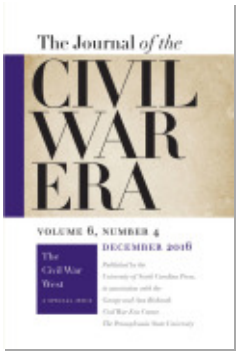
Reconstructing the Great Plains: The Long Struggle for Sovereignty and Dominance in the Heart of the Continent

Pekka Hämäläinen



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The history of the Civil War era is in the midst of a western turn. Just as the historians of Early America have adopted a continental perspective for their field, so too have the historians of the Civil War era widened their optics. They have begun to see the separation of the histories of the Civil War and the American West as an artificial divide and to reveal how similar forces simultaneously transformed the South and the West during and after the war. They have, by any measure, been widely successful.[1]

With the West in the frame, Civil War America is expanding in scope and taking on new meanings. We are learning how western events and ambitions shaped the national struggles over race, freedom, and belonging and we are learning how those battles unfolded in the West, changing the region profoundly and irrevocably. Many of us now think of the years between 1845 and 1877 as the "Greater Reconstruction," a period defined by three wars (the U.S.-Mexican War, the Civil War, and War against Native America), a continent-wide racial crisis, the extension of northern state power to the South *and* the West, and wholesale dispossession of native societies. The Civil War now looks less a war of liberation than of empire, a massive, sustained explosion of federal power that demolished the slave South and dismantled the indigenous West.[2] This, then, is what the expanded history of the Civil War era looks like: not just one racial crisis but many, not just one conflict over the limits of federal authority but many, not just one rebellion but many, not just one killing field but many.

And yet the western story of the Civil War era is far from complete. The current master narrative is a clash between North and South *in* the West. Each region strove to bring the West into its respective empires—a contest that southern secession would bring to a fever pitch—sucking its various peoples into a distant storm. As in the East, regional animosity fueled unprecedented violence in the West, especially against Native Americans. Indeed, based on recent high-profile studies, it would seem that the western Indians' story during the Civil War era could be told as

a series of massacres, conquests, and atrocities: the U.S.-Dakota War, the Bear River Massacre, the Sand Creek Massacre, the Long Walk of the Navajos, the Marias Massacre, and so on, all the way to Wounded Knee. In California, the Civil War era saw the intensification of a systematic slaughter of Indians that had unfolded under a state-sanctioned killing machine since the 1840s. In 1846, there had been about 150,000 Indians in California; thirty years later, 30,000 survived.[3]

The Civil War era now appears a formative phase in a long history of Native American dispossession and genocide that both preceded and followed the war. But while empire-building and ethnic cleansing destroyed numerous indigenous societies in the West, they do not define the Civil War era in the West. The American leviathan was not all-powerful, and its rise to continental hegemony was not inevitable, not even after it transformed into an imperial nation-state capable of inflicting enormous harm.[4] If we shift our focus from battlefields—inevitably a narrow window—to regional power dynamics and from the abstractions of empire-building to the tangible workings of sovereignty and jurisdiction on the ground, a more complicated picture begins to emerge—one of indigenous declension, but also of indigenous resilience in the midst of an expanding American state.

Such uncertainties persisted throughout the Trans-Mississippi West, but they were most pronounced in the Great Plains, where the rising industrial giant faced enduring nomadic regimes. Indeed, as I will argue here, the post-war phase of the Greater Reconstruction saw much more than the consolidation of federal authority on a continental scale. In the interior grasslands, it saw a sustained and, when viewed from the East, utterly unanticipated reconstruction of nomad power.

■ The Plains nomads had been on the federal government's agenda since it bought France's sovereign and commercial rights over the Trans-Mississippi West in 1803. Punctuated with more than fifty tribal conferences, the Lewis and Clark expedition was foremost an act of sovereignty-making aimed at delivering Louisiana's native inhabitants into the American state as subjects. Yet, the Plains nomads remained in the distant recesses of American consciousness. Much of the eastern interest in the nomadic West was either anthropological, focusing on the sheer strangeness of the horse nations now residing within the United States' extended borders, or economic, focusing on the fur trade that burgeoned along the Missouri watershed. Most eastern policymakers ignored the nomads as political actors, dismissing them as cultural relics locked on the wrong side of modernity and destined to vanish. After the Louisiana Purchase, Americans continued to fret over Spanish, French, and British

Figure 1

William Clark's master map of the American West was hailed as a scientific triumph, but it was also a conspicuously political act of sovereignty-making and cartographic dispossession. Clark left out many Indian nations the expedition encountered along the Missouri River, thereby buttressing U.S. territorial claims by delegitimizing indigenous ones. William Clark, A Map of Lewis and Clark's Track, Across the Western Portion of North America From the Mississippi to the Pacific Ocean, *Samuel Lewis, copyist; Samuel Harrison, engraver, engraved map. Courtesy of the Library of Congress, Geography and Map Division. LC control no. 79692907.*

challenges to their sovereignty, but Louisiana's native inhabitants rarely entered into their considerations. Americans knew they were there and yet saw Louisiana as a geopolitical void, a place without history.[5]

It was a massive blind spot in the young nation's field of vision. The United States had bought what it could not understand, much less possess. Louisiana was not a blank canvas for national inscription; it was a crossroads of hemispheric cultural exchanges and it was becoming an incubator of astoundingly powerful nomadic regimes. The half a century that followed the Louisiana Purchase witnessed the rise of two indigenous nomadic empires and a general intensification of gun-using equestrian nomadism in the western grasslands. The nomads were expanding, fulfilling their own visions of modernity, and by the late 1840s there were tens of thousands of them living technically inside U.S. borders but completely outside of U.S. jurisdiction. They were filling out and muddling up what eastern policymakers had come to envision a "permanent Indian frontier," a vast western reserve where native peoples, both resident and relocated, would live free from white interference—at least until the lands were needed by Americans. The nomadic West was a massive geopolitical crisis in the making.[6]

