Nurture and Neglect:
Mount Rainier National Park and Native American Relations

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Since the 1700s, Mount Rainier's commanding presence over the Puget Sound area has beckoned explorers to tackle her glaciers and climb her peak, inspired writers to pen lofty poems about her snowy façade, and stimulated enthusiasts to push for the preservation of her wilderness. This general push for wilderness preservation, marked by the establishment of Yellowstone National Park in 1872, was motivated by the impending close of the frontier as well as by the need to preserve nature in its purest form for the recreational pursuits of city dwellers. Unfortunately, this concern for preservation was not without problems. Historians such as Mark David Spence argue Native Americans were "dispossessed" from their traditional lands in order to create national parks, and note that "uninhabited wilderness had to be created before it could be preserved."[1] Spence primarily focuses on Glacier, Yellowstone, and Yosemite National Parks, where the federal government most visibly acted to remove Native Americans from coveted land and fundamentally ignored treaties that established Native American rights in the area. Conversely, historian Roderick Nash argues that this push for preservation was founded upon a "democratic ideology" which ultimately led to widespread tracts of

[1] Mark David Spence, Dispossessing the Wilderness: Indian Removal and the Making of National Parks (Indianapolis: Oxford University Press, 1999), 4.

"public domain" available for public use.[2] However, this glowing argument that national parks provided "common ownership" for Americans conveniently ignores Native Americans and their habitation of the land subsequently set aside for preservation.

Indeed, Nash's argument is incredibly problematic and weak if we consider Native Americans and the national park system. While the case of Mount Rainier National Park[3] is not quite so extreme as Glacier, Yellowstone, or Yosemite, its creation in 1899 depended on a total absence of democratic ideals. Not only did the federal push for preservation conflict with the historic, cultural and economic needs of the Muckleshoot, Nisqually, Yakama, Puyallup and Taidapam tribes, it also disregarded legal treaties established in the 1850s. **As Mount Rainier evolved into a federally recognized park, Park officials consistently embraced policies with Puget Sound tribes which were wholly absent of a democratic ideology. We can see this through examining seven areas: 1) the failure of the National Park Service to realize George Catlin's original vision of a "nation's park," 2) government disregard for the Yakama, Medicine Creek and Point Elliott treaties of 1854 and 1855, which had afforded tribes certain rights and privileges on federal land, 3) inaccurate perceptions of Puget Sound tribes which allowed officials to maintain notions of tribal inferiority, 4) government ignorance of tribal archaeology at Mount Rainer, 5) public and park official's dismissal of tribal myths about Mount Rainier, 6) the problematic precedents set**

[2] Roderick Nash, "The American Invention of National Parks." American Quarterly, 22 (1970): 40 pars. [journal online]; accessed 16 Feb. 2004; available from jstor.org. 726, 729.

[3] From now on, Mount Rainier National Park will be noted simply as Mt. Rainier.

under the initial administration of the Park and 7) the current problems plaguing Park officials and tribes today. Not only did these policies with Native Americans prevent a democratic dialogue, they clearly created a tenuous and oftentimes poor working relationship between tribes and park officials.

Both Nash and Spence acknowledge portrait artist George Catlin as the ideological founder of National Parks. Catlin spent from 1832 to 1840 in the company of forty-eight different Native American tribes, observing their customs, painting scenes from their everyday lives, and penning his thoughts in a journal.[4] In his writings, Catlin appears to be a man ahead of his time in his intent to depict Native Americans earnestly and honestly as human beings with the capacity to contribute to society. Catlin wanted to bring home "faithful portraits of their [Native American] principal personages…views of their villages, games, &c [sic] and full notes on their character and history."[5] Catlin strove to be a democratic and artistic historian, and set out to correct "many theories and opinions which have, either ignorantly or maliciously, gone forth to the world in indelible characters."[6] In context of the time, this was an extraordinarily inclusive perspective concerning Native Americans. His portraits reinforced his democratic perspective, as seen in the four hundred dignified oil portraits he painted of various tribal members.[7]

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[4] George Catlin, Letters and Notes on the Manners, Customs, and Conditions of North American Indians (New York: Dover Publications, 1973), 2.

[5] Catlin, 3.

[6] Catlin, 5.

[7] Catlin 4.

Toward the end of his excursion into America's unclaimed interior, Catlin pondered the relationships among man, civilization and nature. Catlin recognized civilization's need to escape the clamor of the city and considered it necessary to preserve areas of wilderness for such a retreat. He also worried about the decline in tribal populations due to disease, war and the decimation of their buffalo herds. [8] In response to these concerns, Catlin declared the need for a "nation's park."[9] In this park, Catlin envisioned preserving the spectacular, remote wilderness and the Native Americans who inhabited it. He also wanted Americans to see Natives in their "pristine beauty and wilderness, in a magnificent park, where the world could see for ages to come, the Native Indian."[10] Granted, Catlin's remarks conjure up images of whites observing glorified displays containing Native Americans in their natural habitat. But his positive view of Native Americans set him apart from his contemporaries. Moreover, the driving force behind Catlin's idea was the "preservation and protection" not only of the wilderness, but of the Native Americans as Catlin knew them. He knew them as people inextricably linked to their surrounding land.[11] Accordingly, Catlin sought to protect that relationship through federal legislation. Unlike the National Park Service, who saw Native Americans as obstacles to preservation, Catlin saw them as an integral part of preservation and fulfilling a specific role in the wilderness. Catlin's vision rested on a

[8] Catlin, 261.
[9] Catlin, 261-262.
[10] Ibid.
[11] Ibid.

