

MINNESOTA DAKOTA DIASPORA

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ABSTRACT

In the early Nineteenth Century, the Sioux had divided into three sub-divisions— the Dakota, the Nakota, and the Lakota. The Dakota occupied most of the territory now known as the state of Minnesota. During that century, through a variety of legal and illegal means, the Dakota lost the overwhelming majority of their land and were legally banished from Minnesota by federal law. This manuscript describes the process by which they lost not only their land but their right to live in Minnesota.

INTRODUCTION

The abandonment of Minnesota by the Dakota was the direct result of a little known war fought between the Dakota Sioux and the U.S. Army. By the time of the war, the Sioux, a loose alliance of tribes in the upper Great Plains, had divided into three sub-divisions. The Dakota (also known as Isanti) were to the east in what is now Minnesota, the Nakota (or the Yankton-Yanktonai) were in the middle in what would eventually be eastern South Dakota, and the Lakota (also known as Titunwan or Teton) were in western South Dakota (Gibbon 2003; Marshall 2004).

The war has a variety of names. It has been called among others the Great Dakota Conflict, The Great Sioux Uprising, Little Crow's War, and the War of 1862.

It was a short war lasting only about five weeks, but many on both sides were killed. During the brief war hundreds of white settlers and soldiers lost their lives. The consensus seems to be that at least five hundred white men, women, and children were killed (Coleman and Camp 1988:14; Eastern Dakota Timeline: 1660-1869 2004:8; The Dakota Conflict of 1862 2012).

The war was even more devastating for the Dakota. It resulted in the deaths of thousands (both directly and indirectly) of Dakota, the loss of almost all of the land they still owned in Minnesota, the virtual depopulation of Dakota from the state of Minnesota, and the largest one-day mass execution in the history of the United States (Anderson 1986:165; Coleman and Camp

1988:14; Eastern Dakota Timeline: 1660-1869 2004:8; The Dakota Conflict of 1862 2012). While there are still a few Dakota in Minnesota since not all Dakota fled and since some drifted back to their homeland, most Dakota never returned to Minnesota (Coleman and Camp 1988; Gibbon 2003).

THE LEGAL AND LEGISLATIVE CONTEXT OF THE DAKOTA SIOUX DIASPORA

The loss of their land in Minnesota by the Dakota Sioux represents one story in a darker side of American history. A First American society was, over the course of less than a century, deprived of virtually all of its land through the strategies of fraud, intimidation, manipulation, persuasion, and even naked force employed by white Americans.

The fate of this one society is not exceptional in the history of the United States. There are many instances in which First American nations lost their land to the virtually insatiable desire of white Americans for land. Other well-known examples are the forced removal of the Cherokee from north Georgia (Golden Ink 1996/1997; Sturgis 2006), the forced removal of the Seminoles from Florida (Hysup 2004), and the illegal confiscation of the Black Hills of South Dakota (Ostler 2010). If First American societies can be considered independent nations, then one way of describing the interactions among them and the United States is from the perspective of World System Theory (Wallerstein 1974; 1980;

1989; 2011). This theory suggests there are powerful nations, called core countries, that become wealthy by exploiting the resources of weak nations, called peripheral countries (Chirot 1977; Kerbo 2012; Shannon 1989). It can be argued there is no greater resource of a nation than its land base and no more extreme form of exploitation than the confiscation of that land base. The United States, a core country, has used ethnocentric religious beliefs, discriminatory legislation, and illegal activities to deprive First Americans nations, the peripheral countries, of most of their land in the North American continent.

The ultimate legal basis of this history of exploitation, at least from the standpoint of the United States, is a European-invented legal theory called the discovery doctrine (Utter 2001:10-12). This doctrine was created during the European age of discovery to try to limit conflict among exploring nations. It asserted that the European nation that discovered new lands owned those newly discovered lands. Natives in those lands had only the rights of occupancy, not ownership, and could be deprived of those rights through compensation or even violence. The United States accepted this theory early in the Nineteenth Century. "The United States officially embraced the discovery doctrine in 1823 through the Supreme Court case of *Johnson v. McIntosh*." (Utter 2001:11).

A religious component was added to this history of land confiscation with the creation of the term "Manifest Destiny," first used in 1845 by newspaper editor John O'Sullivan (Utter 2001:125-127). The term was used to assert that all lands westward from the Mississippi River to the Pacific were divinely ordained to belong to white America. Thus all lands taken from First Americans represented the fulfillment of a divinely ordained destiny.

