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U.S. INDIAN POLICY, 1865-1890 AS ILLUMINATED THROUGH THE LIVES OF CHARLES A. EASTMAN AND ELAINE GOODALE EASTMAN

GRETCHEN CASSEL EICK

Rapid change, passionate convictions, acute regional differences, ethnic conflict, and an army looking for a mission characterized the United States from 1865 to 1890. The Civil War was over and most of the soldiers had mustered out and gone home. The others were assigned either to the South to oversee reconstruction or, the larger number of them, to the area between the Mississippi and the Rocky Mountains—the Great Plains. The U.S. Army's new mission was to “pacify” the Great

Plains, to protect the thousands of migrants enticed there by Congress's offer through the Homestead Act of 160 acres—free, contingent upon living on it and making improvements—and by the marketing campaigns of railroads that promised prosperity to those who followed the rails.

These twenty-five years were a watershed time for two regions—the South and the Great Plains. In the South the federal government would struggle with what to do with four million freed people and shift policy frequently from 1865 to 1877. Washington, DC, would award citizenship rather than land to black men through the Fourteenth and Fifteenth amendments to the Constitution in 1868 and 1870, but ultimately trade away federal government protection of citizenship rights for black Americans for Republican control of the White House in February 1877, three months after the nation's most contentious election. This infamous election gave home rule to southern states, allowing them to determine who voted and who didn't and to set their own regulations for their largest minority group even when those regulations violated the U.S. Constitution. Beginning in 1877, for the next

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eighty years federal troops would not be dispatched to the South to ensure enforcement of the Fourteenth and Fifteenth amendments' guarantees of equal protection, due process, and the right to vote to all citizens, without regard to color or race.

In the Great Plains the federal government engaged in a parallel struggle over what to do with 300,000 Native Americans.¹ That struggle preoccupied the Department of War, the Department of the Interior, Congress, and Indian reformers from 1865 to 1890.² Congress established federal agencies in both the South and in the Plains to implement policy toward blacks and Indians, respectively: the Bureau for Refugees, Freedmen, and Abandoned Lands in the South and the Bureau of Indian Affairs for the West. Ultimately the Great Plains, like the South, would be awarded home rule, and those reformers who promoted citizenship and assimilation as the answer to the region's mix of ethnic groups would be succeeded by new reformers and politicians ready to relegate Native Americans, like black Americans, to an inferior status unprotected by the federal government and at the mercy of the new western state governments. This change in Indian policy, however, came later than the parallel change in African American policy.

In this essay I examine U.S. Indian policy from the end of the Civil War to 1890 and how it is illuminated by the life and writings of physician, author, and Indian activist Ohiyesa, a.k.a. Charles Alexander Eastman, and the author and activist he would marry in 1891, Elaine Goodale Eastman.

The Eastmans experienced the U.S. government's Indian policy directly during these years, and both wrote extensively about their experiences. Ohiyesa became a refugee at age four when a desperate war by his Dakota nation against the U.S. in 1862 resulted in the Dakota being expelled from Minnesota and losing payment for the 23 million acres of land they had ceded by treaty to the U.S. He lived in desperate poverty in exile in Canada for eleven years. He experienced the U.S. policy of assimilation beginning at age fifteen when he moved

to Flandreau, SD, with his father and began acquiring "white education" that took him east to university and medical school while some of his family members participated in the Great Sioux War resisting colonization. In 1890 he returned to the Great Plains to be the first Indian physician at Pine Ridge Agency where he experienced the Wounded Knee Massacre. He would later become the best known Native American of his era, author of eleven books and several dozen articles, lecturer, lobbyist, and civil servant. Elaine Goodale was a Euro-American teacher living among the Lakota in the late 1880s. She knew participants in the Ghost Dance revival and Euro-American reformers like General Richard H. Pratt who started the Indian boarding school movement. Before and after marrying Ohiyesa/Charles she wrote and spoke about how Indians were treated and her firsthand experiences among the Lakota.

This article lays out U.S. Indian policy toward the Great Plains during the twenty-five years after the Civil War by examining chronologically specific "players" that shaped and reshaped that policy: the U.S. Army, the President and Interior Department, Congress, religious organizations, whites in the Indian reform movement, settlers surging west, railroads, and the native nations of the Great Plains, particularly the Lakota. Into the narrative of this changing policy the experiences of the Eastmans are interjected, marked in italics, to illustrate how this changing colonial policy affected those being colonized. The macro is intersected by the micro, as it were, to provide a different way of "seeing" Indian policy and its impact by viewing it through the eyes of these two people.

GRANT'S PEACE POLICY IN THE SOUTHERN PLAINS

In mid-1867, two years after the end of the Civil War, Congress established a commission of military men and civilians to make peace with Plains tribes and get their agreement to move to reservations. This U.S. Indian

Commission would negotiate treaties with chiefs and select reservations for those not already on reservations; if they failed to secure peace through negotiations, Congress authorized the secretary of war to suppress Indian hostilities with volunteer soldiers called up for this purpose.³ The commission included the army general in charge of maintaining peace on the frontier, Gen. William Tecumseh Sherman, nationally known for his massively destructive march across Georgia and through the Carolinas in the last year of the Civil War. The commission negotiated a peace agreement with the Kiowa, Kiowa-Apache, Arapaho, Comanche, and Cheyenne at Medicine Lodge Creek at Medicine Lodge in Kansas in 1868.

The commission, however, was less successful with the Lakota, the western Sioux of the northern Great Plains. Sioux is an umbrella term invented by French trappers to refer to the Lakota (western), Nakota (central), and Dakota (eastern or Santee) people who spoke a common language and shared a common culture. Deconstructed, "Sioux" means "the enemy," not an objective descriptor. I use Dakota/Lakota interchangeably with Sioux to refer to these people who populated the area from Minnesota west to the Rocky Mountains and from Canada south to Kansas.

U.S. RELATIONS WITH NATIVE AMERICANS OF THE NORTHERN GREAT PLAINS BEFORE THE CIVIL WAR

In 1851 the United States had signed a treaty with the Sioux, Arapaho, and Northern Cheyenne at Fort Laramie that specified the territory of each tribe and called for intertribal peace. In exchange for fifty years of annuity payments totaling \$50,000, the tribes recognized that the United States could build roads and military posts on these reservations and would allow the safe passage of settlers through their land.⁴ Historian Jeffrey Ostler writes that the Sioux had little experience with treaties, relied on translation by traders, and probably thought they were agreeing to all that had been said by both sides in the negotiations.

Moreover, only three of the seven council fires of the Lakota/Sioux signed. In what would become typical of colonial strategies, U.S. government officials ordered the Sioux to choose a "head chief," which violated their collaborative, horizontal political structure for decision making and was confusing to say the least.⁵ Consequently, in the years that followed, the Lakota occasionally harassed settlers traveling through their land, and in 1855 Gen. William S. Harney moved into the area with 600 armed soldiers to punish "hostile" Sioux and ordered them to convene and to sign a treaty he would dictate. The Lakota in turn held a council in 1856 attended by at least 5,000 and possibly as many as 10,000. There they agreed that only traders could travel in the area and no roads or forts could be constructed; they would defend their western territory, and their bands would sign no future treaties.⁶ With the U.S. Army preoccupied with subduing Indian resistance in the Southern Plains, an uneasy impasse characterized the Northern Plains. In the 1860s impasse changed to full-scale war.⁷

THE NORTHERN PLAINS AFTER THE U.S. CIVIL WAR

By 1865 Euro-Americans commonly viewed the Sioux/Lakota as the "enemy" because the Dakota Santee Sioux in Minnesota went to war against white settlers in 1862. Called the Dakota War, it was the largest Indian uprising in U.S. history. In 1865, the Lakota/Dakota nation was divided internally between those who saw military resistance as the only hope of holding onto their land, and those who viewed such resistance as futile and counterproductive, likely to bring more suffering upon people already devastated by the retribution taken against the Dakota by the U.S. Army and settlers in the years since the Dakota Uprising.

