

On Sept.16 Clissene Lewis presented *The Yavapai Journey*, a survey of the historical struggle of the current and ancestral Fort McDowell Yavapai Nation (of which she is a member). Her story began with the tremendous difficulties during the late 19th Century Euro-American westward expansion. But it followed with the successive triumphs of the Fort McDowell Yavapai Nation during the 20th Century that have changed both America and the relations between Tribal, State, and U.S. governments.

Summary:

Originally, the Yavapai were Yuman Language speaking nomadic hunter-gatherers living in multiple bands and groups in northwestern Arizona. First contact with the Spanish was in 1592 and first contact with Euro-Americans was in 1848. As increasing numbers of Euro-Americans entered Arizona, conflicts began and the Yavapai people found themselves the hunted. They were often confused with the Apache and there was a general campaign against them as well. In 1872, a massacre at Skeleton Cave in the Salt River Canyon, near now Apache Lake, by U.S. Cavalry Soldiers with Pima, Apache, and Yavapai scouts ended in the deaths of 75 to 100 Yavapai men, women, and children. Surviving Yavapai from the area were assembled at Camp Verde that year but in 1875 forced to walk 180 miles to the San Carlos Apache Reservation and over 25% died on the way. The San Carlos Reservation was not in the Yavapai homeland and the Yavapai are not Apache. Somehow, over the next 25 years many Yavapai managed to return to their home area, settling at abandoned Fort McDowell.

Euro-American squatters in the area encroached on the Yavapai community. The Yavapai complained to local Arizona authorities but were told that the issue was outside their jurisdiction as it was Federal land. The Yavapai needed to go to Washington and talk to the President. The Fort McDowell Yavapai organized and elected a council and delegates. The delegation went to Washington DC. They never met with the President, but they did meet with members of his administration. And in 1903 President Theodore Roosevelt issued an Executive Order designating that Federal land around Fort McDowell not legally assigned to others would henceforth belong to the Yavapai. In 1924 President Calvin Coolidge signed the Indian Citizenship Act making all American Indians US Citizens [The Senate Majority Whip at this time, soon to be Senate Majority Leader, and later in 1929, Vice President of the United States under President Herbert Hoover, was

Charles Curtis, an enrolled member of the Kansas or Kaw Tribe].

Being a citizen does not necessarily mean a person has voting rights, which are defined largely by state laws. In 1948, Frank Harrison, a World War II veteran and member of the Fort McDowell Yavapai Nation won his case before the Arizona Supreme Court which decided unanimously that Indians could vote in state elections. Other states that had obstacles to Indian voting soon complied as well. In 1975 some Yavapai at Fort McDowell read an article in the Arizona Republic newspaper that a dam would be built to flood half of their land at Fort McDowell. This Orme Reservoir Project was news to the Yavapai. The Fort McDowell Yavapai marched from the Reservation to the Phoenix capital to protest. The project was delayed but not stopped and controversy continued. But in 1982 Secretary of Interior James Watt of the Ronald Reagan Administration came to Ft McDowell and said, "I do not want to hear from anyone except the Yavapai." He listened all day. Then he announced that from this moment on, the Orme Dam Project is ended. There is a celebration every year in November at Ft McDowell to commemorate this event.

Nevertheless, the Fort McDowell Yavapai Nation was still not in good shape, with much poverty and joblessness. In 1988 President Ronald Reagan signed the Indian Gaming Regulatory Act into US law, which defined Tribal sovereignty to create casino-like gaming operations. So, the Fort McDowell Yavapai began to turn this around by operating a Bingo Parlor and added some slot machines. They used part of the profits to expand the Reservation Library. But on May 11, 1992, Washington DC issued new regulations on Indian Tribal Gaming. The next day, on May 12, the FBI raided five Arizona Indian Reservation gaming operations, including Fort McDowell. They were in violation of state laws due to the new Federal gaming regulations. At Fort McDowell, with no awareness, the FBI brought in Mayflower Moving Vans to cart away all of the now illegal equipment.

Four of the Indian Reservations complied with the FBI. But within minutes of the FBI arrival the news spread across the Fort McDowell Reservation. Trucks and earth-moving equipment arrived and dumped piles of rock and gravel on the roads. The Yavapai people parked vehicles everywhere on the exit roads, they blocked the FBI from hauling away the their gaming equipment.



Fort McDowell Yavapai Block Exit Roads with Trucks and Earth Moving Equipment

[The problem was with Arizona State Government law and regulations, so it is not clear why the FBI was involved]. All the negotiations were with the Arizona governor.

RAIDED RESERVATIONS

Federal officials raided the Fort McDowell Mohave-Apache Indian Community and four other reservations early Tuesday as part of a sweep to shut down casino-style gambling.

An FBI agent plays catch with Indians during a peaceful standoff at Fort McDowell. Tribal members and FBI agents also shared cold drinks Tuesday.

Michael Ging/The Arizona Republic

Tribes, state dispute issue of reservation gambling

By Charles Kelly
The Arizona Republic

The seizure of hundreds of gaming machines Tuesday took place amid a legal battle over Indian-run gambling. The Indian Gaming Regulatory Act of 1988 allows certain kinds of reservation gambling within a state if the state agrees, but Arizona has no agreement with any tribe. So gaming machines were seized by federal authorities under the Johnson Act, which prohibits gaming on reservations.

Under the 1988 act, the National Indian Gaming Commission decides which games need state approval. The act says states must permit Indians to conduct any kind of gambling that is allowed off reservations. Arizona says it doesn't allow gaming machines off reservations, so they won't be allowed on them. But the tribes contend that some gambling that is legal off the reservations — such as the Arizona Lottery, and horse and dog races — fall into the same category as slot machines.

“There are plenty of things out in the world that could be doing.” That seemed to be the most Valley gambler at the Fort McDowell. “What I don’t understand (the government) control of gambling and not Ann Fox of Glendale horses and dogs (race and off-track betting) as on the reservation,” Sarah Battani said the Indian game more harmful than that. “People will gamble here or in Nevada,” she said the money here.

Charities suffer

However, the opening of a bingo hall in Phoenix after the raid on Fort McDowell, and four other operations statewide. “It’s about time,” Walker, who runs a non-profit organization for youth basketball. “Arizona deserves to be the same way as the rest of the country.” He said Arizona’s millions of dollars in regular players have been lost to gambling halls. Other patrons say reservation residents’ gambling operations provide a source of income.

An FBI Agent plays catch with Indians during a peaceful standoff at Fort McDowell. Tribal members and FBI agents also shared cold drinks.

During this time about a hundred Yavapai employed with the gaming operation were out of work. Finally, the state agreed to the Yavapai gaming operation. [In effect, this led to opening up gaming on Indian Reservations throughout the US] Interestingly, Speaker Clissene said she personally did not approve of gambling, even though she was active as a spokesperson during the event. Now, every year at Fort McDowell, the Yavapai Nation celebrates May 12 as Sovereignty Day.

Clissene mentioned about a half dozen of her near relatives who have served in the U.S. Army, Navy, Air Force, and Marines. She pointed out that American Indians join the U.S. Armed Services in a greater proportion than any other ethnic group. "America is our country, too."



September 16 Speaker Clissene Lewis (right) greets neighbor during the 1992 Standoff. Note the Mayflower trucks in the background that hold gaming equipment seized by the FBI. Photo May 14, 1992, by Paul Gero.