As formulated by Elliott West, the governing conditions for the Greater Reconstruction were created in the Treaty of Guadalupe Hidalgo, which increased the United States' landmass by more than half a million square miles and brought eighty thousand Mexicans into its fold. The discovery of gold in California nine days after the signing of the treaty awakened the Americans to the ethnic realities of their acquisition, triggering a prolonged crisis of racial exclusion and political authority in the West. But the California gold rush also awakened the federal government to unpleasant realities in the Great Plains. The distant gold fields were on the far side of a vast sea of grass that was filled with nomads who most manifestly were not melting away. Organized into family bands and constantly moving about on horseback, these nomads seemed to be everywhere and nowhere, raiding, hunting, gathering together, and disbanding again. But they always seemed to be where they were least wanted: along the river valleys that cut across the grasslands. Those river valleys had become crucial transportation conduits to California and Oregon, but they were also crucial for the nomads who needed the riverine resources—water, shelter, and perennial grasses—for their own and their horses' survival.[7]

That overlap made overland travel a daunting prospect. The forty-niners called their journey "seeing the elephant," evoking a treacherous plunge into a jurisdictional void without formal law, courts, or police force. Most emigrants formed companies and drafted constitutions to become

peripatetic governments with all sovereign authority. In doing so, they created thin jurisdictional corridors where American law and order traveled westward, one immigrant train at a time. But those corridors represented a major threat to the nomads, who resented the growing traffic that disturbed game and camping grounds. Violent clashes along the Platte and Arkansas Rivers escalated, forcing the federal agents to finally take notice of the nomads.[8]

They did not like what they saw. If the ethnic composition of the Mexican Cession had alarmed them, the nomadic condition of the Great Plains left them baffled. They saw the nomads as racial inferiors who hailed from an era that should have passed long ago. The agents of the Office of Indian Affairs struggled to identify leaders among the horizontally organized horse nations and agonized over how to negotiate rights-of-way with "wandering tribes" who seemed to lack any concept of territoriality. And so, instead of modifying the federal Indian policy to meet the western realities, the agents transported the old and tested imperial policy of enforced racial exclusion from the East, now in the form of clearly bounded, tribe-specific reservations.[9]

The result was two treaties, the Treaties of Fort Laramie in 1851 and Fort Atkinson in 1853. These, Americans hoped, would secure the safety of Oregon and Santa Fe Trails by carving out three distinct native zones of the Indian country and by allocating lands in between those zones for overland traffic, way stations, and military forts. The Lakotas, Crows, Assiniboines, Mandans, northern Cheyennes, and northern Arapahos would be confined in a northern reservation; the Comanches, Kiowas, and Plains Apaches would reside in a southern one; and the southern Cheyennes and southern Arapahos would occupy a third, in the central plains. Two transportation avenues, one along the Platte and the other along the Arkansas, would separate the three indigenous enclaves from one another and serve as umbilical cords that attached the Pacific West to the eastern core. The idea of a permanent Indian country had died, replaced by a new order of racial segregation.[10]

The two treaties intensified and broadened the western crisis of authority that the Mexican Cession and the gold rush had set off by introducing a distinct geopolitical dimension. The treaties were nothing if not contested. Desperate to guarantee free movement through an apparently lawless nomadic space, federal agents had recognized indigenous titles to vast stretches of land in exchange for narrow rights-of-way. But that recognition was less about native rights than about state control. The nomads, the rationale went, were now pinned down and boxed in, securing an American outlet into the West by the force of law. The government, the commissioner

of Indian Affairs reported, was now poised "to throw open a wide extent of country for the spread of our population westward."[11]

The arrangement did not last long. Lakotas, taken aback by the volume of the traffic along the Platte, began attacking immigrant trains and U.S. Army patrols, and Cheyennes and Arapahos, whose lands skirted the Oregon and Santa Fe Trails, did the same. If anything, indigenous mobility across the Plains—and across reservation boundaries—seemed to increase, spurred by new raiding opportunities. According to a Texas Indian agent, "parties to the Fort Laramie treaty," though receiving "$10,000 annuity annually," stole more property in Texas in 1855 "than that amount would pay for." The government's vision of neatly divided Plains had crumbled, replaced by a messy imperial geography of interlaced jurisdictions, anomalous legal zones, and contested sovereignties.[12]

And yet the federal government considered the broad outlines of the Indian question in the Great Plains resolved. The 1854 Kansas-Nebraska Act opened up vast tracts of land for American emigrants. Settlers swarmed in, dispossessing Indians with unhindered application of "squatter sovereignty," and soon several seminomadic prairie tribes found themselves in small and shrinking reservations.[13] The eastern stretch of the Oregon Trail was now safe for transportation, and the federal government focused its energies on the impending implosion of the national union in the East, largely ignoring the Plains. That neglect would come to haunt it once the Civil War broke out, and it would haunt the United States long after the war had ended.

■ When the Civil War began, the Union army found itself fighting two wars: one against the Confederate South and the other against the nomadic West. At first these were separate, but the Confederate invasion of New Mexico bundled them together into a massive test of federal authority in the West. At stake were the limits of federal jurisdiction and access to precious minerals.

The opening of the Trans-Mississippi war theater heightened the importance of the central Plains overland trails for the Union, which needed the routes open and safe to fight Confederate expansion into Indian Territory, keep New Mexico in its fold, and ensure that western gold would continue flowing east. The Union was desperate to keep the Civil War out of the central Plains, but the region was already embroiled in another conflict: Cheyenne and Arapaho attacks on overlanders had turned into a war after gold was discovered in 1858 at Pikes Peak and more immigrants swarmed in. The Dog Soldiers, members of a new militant Cheyenne band, distanced themselves from the world of the whites and became a gravitational

center for discontents who believed armed resistance alone could ensure survival. The Dog Soldiers envisioned the western central Plains between the Arkansas and Platte Rivers as a sovereign indigenous domain, a safe haven secured by a complex arrangement of truces, treaties, and kinship politics. Since 1840, the Great Peace with the Comanches and Kiowas had kept the upper Arkansas Valley as a neutral zone, while deepening military cooperation and intermarriage stabilized relations with the Oglala and Brulé Lakotas to the north. The Fort Laramie Treaty, in which the United States recognized Cheyenne and Arapaho title to the entire western half of the central Plains, confirmed this indigenous order.[14]

