

**MARVIN GRANGER:** This is Marvin Granger with Gerald Vizenor. Mr. Vizenor is a journalist and poet, a man who has been spending a large part of the last two years looking into the case of Thomas James White Hawk, a young South Dakota Indian who was convicted of murdering James Yeado, a Vermillion jeweler.

And Mr. White Hawk has spent most of the last two years sitting in jail waiting to hear whether he will live or die. He was sentenced to death. And there have been decisions by judges, by boards, and soon by the South Dakota Supreme Court concerning his fate.

Gerald, the case of Thomas White Hawk is of interest because it is a capital punishment case. It would be automatically interesting for that reason. Why have you as an individual spent so much of your energy and time on this? And have you been doing so as a journalist primarily or as an aide to this young man?

**GERALD VIZENOR:** The answer to the first question is Indian identity. I bring my own portion of Indian identity to that. And I both empathetically and unconsciously feel some of the same questions that people have brought to bear on racism and inequity and injustice for American Indians.

It's almost a cliché to say that an Indian today does not experience any justice in courts. Obviously people in South Dakota would disagree because they're very proud of their technical courts.

**MARVIN GRANGER:** Well, people in Minnesota would disagree too. I'm sure. Why should they not disagree with that statement?

**GERALD VIZENOR:** Well--

**MARVIN GRANGER:** You've had experiences they haven't had by and large.

**GERALD VIZENOR:** I know of no state that has any statutory or common law which is based upon Indian experience. All of the laws are based upon white dominant Christian experience.

**MARVIN GRANGER:** And when I talked to Joyce Hughes, the black attorney in downtown Minneapolis, she told me the same thing about the black citizen of this country, that the laws are made by white people, essentially that they are made to govern white behavior.

Could you elaborate on, well, Indian identity for one thing and how the laws and the system of law serves the white majority and does not serve or actually does harm to the Indian?

**GERALD VIZENOR:** It's not that the Indian is any peculiar being in the world. It can be said that if white people in this nation were a minority, they would have the same problems I think.

I couldn't say I might like to dream that Indians have a greater sense of justice, but I doubt it. Indians are men, and men have certain experiences. If we take credit for having a nation of just courts and reasonable men, than we must pursue and expect nothing short of ideals in courts. And those courts should reflect the experiences of the people that have come through the court.

And largely, they don't. The courts certainly reflect the experiences of white people apart from the law of statutory and common law being based upon them. For example, a white man coming in who has certain responsibilities recognized within the community will likely have his sentence adjusted so that he might continue to serve the community because he's responsible to it.

An Indian coming in with the same kind of an offense would not be treated the same way. His experiences aren't appreciated in courts. I don't think judges or lawyers understand at all the unconscious and conscious conflicts of identity between Indian and white.

And they can't appreciate the kind of experiences that a man charged, particularly, in the case of White Hawk, with such a serious crime. They can't appreciate the conflicts which are reflected in the crime itself.

**MARVIN GRANGER:** Are we talking about power here when you say the interests of an Indian or the interests of a white man who serves the community might be taken into consideration by the court? Isn't it because he and his people, so to speak, have some influence or some power that the court has to recognize, has to deal with?

**GERALD VIZENOR:** Yes. And they're-- well, the Indian has no position of power at all. He can't come into any institution, including courts, with any sense of power at all, any sense of representation.

And I-- and other men can hire a good attorney, a fluent man, and come into a court with a certain sense of power and security. Look how long it takes to find powerful men guilty of anything in this nation.

**MARVIN GRANGER:** Well, Indians have been citizens of this country for what? Something over 40 years. Isn't that right?

**GERALD VIZENOR:** In 1924 or something like that.

**MARVIN GRANGER:** And that was a kind of a formal declaration on the part of the federal government, making them citizens. Have they been extended their citizenship in any sense other than formally speaking from your experience as a student of their life and also your own personal experience?

**GERALD VIZENOR:** Not in my judgment. I can't speak for anything beyond the last 10 years that I think I've paid intense attention. I would like to think that my experiences aren't too much different from 100 years ago. But I don't see any advantage at all of citizenship. In fact, it seems to me to be a distinct disadvantage.

**MARVIN GRANGER:** Could we then relate that conclusion on your part to the specific case of Thomas White Hawk? I recall certain things that stuck clearly in my mind that he was the first man in something like 20 years to be sentenced to death in South Dakota, that another man not very long before had been given life imprisonment I believe for a double murder in South Dakota, that he was--

**GERALD VIZENOR:** Most recently, the Little Brave case in South Dakota, and Indian was shot by a white rancher. And he was exonerated from any felony since there have been new hearings in the court. But the coroner's jury have found no criminal causes. But that's an example of a white man killing an Indian.

And I don't know the circumstances of calling it cold blood, or whether it was insanity questions, or what. But the death itself and he's exonerated, at least at this point he is. I believe some things have changed recently. He's on bail now pending preliminary hearings. But had that been reversed, that is an Indian, if that Indian had killed that white rancher, it would be a fairy tale to believe that an Indian would ever be exonerated on a coroner's jury.

**MARVIN  
GRANGER:**

Can we substantiate from the facts of the White Hawk case the charge of racism that you make and that you, I'm sure, have good reasons for making? He was determined to have been sane, able to stand trial in a very short time I recall.

Could you review for the benefit of our audience-- I'm sure you've reviewed this many times in many different ways, could you review for the benefit of our listeners who are not that familiar with the case what happened to him up and through his trial?

