
Guest Column: Hats off to a determined woman

November 7, 2022



Elouise Cobell Day will be celebrated on November 5 in Montana, but many people in the West may not recognize her name.

They may not know the story of her almost 20-year struggle to win justice for Native Americans from the U.S. government, which for decades botched the management of natural resources owned by individual tribal members.

Yet 13 years ago, Blackfeet Tribal member and banker Elouise Cobell finally won a class-action lawsuit against the government, which settled the case by paying out \$3.4 billion to Native American citizens and tribal nations.

The case was one of the largest class-action suits in U.S. history, and the presiding judge issued a blistering judgment against the Department of Interior. He called Interior a “dinosaur” agency that allowed “outright villainy” to persist.

And who was Elouise Cobell, the woman who brought the federal government to its knees? The great-granddaughter of Mountain Chief, a historic leader of the Blackfeet Nation, she was born on November 5, 1945. Her tribal name was Yellow Bird Woman. Seeing a need, she founded the Blackfeet National Bank, the first national bank owned by a tribe on a reservation, and made sure it offered education, ensuring that young people could become financially literate while also encouraging entrepreneurs.

Because she was a banker, she began looking into how the federal government kept failing its trust responsibilities, sending out checks only sporadically and without explanation. She asked basic questions of four different Interior Secretaries — Ken Salazar, Richard Kempthorne, Gale Norton and Bruce Babbitt. She wanted a clear accounting of how much money came into the Federal Government from tribal leases for mining, oil and gas, logging, minerals and grazing.

And what she particularly wanted to know was how royalties were determined for more than 300,000 tribal landowners.

Answers weren't forthcoming. But she spotted a damning pattern: Native Americans had been systematically cheated for generations. What was worse, she said, was learning that they were still being cheated.

She could not even find any accounts existing before 1972, which led her to call the Interior Department's management a "forensic mess." But early on, when she confronted Interior staffers, she said she was told to go away "and learn how to read an account statement."

Cobell may not have seemed like a firebrand, but she was stubborn. Finally, she told law students at Tufts University in 2010, she became enraged.

"People would come to the bank and tell me, 'I could do this or that if I could get my money.'" But years passed, "and many people I fought for had passed away."

At the beginning of what became her long campaign, Cobell said that when she first approached the Federal Government, she assumed she'd certainly "get somebody to listen."

But writing letters got her nowhere. Traveling to Washington to meet with those in charge also failed, and one Interior Secretary, she said, refused to talk with her at all. After five tribes banded together in an effort to force Senate hearings, they, too, were stymied. Meanwhile, Indigenous people were still being cheated.

It was President Barack Obama and the Congress that finally settled her class action suit in 2009, awarding \$1.4 billion to the landowners and \$1.7 billion to tribal nations, which still uses some of that money to buy back land. The Cobell Scholarship Fund was also created to honor her work as lead plaintiff.

Cobell won many honors before her untimely death at age 65, in 2011, including the Congressional Medal of Honor and a MacArthur Foundation "genius" award. In the words of Michael Munson, dean of Native American Studies at Montana's Salish Kootenai College, she was "a warrior woman for American Indian people."

Besides being a banker, Cobell was also a wife and mother who ran a ranch with her husband, and not least, she was a diehard Elvis fan. In her funeral procession, every car radio was tuned to a station playing Elvis Presley songs.

So, hats off to Elouise Cobell. May she continue to be celebrated as the Native American woman who made the federal government admit its wrongdoing, pay back a portion of what it owed, and finally correct an ongoing injustice.

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