The clash with the Union quickly became a fight for survival for Cheyennes and Arapahos, not because the federal government was so strong in the West but because it was so weak. In 1861, following long neglect, federal presence in the continental grasslands was limited to a dozen military forts, rendering the Union hold of the West exceedingly fragile. Unable to establish even a modicum of order in the strategically critical central Plains, the federal government relied on raw military power. It placed New Mexico and Colorado territories in the hands of army commanders and established new garrisons across the central Plains. The result was a rapid militarization of federal Indian policy in the West. A vast region stretching across the central Plains into the Front Range became a war zone where Indians fought to preserve their sovereignty and way of life against eastern aggression.[15]

The conflict may have begun as a strategic Civil War campaign for the federal government, but it soon became a war of conquest geared towards eliminating indigenous presence in the central Plains. By 1861, more than a hundred thousand immigrants had passed through the Oregon and Santa Fe Trails, disturbing a prime bison range between the forks of the Platte. Reeling under the pressure, a minority of Cheyenne and Arapaho chiefs accepted a new reservation along the Arkansas, which was less than one-thirteenth the size of their seventy-thousand-square-mile 1851 reservation. The Dog Soldiers and their militant allies denounced the treaty as unlawful. Tensions mounted, and the frontier army and territorial militias stayed in the field, targeting not only Cheyenne and Arapaho warriors but also civilians and material resources. The Homestead Act of 1862, which some saw as a means to secure the West from both the southerners and the Indians, drew more settlers on the Plains, escalating the conflict.[16]

The result was one of the most convoluted sequences in the history of U.S.-Indian relations: the Sand Creek Massacre in 1864; an immediate and massive retaliation by the Dog Soldiers that closed the Platte and Smoky Hill roads and pushed the settlement frontier back hundreds of miles in

Kansas and Nebraska where few Union soldiers had been deployed; a treaty in 1865, essentially a Union attempt to buy peace, that created a safe area for the Cheyennes and Arapahos between the Arkansas and Cimarron Rivers and recognized their right to range all the way north to the Platte River; a collapse of morale among volunteer regiments after Appomattox and another U.S. attempt to buy peace in 1867, which resulted in a new treaty that confirmed the safe area; and a brutal U.S. Army winter campaign launched by Gen. Philip H. Sheridan in 1868, which resulted in another massacre, this one in a federally designated protected zone on the Washita River. The last stand of the Dog Soldiers in the summer of 1869 marked the end of a decade-long war between the Dog Soldiers and the American state.[17]

All this had little to do with Cheyenne and Arapaho numbers, which amounted to roughly five thousand in the 1860s, and everything to do with where the two allies happened to be: in the central Plains, blocking the consolidation of the continent-spanning American state. The upshot was that when the Dog Soldiers surrendered, the federal government's plans for the central Plains were years behind. Railroad construction was still blocked by nomads, stalling the westward surge of settlers that the end of the Civil War had unleashed. At this juncture, three deep-seated eastern impulses came to bear with catastrophic consequences for the Cheyennes and Arapahos. The first was the sense that a military solution to the Indian problem was not only costly and inefficient but unjust, a notion that had been magnified by the repeated atrocities and rising evangelical reformism during the Civil War years. The second was the post–Civil War federal government's soaring confidence in its ability to reconstruct entire societies and regions, which in the West manifested itself in a burgeoning military-administrative state capable of regulating Indian affairs on a massive scale. The third was the U.S. policymakers' distinctive interpretation of indigenous sovereignty. In a drastic departure from its established Indian policy in the western Plains, federal officials did not seek to pacify the Cheyennes and Arapahos in situ. Instead, they extinguished their title to the grasslands, thereby creating a sovereignty void the United States would fill by default.[18]

This kind of simultaneous eradication and creation of sovereignty was a well-established policy by 1869. American views of indigenous sovereignty had been molded over several decades in the crucible of Indian Removal, which both reaffirmed and narrowed it. Indian nations were seen as inherently sovereign nations within a much larger nation, recognized as such by the treaties they had made with the federal government. But, at the same time, Native nations were also seen as unfit to survive on their own in the

American federal system and therefore had to become wards of the federal government, which assumed a unilateral right to manage them. Indian Removal had schooled Americans to see indigenous sovereignty as a malleable entity. It could be re-imagined, reduced, divided, transplanted, and yet somehow preserved. It could be acknowledged—and therefore denied and taken away.[19]

In the course of a few years, the federal government did all those things to Cheyenne and Arapaho sovereignty. An executive order in 1869 unilaterally transplanted it from the Plains into Indian Territory, where, supposedly, it could be preserved against land-hungry settlers and marauding Indians—the proven logic of Indian removal that sacrificed sovereignty for survival. Then, in 1871, in an abrupt reversal of century-long policy, Congress abolished the treaty system in order to give the House of Representatives more authority in Indian affairs and, by extension, in the land policies of individual states. Thereafter, the federal government would recognize no independent, treaty-worthy Native nations. Instead of negotiation, it would deal with Indians through legislation. National wardship, which retained the notion of indigenous nationhood, was replaced by individual wardship, which did not.[20]

Although Congress machinated this policy shift, it reflected a broader post–Civil War mood. From reformers and missionaries to government officials and politicians, almost every group with a hand in Indian affairs had grown impatient with the notion of indigenous nationhood, denouncing it as a legal relic that had no place in the re-United States. With the American racial crisis supposedly resolved in an unimaginably costly war, the role of Native Americans in national life rose to the fore. The enfranchisement of blacks in Reconstruction South only heightened the awareness that America's other racial problem remained unresolved. The escalating wars with the Plains Indians were an embarrassment to a nation now decisively and vocally committed to racial justice. Federal Indian policy, President Ulysses S. Grant bemoaned in 1869, amounted to a "system which looks to the extinction of a race" and was "too horrible for a nation to adopt without entailing upon itself the wrath of all Christendom." The message was unambiguous: the United States would remain truly united and morally sound only if it could create a national economy and culture of yeoman agriculture, corporate capitalism, and Protestant values that embraced all. As the West was being pulled into the nation, so too would its Indians, the ultimate outsiders.[21]

But they would not be brought in as they were and not as sovereign entities. Westward expansion was gathering momentum, which meant that there would be no room for the "treacherously disposed wild men of

the plains." The solution was Grant's Peace Policy, which brought together the opposite ends of U.S. Indian policy: assimilation and isolation. This policy institutionalized reservations and placed Indian affairs in the hands of Protestant reformers, whose paternal care would reform the Indians in the West, just as federal agents were schooling freedpeople in the South.[22] The question now was less the viability of Indian nations in the United States than the viability of Indianness itself within the national polity. The Peace Policy was to do to the West what Reconstruction was to do to the South: modernize its people and fit them into a single national mold.