Federal legislation, both legal and illegal, also played an important part in this history of the taking of First American land. In May 1830, President Andrew Jackson signed into law the Indian Removal Act which granted the federal government the right to exchange unsettled land west of the Mississippi for

Indian lands within states east of the Mississippi (Primary Documents in American History). The Cherokee challenged the law to the U.S. Supreme Court arguing they were a sovereign nation with recognized treaty rights. In the 1832 *Worcester v. Georgia* case, the U.S. Supreme Court ruled in their favor declaring that not only were they a distinct political community, but they had territorial boundaries guaranteed by the United States (Community Television of Southern California 2006). President Jackson ignored the decision and ordered the illegal forced removal of numerous First American nations, principally from southern states. Perhaps the most famous, or infamous, forced removal was the 1838-1839 "Trail of Tears" removal of the Cherokee from Georgia in which an estimated 4000 men, women, and children died on the march (Golden Ink 1996/1997; Primary Documents in American History; Sturgis 2006).

In 1887, the U.S. Congress passed what is arguably the law most hated by First Americans— the General Allotment Act, also known as the Dawes Act. It established a formula by which First American Indian land was to be allocated to First American individuals and families¹ (Dawes Act, The, 2001; Utter 2001:395; Wilkins 1997). A critical aspect of this law was that any land not distributed during the allotment process was declared as surplus by the Federal government and made available for homesteading. It is estimated that First Americans lost ownership of at least 50% of all of their land; some suggested the loss was as much as two-thirds (Native American Documents Project 2011; Burns 1996). It is important to note the First American ownership of the land that the Federal government declared as surplus had been recognized in treaties it had signed.

Finally, as surprising as it might seem, the desire of white Americas for the land of First American nations has not ended. In 1877, in response to the embarrassing defeat in 1876 of the American Army at the Battle of the Little Big Horn, the U.S. Congress declared as a law an agreement its representatives claimed to have negotiated with the Sioux

nation. The law confiscated 7.7 million acres of the Black Hills of South Dakota. For over a century, the Sioux tried to challenge the legitimacy of that law. Despite their efforts, the Black Hills remained in the hands of white America. That status changed in 1980. "On June 30, the Supreme Court, in an 8-1 decision, affirmed the lower court's decision that the federal government in exercising the powers of eminent domain, had indeed unconstitutionally taken the Black Hills from the Lakota people in violation of the Fifth Amendment and had not paid adequate compensation for the land." (Wilkins, 1997:225-226; see also Findlaw: Cases and Codes). The Sioux have refused all efforts at compensation for their illegally confiscated land. In other words, according to the 1980 Supreme Court decision *The United States v. the Sioux Nation of Indians*, the United States is continuing to occupy illegally confiscated First American land. At present, the case is unresolved (Stover 2011).

THE GREAT DAKOTA CONFLICT

The ultimate cause of the war that drove the Dakota from Minnesota was the desire of white Americans for Dakota land. In the 1600s and 1700s, the Dakota occupied much of the land in what is now known as Minnesota, but they were not alone. There are stories of missionaries and traders moving in and out of this territory. There is some evidence of contact and even conflict with other First American societies. Apparently, during the 1700s, the Ojibwa coming west was able to force the Dakota southward toward the Mississippi and Minnesota River valleys (Eastern Dakota Timeline: 1660-1869 2004).

But before the war which drove the Dakota from Minnesota, they had lost virtually all of their land. The ultimately successful seizure of Dakota land by white Americans began in earnest in the early 1800s. In 1805, the Dakota were persuaded to make their first land concession; they sold 100,000 acres at the mouths of the St. Croix and Minnesota Rivers (Coleman and Camp 1988; Gibbon 2003:81). In 1837, they were convinced to

sign the Treaty with the Sioux, a treaty giving up all of their land east of the Mississippi (First People: Treaties and Agreements 2010; Gibbon 2003:5). In 1851, the first governor of the territory of Minnesota Alexander Ramsey embarked on an effort to persuade the Dakota to give up their land in the southern part of the state to satisfy the land demands of white Americans who had flooded into Minnesota when it became a territory in 1849. Through a combination of political intimidation and ultimately military violence, Governor Ramsey forced the Dakota to sign the 1851 Treaty of Traverse de Sioux, a treaty giving up 20,000,000 acres of Southern Minnesota in exchange for a reservation consisting of narrow strips of land on both sides of the upper Minnesota River (Coleman and Camp 1988; Eastern Dakota Timeline 1660-1869 2004; Gibbon 2003:5; Minnesota Territorial Pioneers, Inc. 2010).

The reservation was about 150 miles long and extended 10 miles on either side of the Minnesota River (Anderson 1986:120). However, the Treaty contained provisions of which the Dakota were unaware. They were given control of the reservation for only five years, after which they lost that control (Anderson 1988; Berg 1993). When told they had been deceived and owned no land, they were understandably upset. They were then offered full ownership of half of the reservation they had been promised. They reluctantly agreed to the reduction; they had little choice (Anderson 1988; Berg 1993; Coleman and Camp 1988).

