

# Did Custer Have it Coming?

## Adventures in Indian Country

By James Abourezk

In the 1960s and continuing through the 1970s, some American Indians began organizing themselves to protest what they saw as an uncaring federal government. Poverty had reached a high level on most of the Indian reservations, and the agencies charged with dealing with the Indians – the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS) – were not giving much help. Not only were they seasoned bureaucrats, but, to make matters worse, they were not given enough money by Congress to deal with the problems created by decades of oppressive poverty, both in the cities to where the government had relocated a great many Indians, but also on the reservations, where most of them remained.

Indian militants – calling themselves the American Indian Movement (AIM) – decided that physical confrontation would be the only way to attract enough attention to right the wrongs of more than a century of neglect. AIM had a couple of slogans that were helpful in organizing Indians politically. One was, “Custer Had It Coming,” and the other, created by Indian writer and intellectual Vine De Loria Jr., was set to music by the Sioux Indian folk singer Floyd Westerman, entitled, “Custer Died For Your Sins.”

The federal government in the 19<sup>th</sup> century sought to settle the American West with non-Indians. The only obstacle to that settlement was the mass of Indian tribes scattered throughout the young country. The decision was made by the government either to kill the Indians or to begin moving them onto reservations, where they would not be in the way of the settlers. The government also ran a series of scams, which gave it legal cover to take Indian lands; then the lands were opened up for white settlement.

In the 19<sup>th</sup> century, the Indians had no concept of what selling or buying land meant. What they knew was that land was to be used by those who lived on it. Sale and purchase were unknown terms to them.

In the 19<sup>th</sup> and 20<sup>th</sup> centuries, the government convinced many of the Tribes

to accept anywhere from 50 cents an acre to a \$1 an acre for their land. What could not be purchased was simply taken by force. One glaring example was the Great Sioux Treaty of 1868, also known as the Ft. Laramie Treaty, named for the place in Wyoming where it was negotiated. The Treaty came about mostly because the U.S. Army learned the hard way that it was unable to inflict military defeat on the Sioux Indians, who, back then, moved freely through South Dakota, Wyoming and Nebraska. (The government doesn't negotiate trea-

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ties with anyone they can defeat). The Treaty asked the Sioux to withdraw to the west of the Missouri River in South Dakota, with the entire western part of the state, including the Black Hills, designated as the Great Sioux Reservation. The Treaty also reserved to the Sioux the Eastern part of Wyoming as their hunting grounds.

The 1868 Treaty lasted only until gold was discovered lying underneath the Black Hills in South Dakota. Gold was discovered in 1874, ironically by an expedition led by Col. George Armstrong Custer. When that news got out, prospectors flooded into the Black Hills, coming under attack by the Indians, whose complaints about the trespass to the government went unheeded.

The reaction of President Grant's administration to the unlawful trespass by the whites was to ask the Sioux to renegotiate the 1868 Treaty to facilitate moving them out of the way of the gold seekers, and onto reservations – just what the Indians didn't want.

The Sioux, of course, refused, which

prompted President Grant to declare them as hostile renegades. He sent the U.S. Army out to bring in the Indians and herd them onto reservations by force.

Two years later, Grant's orders culminated in the battle that is called today the “Custer Massacre” by the whites, and the “Battle of The Greasy Grass” by the Indians. Although the Indians emerged as the victors in that battle, they began to disperse, fearing the massive retaliation from the Army that they were certain would ensue. Most were eventually captured and forced onto reservations. Sitting Bull, chief of the Minneconjou Sioux, fled with his band to Canada, where he stayed, returning to play a role in Buffalo Bill Cody's Wild West Show before he returned to the Standing Rock Reservation, which straddles the border between North and South Dakota.

The finale was by the river flowing through the area in Montana where the battle took place, the end result of Custer trying to round up the superior force of Sioux and Cheyenne Indians who happened to be camped there. We all know what happened next. Custer, along with all of his command, was killed in the battle. The whites called it a massacre, and the Indians called it victory in battle. After the fight, Indian women walked among the dead, mutilating the bodies of those dead soldiers who, when they were alive, had threatened the lives of Indian women and their children. The story was that, after the battle, the Indian women punctured Custer's ears with an awl, so he could hear better when he arrived in the spirit world.

In an earlier time, a U.S. Army officer, when told that the Indians under his charge were starving, was reputed to have said, “Let them eat grass.” The same officer was killed in a different battle, when he attacked an Indian encampment, and his body was found with grass stuffed in his mouth.

