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Author

Dewing, Rolland

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Fan Says” to “call before the reader certain astonishing created beings in this universe and let them speak their spiritual dimension...” (p. 179). Whether expressed in the tight discipline of the riddle or in the open-ended amble of the essay, his purpose is to accord everything its voice, its vitality, and its place. Such is the literary act of naming that brings into being that which was lost or might be, an act essential to the health of the American psyche.

In the beginning of the book, in “Walking among the Stars,” he describes the neighborhood of his childhood with all the symbolic resonance of Momaday’s Plains or Silko’s pueblo. Recalling the “cultured, responsible mansion” of John Joseph Mathews’ family, Revard imagines his mother (pregnant with Revard and his twin sister Maxine) and his revered Scotch/Irish Grandpa Camp gazing “one way at the Mathews house, the other at the jail” and wondering “which way we’d go, if we lived?” (p. 5).

Scholar’s mansion or jail: the likeliest paths open for the unborn children of 1930s Pawhuska. But these essays invite us to follow the more complex life of the poet’s mind, wild and disciplined, faithful to the tradition of creation, attentive to children and to the voices of elders in ceremony and scholarship alike, and voracious in his hunger for wide open pages; in this way he has chosen to send his voice among us.

Robert Bensen
Hartwick College

Ghost Dancing the Law: The Wounded Knee Trials. By John William Sayer. Cambridge: Howard University Press, 1997. 310 pages. \$29.95 cloth.

John W. Sayer is an Honorary Fellow at the Institute for Legal Studies, University of Wisconsin Law School. He holds a juris doctorate from the University of Houston (1970) and a Ph.D. in history from the University of Minnesota (1991). Sayer served as the director of Leech Lake Reservation Services, Cass Lake, Minnesota, in 1978 and 1979. He was directly involved in the Wounded Knee Legal Defense/Offense Committee (WKLDOC) during the 1974 trials of American Indian Movement leaders Russell Means and Dennis Banks for their leadership roles in the 1973 occupation of Wounded Knee, South Dakota.

Sayer states that he does not intend to provide a single truth or definitive history of the trials. Instead he hopes to “amplify voices from the past and identify structures and procedures that altered or silenced those voices, both as the events unfolded and over the course of time” (p. 8). Sayer maintains that legal institutions and the media tended to suppress political dissent, as illustrated by the numerous legal difficulties encountered by AIM leaders and the failure of the media to present their legitimate grievances fairly. The significance of the Wounded Knee leadership trial, nonetheless, was that it served as a political forum in which to air injustices against the American Indian, rather than a criminal trial, which is how the government tried to define it. “In my narrative of the trials, I emphasized the spoken record and people’s later reflection on that record,” said Sayer (p. 8). His access to pre-

viously untapped sources constitutes the strength of *Ghost Dancing the Law*. More than thirty participants, including prosecutors, defense attorneys, legal workers, judges, and defendants, were interviewed. Sayer also made extensive use of trial transcripts, legal motions and briefs, jury studies, correspondence, FBI files, and newspaper accounts.

Banks and Means, the co-leaders of the 1973 Wounded Knee takeover, were prosecuted by the federal government on charges of breaking and entering; burglary of firearms, food, and other items; assault with a gun; stealing an automobile; interference with law enforcement officials in the performance of their duties; and possession of unregistered Molotov cocktails. R. W. Hurd, assistant United States attorney in charge of prosecution, told the jury that the confrontation and civil disorder obstructed, impeded, and interfered with firearm and law enforcement officers and virtually impeded Congress and other federally protected functions (p. 38).

The plaintiff's defense emphasized the long history of mistreatment and misconduct that the federal government had showered upon the American Indian. If laws were broken, they were to implement a justified political protest. Means suggested it was the government that should be on trial. He singled out the United States Attorney's Office, the Department of the Interior, the Bureau of Indian Affairs, and the Federal Bureau of Investigation as oppressive to Indian people. His charges against them included harassment and intimidation, domination of tribal government, attempts to end traditional religion and beliefs, and government inaction in addressing wrongs. Specifically, Means charged that Pine Ridge Tribal Chairman Dick Wilson did not represent the people of the reservation. Means also charged that the Fort Laramie Treaty of 1868 had been continually disregarded illegally.

