

Treaty of Fort Laramie (1868)

The **Treaty of Fort Laramie** (also called the **Sioux Treaty of 1868**) was an agreement between the United States and the Oglala, Miniconjou, and Brulé bands of Lakota people, Yanktonai Dakota, and Arapaho Nation^[1] signed in 1868 at Fort Laramie in the Wyoming Territory, guaranteeing to the Lakota ownership of the Black Hills, and further land and hunting rights in South Dakota, Wyoming, and Montana. The Powder River Country was to be henceforth closed to all whites. The treaty ended Red Cloud's War.

In the treaty, as part of the U.S. vendetta to "divide and conquer", the U.S. included all Ponca lands in the Great Sioux Reservation. Conflict between the Ponca and the Sioux/Lakota, who now claimed the land as their own by U.S. law, forced the U.S. to remove the Ponca from their own ancestral lands in Nebraska to poor land in Oklahoma.

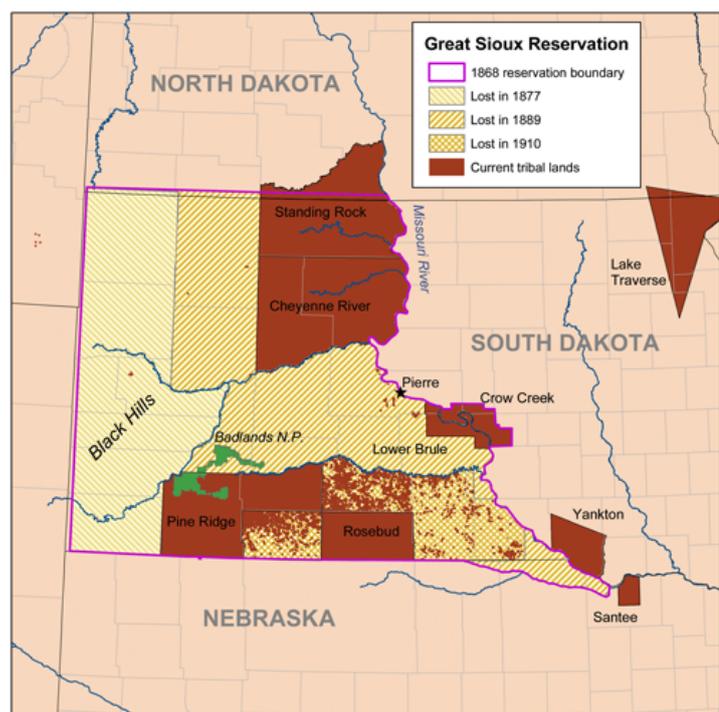
The treaty includes an article intended to "ensure the civilization" of the Lakota, financial incentives for them to farm land and become competitive, and stipulations that minors should be provided with an "English education" at a "mission building." To this end the U.S. government included in the treaty that white teachers, blacksmiths, a farmer, a miller, a carpenter, an engineer and a government agent should take up residence within the reservation.

Repeated violations of the otherwise exclusive rights to the land by gold prospectors led to the Black Hills War. Migrant workers seeking gold had crossed the reservation borders, in violation of the treaty. Indians had assaulted these gold prospectors, in violation of the treaty, and war ensued. The U.S. government seized the Black Hills land in 1877.

More than a century later, the Sioux nation won a victory in court. On June 30, 1980, in *United States v. Sioux Nation of Indians*,^[2] the United States Supreme Court upheld an award of \$15.5 million for the market value of the land in 1877, along with 103 years worth of interest at 5 percent, for an additional \$105 million. The Lakota Sioux, however, refused to accept payment and instead demanded the return of their territory from the United States.



General William T. Sherman (third from left) and Commissioners in Council with chiefs and headmen of different bands of the Sioux, including Arapaho Indians, Fort Laramie, Wyoming, 1868. Photograph by Alexander Gardner



Map of the 1868 Great Sioux Reservation, and the subsequent changes in reservation borders

In more recent proceedings the U.S. Courts have seen that the some of the monies associated with the claim have been expended and, as such, claim that the agreement is valid. In fact, several thousand tribal members have filed for and are awaiting for a final decision by the Court to decide to issue the resources to tribal members.^[citation needed]

The treaty and its aftermath is the subject of a 1986 video by the Native American Public Broadcasting Consortium.^[3]

Purification ceremony lawsuit

On November 30, 2009 news reported the November 2nd Lakota nation lawsuit against the U.S., Arizona State, James Arthur Ray and Angel Valley Retreat Center site owners, to have Ray and the site owners arrested and punished under the Sioux Treaty of 1868 between the United States and the Lakota Nation, which states that “if bad men among the whites or other people subject to the authority of the United States shall commit any wrong upon the person or the property of the Indians, the United States will (...) proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also reimburse the injured person for the loss sustained.”

The Lakota Nation holds that James Arthur Ray and the Angel Valley Retreat Center have “violated the peace between the United States and the Lakota Nation” and have caused the “desecration of our Sacred Oinikiga (purification ceremony) by causing the death of Liz Neuman, Kirby Brown and James Shore”. As well, the Lakota claim that James Arthur Ray and the Angel Valley Retreat Center fraudulently impersonated Indians and must be held responsible for causing the deaths and injuries, and for evidence destruction through dismantling of the sweat lodge. The lawsuit seeks to have the treaty enforced and does not seek monetary compensation.

The leaders said the ceremony is their way of life and not a religion, as white men see it. It is Native American property protected by U.S. law and United Nations declaration. The ceremony should only be in the hands of sanctioned lodge carriers from legitimate native nations.

Notes

- [1] "Fort Laramie Treaty, 1868." (<http://www.pbs.org/weta/thewest/resources/archives/four/ftlaram.htm>) *Archives of the West*. (retrieved 19 Dec 2010)

References

- "Treaty with the Sioux — Brulé, Oglala, Miniconjou, Yanktonai, Hunkpapa, Blackfeet, Cuthead, Two Kettle, Sans Arcs, and Santee — and Arapaho, 1868" (Treaty of Fort Laramie, 1868). (<http://digital.library.okstate.edu/kappler/Vol2/treaties/sio0998.htm>) 15 Stat. 635 (<http://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=015/llsl015.db&recNum=0668>), Apr. 29, 1868. Ratified Feb. 16, 1868; proclaimed Feb. 24, 1868. In Charles J. Kappler, compiler and editor, *Indian Affairs: Laws and Treaties — Vol. II: Treaties*. Washington, D.C.: Government Printing Office, 1904, pp. 998-1007. Through Oklahoma State University Library, Electronic Publishing Center...
- Nina Rehfeld, Lakota Nation files lawsuit against parties in sweat lodge incident (<http://www.sedona.biz/lakota-tribe-files-lawsuit-sweat-lodge-incident-sedona111209a.php>), www.sedona.biz, 11/12/2009
Wikipedia:Link rot

External links

- National Archives: Sioux treaty (<http://www.archives.gov/education/lessons/sioux-treaty/>)
 - Text of the Fort Laramie treaty (<http://www.pbs.org/weta/thewest/resources/archives/four/ftlaram.htm>)
 - Map of treaty land (<http://www.dickshovel.com/1868.html>)
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