The Sioux were among the last tribes to be defeated by the U.S. Army, offering perhaps the strongest resistance to total white domination during the 19<sup>th</sup> century. But by 1890, they had been totally destroyed. The government had taken their hunting grounds and their weapons away from them; had herded them onto reservations; and had forced them to live on meager handouts – rations that were often withheld, if it suited the whim of the corrupt Indian agents in charge.

The last gasp of Indian resistance to occupation by whites took place in 1890, at Wounded Knee Creek in southwestern South Dakota. In reaction to the misery that occupation had imposed on the Plains Indian tribes, a Paiute Indian from Nevada, by the name of Wovoka, developed a new religion called the "Ghost Dance." Wovoka, who had been raised by a white Christian family, combined the teachings of his Indian father, a Paiute holy man, with the teachings of Jesus, which he learned from his adoptive parents. He counseled the Indians, who sought his guidance to work willingly for the whites, to farm and to send their children to school. Meanwhile, by performing the Ghost Dance, he said, they would ultimately restore the dominance of the red man, bring back the buffalo, and make the white man disappear. His vision attracted the once free Indians, now living in unbearable conditions under the total control of the government and its often capricious Indian agents.

Like many of the Plains tribes, the Sioux sent a delegation to Nevada to learn the tenets of the new religion, so that they could return to teach them to the various Sioux tribes. When the Sioux delegates returned, however, they did a bit of revisionism with respect to the Ghost Dance. One of the Sioux delegates, Kicking Bear, introduced an element into the ritual that ultimately had serious repercussions for the tribe. He instructed the Sioux to wear a "Ghost Shirt," which he said would ward off the white man's bullets. The Ghost Shirt, the prayers and the Ghost Dance, the Sioux delegates told their people, would make the white man disappear. When the Army found out about the Ghost Dance, it frightened them, and they set out to stop the practice. Especially fearful of Sitting Bull and his followers on the Standing Rock Reservation, the government ordered his arrest, during which he was shot and killed by an Indian policeman.

In December 1890, one of the Minneconjou leaders, Chief Big Foot, left the Cheyenne River Reservation in northwestern South Dakota, leading his people southward to the Pine Ridge Reservation. He had decided to leave for two reasons. First, he was afraid of the Army's aggressive behavior. And, second, he had been asked to go to Pine Ridge to settle a dispute between some of the Oglala leaders there. Concerned that

Big Foot had gone off to join the Ghost Dance craze that had overtaken many of the South Dakota reservations, the Army, specifically the Seventh Cavalry, set out to find him. They intercepted him in the Badlands of South Dakota and began escorting him southward toward Pine Ridge. Camping overnight at Wounded Knee Creek, the troopers surrounded the Indians, their heavy guns placed on a rise and aimed at the Indian camp below them. The next morning, the commander ordered the Indians disarmed. Resentful of the order, which would prevent them from hunting for food, the Indians stonewalled the soldiers as they searched

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them for weapons. Somehow during the search, one of the weapons being confiscated discharged. Both sides panicked, and the soldiers' ultimate response was to massacre 147 Indian men, women, and children. There were eyewitness accounts of mounted troopers, running down and killing fleeing women and children. The bodies were dumped into a mass grave on the hill where the Army's Hotchkiss guns had been set up.

Wounded Knee has been called, alternately, the last Indian war, a massacre, or the last day of the Sioux Nation. Ever since, it has been, understandably, of great symbolic importance to Sioux Indians. Some in the U.S. government, during the 1973 occupation, began calling it, "Pain In The Ass, South Dakota."

By the beginning of the 20<sup>th</sup> century, the government and its agents had assumed total control over the lives of the Indians, dictating the kind of homes they could live in, the quantity and quality of their food, and the nature of their education. The government treated the Indians

as though they were children; then scoffed at them when they acted like children. The government created business-training programs for Indians that were designed to fail, then complained that the Indians could not succeed in business. It offered courses in farming to Indians whose entire culture was based on hunting, and professed to be mystified when the Indians were unable to master farming on demand. The Indians were kept in abject poverty; then the government wrung its hands, when alcoholism and suicide became rampant in Indian culture. The government prevented Indians from gaining equal access to social and cultural equality; then boasted that Indians were inferior to whites.