Meanwhile, the U.S. Army constructed forts on the outer edges of the reserved Lakota land: Fort Randall in 1856, Fort Abercrombie in 1857, Fort Wadsworth in 1864, Fort Buford in 1866, a rebuilt Fort Sully farther up river in 1866, Fort Stevenson in 1867, Fort Ransom in

1867, and Fort Totten in 1867, as well as Sidney Barracks and Forts D. A. Russell, Sanders, and Fred Steele.⁸ Lakota like Red Cloud objected vociferously to this proliferation of military installations in their area. In 1868 the Lakota and other tribes signed a treaty at Fort Laramie in which the federal government, acceding to Red Cloud's demand, agreed to close three of the forts it had built to guard the route along the Bozeman Road to the gold fields in Montana. In exchange, the Lakota and Northern Cheyenne agreed to stay in an area that corresponds to today's South Dakota while reserving the right to hunt in Wyoming and Montana. Lakota leaders Spotted Tail and Red Cloud refused to locate where the U.S. military wanted them to settle, along the Missouri River, moving their base communities the way they traditionally had done. Red Cloud remained with the Lakota who had not signed the treaty. According to Jerome A. Greene's 2005 study of Fort Randall, both men in 1870 went to Washington, DC, to negotiate for their own separate agencies and were successful, the U.S. government establishing the Spotted Tail and Red Cloud agencies. But the Lakota leaders continued to face serious problems from the U.S. presence in the Great Plains: buffalo rapidly disappearing, burial grounds raided by U.S. officials who stole skulls for the Army Medical Museum, and hundreds of starving Indians roaming the area.⁹

By 1869 when Ulysses S. Grant became president, responsibility for crafting Indian policy lay with an uneasy alliance of Christian evangelical reformers working with the Indian Bureau of the Department of the Interior—men who considered themselves friends of the Indian—and U.S. military men assigned by Congress to pacify the Plains. Grant straddled a leg on each side of this alliance. In his inaugural address that year, Grant included these words: "I will favor any course toward them [Indians] which tends to their civilization and ultimate citizenship."¹⁰ Meanwhile, he continued to appoint more military men than Christian reformers to be Indian agents, despite lobbying by activist Christian Indian reform

organizations to do the opposite. Within a year of his inauguration, Congress relieved the president of this inconsistent behavior by legislating that military men could not fill civilian posts.¹¹

Congress shifted Indian policy to civilian control and established a special relationship between the U.S. government and the nation's Christian churches, regardless of constitutional provisions guaranteeing the separation of church and state. In 1870 Congress authorized the churches to appoint up to ten commissioners to the Board of Indian Commissioners. These commissioners would serve without pay and exercise oversight, visiting reservations, ensuring that contracts to provide goods to Indians [annuities] were not gouging the Indians, and that the distribution of these goods was equitable. By 1872, all Indian agencies were allocated among the Protestant religious groups that served on the Board of Commissioners. For at least ten years—while Republicans held the White House—these religious groups would oversee the Indian agencies that administered reservations¹² (see Fig. 1).



FIG. 1. *The Structure of U.S. Authority over Native Americans.* * Rapid turnover was the norm for these positions.

Ohiyesa had been four years old in 1862 when the Dakota Uprising in Minnesota brought such devastation to the Dakota people, whether they participated in the uprising, opposed it and protected whites, or tried to remain nonpartisan. Retribution was swift and harsh and made no such distinctions: all Dakota were removed from Minnesota, their annuities canceled altogether, 303 Dakota men were scheduled to be hanged, and hundreds of Dakota families fled north to take uncertain refuge in Manitoba, Canada. Ohiyesa with his grandmother and uncle were among those refugees.

After more than a decade as a refugee in Canada, Ohiyesa's life underwent radical reorganization in 1873. He was fifteen when, returning home, he discovered two Indians in white men's clothing speaking with his uncle. One of them was actually his father, who in 1862 had been "under sentence of death" but "against whom no evidence was found, and who [was] finally pardoned by President Lincoln." His father brought surprising news:

"Your brothers have adopted the white man's way; I came for you to learn this new way, too; and I want you to grow up a good man." He had brought me some civilized clothing . . . all my old ideas were to give place to new ones, and my life was to be entirely different from that of the past. . . . Late in the fall we reached the citizen settlement at Flandreau, South Dakota, where my father and some others dwelt among the whites.¹³

Ohiyesa's name was changed to Charles Alexander Eastman. His father, after serving a prison sentence for the Dakota War, now called himself Jacob Eastman. With a group of Dakota Jacob had walked to Flandreau on the Dakota/Minnesota border. They successfully applied to be homesteaders. If they could not prevent white incursions on their land and the destruction of their traditional culture, perhaps they could appropriate the most useful ways of the whites who were moving west and like the whites receive 160 acres free to farm. That is what Jacob Eastman did and it seemed to work for his family. His children received a formal, "white" education, two of his

sons earning advanced degrees. The Dakota community in Flandreau continues to thrive in 2007. Charles's father's choice of assimilating modeled what the Christian Indian reformers envisioned as the ideal pattern for all Native Americans—adaptation to "white" culture, adoption of Christianity, adoption of agriculture (ironically, the Dakota had been farmers traditionally in Minnesota), "white education," and development of what steel industrialist Andrew Carnegie in his *Gospel of Wealth* would call "intense individualism."

THE STRUCTURE OF U.S. COLONIAL GOVERNANCE OF NATIVE AMERICANS BY 1880

The Christian reformers overseeing the Indian agencies in the 1870s and early 1880s worried about the caliber of agents on the reservations.¹⁴ There was much opportunity to profit at the Indians' expense if an agent did not have integrity. According to Francis Prucha, a renowned scholar of Indian policy, "Supplying goods to the Indians [was] a multimillion-dollar business by the 1870s."¹⁵ Congress passed a law in 1873 promoted by reformers establishing five independent inspectors who would visit agencies, inspect the goods purchased with Indians' annuities, and have the power to remove incompetent or corrupt agents and appoint their replacements.¹⁶ The partnership between the Indian Bureau and the churches and religious groups was based on the belief that corruption would stop if churches nominated agents with genuine commitment to serving Indians, clergy or laymen for whom salary was not a major motivation. However, low salaries for agents contributed to high turnover. In just one year, 1878, there were thirty-five new agents at the seventy-four agencies. While the U.S. government paid the travel expenses of the employees on the reservations, it provided no subsistence and sometimes no residence. The top reservation official, the agent, received a salary of \$1,500 a year, which was inadequate for those bringing their families to live at the agency, the Indian commissioners frequently

reported to Congress in the 1870s. Also, commissioners of Indian affairs, who were the chief executives of the Indian Bureau of the Department of the Interior, held their jobs only briefly; there were ten commissioners in the fifteen years following the Civil War. Such rapid turnover contributed to multiple shifts in policy and lack of clarity for both officials and the indigenous people they tried to control.

ASSIMILATION

Assimilation was a major goal of Indian policy, with multiple strategies for achieving it. One strategy urged by the military and authorized by Congress in 1878 was the establishment of a reservation police force of Indians that would model assimilation: Indian police dressed “white,” practiced monogamy, received guns and horses, oversaw distribution of rations and construction of roads and irrigation ditches, took the reservation census, and arrested Indians accused of minor crimes like drunkenness, wife beating, and theft. In short, Indian police who would implement U.S. Indian policy on the reservations had a special elite status that reservation Indians would want to emulate, proponents believed. Agencies were quick to add Indian police. Two years after Congress authorized Indian police, forty agencies had them, and by 1890, fifty-nine.

Another strategy to promote assimilation was to establish Indian courts beginning in 1883. These courts had jurisdiction over those aspects of traditional Indian culture most abhorred by the reformers, the military, and the settlers alike—dances, polygamy, and medicine men who tried to interfere with the government’s civilization program. Indian courts also heard cases of destruction of property, theft, liquor traffic, intoxication, and misdemeanors, but this experiment in self-government was limited by the regulation that “the Agent had to approve all court decrees with the Commissioner of Indian Affairs as the ultimate arbiter in case of disputes.”¹⁷ Before these Courts of Indian Offenses existed the

agent served as prosecutor and judge, with the authority to charge, prosecute, and sentence Indians on the reservation under his control. The new courts brought a kind of indirect rule, the federal government (Bureau of Indian Affairs) governing through Indian tribal police and Indian judges who retained their jobs as long as their allegiance was to the white agent rather than their tribe.¹⁸ The system was strikingly similar to the British colonial system of administration, indirect rule, which gave some limited local autonomy to indigenous governing bodies but preserved ultimate power to undermine their decisions to the colonial government.

EDUCATION, ONE ROAD TO ASSIMILATION

Education was critical if Indians were to assimilate—to become self-supporting, to embrace intense individualism, and to give up their traditional tribal cultures. Yet thirteen years after the Civil War there were only 2,589 spaces in boarding schools for Indian children and 33,000 Indian children to be educated. There were reservation day schools, but policy makers preferred boarding schools because they removed children from their families, language, and culture and were viewed as more effective in “de-tribalizing” children and teaching them the acquisitiveness that characterized capitalist America in the last quarter of the nineteenth century.¹⁹

Charles Eastman wrote about his experience with schools for Indian children even though his family’s multiethnic homesteading community at Flandreau was not a reservation. At fifteen, Eastman moved from Canada to Flandreau, South Dakota, to join his father, who sent him to the local school to learn English. The other children taught him about assimilation in his first conversation with them:

Charles: “Yes, this is my own pony. My uncle in Canada always used him to chase the buffalo and he has ridden him in many battles.” I spoke with considerable pride.

[Another boy]: “Well, as there are no more buffalo to chase now, your pony will have to pull the plow like the rest.”

Charles wrote:

I was considerably interested in the strange appearance of these school children. They all had on some apology for white man's clothing. . . . The hair of all the boys was cut short, and, in spite of the evidences of great effort to keep it down, it stood erect like porcupine quills. . . . [I]f I had to look like these boys in order to obtain something of the white man's learning, it was time for me to rebel. . . . I had seen nothing thus far to prove to me the good of civilization. . . . I must tell my father that I cannot stay here.²⁰

In 1874, at age sixteen, Charles Eastman left Flandreau to go to a mission school for Dakota children at the Dakota Agency in Nebraska, run by a missionary friend of his father, Dr. Alfred L. Riggs. He walked 150 miles to attend the school, where his older brother was an assistant teacher. The school was a vocational school similar to Hampton Institute in Virginia, which had been set up for African Americans after the Civil War and included some Native American children by 1869. Hampton's most famous graduate was Booker T. Washington, who would become the best-known black man from 1895 until his early death in 1915. Charles Eastman/Ohiyesa would have the same celebrity as Washington during his much longer lifetime.