**GERALD  
VIZENOR:**

Well, the offense occurred on Good Friday 1967 March. And he was arrested that same day and gave a number of confessions, and was arraigned and charged with various complaints of murder, premeditated first degree or-- not first degree, but there are a number of elements of murder. And the information continually changed until a trial finally was held or a trial was scheduled.

Up to that point, White Hawk was represented by Lee McCarron, a young attorney in Vermillion, who had also represented White Hawk several months earlier on a car theft-- federal car theft charge, and succeeded in having White Hawk placed on probation.

He represented White Hawk up to the-- after the sentencing when-- then he chose Douglas Hall of Minneapolis to represent him. But White Hawk changed his plea the day the trial was to begin from not guilty by reason of insanity to guilty.

My judgment, an act of suicide. A lot of other very complex reasons which I don't think anyone will ever be certain about. But if we can talk as if we can understand some things that might go through a man's mind, he certainly didn't want to drag in all kinds of people to talk about his past, which was troublesome enough to deal with himself.

He didn't want to sit and listen to things that he felt a great sense of guilt about and conflict about. In a sense, probably, with too much honor, as I see it, he was protecting people too, protecting very serious things around him. People who had their own level of sickness. Clerical people and guardian-type people, people showing to the public a great interest in this young Indian man who had a great deal of sickness themselves.

And that reflects, in a sense, some racism, that they feel they want to change someone. They want to make someone good. They want to make someone better than they are. They want someone to fulfill their own dream, the American dream, which has really never been very true for Americans, white, let alone ever being true for black or Indian.

**MARVIN  
GRANGER:**

White Hawk was sort of a good mark for that kind of thing being a handsome--

**GERALD  
VIZENOR:**

And being an orphan.

**MARVIN** Yes.

**GRANGER:**

**GERALD** They had a lot of liberty to experiment with him to make him something big and great.

**VIZENOR:**

**MARVIN** He was athletic and had all the right--

**GRANGER:**

**GERALD** Tremendous narcissism. They taught him and reinforced it with athletic prowess. Well, anyway, he changed his plea and made some efforts to explain to the court, which hurts to think about, to think that he really made an effort to understand what was happening to him in terms of the offense and trying to understand why he did it.

**VIZENOR:**

And how foolish of people to believe that a man can understand why he did such a terrible crime. If you were a member of the mafia and it were a contract, all right, he knows why he did it. But how could anyone explain an act like that?

Every day, we do little rude things that we can hardly explain, let alone to place the burden upon an Indian to explain that offense. And he made an effort to do that. And the judge, in my judgment, paid little attention to that. In fact, I think he disbelieved it.

From my talk with Judge Bandy, who was the sentencing judge, he had no understanding at all of White Hawk's mind, at all. He was proud to show a letter that the superintendent of the state hospital who examined White Hawk said he was of sound mind and could stand trial and understood the consequences of his act.

**MARVIN** And that was based on just a couple of hours of being with him--

**GRANGER:**

**GERALD** In the beginning, and then he had gone back for a two-week period. So there was a further examination. But Bandy felt a great burden to show this letter because this somehow was his support, certainly indicating to me that he didn't understand White Hawk at all. He made no effort to. He paid little attention to some of the things that White Hawk had to say, and merely went through the technicalities.

**VIZENOR:**

**MARVIN** Well, White Hawk had been friends with the victim of this crime. Isn't that correct? I mean, there is evidence that he had had a friendly relationship with Mr. Yeado.

**GRANGER:**

**GERALD** Yes. I don't think there was anything intimate. He had purchased a ring there. There's still a number of unanswered things about whether they had an argument about it. And as far as I know to this moment, White Hawk had no-- nothing, but perhaps ordinary annoyance if at best with maybe being dissatisfied.

**VIZENOR:**

I mean, there were some rumors that he wanted to take the ring back because the engagement was broken off. But that really hasn't been substantiated at all. And there was no bitterness. There was a friendliness.

And Yeado-- Mr. Yeado was very affectionate toward-- I mean, affectionate in a warmth of Tom's girlfriend. And she had worked in the restaurant nearby, where Mr. Yeado came in to have coffee. And he liked both of them.

And the thing that troubles me in talking like this, it troubled me very much in South Dakota when I was doing research on that pamphlet, was trying to talk to people about the situation to put together as many facts as possible.

And there was so much hype hostility toward me particularly, but toward the hole situation that you just shouldn't look anymore. And there was a feeling among many people in vermilion, very strong, in fact, violent feeling that you're just out to make Yeado a bad man to justify the crime. And in no way I am. It's a horrible crime.

And as Yeado's best friend said that he, in fact, lived right across the street from the jail where Tom was held for many months. And he admitted thinking about killing him every day.

And I think that is a perfectly reasonable thought to have. It's a good thing we have laws to prevent that, but I would feel the same way. It wouldn't be a racist position, but if someone close to me were killed and in such a violent way, I would feel tremendous rage.

But I'd also want a judicial system to protect me and the person who committed the crime so that I wouldn't carry out blood feuds. I doubt if I would, but we can't predict that kind of a strong emotion.

But people who were not that close to Mr. Yeado, who had identify racially and symbolically with a man who's dead have no reason-- no reasonableness about their hatred and violence toward White Hawk.

As Bandy said, it's the most violent crime he's ever seen in the State of South Dakota. Violence is very subtle sometimes. I think the violence toward Indians in the courts in South Dakota is far more destructive culturally, and socially, and more long-lasting than one individual crime.

**MARVIN GRANGER:** You mentioned that White Hawk was an orphan. He had gone to white schools. He had been raised in a white society. He had had white guardians. Hadn't he most all of his life?