The Wounded Knee Legal Defense/Offense Committee (WKLDOC) coordinated the defense. WKLDOC attorneys were mostly from the liberal National Lawyer's Guild, an organization of about five thousand members that had been battling for liberal causes since 1936. The NLG was involved in the Wounded Knee protest from the start. William Kunstler, the legendary "Legal Wagon Master" of the New Left, headed the defense. Kunstler specifically defended Russell Means, while the volatile Mark Lane of *Rush to Judgment* fame represented Dennis Banks.

Other than the quality and effectiveness of the defense team, perhaps the two keys to the successful defense effort were the change of venue from South Dakota to the more liberal and sympathetic St. Paul, Minnesota, and the selection of federal Judge Fred Nichol of Sioux Falls, South Dakota. Nichol, a Democratic appointee who seemed preoccupied by the Watergate controversy, allowed the trial to drag on for eight months. Kunstler and Lane were determined to turn the trial into a political protest and were given plenty of leeway by Judge Nichol, who even allowed the defendants to cross-examine witnesses.

The jury never ruled on the case because one of the jurors became ill and could not continue. An eleven-man jury could decide, but this needed approval from both sides. The defense usually refuses if one is made, but Hurd was convinced the government's best chance rested with another trial and refused to continue. Judge Nichol promptly dismissed all charges saying

"I am rather ashamed the government was not better represented in this case" (p. 196). In addition to an illegal government wiretap, Nichol said that four "very serious matters" shaped his decision: the failure of the prosecution to turn over pertinent FBI documents; dishonest prosecution witness Louis Moves Camp; military involvement at Wounded Knee; and the government's refusal to allow the case to go forward. The Justice Department's appeal of the acquittal was dismissed on the grounds that a retrial would represent double jeopardy for the defendants.

As Sayer's title suggests, the defense had successfully "Ghost Danced" the law to attain two significant results. First, the defendants were not convicted, although they clearly seemed guilty of several of the charges. Second, the defendants and their attorneys managed to turn the trial into a political forum on United States-Indian relations. Although Sayer's contribution deserves approbation, better use of established sources would have improved his effort. Hardly any information about the leading characters in the book, Means, Banks, and Kunstler, especially, is provided. Means' ghost-written autobiography *Where White Men Fear to Tread* provides insightful analyses of the significant players. David De Leon's *Leaders From the 1960s* also provides excellent biographical sketches of all three plus bibliographical references. One theme focuses on the role of women in AIM, yet Anna Mae Aquash, the most visible female AIM leader, only receives a one-line mention (p. 213). Johanna Brand, *The Life and Death of Anna Mae Aquash*, tells Aquash's compelling story.

When Sayer addresses the Wounded Knee takeover and the events which fomented the Wounded Knee trials, the focus is less precise. Not only brief, it contains a number of inaccuracies that could easily be dispelled by sources he cites. For example, Sayer reports that two Indians were killed at Wounded Knee, the first being "Frank Clearwater, an Apache from North Carolina . . ." (p. 243). Frank Clear was a caucasian from Virginia as documented by his fingerprints. Besides the sources listed, *Indian Country Today* (formerly *The Lakota Times*), *Occupation of Wounded Knee: Hearings before the Subcommittee on Indian Affairs* (93rd Congress), and *Revolutionary Activities within the United States: The American Indian Movement* (U.S. Government Printing Office, 1976), would add perspective. Inclusion of a selected bibliography would also help.

Ghost Dancing the Law should be read by all interested in American Indian policy. The book will be of special interest to those wanting to learn about the legal process and minority rights, while other recognized works on the Wounded Knee occupation provide more complete background information.

Rolland Dewing

Chadron State College

Handbook of Native American Literature. Edited by Andrew Wiget. New York: Garland Publishing, 1996. 598 pages. \$24.95 paper.

In 1968, a little-known professor and scholar of nineteenth-century American literature published a visionary and utterly nonlinear novel about a Jemez