The Santee mission school in Nebraska was run much like Hampton. Students were provided with oxen and farming tools, books in Dakota and English, a suit of American clothes, a white man's bed, and a haircut. Charles noted the despair of Indian children brought to the school and separated from their parents. He noted the exhaustion—perhaps it was depression—he felt from the “weary repetition” of boarding-school life. But with encouraging letters from his father he mastered English, and then, as he was about to leave for Wisconsin to attend Beloit College, he learned of his father's sudden death. In traditional Dakota

culture he would have taken a year to mourn, but there was no time for protracted mourning in the new culture he was acquiring. He took the train to Wisconsin rather than returning to Flandreau for the funeral.²¹

With support from Presbyterian missionaries among the Dakota, both Charles and his brother John received scholarships to attend “white” colleges “back East.” Charles spent three years at Beloit College (1876-1879), then attended Knox College, then Kimball Union and Dartmouth (1883-1887), and finally Boston University Medical School (1887-1890).

MILITARY PACIFICATION

If the first leg of Indian policy during the post-Civil War era was “reservate,” “civilize,” and educate, the second leg was military pacification of the Plains. The so-called Peace Policy adopted by President Grant and continued by President Rutherford B. Hayes included a commitment to “exterminate” Indians who resisted being removed again and again to smaller and smaller reservations, those termed “hostiles.” The Great Plains erupted several times during these decades in warfare between whites and Indians and between Indians and Indians.

The treatment of Indian civilians by the U.S. Army frequently fanned anger among Indians and among white reformers as in the 1864 Sand Creek Massacre of 250 or so peaceable Cheyenne under Black Kettle in Colorado; the 1867 attack on a Cheyenne village by Gen. William Scott Hancock; and Gen. Oliver Howard's defeat of Chief Joseph of the Nez Perce in 1877. Conversely, Indian treatment of white soldiers and civilians fed anti-Indian sentiment, for example, Crazy Horse's killing of eighty-one U.S. soldiers in December 1866 (the Fetterman Massacre) and the Modoc of California killing two U.S. peace commissioners in 1873. The Lakota defeat and killing of Custer's regiment in 1876 was widely covered in the media and eroded white easterners' sympathy for Indians.

By 1876 the U.S. Army had 15,412 soldiers in the Great Plains.²² Official policy from

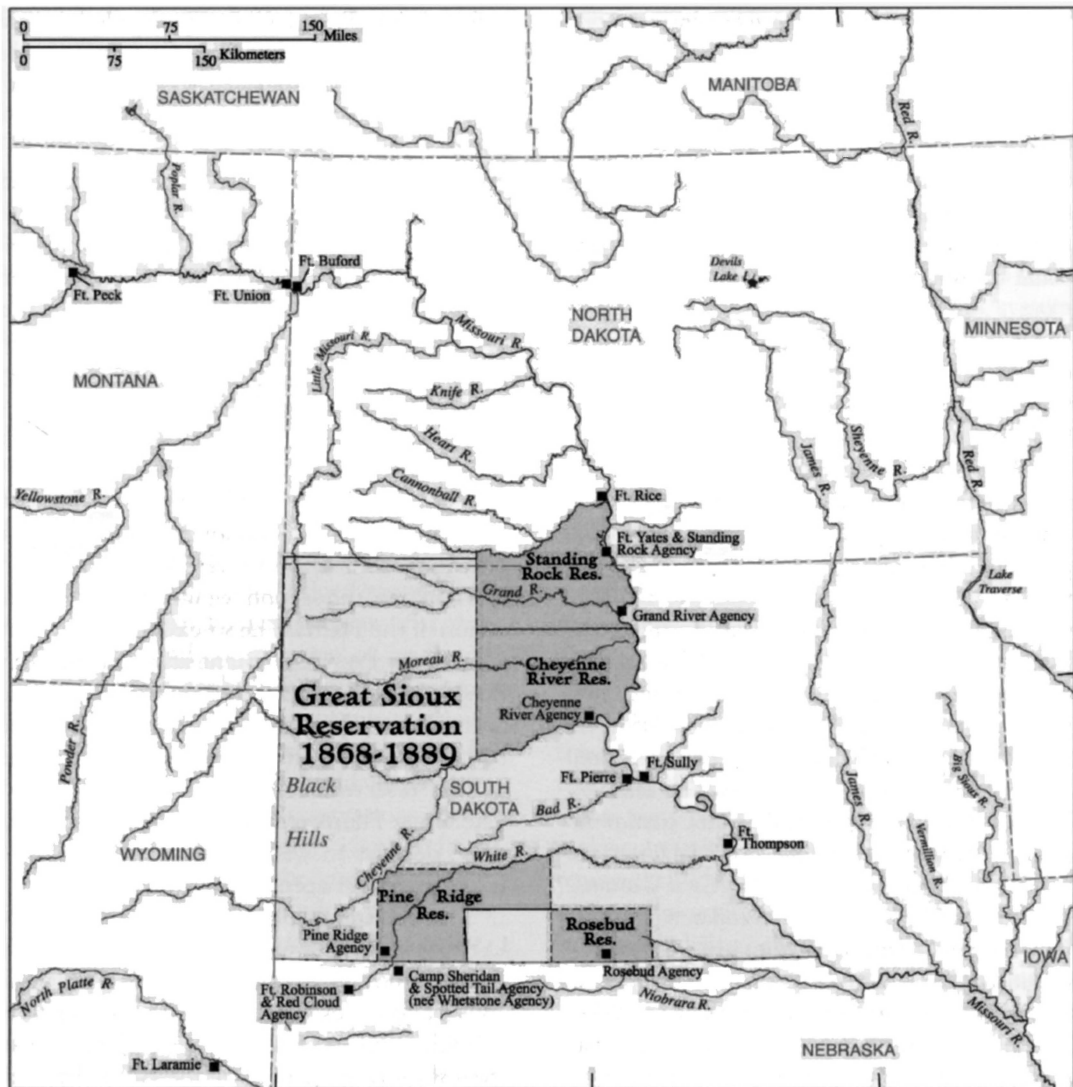


FIG. 2. Map of the Great Sioux Reservation and surrounding areas (1868-89). Courtesy of the Smithsonian Institution, National Anthropological Archives, Wintercounts website: http://wintercounts.si.edu/html_version/pdfs/map.cmyk.pdf. Map adapted from the *Handbook of North American Indians*, Vol. 13: Plains, Pt. 1 and Pt. 2, p. 794, edited by Raymond J. DeMallie, general editor, William C. Sturtevant, published by the Smithsonian Institution, 2001.

the White House under Grant and his successor, President Hayes, was that white settlers should be removed from Indian land. However, in an area the size of continental Europe, 15,412 soldiers probably could not have effectively enforced these orders. With their officers ambivalent at best about removing white settlers, these presidential directives

had little impact.²³ Gen. Philip Sheridan, who had jurisdiction over the area from Canada to Mexico and from the Mississippi River through the Rockies, commanded two-thirds of the army, and was in charge of the Indian wars theatre. Sheridan believed that Indians had to be “broken” before they could be “civilized.”²⁴ According to historian Henry E. Fritz,

while many military men were sympathetic to using reservations to achieve assimilation and education, few in the military liked being under civilian Indian agents. They worked to get the Indian Bureau transferred to the War Department, perhaps because they worried about losing employment once pacification was completed. However, they were unable to persuade Congress to make this change.

U.S. soldiers in the Plains also faced pressure from settlers in the West who wanted more forts to be built and more federal troops present. Settlers lobbied Congress, sometimes using their state legislatures to communicate their views; for example, Kansas demanded all reservations be removed from the state. Frederick E. Hoxie notes that these western whites would become increasingly important in formulating Indian policy as new western states entered the union.²⁵ Francis Prucha observed in *The Great Father*:

[T]he army used surprise attacks on Indian villages, and sometimes it resorted to campaigns during the winter, when the Indians were accustomed to curtail their operations and were often ill-prepared to beat back an attacker. Such tactics were “total war,” for the women and children were nearly always intermingled with the fighting men.²⁶