**GERALD VIZENOR:** Mm-hmm.

**MARVIN GRANGER:** Could you explain a bit more in your own terms, and I'm asking you for your thinking on this, how the system of white justice, if we can call it that, the white man's system of justice is contrary to the interests of a person like Tom White Hawk?

**GERALD VIZENOR:** Indian society has been so fragmented. And there's such a mistake to think of Indians in terms of a national, or national culture, or society. Most white Americans think of Indian-- the word Indian, of course, is an invention to begin with.

They think of Indians as being nationally kind of a homogeneous group with tremendous diversity as many as-- it would be the same mistake to refer to all people living on the continent of Europe as Europeans in the same sense, that they all have the same sense of justice and similar behavior and you rationalize--

**MARVIN GRANGER:** Americans do that too, by the way.

**GERALD** Yeah. There are European minorities here who wish to reinforce their own ethnic identity. [? They ?] resent that  
**VIZENOR:** as much too. So it's very difficult to generalize, but I'm going to go ahead anyway because we're stuck linguistically with some bad situations.

**MARVIN** Well, you and I don't have an awful lot in common with George Wallace, or even Ronald Reagan for that matter. I  
**GRANGER:** mean, if we want to talk about cultural diversity within the United States as a tremendous-- yet we're all Americans. Would you continue? I'm sorry.

**GERALD** Oh, about us all being Americans or about--  
**VIZENOR:**

**MARVIN** No.  
**GRANGER:**

**GERALD** Where I was?  
**VIZENOR:**

**MARVIN** The discrepancy between the white man's system of justice and the Indian. You were mentioning the diversity in  
**GRANGER:** the-- of Indian societies or of cultures in this country.

**GERALD** Well, you can talk socially, and culturally, and in terms of past sanctions, and present sanctions. You can talk  
**VIZENOR:** about federal, state, and local jurisdiction. And in the midst of all this, you can talk about one individual's identity, whether he lives on a reservation and feels a culturally and socially identified tribal with his reservation, which is a geographical thing and maybe may not be a social or economic thing, or whether he lives in a white community and identifies with a more complex sense of being an Indian.

Very complex circumstances in what happens when a man ends up in a white court. And also, the courts very-- courts near reservations-- or not near them, and maybe judges who don't have much experience with Indians might find it quite exciting a new case.

And I'm pretty sure if an attorney is coming in, and he gets turned on, and really pays attention, and maybe has a fresh view, and he believes some of the things that men have said about racism may act with a great sense of Justice.

Certainly is a derogatory attitude toward Indians among people who have lived near Indians for a long time. And I can't explain all those reasons. I just know that that's where you find the most intense racism.

And I think basically it's a conflict-- a economic, and geographic conflict, and religious. There just is simply a sense of superiority of white people. And being so close to Indians who have been deprived of so many ordinary experiences of dominant people are disrespected for that.

**MARVIN** I've often wondered about that same thing that you just mentioned about what the reasons may be that make  
**GRANGER:** that so deep and so-- I mean, people who express those attitudes very openly, I think, are often at a loss to explain why.

They'll even admit that they hate all of them, but they won't be able-- legitimately be able, I think, to state just why. Does it have anything to do, in your mind, with the progressive society that this country is?

There are a lot of white people in this country that have questions about that. But that does seem to run headlong, doesn't it, into the-- well, I'll use a characteristic Indian view, that I think Saul [? Tacks ?] was the source for this example of the balance of man, nature, and God, which Professor [? Tack ?] says he sees in a great many Indian conceptions of man's relationship to his environment, that this is a more balanced relationship.

And [? Tacks ?] made the remark, this was at the University of Minnesota last fall, that there was a great deal for white American society to learn from that conception because the idea of endless progress was not endless and that it was going to catch up with us.

Now, that-- I use that as an example of what might be a kind of clash that takes place--

**GERALD** Which is religious basically.

**VIZENOR:**

**MARVIN** Yeah.

**GRANGER:**

**GERALD** Well, I was going to say that I probably the greatest conflict that grows out of the mythology. The mythology that  
**VIZENOR:** white people have created about Indians, who Indians are. They've invented Indians for their own pastime-- for their own mythological purposes.

And they dip into the mythological pool occasionally in various ways, for advertising, for classroom use, for political purposes. We all know that for a couple of hundred years, politicians who want to be identified as great humanitarians always are seen shaking hands with an Indian in full headdress around election time. Indians are safe politically unless you're in very heavily populated Indian areas.

**MARVIN** For the benefit of those of us who might hold some of those characteristics in our heads, who might subscribe  
**GRANGER:** consciously or unconsciously to that mythology, could you paint for us a picture of the Indian as he is seen by--

**GERALD** Well, there's a very--

**VIZENOR:**

**MARVIN** --the majority?

**GRANGER:**

**GERALD** I have three categories. There are many more, but three general categories. The very noble, wise, quiet, stoic  
**VIZENOR:** Indian, the type portrayed on the back of a nickel, the person who's quoted maybe by politicians and academic people. And then the buffoon, the stupid Indian, the cultural humor, the Indian portrayed with a large nose and one feather out of his head, and drooling or doing something foolish.

And then the savage Indian, the creation of the spooky, dark, unknown, unpredictable, savage person, who shows no signs of it and will just attack you. And all three of those categories are reinforced continually in advertising, public media, particularly in public media. It's always a discussion of the noble Indian, the proud Indian.