But how and under what terms that was to happen in the West was far from clear. Rather than streamlining U.S. Indian policy, the end of treaty making only sharpened its ambiguities. It did not negate existing treaties, nor did it abrogate tribal sovereignty, which survived in a reduced form and remained under federal assault. With the doctrine of individual wardship now guiding Indian policy, even a truncated indigenous sovereignty appeared an obstacle to assimilation. Believing that assimilation could succeed only if individual Indians were extracted from their culture, reformers extended the struggle over indigenous sovereignty from land and borders to law and personal lives by means of imposed education programs, social reforms, religious indoctrination, and federally controlled courts.[23]

The Cheyennes and Arapahos were the first Plains nomads to be exposed to this radical reconstruction, which aimed to regenerate the Indian race by eradicating kinship-based tribalism once and for all. By the mid-1870s, the Peace Policy had deprived both groups of elemental ingredients of sovereignty. Their ability to maintain territorial integrity, their right to govern themselves as they saw best, and even their ability to feed themselves had all been critically compromised. They had become domestic subjects of an American empire that sought to absorb them into its fabric. The path to the 1887 Dawes Severalty Act, the pinnacle of American Indian reconstruction, may have been more crooked than we have assumed, but it was already wide open.[24]

■ The history of Cheyennes and Arapahos captures the vast capacity of the military-administrative state to determine the terms of belonging in western North America during the Civil War era. It guides us to look at the South and the West through a single lens of continent-wide reconstruction: the reservation system that emerged in the late 1860s was a massive reconstruction mechanism—an acculturation accelerator—which functioned to dismantle Indian nations and deliver the individualized Indians into the national fold as wards. Like southern Reconstruction, this western Reconstruction was thought to be a temporary phase that would end

when national consolidation was complete and smallholding farming was a national norm. In this case, it would be the moment when Indians lived on family farms as U.S. citizens and there would be no reservations.

After the Civil War, many Americans believed that moment to be imminent; their nation, after all, had survived a cataclysmic existential crisis beside which the Indian question seemed a minor problem.[25] But the American colossus ran into a nomad wall that it simply could not scale. It had managed to pacify the central Plains, but things were dramatically different in the southern and northern Plains, where it encountered something it had not anticipated: indigenous empires of the Comanches and the Lakotas. Both people felt confident in their respective places in the world, both envisioned independent futures for themselves outside the United States, and both would expand into the 1870s, pulling the history of the American West in several directions among which a continent-spanning national union was but one of many.

For the Comanches, in fact, American expansionism was not the most pressing problem at midcentury; drought was. In the mid-1840s, a severe and prolonged drought had descended on the southern plains, devastating bison herds and triggering a demographic catastrophe that dismantled the Comanche empire that had stretched from the Arkansas Valley deep into northern Mexico. Comanches surrendered their raiding domains below the Rio Grande, gave up tribute extraction in New Mexico, and witnessed their commercial pull dissipate to almost nothing. By the late 1850s, they were refugees in their own country, gripped by an "exasperating sense of decay and impending extinction." Texas had pushed its ranching economy northward and immigrant tribes of Indian Territory had edged their way westward, forcing the Comanches to retreat into the far northwestern borderlands of their domain. Some bands had accepted a small reservation in north-central Texas, angering the majority of Comanches who insisted that federal agents did not possess the right to hand over Comanche lands. As the Civil War unfolded in the Southwest, Comanches struggled to remain neutral, negotiating with both Confederate and Union agents and trying to secure provisions from both.[26]

When the Confederacy collapsed, the Southwest appeared fixed on Washington's orbit. Texas was again in the Union, and the Comanches seemed to have vanished. But then the drought passed, unlocking a different trajectory: the Comanches began to recover. Their recovery was made possible in part because the federal government focused its resources on extending its authority over Confederate Texas rather than the Comanches. Six months after Appomattox, Comanche leaders met with a U.S. Peace Commission on the Little Arkansas River and received a tantalizing

Figure 2
In 1835, a U.S. dragoon expedition under Col. Henry Dodge approached a large Comanche village on the Cache Creek in what today is southwestern Oklahoma. Hundreds of mounted Comanche warriors rode out to face the Americans, forming a long line between the approaching troops and the village to proclaim Comanche power and sovereignty over the southern plains. Detail of Comanche Warriors, with White Flag, Receiving the Dragoons, 1834–1835, *by George Catlin. Image courtesy of Smithsonian American Art Museum. Gift of Mrs. Joseph Harrison, Jr.*

proposal: if they allowed military forts on their lands, the government would reaffirm their title to more than 140,000 square miles of grasslands—a massive realm for their five thousand or so surviving members. The proposal had a veiled agenda, which stemmed from Washington's Reconstruction policy in Texas. Some 40,000 square miles of the proposed reservation nominally belonged to the state of Texas, which had never acknowledged Indian claims within its unilaterally imposed borders.

