

Members of the Sac and Fox Nation participate during Cultural Night at the Annual NCAI Conference in Tulsa, OK



Photo provided by Cheryl McClellan



RAP COUNCIL
November 16
Sac and Fox Nation
Gymnasium
10:00 AM

Phone: 918-968-3526 • 920883 S Hwy 99 Bldg A • Stroud, OK 74079 • Vol.34 No. 11 • November 2013

Play about Jim Thorpe case to Educate American Public

by Sandra Massey Historical Preservation Officer

Jim Thorpe has always attracted international attention and been a part of history. History = his story. When he played football at Carlisle, historians note, he played against Dwight D. Eisenhower, who would later become President of the United States. Thorpe himself later became the President of the American Professional Football Association, which evolved into the National Football League; the Professional Football Hall of Fame features a bust of Jim Thorpe for this reason. Today's best defensive back in college football wins the Jim Thorpe Award.

Jim Thorpe's sports fame extends beyond football; he ran track, played baseball and basketball, and he is best known nationally for his 1912 Olympic accomplishments: winning gold medals for the decathlon and pentathlon.

He is a member of ten sports Halls of Fame: the College Football Hall of Fame, National Indian Hall of Fame, Pennsylvania Hall of Fame, Professional Football Hall of Fame, American Indian Athletic Hall of Fame, National Track and Field Hall of Fame, United States Olympic Hall of Fame, Oklahoma Sports Hall of Fame, Helms Professional Football Hall of Fame, and the American Football Kicking Hall of Fame.

Jim Thorpe died in 1953, six decades ago, but his name still makes headlines. In 2013 his sons William and Richard Thorpe, in a case originally brought by John "Jack" Thorpe, and the Sac and Fox Nation won the lawsuit filed under the Native American Graves Protection and Repatriation Act (NAGPRA) for the right to repatriate his remains and rebury him within tribal lands in Oklahoma, as he had requested. That case is currently in the appeals process.

One of the issues is that a borough in the hill country of Pennsylvania believes that it has more right to Jim Thorpe than his own sons and tribe and even over his own wishes. Thorpe requested of his brothers a traditional Sac and Fox funeral ceremony and burial in tribal ground, where his family rests. His fame appeared to mean to his non-native widow that he had no right to his own body and its treatment, and he ended up in a place he had never visited and that is far away from his children and his people.

He wanted to one day return to Oklahoma permanently. He died in California, but during his lifetime he continuously returned to Oklahoma for family visits, hunting opportunities, and even took his children to tribal activities. At times, in the Sauk way, he lived with family members. While he may not have lived at the core of the tribal community, he was still a familiar part of it.

Fame has two sides. Had Jim Thorpe not been famous, a sports legend, he would be buried in Sac and Fox territory in Oklahoma today.

Today his fame also brings hope – it brings attention to a matter that affects all of Indian Country, the civil right of tribal people to make their own decisions about their own funerals and burials. The case bearing his name can strengthen NAGPRA. A win in the case of Sac and Fox Jim Thorpe is a win for Indian nations everywhere.

The story of that hope to bring him back to Oklahoma has now been made into a 15-page play, still a work in progress, titled *My Father's Bones* by playwrights Suzan Shown Harjo, enrolled with the Cheyenne and Arapaho Tribes of Oklahoma and also of Hodulgee Muscogee heritage, and Mary Kathryn Nagle, Cherokee Nation of Oklahoma. The play won the Native Voices at the Autry short play contest and is one of six to be presented on November 10, 2013 in Los Angeles by Native Voices at the Autry in its "Legal Briefs: Lawmakers and Activists" program held during the Autry National Center annual American Indian Arts Marketplace Short Play Festival.

Native Voices at the Autry is a theater company that exists to produce work by playwrights of Native American, Alaska Native, and First Nations heritage.

It sponsored a competition in which it, according to its website, "challenged Native American playwrights from across the nation to explore how the American legal system, the law, and our daily lives are shaped by Native American identity and culture and the lawmakers and activists it has given us. How do Native Americans uphold and honor, question and investigate, or create and change law within our society?"

Harjo and Nagle responded to the challenge.