**MARVIN** Where in the world did it come from?

**GRANGER:**

**GERALD VIZENOR:** Well. I think the early traders, British and French, and the early settlers created the two images of-- the two categories, one the savage and the fool. And I think a hard drinking woodsman would probably invent an image or come upon an image of an Indian being a fool when they feed him liquor.

Not having that intoxicant in his own social and cultural environment, he would look foolish. And that would easily be reinforced, that he isn't a man, that he can't drink like us white men. The other image of the savage is popularized, popularized in a great deal of popular literature of the early settlers.

**MARVIN GRANGER:** I saw you on television recently on Channel 2, I think, talking about the television ad. I had not seen that television-- an ad for a television set before I heard you talk about it. And then I looked for it afterward.

**GERALD VIZENOR:** I haven't seen it since either.

**MARVIN GRANGER:** It was blatant. It really was.

**GERALD VIZENOR:** Well, white people don't see that, though. And that's what's such an irony is that if you could assign every white person to spend one day just paying attention to his environment to where-- to all the places and situations where an Indian symbol or reference to an Indian is used, he might understand what a complex problem it is for an Indian human being to [INAUDIBLE].

**MARVIN GRANGER:** Well, some of those things seem innocent to me. For example, I tend not to associate anything worse with Apache Plaza than I do with Scotch Tape. I don't-- I don't see what's wrong with that necessarily.

But I do see the television ad I referred to, for example, where there is a band of Indians chasing this white girl on a horse across the countryside. And finally, catching up with her.

And then the ad stops, and it's left to the viewer's imagination what happens to the poor thing. And that plays, I would think, directly on at least one of those stereotypes of the Indian that you mentioned. It was trying to bring that kind of thing out of the viewing audience.

**GERALD VIZENOR:** I think all forms are equally as bad simply because while the Indian has been denied everything that he was and what little remains of a functioning social structure as he knew it, he's been systematically denied his religion, language, systematically designed by a racist institutional government, systematically, not just by accident, not just by the conflicts of a few white settlers and a few Indians who resist, but a systematic denial of what Indians were.

Now then, while that's going on, and still is, in a sense, it's much more subtle now. And it hasn't been successful, though, it's just confused a great many people. Indians still identify as Indians.

But imagine how complex and difficult it is to identify as an Indian when around you are so many stereotype creations, even that Indians create and that Indians reinforce stereotypes themselves.



The easiest way to make it in the white world is to allow yourself to be used by the stereotype people to-- things that-- you're allowed entrance into the dominant society with a certain economic security by being agreeable to things that white people have created about you. If you constantly contradict, your suspect then. You must be militant I suppose.

But this is-- but it's cultural genocide, a terrible crime. And now, there is nothing innocent anymore. Nothing is innocent when it's used about an Indian. Nothing. You can't innocently refer to an Indian even in advertising.

Because if this dominant society has denied all those things in a cultural genocide, now it expects everyone to look at these little things innocently. We'll just use these names, like Apache Plaza and Lake Hiawatha.

And this is fun and this is the National pastime. And we all love it, and so do Indians. People will say, well, have the Hiawatha pageant and all this crap. Real cultural deprivation on the part of white people who have to suck up all kinds of other people's culture in order to define their own.

**MARVIN GRANGER:** Has there ever been a policy at the federal level or at any local level in this country that was other than what you've just described?

**GERALD VIZENOR:** There have been a great many efforts in many groups. Quakers have been outstanding in trying to correct both bizarre and dehumanizing federal policy. We've tried to make great efforts, but-- well, I'm giving an example.

I'm very impressed with Mondale's efforts in this, Senator Mondale's efforts in the subcommittee on Indian Education. Exhaustive testimony, and trips-- field trips, and visual, and testimony experiences on the-- what's happened in Indian Education.

And the fact that over 100 years of federal-Indian policy in education, there is only two schools run by Indians today, after 100 years. And yet, this has been the stated policy to develop responsibility.

It's said, by the bureaucrats, they need to just take over their own thing and we can phase ourselves out of business. Well, we know better than that as Americans, that no federal bureaucracy ever fazes itself out of a business. The farmers know that very well. Let a little help in, and they end up having no power.

I'm very impressed with all of this. It's a lot of work and a lot of energy. And it'll make a huge volume of indictments of both racism, and bureaucratic incompetence, and the failure of a government, really a dramatic failure of a government to do anything for anyone.

And they have Indians isolated. White people have isolated Indians and can experiment with them. And even at that, controlling the environment, this government has failed. And yet, we pursue great ends-- great ideal ends all over the world, that we're going to help people. We can't even do anything for an isolated group of a few thousand Indians on one reservation sensibly or even humanly.

**MARVIN GRANGER:** You mentioned that there were only two schools for Indians in this country that were being run by Indians. I don't want to ask you to rehash the whole history of the Bureau of Indian Affairs.

But last fall in that same lecture series that Saul [? Tacks ?] spoke at. A young man named Carmack, I believe, from the Bureau of Indian Affairs talked about-- proposed a kind of federal Indian partnership, in which the Federal Bureau would be on tap for Indian Communities to draw on their professional services as the Indian communities wanted to. In other words, this would be a kind of a service available to them. Is that at all in line with what you are suggesting in terms of local autonomy?

And I would like to have you talk about the question of Indian separatism and autonomy in this country. Is that really the solution to the kind of patronizing programs that the government has administered in the past? There are several questions there. You can sort them off.

