age prior to 1968), asking them to answer the following question: "Do you favor termination and liquidation of the tribal owned reservation assets at fair value with the proceeds distributed equally to the members of the Tribes?" Members could answer "yes," "no," or "no opinion."<sup>33</sup> By October 1966, 1,620 people had mailed in their ballots, a 64 percent return rate. The results of the survey were as follows: 1,168 (73.9 percent) voted yes; 412 (26.1 percent) voted no; and 40 had no opinion.<sup>34</sup> Among those who had voted, termination won a landslide victory.

These results thrilled those in favor of termination, who painted antiterminationists and their allies, including Indian Commissioner Philleo Nash (a professional anthropologist), as obstructionists standing in the way of progress. Antitermination organizations such as ATNWI and NCAI, and writers such as Vine Deloria, were attacked as "professional Indians" interested only in power and self-aggrandizement. Through a barrage of letters, hearings, telephone calls, and trips to Washington, D.C., Indian and non-Indian pro-termination groups convinced Senator Henry Jackson and Congressman Thomas Foley that termination was the best option for the Colville Tribes. These men then introduced termination bills in the House and the Senate. Those who opposed termination seemed to be fighting a doomed, uphill battle.

## THE BATTLE JOINED

Several major hearings were held by congressional subcommittees in both the House and the Senate, and the published transcripts of these hearings reveal the depth of feeling, even anguish,

experienced by tribal members on both sides of the issue. One of the most fascinating phenomena in these transcripts, in addition to the variety of arguments given both for and against termination, is both sides' manipulation of key symbols of ethnicity and identity. Charles F. Keyes has suggested that a group's most significant characteristics may become symbolic or emblematic of the entire ethnic identity of the group.<sup>35</sup> This process of choosing salient traits and then granting them symbolic importance in order to strengthen one's cause was a major part of the debate over Colville termination and became quite prominent during the congressional hearings.

David Reed Miller writes that "displays of symbols representing a group's identity become essential when the group perceives itself threatened or endangered."<sup>36</sup> This also can be true for competing factions within a group. Those tribal members on opposing sides of the termination question indeed felt threatened or endangered, whether as groups or as individuals, and they dramatically displayed to each other what they felt to be the most powerful symbols of identity. Each side tried to argue that it possessed the more valid Indian identity, but for different reasons. As the debate intensified and factionalism expanded, people began to categorize themselves and their opponents as either *traditional* or *modern*, a dichotomy that persists to the present day in some circumstances.<sup>37</sup>

There are, of course, inherent problems in the dichotomy between traditional and modern Indians. Any division of human beings and their complex activities and intents into (merely) two basic groups is bound to be vague and simplistic, with many exceptions and gray areas. But the use here of the categories *traditional* and *modern* is not intended to be an omniscient and objective classification on the part of the researcher; instead, it reflects the views of Colville tribal members themselves, as well as other parties involved in the Colville termination question. The salient fact is that both Indians and non-Indians, then as now, frequently used these very terms and categories to identify their opponents and themselves. They believed deeply that these categories had great meaning and import and were an accurate reflection of reality as they interpreted it. This is evident in their written and verbal testimony before Congress, in official pronouncements of the various termination or antitermination organizations, and in tribal documents.

To those who identified themselves as modern Indian people, the label *traditional* was an insult, hurled at their opponents to symbolize the latter's ignorance and backwardness. To be traditional in this case meant being uneducated, fearful of change, and desirous of going "back to the blanket." Traditional Indians, according to this view, must surely be blind to the many opportunities and benefits that awaited those who participated in the liquidation of the Colville Tribes and who bravely faced the future as independent, well-informed citizens. What modern person would prefer reservation welfare and tribal interference in one's personal affairs over a substantial cash payment and individual control of one's own destiny?

