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# Cultured Memories: Power, Memory, and Finalism

RICHARD MORRIS AND MARY E. STUCKEY

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“We tried to run,” Louise Weasel Bear said, “but they shot us like we were a buffalo. I know there are some good white people, but the soldiers must be mean to shoot children and women. Indian soldiers would not do that to white children.”

—Dee Brown, *Bury My Heart at Wounded Knee*

Social images of Indian/white relations, so typically born and nurtured in fiction, frequently seem impervious to fact, circumstance, perspective, or even argument. Despite a public that in record numbers consumed descriptions like the one that closes Dee Brown’s 1971 book, for instance, official accounts of the massacre at Wounded Knee—like nearly all official images of Indians—persistently reproduce a Manichean narrative that pits good against evil, White against Red, civilization against savagery.<sup>1</sup> Why and how this is so continues to confound. The obvious, albeit simplistic, explanation is that “the winners write the histories.” A more complete understanding of how and why intercultural relations and images have sustained a moribund and at times even morbid bearing requires a more comprehensive explanation, however.

In what follows we provide an explanation that merges Todorov’s concept of “finalism” with rudiments of social memory and an analysis of two days of hearings before the United States Senate Committee on the Judiciary in February 1976.<sup>2</sup> Our central thesis is that finalism serves as a mechanism that greatly aids the development and maintenance of social amnesia about Native identities and accomplishments, on the one hand, and the calcification of social memory, on the other. Together, these elements render Indian voices not simply irrelevant but also fundamentally anti-American.<sup>3</sup>

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## FINALISM AND SOCIAL MEMORY

Columbus performs a “finalist” strategy of interpretation, in the same manner in which the Church Fathers interpreted the Bible: the ultimate meaning is given from the start (this is Christian doctrine); what is sought is the path linking the initial meaning (the apparent signification of the words of the biblical text) with this ultimate meaning.

—Tzvetan Todorov, *The Conquest of America*

Without elaborating, Todorov identifies “finalism” in this passage as a communicative and historical form of reasoning aimed at closing interpretation, thwarting challenges to the existing order, and sustaining elements of social memory.<sup>4</sup> Considered on an individual level, where it functions as a logical impediment to alternative frames, finalism thus often looks like a kind of question-begging, where one’s conclusion is embedded in the very argument supposedly yielding its outcome. At this level finalism might be understood as a set of fallacious communicative activities in which anyone might engage—a sort of post hoc rationalization. An individual convinced of a partner’s infidelity, for example, might begin to interpret past, present, and projected future behaviors and events through the lens of finalism so that everything finally “makes sense”—to such a degree that alternative explanations are foreclosed, even impermissible. Members of a group of concerned citizens might similarly conclude that “the government” is conspiring to destroy the environment in pursuit of antienvironmental ends, thereby finally “making sense” of “the government’s” past, present, and projected future actions and motives—to such an extent that governmental explanations inevitably become mere “rationalizations.”<sup>5</sup>

Yet finalism is more than a logical fallacy, a stylistic paranoia in search of its “other,” an image of the idealized self temporally projected, a homogenetic impulse seeking to silence difference, a conclusion in search of the “right” kind of evidence, an *ex ante* prescription, a kind of *grand récits*, or even ordinary hubris fueled by fear—although it is all of these. Adjoined with collective memory at cultural and social levels where its political potential reveals itself most starkly, finalist discourse also entails an ability to create silence, to set and discipline the boundaries of compromise and negotiation, to establish and enforce the criteria of interpretation and acceptability, to signal ownership of the discursive domain and all things with which that domain might be associated; for it is precisely at the juncture where finalism seeks to merge with collective memory as a means of fighting against such elasticity that its power as arbiter becomes extraordinary.