President Grant sent a humanitarian commission to inform the Lakota that they must relinquish the Black Hills and some other land or the government would simply seize it. The Black Hills were sacred to the Lakota, but gold had been discovered in 1873, a time of national economic depression in the United States. Gold pulled economically depressed whites to the Black Hills, despite their being off limits by treaty, and Grant was unwilling to support the Lakota’s prior treaty rights against the pressure of these Euro-American migrants. Technically, the Fort Laramie Treaty required 75 percent of adult males to agree to any future changes to the treaty. Only one in ten Lakota signed the agreement to relinquish this land, far short of the

requirement. President Grant needed a new strategy.²⁷

According to Jeffrey Ostler’s 2004 study, *The Plains Sioux and U.S. Colonialism from Lewis and Clark to Wounded Knee*, because the U.S. Army had successfully waged war in the Southern Plains from 1869 to 1873—against the Apaches, Arapahoes, Cheyennes, Comanches, and Kiowas, subduing their resistance to moving onto reservations and becoming dependents of the U.S. government—the army could shift more of its forces north by 1874. The availability of troops enabled the adoption of a new strategy to gain control of that Black Hills area that the Lakota had refused to sell. President Grant ordered the army to pull out of the Black Hills and no longer protect Indian land there from miners seeking to flock to the region. Knowing miners would surge into the Black Hills and that the Lakota would fight to keep them out, Grant planned to use the expected Indian attacks on settlers and miners as a pretext for U.S. military action against the Northern Plains tribes and to demand that the Black Hills be exchanged with the U.S. government for whatever payment the government offered. Lakota bands who resisted and refused to come to the agencies, the federal government centers for administering Indian policy on reservations, would be considered hostile and hunted down. Meanwhile, confined to reservations with their food supply dependent on U.S. supplies of rations, those Lakota and their allies who were not at war with the U.S. Army would be “persuaded” to sign away the Black Hills in order to get food. The United States would use food as a weapon.²⁸

In December 1875, the army announced that “all Sioux who were not at the agencies by January 31, 1876, would be hunted down by the army and brought in by military force.” Those Lakota who refused to accept alteration of their treaty and loss of the Black Hills held out for more than a year of fighting, killing twice as many enemy combatants as were killed by the U.S. Army in what came to be known as the Great Sioux War.²⁹ The United States had given them one month in the middle of a

Northern Plains winter in an area the size of Europe to get the word that they must move onto reservations or be targeted for extermination. Sitting Bull, Crazy Horse, Red Cloud, and others opted to resist, and the Great Sioux War began in early 1876.

When three columns of U.S. troops moved onto Sioux land, the surprised Lakota killed all the soldiers in the column led by Gen. George Armstrong Custer, at Little Big Horn, Montana, on June 25. This Lakota victory intensified the U.S. Army's military campaign. First Spotted Tail and then Red Cloud came in to the agencies to make peace while Sitting Bull and Crazy Horse went north, joining the Dakota refugees in Manitoba for a time.

By September, the army had taken control of the western Lakota agencies and "was in a strong position to extract retribution."³⁰ Many Lakota who lived on the reservations were ready to sign an agreement giving up the Black Hills and their hunting grounds in Wyoming and Montana in order to receive rations to keep their people alive through the winter.

Gen. George Crook and Col. Nelson Miles each led army units in the Great Sioux War. Crook implemented a policy of divide and rule to keep those on reservations from aiding those militarily resisting. He chose Spotted Tail to be the person with whom the U.S. Army would work most closely and punished Red Cloud because his sympathies were suspected to be with the "militants" in the north. The army made Spotted Tail "head chief of the Lakota," a position that did not exist among the horizontally structured Lakota, who governed themselves through councils of elders. General Crook enlisted a total of 355 Indian scouts, including 155 Sioux, to join him in fighting Sitting Bull, Crazy Horse, and the others who resisted U.S. invasion of their land in violation of earlier treaties. Fighting through the winter months of 1876-77, the 4,000 Indian refugees attached to the resistors suffered terribly; elders' stories are still told about this time.³¹

By January 1877 many had given up and gone onto the reservations. By May, the U.S. forces suffered 283 dead and claimed 150

Indian deaths. Spotted Tail, Crazy Horse's uncle, agreed to negotiate with Crazy Horse and the others if he could offer them favorable terms; he refused to go if all he could offer was unconditional surrender. Authorized by General Crook to offer them a new agency in the north, Spotted Tail and Red Cloud went to Crazy Horse's camp, and he agreed to surrender. With 700 Lakota women and children, 200 mounted warriors, and 2,000 horses, Crazy Horse surrendered May 7, 1877, offering the peace pipe to Crook's subordinate, a very serious commitment to peace in Lakota/Dakota culture. In the end, the United States took the Black Hills, reducing the Great Sioux Reservation significantly. Four months later Crazy Horse was murdered.

General Crook never requested a northern reservation for Crazy Horse as he had promised to do, and Crook sent Crazy Horse's Northern Cheyenne allies to Indian Territory (Oklahoma today) despite their having been told they would get their own northern reservation. Crook also canceled a buffalo hunt he had authorized to be held in August 1877. Mistranslation persuaded Crook's subordinate that Crazy Horse intended to "fight until not a white man is left," and resulted in the decision to arrest him with the help of Lakota band leaders and 400 Indians. The likelihood was that Crazy Horse would be confined in Florida in the Fort Marion prison. When Crazy Horse realized what was happening, he struggled against those escorting him and was stabbed by his old friend, Indian scout Little Big Man. According to Ostler, the key factor that aborted the peace Crazy Horse had made with Crook was Crook's renegeing on his promise to secure a northern agency for Crazy Horse.³²

During the fall of 1876, a few months after Little Big Horn, Charles Eastman lived in Beloit, Wisconsin, where the local newspaper printed a story that he was the nephew of Sitting Bull, who led Lakota warriors against the U.S. Army. In fact, two of Charles's uncles had participated in the killing of Custer's regiment. Local white children, who Charles called "savages," taunted him

when he ventured out. "People were bitter against the Sioux in those days. . . . I was now a stranger in a strange country, and deep in a strange life from which I could not retreat." When he looked for summer employment, a farmer he approached for work ordered: "Get off from my farm just as quick as you can! I had a cousin killed by your people only last summer." At the same time, his proficiency in English had improved dramatically to the point where

for the first time [I] permitted myself to think and act as a white man. . . . This was my ambition—that the Sioux should accept civilization before it was too late! I wished that our young men might at once take up the white man's way, and prepare themselves to hold office and wield influence in their native states.³³

LAKOTA/DAKOTA RESISTANCE

The resistance of Great Plains Indians to U.S. colonization took many forms. Some chose to wage warfare against invaders of their land, and when their people's suffering required relief, to relocate voluntarily to Canada and to the more remote areas of the western Plains. Crazy Horse, Red Cloud, Sitting Bull, and many others chose this path in the decade from 1867 to 1877. Others chose deliberately to assimilate, to acquire the tools of the colonizer and use them to make life better for their family and people. The fathers of Charles Eastman/Ohiyesa and Luther Standing Bear/Ota Nte followed this route and understood it to require warrior-like courage. Some preserved their traditional culture at all costs, retaining dress, language, customs, and stories despite the derision they often experienced from Euro-Americans and Indians who chose to assimilate. Resistance also was manifested in working within the reservation structure to expose its violence against native people through advocacy to government officials in Washington, DC.

During the late 1870s delegations of Lakota leaders from each of the agencies traveled repeatedly to Washington to negotiate with the president and his officials. In September 1877

a delegation including Red Cloud and Spotted Tail, leaders of Oglala and Brule agencies, respectively, on the Great Sioux Reservation, told President Hayes and newspaper journalists that they desired citizenship and did not want to be removed again. Spotted Tail told the president, "You take our lands from us . . . your people make roads and drive away the game, and thus make us poor and starve us."³⁴ To move 9,000 Lakota to a new site on the Missouri River as winter was approaching—what Hayes proposed for them—would be devastating; removal to Indian Territory (Oklahoma today)—advocated by some of Hayes's military advisors—was totally unacceptable. They must be allowed to select their own sites if their agencies had to be moved.

President Hayes agreed to allow them to select permanent sites for their agencies wherever they chose on the Great Sioux Reservation if they would agree to go to the Missouri River for the winter of 1877-78, since the government had already expended money taking their rations and annuity supplies to this location. They agreed.

Walking hundreds of miles to a temporary location under U.S. military escort with temperatures well below freezing and with insufficient provisions produced resistance among the Brules and Oglalas. By the end of November both groups had halted about sixty miles short of their assigned destination, and some had left for Canada to join Sitting Bull, the Hunkpapa Lakota leader who had received guarantees from the Canadian government that it would not allow the U.S. Army to pursue his band on Canadian soil. In mid-February word arrived that President Hayes had reversed course and would *not* allow them to select their own agency locations. Both groups had already done so. By the following fall, 1878, they decided to "force the issue" by removing to the sites they had selected, sending the president a message through their Indian agent that they "do not do this to defy or hurt the feelings of the Great Father, but because it is their duty to do the best they can to protect their women and children."³⁵ Although military leaders like General Sherman were outraged at this

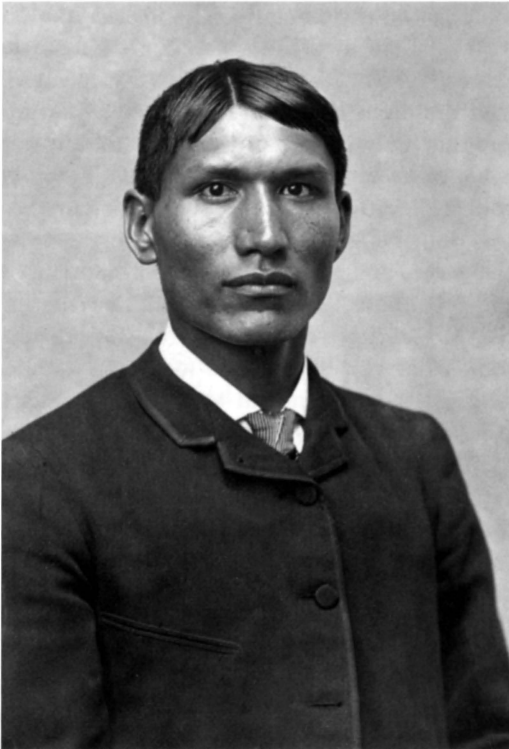


FIG. 3. Charles Eastman, class photo at Dartmouth College, c. 1887. Courtesy of *The Essential Charles Eastman (Ohiyesa)*, edited by Michael Oren Fitzgerald (Bloomington, IN: World Wisdom, 2007).

insubordination, the executive branch chose to go along with the Brules and Oglalas in this instance. In early 1879 the Oglalas began building permanent structures at their new Pine Ridge Agency under Red Cloud and the Brules at their new Rosebud Agency under Spotted Tail.³⁶ They had demonstrated skill exercising diplomacy, tenacity, and nonviolent resistance and had prevailed in selecting their own sites for government Indian agencies. The U.S. government, however, had not abandoned its plans to further truncate the Great Sioux Reservation.