**GERALD** Take the one I want?

**VIZENOR:**

**MARVIN** Yeah.

**GRANGER:**

**GERALD** Can I redefine a number of them?

**VIZENOR:**

**MARVIN** Right.

**GRANGER:**

**GERALD** Well, I don't have any faith for the--

**VIZENOR:**

**MARVIN** Is there any hope for the federal government?

**GRANGER:**

**GERALD** No. Can we go to the next question? No, I don't see any hope in the Bureau of Indian Affairs. That's got to be the classic. I hope someday for sociologists and anthropologists the Bureau of Indian Affairs, along with the Department of Agriculture, will be the classic government bureaucracies to analyze in terms of their inefficiencies, inadequacies and total failure, in particularly the Bureau of Indian Affairs. And it's got to be the classic bureaucracy of a government institution of racism.

**MARVIN** Is it a lack of knowledge as to what to do, a lack of wisdom, a lack of mandate or funding from the congress?

**GRANGER:** What is the reason for this history of colossal failure on the part of this bureau?

**GERALD** Well, I've never been too impressed with many career bureaucrats, but I don't think I could indict all of them for that reason. But it's kind of hard to feel original when you work in such a complicated bureaucratic structure. If you come in with fresh ideas, you won't last long. You'll have to-- have to join the rank of tenure and wait for retirement.

Certainly funding has been a problem. But recently with poverty program, there have been more funds available. And somehow, the Bureau of Indian Affairs is in the middle now.

They've been around so long that bureaucracies hate to step on other bureaucracy's toes if they want to do something. So somehow, now you have to accommodate the feelings of the Bureau of Indian Affairs before you help Indians because they might-- after all, they have so much experience at failure. They ought to know what ought to work and ought not to work.

Meanwhile, of course, this whole thing just becomes an inter-governmental discussion of what is to be the next decade of Indian Affairs and what's to be the National pastime for Indians? Are we to work on tourism now? Are we going to jazz up the pow wows, or is it economic development this decade, or is it education now what it will be?

Meanwhile, no one asks Indians. Bennett came with a new approach. He said, I'm traveling around the country now as the new commissioner of Indian Affairs. I'm going to ask all the Indian leaders what do they want.

Meanwhile, he had prepared a omnibus Indian bill before he ever left to talk to the Indians. You see? He was very embarrassed about that and denied it. But I had it in-hand. It was already prepared. He said it hadn't been prepared yet. They're going to go over all the notes of what Indians have said about what the problems are.

All right, if he did go over all the notes, there's another very complex problem here. If he had gone over all the notes like he honestly pretended he was going to do, he probably wouldn't be able to find much consistent partly because Indian politicians react to white people like white politicians do.

They've learned how to be politicians in the same tradition that white people have become politicians. And they tell the same kind of half truths and emphasize the same kind of peculiar things for some self-interest and some preservation of power.

Indians are real men too, and they're interested in power, and they vie for it, and they relate to each other politically within white political systems. And that's what Indian politics is to a large extent. Most of their time is spent relating to government bureaucracies and not to Indians. That's hard to do.

**MARVIN GRANGER:** Would there be a parallel here to the black experience that we have had in the last few years? Where black leaders who did try to understand and serve the interests of their own constituents were usually the objects of great harassment by the press, by the government.

**GERALD VIZENOR:** That's going to grow a great deal, yeah. And there are many Indian leaders in this country that deserve a great deal of criticism, a great deal. I think it's honorable that--

**MARVIN GRANGER:** You mean for playing the game with--

**GERALD VIZENOR:** Yes, yes. For their own interests in some cases and partly because they're just plain damn stupid and they pretend like they're very wise. And they fulfill the stereotypes of being the wise politician. And it's discouraging. But men are men, and all men have weaknesses.

But what troubles me at the moment is that it's very difficult to be critical of Indian leaders. And you don't like to do it publicly because it's just exactly what white people like to hear. It's just what they want to know because then that exonerates their own concern.

**MARVIN GRANGER:** In *Saturday's Tribune* and I, there was a short story, in which Robert Bennett, the commissioner of Indian Affairs that Johnson had appointed and who resigned earlier this year after Secretary of the Interior, Hickel, made a statement apparently that there wasn't anything wrong with the Indian programs, that it was the men who were administering them who needed to be replaced. So Mr. Bennett accommodated the secretary and resigned.

Bennet was very critical of the Nixon administration as to the kinds of, not programs, but lack of any kind of program, right or wrong, good or bad, that has-- and that the administration has simply demonstrated no interest in Indian Affairs. From what you've said, that almost might be better than in the past.

**GERALD VIZENOR:** Well, if they'd come up with some money, it would be better, and let Indians administer their own things. There's such a great fear on the part of the government to let Indians fail. You know that Indians have never really had an opportunity to fail at anything except internally--

**MARVIN GRANGER:** It's called--

**GERALD VIZENOR:** --their own cultural identity.

**MARVIN GRANGER:** --the bad upbringing of children from what you say.

**GERALD VIZENOR:** Very, very tragic thing. And still, there's no trust. There's-- a tribe asked for some money to do something, and all kinds of federal--

[INTERPOSING VOICES]

**MARVIN GRANGER:** --racial superiority? I mean, is that at the base of it?

**GERALD VIZENOR:** It'd be great to see-- we let the Vietnamese fail all kinds of things. I read of some oil disappearing worth \$21 million. We let other people make mistakes all over the world with taxpayer's money. We can't let a few Indian tribes make mistakes with a small amount of money to express their own interest in their own efforts.

And if you could, then it would be safer to be critical of tribal leaders, wouldn't it? If a tribal leader and a council asked for so much money, no strings attached, to carry out a certain program in the interests of the people who they represent as tribal leaders, great.

