



Chief Red Cloud (sitting second from left) and other members of the Lakota delegation to the White House, 1877

The Hills Are Alive

by ARI KELMAN

In October 1873, Gen. Phil Sheridan, commander of the US Army's forces in the American West, was concerned about the fate of South Dakota's Black Hills mountain range. He worried that gold-seeking prospectors were skirmishing with the region's Lakota people. Vital national interests were at stake, and Sheridan was determined to act—but not as a peacekeeper. A few weeks earlier, Jay Cooke & Company, one of the country's leading investment houses, closed its doors after a series of speculative plays in railroads had soured. The financial markets responded predictably: with an all-out panic. The banking sector collapsed, businesses failed and thousands of people suddenly found themselves thrown out of work. The pine-covered Black Hills, said to be rich with untold minerals, began looking to canny observers like the American economy's lifeline. That the Lakotas who lived there, a “warlike people,” in Sheridan's opinion, stood in the way of tapping such wealth represented a considerable inconvenience.

Sheridan's options were constrained by President Grant's “peace policy,” the culmination of years of lobbying by Indian

reformers coupled with a deepening sense among federal officials that the West's Native peoples could be conquered only at tremendous cost. Another impediment for Sheridan was the Fort Laramie Treaty, signed just five years earlier, which guaranteed that the Black Hills belonged to the Lakotas. Accordingly, Sheridan trod lightly, suggesting that a peaceful expedition be sent into the Hills to study the local flora and fauna and to scout a location for a fort. Should the reconnaissance mission also happen to discover signs of precious mineral deposits, or that the Hills boasted resources enough to sustain permanent white settlement, well, so much the better. Largely uninterested in the niceties of diplomacy but well versed in the bloody realities of waging war, Sheridan expected that the government would then allow pioneers to claim the territory, dispossessing its Native inhabitants. He had history on his side: with big money on the line, the government regularly ignored the compacts—even with the ink still wet upon them—that it had forged with indigenous people.

Sheridan tapped George Armstrong Custer to lead the campaign into the Black Hills. Custer, like Sheridan, had won lasting fame during the Civil War, and after the war ended he had become renowned as an Indian

The Last Stand

Custer, Sitting Bull, and the Battle of the Little Bighorn.

By Nathaniel Philbrick.

Penguin. 466 pp. Paper \$18.

The Killing of Crazy Horse

By Thomas Powers.

Knopf. 568 pp. \$30.

The Lakotas and the Black Hills

The Struggle for Sacred Ground.

By Jeffrey Ostler.

Penguin. 238 pp. Paper \$14.

killer, stacking piles of corpses at Washita and in other fights across the Great Plains. In an age of national celebrity buoyed by a booming mass culture, Custer groomed his image as a heroic warrior by letting his long blond curls cascade across his broad shoulders.

In June 1874 Custer set out with approximately 1,000 men for the Black Hills. Once there, he quickly lived up to his reputation as a publicity hound. After meeting with miners who recounted stories of good fortune, Custer sent word back to his commanding officer: the Hills contained not only beautiful valleys, plenty of fresh water for irrigation and “unlimited supplies

of timber,” but also gold. By late August, the news had been splashed across the front pages of newspapers as far east as Chicago. Custer had done his job well; he had amplified the local clamor over the Hills into a national din. Because the Sioux supposedly did not use the land, the argument went, they had no claim to it. As Custer said, the “region is not occupied by the Indians and is seldom visited by them.” The Lakotas, who had burned the prairie in advance of Custer’s column so that his stock couldn’t graze there, would have disagreed, but nobody bothered to ask them.

In November of the following year, President Grant called a private meeting in Washington with the secretaries of war and the interior, as well as with several leading generals, including Sheridan and William Tecumseh Sherman, then commander of the Army. At that gathering, Grant abandoned his peace policy, explaining that because of the Fort Laramie Treaty, he had to maintain the fiction that American miners would be barred from entering the Black Hills. But he would no longer enforce that edict. Instead, federal authorities would stand by as speculators flooded into the region. The Army, meanwhile, would prepare for the inevitable reprisals from Native people, who, as they defended their land, would be put down by US troops. Having been chastened, the tribes would then be offered a clear choice: either sell the Black Hills outright at the government’s price, or, bound to their reservations and unable to pursue the fast-shrinking bison herds upon which they depended for survival, face imminent starvation. Regrettably, there’s no way of knowing if Grant twisted his mustache as he laid out his nefarious plan.