As an adult Ohiyesa/Charles Eastman interviewed Lakota, Nez Perce, Ojibway, and Cheyenne leaders from this time and wrote about them in his 1918 book, *Indian Heroes and Great Chieftains*.³⁷ Eastman wrote that U.S.

Indian policy caused division within each tribe between those who believed in resistance to the U.S. Army's forced removal policy and those who believed in accommodation, convinced that resistance would only result in extermination. These two disparate responses to U.S. policy fractured the traditional governance structure of tribes. Traditionally, councils of leaders would establish policy by consensus. Instead, in the 1860s through 1890s individual chiefs would lead their bands in separate directions, although ultimately, virtually every chief who survived would be forced by the superiority of U.S. military technology and by starvation conditions on reservations to give up resistance. Eastman wrote about Lakota leader Red Cloud of the Oglalas who refused to sign the Fort Laramie Treaty of 1868 until the U.S. Army met his conditions: Red Cloud insisted that the army dismantle forts it had built on Lakota land and abandon a new road it was building across Indian land into the Black Hills—the Powder River Road or Bozeman Trail. The forts and the road were in violation of earlier treaties and therefore illegal. Red Cloud told Eastman that he signed only when the treaty

distinctly stated that the Black Hills and the Big Horn were Indian country, set apart for their perpetual occupancy, and that no white man should enter that region without the consent of the Sioux. Scarcely was this treaty signed, however, when gold was discovered in the Black Hills, and the popular cry was: "Remove the Indians!"

Betrayed by the commissioners, Red Cloud fought the U.S. Army for eight years, from 1868 to 1876, rather than be forced upon a reservation or removed to Indian Territory. In the end he was captured, imprisoned, and removed to Pine Ridge Agency, where he lived until his death in 1909, giving up any hope for successful resistance against the technology of the Euro-Americans.³⁸

On the reservation Red Cloud experienced the U.S. government elevating Spotted Tail to "head chief" because he had been the earliest Lakota leader to agree to live on a reservation.

This undermining of Lakota/Dakota polity, which recognized the political power of *councils* of leaders and was not hierarchical, was standard operating procedure for U.S. Indian policy. The agent in charge of the reservation threatened Red Cloud with arrest and repeatedly undermined his authority, especially after Red Cloud charged a resident white trader with larceny, notified Washington of shortfalls in rations, and petitioned for citizenship for his people. The agent set up his own agency council that excluded Red Cloud, another violation of the horizontal decision-making structure of the Lakota, according to Ostler.³⁹

POPULAR CULTURE AND REFORMERS

By the 1880s Red Cloud's interest in citizenship for Indians was mirrored in the "scientific" scholarly community. Historian Frederick E. Hoxie, in *Final Promise: The Campaign to Assimilate the Indians, 1880-1920*, identified the optimism about Native Americans that prevailed in the 1880s and 1890s as the new academic discipline of anthropology prompted study of native peoples around the globe and theoretical constructs for understanding "civilization." The Smithsonian Institution established a Bureau of Ethnology in 1879, led by founding director Maj. John Wesley Powell (1834-1902). Powell believed, as did his mentor Henry Morgan, that there were stages any group had to pass through to achieve "civilization": savagery (foraging), barbarism (farming land in common), civilization (individualized farming), and enlightenment (industrialization). While a professor at Illinois Normal University, Powell had testified to the U.S. House Indian Affairs Committee in 1874: "The sooner this country is entered by white people and the game destroyed so that the Indians will be compelled to gain a subsistence by some other means than hunting, the better it will be for them." He advocated individual land tenure, citizenship, and total assimilation as the best way to help Native Americans move along his trajectory to "civilization."⁴⁰

In the 1880s, supported by the encouragement of the "scientific" conclusions of anthropologists, the interests of railroads, the military, and white settlers converged in support of a policy of assimilation, integration, and individualization of Indian landholdings. Hoxie concludes that the assimilation/integration policy was rooted in the optimistic (and perhaps naive) belief that indigenous peoples would pass through the "stages of development" and attain "civilization" if the policies toward them nurtured and reinforced this development. Clearly it was also rooted in the self-interests of each group involved. Railroads in their competition for transcontinental routes sought to lay track across reservation land and also to entice settlers to locate towns along their routes; it was well known in railroad circles that local trade was what kept railroads solvent. The military was generally weary of Indian wars that seemed virtually over by 1880. Whites moving west with the railroads wanted to settle land they viewed as "unused," reservation land, and land free of "hostiles."

In 1880 Native Americans controlled a land mass one and a half times the size of California, managing that land with their own political and legal systems and maintaining economic self-sufficiency. But the rapidly growing white population in the west was eclipsing the native population in numbers. In Dakota Territory in 1870 Indians had outnumbered whites by two to one; ten years later, in 1880, whites outnumbered Indians six to one.⁴¹

The overwhelmingly white Indian reform movement also tended to support replacing reservations, which separated native people from the majority population, with assimilation, citizenship, integrated education, and individual land allotments. The 1880s saw the birth of dynamic advocacy groups addressing the need to reform Indian policy. Several reform groups formed in 1879 after the press reported stories of native groups walking north from their assigned new location in Indian Territory to their ancestral lands and being confined in western forts and denied food

when they refused to return to their assigned reservation. Ponca leader Standing Bear and Omaha Suzette LaFlesche and her brother Joseph LaFlesche toured eastern cities that fall, telling large audiences how terrible conditions were on reservations and calling for Indians to receive citizenship and for reservations to be disbanded. The Boston Indian Citizenship Committee, the Women's National Indian Association, and, by 1882, the Indian Rights Association all formed in response, their goal being to reform Indian policy.⁴²

Annually from 1883 to 1919 Indian reformers met at a New York resort on Lake Mohonk to spend three days discussing Indian policy. The Lake Mohonk annual conferences brought an informal coalition of Indian reformers together with members of the government-appointed voluntary Board of Indian Commissioners. By the mid-1880s the reformers at Lake Mohonk advocated allotment of 160 acres for each head of household on each reservation. They recommended extending civil service reform to reservation employment and extending state, territorial, and local laws to cover Indians just like the rest of U.S. residents.⁴³ They also advocated establishing a system of Indian schools to teach the ways of the white middle class.

Congress had funded Indian education since 1811 by giving money to religious organizations that set up schools as part of their mission work; virtually no schools for Indians were government owned. But that changed in 1879. From 1879 to 1894 government funding for Indian schools grew from \$75,000 a year to more than \$2 million, and twenty government-operated off-reservation boarding schools were established along with dozens of agency schools. A superintendent of Indian education was appointed to oversee this new educational bureaucracy in 1882.⁴⁴ Over the decade of the 1880s a centralized Indian education program would require children to attend school, provide them common textbooks keyed to set grade levels, and place teachers and administrators under civil service regulations—the goal being both to professionalize Indian education and to reduce tribal influence on Indian children.⁴⁵

PARTISAN POLITICS AND INDIAN POLICY

In 1871, three years into the Fort Laramie Treaty, a member of the U.S. House of Representatives added a rider to an appropriations bill that said there would be no further treaty-making with Native American nations. He was responding to some disgruntled members of the House jealous that the Senate alone had the power to make agreements related to so much western land. Some in Congress anticipated that the House and Senate would expand considerably with formation of new western states. Senate approval of the bill with its rider ushered in a major change in Indian policy—treaties made by the executive branch and ratified by the Senate were replaced by “agreements” approved by both houses of Congress. Congress was now an equal player with the executive branch in Indian policy making. Although the terms of treaties negotiated and ratified before 1872 remained in effect, these treaties were routinely violated by subsequent “agreements” that further reduced Indian land and by agents who looked the other way as whites settlers surged west onto Indian land. However, the little-noticed change that Congress adopted in 1871, to go into effect in 1872, would have a profound impact on Indians by canceling their status as independent nations and emphasizing that they were “wards” of the U.S. government.⁴⁶ Henceforth *both* houses of Congress would legislate Indian policy, tying Indian policy to the partisan politics of the U.S. two-party system.

