

The Influence of the Osage Murders on Native American Policies and Rights in Oklahoma

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ABSTRAKT

Tragické události 20. let 20. století, známé jako vraždy Osagů, výrazně ovlivnily původní obyvatelé v Oklahomě. Tato bakalářská práce se zabývá historií původních obyvatel Ameriky a osadníků, se zaměřením na ztrátu půdy a suverenity domorodých národů. Práce se dále věnuje historii, migraci a kultuře kmene Osage, jehož ekonomické bohatství, pocházející z ropného průmyslu, učinilo jeho členy terčem systematických vražd, což tvoří hlavní část této práce. Práce také zkoumá reakci vlády, odhalení korupce a následné federální reformy. Nakonec se zaměřuje na současnou situaci kmene Osage, přijetí jejich Ústavy v roce 2006 a pokračující boj domorodých komunit za spravedlnost.

Klíčová slova:

Vraždy Osagů, původní obyvatelé Ameriky, Oklahoma, federální reformy, kmenová suverenita, Ústava kmene Osage

ABSTRACT

The tragic events in the 1920s known as the Osage Murders greatly affected Native Americans in Oklahoma. This bachelor's thesis deals with the history of Native Americans and settlers, focusing on the loss of Native lands and sovereignty. It also looks at the history, migration, and culture of the Osage Nation, whose economic wealth, which came from oil, made them the targets of systematic murders, which is also the main part of this thesis. This work examines the government's reaction, the exposure of corruption, and the federal reforms. Finally, it looks at the Osage Nation today, their new Constitution from 2006, and the ongoing struggle of Native communities for justice.

Keywords:

Osage Murders, Native Americans, Oklahoma, federal reforms, tribal sovereignty, Osage Nation Constitution

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INTRODUCTION

The relationship between Native Americans and European settlers in the United States has always been dynamic, marked by shifting alliances, numerous conflicts, and repeated injustices. What began as cooperation through trade and alliances in the 17th century eventually turned into devastating wars, forced removals, and systemic oppression of Native Americans throughout the 19th and 20th centuries. Native American tribes experienced repeated violations of their sovereignty and rights at the hands of white settlers. Among the many Native American tribes affected by U.S. expansionist policies, the Osage Nation stands out as a striking case of resilience, prosperity, betrayal, and systematic violence.

The Osage tribe originates from the Ohio River Valley, from where they migrated westward and became a dominant power on the Central Plains. They were known for their strong military presence, rich culture, and control over important trade routes. One of the most significant turning points in Osage history is known as the Osage Murders, or the so-called "Reign of Terror". This term refers to events during the 1920s and shows how wealth, oil, and racism played a key role in this tragic chapter of American history. While many Osage people were being killed for their oil headrights, these events also exposed the deep corruption within local authorities.

This thesis explores the historical background of the relationship between Native Americans and white settlers, the history and culture of the Osage tribe, and the systematic exploitation and violence they suffered during the oil boom in Oklahoma. The main focus is on the political implications of the Osage Murders and how local authorities were corrupted and the impact these crimes had on Native American rights in Oklahoma. By studying the Osage Murders, this work highlights how the struggle for justice, sovereignty, and recognition has remained a constant challenge for Native American tribes throughout U.S. history.

1 NATIVE AMERICANS AND SETTLERS: HISTORY OF CONFLICT

Among the 17th and the 19th centuries, there have been significant changes in the relationship between Native Americans and American settlers. Mutual trade and military alliances laid the foundation for their early relations. Conflicts, however, emerged when American colonists started stealing land from Native Americans in their search for more land.

1.1 EARLY RELATIONS BETWEEN NATIVE AMERICANS AND SETTLERS

In the 17th century, when colonial powers such as Great Britain, France, Spain, and the Netherlands started establishing their colonies in America, Native Americans' reactions were different from tribe to tribe. In some areas like New England, Native Americans actively participated in trade with European settlers. They exchanged fur and other raw materials for goods from Europe¹. However, after initial cooperation, conflicts emerged. The Pequot War happened in 1636-1637; during this war, the Pequot people fought against English settlers. The war was primarily driven by competition for control over the fur trade and wampum², which was the currency used by the Native Americans³. As a result of this, the Pequot people faced near destruction. Many of them were killed, their villages were burned, and those who survived, usually women and children, were enslaved⁴. Another significant war in the 17th century was King Philip's War in 1675-1676. This war is considered to be the most bloody war in colonial New England. Both sides of this war were devastated, but the Native Americans, Wampanoag people, and Narragansett suffered catastrophic losses, and they were nearly destroyed, which allowed the English dominance in southern New England⁵.

Since there was no unified American government in the 17th century, relations between Natives and settlers were shaped mainly by their colonial policies. The British colonies

¹The New England Colonies and the Native Americans, *National Geographic Society*, last updated October 1, 2024, <https://education.nationalgeographic.org/resource/new-england-colonies-and-native-americans/>.

²Alfred A. Cave, *The Pequot War* (Amherst: University of Massachusetts Press, 1996), 1-6.

³Wampum and Colonial Currency, *Philipse Manor Hall State Historic Site*, accessed February 17, 2025, <https://www.philipsemanorhall.com/explore3/wampum-and-money>.

⁴Cave, *The Pequot War*, 2.

⁵Kevin March, "Causes of King Philip's War," World at War, Boston College Digital Humanities Projects, accessed February 17, 2025, <https://dhprojects.bc.edu/s/worldsatwar/page/causes-king-philips-war>.

employed a combination of trade agreements and military force⁶, while the French primarily formed alliances with Native tribes through trade, diplomacy, or marriages⁷.

During the 18th century, relations between Native American tribes and European powers became more complex and complicated. The French and Indian War (1754-1763) was fought between Great Britain and France over control of the areas in the northern parts of America. Many Native American tribes sided with the French, seeing them as less of a territorial threat. This war was won by Great Britain, and under the Treaty of Paris (1763), Great Britain gained control over the French territories, making Great Britain a dominant colonial power in North America. After the victory of Great Britain and in an effort to prevent further conflicts, King George III issued the Royal Proclamation of 1763. This Proclamation helped stabilize relationships with Native tribes after the war, and it ensured that the British colonies would be under the control of the British government. However, many settlers ignored this proclamation and settled down in foreign territory. This led to the Pontiac's Rebellion (1763-1766), the uprising of the Native tribes against British rule. The Native forces attacked British forts in the region of Great Lake, but the British army brutally suppressed this rebellion⁸.

As tensions grew, the American Revolution (1775-1783) led to the establishment of the United States. The desire of the United States to expand westward led to many more conflicts with the natives. The Northwest Ordinance was approved in 1787, and it guaranteed basic rights to the population, like freedom of religion. It divided the USA into states where slavery was allowed and into free states. This contributed to the tensions between the North and the South. There were also three stages of the process of creating new states. The first stage was that the area had to be administrated by a governor and judges appointed by Congress, and at least 5000 adult young men had to live there. When the population reached 60000, they could ask for admission to the USA⁹.

The Indian Trade and Intercourse Act (1790-1834) established control over the Indian trade to prevent the abuse of trade, and it protected Indian lands from illegal land stealing by

⁶ Richard White, *The Frontier in American Culture* (Berkeley: University of California Press, 1994), 5.

⁷ Eugene Richard Henry Tesdahl, Bonds of Money, "Bonds of Matrimony?: French and Native Inter-marriage in 17th & 18th Century Nouvelle France and Senegal" (Master's thesis, Miami University, 2003), 30-31.

⁸ Fred Anderson, *The War That Made America: A Short History of the French and Indian War* (New York: Penguin Books, 2005), 12-14, 64-68, 264-280.

⁹ David E. Wilkins, *American Indian Politics and the American Political System*, (Lanham, MD: Rowman & Littlefield Publishers, 2006), 52-53.

the settlers. This act, however, did not recognize the sovereignty of the Native Americans, and it strengthened federal control over their territories¹⁰.

Throughout the 19th century, relations between settlers and Native Americans changed significantly due to expansion policies, forced resettlement, and ongoing military conflicts. Settlers were expanding westwards, which increased pressure on the Indian tribes, who were being pushed out of their original territories. During the 19th century, Native Americans were not recognized as U.S. citizens. This changed later on with the Indian Citizenship Act of 1924, which granted U.S. citizenship to Natives. The act of forced resettlement was fuelled by the ideology of the Manifest Destiny. It was a conviction that the U.S. citizens – meaning settlers, not natives, should expand westwards to the Pacific Ocean and then past it. The origin of this expression was first used by John L. O’Sullivan in 1845 when he justified Manifest Destiny as the will of god. It secured the idea of American Exceptionalism and caused further conflicts between the U.S. and Native Americans¹¹.

1.1.1 INDIAN REMOVAL ACT AND THE TRAIL OF TEARS

One of the most brutal policies was the Indian Removal Act of 1830. It was signed by President Andrew Jackson. Jackson, even before his presidency, had led brutal military operations against Native Americans, including the Battle of Horseshoe Bend in 1814, where he forced the Creek tribe to cede millions of acres of their land. Indian Removal Act allowed the government to forcibly relocate tribes to lands west of the Mississippi River, often using military forces. By the 1840s, most Native tribes from the eastern U.S. had been forcibly removed to the west of the Mississippi, though some, like the Seminoles, continued resisting relocation¹².

Trail of Tears refers to the forced relocation of the Cherokee Nation (1838-1839) to Indian Territory, although other tribes also endured similar forced removals. Over 100,000 Native Americans have been moved to Oklahoma. Approximately 15000 of them during this tribe died due to various diseases. This forced removal was partly driven by the discovery of gold in Cherokee lands (1828), which contributed to their suffering. Their forced relocation was based on the Indian Removal Act, signed by President Andrew Jackson. The transport

¹⁰ "An Act to Regulate Trade and Intercourse With the Indian Tribes," Avalon Project, Lillian Goldman Law Library, Yale Law School, accessed February 17, 2025, https://avalon.law.yale.edu/18th_century/na024.asp.