To those who took pride in being traditional and "Indian" (which, in the 1950s and 1960s, was often a difficult stance), the opportunistic individualism of modernity was precisely the reason to be against it! Traditionals, as they called themselves and were labeled by others, interpreted the desire to terminate the Colville Reservation as selling out one's ancestors and heritage and wanting to take the money and run. They were convinced that most pro-termination Indians lived off the reservation and had only a small degree of Indian blood and that this explained their lack of loyalty and reverence for the reservation way of life. Both traditionals and moderns believed that the other group was terribly shortsighted and unable to see what was best for individuals and the tribe.

Often great inconsistencies existed between these categories and the beliefs and activities of real people involved in the termination issue. For example, important antitermination individuals emerged from among both the moderns and the traditionals, as I will discuss later. But to the many factions struggling with the termination question, these categories were powerful, and their strength and tenacity continued to influence people's perceptions and behavior throughout the termination era.

An examination of some of the symbols of Indianness displayed during the battle over termination sheds light on how some tribal members viewed their individual and group identity, or, more accurately, how they presented this identity to the public. The pro-termination groups argued that being an Indian meant being free of government control, independent of BIA direction and financial support, in charge of one's own resources and future, and sharing equal rights and responsi-

bilities with non-Indian members of society. These qualities symbolized the "true" Indian and promoted a modern, competent, somewhat individualistic Indian identity that embraced equality rather than inferiority, entrepreneurship rather than communalism, self-reliance rather than dependency, and pride rather than self-degradation. Those against termination were accused of wanting to remain wards of the government and were mocked for being backward and hopelessly mired in an obsolete past.

The following passages from statements made at the 1965 Senate hearings on S. 1413—one version of the termination bill—illustrate the use of the above symbols of modern Indianness. A member of the pro-termination Colville Indian Association testified,

Certainly we all feel a sentimental attachment to our fishing and hunting rights. There comes a time in all our lives when we have to look at these things from a practical standpoint. To keep the Indians tied to these forests today is almost like telling them that they have to use the horse and buggy in the jet age. There have been some kinds of security for the Indians in the ownership of the reservation in the years gone by, but today most of the Indians are anxious to take their place in the competitive world.<sup>38</sup>

One member of the Colville Business Council at the time had this to say:

I know quite a few full-blooded Colville Indians who do not want to remain under this Federal ward status, and I do not believe they should be compelled to. I do not want to be a little nation within a nation. We would like to have this chance to plan our own future and this bill gives us that chance.<sup>39</sup>

In a letter supporting the termination bill, two tribal members wrote the following:

A vast number of the tribal members . . . desire to be relieved of government wardship over their lands and individual actions for the reason that said wardship handicaps them in their business dealings and deprives them of their freedom of action and the exercise of rights and privileges awarded and exercised by other American citizens.<sup>40</sup>

The above statements and letters emphasized entrance into modern mainstream society, becoming or acting like citizens, or replacing federal subsidy programs with individual initiative and enterprise. Support for treaty rights and reservation life generally was belittled as a “sentimental attachment.”

Other tribal members expressed anger at the implication sometimes made by antiterminationists that the reservation assets should not be liquidated because Indian people were somehow incompetent and not ready for termination. Said one person,

[I] have raised five children without help from what is actually their birthright. Two of them went to college and the other three are still in high school. We are capable of handling our responsibilities and resent any implication that we are incompetent.<sup>41</sup>

Another tribal member expressed the widespread bitterness over BIA paternalism and mismanagement of trust funds:

We have been under the BIA for over a hundred years, and in which time, a lot of our Indians died in poverty. And our reservation is one of the richest timber reservations in the Northwest. Therefore, if given a chance to terminate we could all make use of our moneys to develop and buy homes so that we may be independent. The BIA has had a chance to help develop our resources but have been dragging their feet until now . . . . But all they want is a perpetual hold over the Indians, and to hang onto their thrones to dictate to the Indians for another hundred years.<sup>42</sup>

All these examples demonstrate how certain characteristics—resourcefulness, desire for freedom, good citizenship, and so forth—can be selected as emblematic of an ethnic group and symbolically important in that group’s identity. In times of conflict, as Miller suggested, these symbols and their use by the group to further its cause are particularly prevalent.