"democratic ideology" because he sought to include all members of the American public to enjoy and participate in their "nation's park." Unfortunately, his vision was never realized. Instead, all components of "democratic ideology" were effectively removed from the National Park Service equation.

Catlin's idea was much altered by the time President Grant signed Yellowstone National Park into existence in 1872. According to Spence, Congress set aside two million acres for Yellowstone, including lands where some natives "exercised their off-reservation treaty rights."[12] Realizing that natives would now be using federally protected land for subsistence and other ritual uses, Congress scrambled to rectify the situation by working to "effectively exclude Indians from Yellowstone," even though a prior treaty from 1868 granted natives the right to hunt on the land in question.[13] This set a precedent for federal interaction with Native Americans, whereby native rights and traditions were subordinated to the needs preservation for European-American use only. By the time Congress established the National Park Service in 1916, these policies of exclusion and disregard were firmly embedded in policies towards Native Americans. Catlin's progressive ideals were essentially forgotten, replaced with a legacy of exclusive, not democratic, ideology.

When Congress established Mount Rainier in 1899, it also followed a precedent for Native American exclusion. Long before the park was created, Washington State

[12] Spence, 39.
[13] Ibid.

Governor Isaac Stevens faced a dilemma concerning Puget Sound tribes and the growing number of white settlers. Interactions between the two groups were less than peaceful. Stevens needed to accommodate an expanding pioneer society that required more space while keeping Native Americans separate from encroaching civilization. His solution was to negotiate treaties with the loosely confederated tribes in order to place them on isolated reservations. This would allow whites to use previously inhabited land to exploit its natural resources and to develop urban centers. The three treaties which had the most impact on the subsequent establishment of Mount Rainier National Park were the Treaty of Medicine Creek and the Yakama Treaty of 1854, and the Treaty of Point Elliott of 1855. In these treaties, tribes agreed to cede "right, title and interest" in their tribal land to the government in return for money and "the right of taking fish" and the "privilege of hunting, gathering roots and berries, and pasturing their horses on open and unclaimed lands."[14] It is unclear how coercive Stevens was in negotiating the treaties or how satisfied the tribes were with them. But it is clear Stevens used "paternalistic rhetoric" to convince Native Americans that these treaties were in their best interests for peace and protection.[15] In any case, the treaties established the federally recognized tribes as we know them today: the Muckleshoot, Puyallup, Nisqually, Yakama and Taidnapam. Rather problematically, however, the treaties were translated from English, to Chinook

[14] CNI-Media, Treaty of Medicine Creek, online, available from http://www.cni-media.com/MtTacoma/.1854treaty.html.

[15] Alexandra Harmon, Indians in the Making: Ethnic Relations and Indian Identities around Puget Sound (Berkeley: University of California Press, 1999), 83.

Jargon, and then into the language of each tribe.[16] It is likely the words "right" versus "privilege" held little distinction to those who signed the treaties. Still, these treaties worked well for Stevens and for the tribes for forty-four years, until they were challenged by the creation of Mount Rainier in 1899. It would soon be apparent that these treaties meant everything to the Puget Sound tribes but very little to the federal government.

The language of the law establishing Mount Rainier was far less obtuse than the language of the aforementioned treaties. The Mount Rainier National Park Act set aside land "for the benefit and enjoyment of the people," but any person "who shall locate or settle upon or occupy," the land "shall be considered trespassers and be removed there from."[17] The Act made clear that the land was for preservation only, the first goal being prevention of the "spoliation of all timber, mineral deposits, natural curiosities, or wonders within said park, and their retention in their natural condition."[18] In 1916, the State of Washington handed the federal government "exclusive jurisdiction" over Mount Rainier and expanded the terms set forth in 1899.[19] The new law clearly stated "hunting or the killing, wounding, or capturing at any time of any wild bird or animal" was strictly prohibited.[20] Fishing was allowed, but only by hook and line during particular times of the year. Furthermore, anyone who disregarded these laws was subject to "a fine of not

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[16] Murray Morgan, Puget's Sound: A Narrative of Early Tacoma and the Southern Sound (Seattle: University of Washington Press, 1916), 95.

[17] Congressional Record, 55th Cong., 3rd sess., 1899, vol 27, p. 1063.

[18] Ibid.

[19] Congressional Record, 64th Cong., 1st sess., 1916, vol 35, p. 365.