¹¹ Paul C. Rosier, *Serving Their Country: American Indian Politics and Patriotism in the Twentieth Century* (Cambridge, MA: Harvard University Press, 2009), 6–7.

¹² John Ehle, *Trail of Tears: The Rise and Fall of the Cherokee Nation* (New York: Anchor Books, 1988), 220-251.

of the Native Americans took place under inhumane conditions. Most Native Americans were gathered in concentration camps, where they suffered from disease and lack of food. The journey lasted for several months, often during the winter, and some groups travelled more than 1000 miles. This historical period represents one of the greatest tragedies in the history of Native American people and has had a lasting impact on the collective memory and identity of Native communities, especially the Cherokee Nation¹³.

1.1.2 NATIVE RESISTANCE AND MAJOR CONFLICTS

Many tribes refused to give up their lands, leading to another series of violent conflicts. The Second Seminole War (1835-1842) began when the Seminoles refused to leave their lands. Seminole attacked American soldiers, killing over a hundred of them, but despite their resistance, they lost the war, and the majority of the tribe was resettled¹⁴.

The Sioux Wars (1854-1890) refers to a series of battles between the Sioux Nation and the U.S. The Sioux fought to defend their lands from settlers. The most infamous massacre that has happened is known as the Wounded Knee Massacre (1890), where U.S. troops killed over 250 men, women, and children. This massacre also ended the opposition of the Sioux. After this war, the Sioux were forced to live in reservations, and they lost their traditional way of life¹⁵.

1.1.3 THE RESERVATION ERA AND THE DAWES ACT

After removing Native tribes from their original territories, the U.S. government confined their lives to reservations. The purpose the U.S. government saw behind these reservations was to free lands for settlers during the westward expansion, and they also wanted to turn Natives into peasants. However, the Native Americans did not, in fact, become peasants, but they became entirely dependent on the government's food supply. The Major Crime Act (1885) robbed the Native Americans of their legal authority over serious crimes, meaning that the government took authority over dealing with violent crimes on the reservation

¹³ Rebecca Nagle, *By the Fire We Carry* (New York: HarperCollins, 2024), 84-90.

¹⁴ John Missall and Mary Lou Missall, *The Seminole Struggle: A History of America's Longest Indian War* (Lanham, MD: Pineapple Press, 2020), 317.

¹⁵ W. Fletcher Johnson, *Life of Sitting Bull and the Indian War* (Boston: Edgewood Publishing Company, 1891), 431-457.

grounds. Before this act, Natives could deal with these crimes on their own traditional terms. But after this act passed, they lost a large part of their autonomy¹⁶.

The Dawes Act changed the reservation system by dividing the land between individuals and not entire tribes. It aimed to assimilate the Native Americans into the American culture. The land that was given to the Indians was unsuitable for agriculture, making it impossible to grow anything on it. Many Native Americans didn't have the tools needed to start farming, like seeds or money. If the Natives weren't able to fulfil the conditions, their land was sold to white settlers at a low price, leaving many Native Americans impoverished and landless. The majority of Native American tribes had lost their original lands and way of life by the end of the 1800s. The policies of removal, many wars, and forced assimilation contributed to the struggles over Native sovereignty in the 20th century¹⁷.

1.2 THE OSAGE: ORIGINS AND MIGRATION

The Osage were one of the most powerful tribes in what is now the U.S. They had a significant influence not only on other Indigenous tribes but also on relations with settlers and then the American government. They were known as strong warriors, and they were also known as a nation with strong social order, trading skills, and a unique economic system¹⁸.

Together with other tribes like Ponca, Omaha, Quapaw, and Kaw, the Osage belonged to the Dhegiha Siouan group. According to archaeological evidence, oral tradition, and linguistics analysis, Dhegiha Siouan originated from the Ohio River Valley, from where they migrated westward¹⁹. This migration was driven not only by environmental shifts but also by conflicts with other Native tribes and later by pressures from European expansion²⁰.

According to the Osage oral traditions, they experienced a massive and unexpected flood, which also played a role in their early migrations. This flood caused them to divide themselves into groups of Heart Stays People, Tree Sisters, and Down Under People, depending on how they sought safety. After some time, due to the dynamics of these groups

¹⁶ The Reservation Era (1850–1887), A Brief History of Civil Rights in the United States, Howard University School of Law Library, last updated January 6, 2023, <https://library.law.howard.edu/civilrightshistory/indigenous/reservation>.

¹⁷ Rosier, *Serving Their Country*, 28-29.

¹⁸ Louis F. Burns, *A History of the Osage People* (Tuscaloosa: University of Alabama Press, 2004), 205-206.

¹⁹ Andrea A. Hunter, James Munkres, and Barker Fariss, "Ancestral Osage Geography," *Osage Nation Historic Preservation Office*, 2013, accessed February 17, 2025, <https://www.osageculture.com/culture/cultural-history>.

²⁰ Hunter, Munkres, and Fariss, "Ancestral Osage Geography."

and their development in social structure, they formed groups of Little Bone Osages, Thorny Bush Osages, and Upland Forest People. Groups of Thorny Bush Osages, Upland Forest People, and Down Under Osages were known as Big Bone Osages. Groups of Heart Stays People, Tree Sisters, and about fifty percent of Down Under People were called Little Bone Osages. Later on, these groups stopped using “bone” in their names, leaving only groups of Little Osages and Big Osages²¹.

The 18th century was the peak of Osage power, because they controlled a huge territory spanning from present-day Missouri, Arkansas, Kansas, and Oklahoma. Their lands were abundant in natural resources, including fertile soils, rich hunting grounds, and valuable minerals, which strengthened their economy and trade. Their military strength allowed them to overpower rival tribes. For much of the 18th century, their strength and territorial control slowed westward expansion into their lands²².

1.2.1 THE OSAGE, THEIR REGIONAL DOMINANCE, AND TRADE

During the 18th century, the Osage dominated and controlled the fur trade near the Missouri River from 1775 to 1776. European settlers, mainly the French, had to negotiate with them to gain access to their hunting grounds. The Osage also formed a strong alliance with the French. Many French settlers married Osage women, forming family ties. On the other hand, the relationship between the Osage and British or Spanish was far more difficult. The Spanish didn't respect the Osage, which resulted in bad relations²³. In 1803, when the Louisiana Purchase occurred, the U.S. gained large territories, including Osages territories. In 1808, when the Cherokee arrived in Arkansas, it was the beginning of the Osage-Cherokee War²⁴. During the battle of Claremore Mound in 1817, the Osage were attacked by the Cherokees while the Osage were hunting. During this time in the Osage village, only the elderly and women with children were present. This massacre ended when over 60 villagers were killed, and many of them were seized²⁵. After these events, the Osage lost their dominant position and were pushed from Missouri and Kansas to Oklahoma²⁶.

²¹ Burns, *A History of the Osage People*, 40-41.

²² Burns, *A History of the Osage People*, 29-30.

²³ Kansas Historical Society, "Osage - Europeans and the Missouri Fur Trade," Kansapedia, last modified December 2017, <https://www.kansashistory.gov/kansapedia/osage-europeans-and-the-missouri-fur-trade/19292>.

²⁴ Kansas Historical Society, "Osage - Europeans and the Missouri Fur Trade."

²⁵ Jon D. May, "Claremore Mound, Battle of," The Encyclopedia of Oklahoma History and Culture, accessed February 17, 2025, <https://www.okhistory.org/publications/enc/entry?entry=CL003>.

²⁶ Kansas Historical Society, "Osage - Europeans and the Missouri Fur Trade."

1.2.2 THE OSAGE AND THEIR CULTURE

The Osage structured their society into two main groups. Tsi Shu (sky people) and Hun Ka (earth people). Each group reflected their spiritual perception of the world, and each of these divisions was then further divided into clans with strict social roles²⁷. They had a diet that was a combination of meat from hunted animals, agriculture, and crops. Significant for them was buffalo hunting, but they also cultivated corn, beans, and squash, known as Three Sisters. Through trade with other tribes and settlers, they exchanged fur, food, and weapons²⁸. Their understanding of life was different from that of the settlers. They believed that old age was not simply a matter of time but rather a reflection of living in harmony with the earth. Their traditions focused on maintaining the balance between the natural and spiritual worlds²⁹.

The Osage differed from many other tribes in several ways. While the Caddo people focused primarily on agriculture and lived in their permanent villages, the Osage were skilled hunters, warriors, and strategists. Their military dominance allowed them to acquire many territories across Missouri, Arkansas, Kansas, and Oklahoma. They formed strong partnerships with the French, and later, they negotiated with the Spanish, British, and the U.S. to protect their interest³⁰.

²⁷ Burns, *A History of the Osage People*, 42-43.

²⁸ Burns, *A History of the Osage People*, 91-92.

²⁹ Burns, *A History of the Osage People*, 495.

³⁰ Burns, *A History of the Osage People*, 27-34.

2 RELATIONS BETWEEN THE OSAGE AND THE U.S. GOVERNMENT IN THE 19TH CENTURY

The first significant contact that the Osage had with the federal government occurred in 1808 when they signed the Treaty of Fork Clark. This treaty required the Osage to give up large portions of their land in what is today Missouri and Arkansas to the U.S. In return, the U.S. promised to establish a fort along the Missouri River and build a trade warehouse with goods that could be used in exchange for furs and other raw materials. The U.S. also promised to compensate the Osage people for their stolen property. The treaty also outlined border demarcation, for which the U.S. was, and both parties agreed to prevent acts of revenge, promising that crimes would be solved through official channels. The treaty was presented as a mutually beneficial agreement between the Osage and the U.S., but in reality, it primarily served U.S. strategic and economic interests. During negotiations, the U.S. used many legal ambiguities, which made it difficult for the Osage to fully understand this agreement. The most significant flaw of this treaty was the fact that the Osage gave up huge territories, while the U.S. did not fulfil its promise to secure their rights. The Fort Clack was primarily a military base for the U.S., strengthening its control over the region and preventing the British influence in trade. This treaty also marked the beginning of agreements that slowly pushed Osage sovereignty³¹.