The symbols of identity called forth by the antiterminationists probably had even greater emotional power and impact. According to the opponents of termination, the true Indian had strong emotional and historical ties to the land, lived on or near the reservation itself, believed in communalism and sharing of resources, and had the greatest percentage of Indian blood. These things were more concrete, more traditional, and more easily

proven or disproven than some of the abstract symbols presented by the pro-termination parties. The fact of living on the reservation was so symbolically important to antiterminationists that the Petitioner's Party, the only organization to oppose termination, lost much of its initial support because it was controlled by off-reservation tribal members and was therefore suspect.<sup>43</sup> Antitermination people did not want to be wards of the government, despite what their opponents said, but neither did they want to be flung suddenly into the sea of the larger American society, to sink or to swim.

A member of the Petitioner's Party and one of the six Business Council members who had voted against termination testified at the 1965 Senate hearings, expressing this antimelting pot conviction:

I am proud of being an Indian. Every drop of blood that courses [through] my veins is Indian blood. I am opposed to the conviction expressed by some Indians that all Americans should be alike; that conformity to a somewhat imaginary American norm is the best thing for everyone; and that discrete communities having customs, legal rights, and restrictions not common to all Americans must be dissolved as rapidly as possible. In its obvious brutal form, the argument is that Indians must be assimilated or integrated whether they like it or not.<sup>44</sup>

The symbolic importance of both blood degree and proximity to the reservation was expressed continually at the Senate hearings. Another antitermination member of the Business Council testified,

Our ancestors were right in predicting that the fractional blood Indians would create problems by greed for money and that there should have been a law that shares be determined only by the quantum of Indian blood of the tribe which entitles all Indians for enrollment. The people that live on the reservation and want to keep it intact should be the ones to make the major decisions on how the tribal assets and the future memberships should be handled for continued identity.<sup>45</sup>

As previously mentioned, the characteristics of real people often contradicted the stereotypes of those who supported termination and those who opposed it. Although the anti-

termination forces repeatedly made the accusation that most mixed-bloods and/or nonreservation Indians favored liquidation, much of the written testimony opposing termination came, in fact, from mixed-bloods and off-reservation tribal members, who often identified themselves as such in their letters. One person elegantly wrote, "I do not want termination or to sell my reservation. I am one-half Colville and one-half white but I like my Indian part best."<sup>46</sup>

Many tribal members wrote letters to the Senate expressing strong, historic ties to the land:

I want the committee to know that this land is the most important part of my life and the Indian people that live on it for existence and happiness. Termination has but one meaning to me and that is to part us from this land that is supposed to be ours forever by agreements made by your Government and Indian leaders. Owning this reservation gives me pride and the feeling of importance and respect. Losing my hunting and fishing rights along with land and my identity as a Colville Indian enrollee would be like stabbing me in the back. It would hurt that much.<sup>47</sup>

Another tribal member wrote,

My paternal grandfather fought against the U.S. Army with Chief Joseph in 1877 because he followed and adhered to a principle that Indians were entitled to live on their homeland which had been theirs since the beginning of time. My forebears never adopted convictions that conveyed any inkling that land was something that could be bartered in the common market. It was a sacred possession made available to them by the Creator.<sup>48</sup>

Several tribal members wrote about the sense of personal and economic security that the reservation brought them:

I'm against the termination, because when this bill ever goes through I will have no place to go. The only place I have now is the reservation where I can go fishing and hunting when I get hungry. I can cut my own wood whenever I run out of wood; sell some. My folks go out and dig roots, for my medicine and berries to eat. Now they are trying to take away my land and turn me lose [*sic*] into this cruel world I don't know anything about.<sup>49</sup>



A few members of the Colville Confederated Tribes kept their testimony short and sweet: "I oppose 1413 in its entirety. It is the most vicious legislation ever to be imposed on the American Indian. With no other group, would our lawmakers of the land support such a drastic bill."<sup>50</sup>