[20] Ibid.

more than $500 or imprisonment not exceeding six months."[21] Clearly, this language conflicted with rights and privileges outlined in the treaties of 1854-1855. Natives, under the rights granted them by the aforementioned treaties, had hunted, fished and gathered on the "open and unclaimed lands" up to this point. From the federal government's perspective, the land set aside for Mount Rainier National Park ceased to be open and unclaimed. But from the tribe's perspective, these lands were as they had always been. Tribes had no reason to think otherwise, because there is little indication the federal government abrogated the treaties of 1854-1855 before establishing Mount Rainier.[22] By ignoring these respected and established treaties, Congress acted undemocratically. Preserving Mount Rainier for the "enjoyment of the people" excluded Puget Sound tribes from practicing their rights, culture, and heritage by designating them illegal activities.

It is probable Congress and Washington State officials did not recognize or understand native use of Mount Rainier, which is why they overlooked the treaties of 1854-1855. It is also possible that prejudice and misunderstanding surrounded the bulk of legislation regarding Mount Rainier. Whatever the reason, administrative ignorance toward Puget Sound tribes reveals a very undemocratic picture. This ignorance is clearly illustrated in Mount Rainier's "Nature Notes" which were published weekly by park

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[21] Ibid.

[22] This assumption is supported by Mount Rainier Archaeologist Greg Burtchard who is an active liaison with Puget Sound tribes. Burtchard finds little indication Congress, Washington State or Park Officials went back to re-establish the terms of the treaties with the creation of Mount Rainier. This assumption is further supported by an incident which will be explored later, concerning a Yakama hunting party on park land in 1917. Tribal members, caught by a park ranger, claimed the right to hunt on park land based on the Yakama Treaty of 1855. Had new laws been established, it is likely the Yakama would have mentioned them, or the park ranger would have been aware of them.

naturalist Floyd Schmoe during the busy summer seasons. From 1923 to 1938, Schmoe observed Mount Rainier's natural habitat and gave detailed accounts of animal populations, natural oddities and attractions, flora and fauna, and Native American visitation. Although Schmoe notes tribes "made summer pilgrimages into the high country to hunt and gather wild berries," and gave detailed accounts of their huckleberry gathering practices, he seems to have viewed them as little more than simpleminded interlopers.[23] For Schmoe, "Mount Rainier answered the idea of a God to the simple, imaginative mind of the Redman," a statement which reflects common perceptions of Native Americans at the time.[24] Furthermore, Schmoe firmly believed Native American tribes "left little in the way of art, legend or history."[25] But what evidence did he have to sustain such an argument? The first solid archaeological and ethnographical inquiry did not come until 1964, more than thirty-six years after Schmoe's time and more than sixty-five years after Mount Rainier was drafted into a national park. Schmoe's ignorance of Native American culture as well as Washington State law reveals a decidedly undemocratic picture surrounding Mount Rainier.

Schmoe did not stand alone in his misconceptions, however. His beliefs were not anachronistic. They very much fit in with common beliefs about Native Americans at the time. Newspapers in the 1920s referred to Native Americans as "red men" and depicted

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[23] Floyd Schmoe, Mount Rainier Nature Notes, prepared for Mount Rainier National Park (Seattle: National Park Service, 1947) 1 Feb. 1926.

[24] Ibid.

[25] Ibid.

them as primitive beings.[26] Likewise, in The Mountain That Was God, author John Williams refers to the tribes of Mount Rainier as having "simple, imaginative mind[s]" with a "low mentality."[27] William's depicts Puget Sound tribes as seeing only the "supernatural in the world around him," a fact which Williams emphasizes because the tribes were not Christian.[28] In the end, William's book did little to illuminate the role or the historical past of the Puget Sound Indians, thereby perpetuating European American ignorance. Similarly, park literature in places such as Mount Rainier, Yosemite, and Lassen National Parks describe Indians as "first visitors," as though they packed up their trucks with Gore-Tex and trail mix and made it to the parks before whites did.[29] These depictions engendered the false notion that Natives did not belong to Mount Rainier, and that Mount Rainier did not belong to the tribes. Upper Cowlitz tribal member Bill Iyall notes, "The general attitude of the time was that Indians didn't live there [Rainier]. Reports refer to the tribal presence as 'visitors.' But Indian people *lived* there, just not all the time." [30] Had these authors of widely circulated literature engaged in thoughtful research, a more accurate understanding about Native Americans would have been more widely disseminated. This in turn, might have helped Native American and park relations.

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[26]Tacoma Ledger "Six Indians, 20 Horses, Three Rifles bagged by National Park Officials," Oct 6, 1917.
[27] John H. Williams, The Mountain that was God (Tacoma, Published by the Author, 1910), 25.
[28] Ibid.
[29] Richard Ellis, Lassen Volcanic: The Story Behind the Scenery (Las Vegas: K.C. Publications, 1998), 2.
[30] Ruth Kirk, Sunrise to Paradise: The Story of Mount Rainier National Park (Seattle: University of Washington, 1999), 92.

