

AMERICAN INDIAN HISTORICAL RESEARCH PROJECT

University of New Mexico

Tape Number:

SIDE II #648

Tribe:

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Band or Clan:

Date and location of interview: ~~402~~ GALLUP, N.M. 7-20-70

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Tape #648

Bill Schneider
(Reporter for Gallup Independent)
Interviewer - Joel Bernstein
July 20, 1970
Gallup, New Mexico
Side 2

This is an interview with Mr. Bill Schneider a reporter for the Gallup Independent, the interview is being held in Mr. Schneider's home in Gallup, New Mexico, on July 20, 1970. The subject is the Gallup Ceremonial Trial that was held in Santa Fe last week. Mr. Schneider covered the trial for the Gallup Independent.

- Q. Mr. Schneider why don't we start with some of your impressions of the trial, any observations that you would care to make since you were covering the thing from the beginning.
- A. Well, my chief impression of the trial was that the plaintiffs which is Michael Benson and Eddie Brown and Hugh Tracy and Linda Hubbard, the four plaintiffs really didn't get their case represented right they really just didn't get their point through and this is partially due first off to the ground rules that were laid down in some sort of a pre-trial hearing with the judge, Judge Kerr and also due to the fact that the points that they were trying to bring out was a hard one to sort of bring out into a trial because it was basically of a subjun..... subjective nature rather than simple objective facts. The main point the plaintiffs tried to show was, they attempted to show to the court that the state of mind of the defendants was such that they were not just trying to prevent a disturbance and they weren't just trying to attempt to forestall any difficulties that might be brought on by the leaflet and they were really trying to get rid of a bunch of radical people and..... because they didn't want them around they didn't want to have this said and they just didn't want to flap and so they decided lets just throw these guys out and of course all the time looking upon them there was nothing but a bunch of rabble rousers. So this is the main effort that the plaintiffs lawyers tried many times to bring into the trial and as they would go through the questioning of the various witnesses either Mitchell or Robert Hanna would begin a line of questioning sort of had the purpose of developing or bringing out of the witness what their state of mind was while the thing was going on and whenever this happened, what would happen was that a defense

lawyer for it got word and would immediately hop to his feet and object and the court generally sustained them because it was felt that the question was just something that was so subjective that it wasn't relevant to the whole trial.

- Q. They were defended by the DNA weren't they, Ted Mitchell and the DNA? Oh, I'm sorry ... prosecuting.
- A. Yes, they were prosecuting attorneys is how you say it. So the problem with their case was here they were trying to bring into the court this highly subjective thing of the state of the mind of the defendants and yet the court really wouldn't accept that, because it just wasn't something nice and solid like a good hard fact like what happened exactly at 11:05 at such and such, time such and such.
- Q. From your observation as you attended the trial did you feel that the case young Benson and the other young Indians were trying were... were trying to make, did you feel it was a valid case, having, knowing what the attitude is here in Gallup and knowing something about the ceremony?
- A. Yeah, it was a valid case but again even their case in the trial and even at the incident was sort of hamstrung by the fact that they were attempting to fight their cause in a way that, at least as far as the court trial is concerned brought in all these outside more or less extraneous attitudes in opinions and prejudices which were alleged to be held by the defendant and yet the court wouldn't accept that because well because as Judge Kerr said often in the thing he's gonna judge the trial by what happens and not by what people thought and since it was really sort of essential that the plaintiffs bring in what people were thinking and their attitudes and their prejudices and their reactionary political views etc. The plaintiffs really didn't get their point into the trial so as a result as far as I'm concerned the trial was run by the defense. As far as a strict interpretation of the facts the defense didn't do so bad, well I shouldn't say it was won by the defense, they put up a heck of a good fight and plaintiffs just really didn't get their point across over the whole thing.
- Q. Where are you from? Are you from Gallup, New Mexico originally?
- A. No, originally I'm from Davenport, Iowa.
- Q. Well, how long have you been here in Gallup?
- A. It will be about 3 months, I guess.