When the smoke finally dissipated, the Colville Confederated Tribes did not liquidate the reservation's assets nor terminate their federal trust relationship with the government. A growing antitermination movement in the late 1960s and early 1970s succeeded in regaining control over the Business Council. In 1967, the council voted 9-0 to send delegates to the Affiliated Tribes of Northwest Indians conference in Yakima, Washington,<sup>51</sup> and, in 1969, voted 10-0 to authorize the council to attend the National Congress of American Indians conference in Albuquerque.<sup>52</sup>

An important individual in the battle against termination was Lucy Covington, a Business Council member and the granddaughter of Chief Moses of the Columbia band. Covington served as the chairwoman of the Business Council during the early 1970s, and she and other antitermination council members such as Shirley Palmer and Mel Tonasket traveled frequently to Washington, D.C., to testify before Congress and to lobby against Colville termination. In a 1978 film about her life, Lucy Covington said, "Termination is something no Indian should ever dream about. It is like giving your eagle feather away."<sup>53</sup>

Prior to her involvement in politics, Covington considered herself a rather traditional person content to herd cattle on her land in the Colville Reservation back country. The prospect of termination inspired her to seek public life in order to help save the Colville Reservation and the tribe's federal trust status. She is an example of an antiterminationist who fits the stereotype of the traditional reservation Indian.<sup>54</sup>

A prominent antiterminationist who contradicts the stereotype is Dr. Paschal Sherman, a lawyer with a Ph.D. in constitutional history and an active member of the Petitioner's Party. In testimony before Congress, Sherman suggested including Indian reservations in the federal conservation programs, a progressive idea still alive today. He told the Congress that there should be "no consideration toward terminating Indian reservations until, for example, you are also going to terminate national parks and national forests."<sup>55</sup> The involvement of such diverse individuals on the same side of the issue illustrates

how difficult it is sometimes to classify the pro- and anti-termination players.

In 1971, the Colville Business Council voted on a resolution rejecting termination once and for all. The resolution stated that,

[although] previous Business Councils of the Colville Tribes have attempted to terminate the Colville Reservation . . . , the last two elections of the Colville Tribes have presented a clear mandate to the Colville Business Council to oppose termination as a concept and to prevent the termination of the Colville Confederated Tribes.<sup>56</sup>

This time, the vote was unanimous.

It is difficult to determine why the pro-termination plans of previous Business Councils foundered before the antitermination forces regained control of tribal affairs. All termination-related council resolutions have been included here; many of the key players in the struggle over termination are deceased, and their ideas and actions regarding the termination question are probably lost in the mists of history. Certainly, the fact that Indian Commissioner Nash was vehemently opposed to termination was a factor; he persisted in promoting economic development plans on the reservation even after the 1965 council voted in favor of liquidation, and the power of his federal office surely would have enabled him to "drag his feet" bureaucratically on the termination issue. A commissioner who was a strong proponent of termination might have succeeded in pushing the federal legislation through, in spite of the efforts of the growing opposition.

Another factor that may have disabled the Colville Tribes' plans for termination before they could be enacted was the fact that, by the late 1960s, the majority of Indian tribes and their national and regional organizations were overwhelmingly against the idea of termination. The Colville Tribes were battling over a question that, for most Indian communities, was already dead and no longer up for debate. The mood throughout Indian Country was decidedly antitermination by now, and the Colville Tribes had no support from other Indian tribes in the Northwest or elsewhere in the United States. Within this context, the Colville Business Council's shift away from liquidation and toward sovereignty was almost inevitable.