The findings of the first ethnographical and archaeological inquiries are essential for dispelling the uninformed ideas Schmoe circulated. They are also essential for understanding the extent to which Puget Sound tribes used the land that now makes up the park. Mobilized by anthropologist Allan Smith in 1964, this ethnographic inquiry to the archaeology of Mount Rainier reveals what Congress essentially disregarded, that there was a prehistoric presence of Native American tribes long before Mount Rainier was a national park.[31] Smith's investigation found consistent prehistoric use of the park area by the Muckleshoot, Yakama, Puyallup, Taidnapam, and Nisqually tribes. While boundary distinctions were unclear, Smith found many tribal members who claimed areas of the park as their own. Various parts of the park were "economically utilized" by each of the five Puget Sound tribes.[32] Tribes seasonally gathered huckleberries from Mt. Rainier's meadowed slopes, fished salmon from its streams, and hunted the occasional mountain goat. Tribes would visit the mountain in small groups and set up temporary camps. Most of the items harvested from the park were dried and stored for winter use. [33] Rather cleverly, tribes realized meadows produced more berries and therefore burned

[31] Allan H. Smith, Ethnographic Guide to the Archaeology of Mount Rainier National Park (Seattle: National Park Service, Cultural Resources, 1964), 1. Smith began his research knowing the "archaeological past of the area was entirely unknown," at the time of his inquiry. Smith conducted his research first through collecting as much known data and literature as possible, followed by an archaeological field study. Smith basically compiled the scholarly literature on the subject in order to pinpoint areas in the park that might be the most archaeologically rich in material. The archaeological field study was never completed.

[32] Smith, 149.

[33] Smith notes the only structures found in the park were temporary, which supports the notion that Natives only seasonally used the park. These structures were primarily racks for meat and berry drying.

certain areas to create a higher yield.[34] Smith believes this practice began in prehistoric times, and continued through the early 1900s. Although Smith's observations were founded upon established literature and not on archaeological excavations, his inquiry paved the way for future excavations that would offer scientific proof of Native American prehistoric use of Mount Rainier.

In 1995, archaeologist Greg Burtchard continued Smith's ethnographical inquiry. He conducted several excavations and consolidated his findings with previously compiled literature. By 2003, Burtchard was able to document forty prehistoric sites and found human use of the area as far back as 3,500 radiocarbon years ago.[35] These excavations reinforced what Smith surmised: that Native Americans had a prehistoric presence at Mount Rainier. Burtchard's consolidated archaeological findings reveal evidence of ax heads, rock shelters, log stockpiles, arrow points, lithic scatters and flakes.[36] Burtchard also notes "surface exposed artifacts at Frozen Lake suggested hunting, butchering and tool making activities," although huckleberry picking was the "primary reason" Puget Sound tribes used Mount Rainier.[37] Clearly, Puget Sound Indians had an established history of subsistence gathering at Mount Rainier. Had this been widespread knowledge in 1899, it would have been far more difficult to dismiss Native American use of the land.

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[34] Park Naturalist Floyd Schmoe observes this in his Aug 15 issue of Nature Notes. Obviously, this practice came under fire when Puget Sound tribes continued to burn areas after the Park was established. This conflict will be discussed at length later on.

[35] Greg C. Burtchard, Environment, Prehistory & Archaeology of Mount Rainier National Park, Washington (Seattle: National Park Service, 1998), iii.

[36] Lithic scatters are the debris created during the process of making stone tools. Flakes are the individual pieces of modified stone.

[37] Burtchard, 3, 21.

This ignorance of the archaeological past enabled park officials and the public to maintain that Puget Sound tribes had no right to be there.

Government and public officials also discounted Native American lore regarding Mount Rainier. Puget Sound tribes had a rich oral history, one that revealed the importance of the mountain to their cultural and spiritual lives. Yet their myths were largely belittled and undermined by park officials and the public. Myths became a way for whites to emphasize the simpleminded nature of Puget Sound tribes, rather than using them as a rich educational tool for cross-cultural understanding. Perhaps the most condescending account was by the aforementioned author, John Williams, who wrote extensively on the history of Mount Rainier in 1910. Williams relates a very short version of the Miser Myth, whereby a greedy Nisqually took a horde of hiaqua[38] from Tacobud (Mount Rainier). Tacobud, angry that the man took so greedily without giving anything in return to the spirits, put the man to sleep for thirty years, so that when he awoke he was old and gray. After recounting this tale, Williams notes how much "symbolism pervaded his [Native American] crude but positive mind."[39] Williams concludes, "Knowing nothing of true worship, his [Native American] primitive intelligence could imagine God only in things either the most beautiful or the most terrifying."[40] This unfortunate conclusion, drawn from an incomplete rendering of the

[38] Hiaqua are shells that were highly valued for purposes of ornamentation and were also used in place of money.

[39] Williams, 34.

[40] Williams, 34.