In 1934, Congress passed the Indian Reorganization Act, completely washing its hands of Indian affairs. It was a predictable response on the part of the body politic. Indians have no votes to speak of, and there is no campaign money to be extracted from the Indian reservations, so why should politicians spend time worrying about conditions there? The solution, as far as Congress was concerned, was to hand over the "Indian problem" (which is really more of a white problem) to the Bureau of Indian Affairs. This was done by providing blanket authorization to the BIA. It is no longer required, like other government agencies, to return to Congress every year to seek authorization of its programs. Instead, the BIA need only ask for money directly from the appropriations committees, which have no time to investigate whether programs are useful, successful, or just plain bad. Their decisions rest solely on how much money is available for Indian and other programs. Consequently, no one watches what the BIA bureaucracy does.

This brings us to the 20<sup>th</sup> century, a time – as I shall describe in the next instalment – when militant Indians began demanding that the government live up to the solemn promises it had made in the various treaties it signed. **CP**

*To be continued.*

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In this climate of conformism, conservatism and William Whyte's *Organization Man* – the campus had decided that students should not talk about “off campus issues” and should be protected from “outside agitators.” Hence, Stiles Hall provided a meeting space for a wide variety of groups – socialists, libertarians, single-issue groups (farm workers, African studies, ACLU, SNCC support, student CORE, and so forth).

Walking into Stiles Hall, you'd find a large octagonal table covered with newspapers, the *Congressional Journal*, the *Catholic Worker*, the *Nation*, etc., and a contingent of people arguing politics over lunch. Bill Lockyer, currently treasurer of the state of California and formerly its attorney general, recalls that he “frequented Stiles Hall as a student to get radicalized during political discussions over lunch.” Students were going to Quaker work camps on Indian reservations and migrant worker camps set up by Cecil Thomas, a life-long agitator for peace and justice. Joe Paff and some of his fellows went to the Central Valley to work with Catholic Worker priests and spend a few days with Dorothy Day.

Stiles Hall had been greatly shaped by the long-term influence of Harry Kingman – who had first worked there in 1916, leaving to fight in World War I, and in its aftermath spending six years in China. In China, Harry was a friend and teacher of some of the students arrested in the famous demonstrations at the international settlement over foreign companies exploiting (and shooting) workers. He wrote a letter defending the students that was translated and published throughout China, leading to his transfer from Shanghai to Tienstin. While a pariah to the westerners in China, he was quite famous with the Chinese. His *China Newsletter* of 1925 and 1926 was circulated worldwide, and letters of praise and requests for more information came from Senator Borah (the Idaho Republican and Senate chair of the Foreign Relations Committee), Mahatma Gandhi, Ramsay MacDonald, H.G. Wells, Lloyd George, and Bertrand Russell. At Tienstin, he met and became friend of then Lt. Col George Marshall.

Kingman finally returned to Stiles Hall in 1928. In the early 1930s, he made it his business to extend a welcoming and helpful hand to the 2,000 new students, many

of them poor. All of them were invited to dinner by Stiles people, with Harry's wife, Ruth, cooking dinner for 500. Then Kingman looked around the area for jobs for them, and found just 25 available. A student came to him and said his father had been able to give him \$3 for the entire semester, and after six weeks he'd already spent \$1.50. This is when Harry organized the housing co-ops, where the students could live and cook. Clark Kerr and Robert McNamra were among those students. Stiles also provided meeting place for the Social Problems Club – accused by the campus administration of being a haunt of New Yorkers and

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Communists. Kingman also was active in creating a student minimum wage.

These commitments to the First Amendment, equal housing, fair and equal wages were abiding principles. During the war, Harry Kingman and Stiles Hall were active and strong opponents of the internment of Japanese – not a common posture on the left, alas – and raised money to help the internees, make legal challenges and help to relocate released people. Older Japanese men in Joe's era in the late 1950s used to come in and beam and hail Kingman – who retired in 1957 – as a great man.

Kingman had to stand up to the Un-American Activities Committee, witch-hunting leftists. He fought back triumphantly. In 1946, when Harry was director of the Western Region of the Fair Employment Practices Committee, Ed Rutledge, whom he'd hired, had been

called before one of the McCarthy committees. Kingman flew to Washington, stiffened Rutledge's resolve, and turned the tide. “We're going to fight this,” he said, and they did.

Kingman retired from Stiles Hall in 1957 and went to Washington to form the Citizens Lobby for Freedom and Fair Play. He and his wife lobbied for 13 years – never raising more than \$5,000 dollars to support this effort – living in one room and entertaining guests with food on paper plates.