2.1 THE OSAGE RESERVE, ASSIMILATION, AND TREATIES OF 1865 AND 1868

Before the Osage sold their territories in Kansas, known as the Osage Diminished Reserve, they occupied large regions of what is today Missouri, Arkansas, Kansas, and Oklahoma. Their ancestral lands stretched between the Missouri and Red Rivers, and they controlled much of the midwestern U.S.³². However, due to the westward expansion of the United States and growing pressure from settlers seeking land, the Osage were forced to cede significant portions of their territory. In 1825, the Osage signed a treaty that required them to cede much of their traditional homeland in exchange for a reservation in southeastern Kansas. This newly established territory became known as the Osage Diminished Reserve³³. However,

³¹ Burns, *A History of the Osage People*, 152-156.

³² Penny T. Linsenmayer, "Kansas Settlers on the Osage Diminished Reserve: A Study of Laura Ingalls Wilder's *Little House on the Prairie*, *Kansas History*" (2001): 168-169.

³³ Burns, *A History of the Osage People*, 160.

over time, many political pressures led to a reduction in the size of their reservation. By the mid-19th century, white settlers had begun occupying Osage land, increasing tensions between the Osage and the expanding settlers' populations³⁴.

This migration of white settlers to the Osage territory reached its peak in 1865 when the Osage were pressured into signing another treaty that required them to give up part of their remaining territory³⁵. Despite this, settlers continued to invade their lands, which led to many tensions and conflicts. Trying to resolve this situation and avoid violence, the Osage agreed to sell their remaining lands in Kansas. In 1870, the U.S. passed a law that allowed the sale of the Osage Diminished Reserve for over one dollar per acre. After they sold their reservation in Kansas, the Osage decided to move to the so-called Indian Territory in what is now present-day Oklahoma. In their effort to secure new lands, they negotiated with the Cherokee, who held prior claims to the area under older treaties they signed with the U.S. government. Initially, the government supported the Osage and their resettlement, but the Cherokee were reluctant to accept the terms that were offered. The purchase was agreed after years of negotiations. The initial price per acre was 50 cents, but the disagreement of the Cherokee led to the increase of price to 70 cents per acre. The Osage were not satisfied with this price because they had sold their land in Kansas for 1.25 dollars per acre, so to them, this new deal was economically unfavorable. Nevertheless, the deal eventually took place because the government did not have any further setbacks³⁶.

The first attempts to educate and assimilate the Osage began happened through mission schools. Protestants and catholic missionaries were supported by the U.S. government. Their main goal was to force the Osage people into Christianity, and to teach them the so-called European way of life. The first schools were established by the United Foreign Missionary Society. They founded mission centres like Union Mission and Harmony Mission. The first mission school was opened in 1821, and their first students were primarily children from mixed Osage-French families. Missionaries believed that the transition to agriculture was the key for their "civilization". However, the Osage refused to abandon their traditional way of life, and instead of farming, many of them preferred cattle breeding, which was more in line with their habits. One of the main problems with these schools was to keep the children in the schools for a longer period of time. Many children attended the school for only a few

³⁴ Burns, *A History of the Osage People*, 308- 330.

³⁵ Burns, *A History of the Osage People*, 288.

³⁶ Burns, *A History of the Osage People*, 308-343.

months and then left. Their places were then taken by new students. Parents of these children often did not trust these schools and hesitated to send their children there. Another problem were the ongoing conflicts between the Osage and Cherokee, which further limited the functioning of schools. Parents were afraid to send their children to places where they could be attacked by the hostile tribes. Despite great efforts, these schools were proved to be unsuccessful. The Osage refused to submit completely to assimilation and were unwilling to give up their traditional way of life. Although some individuals embraced educations, most of the Osage continued to resist attempts to become “civilized”. By 1837, most of these mission schools had been closed, as it became evident that the Osage could not be forced into different traditions and values³⁷.

Conflicts between the Osage and settlers became even more intense following the negotiations of the Sturges Treaty. This treaty was signed in 1868, and it intended to facilitate the sale of approximately eight million acres of Osage land to the Leavenworth, Lawrence & Galveston Railroad. The Osage were supposed to receive 1.25 dollars per acre for their land. However, the governor of Kansas strongly disagreed with this treaty because Kansas would lose over 13000 square miles of its territory into private ownership because of this treaty. After years of trying to negotiate this treaty, it failed to be ratified³⁸.

The Canville Treaty, or Canville Trading Post treaty, was signed in 1865 in Kansas between the U.S. and the Great and Little Osage. The main reason for the Osage to sign this treaty was their bad economic situation, as they had stopped receiving payments from their previous agreements and treaties. Facing poverty, they decided to sell a significant portion of their reservation to the U.S. in exchange for finance and help with their transition to the agricultural way of life. Under the terms of the treaty, the U.S. agreed to pay the Osage 300000 dollars for the land. Within six months, the Osage were supposed to leave the lands they sold and move to their now-reduced reservation. Furthermore, the Osage admitted that they were dependent upon the U.S. government and asked for safekeeping. They pledged their adherence to peace and promised to fight against alcohol consumption³⁹.

³⁷ Burns, *A History of the Osage People*, 219-226.

³⁸ Osage Indian Treaty, blog post, accessed March 31, 2025, <http://www.pioneergrl.com/blog/archives/11918>.

³⁹ Treaty with the Osage, 1865, *Tribal Treaties Database*, Oklahoma State University, accessed March 31, 2025, <https://treaties.okstate.edu/treaties/treaty-with-the-osage-1865-0878>.

2.2 THE INDIAN APPROPRIATION ACT OF 1871

The passage of the Indian Appropriation Act ended the way how the U.S. managed their relations with the Native Americans. Before this law, the U.S. government negotiated treaties with Native Americans as sovereign nations, and they recognized their autonomy. However, as the pressure for westward expansion increased, there was a change in policy. The Native Americans started to be seen as blocks to national growth. This act stated that no Indian nation is recognized as an independent authority that the U.S. may enter into treaties. This act stripped Native Americans of their ability to negotiate as sovereign entities, leading to higher federal control over their lands and affairs. Although existing treaties remained formally in place, compliance with them was often ignored or violated⁴⁰.

2.3 OIL DISCOVERY AND FEDERAL CONTROL OF OSAGE WEALTH

The Osage knew about oil in their territory long before it was exploited for commercial purposes, but the Osage did not see it as an economic resource. Natural oil seeps were common in their homeland in Oklahoma, and they primarily used oil for medicinal purposes, like the treatment of frostbite or burn, or as a lotion for horses. The first recorded knowledge of oil recognized by the settlers happened decades before 1897 when a member of the Osage tribe showed John Florer, who was the owner of a store, an oil film on the surface. Some cowboys living in the Osage noticed that the leaks from oil spoiled water, and they considered it more of a nuisance than a valuable resource. Nevertheless, interest in oil production slowly began to develop, especially as investors began to recognize its economic potential⁴¹.

When oil became a valuable commodity, the U.S. government decided that all oil rights within the Osage Nation would remain collectively owned by the tribe. Revenue from oil production would be distributed among members of the Osage Nation through a headright system, which entitled each member to share the profits. At its peak, the annual payments that the Osage received would be the equivalent of over 400 million dollars, making 'g them the wealthiest people in the world per capita⁴².

⁴⁰ Wilkins, *American Indian Politics*, 310.

⁴¹ Burns, *A History of the Osage People*, 417-422.

⁴² Burns, *A History of the Osage People*, 420-425.

This wealth was tempting to many businessmen and speculators who sought a share of the oil revenues. Although white settlers were legally prohibited from holding oil rights, many of them attempted to gain them through marriage to Osage tribe members or through legal fraud⁴³.

In 1890, Henry Forster, who was a banker from Texas, wanted to get an oil lease covering the entire Osage reservation. However, he passed away before the agreement took place. The agreement was then signed by Edwin B. Foster in 1896, who was his brother. The first drilling operations started in 1900, but in the beginning, the industry developed at a slow pace and was economically insignificant. Significant progress happened in 1901, when two drilling companies, Phoenix Oil Company and Osage Oil Company, merged together and created the Indian Territory Illuminating Oil Company (ITIO). This company operated on Osage land for many long years, playing a crucial role in expanding oil production⁴⁴.

As a response to the discovery of oil on Osage land, the government passed the Osage Allotment Act in 1906. This legislation ensured that while lands were divided among individual Osage members, mineral rights remained owned by the Osage tribe. These mineral rights were owned as a collective property of the entire tribe. This meant that each member was entitled to an equal share of the revenue from drilling the oil regardless of the specific land on which the drilling took place. These rights, also known as headrights, were hereditary and could be transferred to descendants. However, this system became vulnerable to fraud and abuse by non-Indians, who sought to obtain these valuables shared by marriage⁴⁵. The wealth generated by the oil brought many white men to Oklahoma, who sought to acquire wealth through marriage. Unmarried Osage women became prime targets for marriage scammer, who wrote them letters proposing marriage. Sir Plimer from Missouri offered 25 dollars for every 5000 dollars that the particular woman was worth. Through these marriages, white men tried to gain control over their wife's property and financial assets⁴⁶.

The federal government decided that the Osage were incapable of managing their own wealth, leading to the establishment of the guardianship system. This system was originally intended to protect the Osage from financial fraud and mismanagement of their finances, but

⁴³ David Grann, *Killers of the Flower Moon: The Osage Murders and the Birth of the FBI* (New York: Doubleday, 2017), 76-82.

⁴⁴ Indian Territory Illuminating Oil Company, *The Encyclopedia of Oklahoma History and Culture*, accessed March 31, 2025, <https://www.okhistory.org/publications/enc/entry?entry=IN019>.

⁴⁵ Burns, *A History of the Osage People*, 405-425.