Offer that grant. They blow it and embezzle it. I'm not saying they would, but supposing they would. A find time to be critical, and a good time to be critical, and it draws the line of where it is, where some of the hang ups are within Indian tribal operations.

**MARVIN GRANGER:** Congress, I suppose, has never really funded any of these programs with the kind of assurance that they would go on. This has been the history of funding with most domestic programs, in fact, that have any kind of experimentation or risk involved in them at all. So Congress goes from year to year.

**GERALD VIZENOR:** The most exciting thing going now is the Rough Rock Demonstration School Indian Education. One of the most exciting programs I've seen. The BIA, Bureau of Indian Affairs, furnishes some of the money in the building. And the rest of the money comes from private foundations and other federal programs.

**MARVIN GRANGER:** And where is this?

**GERALD VIZENOR:** Arizona among the Navajo. And it's been in operation two years. There's a-- well, it's proved so many things that Indians have been saying for so long. We want to conduct our own business in our own way.

Meanwhile, white people are critical of Indians and they say, well, Indians don't vote. They don't get involved in politics. How could they possibly undertake something like-- it's like a school, where there must be an election for school board. You have so many responsibilities which white people say Indians have had no experience at. We see it all over. They don't vote. They don't do anything.

Well, Rough Rock Demonstration has proved that Indians certainly are interested in politics when it's their own-- when it's their own politics and not white politics. They elected five school board members, four of whom have never been to a formal school and don't speak English.

So they conduct their board meetings in their own cultural tradition. It's a Navajo school system. It has Navajo political power and it resembles Navajo political and social organization. And it's magnificent. Half of the staff, the teaching staff are qualified Navajo teachers.

There are Navajo parents in the classrooms participating in the whole program, not because they want to feel any superiority or any economic advantage, but simply because they're just very curious and very involved in a real Navajo system. It's an extension of Navajo life. Of course, they'd be involved.

**MARVIN GRANGER:** Why-- if you have one example of success there and you say Bureau money is involved in that, why can't that serve as a model to go on to [INAUDIBLE].

**GERALD VIZENOR:** It will. I'm sure that there's a hell of a lot of Bureau people who would like to see Rough Rock fail. Because if it succeeds, it means that it is the most appropriate indictment of the Bureau of Indian Affairs that probably will ever be shown in 100 years. It will be the classic model of what the Bureau has done wrong for 100 years.

They can always politically deny many things. They can always-- as Bennett calls it, the winds of change or the cause of the Bureau's failure. Well, that's garbage. The cause of any-- the failure of any program or people. And if there's good spirit and honest intention, I can't possibly see a program failing.

**MARVIN GRANGER:** You mentioned the school that the people participate in and have great interest in and feel responsible for because it's their own. Could we relate that back to our original conversation of justice in American society?

Should Indian communities have their own self-imposed laws? Should there be, I guess, Indian separatism of the kind that would give them their own system of justice, their own law enforcement?

**GERALD VIZENOR:** I wish I had a very profound paragraph ready for that.

**MARVIN GRANGER:** Well, is it necessary for that sort of-- for that-- for things to move in that direction as an antidote of some kind to what the experience has been?

**GERALD VIZENOR:** My personal feeling is that there should be a separatism of identity, personal identity, and an integration of social and cultural life. But that doesn't work. OK, so then since that ideally isn't working and it hasn't worked, because that has been the interest of this nation, hasn't it? And it's a colossal failure, one of the most colossal failures in America I think.

**MARVIN GRANGER:** You mean the melting pot idea?

**GERALD VIZENOR:** Yeah, right. Just the slow death of so many people. Well, and since that doesn't work, I guess it should be separate all the way. But that can't be either, you see. So what I'm leading up to is I can keep relating what can't be. And we end up saying that, well, I don't know what can be anymore. That can be either except in some areas.

It does exist in Arizona already. There is a separatism there, separatism simply because if you don't speak Navajo, you're not in it. So that identity grows out of linguistic structures, you speak a language which reflects your whole identity. You have no questions about who you are. Because if you can't speak Navajo, we know who you are.

The only time any man's a threat, it seems to me, in a functioning social structure like that which has its own linguistic system is if you begin to speak-- you're not a threat if you don't speak the language because you're not in it. What threat could you be? Or could be nothing but a friend, except a physical threat perhaps. Certainly are no subtle threat in terms of power or anything.

If you speak Navajo and started dabbling in Navajo politics, then you're-- then you're involved in other problems. But because there's been so much intermarriage in almost all tribes, a mixture of-- the mixture of blood is a great deal.

The people who aren't standing up to be counted are probably 5 to 10 million Americans who don't look like Indians but who have Indian heritage. You hear often people say, my grandmother had Indian blood, which is sort of a way of saying, I'm white, but my grandmother had Indian blood. Isn't that colorful and interesting?

And the basic racist attitude in America is that, if you have any amount of black blood, you are a Negro or nigger depending upon where you live. And you always stay black, you don't ever become white. Racially the society always keeps Negroes, Negroes, or whatever they invent, nigger, Negro, Black.

With Indians, the slightest amount of white pigmentation, Caucasian pigmentation, you become white because the interest in this nation have been to make Indians white, and keep Blacks black. I mean, keep them racially in that situation.

**MARVIN GRANGER:** What's the history of those laws that defined what an Indian was? When they went into percentages? Great fractions.

**GERALD VIZENOR:** Well, they still do, yeah. I think-- well, that reflects the great sense of racism in a bureaucracy, is that the Bureau of Indian Affairs systematically-- geometrically divides Indian blood.