## EFFECTS ON TRIBAL IDENTITY AND SOVEREIGNTY

The battle over termination presented a challenge to the ability of the Colville Tribes to survive and function as a single entity vis-à-vis the non-Indian society. The latter had much to gain if the tribes failed to maintain some sort of unified identity—the valuable grazing and agricultural lands, even more valuable timber resources, and, in the case of the state and county governments, an enlarged tax base and the elimination of troublesome legal provisions that applied only to Indian tribes and reservations. The chambers of commerce of the little towns surrounding the reservation, whose opinion in the matter should not have been relevant, nevertheless sent letters to the Senate and the House urging passage of the termination bill, and the state of Washington lent its support to the liquidation of reservation assets. But even as the supporters of termination were closing in on the various financial and legal prizes that seemed to be within their reach, the Colville Tribes unexpectedly rallied, tapped into new-found reserves of tribal solidarity among members who had been silent for much of the battle, and elected council members opposed to termination, thus ending the termination debate.

Although some tribal members then had developed a more modern ethnic identity that led them to favor termination for a variety of reasons, other members tried to remain true to the more traditional values and customs still available to them. At first, this included avoiding the politics of the termination debate and refusing to participate in surveys, polls, public meetings, and so forth. Deloria and Lytle write that, for many Indian tribes, “during the termination policy years traditionals would not vote to accept or reject the provisions of the terminal legislation, nor would they discuss any scheme that would change the way that they were accustomed to doing things.”<sup>57</sup>

It is true that 36 percent of Colville tribal members did not return the 1966 ballot and that the 1,168 people who voted in favor of termination actually represented less than half (47 percent) of the total adult membership of the tribes. Deloria and Lytle add that the traditionals’ pattern of not participating in tribal elections and referenda almost “backfired on them.” They point out that the “failure of traditional people on the Colville Reservation . . . to participate in tribal affairs allowed a pro-termination tribal council to be elected for several years.”<sup>58</sup> In any event, when antitermination people, traditional or otherwise, finally did enter

the fray, they did so with sophistication and determination, presenting convincing testimony before Congress and their fellow tribal members, winning back a majority of the seats on the Business Council, and ultimately succeeding at preserving the reservation.

During the termination debate, natural resources—especially timber—and general economic conditions were crucially important factors in how the various parties identified themselves and sought to persuade others to join their cause. Pro-termination factions argued that development of reservation resources was too difficult, if not impossible, and that tribal members were more likely to benefit from their rightful shares of reservation assets through liquidation and cash settlements. These payments were estimated (by pro-terminationists) at anywhere between \$30,000 and \$50,000 per person,<sup>59</sup> and many people already had plans for spending their money on education, houses, and nest eggs for retirement. The hopeful letters sent to the Senate from individual tribal members describing the difficult economic conditions under which they lived were quite moving. One tribal member wrote, “Those of us who are older hope the liquidation is accomplished very speedily so that we may benefit from the money. Many of us are very poor and will be saved from a poverty stricken old age by the liquidation.”<sup>60</sup>

The antitermination forces, on the other hand, believed in bringing about economic development on the reservation in order to provide jobs, social programs, and per capita dividends. In a last-ditch effort to derail the termination movement, the earlier Business Council (prior to 1964), with the backing of Indian Commissioner Nash and the BIA, promoted the development of a sawmill near the town of Keller, as well as other forestry-related projects.<sup>61</sup>

The terminationists scoffed at this idea of economic development on the reservation, claiming it was one more example of intolerable BIA hegemony. Ruth Scofield complained that “it would have made the reservation practically permanent,” which was, of course, the antiterminationists’ reason for proposing it. As a white chamber of commerce member in a nearby town, Scofield also worried that “under the Bureau’s proposal the independent mills that buy most of their logs from the reservation would either go out of business or have greatly reduced operations.”<sup>62</sup> By *independent* she meant non-Indian. Clearly, local non-Indian businesses feared increased competition from the Colville Tribes and preferred that the Indians remain suppliers of raw materials only.