⁴⁶ Grann, *Killers of the Flower Moon*, 16.

in reality, it became a tool for widespread exploitation and theft. The law said that every Osage was a subject of the control of white guardians who were typically selected among the local educated elite⁴⁷.

These guardians had absolute power over the finances of the Osage. As a result, Osage were required to ask for permission even for basic spendings, such as buying food, medical care, or education. However, the Osage, who weren't full-blooded Osages, meaning their blood was only half Osage, were exempted from this system, showing the racist background of this policy. In theory, the government justified the guardianship system as a means of preventing the Osage from recklessly spending their wealth and as a method of teaching them financial literacy. The government also argued that Native Americans lacked the understanding of how to manage large sums of money and, therefore, needed supervision⁴⁸.

In reality, however, this system became one of the greatest examples of legal corruption and abuse of Native American rights. Many guardians abused their authority to steal finances that belonged to the Osage people; they charged high fees for managing their property and finances or forced them into purchasing overpriced goods and services. In some cases, the Osage had to pay significantly higher sums for basic services, like funeral services, than what was the average for white residents⁴⁹.

Some guardians went even further and organized fraud and embezzlement, and they appropriated the entire inheritance of the deceased Osages. Records show that between 1910 and 1925, over 8 million dollars was stolen from the Osage accounts⁵⁰.

⁴⁷ Grann, *Killers of the Flower Moon*, 58.

⁴⁸ Grann, *Killers of the Flower Moon*, 77-80.

⁴⁹ Grann, *Killers of the Flower Moon*, 22-23.

⁵⁰ Grann, *Killers of the Flower Moon*, 154-155.

3 OSAGE MURDERS

The Osage Murders were one of the most horrific episodes in United States history. They refer to the systematic murders of members of the Osage community in Oklahoma. During the 1920s, members of this tribe were one of the wealthiest people in the world due to their oil wealth. However, this wealth also made them targets of a widespread conspiracy to rob them of their property. Many were murdered in what became known as the “Reign of Terror”. These murders were planned and were carried out using various methods like shootings, poisoning, and even explosions. Many of them were staged to look like natural deaths. Investigations of these crimes showed to be highly corrupted, as the local authorities either ignored the evidence or directly collaborated with the perpetrators. Later on, the Osage Murders led to a massive federal investigation, which became one of the first cases handled by the newly formed Federal Bureau of Investigation (FBI). Although several of the main perpetrators were eventually brought to justice, many cases remained unsolved and the victims never received justice⁵¹.

3.1 VICTIMS

The first recorded victim, even before the official start of the Reign of Terror, was Mary Lewis. She was murdered in 1918, showing that the crimes against the Osage people had begun much earlier than what was initially believed. Mary had been married twice, but both of her marriages ended in divorce. She also had an adopted child. After she purchased a houseboat, she stayed there together with her child, her friend named Thomas Middleton and a friend of his. Mary Lewis disappeared on August 18. However, there was no official investigation regarding her disappearance. Later on, the private detective found out that Thomas Middleton had been cashing Mary’s checks by lying about being her son. Mary’s deceased body was then found miles away from the houseboat. Thomas then admitted that he had beaten Mary to death with a hammer to gain her headrights. He was sentenced to death in 1919⁵².

Anna Brown disappeared on May 21, 1921, and later she became one of the most important figures in the Osage Murders investigations. Her sister Mollie grew worried when Anna did not visit her as she usually did. Except Anna, Mollie had another two sisters. One of them, called Minnie passed away in 1918 at the age of 27. She had never suffered from

⁵¹ Grann, *Killers of the Flower Moon*, 67-69, 90-96, 234-236, 286.

⁵² Grann, *Killers of the Flower Moon*, 227-279.

any health issued, yet her cause of death was attributed to be a strange disease. These three sisters were quite wealthy, which made the news about Anna's disappearance spread quickly. It caused anxiety among the Osage community, because Anna was not the only one who suddenly disappeared. It was also Charles Whitehorn who was 30 years old and vanished after he had gone to Pawhuska. Over a week after Anna disappeared, three men were hunting near Three Mile Creek. His body was in an advanced state of decomposition. It was black with worms feeding on it. There were able to say that the body belonged to a Native American woman. She was lying on her back, eyes opened towards the sky and hair dirty from mud. The men were not able to find any official help, so they called for Scott Mathis, who was in a charge of Anna's finances. However, he was not able to identify the body. He then called for Anna's family members, who were able to identify the body and confirmed her to be Anna Brown⁵³.

Charles Whitehorn was found around the same time as Anna Brown. A worker in Pawhuska found a deceased body. Charles had been shot twice, directly between his eyes. Authorities were able to identify him by a little he was carrying in his pocket. Henry Roan was 40 years old when he was found dead. Since his body had been preserved by the cold, there were no difficulties identifying him. Henry had disappeared after a conversation with his friend Willia Hale, who also happened to be the beneficiary of Henry's life insurance. He was found dead in a car, killed by a gunshot that went through his eye and broke the windshield⁵⁴.

Another man, named William Stepson, who was 29 years old husband and father also died under suspicious circumstances. He had left his house after receiving a phone call, and when he returned, he suddenly became sick. Even though he was always healthy and had no issues, he died. Authorities later found out that he was poisoned and made a conclusion that someone who he possibly had met, poisoned him. The substance with which he was poisoned was probably strychnine, and William during his last hours suffered extremely painful effects. The Osage reservation had no specialist for forensics and this fact made poisoning someone a perfect killing method, since it was difficult to detect. Not so long after Williams death in 1922, another woman died of what was thought to be a poison. However, there was no toxicological analysis performed to confirm or contradict potential poisoning.

⁵³ Grann, *Killers of the Flower Moon*, 5-16.

⁵⁴ The Osage 'Reign of Terror' Murder Trials: An Account, *Famous Trials*, accessed March 31, 2025, <https://www.famous-trials.com/osage-home/2378-the-osage-reign-of-terror-murder-trials-an-account>.

A few months later, another man named, Joe Bated, died from what was suspected to be poisoning⁵⁵.

In 1923, George Bigheart, a popular man in the community, was taken to the hospital because people thought he had been poisoned. He had important information about the Osage Murders and wanted to share it in person, so he asked his friend Vaughan to come. After Vaughan talked to Bigheart, he realized the information was very serious. He called the sheriff and said he had something important to tell and was rushing to catch a train. When the sheriff asked if Vaughan knew who hurt Bigheart, Vaughan said he knew even more than that. But Vaughan never showed up, when the train arrived, he was missing⁵⁶.

Rita Smith was murdered by the explosion of a bomb that was placed under her house. The explosion occurred around 3 a.m., and it shook the entire neighbourhood, shattering windows in a nearby buildings. When people started to gather at the scene, they were horrified to discover that it was the house of Bill Smith and his wife Rita. Rescuers were trying to put out the fire and search for victims. As they dug through the rubble, they heard a faint voice calling for help. They found Bill Smith, who was alive, but in terrible condition. Rita was right next to him, dressed in a nightgown, as if she had been sleeping. However, she had suffered severe head trauma and was already dead. Bill was taken to a hospital where he died 14 days later. Another victim of this attack was also Nettie Brookshire, who was 19 years old. She was a maid and she often stayed overnight at the house. Unfortunately, her body was completely destroyed by the blast and she was torn to pieces⁵⁷.

The death of Sybil Bolton in 1925, was according to her stepfather, a suicide. Her stepfather was a white male and he was her guardian, meaning he was responsible for managing her finances. Sybil was shot in the chest, but her death was never properly investigated- no autopsy was even performed. Later on, it was her grandson, Dennis McAuliffe Jr., who realized that there were too many inconsistencies surrounding Sybil's death. He wrote a book, "The Death of Sybil Bolton". In this book he revealed that the money she had owned thought her headrights had disappeared⁵⁸.

⁵⁵ Grann, *Killers of the Flower Moon*, 67-69.

⁵⁶ John Erling, "What Was 'The Reign of Terror' in the Osage Nation?" *Voices of Oklahoma*, accessed March 31, 2025, <https://voicesofoklahoma.com/learning-center/reign-of-terror-osage-nation/>.

⁵⁷ Grann, *Killers of the Flower Moon*, 88-92.

⁵⁸ Dennis McAuliffe Jr., *The Deaths of Sybil Bolton: Oil, Greed, and Murder on the Osage Reservation* (New York: Atlantic Monthly Press, 1994), 35-73.

Tillie Stepson was widowed after the death of her husband, William Stepson, who died in 1922 under suspicious circumstances, maybe poisoning. After his death, she married Kelsie Morrison, a man who was in the past involved in the Osage Murders. However, Tillie started to feel afraid of Morrison, after he mentioned to someone about what does strychnine does to a body and she heard him. She contacted her lawyer to dictate her last will. She wanted to prevent Morrison from inheriting her property and ensure that he would not gain guardianship over her children. Before these legal measures could be done, Tillie suddenly died due to potential poisoning. Morrison then inherited her property. In private, he confessed to one of his friends that he killed Tillie and encouraged the man to do the same to an Osage woman. No investigation was ever conducted, and Tillie's killer was never convicted⁵⁹.

3.2 INVESTIGATION OF THE OSAGE MURDERS

When Anna Brown died, her death was not properly investigated and was closed without anyone being punished. However, the first suspicions arose when other relatives of Anna died, leaving only her sister Mollie alive. Mollie was not healthy and was suffering from serious health problems. Just like in Anna's case, many families among the Osage lost their loved ones without receiving any answers from the official authorities⁶⁰.

As the number of victims among the Osage tribe exceeded 22, they still received no help from their local authorities. Facing corruption and reluctance from their local sheriff, the Osage decided to ask the U.S. Department of the Interior and the Department of Justice to investigate these murders. The Bureau of Investigation was the first agency to take on the case, it was the predecessor of what is today the FBI⁶¹.