We do know what happened next: Custer, primed for victory, returned to the Black Hills with his troops, and was defeated. He died at the Little Bighorn, routed by the Lakotas and their allies. Sadder still, as Nathaniel Philbrick notes in *The Last Stand*, an exhaustive and sometimes exhausting reappraisal of Custer’s downfall, the warrior was going bald, his golden locks thinning out. That receding hairline might serve as a metaphor for Philbrick’s jaundiced view of Custer: he was a pathetic figure mired in a midlife crisis. By 1876 he had failed in business, run afoul of his patrons (including President Grant) and neglected to produce any heirs with his long-suffering wife, Libbie. Then he badly miscalculated the enemy’s force and the long odds facing his men at the Little Bighorn, ordering them into a deathtrap. And yet, instead of lasting ignominy, which Philbrick hints was his due, Custer would be memorialized as a hero.

Following the Little Bighorn, falsehoods were spun into enduring myths suggesting that Custer had been betrayed not by his own vainglorious incompetence but by the “savages” who surely must have tricked him to have beaten him. (The truth was just the opposite: Native warriors outwitted and outfought the overmatched Custer.) After all, conventional wisdom dictated that the Lakotas could not have won in a fair fight. They had to have massacred Custer and his men. As Philbrick points out in an interesting, albeit characteristically derivative, interlude about the politics of memory surrounding Custer’s death, the memorialization of Custer made sense at the time. Americans learned of Custer’s fate on the eve of the nation’s centennial celebration, an elaborate birthday party staged as a resurrection in the wake of the Civil War. In that moment, Custer, dashing dead, appeared heaven-sent to play the part of Christ; he had sacrificed himself upon the altar of westward expansion so that the Union might abide. Custer’s martyrdom would, of course, have to be avenged. And so, as Philbrick concludes of the Little Bighorn fight, “while the Sioux and Cheyenne were the victors that day, the battle marked the beginning of their own Last Stand.”

Vengeance would be brutal if not really swift. And, in Thomas Powers’s telling in *The Killing of Crazy Horse*, it would focus disproportionately on one man: Crazy Horse. Even before the Little Bighorn, Crazy Horse had secured a reputation among his people as a genius in battle. Time and again in the 1850s and early ’60s he proved his mettle in fights with the Lakotas’ enemies, such as the Crows and the Shoshones. Then, after the Civil War, when the Lakotas began regularly sparring with US cavalry, Crazy Horse’s renown spread outside the tribe. After he lured more than seventy men under Capt. William Fetterman into a lethal ambush in late 1866, the Army’s worst defeat on the Plains to that point, Crazy Horse became something of a boogeyman for whites: a supernatural enemy who couldn’t be caught or killed. A decade later, just before the Little Bighorn, he led a huge force of Lakota and Cheyenne warriors in an attack on a detachment of soldiers commanded by Gen. George Crook, dealing them a stinging blow on the banks of the Rosebud River and, more important, diverting them from reinforcing Custer’s men nearby. And at the Little Bighorn, Crazy Horse may have led a daring maneuver at a key moment in the battle, splitting Custer’s force and helping to ensure his defeat.

Whether Crazy Horse had played a crucial role in Custer’s demise mattered less in the aftermath of the Little Bighorn than the perception among whites that he had, once again, disgraced the Army. Powers notes that cavalry officers in the West had long reviled the great warrior, but “the humiliating defeat of Custer added a sharp new edge to their anger.” As a result, for nearly a year federal troops hunted Crazy Horse and his followers. The next spring, with his people exhausted and starving, he came in to the Red Cloud Agency, in present-day Nebraska, but conditions there, both material and political, proved unbearable. Though Crazy Horse had loyalists at Red Cloud, other chiefs resented his status and spread rumors that he might return to his violent ways instead of embracing peace. Powers suggests, “What Crazy Horse wanted was simple and clear: to take his people on a buffalo hunt in the north, and to establish an agency on Beaver Creek in the Tongue River country.” Nevertheless, in late summer 1877, Army officials, concerned that he posed a renewed threat, ordered his arrest.

On September 4, seeking medical attention for his wife, who suffered from tuberculosis, Crazy Horse arrived at the Spotted Tail Agency, announcing, “I want no trouble. I came here because it is peace here.” But peace eluded him once more. He learned from Lt. Jesse Lee, the Indian agent at Spotted Tail, that he would have to meet with Lee’s superiors at Camp Robinson to convince them of his good intentions. Crazy Horse warily agreed. The next morning, the two men, along with about twenty others, rode across western Nebraska, arriving at the garrison as the sun set. Lt. Frederic Calhoun, whose brother had been killed at the Little Bighorn, greeted them by telling Lee to hand over Crazy Horse so that he could be locked up. Lee demurred and asked to speak with the garrison’s commanding officer, Luther Bradley, who reiterated that Crazy Horse would have to be arrested and sent to Omaha. Lee, who, in Powers’s telling, refused to admit to himself that his promises to Crazy Horse to that point had been empty, returned to the chief and explained that if he waited until morning, he could have an audience with Bradley. Crazy Horse assented. But when he arrived at the fort’s guardhouse, where he was to have spent the night, he apparently realized that he had been betrayed and began struggling with his captors. In the ensuing melee, a guard bayoneted him, and he died several hours later. His killer would never be unequivocally identified, another shrouded marker on the road leading to and from the Little Bighorn battlefield.