Federal officials had always considered this an anomaly that reduced the Indians to an "embarrassed and perplexed condition." Reconstruction finally allowed them to rectify the situation while simultaneously appeasing the Comanches. Washington, in effect, handed over Texas lands to standardize its Indian policy and to buy peace from the Comanches.[27]

Federal Reconstruction's punitive streak in Texas proved a boon for the Comanches. With their core territory secured with an anti-Texas federal treaty, they mounted a dramatic comeback. Once again, they began to rearrange the Southwest after their own image, imposing their notions of borders, sovereignty, and property relations on others. They bolstered their numbers by incorporating Kiowas, Cheyennes, and Arapahos into their ranks and they began systematic raiding in the disarmed and exposed Texas, taking horses, cattle, and captives, and using the spoils to reinvigorate their customary borderlands trade in New Mexico, where U.S. Army officers quietly invested in the clandestine traffic. The result was the "great comanchero cattle trade," which would transfer at least four hundred thousand Texas longhorns to New Mexico by 1875. Comanches also found ready markets for captives—whether Indian, Mexican, or Anglo—in the post–Civil War Southwest, where federal agents launched a second war against slavery, now targeting the ancient borderlands traffic that had moved people in and out of captivity for generations. Having found new commercial opportunities in the United States' emancipation mission, Comanches kept stealing men, women, and children from frontier settlements and then handing them over to federal officers in New Mexico and Indian Territory for handsome ransoms in cash and goods.[28]

Federal Reconstruction in the Southwest had generated a large opening for the Comanches, who quickly filled it. They expanded their raiding operations over a massive swath of land extending from the Smoky Hill River into northern Mexico and from the virtually defenceless Navajo reserve in Bosque Redondo to Indian Territory, where many Indian nations struggled to recover from their own civil wars. By 1867, the Comanche sphere of influence stretched eight hundred miles north to south and five hundred miles east to west, creating an acute crisis of authority in the Southwest. As Americans saw it, the extension of the U.S. border to the Rio Grande in 1848 had transformed the Comanches from outsiders into insiders, while the two treaties they had formed with the federal government—in 1853 and 1865—had turned them into federal wards.[29]

The assertive Comanche independence in late 1860s was thus a rude wakening for American policymakers. Twenty years after the Treaty of Guadalupe Hidalgo, the United States was unable to honor Article 11, which obliged it to curb Indian incursions into Mexico. An estimated 1

million animals were moved north of the Rio Grande between 1848 and 1868, a blow to Mexico's stability and an embarrassment to the United States. The federal government also found itself unable to honor its obligations to removed Indians living in reservations that were supposed to be safe havens for cultural uplift. Texans, unable to dislodge the Comanches, were forced to expand their cattle kingdom toward the Rocky Mountains rather than into prime pasturelands in the north. And, from Texas to New Mexico and Indian Territory, Comanches circulated captives across national, state and territorial borders, sustaining the age-old borderlands captive economy and hindering the region's shift into free-labor capitalism. Across the Southwest, Comanche power politics were making a mockery of Washington's rationalization designs.[30]

This was a particular kind of rule. As nomads, Comanches could and would not seek direct control over foreign societies; instead, they sought access to foreign resources. They moved constantly through space, looking for openings across borders and borderlands, and it was that recurring mobile action that defined the limits of their power and jurisdiction. They rejected American claims for blanket sovereignty over the Southwest and insisted on following their longstanding practice of raiding some people (mostly Texans, Mexicans, Navajos, and immigrant Indians) and trading with others (mostly New Mexicans and federal agents). They sought to keep the connection between space and authority ambiguous and they wanted their world fluid and multi-nodal, a patchwork of local relationships and resource domains over which they could exercise ephemeral but enduring sway—a vision that directly challenged the American insistence that the Southwest comprised a single national space. Only fragments of that kinetic regime were visible to government officials in Texas, New Mexico, and Indian Territory, making it all but impossible to suppress. "What a disgrace," lamented one exasperated officer, "that our government should permit this plundering of the people on the frontiers of Texas by the Comanches to be encouraged by her own citizens giving to the Indians a market for their booty."[31]

It was an opportunistic resurgence made possible by the contradictions of federal Reconstruction in Texas and across the Southwest's borderlands. But, more fundamentally, it was a return to form: Comanches had orchestrated a reconstruction of their own by reviving their raiding and trading economy in a stripped-down form. They no longer had the numbers—or perhaps the resolve—to rebuild their empire of old, but they were expanding once again, now alongside and amid the American state.

In the fall of 1867, alarmed by the growing costs of Indian warfare and desperate to secure the central Plains for a railroad, the federal government

made another proposition to the Comanches. In exchange for allowing the construction of the Kansas Pacific along the Smoky Hill Valley, they would receive annuities and a small reservation in Indian Territory while retaining the right to hunt in their traditional lands below the Arkansas River as long as there were enough buffalo to "justify the chase." The resulting Treaty of the Medicine Lodge was a typical U.S.-Indian treaty, obscured by conflicting understandings (and intentional misunderstandings) of sovereignty, land, and ownership. U.S. agents believed that the Comanches, by accepting the reservation, had given up their claims to the rest of their territory over which they now only held a temporary hunting privilege. For Comanches, however, the right to hunt *was* ownership. The use and the ownership of land were inexorably linked. Living on a piece of land was a moral obligation that meant being a custodian of that land and preserving it for future generations. The only territorial concession the Comanches were willing to make were rights-of-way for overland travel. "I want it all clear and pure," Paruasemena, a prominent Comanche leader, said, "and I wish it so that all who go through among my people may find peace."[32]

The Cheyennes and Arapahos, who had signed their own treaties at the Medicine Lodge Creek in 1867, suffered a precipitous collapse in the hands of the U.S. Army, facing military defeat in 1869. Comanches, ranging across the Southwest, had more options. For several years after the treaty, they kept hunting, raiding, and trading on the grasslands and borderlands, elaborating their continued self-reconstruction. To ease the pressure on the bison, they incorporated their Indian Territory agency into their annual cycle as a seasonal supply base. They also relied increasingly on cattle and horses for food, building massive domestic herds that required a distinctly pastoral way of life. They felt strong and secure and looked to the future for continuity. "These Indians assert their right to roam at will in Texas," one Indian agent reported in 1870, "never having relinquished their rights thereto . . . we may expect a continuance of these raids." By then, peace was the official U.S. Indian policy, and the agent recommended negotiations.[33]

In 1872 federal officials tried to convince the Comanches to give up the hunt by insisting that the bison were about to vanish. Agents had issued such warnings for years, but now their words had teeth. The invention of new tanning technologies had caused the price of bison hides to skyrocket, attracting hundreds of American hunters into the central Plains, where the bison were nearly wiped out within a single season. But the southern Plains were still under Comanche jurisdiction and the bison herds there remained abundant, underwriting Comanche title to the land. One of the Comanche chiefs faced the officials down: "There were yet millions of buffalo," he said, "and there was no danger on that hand." But "lest they might

fail," he added, his people "had determined to hunt buffalo only next winter, then they would allow them to breed a year or two without molestation, and they would rely on Texas cattle for subsistence meantime."[34] Comanches were not adapting to an inevitable change or dispossession. They were adapting to remain the same and to rule the southern Plains.