The Federal bureau of Investigation (FBI) was a young and small agency at the time of the Osage Murders. It was founded in 1908 as the Bureau of Investigation (BOI), and at first, it had limited powers and was only seen as an agency that assisted the Department of Justice. However, it underwent a significant transformation during the 1920s, thanks to J. Edgar Hoover. He was young and had almost no experience, but he was obsessed with efficiency and reform. Though discipline and the introduction of educational requirements for agents,

⁵⁹ Grann, *Killers of the Flower Moon*, 284-285.

⁶⁰ Federal Bureau of Investigation, "Osage Murders Case," *Famous Cases and Criminals*, accessed March 31, 2025, <https://www.fbi.gov/history/famous-cases/osage-murders-case>.

⁶¹ Andrew L. Warren, "The FBI and the Osage Murders," *The Chronicles of Oklahoma* 84, no. 2 (2006): 188-189.

he laid the foundations for the modern FBI. Hoover sent his agents into the Osage community, including undercover operatives. Among them was Tom White, who was the leading investigator. The first months of the investigations were inefficient. However, over time, more and more people began pointing to William Hale as the prime suspect. He was in control of a large property owned by the Osage and was a part of a group that was said to be involved in the murders. Despite the large amount of these testimonies, they were ignored by the agents⁶².

The investigation of these murders was further complicated by political scandals. The BOI was plagued by corruption. William Burns, who was the BOI director, was involved in the Teapot Dome scandal, which exposed widespread corruption in President Harding's administration⁶³. The Teapot Dome scandal was one of the biggest political scandals in the U.S. at that time. In the 1920s Albert Fall illegally leased federal oil reserves, including the Teapot Dome, to two oil tycoons in exchange for bribes. The scandal began when President Harding assigned Fall's department to manage these reserves. Fall then secretly facilitated oil extraction in exchange for large financial gifts and loans. When local politicians and businessmen became aware of the situation, a Senate investigation was launched. After Harding's sudden death in 1923, the investigation uncovered corruption. Fall was sentenced to prison, becoming the first U.S. cabinet secretary in history to be imprisoned for crimes committed while in office⁶⁴.

One of the BOI's plans was to use the infamous criminal Irvin Newton "Blackie" Thompson as an informant to gather evidence against the suspects. Federal investigators released him from prison under the pretext of cooperation, they wanted him to provide them with important information. However, this approach proved to be catastrophic. Instead of cooperating, Thompson used his freedom to rob a bank and he murdered a police officer in the process. This incident not only weakened the credibility of the investigation but also weakened the Osage's ability to trust federal authorities to protect their community. As if the murders and the failed investigation weren't enough, the Osage were then forced to fund the federal investigation themselves. Since the federal agencies lacked resources, the tribe was then forced to pay 20 000 dollars to ensure that the investigation would continue. This

⁶² Grann, *Killers of the Flower Moon*, 191-200.

⁶³ Grann, *Killers of the Flower Moon*, 106-108.

⁶⁴ Phil Roberts, "The Teapot Dome Scandal," *WyoHistory.org*, November 8, 2014, accessed March 31, 2025, <https://www.wyohistory.org/encyclopedia/teapot-dome-scandal>.

caused outrage among the community, as the money was derived from oil rights that were already subject to fraud and corruption⁶⁵.

The investigation led to the conviction of William Hale, who was identified as the brain behind these murders. His relative, Ernest Burkhart and hitman John Ramsey were also convicted. Although the investigation proved their guilt, many other deaths remained unexplained, and the actual death toll may have been much higher than officially reported. However, the trial was not a complete victory for justice. Hale was sentenced to life in prison but was later paroled. Burkhart, who confessed to his own family's murders, was also pardoned. The Osage achieved a measure of justice, but only after years of suffering corruption and official ignorance. These cases became a symbol of systemic failure and injustice⁶⁶.

⁶⁵ Douglas M. Charles, *The Federal Bureau of Investigation: History, Powers, and Controversies of the FBI*, vol. 1 (Santa Barbara, CA: ABC-CLIO, 2022), 532–533.

⁶⁶ "William Hale's Brutal Role in the Osage Murders," *HISTORY*, published October 4, 2021, accessed March 31, 2025, <https://www.history.com/news/william-k-hale-osage-murders>.

4 CHANGES IN LEGISLATION AND POLICIES IN OKLAHOMA AFTER THE OSAGE MURDERS

This chapter focuses on the changes in legislation and policy in Oklahoma that happened after the so-called Reign of Terror. It deals with how the Osage lived in Oklahoma after many of them were killed due to their headrights.

4.1 LEGISLATIVE AND POLICY CHANGES FOLLOWING THE OSAGE MURDERS

The Major Crimes Act, which took place in 1885, originally stripped Native Americans of their authority to deal with serious crimes like murder or rape, transferring this power to federal courts⁶⁷. This act represented a serious violation of tribal sovereignty. However after the Osage Murders in the 1920s remedied to the this Act expanded federal jurisdiction over Native lands and peoples. As Fixico points out, during the 1920s, especially after the Osage Murders, federal jurisdiction over Native peoples' lands and members was expanded. The Osage Murders provided the federal government with the moral justification to extend its authority over reservations. instead of supporting tribal courts. This expansion of federal authority focused mainly on economically important areas such as the Osage Territory. The government decided to strengthen its own prosecution, further undermining the autonomy of Native communities. The government used the events of the Reign of Terror as an example of local government failure, so they could increase legal and political control over Indian lands. The expansion of this law was not just a matter of justice, but as Fixico notes, it was also a tool of economic and political control, especially in rich areas like the Osage Territory. This federal approach was built on the belief that Indigenous people were no table to manage their own affairs⁶⁸.

The Osage Indian Act of 1925 was a legal measure that was supposed to protect the property and inheritance rights of the Osage. The act took place as a response to a series of frauds and murders that targeted the Osage people, whose oil and mineral wealth had been exploited by criminals. This act established restrictions on inheritance, property management, and land protection to eliminate abuse and the illegal acquisition of property

⁶⁷ Donald L. Fixico, *The Invasion of Indian Country in the Twentieth Century: American Capitalism and Tribal Natural Resources*, 2nd ed. (Boulder: University Press of Colorado, 2012), 17-18.

⁶⁸ Fixico, *The Invasion of Indian Country*, 123–129.

by non-Osage individuals. One of the most important parts of this act was the introduction of strict inheritance rules. According to the law, only people of Osage Indian blood, or at least half Osage blood could inherit Osage property. People who were convicted of murdering Osages lost the right to inherit. This was called the "slayer rule". It was a direct response to the murders of the Osage people, in which white, non-indians tried to obtain their property through crimes. This law was a critical moment in protecting the property rights of the Osage people. The act greatly strengthened federal control over their finances and inheritance. While many Osage viewed these measures as necessary protections, others saw them as restrictions on their legal and economic autonomy⁶⁹.

As a response to a series of crimes against members of the Osage Nation in the 1920s, the U.S. Congress passed a special amendment known as the Osage Allotment Act Amendments in 1925⁷⁰. This was a reaction to the massive abuse of the property rights of the Osage, whose oil, wealth, and headrights had become targets of fraud and manipulation⁷¹. The amendment was an extension of the Osage Allotment Act of the 1906, which promised the members of the Osage nation a share of oil profits, known as headrights. However, the 1925 law introduced several restrictions and measures to prevent the loss of Osage property. The most famous part of this amendment was the so-called "slayer rule," which prevented a person convicted of murdering an Osage from inheriting their property. The law also imposed strict controls over Osage investments, including real estate and bonds, which could only be managed with the permission of the Secretary of the Interior. Osages without a so-called certificate of competency could not freely manage their property and were required to apply for a guardian. These measures strengthened federal control over the internal affairs of the Osage Nation. They created a system that protected Osage property but also limited their freedom to manage their land and oil revenues. Historically, the Osage Allotment Act Amendments of 1925 reflect the tragic events that occurred within the Osage tribe and at the same time illustrate the paternalistic approach of the U.S. government towards Native peoples⁷².

After the Osage murders, which occurred in the 1920s, the public and American authorities started to address a deep crisis affecting federal policy toward Native Americans,

⁶⁹ Joseph F. Rarick, *Lands Allotted Among the Osage Indians* (Norman, OK: University of Oklahoma, 1978), 1-9

⁷⁰ *Cohen's Handbook of Federal Indian Law*. "Special Laws Governing Osage Tribe." 1942 ed. Washington, D.C.: U.S. Government Printing Office, 1942, 449

⁷¹ Fixico, *The Invasion of Indian Country*, 124-125.

⁷² *Cohen's Handbook*, "Special Laws Governing Osage Tribe," 445-450.

particularly in Oklahoma. The Osage murders were connected with attempts to obtain the Osage's oil revenues and were a direct result of a dysfunctional guardianship system, in which white guardians had complete control over Native Americans' finances and property. At that time, the government considered the Osage to be individuals, who are not able to manage their finances and properties, so they placed them under the guardianship of often corrupt individuals. This system was widely abused, ultimately resulting in the murder of dozens of Osage people during the 1920s as a part of elaborate schemes to cheat the system and steal their inheritance. After the media exposed these events, and following intervention by the federal government and the Bureau of Investigation, it became clear that the problem was not only with individuals but with also with the structure of land and property management for Native Americans. The U.S. Department of the Interior admitted that the system of "restricted allotments" had completely failed. According to Rebecca Nagle, the author of *By the Fire We Carry*, the situation was so serious that an independent federal report describes the conditions in Oklahoma as "almost unbelievable in a civilized county"⁷³.