- Q. Alright as sort of a new comer, I think in Gallup's terms, you'd probably be an outsider, what has been the reaction of the town as best as you can gage it to this trial and to the whole sequence of events that lead up to the actual trial, I know that....well, go ahead why don't you answer that one first and then.....
- A. Well, the editor of the town now again I'm, I guess I'm to be asked to comment about the town, I don't know much about but it seems to me that the town generally speaking is rather pro-association at least in regard to the trial, in regard to this particular incident. It's rather obvious that the town, maybe I shouldn't say obvious but it is indeed my impression of the town has the opinion, opinion that the ceremony was a good thing and it makes a lot of people a lot of money, there's no doubt about that; it's a million dollar business and they don't want to see a good thing given any flap or anything like this about it, they just want, their attitude is that they just don't want anybody to rock the boat, is their attitude. In other words they got this nice smooth sailing ship, don't anybody make any waves because we're all doing fine, see.
- Q. Do you have any feeling that they are concerned in any way about the Indians involved or is this just strictly one of the things the town has?
- A. I would say that in, that their concern about the Indians is, again it's nothing more than my opinion, it's almost compartmentalized, in other words there is one side a very much a respect for some of the aspects of the Indians, I sure that you'll find many people who, who look upon the Indians dancers as, with a great deal of esteem, in other words they look upon those dancers and say the men are real artists in doing their dance thing. But at the same time they don't want them living next door; it's that kind of a thing. I'm afraid I lost track of the question now.
- Q. What kind of attitude does the town have toward the Indian themselves; it's always been my impression and here again I'm reasonably new to the area; I've been here 2 or 3 years now, by my feeling has been that Gallup's attitude toward the Indians is that they are just another commodity which they market in the summer and there is very little concern about Indian culture and the Indian way of life, that the town in really in a sense prostituting them.
- A. Well, that's true about a lot of people in the town; I don't think that, again you can get to the truth of the matter unless you realize that there are some people who you must accept from that general attitude. There is a lot of people who do look funny and these are nothing more than just a good way to make

money on all the tourists driving through, etc. But I think there is among some of the more enlightened people and there is probably not too good a community of enlightened people in Gallup but, you know, they respect the Indians, but they really either don't know how to get a long with them on a day to day basis or they just don't want to. It's sort of a cross-cultural problem on the space between almost every 2 different cultures that you have and it is, you know, each culture can see something nice on the other side but they really don't know how to cope with them on a day to day basis and this....

Q. Did the, was the attitude at the trial on the part of the ceremonial board, was it one of rigidity, that is, from reading the newspaper accounts and your stories included my view was that the people in the town, well at least their attitude to the trial was, was that they just couldn't understand why these young Indians would be protesting and they didn't really seem to take the view that any legitimate ground for protesting as the young Indians are trying to do lead by Benson.

A. Yeah, well, that is sort of a good description of their attitude; their attitude is that these people should have and they were rather upset when they didn't come to them, sat them down and all had a big rap session before they went out and did their leafleting and their other objections are that, that there are opportunities for Indians to become members of the ceremonial association so therefore in their opinion if they've got a gripe, why don't they join and work sort of through the "system" to change things and they also seem to have the attitude since the dancer and performers come more or less voluntarily to this thing every year, matter of fact they hold the opinion that the Indians really look forward to the ceremony, not only the dancers who dance at the ceremonial but also just the local Indians who show up just to watch the show really look forward to the whole thing sort of enthusiastically, sort of the big festival of the year type thing. And therefore they figure, well if the dancers are not complaining about the way the ceremony was being run and the tourists are not complaining about the ceremony... Well, lets see, if the tourist aren't complaining about the way its being run well then really nobody else has the right to come up and bitch because nobody else is really involved, thats sort of their attitude.

Q. What's the attitude of the young Indians, what do they want?

A. Well, first off what they want is they want the whole ceremonial to be run by the Indians and I don't know I suppose there is arguments for that, and arguments not necessarily for Indian contro, I think that a candid attitude of one of the ceremonial officials, if you wanted to get a candid attitude is that in

America, Indians are not capable of running this type of a show, they just don't have the managing skill to pull such a bit thing off, you know they're not used to handling all the money and all the mailing and all the problems in the organization, etc. that goes into the thing so, you know, I mean as far as what I think their real attitude that would probably be one of their real attitudes about Indians taking over a ceremonial, although you could never get them to say that publicly.