Eschewing a definitive narrative voice and seamless story arc, Powers does not explain away the ambiguities surrounding this bloodshed. In this way, *The Killing of Crazy Horse* becomes not just a tragedy set in the Old West but also a meditation on historiography. Rather than skirting uncertainty, writing around inscrutable episodes as Philbrick does in service of a more traditional literary narrative, Powers emphasizes the past's blank spaces. He recognizes that what isn't or can't be known about Crazy Horse's death may well be just as interesting and revealing as what can. In the end, *The Killing of Crazy Horse* works so well because Powers weaves taut drama from fraying strands of conflicting testimony, unreliable Lakota-to-English translations and self-serving memories collected from observers of the events in question.

By taking seriously this vast array of disparate texts, despite their frustrating inconsistencies, Powers demonstrates that the Lakotas were as sensitive to politics as their Anglo-American adversaries. Unlike Philbrick in *The Last Stand*, Powers depicts the Lakotas as historical actors: hamstrung by bitter conflicts born of pressures external to their community and rivalries festering within it; flawed, but nevertheless struggling

toward meaningful goals; and not simply a monolithic Other unified by racial identity, a convenient foil to be counterpoised against the messy realities of the dominant culture, but rather members of a fully sovereign nation. Painted against this vivid backdrop, Powers's portrait of Crazy Horse is sympathetic but never romantic. Powers captures a man at once terribly able and sadly overmatched, caught in historical rip currents that he never quite understood. Crazy Horse was, after all, a warrior, not a statesman. He died because although he was a master of the battlefield, he stumbled on political terrain.

In another way, though, Powers and Philbrick tell similar stories—declension tales, histories of a society unraveling. Both speed up their narratives in the aftermath of Crazy Horse's death and the Little Bighorn battle, respectively, then hurtle pell-mell toward the massacre at Wounded Knee, where, on December 29, 1890, the Seventh Cavalry descended on a camp filled with Native people practicing the millennial Ghost Dance religion, killing or wounding about 300 of them. In fairness, there are good reasons, beyond high drama, for choosing Wounded Knee as an endpoint. The Indian Wars were terribly cruel to the Lakotas, who closed out the nineteenth century living on their reservations in grinding poverty and threatened with demands to assimilate. Still, concluding with the massacre at Wounded Knee risks treating the Lakotas as an artifact, and rendering their history a museum diorama.

In Jeffrey Ostler's *The Lakotas and the Black Hills*, the story doesn't end at Wounded Knee. In August 1876, Congress, still smarting from Custer's recent defeat at the Little Bighorn, vowed to discontinue appropriations to the Lakotas if the tribe didn't relinquish its claim to the Black Hills. A team of federal negotiators led by George Manypenny, who had served as commissioner of Indian affairs before the Civil War, traveled west to deliver the news. The Manypenny Commission explained to the Lakotas that they had arrived at a crossroads: comply with Congress's ultimatum or die. As Ostler points out, to understand what

happened next "it is necessary to realize the situation [the Lakotas] faced in 1876." "The problem," he explains, "was that the destruction of the buffalo meant that they had become dependent on the government for support." Consequently, on September 22, several leading Lakotas signed the agreement. Events had played out very much as President Grant had predicted they would three years earlier: the United States had gained control of the Black Hills.

Still, some Lakotas refused to comply with an agreement to which they hadn't assented and which they believed did not serve their interests. The next spring, for instance, Crazy Horse—who would be killed a few months later—reportedly claimed land for his people near Bear Butte, one of the tribe's most sacred sites in the Black Hills. But by the early 1880s most Lakota militants were either dead or had, like Sitting Bull, resigned themselves to reservation life. The federal government then strengthened its efforts to strip the Lakotas of their distinctive identity, shipping their children to boarding schools, where they would become "civilized," and threatening traditional people who preserved the tribe's cultural heritage with retribution. As part of the Dawes Act, Washington allotted land held communally by the Lakotas to individual proprietors.