■ Fewer than five thousand Comanches had frustrated the United States' nation-building project in the southern Plains into the 1870s. In the northern Plains in the early 1870s there were some fifteen thousand Lakotas, leading a massive intertribal coalition determined to dominate the region.[35] Like the Comanches and their allies, the Lakotas with their allies sought to harness American resources to bolster their power while keeping the American state at arm's length.

In the early nineteenth century, Lakota and American interests had largely complemented one another. The two people had extended their reach into the northern Plains simultaneously and often in tandem. Americans were eager to develop fur trade in the animal-rich region and Lakotas were eager to obtain guns, powder, and ammunition they needed to survive in the competitive indigenous world. American officials and merchants vaccinated the Lakotas, granted them preferential access to markets, and joined in fighting their enemies. Lakotas, in turn, boosted the expansion of American commerce across the Missouri basin by extending the fur catchment area far to the west. They fought several rival indigenous societies to expand their hunting domains and occupied the Black Hills. By the 1830s, the seven Lakota tribes dominated the grasslands between the Missouri and Powder Rivers—a massive projection of nomadic power into the West. Beneficiaries of that expansion, the Americans carved out a massive fur trading hinterland that stretched to the Rocky Mountains and linked the interior to eastern markets—their first meaningful economic and political expansion into the West.[36]

Lakota-American mutuality began to unravel in the 1840s, when market hunting began to eat into the bison numbers and push the herds westward. In response, Lakotas adopted an increasingly territorial approach to space. They shifted from raiding warfare to outright conquest, seeking exclusive rights to prime bison ranges and forcing the Pawnees, Kiowas, and Crows to retreat west and south. They were turning themselves into an imperial power, and when United States commissioners invited them to treaty talks in 1851, they already behaved like one. The conference at Fort Laramie was intended to showcase American power to Plains Indians, but it became as much a display of Lakota dominance over the northern Plains.[37]

This certainly was not the commissioners' intention. They considered the Lakotas the key to the pacification of the northern Plains and aimed to unite them into a single nation that would have closely attached to the United States. Lakotas, however, came to the council with an agenda of their own. And they came well prepared. They had kept the Pawnees from attending, thereby ensuring that they would dominate the proceedings. When the talks began, they promptly sidelined the American agenda of placing the tribes into bounded domains by insisting that borders should remain fluid and subordinate to the exigencies of nomadic hunting. "If there is anything I know," Black Hawk, an Oglala spokesman, said, "it is this country. . . . You have split the country, and I don't like it. What we live upon, we hunt for." Federal agents also pressured the Indians to elect a head chief for each of their tribes, but Lakotas insisted on their decentralized political organization, a stance that effectively neutralized the American strategy: the Lakotas would remain politically supple and mobile. Although the stipulation of head chiefs made it into in the treaty, it was plain to all that it was a dead letter.[38]

The Americans did get the Lakotas to allow the construction of roads and posts on their southern borderlands. In return, they received an annuity payment of more than $10,000, which both sides understood as a compensation for the disturbances the immigrants caused to indigenous riverine resources. The treaty assigned the Lakotas more than hundred thousand square miles north of the Platte River, the largest Native domain recognized in 1851 by a large margin. But Lakotas demanded the central Plains all the way south to the Arkansas River—still largely a Pawnee domain—as well as more territory in the west. They did so by the right of conquest. "These lands once belonged to the Kiowas and the Crows," Black Hawk explained, "but we whipped these nations out of them, and in this we did what the white men do when they want the lands of the Indians." No Pawnee protest could be heard, and the commissioners recognized Lakota hunting rights south of the Platte River, which Lakotas saw as confirmation of title. The treaty also stated that tribes could hunt outside of their assigned territories, a tacit recognition that raw military power, not lines on paper, would determine de facto tribal borders. It was not unclear to anyone, least of all to Lakotas, who would benefit from this. "We are a large band, and we claim half of all the country," said Blue Earth, a Brulé chief. "But," he added, "we don't care for that, for we can hunt anywhere."[39]

The Laramie conference was shot through with genuine and calculated misunderstandings: Lakotas believed Americans had recognized their sovereignty over much of the northern and central Plains and would not

oppose further territorial gains. Americans believed Lakotas had acknowledged their right to build roads and forts in the central Plains and had become wards of the federal government, one of the many quasi nations dependent on its patriarchal protection. Each side believed it now possessed a prerogative to realize its own vision for the Great Plains. For Americans, this meant securing access through them in the short term and their integration into the national body in the long run. For Lakotas, it meant securing access to the bison through diplomacy and, if necessary, war. The geopolitical context that mattered was still indigenous. Indeed, in most Lakota winter counts the memorable event of 1851 was a peace between the Lakotas and the Crows, not the treaty with the Americans.[40]

Both visions were expansive, if not indeed boundless, and thus ultimately incompatible. Both also appeared divinely ordained and therefore mutually exclusive. Americans and Lakotas both saw themselves as chosen people who were destined to dominate the West. Among the Lakotas, a shift to a fully equestrian lifeway and a recent conquest of the sacred Black Hills had brought a sense of expanded power and transcendence. The White Buffalo Calf Woman, their cultural prophet, had bestowed them with rituals with which they could balance the world and a spiritual mandate to extend *wólakʰota*, "peace," to those capable of proper behavior and thoughts. Among the Americans, rapid expansion westward had cultivated—and demanded—the coalescence of a racially charged manifest destiny to take over and civilize the continent.[41]

Collision was almost immediate, triggered by escalating overland migration along the Oregon Trail that disturbed bison herds and angered the Lakotas. But the historians' focus on the localized conflicts as the cause of the hostilities has obscured a larger truth. The Lakotas and Americans clashed not only because they were dissimilar and wanted different things but also because they were becoming more alike—ascendant people impatient with interfering rivals. The focus on the U.S.-Lakota clash has also obscured how completely the Lakotas were able to fulfill their vision for the West. After the Fort Laramie Treaty, they clearly recognized the threat the American colossus posed to their interests; yet their expansion would continue for a generation more, frustrating American ambitions for the West.