Miser Myth and obviously influenced by the author's notions of Christianity, misses the fundamental point of the myth. The Miser Myth reveals the importance of both taking and giving back to the mountain, while respecting the spirits who dwell there. It also tells us that to take greedily leads to dire consequences, a lesson which likely imbued the Nisqually with a sense of respect and fear for what Tacobud offered them. Regrettably, park officials disregarded these lessons.

These unflattering and incorrect depictions of Puget Sound tribes continued to circulate under Park Naturalist C. Frank Brockman. In his June 1937 issue of "Nature Notes," Brockman introduced the Miser Myth but in a different manner. Brockman noted how Mount Rainier "generated a feeling of awe and reverence to Indians."[41] But Brockman saw these feelings leading to cowardice and fear on the part of the Indians, which is how he explains the failure of any Puget Sound tribe to summit the mountain. Brockman wrote, "No Indian even stood upon the crest of Mount Rainier until the feasibility of the ascent had been amply demonstrated by numerous white men."[42] Although Brockman acknowledges some Natives may have summated or had the desire to summit, he lends most credit to Lieutenant Kautz and General Stevens for having the ambition and bravery to reach the top.[43] Brockman places very little weight on the efforts

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[41] C. Frank Brockman, Mount Rainier Nature Notes, June 1937 vol xv no. 2.

[42] Ibid.

[43] Sluiskin, a Yakama, played an integral role in Steven's summit of Mt. Rainier. Sluiskin led Stevens and his party through the most passable areas of the mountain, but stopped short of summating the mountain. He stayed behind and warned Stevens "Your plan to climb Takhoma is all foolishness. No one can do it and live. A mighty chief dwells upon the summit in a lake of fire. He brooks no intruders…if by some miracle you should survive all these perils the mighty demon of Takhoma will surely kill you and throw you into the fiery lake…You will perish and your people will blame me!." (Meany, 133-134). Brockman interprets this warning as cowardly and fearful.

of Sluiskin, a Yakama, and Wapowety, a Nisqually, to guide the explorers to the base of the Mountain. Arguably, had these tribal men not agreed to help the explorers find passable routes, the exploration of Mount Rainier might have taken place at a much slower rate. But Brockman was able to dismiss Sluiskin and Wapowety's efforts by assigning cowardice and fear to their myths. Had Williams or Brockman looked into the deeper meaning of the myths and respected the lessons they taught, perhaps they would have given a more accurate and flattering portrayal of Puget Sound tribes, which in turn would have created greater understanding in the local community. Clearly, interpreting Native American myths in a negative way allowed the public and government officials to maintain a safe distance from Puget Sound tribes and undoubtedly reinforced notions of tribal inferiority. In any case, we cannot afford to dismiss what these legends tell us today. The Nisqually, Yakama, Muckleshoot, Taidnapam and Puyallup all had close spiritual, cultural and economic relationships to Mount Rainier long before it was a park. Their fables taught lessons, issued warnings, explained natural resources, described the placement and growth of the mountain, defined human limitations, and inspired reverence and awe for the mountain and for nature. Unfortunately, these lessons were ignored by the government, achieving very little for park-tribal relations.

However, it is likely Sluiskin was most concerned he would be held responsible should anything happen to Stevens. Sluiskin reportedly asked General Stevens for a note confirming they were duly warned. All of these actions, rightfully so, point towards Sluiskin's concern for the consequences of a white-man's death and not towards any cowardice or fear.

Tribal relations continued to decline during the early administration of the park, particularly after the National Park Service contracted with the Rainier National Park Company to oversee concession operations in 1916. The Company managed operations at the Paradise Inn, guide services around the park, transportation to and from the park, and it also provided entertainment for the visitors.[44] According to Theodore Catton, who compiled Mount Rainier's Administrative History, the Company hired several Yakama who agreed to

> perform for tourists at Paradise Park, on the south flank of Mount Rainier. They held daily drum dances, rode horses, and demonstrated their spear fishing. Their leader was none other than Chief Sluiskin. The Rainier National Park Company, a concession operation, sponsored the events. The agreement soon broke down, apparently because the Indians proved unwilling to pose for souvenir photographs.[45]

Catton notes that these performances were a way for the park to "celebrate the past through Indians."[46] Catton includes a photo, courtesy of the publicity department of the Company, showing a Native American in full headdress, bare-chested, with his arms stretched out towards the mountain. While it would seem these performances were voluntary, they were clearly a detrimental component of the Company and the park. Not only did they put the Yakama on display, as one would an animal at a Zoo, they provided and created a stereotype for public enjoyment. Drum dancing, horse riding and spear fishing hardly provide an accurate historical picture of the Yakama's role in Mount

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[44] Theodore Catton, Wonderland: An Administrative History of Mount Rainier National Park (Seattle: National Park Service Cultural Resource Division, 1996), 2.

[45] Ibid.

[46] Ibid.

Rainer's past. For example, why did they not celebrate the role of Sluiskin in the first documented summit of Mount Rainier? If we accept historian's arguments that the creation of national parks rested on democratic ideology, we must closely examine what these performances and photographs implied to visitors. They implied that the Yakama had very little historical relevance to the area while emphasizing their entertainment value. They implied the Yakama served the purpose of generating publicity and making money for the Company. They implied very little that was democratic or egalitarian.

