

When the U.S. government took control of Native Americans' property rights in 1887, the Indians were assured they would receive the income from their land. They never did—and now they're fighting for it.

The Broken Promise

ON THE WALL NEXT TO Elouise Cobell's desk is a blown-up reproduction of a famous *Peanuts* cartoon strip. After Lucy assures Charlie Brown, "Trust me," she once again snatches away the football he's about to kick, and he ends up flat on his back.

"I decided to stop being Charlie Brown," Cobell told me. For her, "Lucy" is the U.S. government. Now 55, barely 5 feet 4, a wife and mother, Cobell is a member of the Blackfeet Indian tribe sequestered in the northwest corner of Montana. As a result of a lawsuit she filed on behalf of her fellow Native Americans, they finally are about to collect a staggering sum of money—as much as \$40 billion—from Washington.

"It's not as if we're taking money from the government," she explained, a steely edge creeping into her normally soft-spoken voice. "It's our money that was taken from us." Indeed, a federal judge declared, "I have never seen more egregious misconduct by the federal government." And were it not for Elouise Cobell, it would still be going on.

What she finally could not take anymore was the betrayal for more than a century—



The Blackfeet Tribal Council meets with the government's Indian agent (far left), circa 1900. Seated in the foreground is the interpreter.

"a shocking pattern of deception," as the court put it—regarding the property rights of the Blackfeet and many other Native American tribes. This betrayal began in 1887, when Congress opened up previously established tribal reservations to white settlers. In return, individual Indians were granted land allotments—general-

ly ranging from 40 to 320 acres. But they were judged to be incapable of managing their own affairs, so the federal government decided to do it for them.

As a result, Indians could not lease or sell their property without government approval. This included grazing and quarrying rights as well as leases for

timber, agriculture, oil, natural gas and minerals. The government would make all the deals. The income would be held in trust and distributed to each Indian family. The Bureau of Indian Affairs (BIA) in the Department of the Interior was to be in charge, and the Treasury Department would send out the checks.

Denied control over their property, Indians developed a "passive attitude" toward its uses, says Elouise Cobell. She's gazing at Montana land that the Blackfeet were able to buy back from a non-Indian owner. It will be managed as a nature conservancy.



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