As a response, the U.S. Congress passed the Oklahoma Indian Welfare Act (OIWA) in 1936, which was an extension of a broader federal law known as the Indian Reorganization Act (1934). This act was intended to remedy the consequences of the allotment policy, strengthen tribal self-government, and provide Native Americans with at least basic legal and economic protections. The OIWA allowed the return of land that had been allocated to individuals back to tribal ownership under so-called "trust regime." It also allowed tribes to adopt their constitutions, establish self-governing bodies and they were able to manage their communal property. However, the act did not go as far as many had hoped. Despite the increased self-government, the chiefs of the five civilized tribes – including the Osage tribe, continued to be appointed by the President of the United States, which meant that the federal oversight was maintained and it limited the democratic legitimacy of tribal leadership. This meant that the implementation of the law met with resistance. Many citizens of Oklahoma, especially white landowners, developers objected to land being placed in trust because such land was not subject to state taxes. Under pressure from lobbying groups, Congress adopted a compromise solution that preserved most existing allotments and left the state with jurisdiction over property management. This meant that in many cases, practically nothing changed. The guardianship system remained in place and was continued to be abused. The case of Millie Naharkey, that is described in Rebecca Nagle's book, illustrates the

⁷³ Nagle, *By the Fire We Carry*, 175–178.

persistence of these distortions. Although she was an educated adult woman, she had to apply for permission to purchase basic necessities, including food and clothing because she was still under guardianship⁷⁴.

The Oklahoma Indian Welfare Act cannot be seen as a definitive solution, but rather as a response to a public scandal, intended to appease public outrage and mitigate the worst excesses of the system. However, its significance lies in its symbolism and in opening the way for further legal changes in favour of Indigenous people. The OIWA created a legal framework that allowed some tribes to rebuilt their governmental structures, reclaim land, and to start the process of restoring their cultural and political identity. Still, as Nagle herself points out, true self-government did not come to the tribes until many decades later⁷⁵.

Due to the many scandals and pressure of the public on the government, there were many legislative changes which aimed at strengthening the rights of Indigenous people and limiting the abuse of their property. Very important step in this area was the Indian Reorganization Act of 1934, also known as the IRA or the Howard Act. This act served as a response to decades of oppression and economic exploration of Indigenous people and their communities. The main goal of the IRA was to stop the sale of Indian lands, to promote their self-government, and to restore their traditional forms of governance. The IRA allowed Indian tribes to establish their own government and to form their own constitutions, thereby they were able to gain greater control over their internal affairs⁷⁶.

The original draft of the IRS was much more radical than the version that was later on passed by the Congress. Felix Cohen, one of the main authors of this act, originally proposed more comprehensive legislation that would have ended land grants to individual Indians and it created a separate judicial system for Indian tribes. This proposal would have given tribes better legal autonomy and it would strengthen their independence from federal authorities. However, during the Congressional debate, this version was significantly reduced. Although Senator Burton Wheeler was one of the co-authors of the IRA, he later attempted to repeal the act in 1937, because he considered it to be too radical. Many politicians in congress feared that making tribal self-government stronger could weaken federal control over Indian reservations and set legal precedents for greater Native autonomy. As a result of these

⁷⁴ Nagle, *By the Fire We Carry*, 176-179.

⁷⁵ Nagle, *By the Fire We Carry*, 178-180.

⁷⁶ *Indian Reorganization Act of 1934*, Public Law 73-383, 48 Stat. 984 (codified as amended at 25 U.S.C. § 5101 et seq.), accessed March 20, 2025, <https://www.govinfo.gov/content/pkg/COMPS-5299/pdf/COMPS-5299.pdf>.

concerns, a simplified version of the act was then eventually passed. It helped to restore some rights and self-government to Indian tribes but it did not grant them full sovereignty, as the federal government wanted to retain some powers over the reservations⁷⁷.

4.2 OSAGE NATION AND THEIR ECONOMIC AND ENVIRONMENTAL AUTONOMY

After the Osage murders and many years of the U.S. government controlling their mineral resources, the Osage Nation slowly started gaining back their control and their economic sovereignty. A big step for them was the Indian Mineral Development Act (IMDA) of 1982, which gave Native American tribes and individuals with mineral rights, like the Osage, greater control over how their resources are used. It allows tribes to make agreements with companies, as long as the U.S. Department of the Interior approves them. While the government is not liable for financial losses, it still has a duty to protect tribal rights, especially if another party breaks the agreement⁷⁸. In the 21st century, the Osage Nation has actively defended itself against external violations of its mineral rights. The most famous case involved a series of lawsuits against Osage Wind, LLC and Wind Capital Group, which had planned to construct wind farms on Osage land. The tribe said that the wind turbine construction made it harder to reach the mineral underground and that the companies didn't get proper approval from the federal government, as the law requires. The case was mainly about the tribe's right to control its land and resources versus outside companies wanting to build renewable energy projects⁷⁹.

Along with fighting in court, the Osage Nation has also been working on their own idea of energy independence, which is not just about money, but also about their culture, religion and respect for nature. For example, they have opposed wind farms partly because, in Osage spirituality, the horizon is a sacred place. It's where the gate of heaven opens at sunrise and sunset. Today, the Osage Nation is seen as a strong example for other Native tribes when it comes to managing the environmental and economy in a sovereign way. The Osage Wind case

⁷⁷ Alice Beck Kehoe, *A Passion for the True and Just: Felix and Lucy Kramer Cohen and the Indian New Deal* (Tucson: University of Arizona Press, 2014), 26-29.

⁷⁸ *Indian Mineral Development Act of 1982*, Public Law 97-382, U.S. Statutes at Large 96 (1982): 1938–1940, codified at 25 U.S.C. §§ 2101–2108.

⁷⁹ Summer L. Carmack, "Loyalties and Royalties: The Osage Nation's Energy Sovereignty Plan and Wind Farm Opposition," *Public Land & Resources Law Review* 40 (2019): 154–165.

showed that using legal arguments, history, and cultural identity together can be an effective tool for protecting tribal rights and natural resources⁸⁰.

4.3 OSAGE NATION CONSTITUTION 2006

Between 2004 and 2006, the Osage Nation experienced significant constitutional reform, which resulted in the ratification of a new constitution. It replaced the previous model with system of government, which consisted of executive, legislative, and judicial branches. The goal of this change was to strengthen democratic principles, to restore the sovereignty of the Osage Nation, and to address the needs of the current generation. The preamble to the constitution emphasized that the Osage people seek to “preserve and develop a full and rich way of life” not only for the present but also for future generations. This document also states the continuity of Osage identity and culture, which have persisted despite historical pressures of colonization and assimilation. The new constitution establishes a clear distinction of powers and responsibilities between the three branches of government. Executive power is vested in the Principal Chief and Assistant Chief, legislative power lies with the 12-member Osage Nation Congress, and the judiciary operates independently, with the Osage Nation’s own Supreme Court. This structure reflects the American model of government while preserving the unique values and traditional elements of the Osage people. The constitution emphasized citizen participation, ensuring that every member of the Osage community has the right to vote, no matter where they live. This principle allows Osage citizens living outside the reservation to actively participate in their decision-making⁸¹.

One of the most significant elements of the new constitution is its clear recognition of education as a tool for building a prosperous and self-sufficient society. The constitution also mandates the Osage Nation government to develop language, cultural, and educational programs. In this context, institutions such as the Osage Nation Education Department, the Language Department and the Cultural Centre were established, forming the foundation of what is known as the Tribal Education Agency. The Osage Nation invests in these programs to strengthen their national identity and to create an educational system that responds to the needs of the community. Besides formal education, the constitution also supports the preservation of Osage cultural traditions, such as their traditional dance. Cultural values and language are seen and are considered as the core of national identity and that’s why they are

⁸⁰ Carmack, *Loyalties and Royalties*, 159–171.

⁸¹ *Osage Nation Constitution*, 2006, preamble; art. IV; art. VII, §§ 1–2, PDF strany 22–23, 26, <https://www.osagenation-nsn.gov/sites/default/files/library/ConstitutionOfTheOsageNation.pdf>.

incorporated into public programs and schools curricula. The 2006 Constitution represents an important step towards restoring the relationship between Native Americans and the U.S. State. It is a mix of modern principles of governance and a strong emphasis on cultural heritage and responsibility. It stands as proof that even within the current legal body, it is possible to create a system of government that honours tradition while supporting the dynamic development of one's own society⁸².

4.4 PUBLIC OPINION AND MEDIA PRESSURE

These crimes were not just a series of violent murders, but they also revealed a deep injustice. At a time when Native American issues weren't often discussed in society, the brutality of the crimes finally brought out the attention of the public and the media. As said by Matthew L. M. Fletcher, media such as *The New York Times* and the *Tulsa World* were among the first to report on these cases. They used headlines that highlighted mass corruption among white citizens in Osage County, including local sheriffs, judges, and businessmen. Public rage and interest grew because of the brutality of these murders and because it was evident that the authorities did not care about the victims. The media's influence forced federal agencies to get involved and start an investigation. According to Fletcher, the FBI, during that time known as the Bureau of Investigation started its investigation as a result of public and media pressure. Fletches also claims that David Grann, in his book *Killers of the Flower Moon*, often overstates the role of the FBI and overlooks the fact that the government had long failed to protect the Osage people and had operated under a guardianship that in the end was the reason for the killings⁸³.

⁸² *Osage Nation Constitution*, pmb.; art. XVII, § 4, 22, 32–33.

⁸³ Matthew L. M. Fletcher, "Failed Protectors: The Indian Trust and Killers of the Flower Moon," *Michigan Law Review* 117, no. 6 (2019): 1253–1270.

5 FEDERAL LEGISLATIVE AND POLICY REFORMS FOLLOWING THE OSAGE MURDERS

This chapter examines the legislative and policy changes that followed the events known as the Reign of Terror. This chapter provides examination of these historical events and how it influenced the approach of state and federal authorities to the rights of indigenous peoples. It also provides an overview of selected reforms and their significance in the broader context of American policy toward Native Americans.