Harjo said, "I saw the playwriting-contest notice from the Autry and contacted Mary, proposing that we jointly write on repatriation. She had an old piece on Jim Thorpe and suggested we focus on the case against the Pennsylvania town."

Nagle added, "When Suzan contacted me and suggested



Mary Kathryn Nagle and Suzan Shown Harjo, playwrights (photo by Sandra Massey)

that we write a piece together on repatriation, my mind turned immediately to the case against the Pennsylvania town. Suzan is one of the architects of NAGPRA, and I thought no play could be more appropriate to work on with her than a play about one of the Act's most important applications."

Both women have a unique understanding about the case, the story behind it, and repatriation.

Harjo is a champion of In-

dian rights and the development of laws to protect them, including but not limited to NAGPRA, the American Indian Religious Freedom Act of 1978, the National Museum of the American Indian Act of 1989, and the Executive Order of Indian Sacred Sites in 1996. She has been the President of the Morning Star Institute since it was founded in 1984; the national nonprofit advocates for Native American traditional (Continued on Page 3)

Chief's Address To The Nation

Greetings,

I want to address our students at this time, from elementary to graduate school. I hope you are having a successful year as the football, softball, cross country, volleyball, and other sports seasons are winding down for many of our tribal youth, and basketball season is looming before us, but remember that foremost are academics and the accomplishments that you have had in the classroom. Remember that someday your athletic days will come to an end but what you learn in the classroom will benefit you the rest of your lives. Enjoy life, thank God for the abilities He has given you, and give Him the praise for your success.



Chief George Thurman

Local News Parking Lots

Work on the expansion of the new parking area for the Justice Center (Courthouse) has begun and as soon as this is completed then the expansion of the parking area for our Community Building will begin; both projects are to be completed by February, 2014.

Rodeo Grounds

Work on the new rodeo grounds concession building has been completed by the contractor. Work has begun on the new elevated aluminum bleachers that will seat 300 plus spectators in addition to the existing

wooden bleachers, bringing a total seating capacity of approximately 600 fans.

John Thorpe et al. v. Borough of Jim Thorpe et al., No. 13-2446 (3d Cir.); John Thorpe et al. v. Borough of Jim Thorpe et al., No. 13-2451 (3d Cir.).

Stephen R. Ward and Daniel E. Gomez Connor & Winters, LLP, Tulsa, OK have filed an appellees' response brief on behalf of John Thorpe; Sac and Fox Nation of Oklahoma; William Thorpe; and Richard Thorpe; Plaintiffs-Appellees/Cross-Appellants In The United States Court of Appeals for the Third Circuit On Appeal from an Order Entered by the Honorable A. Richard Caputo, United States District Judge, Middle District of Pennsylvania, No. 3:10-cv-1317-ARC.

A copy of our letter requesting assistance from NCAI and NARF:

John H. Dossett, General Counsel

National Congress of American Indians
4685 S.W. Flower Place
Portland, Oregon 97221

Re: John Thorpe et al. v. Borough of Jim Thorpe et al., No. 13-2446 (3'd Cir.); John Thorpe et al. v. Borough of Jim Thorpe et al., No 13-2451(3d Cir.).

Dear John:

I am writing to make a formal request that the National Congress of American Indians provide support, as an amicus curiae, for the Sac and Fox Nation's positions as appellee in the above-referenced appeal. This case involves the application of the Native American Graves Protection and Repatriation Act to the remains of Jim Thorpe, an enrolled member of the Sac and Fox Nation, and involves issues under the statute that are important across-the-board in Indian country. We (Continued on Page 3)



Rodeo Grounds Project: New bleachers and a new concession facility were recently constructed at the rodeo grounds. (SFN photo)



Court House Project: A new parking lot is in the process of being constructed at the Sac and Fox Nation Court House. (SFN photo)

Upcoming Events 2013

November 11
Veterans' Day
Gourd Dance

November 12, 5 pm
Sac & Fox Nation
Veterans' Meeting
Elders Bldg Stroud

November 13
Elders Advisory
Committee Meeting
Stroud
10:00 Potluck

December 7
Sac and Fox Elders
Annual Winter Dance
Community Building

December 11
Sac and Fox Elders
Christmas Dinner
Multi-Purpose
Shawnee
11:30 - 3pm