

Charles Wilkinson, CU professor who advocated for key land and water rights for Native American tribes, has died

The “enthusiastically present” scholar immersed himself and his students in the life and the law of the West

Esteemed author and Law



Charles Wilkinson, author and former law professor at the University of Colorado Boulder, died June 6, 2023. (University of Colorado photo)

Charles Wilkinson was a force in natural resources law, a tribal advocate and an inspiring figure for generations of Colorado law students.

“He really was a giant in terms of his standing in the law,” said Colorado Attorney General Phil Weiser, who worked with Wilkinson at the University of Colorado Law School. “He was a role model — for anyone who was a law teacher, or who was protecting our land and water, or

honoring our commitments to the tribes — and he was a friend and a mentor who taught so many.”

Wilkinson died June 6 at age 81. A longtime Boulder resident, he was a father, husband, and to many, a friend or mentor. He began his legal career in the 1960s and became one of the foremost national experts on tribal affairs and environmental issues in the West. He worked closely with tribal nations on countless legal concerns, including the creation of Bears Ears National Monument. He was a scholar and educator who brought natural resources law to life for generations of students at CU, his former students and colleagues said.

Repeatedly, those who knew him described him as energetic — an unstoppable force in the legal world — but mainly someone who brought everyone into the conversation.

“He was a person of vitality — vitality was an understatement,” said Patty Limerick, who met Wilkinson when they worked together at CU in Boulder. “Some people of great vitality who have an extraordinary presence can just ... leave other people around them looking pale and flat, but not Charles.”

Wilkinson’s energy was contagious, she said. “He was just so enthusiastically present.”

Wilkinson did not intend to become an authority on Western law, according to a [High Country News profile from 1991](#). “I suppose I decided to become a lawyer in May 1954, when I read about *Brown v. Board of Education* in the old New York Herald Tribune in Bronxville, New York,” he said in the profile.

In 1963 he followed the Dodgers, his favorite baseball team, to the West Coast and enrolled in Stanford University. He was most excited to see a game as the first thing he did after moving — before he realized how far San Francisco was from the Dodgers’ home base in Los Angeles, he said in the profile.

After graduating with his law degree, Wilkinson worked at law firms in Phoenix and San Francisco before joining the Native American Rights Fund in 1971. The newly formed nonprofit put its roots down in Boulder, where it still fights to protect Native rights, resources and lifeways through litigation.

He taught at the University of Oregon School of Law starting in 1975 and then the University of Colorado Law School, where he received numerous honors.

He was also a visiting professor at the University of Minnesota and the University of Michigan and held leadership roles in many environmental law organizations. In between teaching, mentoring and leadership, he worked for the U.S. departments of Agriculture, Justice and the Interior where he acted as a special counsel, served on committees, and played instrumental roles in negotiations between the U.S. government and Native American tribes.

Wilkinson, a prolific author of 14 books and many more scholarly papers, spent this year focused on his latest project, a book focused on treaty fishing rights and the [1974 Boldt Decision](#), one of the biggest court decisions issued in the 20th century regarding Native American rights.

Wilkinson had a stroke May 30, and on June 1, he turned in the final edit on his last book project. The next day, he had another stroke, said Don Brown, advisory board chair for the Getches-Wilkinson Center at CU Boulder, named in part after Charles Wilkinson.

It was a classic end for an incredible man, Brown said.

“I waver between grief and gratitude for having been able to spend time with him,” he said. “It’s a significant loss. No question about it.”

A teacher and a mentor

Brown was a law student at the University of Colorado when he met Wilkinson in 1988. Wilkinson spent the first three days of a public lands class reading poetry and prose about the grandeur of the West, Brown said.

“He showed me a whole new world that I didn’t know existed and opened my eyes to the idea that you could be a lawyer ... but you could also think about these great things about the West,” said Brown, who practiced water, land use and natural resource law for seven years. “It changed my whole perspective on how to practice law and how to be passionate about the Western resources that we have.”