No longer would Native Americans be considered foreign nationals. But what were they? The Fourteenth Amendment added to the Constitution in 1868 had made all people born in the U.S. citizens *except Indians*. What legal rights did Native Americans have as tribal entities or as individuals? What power did treaties have that were already ratified by the U.S. Senate? The answers to these questions would unfold over the next several decades in bills passed by Congress and in Supreme Court decisions and would amount to a steady erosion of the legal rights of Native Americans.

When the Democrats retook the presidency in 1885-1889 and again in 1893-97, with Grover Cleveland in the White House both times, the former system of rewarding political contributors with federal appointments, including appointments to be Indian agents, returned.

A young Anglo woman teaching among the Sioux, Elaine Goodale, visited Indian agencies in 1885 and complained that the U.S. government service was filled with Democrats who had no love for the red man. “[T]heir attitudes sometimes suggested the kind of smiling tolerance one displays toward a pair of precocious—and occasionally troublesome—children,” she wrote. Corruption continued in the contracts for providing annuities, she noted. She witnessed thirteen distributions of annuities—typically a blanket for each man, a quilt for each woman, and some cloth for dresses. Elaine Goodale wrote that “these goods were nearly worthless and a burden to the recipients, who often threw them away or sold them for whatever they could get.” High turnover among those responsible for Indian agencies and politicization of appointments meant that policy was continually modified, ineffectively policed, and reforms barely implemented before they were altered or abandoned.⁴⁷

RETHINKING AND REDUCING RESERVATIONS

The Fort Laramie Treaty of 1868 reserved nearly 60 million acres of the Dakota Territory for the Lakota/Dakota people.⁴⁸ However, beginning in 1871 the interests of the railroads and the westward-moving public converged and secured from the Republican majority in Congress erosion of that treaty’s guarantees and of treaty rights across the board. Gradually, incrementally, probably barely noted by most members of the U.S. Congress, federal legislators through minor legislative actions dramatically altered U.S. Indian policy.⁴⁹

Under the Fort Laramie Treaty the U.S. government promised to keep railroads and settlers out of Indian land. Railroads, the major new industry that was driving the U.S. economy in



FIG. 4. Elaine Goodale Eastman, c. 1893. Courtesy of *The Essential Charles Eastman (Ohiyesa)*, edited by Michael Oren Fitzgerald (Bloomington, IN: World Wisdom, 2007).

the post-Civil War era, were in fierce competition for a northern transcontinental route. They argued that it was essential that the railroads be allowed to go directly through Lakota land to link most efficiently industries and consumers on both coasts. Settlers must be allowed to follow the rails and settle along rail routes. Then the Black Hills were taken in 1876-77 under President Grant’s strategy as discussed above.

But the call for more land to be “liberated” from the Lakota and other Plains Indians increased in volume in the 1880s. By 1883 General Sherman reported, “I now regard the Indians as substantially eliminated. . . . There may be spasmodic and temporary alarms, but such Indian wars as have hitherto disturbed the public peace and tranquility are not probable.”⁵⁰ In other words, settler expansion onto more Indian land did not carry the risks it had carried a decade earlier.

The rationale of western settlers and congressmen was that the Indians were not using their land. Homesteaders held 160 acres, but Indians corporately held the equivalent of 1,000 acres apiece. Because they were not farming or ranching the land, the Indians should lose their rights to it under “natural law.” Again, federally appointed commissions were sent to negotiate agreements reducing Lakota land, beginning in 1882 and continuing for seven years.⁵¹

During the decade of the 1880s Congress considered three bills that would respond to the growing consensus that reservations were not working. Each bill called for dividing reservation land into individual 160-acre plots assigned to native families, the surplus land to be sold and the proceeds going to supply the tribe with farming equipment and school supplies. The first bill, the Coke bill of 1881, gave tribes the right to decide what land would be allotted and whether to retain some commonly owned land. It also would have made those accepting allotments U.S. citizens.⁵² The second attempt to pass allotment came in 1884 and passed the Senate but not the House. That was the year that the U.S. Supreme Court ruled in *Elk v. Wilkins* that Indians could not vote and were not citizens under the Fourteenth Amendment. The Court argued that Elk, and by extrapolation Indians generally, was born on land that was not (yet) the United States, and Congress had not established a process for naturalizing Indians.⁵³ This decision muddled the issue of citizenship. The third attempt to pass an allotment bill, the Dawes Act, passed Congress in 1887, stating that citizenship would accompany the acceptance of allotments, but without specifying any timetable or procedure for how those who accepted allotments would become voting citizens. Each proposed bill further limited the rights Congress was willing to extend to native peoples.

Under the Dawes Act, the president had authority to determine when a tribe’s land could be allotted. Land allotted could not be sold or taxed for twenty-five years, a transitional period to gradually ease Native Americans into

the economics of assimilation.⁵⁴ By 1887 U.S. policy supported allotment of reservation land; each head of household who would renounce his tribal, collective right to reservation land, would receive individual plots. The leftover land would become public domain of the U.S. government and be offered as homestead plots to settlers. This policy shift removed from Native Americans millions more acres and added them to the U.S. treasury. According to Indian policy historian Henry E. Fritz, the allotment policy enunciated in the Dawes Act “virtually condemned reservation Indians to poverty for many generations.”⁵⁵ The intent, however, was more benign, as argued by reformers and the chair of the Indian Affairs Committee of the House. As historian Hoxie explains, Republican senator Henry Dawes from Massachusetts “believed that reductions in the size of reservations would bring the two races closer together and allow American institutions—its schools, its political system, and its expanding economy—to ‘raise up’ the Indian.”⁵⁶ Allotment became so popular with Friends of the Indian that while Thomas Jefferson Morgan was the commissioner of Indian affairs, he required that February 8, 1887, the day the Dawes Act was signed into law, be celebrated by all Indian schools as a holiday.⁵⁷

Even before allotment got underway, the U.S. government during the decade of the 1880s removed millions of acres of land from Native Americans through a series of land cessions that disregarded treaties, and reduced the size of the reservations of the Lakota (Sioux), Crow, Blackfoot, Omaha, and others.⁵⁸ According to Hoxie, there were seven major cessions of Indian land during the 1880s: the Ute in Colorado in 1880, the Columbia and Colville Reservation in Washington State in 1884 and 1892, Indian Territory in 1889, the Great Sioux Reservation in 1889, the Blackfoot and Crow in Montana in 1889, and the Bannock-Shoshone in Idaho in 1889.⁵⁹ Again, the coalition of railroads, Christian reformers, and the western settlers supported this policy.

What happened with the Lakota/Sioux is illustrative of how land cessions worked elsewhere on the Plains. In late 1882 the Dakota

territorial government sent a commission to the Sioux agencies to secure the marks of male heads of households on a paper authorizing division of the Great Sioux Reservation into separate, smaller reservations, but the idea and the paper were abandoned in the face of opposition from the Lakota and the Indian Reform Association lobby. Six years later the national government sought to persuade the Sioux/Lakota to sign away another 11 million acres of their land and divide the Great Sioux Reservation into seven smaller reservations. Earlier treaties required that three-fourths of Lakota males agree to alterations in treaties. The commission sent to the Lakota to secure their agreement was asking them to accept provisions it had already enacted into law. Capt. Richard Pratt was dispatched to meet with Sioux leaders at Standing Rock agency, arriving on July 21, 1888, to get their signatures on this "agreement." He told them that they must either accept the agreement or their future would be "problematical and uncertain." Historian Ostler writes that 600 Indians were present from western agencies. Pratt and the other commissioners talked for seven hours; the Indians spoke for one hour and concluded, "We will not sign those papers." It was summer, they said, and they needed to return to their fields since, unlike the commissioners, they were not receiving a salary.⁶⁰ To determine their response to Pratt, the Lakota had met in a council from which U.S. government representatives were excluded.