The disintegration of Native American relations with the park reached a climax between 1915 and 1917. By this time, there were still no written regulations advising rangers how to deal with Native American's hunting in the Park. Not surprisingly, when Ranger Thomas O'Farrell discovered a hunting party in Yakama Park, he had very little idea about what to do. To his credit, O'Farrell wrote his supervisor D.L. Reaburn before acting, explaining,

> They have constructed two corrals for their horses by cutting down timber and also a wigwam of poles. There are great quantities of bones and other evidence of recent game destruction. I wish to be advised as to whether or not the Indians under their treaty with the federal Government have the right to hunt and take game in National Parks and if not what steps are to be taken to cause a discontinuance of this practice.[47]

Reaburn, also at a loss about what to do, forwarded O'Farrell's message to the Secretary of the Interior. The Acting Assistant Secretary responded in the negative that the law establishing Mount Rainier National Park made "no provision for hunting therein by

[47] Thomas E. O'Farrell to D.L. Reaburn, July 29, 1915, NA, RG 79, Central Files.

Indians."[48] He suggested Reaburn find out what tribe the Indians belonged to in order to determine any claim to treaty rights. Both Reaburn and O'Farrell were unable to determine this information, but the discovery of a new expedition on September 1, 1915 diverted their attention. This time, it was confirmed that Chief Sluiskin and other Yakama Indians were hunting in the park. According to the rangers who discovered the party, the Yakama "refuse[d] to obey the rangers orders claiming the right to hunt and kill as they please but they say they will slaughter only what is needed."[49] From the correspondence between Reaburn and the Secretary of the Interior, it would seem that neither official knew exactly what Chief Sluiskin and the Yakama were referring to.[50] The Secretary assigned the Acting Chief Clerk, W.B. Acton, to research Sluiskin's claims. Acton's research revealed what has already been discussed: that the act establishing Mount Rainier as a National Park conflicted with the treaties of 1855 providing for tribal rights to hunt, fish and gather on "open and unclaimed land." Acton concluded

> I doubt very much whether this paragraph of the treaty [Yakama Treaty of 1855] is sufficient to support the claim of the Indians of the right to hunt and kill game within the metes and bounds of said park, and before issuing any definite instructions…I have to suggest that the matter be referred to the Solicitor of the Department for opinion.[51]

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[48] E.J. Ayers to D.L. Reaburn, August 9 1915, NA, RG 79, Central Files.

[49] Reaburn to Secy. Of Interior, Sept. 1 1915, NA, RG 79, Central Files.

[50] The Yakama were claiming their right to hunt and fish under the Yakama Treaty of 1855. Reaburn and O'Farrell seemed largely unaware of this treaty and its concessions. They also seem unaware of (or unwilling to understand) the cultural, historic and economic importance the Mountain held for the Yakama. Much of the following correspondence, reveal a black and white approach to the hunting problem in the Park. None of the officials involved seem willing to entertain any compromises or negotiations.

[51] W.B. Acton's Memorandum to the Assistant Secretary, Sept. 2, 1915.

Acton makes no mention of attempts to abrogate the treaties of 1855, further revealing a federal

unwillingness to compromise, mediate, or act diplomatically concerning Native Americans.

Recognizing the need for greater research, the Department of the Interior handed this problem over to Solicitor Preston C. West. Following a nine-page review of the language involved in the Mount Rainier National Park Act of 1899 and the Yakama Treaty of 1855, West concluded Mount Rainier should establish clear regulations, which

> should be so framed as to permit the Indians to enjoy "the privilege of hunting, gathering roots and berries, and pasturing their horses and cattle" upon lands ceded by the treaty of 1855 and now incorporated within the boundaries of the Mount Rainier National Park, with such restrictions as may be necessary to prevent injury to the timber, mineral deposits, natural curiosities or wonders; and also to prevent the killing or taking of animals or birds not properly classed as game, the killing of game beyond their reasonable needs of subsistence for the mere pleasure of killing, or for merchandise and profit.[52]

West's conclusion offered one of the first balanced and thoroughly researched inquiries seen up to this point. West examined the laws and attempted to balance the aims of the park with the rights of the Yakama. Unfortunately, his conclusion came far too late. The laws and treaties should have been reviewed long before hunting rights became an issue in the park. Even more unfortunate was park official's decision to toss out West's verdict. When rangers discovered another band of Yakama hunting in the park on October 4,

[52] Preston C. West to Secretary of the Interior, September 23, 1915.

1917, they were arrested and their hunting equipment confiscated.[53] This effectively made it illegal for tribes to practice the economic, cultural and historical roles they had exercised long before the white man came. In doing so, park officials failed on three levels: by dismissing the rights of Puget Sound tribes under the treaties of 1855, by failing to mediate or compromise with the tribes, and by acting in the best interests of the park, not the "public domain" it was supposed to reach out to. In this regard, relations from the very beginning lacked a democratic ideology.