Wilkinson joined the university in 1987 as a law professor and played an integral role in two campus centers, the Center of the American West and the Natural Resources Law Center.

He also was named the Moses Lasky Professor of Law Emeritus in 1989, a prestigious endowed chair not confined to Western law specialists, and a distinguished professor in 1997. Distinguished professor is the highest honor for faculty at the university, and since the award was established 45 years ago, only 138 professors have been recognized in this way across its four campuses.

One oft-recalled Wilkinson teaching tool was immersion. Instead of just teaching from a classroom, Wilkinson would take students to tour rivers and abandoned mines and meet local Native American tribes while integrating the visits with lessons about history, legal and policy issues.

“My water law course is a thinly disguised course in trout fishing,” Wilkinson said in the High Country News profile. “When you trout fish, you need to think in terms of the whole watershed, and that’s what you need to do with water law.”

It was a revolutionary model of teaching at the time, and it brought the issues to life for students, said Weiser, who was formerly dean of the Colorado law school. Weiser said he only taught one

class that received a 6/6 rating from students, and it was the class he taught with Wilkinson, “because Charles garnered that level of respect from students.”

“Part of what I learned from Charles in that class is how he took every student so seriously,” Weiser said. “He approached everyone with affection, and he really was present for everyone. And that’s something that is part of the memory that I have of Charles that will live on as a blessing.”

Wilkinson invited students to dinners to meet with other leaders in the field, like Wallace Stegner, called the “dean of Western writers.” When Weiser was just beginning in his role as dean of the law school, Wilkinson took the time to encourage and guide him through any growing pains in his new role.

“He helped inspire and mentor really multiple generations ... of lawyers and leaders who have gone onto all these roles, and so many of them will tell you that, ‘I’m working for this Native American tribe. I’m working in water law. I’m working in this natural resources government job,’ because of Charles Wilkinson,” Weiser said. “That is a pretty profound legacy.”

Wilkinson’s positivity helped inspire his colleagues, Limerick said. She fondly recalled Wilkinson running around a conference room at CU, setting up chairs even though he had a minor leg muscle injury and a limp.

“This is so funny that I’m telling you this story about setting up chairs in the Glenn Miller Ballroom as though it was the happiest time in my life,” Limerick said. “But that’s a Charles Wilkinson story. Something that would ordinarily not lodge in your memory was so great.”

She recalled going to conferences in Idaho put on by the nonprofit Institute of the American West, where people who didn’t always agree showed up, occasionally getting off the rails in a disagreement, but kept talking to each other. It was totally a Charles Wilkinson habitat, Limerick said.

In the 1980s, Limerick was vetting job options to leave the university when Wilkinson’s enthusiasm pulled her back in. He suggested founding a center to study the American West.

“I didn’t know what a center was,” she said. “I said, ‘Why not? That sounds like a good idea.’ That was a major reason I didn’t move. I wouldn’t be surprised if there were other faculty members who were wobbling at one point, and an hour with him encouraged them to stay.”

Even on a memorable minus-5 degree day — when she was “stupidly” ready to pull out of the whole idea — Wilkinson helped encourage her to keep going with the center.

At the second or third Center of the American West conference, Wilkinson came up with the idea of creating a hypothetical state and giving participants different roles who had to work together on a project. Hypothetical tribal members with positions for and against the issue at hand, legislators and more had roles in the scenario. Limerick assigned the role of Republican state legislator from the town of Parnip, she said.



The Getches-Wilkinson Center for Natural Resources, Energy and the Environment at University of Colorado is named for Charles Wilkinson, left, and David Getches. Wilkinson, professor emeritus, died June 6, 2023. Getches, who was dean of the law school, died in 2011. (University of Colorado photo)

It was a testament to Wilkinson’s way of engaging everyone, she said. Not only was Wilkinson’s connectedness striking — to his students, to people living the consequences of laws and policies, the West itself — but so was his willingness to share that connectedness.