Lakota-speaking Elaine Goodale was included in this meeting because "I was on their side," she wrote. Her presence angered negotiator Pratt, who called her to his office the next day and asked

what right had I to attend a secret council to which no member of the commission had access? I replied that I was there as a representative of the press. The Sioux leaders, in giving me permission, had indicated their confidence that I would report them fairly to the American public. Capt Pratt then demanded whether I had encouraged them to reject the government's

offer, adding severely that so long as I was on the payroll I was bound to support whatever policy Washington chose to adopt. I said, quite frankly, that I had taken no active part in the discussions but . . . was not convinced that they could not do better through further negotiations. I added (not a little nettled): "I am here solely in what I believe to be the best interests of the Sioux and the fact of holding a government position would never stand in the way of expressing my honest opinions. If necessary, I could always resign!"⁶¹

Pratt's mission failed. The Sioux united in refusing this proposal.⁶²

The following year, 1889, Congress admitted North and South Dakota as states and dispatched General Crook to get the Sioux approval that Pratt had failed to secure. Congress passed a new act raising the price Indians would receive for their land from fifty cents an acre to \$1.25 an acre. Whatever had not sold in ten years the U.S. government would buy for fifty cents an acre. Allotments would be increased to 320 acres from 160, and those taking allotments would receive fifty dollars as well, up from the twenty dollars offered by the Pratt Commission. Led by General Crook, the Crook Commission remained in Lakota territory from May 31 through August 7. Crook tried a softer approach, putting on feasts and allowing tribal dances that church-nominated agents had prohibited on the reservations. But Crook's message was the same as Pratt's had been: Congress will open the reservations with or without your approval, so you are better off accepting this more generous agreement. Crook promised to try to improve the rations, increase the wages of Indian police and judges, and secure better enforcement of regulations prohibiting non-Indians from grazing their herds on Indian land. Subtly using food as a weapon, Crook required Indians who refused to sign to remain at Standing Rock until agreement was reached—forcing them to remain away from their fields and food crops all summer. Ultimately the necessary three-fourths of household heads signed, the first

being Luther Standing Bear's father, Standing Bear. The Lakota men voted 4,463 out of 5,678 eligible to vote to accept Congress's fait accompli.⁶³ The Great Sioux Reservation was broken up into the Standing Rock and Cheyenne River reservations in the north; Pine Ridge, Rosebud, and Lower Brule to the south; and, on the east bank of the Missouri, the Yankton and Crow Creek.⁶⁴

They were not told that the U.S. government had already decided to cut rations to Lakotas at Pine Ridge and Rosebud by 20 to 25 percent for the coming year, which brought an angry delegation from the agencies to Washington to meet with the secretary of the interior in futile protest. That winter of 1889-90 was an especially hard winter, and in February the president declared remaining Sioux land open for settlement.⁶⁵

Historian Henry Fritz speculated that the huge reservations could have been converted to profitable ranches and Indians could have been helped to form stock-raising associations, but instead Indian land was drastically reduced in size and Indians were allotted 160-acre tracts that could not support farming and were too small to support ranching. As this became evident in the following decade, most of the Christian reformers shifted their position, still supporting allotment but arguing that the reservation system itself was holding Indians back; many of them escalated efforts to make Indians full citizens and to end their dependency on the federal government.⁶⁶

WOUNDED KNEE: DECEMBER 1890

By the fall of 1890, Charles Eastman had completed medical school and was now Dr. Charles Eastman, government physician to the Lakota reservation at Pine Ridge in South Dakota. He was one of the first Native American reservation physicians, along with Mohave Apache Dr. Carlos Montezuma and Omaha Dr. Susan La Flesche Picotte.⁶⁷ Eastman arrived at Pine Ridge shortly after a new agent arrived, political appointee Dr. Daniel Royer, who replaced the popular agent Valentine McGillicuddy.⁶⁸ The new, inexperi-

enced Agent Royer would call in the army to stop the Ghost Dance religious revival, misreading it as evidence that the Lakota were about to resume warfare against whites.

Another newcomer to Pine Ridge Agency that fall was twenty-seven-year-old Elaine Goodale of Massachusetts, supervisor of the sixty Sioux day schools and a teacher who had traveled among the Sioux. She knew about the Ghost Dance and had interviewed an Indian man who had met the prophet Wovoka, who started the religious movement that was sweeping across the West. At Pine Ridge Miss Goodale met Dr. Eastman, the new reservation physician. Together they tried to educate Agent Royer to what the drumming and dancing really meant. Together they celebrated Christmas. Together they heard the army firing on the civilian Indian ghost dancers on December 29, 1890, killing between 200 and 300. Together they cared for the injured in the agency chapel-cum-hospital. Amidst the chaos of the Wounded Knee Massacre they became vocal critics of the agent's use of a military response against despairing civilians who were engaging in a widespread religious revival. Their outrage fed the love developing between them. Within six months Elaine Goodale and Charles Eastman married.⁶⁹ Their continued published and unpublished criticism of corruption on the reservations—of traders cheating the Indians with shoddy goods or fewer goods than they were paid to provide and of ignorant political appointees using agency jobs solely to advance their careers—would ultimately end Charles's career as a reservation physician.⁷⁰

The military response to the Ghost Dance at Pine Ridge Reservation demoralized even those Lakota who supported assimilation as the wisest response under the circumstances. Luther Standing Bear, a graduate of Carlisle Indian Industrial School who had returned to the reservation to raise his family, wrote about the Wounded Knee Massacre:

Men, women, and children—even babies were killed in their mothers' arms! . . . [I]t was not a battle—it was a slaughter, a massacre. Those soldiers had been sent to protect

these men, women, and children who had not joined the ghost dancers, but they had shot them down without even a chance to defend themselves. When I heard this, it made my blood boil. I was ready myself to go and fight then. There I was, doing my best to teach my people to follow in the white men's road—even trying to get them to believe in their religion—and this was my reward for it all! The very people I was following—and getting my people to follow—had no respect for motherhood, old age, or babyhood. Where was all their civilized training?⁷¹

Gen. Nelson Miles shared the dismay of Luther Standing Bear, Elaine Goodale, and Charles Eastman at the military's behavior at Wounded Knee, writing in a letter eleven months after the massacre:

Wholesale massacre occurred and I have never heard of a more brutal, cold blooded massacre than that at Wounded Knee. About two hundred women and children were killed and wounded; women with little children on their backs, and small children powder burned by the men who killed them, being so near as to burn the flesh and clothing with the powder of their guns, and nursing babes with five bullet holes through them.⁷²

The year 1890 ended with Wounded Knee and with a surprising announcement from the superintendent of the census, chief executive at the Census Bureau:

Up to and including 1880, the country had a frontier of settlement, but at present the unsettled area has been so broken into by isolated bodies of settlement that there can hardly be said to be a frontier line. In the discussion of its extent, its westward movement, etc., it can not, therefore, any longer have a place in the census reports.⁷³

The Great Plains, according to the U.S. government's Census Bureau, had no more

room for native peoples to settle other than the barren areas assigned to them. It was the beginning of a new era.

NOTES

1. Theodore W. Taylor, *The Bureau of Indian Affairs* (Boulder, CO: Westview Press, 1984), 14. Figure is for 1872.

2. Some historians hold that Congress had little interest in Indian matters and provided little money for Indians or Indian policy after 1877 when Indians were no longer such a military threat. See Edmund Jefferson Danziger Jr., *Indians and Bureaucrats: Administering the Reservation Policy during the Civil War* (Urbana: University of Illinois Press, 1974), 214.

3. Francis Paul Prucha, *The Great Father: The United States Government and the American Indians*, abridged edition (Lincoln: University of Nebraska Press, 1986), 155.

4. Jeffrey Ostler, *The Plains Sioux and U.S. Colonialism from Lewis and Clark to Wounded Knee* (Cambridge, UK: Cambridge University, 2004), 36; Jerome A. Greene, *Fort Randall on the Missouri, 1856-1892* (Pierre: South Dakota State Historical Society Press, 2005), 8.

5. Ostler, *Plains Sioux and U.S. Colonialism*, 37.

6. *Ibid.*, 41-42.

7. *Ibid.*, 44.

8. Greene, *Fort Randall*, 88.

9. *Ibid.*, 98-100, 103. Ostler in *Plains Sioux and U.S. Colonialism*, says that in the early 1870s "capitalists who controlled the new tanning technologies opened up new markets for hides. To satisfy these markets, non-Indian hunters invaded the Plains, armed with large-bore rifles equipped with telescopic sights and a range of several hundred yards. Great Plains bison became the gun belts for the British soldiers in India, drive belts for industrial machinery in Liverpool, and luxury furniture in Manhattan townhouses. Within a decade the animals were on the brink of extinction" (17).

10. Prucha, *Great Father*, 158.

11. Henry E. Fritz, *The Movement for Indian Assimilation, 1860-1890* (Philadelphia: University of Pennsylvania Press, 1963), 74, 76, suggests Grant wanted these agent jobs for his former military officers who needed employment.

12. Prucha, *Great Father*, 158, 160, 162, 164. Frederick E. Hoxie, in *Final Promise: The Campaign to Assimilate the Indians, 1880-1920* (Lincoln: University of Nebraska Press, Bison Books, 2001), 3, notes that excluding Catholics alienated them and deprived the Indian service of the religious group with the most experience in the west.

13. Lincoln replaced the death sentences with prison terms for all but thirty-nine of those who had been tried by quickie military courts in the fall of 1862, and on December 26, 1862, thirty-eight were hanged at Mankato, the largest execution in U.S. history. Ohiyesa's father, captured near the Canadian border, went to prison rather than the gallows, although his family presumed him dead. See Roy Meyer, *History of the Santee Sioux: United States Indian Policy on Trial* (Lincoln: University of Nebraska, 1993). Charles A. Eastman, *Indian Boyhood* (1902; reprint New York: Dover Publications, 1971), 245, 246, 247.

14. Agencies were the official headquarters of the U.S. government on reservations. From these agencies policy was carried out under the virtually absolute rule of the agent in charge. The numbers of agencies fluctuated as reservations were combined and relocated.

15. Prucha, *Great Father*, 193.

16. *Ibid.*

17. *Ibid.*, 195-97, 219.