They were thus exiled from their native Minnesota woodlands and consequently limited in their ability to hunt and gather to augment their farming lifestyle. However, as part of the agreement, the Dakota were supposed to be compensated for their loss. According to the terms of the treaty, substantial sums of money were to be provided by the government to pay for the costs of moving the Indians to the new reservation, educating them, establishing agencies and providing supplies and annual cash payments. Unfortunately for the Dakota, through fraud and mismanagement most of the supplies and money were siphoned off

before getting to the Dakota and they received few of the promised resources (Anderson 1986; Berg 1993; Coleman and Camp 1988; Swain 2004).

A decade later, in 1862, many of the Minnesota Dakota faced starvation on their reservation. Crops had failed the year before. The winter had been long and harsh. And the annual disbursement of supplies and money had been delayed by bureaucratic red tape. Thousands of Dakota gathered at the two reservation agencies –the Upper Sioux Agency near the Yellow Medicine River and the Lower Sioux Agency near the Minnesota River– seeking the food to which they were entitled. They were told no supplies would be released until authorization was provided (Coleman and Camp 1988; Eastern Dakota Timeline 1660-1869 2004).

In August, Dakota at the Upper Sioux Agency demanded the food and supplies due them in June. When they were again rebuffed, they stormed the agency warehouse and took 100 sacks of flour. A military detachment quelled the incident (Coleman and Camp 1988).

Little Crow, perhaps the most prominent Dakota leader and one of the leaders who had signed the 1851 treaty, rushed to the Agency to try to mediate the crisis. At a meeting of the Dakota and the white traders at the agency, Little Crow suggested the Dakota be given the supplies they sought, to be paid for when the authorization was given and the reimbursement arrived. A compromise was worked out and the crisis was apparently resolved. However, during the negotiations, one trader, Andrew J. Myrick, is alleged to have issued what is perhaps the most infamous statement of the war– “So far as I am concerned, if they are hungry, let them eat grass” (Anderson 1986:128; Anderson 1982-1983:198; Coleman and Camp 1988:9). When Myrick’s remark was translated, the Dakota exploded with indignation. They went back to their villages to consider war.²

Several days later at the very beginning of the war, Myrick’s dead body was found filled with arrows and his mouth was filled with

grass. The Dakota had taken their revenge on him for his comment.

August 17th, 1862 was a Sunday. Four young Dakota males were returning from an unsuccessful hunt. They neared the farm of Robinson Jones and asked for water. Jones and his family had no reason to fear the young men since Dakota had been seen in the area before. The young men turned their guns on the whites and within seconds had killed Jones, his wife, their son, an adopted daughter, and a neighbor who had just arrived from Wisconsin (Coleman and Camp 1988). The Great Dakota Conflict had begun.

The four Dakota warriors sought refuge at the Shakopee village near the Lower Sioux Agency on the Minnesota River and recounted what they had done. Little Crow and the other senior Dakota knew there would be a white American response. After a night of discussion and debate, Dakota decided to launch a war against the white Americans. Little Crow warned the other Dakota that the white Americans were too powerful to be defeated and cautioned against the war. Out voted, he agreed to lead them in a last-ditch effort to restore the Dakota homeland (Anderson, 1986; Coleman and Camp 1988).

Over the next several weeks, the Great Dakota Conflict played out in the Minnesota River Valley.³ It is estimated that at least 500 white Minnesotans –men, women, and children– were killed. (Coleman and Camp 1988:14; Dakota Timeline: 1660-1869 2004:8; The Dakota Conflict of 1862 2012). An unknown number of Dakota were killed; some estimates put the number at about 60 (Eastern Dakota Timeline 1660-1869 2004:8; The Dakota Conflict of 1862 2012:1).

By the end of September, the war was over. After suffering a decisive defeat at the hands of the U.S. Army on September 23, Little Crow and some of his followers began fleeing the state. Many other Dakota warriors were captured.

Trials quickly began for the captured Dakota warriors accused of participating in the conflict. The trials, heard by a five-man military commission, concluded on November 5. More than 300 Dakota were sentenced to

death. President Lincoln, hearing of the sentencing, intervened in the trials. He ultimately approved of the hanging of 39 Dakota. One was subsequently pardoned. On December 26, 1862, in Mankato, Minnesota 38 Dakota men were hung simultaneously. It was the largest one-day mass execution in the history of the United States (Anderson, 1986; Coleman and Camp 1988; East Dakota Timeline 1660-1869 2005; Hudetz 2006).

There immediately followed a mass exodus of Dakota from Minnesota and the state was virtually depopulated of Dakota. Fearful of being the victims of white American violence, Dakota fled to present day South Dakota, Nebraska, Montana, and Canada.

