Relationships with the Land

Indigenous Stewardship and Knowledge Across Generations

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CONSTITUTION AND BYLAWS OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION

PREAMBLE

We, the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, in order to establish a more responsible organization, promote our general welfare, conserve and develop our lands and resources, and secure to ourselves and our posterity the power to exercise certain rights of self-government not inconsistent with Federal, State, and local laws, do ordain and establish this Constitution for the Confederated Tribes of the Flathead Reservation.

ARTICLE I—TERRITORY

The jurisdiction of the Confederated Salish and Kootenai Tribes of Indians shall extend to the territory within the original confines of the Flathead Reservation as defined in the Treaty of July 16, 1855, and to such other lands without such boundaries, as may hereafter be added thereto under any law of the United States, except as otherwise provided by law.

ARTICLE II—MEMBERSHIP

SECTION 1. The membership of the Confederated Tribes of the Flathead Reservation shall consist as follows:

(a) All persons of Indian blood whose names appear on the official census rolls of the Confederated Tribes as of January 1, 1935.

(b) All children born to any member of the Confederated Salish and Kootenai Tribes of the Flathead Reservation who is a resident of the reservation at the time of the birth of said children.

SECTION 2. The Council shall have the power to propose ordinances, subject to review by the Secretary of the Interior, governing future membership and the adoption of members by the Confederated Tribes.

SECTION 3. No property rights shall be acquired or lost through membership in this organization, except as provided herein.

ARTICLE III—THE TRIBAL COUNCIL

SECTION 1. The governing body of the Confederated Salish and Kootenai Tribes of the Flathead Reservation shall be the Tribal Council.

SECTION 2. The Council shall consist of ten councilmen to be elected from the districts as set forth hereafter, and Chiefs Martin Charlo and Eneas Paul Koostahtah.

SECTION 3. Representation from the districts hereby designated shall be as follows: Jocko Valley and Mission Districts, two council-

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ARTICLE V—VACANCIES AND REMOVAL FROM OFFICE

SECTION 1. If a councilman or official shall die, resign, permanently leave the reservation, or be removed from office, the Council shall declare the position vacant and appoint a successor to fill the unexpired term, *provided* that the person chosen to fill such vacancy shall be from the district in which such vacancy occurs.

SECTION 2. Any councilman who is proven guilty of improper conduct or gross neglect of duty may be expelled from the Council by a two-thirds vote of the membership of the Council voting in favor of such expulsion, and *provided further*, that the accused member shall be given full and fair opportunity to reply to any and all charges at a designated Council meeting. It is further stipulated that any such member shall be given a written statement of the charges against him at least five days before the meeting at which he is to appear.

ARTICLE VI—POWERS AND DUTIES OF THE TRIBAL COUNCIL

SECTION 1. The Tribal Council shall have the power, subject to any limitations imposed by the Statutes or the Constitution of the United States, and subject to all express restrictions upon such powers contained in this Constitution and attached Bylaws;

(a) To regulate the uses and disposition of tribal property, to protect and preserve the tribal property, wildlife and natural resources of the Confederated Tribes, to cultivate Indian arts, crafts, and culture, to administer charity; to protect the health, security, and general welfare of the Confederated Tribes.

(b) To employ legal counsel for the protection and advancement of the rights of the Flathead Confederated Tribes and their members, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior.

(c) To negotiate with the Federal, State, and local governments on behalf of the Confederated Tribes, and to advise and consult with the representatives of the Departments of the Government of the United States on all matters affecting the affairs of the Confederated Tribes.

(d) To approve or veto any sale, disposition, lease, or encumbrance of tribal lands and tribal assets which may be authorized or executed by the Secretary of the Interior, the Commissioner of Indian Affairs, or any other agency of the Government, *provided* that no tribal lands shall be sold or encumbered or leased for a period in excess of five years, except for Governmental purposes.

(e) To advise with the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Confederated Tribes, prior to the submission of such estimates to the Congress.