Those opposed to termination also wrote to Congress with heart-rending details of difficult lives. One person wrote, "We don't know what will happen when they turn us loose. I have no job now, due to the fact that I'm not educated enough. I used to go out and pick hops, now they have picking machines, which only takes two or three persons to operate. I used to work on the farm now I can't because the machinery took our place." This person went on to say that at least he could hunt and fish and meet his basic needs on the reservation.<sup>63</sup>

Competition over resources and material wealth highlights ethnic differences and helps to define and delineate one group from another. While much of the termination debate concerned questions of self-esteem, the legitimacy of the BIA and the Business Council, adherence to traditional customs, the role of future generations in tribal affairs, and so forth, there is no doubt that resource competition was the main event. Each side had plans for the tribal assets, and each believed that its opponents were trying to gain a material and economic advantage; antiterminationists accused the terminationists of wanting nothing but money and short-term gains, and the latter accused the antiterminationists of trying to hoard the reservation and its resources for themselves.

Both sides had their non-Indian allies as well; the terminationists were backed by many politicians, including the powerful Senator Jackson and Congressman Foley, local business people, members of the press, and the state of Washington. Those opposed to termination received support from the Indian commissioner, members of the clergy, social workers and educators, and the American Civil Liberties Union.

I do not mean to imply that the fight over termination was initiated by the Colville Tribes and then joined only later by opportunistic outsiders. Non-Indians in Congress and in the executive branch of the government bear the brunt of the responsibility for starting the process with House Concurrent Resolution 108 in 1953 (and other assimilationist policies that preceded it) and then cynically manipulating Indian people until they turned against each other. The fact that more than one hundred tribes and Indian communities actually were terminated proves how skillful the United States government was at dividing and conquering.

It is difficult to pinpoint the reasons why the Colville Tribes teetered for so long between the pro-termination and antitermination forces, and why they ultimately emerged with reservation and federal trust status intact. It is doubtful that large numbers of

tribal members experienced a change of heart about termination; the shifting balance of power in the Business Council resulted from dramatic changes in elected personnel, voted into office by people who had always been against liquidation, rather than by people who had reconsidered the termination question and then switched sides. After the antitermination council was seated, and especially after Congress passed the Self-Determination Act and ended termination as a government policy, the pro-termination forces retreated; but they did not necessarily change their minds.<sup>64</sup>

Communities and individuals have a tendency to rally to a cause when a certain "desperation threshold" appears, and Colville antiterminationists did just that when it looked as if they might actually lose the reservation and their tribal status. Key individuals emerged to lead and inspire them, and they were assisted by a sympathetic Indian commissioner and legally savvy organizations such as the ACLU. They also took up the fight against termination late in the policy's history, when the arguments for liquidation were growing weaker by the day and when most Indian tribes were campaigning for greater sovereignty. Indeed, for the Colville still to be considering the possibility of termination in 1970 was essentially anachronistic. All of these reasons—the imminent loss of the reservation, the effective leadership of specific individuals, the support of prominent and influential outsiders, the changing tide of government policy, the growing strength of the Indian self-determination movement, even the increasing fashionableness in popular culture of all things Indian—came together at a critical point in the Colville Tribes' history and brought about the political and philosophical defeat of the terminationists.

Looking back on these events with the benefit of hindsight, I believe that, despite the bitterness and hard feelings generated by the termination debacle, the whole traumatic episode ultimately strengthened the ethnic identity and solidarity of the Colville Tribes and fueled their desire for greater tribal sovereignty. Termination was a trial-by-fire that at first threatened to split the tribes in two; but they recovered quickly and got on with the business of rebuilding their land base, developing natural resources, and assuming more control over political and social institutions on the reservation under Public Law 93-638, the Indian Self-Determination and Education Assistance Act of 1975. They even officially expressed their support for other tribes' rights, encouraging the tiny Kootenai tribe's

(successful) bid in 1974 to establish a reservation in northern Idaho and supporting the Menominee Restoration Act, stating in a tribal resolution that "the pathetic conditions on the Menominee Reservation are the direct result of termination legislation as the once proud Menominee Indian Tribe were self-sufficient and are currently living in poverty, landless, in cultural shock and denied any aspects of self-determination."<sup>65</sup> As they entered the 1990s, the Colville Tribes were managing an annual budget of \$30 million.