In 1863, the U.S. Congress punished the Dakota by nullifying all treaties, revoking all financial agreements, and enacting a law mandating the expulsion of the four subgroups of the Dakota –the Sisseton, Wahpeton, Mdewakanton, and Wahpekute–from Minnesota (Berg 1993; Eastern Dakota Timeline: 1660-1869 2004). Although the law, entitled an Act for the Removal of the Sisseton, Wahpeton, Mdeawakanton, and Wahpakoota Bands of Sioux or Dacotah Indians, is no longer enforced, the law has not been repealed (Busch 2009).⁴

Over the following years, a few Dakota drifted back into the state. Little Crow did. In 1863, he and his son were discovered raiding a farmer's garden. The farmer shot and killed Little Crow. His son hid the body. However, it was quickly discovered and dismembered (Anderson, 1986).

Eventually, Little Crow's remains were recovered and given to the Minnesota Historical Society where they were displayed for many years. They were finally buried at Flandreau, South Dakota 108 years after his death (Gibbon 2003).

In July 2007, the War of 1862 reappeared as a current issue in a federal court (Hudetz 2006). The case, entitled *Wolfchild v. the United States*, involves the descendants of the Mdewakanton tribe of the Dakota Sioux. The Mdewakanton did not attack the white Americans and in some cases actually saved some white Minnesotans from Dakota

warriors. In 1886, the federal government documented the actions 208 of them and in appreciation bought three tracts of land for their benefit and that of their descendants. Casinos have now been built on those three tracks of land by the Shakopee, Prairie Island, and Lower Sioux Mdewakanton bands. Sioux who can document their descendancy from the original 208 of Dakota are suing for a share of the profits from the casinos.

CONCLUSION

The experience of the Dakota Sioux represents a dark chapter in the history of inter-ethnic relations in the United States. It is a story of the forced removal of the people a nation from the state of Minnesota. It starts at the beginning of the 19th Century when that nation occupied virtually the entire state of Minnesota. But white Americans coveted their land and by a variety of legal and illegal means deprived the Dakota of the overwhelming majority of that land. By 1862, the Dakota land holdings had been reduced to a very small reservation on the west side of the Minnesota River. In the summer of 1862, pushed to act by perceptions of maltreatment by the federal government and by the traders in the Indian agencies, and by the threat of starvation, the Dakota went to war with the United States. They were quickly defeated. Many Dakota warriors were captured. Thirty-eight Dakota men were hung in Mankato, Minnesota in the largest one day mass execution in the history of the United States. Many captured warriors were shipped out of Minnesota. The remaining Dakota fled the state, going to Canada, Montana, North Dakota, and South Dakota. The U.S. Government then enacted legislation banning the Dakota from Minnesota.

END NOTES

- ¹ Title to their land was not immediately given to the First Americans. It was held in trust for twenty-five years, at which time the owners of the land would obtain full title to their land.

- ² Anderson presents an analysis very skeptical of this account, calling it a myth (1982-1983). He accepts that Myrick was reluctant to allocate the food to the Dakota and that he probably did utter the insensitive phrase. However, he questions whether the insult played much of a part in the initiation of the war since it was uttered several days before the War began and since the farming Dakota assembled at the Lower Sioux Agency – where the first assault in the war occurred– had just harvested a good crop and were not hungry. The Dakota who were desperate for food were the buffalo hunters of the Upper Sioux Agency.
- ³ In his 1986 biography of Little Crow, Anderson provides a thorough well documented description of the war, of its causes, and aftermath. See pages 89-179.
- ⁴ In April 2009, Minnesota’s House and Senate began consideration of bills urging the repeal of the 1863 federal legislation ordering the removal of the Dakota from Minnesota (Busch 2009).

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Playing with Shadows: Voices of Dissent in the Mormon West

Edited by Polly Aird, Jeff Nichols, and Will Bagley
ISBN 978-0870623806

This collection of narratives by four individuals who abandoned Mormonism provides an overview of dissent from the beginning of the religion to the early twentieth century and presents a wide range of disaffection with the faith or its leaders.

Newspaper articles, personal letters, journals, and sermons provide context for the testaments collected here—those of George Armstrong Hicks, Charles Derry, Ann Gordge, and Brigham Young Hampton.. Young warned one dissenting group that they were "not playing with shadows," but with "the voice and the hand of the Almighty"; accordingly, many dissenters feared for their livelihoods, and some, for their lives.

Historians will value the range of beliefs, opinions, complaints, hopes, and fears expressed in these carefully annotated life histories. An antidote to anti-Mormon sensationalism, these detailed chronicles of deeply personal journeys add subtlety and a human dimension to our understanding of the Mormon past.