5.1 FEDERAL RESPONSE AND LEGAL REFORMS

The origins of the FBI date back to the period after the American Civil War, when the need for federal power in the field of internal security started taking shape. As early as 1871, the U.S. Department of Justice hired detectives to dismantle the Ku Klux Klan in the southern states. This mission was a response to the terror directed against African Americans and their rights during the Reconstruction period. In a sense, then, the origins of federal investigation can be linked to the protection of minority rights, this later proved to be essential, for example in the case of the Osage Murders in Oklahoma several decades later. In 1908, President Theodore Roosevelt and Attorney General Charles Bonaparte established the Bureau of Investigation, the forerunner of today's FBI. During this period, the perception of federal investigation as an instrument of justice started taking shape. It was important especially in contrast to local structures that often failed, particularly in cases where strong racial or economic interests were involved⁸⁴.

One of the first major cases which tested the capabilities of the Bureau of Investigation was the Osage "Reign of Terror" in the 1920s. After the Osage became wealthy from oil discoveries in their territory, they became targets of systematic violence and crimes aimed at gaining control over their inheritance. Local law enforcement agencies were often corrupt or inactive, so the case was eventually brought to the attention of the federal government. The successful resolution of the case became a political and bureaucratic trump card for J. Edgar Hoover, who used it as evidence of the need for a modern, scientifically oriented federal police force. Although the Bureau's initial failure and the poor training of its investigators were concealed from the public, Hoover skilfully used the Osage case to promote the image of the FBI as a professional and honest institution. In the long term, the

⁸⁴ Rhodri Jeffreys-Jones, *The FBI: A History* (New Haven, CT: Yale University Press, 2007), 47-50.

case also influence how the FBI presented itself. They presented as a protectors of minorities and a force for justice in situations where local authorities had failed. The fact that a federal institution was able to intervene on behalf of a marginalized population, even at a time when Native Americans were facing severe discrimination, helped establish the FBI's image as a central guardian of the law⁸⁵.

In 1924, President Calvin Coolidge signed the Indian Citizenship Act, which declared that all previously non-citizen Native Americans born in the United States were now considered to be citizens of the United States. The act specifically stated that the granting of citizenship would not limit or affect their rights to tribal property or other property. Before 1924, there were several ways for Native Americans to obtain U.S. citizenship, for example marriage to a U.S. citizen, meaning a white person. However, the 1924 act affected approximately 125,000 Native Americans who were not yet citizens, resulting in their mass "naturalization." The law took place during a period of growing interest in Indian policy reform. Public concern about the treatment of Native Americans was increasing. New organizations such as the American Indian Defense Association were formed, and the Indian Rights Association was adjusted. The issue of Native rights became a frequent topic in the media. Despite the rising interest, the bill passed through Congress with minimal debate. The original version of the bill had called for the Secretary of the Interior to make decisions on individual applications. However, the Senate rejected this approach and instead adopted a simpler, more straightforward version which granted citizenship to all Native Americans born in the U.S. without further adjudication⁸⁶.

The law did not automatically grant Native Americans the right to vote, as these voting rights were determined by individual states. In some states, such as Arizona, Native Americans did not gain the right to vote just until 1948. Some historians have suggested that the law was enacted as a reward for Native American service during the World War I, in which more than 17,000 Native Americans fought. However, this hypothesis is not supported by legislative records, as a law had already been passed in 1919 granting citizenship to those who had served. Although the Indian Citizenship Act did not immediately improve the living conditions of Native Americans, it marked a historic moment. Native Americans were finally

⁸⁵ Douglas M. Charles, *The Federal Bureau of Investigation: History, Powers, and Controversies of the FBI*, vol. 1 (Santa Barbara, CA: ABC-CLIO, 2022), 532–535.

⁸⁶ Gary C. Stein, "The Indian Citizenship Act of 1924," *New Mexico Historical Review* 47, no. 3 (July 1972): 257–257.

recognized as citizens of the United States. It was also a symbolic step toward equality, even though real rights and dignity would continue to be fought for in the next decades⁸⁷.

The relationship between Native Americans and the U.S. government has been marked by long lasting injustices, many treaty violations, and repeated failures to provide promised food, healthcare and support to Native Americans. Throughout U.S. history, there have been many cases in which the government failed to keep its commitments, causing harm to Native communities. Over some time, particularly under the influence of the civil rights movement and increasing Native American involvement in governmental affairs, the public began to recognize the need to address these historical wrongs. As a response to this growing pressure, the U.S. Congress passed the Indian Claims Commission Act in 1946. This act established the Indian Claims Commission (ICC), an independent body created to hear and resolve all outstanding claims previously made by Native American tribes and the federal government. The Commission was originally intended to operate for ten years. During the first five years, tribes could file their claims and demands, after that, no new claims relating to events prior 1946 would be accepted. The ICC had jurisdiction not only over legal claims but also over moral claims, which were distinguished from traditional courts. This meant that Native American tribes could submit claims even if they lacked a direct legal foundation, as long as they were based on principles of moral justice⁸⁸.

The U.S. Congress had several reasons for creating the ICC. The first reason was the complicated and lengthy process that previously required Native Americans to have a special law passed for each individual case. The second reason was the hope that financial compensation could support the economic self-sufficiency of Native tribes. The third reason, which is probably the most important was the moral obligation of the state to address historical injustices. During its existence, the ICC received more than 370 claims, which were then divided into over 600 separate cases. More than half of these were filed just before the deadline in 1951. Due to the large volume of work, the law had to be extended several times, and the Commission continued operating until its dissolution in 1978. The ICC was significant as the first formal attempt by the U.S. government to settle its historical obligations to Native Americans. Many of the Commission's decisions were seen as

⁸⁷ Gary C. Stein, "The Indian Citizenship Act of 1924," *New Mexico Historical Review* 47, no. 3 (July 1972): 263-269.

⁸⁸ Sandra C. Danforth, *Repaying Historical Debts: The Indian Claims Commission*, *North Dakota Law Review* 49, no. 2 (1973): 257–260., <https://commons.und.edu/ndlr/vol49/iss2/8>

inadequate or disappointing, but the act itself brought attention to the need to recognize Native Americans rights and history⁸⁹.

After World War II, there was a shift in the U.S. policy toward Native Americans. In contrast to the earlier policy of reorganization and support for tribal self-government under the Indian Reorganization Act of 1924, a new policy formed in the 1950s, known as the Termination Policy. This policy aimed to end federal recognition of tribes and wanted to cancel the special legal status of Native Americans. In 1953, the U.S. Congress passed House Concurrent Resolution 108, which marked the beginning of the termination era. Its goal was to remove Native Americans from their status as “wards” of the federal government, it ended their exemptions from state laws, and put them into central American society. Lawmakers said that this move would grant Native Americans full citizenship, equality, and freedom. In reality, it was a sweeping intrusion into their rights, their cultural identity and self-governance. In the same year, Congress passed Public Law 280, which transferred jurisdiction over Indian territories in six states (California, Minnesota, Nebraska, Oregon, Wisconsin and later Alaska) from the federal government and tribal courts to state courts. This limited the power of tribal governments by removing their ability to independently manage internal matters within their own territories⁹⁰.

The policy of termination continued in the following years through acts by which Congress ended federal recognition of approximately 110 tribes and groups in eight U.S. states. Tribal governments lost their legal status, reservations were dissolved or sold, and tribal members were stripped of federal benefits, tax exemptions and legal protections. Many Native Americans were forced to leave their reservations, often unprepared for life outside their communities. As a result, many found themselves in poverty, without stable employment, housing, or access to healthcare. For example the Menominee tribe who were once economically self-sufficient before termination, fell into economic collapse after their federal status was taken from them. In addition to material loss, terminated tribes also faced a crisis of identity. With the loss of their Indian status, they lost their ability to define themselves as a part of a recognized and traditional community. As Walch points out, for

⁸⁹ Danforth, *Repaying Historical Debts*, 258-266.

⁹⁰ Michael C. Walch, “Terminating the Indian Termination Policy,” *Stanford Law Review* 35, no. 6 (July 1983): 1184–1186, <https://www.jstor.org/stable/1228583>

many, this loss of self-government and federal recognition was even more painful than the loss of their land or property⁹¹.

Opposition to the termination policy started in the late 1950s, and by the 1960s, the federal government gradually started to move away from it. The policy was officially cancelled by President Richard Nixon in 1970, when in his speech he declared that “forced termination was wrong” and called for a new policy of self-determination in its place. Most of termination laws have been repealed or replaced with legislation aimed at restoring their tribal identity, but some groups that were terminated have never been fully rehabilitated. Public Law 280 was amended in 1968 by the Indian Civil Rights Act, which required that state jurisdiction over tribal lands must have the consent of a majority of tribal members. The damage caused between 1953 to 198 remains as a source of historical trauma for many Native communities⁹².

The Indian Self-Determination and Education Assistance Act was signed in 1975 by President Gerald Ford. This legislation was the result of a long-standing effort by Native Americans to gain greater control over their own education and community life. It was also inspired by President Richard Nixon’s speech in 1970, when he said that the future of Native Americans should be shaped by their own decisions. The primary goal of the act was to maximize Native American participation in the management of programs that had previously been administered by the federal government. The law also established the principle that treaties between the U.S. government and Native tribes must be conducted on a government-to-government basis. Tribal governance thus gained not only symbolic recognition but also practical and legal authority⁹³.

Education was seen as a key tool for self-determination. During the 1960s, were established schools that became the models for community-run educational institutions. Over time, more schools followed, demonstrating that Native American Communities were fully capable of effectively managing their own educational systems. In practice, this proved that education did not need to be exclusively controlled by federal agencies. The Indian Self-Determination and Educational Assistance Act enabled the creation of contracting and grant

⁹¹ Michael C. Walch, “Terminating the Indian Termination Policy,” *Stanford Law Review* 35, no. 6 (July 1983): 1186–1189, <https://www.jstor.org/stable/1228583>

⁹² Charles F. Wilkinson and Eric R. Biggs, “The Evolution of the Termination Policy,” *American Indian Law Review* 5, no. 1 (1977): 171–178, <https://digitalcommons.law.ou.edu/ailr/vol5/iss1/4>

⁹³ Bradley Veile, *Indian Self-Determination and Education Assistance Act (Public Law 93-638) from 1975 to 1989* (Washington, DC: U.S. Department of Education, 1989), 7–10.

programs that transferred the management of schools and other services directly to Native communities. Furthermore, all provisions of the act clearly states that nothing in the law was intended to terminate the trust responsibility between the U.S. government and Indigenous people, a direct response to concerns about a possible return to the termination policy⁹⁴.