“Charles had a temperament of really taking everyone around him seriously and merrily at the same time,” Limerick said. “He was not a jokester or anything like that, but his cheer was infectious.”

An advocate for the land and tribes

Wilkinson was a notable legal advocate for tribal nations in the Pacific Northwest, the Colorado plateau and throughout the West.

Early in his career, when he was working with the Native American Rights Fund, he represented a nation that was fighting against the state of Washington to assert its right of access to fish, which became a significant victory that Wilkinson and NARF were able to help secure, Weiser said.

Wilkinson chronicled the use and abuse of resources, made complicated natural resources issues accessible to the general public, and helped elevate issues related to the legal status of Native tribes, which operate under a mixture of sovereign independence and state, federal and resources limitations.

“No one wrote better about policy issues facing the American West,” said Mike Chiropolos, another of Wilkinson’s former law students and a Boulder-based attorney. “It was never about Charles. It was about landscapes and people.”

He recalled the [“brilliant obituary” for Mr. Prior Appropriation](#), published in High Country News, which anthropomorphized one of the central tenets of Western water law, commonly summed up as first in time, first in right.

Wilkinson aided tribes in issues with the federal government, like the designation of Grand Staircase-Escalante and Bears Ears as national monuments. Before the designations, tribal members wanted to prioritize tribal voices [but still welcomed Wilkinson](#), who was white and non-Native, said Peter Ortego, general counsel for the Ute Mountain Ute Indian Tribe and one of Wilkinson’s former students.

“They didn’t see Charles that way. I think that was a real compliment to him. The tribes really saw him as a friend,” Ortego said. “Even in times when they were doing things that were uniquely tribal, they still reached out to Charles because he understood them so well. ... Then he did a great job working on getting the declaration and then helping them through some litigation issues they had.”

After former President Donald Trump reduced Bears Ears by more than 80% in 2017, [Wilkinson again advocated for Tribal nations](#).

“I’ll remember his skill in the classroom, his mastery of language, and the gleam in his eye when he described the D.C. media responding to the Bears Ears Inter-tribal Coalition press conference with a standing ovation,” Chiropolos said.

During his nearly 60-year career, Wilkinson produced book after book examining how special interests, arcane legal systems, government priorities and history were colliding in the West. Some of the books he authored became standard law casebooks on Indian law and federal public land law.

In the 1990s, he dug into how mining, ranching, tourism, recreation and industry were changing the nature of the West, and he urged greater land use planning and stricter regulation of both public and private land to encourage sustainable development.

In 1992, Wilkinson wrote the widely known book, “Crossing the Next Meridian: Land, Water and the Future of the West,” which looked at outmoded Western natural resources policies shaped by powerful private interests, to the exclusion of Native Americans, and called for significant legal reform.

In the 2000s, he explored the history of tribal nations from the 1950s to 2002 in one book, and in another book, he dove into one issue with larger implications: “The Fish Wars” and the Nisqually Tribe’s long, and ultimately successful, effort to get the federal government to acknowledge tribal fishing rights in the Pacific Northwest.

While Wilkinson was a prolific author, his focus was always on helping others tell their stories, said Brown of the Getches-Wilkinson Center,

At one point a law student asked Wilkinson, “What right do we have to tell the stories of the Native peoples?” Brown recalled. “Charles’ response was, ‘We don’t tell the stories. What our role is, is to help them get their voice out, to facilitate the voices that aren’t being heard so they can be heard.’ I thought that was a beautiful way to describe his approach.”

Charles Wilkinson, esteemed law professor at the University of Colorado, and trailblazer in the fields of Native American and Western land and water law, died peacefully of natural causes on June 6, 2023. His wife Ann was by his side.

Charles was born in Ann Arbor, Michigan in 1941. He grew up in Bronxville, New York, and Westport, Connecticut. His father, Charles Fore Wilkinson Jr., was a research physician who served as Chief of Medicine at NYU Medical Center. His mother Frances, known as "Wally," was a quick-witted schoolteacher. A devoted Brooklyn Dodgers fan, Charlie was inspired by Jackie Robinson's pursuit of racial justice.