But the brush with termination is not forgotten; the experience of nearly losing the reservation and liquidating its assets, along with the pain and trauma of the internal strife it once caused, have now become an inextricable part of the Colville's unique history and identity; they have become "primordialized," as Ronald Trosper describes it, as inherent a characteristic of Colville identity as ancestry and blood degree.<sup>66</sup> To this day, the termination era still is mentioned in occasional tribal resolutions, in public speeches by tribal members, even at Indian powwows at various times of the year.

In the summer of 1989, longtime council chairman Mel Tonasket retired. At a speech given to the hundreds of people who attended his retirement party, Tonasket, elected to the Business Council on an antitermination platform in 1969 and later president of the National Congress of American Indians, talked about his involvement in the tribes' "greatest political battle," which ultimately "put an end to the dreaded 'termination era.'"<sup>67</sup> Even in the middle of a gala celebration on a summer day twenty years later, the battle over termination loomed large in the memory of this tribal leader and those who listened to his words. Keeping the memory of the termination experience alive a generation later enhances tribal solidarity and identity by creating a "never again" stance toward the liquidation of reservation resources; it indicates, too, that, for the Colville Confederated Tribes today, sovereignty over tribal affairs is the only legitimate path to follow.

#### NOTES

1. Russel Lawrence Barsh, "Progressive Era Bureaucrats and the Unity of Twentieth-Century Indian Policy," *American Indian Quarterly* (Winter 1991): 1.
2. Ibid.

3. Elizabeth S. Grobsmith and Beth R. Ritter, "The Ponca Tribe of Nebraska: The Process of Restoration of a Federally Terminated Tribe," *Human Organization* 51:1 (1992): 1.

4. *Ibid.*, 3. For a thorough treatment of the Menominee termination and restoration experience, see Nicholas C. Peroff, *Menominee Drums: Tribal Termination and Restoration, 1954-1974* (Norman, OK: University of Oklahoma Press, 1982).

5. Grobsmith and Ritter, "Ponca Tribe," 1-3.

6. Christine Connor, "Catawba Indians at Crossroads" (Appleton, WI) *Post-Crescent*, 12 October 1993.

7. The full references for these sources are as follows: Vine Deloria, Jr., *Custer Died for Your Sins: An Indian Manifesto* (Norman, OK: University of Oklahoma Press, 1988), 72-76; John Alan Ross, "Factionalism on the Colville Reservation" (Master's thesis, Washington State University, 1967); Vine Deloria, Jr. and Clifford Lytle, *The Nations Within: The Past and Future of American Indian Sovereignty* (New York: Pantheon, 1984), 232-33; and Ruth Scofield, *Behind the Buckskin Curtain* (Seattle: Seattle Pacific College). The publication by Ruth Scofield is available at the Washington State University library.

8. Robert F. Berkhofer, Jr. has written widely of the political dimensions of history, including American Indian history. Especially relevant here are his works "The Political Context of a New Indian History" in *The American Indian: Essays from the Pacific Historical Review*, ed. Norris Hundley, Jr. (Santa Barbara, CA: University of California Press, 1974); and *White Man's Indian: Images of the American Indian from Columbus to the Present* (New York: Knopf, 1978.) In his foreword to the edited volume above, Vine Deloria states that he is "troubled" by Berkhofer's article, because it assumes that American history has been "adequately" written but simply needs an Indian perspective; I, however, do not agree that Berkhofer makes this assumption.

9. Christine Bolt, *American Indian Policy and American Reform: Case Studies of the Campaign to Assimilate the American Indians* (London: Allen and Unwin, 1987), 135.

10. Grobsmith and Ritter, "Ponca Tribe," 3.

11. Congress ended the federal government's ability to make treaties with Indian tribes in 1871. However, the president still could establish reservations by executive order, a sort of "treaty substitute" legislation that has resulted in the creation of numerous reservations from 1871 to the present.

12. Several of these bands have different spellings in the literature. I have used the spellings preferred by the Colville Confederated Tribes. For convenience, the tribes often refer to themselves as simply the Colville or the Colville Tribes, unless it is necessary to differentiate the bands.