18. Laurence Armand French, *Native American Justice* (Chicago: Burnham Publishers, 2003), 138, 203.

19. Fritz, *Movement for Indian Assimilation*, 163.

20. Charles Eastman, *From the Deep Woods to Civilization: Chapters in the Autobiography of an Indian* (1916; Lincoln: University of Nebraska Press, 1977), 19, 21-23.

21. *Ibid.*, 31-50.

22. Fritz, in *Movement for Indian Assimilation*, 127, contended there were never more than 14,000 U.S. soldiers in the Plains; the larger figure comes from Clayton K. S. Chun's *U.S. Army in the Plains Indian Wars, 1865-91* (Oxford, UK: Osprey Publishing, 2004), 5.

23. Fritz, *Movement for Indian Assimilation*, 111.

24. *Ibid.*, 111, 113, 125, 127, 131, 132.

25. Hoxie, *Final Promise*, 108-9.

26. Prucha, *Great Father*, 175.

27. Ostler, *Plains Sioux and U.S. Colonialism*, 66.

28. *Ibid.*, 59-62.

29. *Ibid.*, 84; Philip S. Hall, *To Have This Land: The Nature of Indian/White Relations in South Dakota, 1888-1891* (Vermillion: University of South Dakota Press, 1991), 3.

30. Ostler, *Plains Sioux and U.S. Colonialism*, 66.

31. *Ibid.*, 71, and Waziyatawin Angela Wilson, *Remember This! Dakota Decolonization and the Eli Thayer Narratives* (Lincoln: University of Nebraska Press, 2005).

32. Ostler, *Plains Sioux and U.S. Colonialism*, 85-105, especially 86.

33. Eastman, *From the Deep Woods*, 53, 57, 58, 65.

34. Quoted in Ostler, *Plains Sioux and U.S. Colonialism*, 113. See pp. 109-27 on these delegations,

their requests, and the promises made to them and broken by presidents, cabinet officials, and legislators.

35. *Ibid.*, 126.

36. *Ibid.*, 119, 120, 126.

37. Charles Eastman, *Indian Heroes and Great Chieftains* (1918; New York: Dover Publications, 1997), includes fifteen portraits, notably Lakota chiefs Red Cloud, Sitting Bull, Spotted Tail, Crazy Horse, Tamahay, Gall, American Horse, Rain in Face, and Two Strike; the Dakota Little Crow; the Nez Perce Chief Joseph; Cheyennes Dull Knife, Roman Nose, and Little Wolf; and Ojibway/Chippewa Hole-in-the-Day.

38. *Ibid.*, 8-10.

39. Ostler, *Plains Sioux and U.S. Colonialism*, 69. Agent Valentine McGillicuddy deposed Red Cloud in early summer 1880, and after Red Cloud reported on corruption and larceny at the agency, McGillicuddy formed an agency council from which Red Cloud was excluded (see pp. 203-12 for an extended discussion).

40. Hoxie, *Final Promise*, 17, 22, 24.

41. *Ibid.*, 42, 43, 46.

42. *Ibid.*, 7-11.

43. William T. Hagan, *The Indian Rights Association: The Herbert Welsh Years, 1882-1904* (Tucson: University of Arizona Press, 1985), 34; Taylor, *Bureau of Indian Affairs*, 22.

44. Hoxie, *Final Promise*, 53.

45. *Ibid.*, 63, 65, 68.

46. Joyotpaul Chaudhuri, "American Policy: An Overview" in *American Indian Policy in the Twentieth Century*, ed. Vine Deloria Jr. (Norman: University of Oklahoma, 1985), 25-26; Fritz, *Movement for Indian Assimilation*, 84, 85.

47. Fritz, *Movement for Indian Assimilation*, 151, 156; Prucha, *Great Father*, 190; Kay Graber, ed., *Sister to the Sioux: The Memoirs of Elaine Goodale Eastman* (Lincoln: University of Nebraska Press, 1978), 34, 63.

48. Hall, *To Have This Land*, 3.

49. John Marshall, the first chief justice of the U.S. Supreme Court, had ruled in *Johnson v. McIntosh* (1823), *Cherokee Nation v. Georgia* (1831), and *Worcester v. Georgia* (1832) that "Indian inhabitants are to be considered merely as occupants, to be protected, indeed, while in peace, in the possession of their lands, but to be deemed incapable of transferring the absolute title to others" (*McIntosh*); that Indians are domestic dependent nations under the domination of the United States (*Cherokee Nation*); and "The constitution, by declaring treaties already made, as well as those to be made, to be the supreme law of the land, has adopted and sanctioned the previous treaties with Indian nations, and consequently admits their rank among

those powers who are capable of making treaties" (Worcester). Marshall's decisions, while somewhat ambiguous, laid the foundation of U.S. Indian law, according to Chaudhuri, "American Policy," 23-25.

50. Fritz, *Movement for Indian Assimilation*, 113, 131; Prucha, *Great Father*, 171, 175, 179.

51. Hall, *To Have This Land*, 8-11.

52. Hoxie, *Final Promise*, 71, 72.

53. *Ibid.*, 75.

54. *Ibid.*, 70, 72.

55. Fritz, *Movement for Indian Assimilation*, 213.

56. Hoxie, *Final Promise*, 50. Charles A. Eastman and Luther Standing Bear later supported the allotment policy because they believed it would give Indians rights at a time that they had virtually none, foremost the rights of citizenship. There were clear parallels to the discussions in Congress and among reformers at the end of the Civil War over how to protect four million newly freed people. Give them land or give them citizenship was the debate then, and the belief in citizenship won, supported by Frederick Douglass, among so many others. Twenty years later a majority of reformers and Friends of the Indian, including leading Native Americans, believed that allotment with the promise of citizenship and the vote trumped the right to land. The difference was that Native Americans would receive 160 acres per head of household whereas African Americans received no land at all. For Eastman and Standing Bear and their fathers, this was the best choice given the devastating conditions on reservations and the hopelessness of further military resistance.

57. Lucy Maddox, *Citizen Indians: Native American Intellectuals, Race, and Reform* (Ithaca, NY: Cornell University Press, 2005), 18.

58. Hoxie, *Final Promise*, 48-51.

59. *Ibid.*, 44.

60. Ostler, *Plains Sioux and U.S. Colonialism*, 223, 226, 228.

61. Graber, *Sister to the Sioux*, 91.

62. Prucha, *Great Father*, 214.

63. *Ibid.*, 215-16. Luther Standing Bear tells about his father signing first in *My People, the Sioux* (Lincoln: University of Nebraska, 1975), 210-15.

64. There is confusion in the literature about the smaller reservations Crow Creek, Lower Brule, and Yankton. Ostler, *Plains Sioux and U.S. Colonialism*, 314, does not show Yankton on his map of the reduced Sioux land, and Yankton is not even in his index. Greene, *Fort Randall*, includes Yankton since it was the reservation closest to Fort Randall, but

he is not clear how the 1889 land cession affected Yankton, which had already had surveyors sent in to begin allotment a year earlier.

65. Ostler, *Plains Sioux and U.S. Colonialism*, 223-39.

66. Fritz, *Movement for Indian Assimilation*, 214.

67. Peter Iverson, *Carlos Montezuma and the Changing World of American Indians* (Albuquerque: University of New Mexico Press, 1982); Benson Tong, *Susan La Flesche Picotte, MD: Omaha Indian Leader and Reformer* (Norman: University of Oklahoma Press, 1999). Charles Eastman's autobiography, *From the Deep Woods to Civilization* (1916) recounts his educational progress.

68. For a much more critical perspective on McGillicuddy and his conflict with Red Cloud, see Ostler, *Plains Sioux and U.S. Colonialism*, 203-12. McGillicuddy decentralized distribution of annuities, excluded Red Cloud from leadership at Pine Ridge despite his peers naming Red Cloud as their leader, used annuities to manipulate the chiefs, and threatened frequently to bring in U.S. troops.

69. *Proceedings of the Fourth Annual Lake Mohonk Conference* (Philadelphia: Indian Rights Association, 1887), 2, 4-5; Graber, *Sister to the Sioux*, 116, 119.

70. Raymond Wilson's biography of Eastman, *Ohiyesa: Charles Eastman, Santee Sioux* (Urbana: University of Illinois Press, 1999), continues to be the most comprehensive study, and it details these years.

71. Charles Eastman was at Pine Ridge as agency physician during the murder of Sitting Bull and the Ghost Dance revival and Wounded Knee Massacre, and wrote extensively about it; Gertrude Bonnin/Zitkala Sa was also present but never mentioned either event in her writings, according to Cathy N. Davidson and Ada Norris in their introduction to Zitkala Sa's *American Indian Stories, Legends, and Other Writings* (New York: Penguin Books, 2003), xxxiii. The quote is from Standing Bear, *My People, the Sioux*, 224.

72. Nelson A. Miles to George W. Baird, November 20, 1891, Baird Collection, WA-5901, M596, Western Americana Collection of the Beinecke Rare Book Collection and Manuscript Library, Yale University, quoted in French, *Native American Justice*, 197.

73. Danielle Lynn Tisinger, "Western Imaginings: Native and White-American Western Literature, 1887-1934" (PhD diss., University of Minnesota, June 2004), 2, includes this quote from the 1890 U.S. Census Bureau.