

## Unsung Heroes – Philip “Sam” Deloria

Several years ago, in the countdown to the 21<sup>st</sup> Century, several of us has-beens and current members of the Indian press, began to communicate on names of the most outstanding Native Americans of the 20<sup>th</sup> Century. Perhaps we could come up with a top 50 list, we thought. It proved a difficult task because there were so many categories to consider, including human rights, politics, the sciences, athletics, fine arts, literature, and of course, journalism. And the arts, in which Native America abounds, had to be broken down into traditional and contemporary, then into further categories of performing and visual arts.

Given the fact that for much of the 20<sup>th</sup> Century they were excluded from various categories of leadership, women would be given a separate category, although there were many who excelled despite the odds against them.

After the list got so long, we abandoned the idea.

Like history, true leadership is hard to judge without some lag for perspective. Prior to the founding of the National Congress of American Indians in 1944, for example, there wasn't a forum in which Indians could manifest leadership on other than a regional intertribal basis. In the last quarter of the century, there was a proliferation of national Indian organizations, and new leaders emerged among the various interests. Finally, in the last decade of the century, with a new appreciation of tribal sovereignty and newly-enhanced self-governance, along with access to educational opportunities – particularly in law, yet a new crop of Indian leaders emerged.

All this generally obscured many important leaders of the early and mid century eras, and names like Charles Eastman, Carlos Montezuma (Wasaja), D'Arcy McNickle, Joseph R. Garry, Ruth Muskrat Bronson, and others tend to be forgotten. Those names reemerged in our futile list-making exercise, and other names of unsung heroes of more recent times emerged in several of the lists. One name that appeared on several lists was Philip “Sam” Deloria.

Director of the American Indian Law Center at the University of New Mexico, Sam can be credited with the growth of Native American attorneys from the 1970s on, and with the commensurate improvement in Indian rights protection and the development of tribal self-governance.

But Sam defies categorization in his great contributions to Indian tribes. His greatest impact has been in the area of Indian politics, in the sense of internal tribal governance, intertribal relations, and federal-tribal relations. But no politician is he, in the usual sense of the word – the back-slapping, compromising, glory-seeking good ole boy. In fact he is a realist – sometimes iconoclastic, who doesn't suffer fools or folly.

At one of the NCAI conferences in mid-1970s, for example, Sam was moderating a panel discussion. There were open microphones on the floor and much audience participation. “They must give us back our dignity,” said one individual, referring to the federal government. “No one can take your dignity from you, and no one can give you dignity,” said Sam, much irritated. “If its dignity you want, look around you in this hall.”

And he often punctured balloons of dramatic but ill-conceived political strategy or legal action that would have only ended up wasting time or diverting precious tribal resources. To many people, especially demagogues, he was seen as a nay-sayer, a spoil sport. He is perhaps a curmudgeon, but he has done more than most tribal leaders to preserve and advance tribal sovereignty and self-government.

Though no politician, he is a superb political strategist. In 1975, he took up the challenge by the tribes at the NCAI's Portland convention to do something about tribal jurisdiction compromised by PL280. Working closely with the NCAI staff, he devised legislative proposals to offer options for tribes to reacquire their jurisdiction lost to PL 280. At a special meeting in Denver, the options were discussed in full with the tribal delegations, and videos explaining the options were sent home with the delegations for their tribal councils to consider. The videos were produced by the Indian Law Center, and were the first use of electronic technology for tribal consultation. The strategy resulted in solid tribal consensus and support, and in the creation of Senate bill S2010, introduced by Senator Jackson of Washington. The bill called for a range of tribal options for reacquiring jurisdiction to the extent that they might choose. Unfortunately, the bill, like other positive legislation in the pipeline at the time, was lost in the flurry of the white backlash in the 95<sup>th</sup> Congress.

The defeat of the great backlash in 1977 itself can be attributed largely to strategy devised by Deloria. Again, based on solid consultation with tribal leaders, he worked with NCAI to devise a three-pronged approach. He quickly surmised that the well-funded anti-tribal campaign of the Interstate Congress for Equal Rights and Responsibilities would work through the state and local government interests to pressure Congress for legislation to terminate the tribal-federal relationship, expand state jurisdiction over tribes, destroy Indian fishing rights, and ultimately abrogate the treaties. The plan he devised called for actions to compromise that strategy through improved relations between the tribes and the National Association of State Legislatures to start a process of long term understanding. Sam's approach of fact and reason took the momentum from the abrogation movement; the backlash abated for lack of an audience.

Sam was a pioneer in international Indigenous affairs, instrumental in the founding of the World Council of Indigenous Peoples and in securing Non-Governmental Organizational status for the organization in the UN.

Although he is from the most recognized surname in Indian affairs, from a family that for four generations is known for great religious leaders, scholars, and authors, he is perhaps the least recognized. But he eschews recognition and glory, and declines consideration for awards.

But praise comes nevertheless, from the many Indian attorneys who got their start at the American Indian Law Center, and from leaders who recognize his important contributions to the protection of tribal sovereignty and the perfection of tribal self-government.

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