13. Sister Maria Ilma Raufer, *Black Robes and Indians on the Last Frontier: A Story of Heroism* (Milwaukee, WI: Bruce Publishing Company, 1966), 451.

14. Scofield, *Buckskin Curtain*, 181.

15. Colville Business Council, tribal resolution 1955-35, Nespelem, Washington. This and all other resolutions passed by the Colville Business Council are kept in the Tribal Archives and Records at the tribal headquarters in Nespelem, Washington. In subsequent notes, tribal resolutions will be abbreviated as T.R.

16. Colville Business Council, T.R. 1956-207.

17. Colville Business Council, T.R. 1956-208.

18. Colville Business Council, T.R. 1958-7.



19. Relevant here is the concept of "the idea of limited good," described by George M. Foster in his many works about Latin American peasant societies. To poor communities, all resources, even intangible things like love, respect, and prestige, are perceived to be in very limited supply.
20. Ross, *Factionalism*, 83-85.
21. *Ibid.*, 86.
22. *Ibid.*, 89-92.
23. *Ibid.*, 87.
24. Scofield, *Buckskin Curtain*, 196.
25. *Ibid.*, 189.
26. *Ibid.*, 171.
27. Colville Business Council, T.R. 1964-272.
28. Colville Business Council, T.R. 1965-1.
29. Colville Business Council, T.R. 1965-2.
30. Colville Business Council, T.R. 1965-5.
31. Colville Business Council, T.R. 1965-256.
32. Ross, *Factionalism*, 92-93.
33. "Opinion Poll Due Soon: All Urged to Reply," *Tribal Tribune*, 26 September 1966.
34. "Opinion Polls Are Returned," *Tribal Tribune*, 31 October 1966.
35. Charles F. Keyes, "The Dialectics of Ethnic Change," in *Ethnic Change*, ed. Charles F. Keyes (Seattle: University of Washington Press, 1981), 8-9.
36. David Reed Miller, "Shared Reservations: The Contest of Representations," *Journal of Ethnic Studies* 17:3 (1989): 123.
37. For example, at contemporary Indian events such as regional conferences or powwows, speakers make numerous references to "our traditional Indians" or "our traditional elders," or, conversely, "our modern ways" and "modern practices."
38. United States Senate, *Colville Termination*, hearings before the Subcommittee on Indian Affairs on S. 1413, 89th Cong., 1st sess., 5-6 April 1965, 71.
39. *Ibid.*, 78.
40. *Ibid.*, 201.
41. *Ibid.*, 220.
42. *Ibid.*, 199.
43. Ross, *Factionalism*, 93.
44. U.S. Senate, *Colville Termination*, 142.
45. *Ibid.*, 90.
46. *Ibid.*, 235.
47. *Ibid.*, 142.
48. *Ibid.*, 230.
49. *Ibid.*, 237.
50. *Ibid.*, 245.
51. Colville Business Council, T.R. 1967-342.
52. Colville Business Council, T.R. 1969-376.
53. *Lucy Covington: Native American Indian*, Encyclopaedia Britannica Education Corporation, 1978. Film.
54. *Ibid.*
55. U.S. Senate, *Colville Termination*, 149-50.
56. Colville Business Council, T.R. 1971-470.
57. Deloria and Lytle, *Nations Within*, 232.
58. *Ibid.*

59. U.S. Senate, *Colville Termination*, 187.
60. *Ibid.*, 201.
61. Scofield, *Buckskin Curtain*, 191.
62. *Ibid.*
63. U.S. Senate, *Colville Termination*, 236.
64. See Scofield, *Buckskin Curtain*, for a bitter denouncement of the anti-termination Business Council.
65. Colville Business Council, tribal resolutions 1974-642 and 1973-795, respectively.
66. Ronald Trosper, "American Indian Nationalism and Frontier Expansion," in *Ethnic Change*, 247.
67. "Tribal Council Reorganizes; Tonasket Retires, Says So Long," *Tribal Tribune*, 1 August 1989.