

Lalita's Secret

by

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When I was arrested in Gila County, Arizona last February 7th, my mind improved upon the unasked for leisure by considering what I might do about Lalita's secret. My false arrest would have been a passing phenomenon, but for Lalita's secret. I had arrived at her school with a question; I left with a mission.

Lalita is Lalita Goclanney Johnson Desrochers Altaha, a 14-year-old American from the Apache Reservation at Whiteriver, Arizona. The many names she has borne in a mere 14 years are testimony to the trials of a life that began with abuse from an unstable mother, continued with the deprivations associated with adoptive parents on the run from authorities, and now offers systematic deprogramming therapy at the hands of tribal authorities. The wonder is: Lalita's not a mess! She is a bright, articulate, sensitive child longing for a chance to grow free.

My false arrest occurred after I had journeyed to Whiteriver to learn whether *anyone* had troubled to offer Lalita the courtesy of asking where she wished to live. No one had. It is thought to be improper, on account of her adoptive parents' "crime" of running off with her once the tribe won the right to her return. Maybe that's true, but the fact is, a big part was played in the tribe's victory by a federal law called the Indian Child Welfare Act (ICWA).

The ICWA says, quite simply, that Indian children should live with Indians. The Act was a laudable attempt to end wholesale removal of Indian offspring from the reservations. Too bad, though, the law did nothing to alter the incentives of many Indians and non-Indians to rescue these young Americans from the painful, apartheid-like existence one often encounters on reservations. It's also too bad Congress did not limit the law to *future* births. For the result has been to spawn unseemly battles across the nation to "recover" children who were already gone—without much regard to the traumas inflicted on the children in doing so.

That is Lalita's problem—a problem some tribal members are so anxious to hide that they created a smokescreen by having me and an NBC News crew arrested on a false charge of kidnapping! Yes, I spoke to Lalita. That's when I learned her secret that I never could have known otherwise, even as I delivered to her the bad news that, so long as Congress was not her friend, no one would be able to free her.

Our Congress has said to countless Lalitas, because you are Indian you must accept second-class citizenship. Congress promised in 1924 that, when Lalita would be born in 1975, she would be an American, a full-blooded American. But Congress has not delivered on that promise. It would be the job of the Commission on Civil Rights to press Congress to make good that promise—if there were commissioners enough who cared.

Until Congress makes good its promise or until Lalita turns eighteen, I must keep Lalita's secret. Her health and well-being depend on it. I cannot even trust some other members of the Commission on Civil Rights with it. It pains me to reflect upon the lengths we must go sometimes to protect the young. But I will not relent, no matter the cost.

Lalita's secret has become for me the vibrant symbol of the Indian's precarious existence in an America that is not true to itself. All too many of us are willing to sweep the Indian under the rug, and with him every evidence of the violence we do daily to the promise of self-government that is America.