And they have little chart on their walls when they want to identify the people they're working on. And the chart goes from 1 to 64 horizontally and vertically. And you find out that your mother was one half. And you read the chart to one half one way, and then you go vertically. Your father was 3/8. And then you read your fraction, and then you bear that.

**MARVIN  
GRANGER:**

So the chart on the wall in the Bureau of Indian Affairs tells you who you are geometrically according to the Federal government. Jerry, Julian Bond was heard on these stations the other night. And he quoted from an address that Frederick Douglass had given to a white lady's anti-slavery society in Buffalo, New York back in 1852.

And he-- in that address, Douglass had accused American society of committing crimes against the black man more heinous than any society that ever perpetrated against a group of people within its confines in the history of the world.

The impression I get from what you have said here today is that, in a very different way, and yet in a very real way, you're making that same kind of indictment against white American society with respect to the people who lived here and who occupied this land, and from whom the land we live on was taken. Is there any way to live that down? Is there any way to correct that--

**GERALD  
VIZENOR:**

Yes.

**MARVIN  
GRANGER:**

--in your mind?

**GERALD  
VIZENOR:**

Be honest about it. This nation has never accepted that responsibility. And this country really has never accepted the fact that they have committed a cultural genocide. Of course, they won't admit it in Asia, or Africa, or anywhere else in the world either.

And I don't-- this nation will never have a conscience until it honestly admits in textbooks, in public media, and in ordinary conversation, admits for the record finally that they have committed cultural genocide against blacks and Indians.

**MARVIN  
GRANGER:**

Don't you encounter people, though, in this society today who do admit that as individuals admit it, but feel terribly helpless as to what they can do about it?

**GERALD  
VIZENOR:**

Very helpless. I think the only thing the dominance society can do is to correct its own institutions about it. And it's much easier to work with Indians, much more satisfying. It's more personal. It's less hostile. There's hostility, but it's less hostile than working with white people and trying to change their institutions, their racist institutions.

It shouldn't be an Indian burden, for example, to correct, eliminate, or do something with the Bureau of Indian Affairs. They didn't invent it. It's not their institution. It really shouldn't be an Indian responsibility to do something about the Bureau of Indian Affairs. That should be a white responsibility.

The Bureau will defend itself saying, well, half of our employees are Indian. But I don't believe they are. I doubt that many of them are Indian. If they were, they wouldn't work there. They're Indian racially, but they're not Indian by conscience, they're not Indian culturally, and they're not Indian socially.

They're white, petty Bourgeois middle class, socially and culturally, but they're racially Indian. That's all they can identify with. So white people have to correct their own institutions. And that's very painful, very painful. After all, those are dominant, and holy, and sanctioned.

**MARVIN GRANGER:** Do you see any significance in the white radical organizations, mostly young organizations, that have cropped up in the last few years mostly over Vietnam, but they have raised in the context of Vietnam the very kind of issue that you're just-- that you were just talking about? And that is that this isn't a racist nation.

An imperialist nation, certainly, in the international sphere, and with respect to the American Indian, you could say that, I guess, within the borders of the country. Is that a hopeful sign to you or is that a passing?

**GERALD VIZENOR:** No. It's very hopeful. I would guess that while the radical and militant white organizations I've met, the least they would do is allow Indians to make their own determination about things.

Now, the Bureau and the federal agencies give that lip service that we're interested now in self-determination. But of course, we know that they've made promises for a long time. But at least, young people have a great sense of letting a man make his own decisions.

**MARVIN GRANGER:** Do you have any ideas as to why that has happened? There have been an awful lot of explanations as to why the young people have risen up in revolt against their--

**GERALD VIZENOR:** Well, they've got to feel duped. I do too. They've got to feel duped by the systems we live by, where so many things are considered unhealthy, and other things are sanctioned, and the kind of materials that are prepared, and distributed, and propagandized in public schools.

And we've got to feel duped. The institutions which you have that are defended so well, welfare systems which perpetuate paternalism and create a whole middle range of occupations of young college graduates who have been duped into believing that through professional schools, duped into believing that theirs is an honorable profession in doing these things for people and to people.

Now, they're trying to struggle around by redefining it, but you can't redefine an institution which functions that way. And young people know all that. I don't know if young people who are the most militant now will prevail.

I don't like to sound old, and I'm not that old, but I've seen a lot of people sell out too. And it's so easy to sell out, particularly after you've been militant, because then you know a little bit. And then the employer will know that you're not apt to erupt again. You've done your little thing.

**MARVIN GRANGER:** White liberal politicians keep saying that we've got to listen to the young people. We won't tolerate violence, but we will listen to the young people. The violence, of course, does have an impact.

**GERALD VIZENOR:** The only thing white people will listen to is violence, though.

**MARVIN GRANGER:** Yes,

**GERALD VIZENOR:** That's the only thing they'll pay attention to, though. They'll listen to a great deal.



**MARVIN**  
**GRANGER:**

I think that's illustrated by the statements that were made, that the riots would accomplish nothing. And of course, the riots did accomplish something, in that they made people aware of a danger.

Maybe not aware of the kind of danger that the people in the ghetto would like them to be aware of, and that is the danger of the institutional decay and hypocrisy of their own society.

But even if they become aware of a danger that black people are going to become so dangerous or that red people will become so dangerous in the society, that you won't be able to drive your car down the road without getting shot at. This kind of thing.

Will it take that kind of fear on the part of-- to cleanse the institutions of the society of the majority or will it have the effect, as it seems to have had in some cases, of simply making them draw in with their "love America or leave it" bumper stickers and create a fortress?