- Q. What about the Indians they seem to express a view that they could run it themselves. Is that what they're angry for, they want this move to the reservation so that the Indians not only profit psychologically but also make all the financial problems as well?
- A. Well, yeah, there is, there's always economics involved. I really don't think its the main factor; it's sort of an "our thing" where the Indians conceive of this whole thing as theirs in the sense that it is their culture that is being represented and therefore since this is their culture, they should run it and not somebody who is outside that culture and doesn't understand it, doesn't appreciate it because he is outside it not having anybody like that running it. It's sort of an idea that their culture is being corrupted by, by the mere fact that the event isn't being run by the Indians as well as being participated in by the Indians.
- Q. Is this the first trial that you've covered of this kind, say between the two cultures, the white-Indians trial since you've been here in Gallup?
- A. I'm afraid it is, it's a whole new experience.
- Q. What would, does it conform to what you preconceived ideas..... Obviously when you came to Gallup, obviously you must have had some ideas if what it must be in the Indian culture, the white, Indian relationships sor of. Does this conform to your preconceived ideas were, or have you got radically different views now.
- A. No, I don't think that my views have changed radically different views now. I certainly learned a lot more I think that I'm a little bit familiar with exactly what each side, well not exactly, but at least in more detail of what each sides position on it is and openly the whole things comes down to the whole cultural crisis of the whole darn country. You know it's sort of the same story with the blacks, with the Spanish-American and everything else and I can't quite figure out why at this stage

in American History all of these minor, I should not say minor, I should say minority cultural groups have suddenly decided that, that this is the time to exert themselves and to sort of reestablish their own culture probably because they have now become familiar enough with and have learned enough with, about the white mans culture to the point where they have decided that the white man's culture doesn't have all the answers and so therefore in looking around for something that does they return back to their own culture and decided well maybe theres more here, because in all of the cultural, cultural conflicts that we see in the country today, the one thing that is common to all of them in, again here it's so evident, it's so very much one of the most outstanding facts of it, and that is of the plaintiffs in this particular case and people objecting to the white mans running of the red man's culture are almost invariably those Indians that through being educ ted at a white mans school system have become very familiar with the white mans's culture itself because the girl plaintiffs don't walk around wearing the rather elaborate cultural, traditional dresses of the Navajo girl, they walk around wearing mini-skirts. See, so they've been very much Americanized and its these Americanized youth who have the red man background who are the very people who are suddenly turning on their newly learned culture and deciding that it's not so hard after all, are coming back to the reservation to find something maybe that they think is better or something like this.

- Q. When you were asked to cover it by your paper were you given any instructions as to how to cover it or were you free to have your stories printed as you wanted them, as you reported them?
- A. I really wasn't given much instruction and I spent the first day at the trial here stumbling around, trying to figure out what to do and I was even a little bit disappointed after I got there and just began to realize what I was confronted with that I hadn't been given real clear instruction. But....as for the story, as far as I can see about that they were preprinted basically as I sent them in; there's not too much here that I edited or changed around; I think its mainly because our poor eidtor is so busy doing things he hasn't really got time to sit around and edit my stories.
- Q. What I was really getting at was, I know, I've interviewed Ted Rushton and I know what the policy of the Gallup Independent is toward the ceremonail and so on. I was just trying to find out if in fact the policy, the editorial policy, was imposed on your story, were you free to report them as you witnessed the events?

- A. I was pretty much free to report them as I witnessed them, I didn't feel any, any particular rule hanging over my head or set of rules hanging over my head, and sort of steered my stories through the typewriter, I just sort of did it the way I saw it and that's about all I can say really.
- Q. Is there anything you'd like to add that we haven't covered in this brief interview or that in fact wasn't covered in your story in the Gallup Independent?
- A. Well, not that I can think of, like I say the main point about the trial was the inability of the plaintiffs to really bring into the proceedings the one key issue that really is what the whole thing is about and that is the fact that the officials are of such a state of mind that they just don't want to have young Indians like this running around causing a lot of trouble and you know they sort of wished that they would go away and so unfortunately the trial as far as the plaintiffs at least as far as I could see the plaintiffs just didn't quite, quite get to the point although they obviously frequently embarrassed the defendants at times by showing that they, that they had done things that later they came to regret and that there obviously is, there much clear cut questions of the fact that their free speech was denied; this is one thing that trial probably achieved rather clearly and that's that there was an infringement on their free speech, but the question of course is why and was it justifiable and those, and those things were never really brought out and I'm afraid that the trial just didn't really prove much one way or the other; I don't see where it was really a success as far as either plaintiff or defense was concerned.
- Q. All right, thank you very, very much Mr. Schneider.

END OF TAPE