(f) To manage all economic affairs and enterprises of the Confederated Tribes in accordance with the terms of a charter to be issued by the Secretary of the Interior.

(g) To make assignments of tribal lands to members of the Confederated Tribes in conformity with article VIII of this Constitution.

1935 Constitution and Bylaws of the Confederated Salish and Kootenai Tribes of the Flathead Reservation.

Excerpt A- Preamble, Image 3 of Constitution and bylaws of the Confederated Salish and Kootenai tribes of the Flathead Reservation, Montana: approved October 28, 1935 | Library of Congress.

Excerpt B - Article VI, Section 1A, Image 5 of Constitution and bylaws of the Confederated Salish and Kootenai tribes of the Flathead Reservation, Montana: approved October 28, 1935 | Library of Congress.

The readings describe the Confederated Salish and Kootenai Tribes' purposes and responsibilities regarding land, natural resources, culture, community welfare, and wildlife. Adopted October 4, 1935; approved October 28, 1935. Published by the United States Government Printing Office in 1936. Constitution and Bylaws of the Confederated Salish and Kootenai Tribes of the Flathead Reservation. Library of Congress.

Agnes Vanderburg Discusses Her Outdoor Camp and Traditional Knowledge (1979). Podcast, Folklife Today, Episode 8, Vanderburg | Library of Congress. Montana Folklife Survey Collection, American Folklife Center, Library of Congress. Original interviews from 1979, excerpted in the 2019 *Folklife Today* podcast.

Excerpt A: Sharing Traditional Knowledge. *Listen to 2:43–3:39 in the podcast.*

Excerpt B: Preparing and Storing Camas. *Listen to 24:32–25:26 in the podcast.*

An audio interview of Salish cultural educator Agnes Vanderburg at her outdoor school near Arlee, Montana, in 1979. She discusses her views on sharing traditional knowledge and describes how she prepared and stored camas for winter.



Agnes Vanderburg and Kay Young on the Flathead Reservation, Northwestern Montana, discussing preparations for a camas bake. Photograph by Michael Crummett, July 22, 1979. Montana Folklife Survey Collection, American Folklife Center, Library of Congress. Location: Agnes Vanderburg's cultural camp, near Arlee, Montana, on the Flathead Reservation.

Contextual Paragraph

The Flathead Reservation in western Montana is home to the Confederated Salish and Kootenai Tribes. Relationships with the land shape the knowledge shared with future generations and how people use, care for, and think about natural resources. These relationships can be observed through the work of the tribal government and in everyday activities such as traditional food preparation. Records of Salish educator Agnes Vanderburg's outdoor camp near Arlee and the Tribes' 1935 constitution show different settings where these relationships are expressed. They provide a starting point for exploring connections among culture, land, and community.

Key Questions

1. What responsibilities does the Tribal Council have in regard to land, wildlife, natural resources, and culture according to the 1935 CSKT Constitution?
2. What does Agnes Vanderburg say about sharing knowledge with others in the 1979 interview?
3. What steps does Agnes describe for the preparation and storage of camas, and what does this suggest about the knowledge needed to use traditional foods?
4. What details do you notice about the materials, tools, and people involved in the photograph of the camas bake?
5. What similarities and differences do you notice between the 1935 CSKT Constitution and the Agnes Vanderburg interview in relation to traditional knowledge, culture, natural resources, and land? Support your statement with evidence from the sources.
6. What can historical sources tell us about taking care of and having a sense of responsibility (stewardship) for the land? What other information would help you support your answer?

Assessment

1. How are relationships with the land, natural resources, and cultural knowledge represented in these historical documents? Support your answer with evidence from at least two of the primary sources.

Optional Resource: Background and Further Reading

Agnes Vanderburg's Outdoor School for Traditional Indian Ways Stephanie Hall, November 22, 2016. Library of Congress, Folklife Today.

The article may be used as optional reading for additional context and background about Vanderburg's outdoor school, including culture, traditional food, and intergenerational sharing of knowledge.