An interesting Harry anecdote: when Joe McCarthy died, the flags were flying at half-staff. As Harry walked the streets of Washington, D.C., till he got to the Supreme Court, he saw that above the Court there was no half-staff flag. Harry found Justice Earl Warren to go to lunch and asked about it. A sly smile was the response.

Joe Paff went to Berkeley in 1957, then took 18 months off to avoid ROTC, came back to Berkeley from Europe and got an apartment in Stiles Hall, with duties that included opening and shutting the building and setting out chairs for meetings, a duty that often required nice judgment. One would not, for example, embarrass the score or so turning up for the Berkeley-Bulgaria Friendship Society by setting out 200 chairs. Sometimes, no one would show up. Norman Thomas drew 10 people, and Joe took him out and bought him pie by way of consolation.

By 1960, Joe was on the student council, running a weekly coffee hour with a speaker.

“I invited Dizzy Gillespie twice, Ralph Gleason, Jean Renoir, the movie director who'd been sitting in his office with nothing to do. His son taught at Cal. I invited Linus Pauling and Martin Luther King Jr. I invited Mrs. Sobel when her husband Morton was in prison as a spy. Anti-communists came and made her cry. Young Caspar Weinberger running for state assembly drew no one to the meeting, so we went out and had lunch. John X came from the Open Temple, the first time any Black Muslim spoke in the Bay Area.”

Joe invited Gus Hall, general secretary of the CPUSA, and Eric Hoffer. He got into trouble when he invited Vincent Hallinan to discuss the Gary Powers trial, which Vincent had attended in Moscow. Sheldon Wolin had given a lecture on Richard Hooker “coveting eccentricity.”

A student who'd attended Wolin's lecture accused Joe of "coveting eccentricity" by inviting Hallinan, and the majority agreed with him.

Malcolm X was supposed to speak on campus in May of 1961, Joe reminisces, "but the University high command rejected him, saying he was a minister who might convert people to Islam. So Stiles Hall offered him a venue at the last minute, with no time for publicity and room for only 160. He was electric, the most extraordinary speaker I have ever heard. He changed everyone's life forever. You'd ask him a question, he'd look you in eye and repeat your question, then really go into it. All blacks sat together and not one of them acknowledged you when they left. Within a month, half the blacks were giving Malcolm's speech."

The 1960s rolled into motion. Stiles had long had a concept of incubating groups and activities that could soon stand alone and form independent groups. Berkeley's residential co-ops were a good example. Student activists soon followed the same policy. Fired by the gatherings in Stiles Hall, campus meetings became more politically conscious, more boisterous. Protests against bans on collecting money became more

vigorous. It was not long before the Free Speech Movement was under way.

Many Stiles members became active in the civil rights movement – going to Mississippi, getting arrested, beaten. Many had been hosed off the steps of the San Francisco City Hall as the House Un-American Activities Committee held hearings inside. Thelton Henderson went south for the Justice Department – he was the first African American in the Civil Rights division – for two years until he was fired for loaning his car to Martin Luther King Jr. to drive to Selma. Henderson has remained all these years on the Stiles Board and was honored at the 125<sup>th</sup> anniversary. At 76, Henderson is senior judge in the federal Northern California division. It was Henderson who, in 2005, found that sub-standard medical care in the California prison system had violated prisoners' rights. In 2006, he appointed Robert Sillen as receiver to take over the health care system of the California Department of Corrections and Rehabilitation; he replaced Sillen with J. Clark Kelso in 2008. The Internal Affairs Division of the Oakland Police Department remains under his supervision.

"One could say that going to lunch at

Stiles from 1957 to 1963," Joe concludes, "and going to the events, if combined with going to Pauline Kael's little movie theater and reading her extensive program notes, was a complete education. A carefully chosen small set of classes at UC would do the rest."

In the main ceremony celebrating the 125<sup>th</sup> anniversary, the mayor of Berkeley, Lonnie Hancock, and Chancellor Birgenau praised the Stiles (now directed by David Stark) programs replacing the affirmative action policies eliminated by proposition 209, responding to the great decline in minority students at Berkeley and the wide perception among them that they are not welcome. Students receive long-term tutoring starting in fifth or sixth grade and continuing for eight years to college admission. It's an expensive but effective program.

At the celebration, there was also the announcement of a large bequest for \$750,000. No one recognized the benefactor's name, but investigation revealed he was someone passing through Berkeley circa World War II and having miraculously survived a horrendous battle, he recalled having only ever felt comfortable at Stiles Hall while a student at Berkeley. CP

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