It was in the 1850s that the northern Plains slipped truly beyond the United States' control, creating an acute and prolonged crisis of authority. The bison herds continued to decline, which seemed to confirm Americans' belief that the Lakotas too would collapse, freeing the grasslands for settlement. Instead, the opposite happened. Lakotas intensified their military operations, now pressuring bordering Indians on three fronts: in the east along the middle Missouri River (Mandans, Hidatsas, and Arikaras),

in the south between the lower Missouri and Platte rivers (Pawnees and Omahas), and in the west in the Powder River country and the Rocky Mountain foothills (Crows, Shoshones, and Utes). The attention-soaking clashes between Lakotas and Americans along the Oregon Trail during these years were but a small part of a much larger Lakota policy to maximize hunting grounds. The expanding Lakota bands united behind a policy of banning all land cessions to the United States and forged close ties with the Cheyenne Dog Soldiers who also eschewed treaties that would reduce their hunting range. They were growing in numbers and filling out the northern Plains. When the Civil War erupted, there were more than thirteen thousand of them, commanding a massive realm that undercut American claims for supreme sovereignty in the West.[42]

Sporadic clashes with the Americans erupted into open violence in 1862, when the U.S. Army suppressed the Dakota Sioux uprising in Minnesota and then extended the conflict to the west by chasing Dakota bands that had sought refuge among the Lakotas. The Sand Creek Massacre two years later angered Indians across the Plains, buttressing their resolve to fight U.S. military presence. Just as the Union was inching toward victory over the Confederate South, its already fragile hold of the nomadic West slackened. After Appomattox, the volunteer frontier army shrunk dramatically as whole units deserted, weakening the U.S. government's bargaining position. When federal commissioners asked the Lakotas for more land for roads in the fall of 1865, they were categorically rebuffed. The Lakotas were adamant about their right to hunt wherever the bison were and to delineate their territory not with fixed lines but through mobility. Iron Nation, a Brulé chief, gave what might be the pithiest possible articulation of that maxim when the commissioners asked him where Frog, another Brulé chief, lived: "Everywhere; wherever he is." When Americans proceeded to open the Bozeman Trail in Lakota territory and build forts along it, the Lakotas went to war.[43]

It was a rebellion of a kind. Lakotas had rejected the federal government's pretensions of paternal authority, withdrawing from a partnership that had lasted some sixty years. *Wašíču*, white people, became enemies who were to be either killed or banished. The end of the Civil War eased things for the Union only slightly as public officials demanded the army be reduced or deployed to oversee southern Reconstruction. As Union presence faltered, Lakotas moved to complete their vision for the West. They approached other Native groups the Americans had alienated and pulled northern Cheyennes, northern Arapahos, Yanktonais, and Dakotas into a massive alliance that could mobilize some eight thousand horse warriors. The alliance was a military exigency, an attempt to push the American

state out, but it was also a manifestation of the age-old Lakota aspiration of uniting and pacifying the world through the expansion of *wólakʰota*. The northern Plains were becoming one kindred landscape, a vast indigenous realm beyond the world of the *wašíču*.[44]

By 1868, the Lakotas had largely realized their vision. They had defeated the U.S. Army in the Powder River War and effectively halted overland traffic, thereby undermining the very prospect of a continent-spanning American nation. The United States sued for peace; Red Cloud, holding the military upper hand, made the abandonment of the Bozeman Trail forts a condition for peace. The resulting Treaty of Fort Laramie of 1868—like its southern counterpart, the Treaty of Fort Atkinson—was filled with ambiguity. Intended to restrict Lakota power, it ended up boosting it.

The treaty created the Great Sioux Reservation, which was less than half the size of the 1851 reservation, and Lakotas ceded their claims on the central Plains and agreed to the construction of a railroad along the Platte Valley. This was an economically negligible concession as the region's bison herds had by then become severely thinned. But the treaty also reserved their "right to hunt on any lands north of North Platte, and on the Republican Fork of the Smoky Hill River, so long as the buffalo may range thereon in such numbers as to justify the chase," and it designated the lands east of the Big Horn Mountains and north of the North Platte as "unceded Indian territory." Rather than reducing the Lakota territory, the treaty seemed to formalize the Lakota conquests to date. The treaty also seemed to inadvertently anticipate future conquests, for it specified no northern boundary for the unceded Lakota territory. From an indigenous geopolitical perspective, the treaty sanctioned an emerging development: Lakota expansion was broadening into a quest to dominate all the northern grasslands west of the Missouri River and south of the Yellowstone River.[45]

The establishment of the Great Sioux Reservation formalized state presence in Lakota lives in the form of government agencies, schools, and missionaries. But, more immediately, it brought access to resources—rations, clothing, vaccines, and guns—that buttressed Lakota ambitions in the plains. By accepting government agencies on their lands, Lakotas conceded to a restricted or plural sovereignty over their home territory, but the agencies never became the kind of tools for cultural engineering the Indian Bureau intended. Federal agents meant to discipline and detribalize the Lakotas, insisting on head counts, obedience to head chiefs, and individual responsibility for what under U.S. law were crimes. Most Lakotas, however, visited the agencies only periodically. They outright refused to farm and forcefully demanded the United States honor its treaty commitments,