Sedentary farming, private-property regimes and coerced Christianity didn't suit many Lakotas, who continued to practice the Sun Dance in secret, to educate their young people about tribal traditions and, in some cases, to embrace the Ghost Dance religion. Then came the horror of Wounded Knee. Ostler, for his part, notes that, "along with the Little Bighorn, Wounded Knee is one of a handful of events in the history of U.S.-Indian relations that is widely known." But, he continues, "despite its prominence...the significance of Wounded Knee has often been poorly understood." So, although Ostler allows that the massacre "was an unfathomably traumatic event," he concludes that "it did not signify the end of the Lakota people, nor did it usher in their resignation to permanent subjugation." Instead, he explains, the tribe continued its struggle for control of the Hills, turning in the twentieth century from the battlefield to the courts.

The Lakotas began preparing to sue the US government in the 1910s, collecting affidavits from people who had lived through the Indian Wars. Tribal elders noted crucial discrepancies in their testimony. The Lakotas had intended only to lend the Hills to the United States, rather than hand the land over in perpetuity; federal officials had

Oreo

Miriam felt that a wolf spider
was stalking our pet cricket, Oreo
who lives in a small indented "crouching pit"
next to the refrigerator

So I followed the spider's wanderings
then put a glass jar atop
slid a paper underneath
& carried it out to the garden

She pointed out that Oreo
had halted its chirping
while the wolf was on the floor

then resumed
when I carried it out:

When the wolf peeks through the door-jamb
no more baaing from the lamb

ED SANDERS

threatened the tribe's leaders with removal to Indian Territory (present-day Oklahoma) if they refused to surrender the Hills; and, despite that menace, less than three-quarters of the Lakotas—the threshold, as mandated by the Fort Laramie Treaty, needed to surrender the tribe's ownership of the Hills—had agreed to cede the territory.

In 1942, nearly two decades after the Lakotas filed suit, the US Court of Claims dismissed their case. Citing the landmark Supreme Court decision of 1903, *Lone Wolf v. Hitchcock*—which granted Congress unfettered “plenary power” over Indian affairs, including the right to abrogate treaties—the court blamed the tribe for the bloodshed in the 1870s and rejected the argument that the Lakotas had been blackmailed into giving up the Hills. As Ostler explains, *Lone Wolf* failed to grapple with the nation's grim Native American history, assuming that the legislative branch had always acted in “perfect good faith.” Nevertheless, in the years after World War II, during the era of the civil rights movement, government officials began rethinking Indian policy. At the same time, the Lakotas hired new lawyers and filed another Black Hills claim. In 1974, nearly a century after the United States had dispossessed the tribe, the

Indian Claims Commission handed down its ruling: federal authorities had violated treaty obligations by refusing to bar miners from the Hills in the 1870s; had “precipitated the Sioux situation into a crisis” (based on a close reading of the decision, this phrase appears to be legalese for “ginned up a war with the Lakotas as a pretext for stealing their land”); had, by threatening to withhold rations if the tribe didn't cede the Hills to the United States, in effect forced the Lakotas to give up their land; and had violated the 1868 treaty by failing to secure the required consent of three-quarters of the tribal membership. In short, the government had ignored the Fifth Amendment in 1877 and would have to pay the tribe for the territory it had seized illegally at that time: \$17.1 million plus 5 percent interest per annum, amounting to a total of more than \$100 million.

After a series of government appeals, in 1980 the Supreme Court affirmed that the United States had to pay the Lakotas for illegally taking possession of the Black Hills. But less than a month after that decision came down, an attorney for the Oglala Sioux filed another suit, seeking not just financial damages but also the return of the land outright. Ostler, taking stock of the Sioux's changing

circumstances as a result of the Red Power movement—including the tragic occupation of Wounded Knee in 1973—notes, “Fifty-seven years after the original filing, the Lakotas had finally won the Black Hills claim. Instead of taking the money, they were now in the position, unimaginable through most of the twentieth century, of trying to stop the government from paying it.”

With interest on its debt to the tribe compounding every year, the United States now owes the Lakotas more than \$750 million for the Black Hills, according to Ostler. And yet, the tribe still won't accept what many people within its ranks see as little more than a hollow payoff that doesn't begin to redress the crimes committed by the government during and after the era of the Indian Wars. Instead, tribal activists now work to protect sacred sites in the region, including Bear Butte, and to increase access for indigenous people who wish to perform ceremonial rites in accordance with cultural traditions that, despite fierce assimilationist pressures, have been sustained during the past hundred years. Because of those ongoing efforts, the story of the Lakotas' battle with the United States for control of the Black Hills isn't over. New chapters will be written. ■

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