After graduating from Denison College, Charles followed his beloved Dodgers to California, where he attended Stanford Law School. There, fly fishing in California's high-mountain streams, he fell in love with the American West. That passion defined the rest of his life.

Charles began his law career at the Phoenix law firm of Lewis & Roca. He admired the firm's national-caliber lawyers and its robust pro bono practice. But his life changed forever in 1971 when he accepted a job at the Native American Rights Fund in Boulder, Colorado. In NARF's founders, John Echohawk and David Getches, Charles found lifelong partners in his pursuit of justice for Indian people. At NARF, Charles pursued litigation to improve education on the Navajo reservation, restored the tribal status of the Menominee Nation and the Siletz Tribes, and advocated on behalf of the Nez Perce Tribe for the removal of Snake River dams.

He joined the University of Oregon Law School faculty in 1975. In 1987, he returned to Boulder, where he became the University of Colorado Law School's Moses Lasky Professor of Law. In 1997, CU's Regents named Charles a Distinguished University Professor- one of only 25 in the CU system. In 2013, CU honored Charles and David Getches by establishing the Getches-Wilkinson Center for Natural Resources, Energy and the Environment. Charles remained on the faculty until 2018, when he became Professor Emeritus.

Charles was an energetic and beloved teacher, whose passion for his subject matter changed students' lives. His classes on Federal Indian Law, Public Land Law, and Natural Resources and Water Law were wildly popular. Students vied for a coveted spot in his Seminar on the American West, which focused on specific regions of the West and culminated in legendary field trips. Charles received the top teaching awards from the Universities of Oregon, Colorado, and Michigan (where he served as a visiting professor).

Charles authored 15 books. Early in his teaching career, he wrote standard treatises on Indian Law and Public Land Law. In 1987, he published *American Indians, Time and the Law* a highly-regarded synthesis of Indian law. Over time, books like *Crossing the Next Meridian*, *Fire on the Plateau*, *Blood Struggle*, *Messages From Frank's Landing*, and *The People are Dancing Again* taught as much about history, geography, and the revitalization of Indian nations as they did about the law.

He took on numerous assignments for the federal government and the tribes. He was instrumental in establishing the Grand Staircase-Escalante National Monument in 1996, and the Bears Ears National

Monument in 2016. He served on the boards of the Wilderness Society and the Grand Canyon Trust, among other organizations.

Even with his many professional accomplishments, Charles always had boundless love and energy for his family. He was a devoted and present husband, father, and father-in-law. Nothing gave him more joy than sharing a cup of coffee with his wife, Ann, or enthusiastically supporting his children and grandchildren at their sporting events, chess tournaments, and performances. There was simply nowhere in the world more fun to be than in the seat next to Charles at a baseball game, playing a poker hand Charles was dealing, or scouting a trout stream with him. He loved dogs, newspapers, ice cream, sagebrush, strong coffee, cowboy boots, and the Rockies (both the range and the team).

His passion for Indian law never waned. He devoted his last years to a book covering the Boldt Decision, a seminal 1974 case affirming tribal fishing rights in Washington State. Charles completed the manuscript in his last year of life, and was deeply involved in final copyediting in the days before his passing. The book will be published by the University of Washington Press next February to commemorate the Boldt Decision's 50th anniversary.

Charles is survived by his wife, Ann; his sons, Seth, Philip, David and Ben; his daughters -in-law, Samantha and Zahraa (whom he insisted were his daughters); his grandchildren, Khalil, Meera, Ellen and Calvin; and siblings Bobby Wilkinson and Martha Sedgwick.

A celebration of Charles' life and career will be held in Boulder, Colorado in the fall. Those who wish to honor Charles may send a donation to the Native American Rights Fund (www.narf.org) or the Charles Wilkinson Memorial Fund at the University of Colorado Law School (law.advancement@colorado.edu).