

University of Nebraska - Lincoln

DigitalCommons@University of Nebraska - Lincoln

Great Plains Quarterly

Great Plains Studies, Center for

1992

Review of Black Hills, White Justice: The Sioux Nation Versus the United States 1775 to the Present

Robert M. Kitson
New York, New York

Follow this and additional works at: <https://digitalcommons.unl.edu/greatplainsquarterly>



Part of the [Other International and Area Studies Commons](#)

Kitson, Robert M., "Review of Black Hills, White Justice: The Sioux Nation Versus the United States 1775 to the Present" (1992). *Great Plains Quarterly*. 691.

<https://digitalcommons.unl.edu/greatplainsquarterly/691>

This Article is brought to you for free and open access by the Great Plains Studies, Center for at DigitalCommons@University of Nebraska - Lincoln. It has been accepted for inclusion in Great Plains Quarterly by an authorized administrator of DigitalCommons@University of Nebraska - Lincoln.

forces them to avert their eyes once they realized they've looked too closely, that what they are seeing is the conquest and dislocation of a people.

Rising majestically out of the Great Plains, the Black Hills have both practical and spiritual significance to the various nations of Sioux who once roamed them freely. Lazarus notes that the Hills provided medicinal plants and lodgepoles for tipis. They also "were a holy place, a place for vision quests, home to Wakan Tanka, the Great Spirit, the sum of all that was powerful, sacred and full of mystery." He notes that it was not superstitious fear that inspired the Sioux's guardianship of the Hills, but the tribe's overwhelming sense of stewardship of land that had sustained the people's lives since their migration to the Plains in the late 1700s.

Over the course of the nineteenth century, the boundary lines between white land and Indian Country were drawn and redrawn numerous times. The railroads, the discovery of gold in Montana, the opening of the Bozeman Trail, and the discovery of gold in California, necessitating further road and railway construction, all played their part in the Sioux loss of their sacred Paha Sapa, but an army expedition in 1874 sealed the fate of both the Sioux and their Hills. Led by General George Custer and accompanied by two geologists, the Seventh Cavalry invaded this inland paradise—in violation of the provisions of two separate treaties—and struck gold. It was a modest strike, Lazarus reports, on the face of it not even enough to justify further digging. General Custer, however, shouted to the world that the Hills were laden with riches, enough to pull the country out of the current nationwide depression. Even if he did not have the evidence to back himself up, Custer understated the case. The Black Hills are some of the most valuable real estate in the world, yielding \$500 million worth of gold to the Homestake Mining Co. alone by 1966. One of the few faults of *Black Hills, White Justice* is that Lazarus does not dwell on the magnitude of the economics involved in the Black Hills claim. Readers who are not familiar with the subject will come away with a good understand-

Black Hills, White Justice: The Sioux Nation Versus the United States 1775 to the Present. By Edward Lazarus. New York: HarperCollins Publishers, 1991. Preface, introduction, maps, photographs, chronology, appendix, notes, index. xxiv + 486 pp. \$27.50 U.S., \$37.95 Can.

The story of the Black Hills, recounted in this very readable chronicle by Edward Lazarus—son of Arthur Lazarus, one of the attorneys who represented the Sioux Nation in its Black Hills claim against the U.S. government—often seems a case study in the history of Indian/non-Indian relations in North America. It encompasses some of the most famous names and events from the days of the frontier: Crazy Horse, Red Cloud, Custer, Little Big Horn, and Wounded Knee. It is that era that fascinates Americans when they are moved to think of the indigenous population of this continent, and the one that

ing of what the Hills mean to the modern day Sioux but very little understanding of what they mean to modern day America.

Following the Custer expedition, a presidentially appointed commission failed to coax the Sioux into selling or leasing the Hills to the government. In response to this intransigence a second commission, composed of men genuinely considered reformist and liberal in their attitudes towards the Natives, returned to the Hills, this time with a declaration that the delivery of all rations of food, clothing, and other essentials the government was obligated to supply the Sioux according to previous treaties would cease unless the tribe gave in. Faced with a "sell or starve" situation, the tribes split on the issue, both between the various bands and internally. On one side were the "progressives," who saw the old way dying and were anxious to get as much as they could before starting down the white man's road; on the other were "traditionals," who insisted that the Black Hills would be Sioux land for "as long as the grass grows and the river flows," as guaranteed in the Fort Laramie Treaty of 1868. In the end it was a combination of persuasion by this commission, promises of a secure future for the Sioux, and military might aimed at the traditional chiefs and warriors that transferred control of the Hills to white hands. Congress completed the conquest of the Black Hills on 28 February 1877, unilaterally extinguishing Sioux title to all lands outside the Great Sioux Reservation. Two years later, the Great Sioux Reservation itself was no more, having been broken up by Congress into six separate, comparatively small reservations, with substantial amounts of land again ceded to the government. On 29 December 1890, the Seventh Cavalry, rebuilt after being demolished at the Battle of Little Big Horn, exacted its revenge on the Sioux by massacring 300 unarmed, freezing people at Wounded Knee, bringing a bloody climax to the first part of the Black Hills saga.

After a lively recounting of this history, Lazarus takes the reader into the courtrooms, backrooms, tribal councils, and halls of Congress where the drama is still being played out. It is

here that *Black Hills, White Justice* begins to bog down, getting mired in legal detail, which, while important, is nonetheless a dramatic change from the quick-paced, clear-headed prose that characterizes Lazarus's writing up to this point. Given the sheer amount of litigation that transpired during the sixty or so years that the Black Hills claim was before the courts, Lazarus is probably to be commended for resisting the temptation to quote more generously from his father's files, which, presumably, are one of his main sources.

To tell how the case—and the book—end up would be to spoil its effect on readers. Suffice it to say that Lazarus is a compelling writer when the material allows him leeway as a storyteller, and a competent editor when it does not. There are a few factual errors (South Dakota has nine reservations, not eight, for example), leading me to believe that there are more that I did not catch. But Lazarus is true to the story and gets all his important points right. Critics may say he is too sympathetic to the Sioux, but historical record and personal histories are both on his side. At certain points in my reading I actually felt that he was too kind to the government, too willing to believe in the good faith of presidents, or that he understated the role of the army in settling the Black Hills, but these points are few and far between. In the end it is a story told by someone who, as he puts it in his introduction, learned the story of the Black Hills at the family dinner table, straight from the mouth of the Sioux Nation counsel. Despite the few slow chapters, a fascinating dinner table conversation is exactly Lazarus's writing style. *Black Hills, White Justice* will not be required reading in high school or college social studies classes any time soon, but it should be.

ROBERT M. KITSON
Theatre, Film, and Video
American Indian Community House
New York, New York