Figure 3
The distribution of food was the reservation agents' most effective method of making the nomads visible, accountable, and, as they hoped, tractable. The Lakotas defied the agents' efforts by moving constantly in and out of reservations. Ration Day at Pine Ridge Agency S.D. / C. G. Morledge. *Courtesy of the Denver Public Library, Western History Collection, call number X-31388.*

especially regarding food rations, the holding of which was the agents' only effective means to enforce compliancy. The Lakota society became a labyrinthine nexus of people and attachments that straddled reservation boundaries, preserving political integrity within them and sustaining territorial sovereignty without. That nexus was largely hidden from U.S. agents, who could see only fragments of it. Without fully realizing why, they saw their aspirations of administrative control crumbled in the face of the shape-shifting Lakota regime.[46]

To Indian agents, it all seemed random, a world out of joint. But in reality Lakotas were doing what they had done for generations. They kept the American state close but not too close and ruled the northern Plains by keeping things—relationships, possessions, violence, themselves—fluid and unfixed. They relied on a range of state-evading strategies—mobility, composite identities, social fission, and dispersion into rugged terrain—to avoid the tentacles of the American state and to buttress their nomadic

existence in its midst. Because their numbers kept growing while the bison numbers kept declining, that existence had to be increasingly expansionist. In 1869, they invaded Blackfoot country, breaking the confederacy's long dominion on the upper reaches of the Missouri Valley, where the bison ecology was still relatively healthy. This expansion was not an infringement of the Fort Laramie Treaty, which had left the door open for the Lakota push to the north. But, in a blatant violation of the treaty, Lakotas also raided the Pawnees along and south of the Platte River, preventing them from hunting and eventually forcing them to move to Indian Territory. The federal government, impatient to finally extend the Union Pacific Railroad along the Platte Valley, turned a blind eye.[47]

In 1869, the Union Pacific connected the eastern and western halves of the United States, making the nation truly modern. But the railroad stretched across a steppe land that was still decisively indigenous and decisively nomadic in character. The northern Plains were the seat of an expanding Lakota world, where the Americans operated on the margins, frustrated and often scared. In January 1870 alarming news came from the margin. The Second U.S. Cavalry, seeking to punish militant Blackfoot bands, had instead attacked a peaceful Piegan village on the Marias River, killing between 173 and 217 women, men, and children. It was yet another massacre by U.S. soldiers who struggled to carve out footholds on the perilous edges of the nomadic West.[48]

■ The 1860s and the 1870s witnessed a sustained application of state warfare and a marked move toward total war within the borders of the United States. On the face of it, the nomads' power stemmed from their military prowess, mobility, and ability to use the vast grasslands to their advantage. Looking back years later, General Sheridan puzzled over how few resources the war-weary Washington was ready to make available for the Plains Indian wars: "No other nation in the world would have attempted reduction of these wild tribes and occupation of their country with less than 60,000 to 70,000 men, while the whole force employed and scattered over the enormous region . . . never numbered more than 14,000 men."[49] The horse nations thus held the military advantage, but, in the end, their power and sovereignty rested on the bison. They could remain independent only as long as there were buffalo to sustain them. They had always known it, and by 1869 Sheridan knew it, too. His campaign against the Cheyennes and Arapahos that year had brought an exasperating decade-long war to an end. Modeled after his scorched earth tactics in the Shenandoah Valley during the Civil War, the campaign would in turn become a model for operations against other militarily prominent Plains nomads.

But not without major adjustments. The 1868–69 campaign had *isolated* the Cheyennes and Arapahos from the bison, preventing effective hunting. Such isolation would not be possible with the territorially more imposing Comanches and Lakotas. Two consecutive winter campaigns in 1871 and 1872 devastated the Comanches but did not vanquish them, leaving the federal government in a quandary: Texas demanded the Comanches be removed to Indian Territory, but federal agents knew that there were still enough bison left in Texas for Comanches to subsist on—and thus to keep the 1867 treaty in force. However, doing nothing was exactly what solved the problem. When American bison hunters violated the treaty by pushing south from the depleted central Plains in the spring of 1873, U.S. army units did nothing to stop them. Comanches went to war, but failed to end the slaughter, which may have exceeded 1 million bison a year. Two years later, the last starving Comanche bands moved to Indian Territory.[50]

In the northern Plains, too, the destruction of the bison became a means of indigenous dispossession. There, however, the principal agents of destruction were railroads and cattle, which, with the focused help of federal officials, destabilized the bison ecology. By 1868, the Union Pacific cut across the central Plains, preventing north-south migrations of the bison and thus compromising their reproductive capacity. Railroads also ushered in the cattle industry to Montana and Nebraska, further compressing the bison range. Columbus Delano, the secretary of the Interior, supported these developments precisely because they damaged the bison. In 1873, he reported that bison numbers north of the Platte could no longer support the hunt and urged Congress to abrogate the Lakota hunting rights in the region. Congress refused, but only to authorize two military expeditions into Lakota territory: one to safeguard the extension of the Northern Pacific Railroad up the Yellowstone River Valley and the other to survey the Black Hills for a major military fort.[51]

From the Lakotas' perspective, the two expeditions amounted to an unmitigated assault on their sovereignty. The first heralded the destruction of the last substantial bison herd in the Great Plains, and the second was an invasion of the very center of their world. A full-blown war erupted when gold was discovered in the Black Hills and Lakotas refused to sell or lease the mountains. The Lakotas had few illusions about the capacities of the American state, but they could still rely on a number of advantages. They were more comfortable with the terrain, they could put more warriors on the field, and if there were to be violence, it would be at close range and therefore to their advantage. In late 1875, with U.S. troops closing in, they still imparted an air of supreme confidence. "Surrounded by their native mountains," an Indian Bureau inspector reported, and "relying on

their knowledge of the country . . . they laugh at the futile efforts that have thus far been made to subjugate them. . . . [They] claim to be sovereign rulers of the land."[52]

The Lakotas and their allies did win several battles, but by 1875 the bison were nearly gone. The nomad alliance scored one more infamous victory in the summer of 1876, but it went into the winter with inadequate provisions and with U.S. cavalry units in hot pursuit. It was the last season of the nomadic Plains.

NOTES

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