These events had severe implications for the future relations between Puget Sound tribes and Mount Rainier. After Chief Sluiskin and his Yakama party were arrested in 1917, Puget Sound tribes had very few relations with park officials until 1999.[54] This is not surprising considering how the park and government officials offered little outreach to Puget Sound tribes at its inception. Since the beginning of Mount Rainier's history as a national park, officials and the government have disregarded tribal rights. They could have abrogated the treaties of 1855 and renegotiated new ones with the Yakama, Nisqually, Puyallup, Taidnapam and Muckleshoot tribes. In turn, this would have prevented heated interactions between rangers and the Yakama between 1915 and 1917.

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[53] When State Game Warden and Fish Commissioner L.E. Darwin heard of West's decision and was asked for cooperation, he replied he would not. He argued it was against state law to hunt Elk and Beaver and would be "only too glad to prosecute" any Indian who violated State law. He argued all people, regardless of ethnic identity, were accountable to State Law. It is unclear where exactly the motivation came from, but shortly thereafter the Department of the Interior gave direct orders to Mount Rainier Supervisor D.L. Reaburn to arrest the new band of Yakama hunting in the Park. The Secretary of the Interior also released a Memorandum citing the newly established State laws concerning the Yakama hunting outside of their reservation. In the State v. Towessnute, it was decided "Yakima Indians outside of their reservation are subject to the State Game Laws." The memo concluded, "There appears to be no question as to the enforceability as against the Yakima Indians of our regulations prohibiting hunting in Mount Ranier [sic] National Park." Subsequently, all Yakama members were arrested.

[54] Burtchard indicated this was his experience at Mount Rainier.

Officials could have established a liaison office assigned with the sole responsibility of fostering good relations with surrounding tribes. Officials could have more honestly and accurately publicized the historical role that surrounding tribes played in the park's history, rather than commissioning them for purposes of entertainment. But from the day that Mount Rainier was established, park and government officials failed to include Native Americans or compromise with them, thereby establishing over one hundred years of neglect and bad feelings. Understandably, this history is a hard one to overcome.

These bad feelings were never more evident than at Mount Rainier's Centennial Celebration in 1999. By this time, archaeological interest in the area inspired a tentative outreach by the park to Puget Sound tribes. Mount Rainier invited tribal elders from the Nisqually, Yakama and Puyallup to the celebration. But these elders were then denied access to the VIP tent.[55] The elders, bewildered and angry, left immediately. This interaction was incredibly symbolic. One must ask whether the tribes would have been so quick to leave had more firm relations been in place and for a longer period of time.

Granted, more solid relations are emerging with the help of Greg Burtchard.[56] Burtchard works as the park's archaeologist and as its first Native American Liaison. Although he acknowledges "there's a lot of ignorance in the Park," he sees relations with

[55] Greg Burtchard, current Native American Liaison at Mount Rainier National Park confided that this incident was due to the ignorance of a contractor, who was hired to program the events and did not understand the necessary protocol. The other tribes declined to attend, citing discomfort and wariness as the reason.

[56] Relations between the park and Puget Sound tribes were also helped along by the decision of Superintendent Jon Jarvis, who decided to waive entrance fees for the Puyallup, Yakama, Nisqually, Taidnapam and Muckleshoot tribes. This action, though thoughtful and inclusive, also reminds us that these tribes had to pay to access the lands their ancestors had prehistorically used. That's one hundred and one years of fees.

Puget Sound tribes as slowly getting better. [57] Burtchard meets on a monthly basis with the Yakama, Puyallup, Nisqually, Muckleshoot and Taidnapam. At worst, Burtchard mentions that relations with the Muckleshoot are "wary," but that they are still effective and slowly progressing. At best, Burtchard enjoys very good working relationship with the Nisqually. In 1998, the Park outlined a Memorandum of Understanding which allowed the Nisqually to collect thirteen culturally significant plants.[58] This memo evolved into a regulated process whereby the park issued permits and worked with the tribe to establish agreeable regulations regarding the gathering of these plants. This in turn established a sense of partnership between the tribe and park. In the "Memorandum of Understanding" outlining the regulations, the park recognizes "past and present traditional cultural affiliation" of tribes with the land and their "rights reserved through the Treaty of Medicine Creek." [59] Officials at Mount Rainier "recognize the need to protect and preserve natural and cultural resources" while also respecting the tribe's "interest in preserving and protecting their cultural and religious traditions" involving gathering of culturally appropriate quantities of plants. In return, the Nisqually are required to collect the plants in discreet areas and may submit lists of new culturally necessary plants to the park superintendent for consideration. This memorandum offers

[57] This sentiment was confirmed by the author's experience as a volunteer at Olympic National Park. In casual interviews with rangers, it was revealed there is no standard training offered to rangers on how to effectively liase with tribal members.