**GERALD**  
**VIZENOR:**

Well, two factions would be strengthened if Indians went separate and were hostile and violent toward whites. For example, some strong tribe pulled out. Kicked all white people off the reservation. Wouldn't let any come on. Did all kinds of things unconstitutional and in the name of tribal homogeneity, and solidarity, and criticism of a racist society.

It probably would be healthy in the beginning for Indians to do that, to reaffirm their own identity, to reaffirm their own interests, and to examine what can be done, but it's frightening that it would polarize and it would also strengthen the adversary, the racist white, who would feel fear, who would also come together and defend himself. And that doesn't work either.

It's really hard to talk about love too. It's easy to talk about love, but hard to realize it. When Indians start talking about love to white people, they end up with a bunch of church ladies on their doorstep wanting to change them in the name of love, or they find colorful bureaucrats and politicians who like to be anointed, and appointed, and named an Indian brother in the name of love.

**MARVIN**  
**GRANGER:**

It's hard to institutionalize love because it is a dynamic, free thing that cannot be structured.

**GERALD**  
**VIZENOR:**

The healthiest thing I can see being done is, for whites who should, if anyone does, understand these things, particularly people who have been involved in politics in social and political organization, should demand in some way more control of institutions, less political persuasion, and more administrative control, and more organizational responsibilities, checks, so that it's impossible, to a large extent, to perpetuate these kind of bad situations.

And it should be tougher too. Institutions should be much more tough to Indians and to minorities. They should expect nothing but what they can give themselves. And, of course, in the past, they haven't given much.

But if the white institutions change, Indians should be expected to change in terms of how they've adjusted in terms of a maladjustment to those poor institutions. And that change has to come too. Well, where that starts, I don't know.

I like-- I'm really excited about one really aggressive tribe here. The Leech Lake Band has filed suit in federal court to declare racing, and wildlife, and hunting, fishing regulations on treaty land, not what's defined today as reservation land, which has been chopped away by all kinds of quick-thinking bureaucrats, but the treaty, the original treaty boundaries, which means you include a substantial number of white residents.

And they would have to relate to a tribe in terms of hunting and fishing laws. And as the Leech Lake tribe would like to have it, their own hunting and fishing laws-- tribal hunting and fishing laws. You buy a license from the tribe, not from the state.

Beautiful argument, but-- and the situation there, where this tribe is-- this band is emerging with a sense of power over the land they have, they realize that it keeps slipping away from them. So they don't want it exploited anymore. They want to exploit it as a tribal group.

They want some income from it for their own identity and an economic system through which they can relate politically and socially. One of the obvious things missing on almost all reservations is an economic system. So a few Indians relate in reservation areas on the basis of an economic system.

Well, to make this work, Leech Lake Tribe will have to correct all of the leases that have been offered to white people on tribal land. And the Bureau of Indian Affairs handles a lot of this leasing. And they offer leases anywhere from 25 to 50 years.

And then white people build a cabin or whatever they build on it, or use it in plains, for example, and grazing. Well, the tribe would probably have to break all those leases to get some of that good land back. And that'd be interesting. It'd be an interesting test, you just say, out. Out--

**MARVIN** That's before--

**GRANGER:**

**GERALD** --period.

**VIZENOR:**

**MARVIN** --before the courts? No, that'll be decided by the courts.

**GRANGER:**

**GERALD** It'd be some act of militancy to say to the white people who have benefited from the very institution which has been assigned taxpayer's money to correct what they're doing.

**VIZENOR:**

Talk about the circles of confusion, is that the tribe just emerges and says, nothing doing with all your courts. We're always hoodwinked in your courts and your administrative policies. Just out, period. We don't dislike you. We don't care, particularly. Just get out. It's our land, we're going to exploit it now. Well, I don't know. It might work. The interests are so complex.

**MARVIN** A lot has happened in South Dakota politically since 1967, a new governor. What do you think will happen to the young Thomas White Hawk?

**GRANGER:**

**GERALD VIZENOR:** I don't think you'll be executed. I think the state would have done it without the kind of addictions which have been made. Without national attention, sometimes international to that case, they probably would have carried it out had not Douglas Hall filed petitions for appeal, which drew more public attention to it and some of the things that have been written about it.

However, I think the state, in order to protect itself and its own technical racist system, will not offer any relief in their courts. In other words, they have-- well, they already have denied everything.

They've denied a petition for appeal and for-- a petition for a trial. And the judge and a memorandum ruled that the attorney was adequate-- previous attorney was adequate, that the sentencing judge did a fine legal job. Everybody did a good job. He turns down the petition.

And I think the Supreme Court, which now will review the appeal to set aside that decision, will find the same. OK, that means that the State of South Dakota looks good, and just, and that its courts function well. And everybody is protected everybody.

And then the Board of Pardons and Paroles will grant a commutation, which then will show South Dakota to be a great humanitarian state, and loving Indians, and paying attention to public criticism. And meanwhile, everybody is protected in the system, in the court too.

**MARVIN GRANGER:** This hasn't been a pleasant conversation, Jerry. But it has been worthwhile and enlightening certainly. And I would like to personally express my appreciation for your spending this hour with us.

**GERALD VIZENOR:** I'd like to quote, one I'm not reading. You asked about separatism and all this, and whether there will be or has been justice. 100 years ago, Chief Joseph, who politicians have identified as the defeated Napoleon of the Nez Perce, told congressional leaders in a speech that he would live as any man and obey every law if his values were respected.

**MARVIN GRANGER:** If his values were respected.

**GERALD VIZENOR:** And I think most Indians feel that way, that they we'll obey the law or submit to the penalty if their values are respected.