For decades, Native Americans faced religious oppression from the federal government. Their traditional spiritual practices were suppressed, they were denied access to their sacred sites and their sacred objects were banned. It wasn't until the second half of the 20th century, that federal policy started to change. A major turning point happened in 1970 with the return of the Blue Lake area to the Taos Pueblo tribe, showing the deep connection between land and religion in Native cultures. This moment led to the American Indian Religious Freedom Act, known as AIRFA in 1978, signed by President Jimmy Carter. This act affirmed that freedom of religion is a fundamental right. AIRFA was focused on protecting the religious rights of a specific ethno-religious group, which then raised questions among some critics if such protection could be seen as favouring one religion⁹⁵.

This law raised high expectations, however, in practise it was limited. Courts have generally not treated AIRFA as a stand-alone legal basis for protecting religious freedom. Instead, it serves more as a reminder of the need to consider religious contacts in administrative decisions. One of the most prominent areas where AIRFA was applied was in disputes over access to sacred sites. Tribal groups repeatedly sought protection for places as Bear Butte, Rainbow Bridge and the San Francisco Peaks. However, courts often let go of these claims, arguing that state interest is more important than religious concerns. Although AIRFA formally recognizes the religious freedom of Native Americans, it has no permanent tools to enforce its provisions. Experts also note that both public and the courts often fail to understand the deeply integrated nature of Native religions, where spirituality is tied to land, nature and community. This act opened the door to the greater cultural recognition, but more informed legal approach was needed to fulfil its intended purpose⁹⁶.

⁹⁴Veile, *Indian Self-Determination*, 11–15.

⁹⁵Robert S. Michaelsen, *The Significance of the American Indian Religious Freedom Act of 1978*, *Journal of the American Academy of Religion* 52, no. 1 (March 1984): 93-97.

⁹⁶Michaelsen, *The Significance of AIRFA*, 98-109.

5.2 OSAGE AFFIRMATION ACT (2004) AND MCGIRT V. OKLAHOMA (2020)

This act was introduced in the U.S. Congress to affirm the fundamental rights of the Osage Tribe, specifically, the right to determine who is considered as a member of their community, how their government should be organized, and who is eligible for participation. The existing system is considered outdated and inconsistent with modern U.S. policy, which supports tribal self-governance for Native Nations. According to the Osage Allotment Act of 1906, tribal membership has traditionally been tied to ownership of a “headright”, which was a share in the tribe’s mineral estate. Headrights were granted only to individuals who were alive before 1907, and their direct descendants. As a result, many Osage people with significant Native American ancestry are not recognized as tribal members unless they inherit a headright. This has prevented them from voting in tribal elections, having leadership positions and having an access to certain benefits available to other members⁹⁷.

This law was supposed to remedy this longstanding injustice. In addition to addressing membership, it also modifies the form of government that has been imposed on the Osage Tribe, mainly consisting of a principal chief, a deputy chief, and an eight-member council. Many Osage people view this system as an externally imposed model that does not reflect their traditional values or method of self-governance. During the hearings, it was emphasized that this issue is not merely about membership in a “club”, but about citizenship in a sovereign nation. Importantly, the bill does not interfere with property rights. Headrights and other property interests will not be taken away from anyone. This bill focused exclusively in political and civil rights, specially, who has the right to vote, run for office and participate in tribal life. The goal of this law was to place the Osage Tribe on equal footing with other tribes and to allow it freely determine its own membership and governmental structure, thereby restoring its full right to self-government. At the same time it protected their economic rights. This represents an important step toward justice and a fuller recognition of the Osage Nation’s sovereignty by the United States⁹⁸.

⁹⁷ U.S. Congress, *House of Representatives, Committee on Resources, H.R. 2912, To Reaffirm the Inherent Sovereign Rights of the Osage Tribe to Determine Its Membership and Form of Government: Legislative Field Hearing*, 108th Cong., 2nd sess., March 15, 2004 (Washington, DC: U.S. Government Printing Office, 2004), 6-8.

⁹⁸ U.S. Congress, *H.R. 2912 Hearing*, 9–11.

The 2020 decision by the U.S. supreme court in *McGirt v. Oklahoma* represents one of the most significant milestones in federal Native American law in decades. In this case, the Court rules that a large portion of eastern Oklahoma, including the city of Tulsa, remains under federal law, the territory of the Creek Nation. The ruling stated that the United States had never officially ended the reservation, as only Congress has the power to reduce or eliminate reservation borders. The decision was based on the idea that unless Congress clearly says something different, tribes keep their independence and reservations stay in place. The Court applied the *Solem* test, which considers three factors: the text of congressional statutes, the historical context, and the demographic development and public perception of the area. In *McGirt*, the court placed the greatest weight on the statutory text, particularly the language of 19th century treaties between the United States and the Creek Nation. It rejected arguments based solely on the long-standing exercise of state jurisdiction, emphasizing that historical practice does not override clear congressional intent⁹⁹.

The verdict in *McGirt v. Oklahoma* broke with traditional expectations shaped by the dominant ideology of mainstream society, which has often denied the sovereignty of Indigenous people. As Maggie Blackhawk says, this case represents how the law can serve as a tool for empowering marginalized groups, provided it is grounded in formal legal texts, rather than political narratives or public opinion. *McGirt* was not merely a dispute over jurisdiction, it also represents an example of the so called power movement, which does not rely on seeking rights through public sympathy but emphasized the active exercise of power and self-governance. For centuries, Native Americans have asserted their right to sovereignty without needing validation from the majority population. This decision demonstrates that when legal norms are consistently applied, they can prevail over ideological assumptions¹⁰⁰.

5.3 INFLUENCE OF REFORMS ON OSAGE GOVERNANCE

The events known as the Osage Murders and abuse of their wealth and rights in the 20th century led to new laws and political changes that had a big impact on how the Osage Nation was run. At first, these changes led to increased federal control over the Osage people, but eventually, they laid the foundation for the restoration of their sovereignty and self-

⁹⁹ Maggie Blackhawk, *On Power and the Law: McGirt v. Oklahoma*, *The Supreme Court Review* 2021 (2021): 1–77.

¹⁰⁰ Blackhawk, *On Power and the Law*, 5–9, 21.

government. Right after the Reign of Terror, the Osage Indian Act of 1925 was passed to protect the Osage's hereditary rights. However, it imposed strict rules that restricted ownership and management of their property and increased federal control over tribal affairs. What was meant to be a protection led to the weakening of the Osage's legal autonomy¹⁰¹.

A major change happened between 2004 and 2006, when the Osage Nation adopted a new constitution. It replaced the old system based on mineral rights with a modern government that has executive, legislative, and judicial branches. The reform strengthened democratic principles, allowed active participation of all Osage citizens regardless of their residence, and emphasized the preservation and development of Osage culture, language, and identity¹⁰². Another big step was the passing of the Osage Affirmation Act (2004), which gave the Osage Nation the right to decide who could be a member without outside interference. This law fixed old problems with the headright system and fully supported the Osage Nation's right to self-rule.¹⁰³

The changes that happened after the tragic events of the 1920s initially limited the administrative and economic autonomy of the Osage Nation, but ultimately led to the restoration of their sovereignty. Today, the Osage Nation represents a modern example of a Native nation that has successfully restored its political, economic, and cultural independence while respecting their historical roots and traditions¹⁰⁴.

¹⁰¹ Fixico, *The Invasion of Indian Country*, 60-65.

¹⁰² Osage Nation, *Constitution of the Osage Nation*.

¹⁰³ U.S. Congress, H.R. 2912 *Legislative Hearing*.

¹⁰⁴ Fixico, *The Invasion of Indian Country*, 130–134.

CONCLUSION

The history between Native Americans and Settlers and their relations in the U.S. is very complex and painful period of time of forming alliances, broken promises and resistance. From the early European colonization in the 17th century, Native tribes experienced pressure of their expansion, cultural erasure and violence. While some tribes at the beginning formed trade relationships and military alliances with Europeans, it slowly started to turn into aggressive assimilation policies.

This thesis set out to understand how the Osage Murders of the 1920s changed the course of Native American rights and policies in Oklahoma. In the early chapters, were devoted to exploring the long and often painful history between Native peoples and settlers, showing how trust was broken over generations, and how sovereignty which was once a source of pride and identity was slowly stripped away. The story of the Osage people stands at the center of this work: their rich culture, their migration in search of safety, and their rise to prosperity, which, tragically, made them targets.

The focus of this thesis is in the “Reign of Terror,” a time when greed, racism, and a hunger for power and wealth led to the deaths of many Osage men and women. They were not seen as people with rights and dignity, but as obstacles standing in the way of others who wanted to take their land, their oil, and their future. This period exposed not only individual cruelty, but also the deep injustice built into the very systems that were supposed to protect them. These killings exposed not only brutality but also a seriously flawed system in which people responsible with defending the rule of law frequently participated in corruption. Despite its flaws, the criminal investigation of these crimes forced a national awakening. It resulted in reforms that, at least in part, sought for better protection of Native people and strengthened federal agencies like the FBI.

Most importantly, however, the story of the Osage people is one of resilience, not just victimization. A major step toward reclaiming their identity, independence, and hope for the future came with the adoption of the Osage Nation Constitution in 2006, after many years of struggle. Their story shows that history is not only about loss and injustice, but also about the courage to rebuild, to remember, and to fight for a better future for the generations that follow.

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LIST OF ABBREVIATIONS

FBI	Federal Bureau of Investigation
BOI	Bureau of Investigation
IRA	Indian Reorganization Act
OIWA	Oklahoma Indian Welfare Act
ICC	Indian Claims Commission
IMDA	Indian Mineral Development Act