[58] Plants include: bear grass, berries, cascara, red cedar bark, yellow cedar bark, devil's club, maiden hair fern, white pine, pipsissewa, spruce roots, tiger lily roots, western yew wood etc. In some way, all of these plants reflect the Nisqually's historic past at Mount Rainier.

[59] Mount Rainier National Park's Memorandum of Understanding with the Nisqually, 1999.

an extraordinary compromise based on the tribal rights established in 1855. In the one hundred year history of the Park, this is the first time officials sought to redress the conflict begun when Mount Rainier became a National Park, its lands ceasing to be "open and unclaimed." It also marks a reasonable compromise between the conflicting goals of the National Park Service and Native Americans on a local level. Although this is a positive trend, it is arguably late in developing.

This compromise is also tenuous at best. In 1999, the National Park Service proposed to allow Hopi Indians the right of collecting golden eagle chiclets at Wupatki National Monument for ceremonial and ritualistic purposes.[60] Soon after, concerned members of the Public Employees for Environmental Responsibility group (PEER) made a request under the Freedom of Information Act to access the terms of this proposal. In doing so, they uncovered similar concessions made by other national parks, including the agreement between Mount Rainier and the Nisqually. PEER then wrote to the director of the National Park Service (and not the superintendent of Mount Rainier) to demand Mount Rainier officials cease allowing Nisqually members to collect plants, then argued such practices were not "organically approved."[61] David Jarvis, the Superintendent of Mount Rainier at the time, realized PEER was drawing national attention to a sensitive subject and worried other tribes might start asserting their rights now that a precedent had

[60] http://data2.itc.nps.gov/parks/wupa/ppdocuments/ACF342.htm

[61] Because this issue escalated into a lawsuit which is still pending, Burtchard allowed me to read the document but was hesitant to let me photocopy it or take notes. Everything here is written from memory and from the notes I was able to take during Burtchard's discussion of the context of the lawsuit.

been set in their favor. Jarvis notified PEER to back off of their lawsuit, arguing it could lead to multiple lawsuits by other tribes asking for concession. PEER complied. As it stands now, Mount Rainier is trying to change the Federal Code of Regulations to allow the Nisqually to collect their thirteen culturally significant plants. But obviously, with the growing pressure of environmental groups and the very young relations between Mount Rainier and the Nisqually, this situation is exceedingly precarious. Burtchard worries that if PEER continues to apply very public pressure on officials at Mount Rainier, it is likely this pressure will outweigh any tenuous agreement officals have with the Nisqually.

These tenuous relationships at Mount Rainier are not an anomaly, nor do they represent an isolated event in the history of national parks. All across the country, the National Park Service is juggling its goals of preservation with various tribal claims to natural resources. For example, Yosemite officials commissioned tribes to perform in a similar way to the Yakama at Mount Rainier. They were paid to wear full native dress and engage in a "parade, rodeo events, an Indian Baby Show, and horseraces featuring bareback riders."[62] In the 1930s, Yosemite Superintendent Lewis decided to remove the Indian village from the center of the park, citing it as "more or less a nuisance."[63] Lewis did not propose the change to the Yosemite themselves. Initially, this proposal elicited a negative public reaction. However, by the late 1950s, Yosemite officials argued tribal residence in the park "retarded an individual's ability to join the mainstream of America."

[62] Spence, 117.
[63] Spence, 121.

[64] This paternalistic rhetoric, much like the rhetoric used by Governor Stevens in Washington, was effective. By 1996, the last Yosemite Indian left the Indian village.[65] Similar problems continue to plague parks across America, revealing more and more the inherent flaws of the National Park system. Democratic ideology and the creation of National Parks simply do not go hand in hand if we consider Native Americans.

If we examine the past role of Native Americans during the preservation era, then national parks are inherently undemocratic creations. In Mount Rainier's case, the goal of wilderness preservation stood at complete odds with the cultural, historic, and economic purposes of the Nisqually, Puyallup, Yakama, Muckleshoot and Taidnapam tribes. The law establishing Mount Rainier also conflicted with the treaties of 1855 which guaranteed Puget Sound tribes the right and privilege of hunting, fishing and gathering on "open and unclaimed lands." Had Mount Rainier National Park stood upon a democratic ideology, as Nash argues all Parks did, George Catlin's vision would have been realized, the Park would have annulled and reworked the treaties of 1855, government officials and the public would have recognized the rich archaeological history of Puget Sound tribes, tribal myths would have been used as a tool for education and illumination, early administration of the park would have included a Native American liaison office with the goal to nurture relations with surrounding tribes, and the current relationship between the Park and Puget Sound tribes would be strong and

[64] Ibid.
[65] Spence, 131.

well-established. Yet from the very beginning, few if any of these events occurred. Only some of them are being realized today. Even as we evolve into a liberal and open-minded society, these wounds of neglect are not easily forgotten, particularly considering the rich oral history Native Americans rely on. One can only hope Park officials as well as the public will pause, reflect, and remember it is we who are the visitors when we enjoy the beauty of our nation's parks.