A measure of that power emerges when finalism affects memorative calcification that reflects the worldview and ethos of the members of a particular culture to the exclusion or detriment of other cultures.<sup>6</sup> In his effort to account for how Andrew Jackson garnered an exceedingly positive reputation as one of America’s “greatest presidents” despite clear evidence to the contrary, for instance, historian Andrew Burstein almost offhandedly offers an explanation that features Jackson as a classic example of finalism’s ability to

calcify cultural memory. Whatever the facts or circumstances may be about any particular person, place, or phenomenon, he suggests, we “recognize in the public consciousness a need to feel good about ourselves. We gauge our prospects as a people by locating a past from which we can draw hope and pride. Heroes become necessary in such an enterprise.”<sup>7</sup> The formula here is powerfully simple: America desperately needed heroes to buttress a fledgling nation; despite his behaviors and actions, Jackson offered up a larger-than-life figure; those in a position to influence cultural memory did so by installing him as a cultural and social hero.<sup>8</sup> Within the specific context created by the union of finalism and cultural memory, calcification of Jackson’s image became a self-sustaining project.

When finalism enters the far more contentious and less easily molded arena of social memory, calcification must be fortified through conscious production of social amnesia to prevent the possibility of “contamination.” Whereas calcification working within cultural memory protects revered images from “friendly” modification by cultural members, amnesia conjoined with social memory guards against installation of images that might contradict or otherwise call into question the authenticity or legitimacy of the protected image(s). Social amnesia, in turn, renders protected memory monolithic, thereby entrenching, rather than allowing for collective production of, social memory.

Two forms of social amnesia serve here as calcification’s most powerful allies in the effort to preserve favored social memory. Efforts to block social transmission of images that conceivably might disturb privileged memory effectively create retrograde social amnesia, on the one hand, by thwarting attempts to remember events that occurred before the onset of the advantaged memory and anterograde social amnesia, on the other, by warding off efforts to record potentially contrary ongoing events subsequent to the installation of privileged memory. Just so, the mere construction of laudatory images of Jackson would be wholly insufficient to sustain his place in social memory in the face of defamatory images (retrograde) or changing attitudes regarding race and gender (anterograde). Then, too, the more entrenched a memory’s calcification is, the more it attaches to surrounding images so that challenges to the initial image presumably also challenge the images to which it is attached (images of the US Army’s 7th Cavalry and its subsequent attachment to military conquests and accomplishments, including the soldiers singing Custer’s favorite song as they crossed the Iraq/Kuwait border in the spring of 2003, for instance). More, because finalism envisions a specific set of images and outcomes intimately related to cultural and social ego, other routes, materials, and even marginally contrary evidence are *de facto* impermissible. This is doubly so when a set of images is linked to a cultural and social ego characteristic that undergirds the reality on which that ego is based (for instance, notions of good and evil, right and wrong, civilized and primitive).

Through this configuration, finalism perpetuates a variety of ideological exclusion that is a by-product of the role of social memory, which at a minimum reflects the ethos and worldview of the status quo along with whatever concessions competing groups can obtain. When others seek to transform,

transfigure, or otherwise alter elements of social memory by attempting to install elements that obviously conflict with one or more significant elements of the dominant ethos and worldview, conflict is inevitable. Social memory can accommodate some modifications, to be sure; but the extent to which the status quo finds such modifications acceptable or even allowable is proportional to the extent to which those modifications contravene already accepted elements of how elites prefer to see themselves.

This explains why the creation and maintenance of nations often depend on culturally created fictions that are deeply rooted in social memory, as well as why the constitutive nature of social memory relies on what is remembered, what is forgotten, and by whom.<sup>9</sup> One of the things that makes the amalgam of finalism and collective memory so potent is that it seamlessly combines the fictive with the factual where the former supplies and supplants whatever elements the latter lacks. This makes the contestable incontestable by removing protected memory from boundaries that otherwise would require evidence, simultaneously sealing ingress and egress to social memory. Because different groups within a given nation read different meanings into the same events, the consequences of what is or is not installed in and protected by social memory can have a powerful effect on the definitions of collective identities and on the place of minorities within the social order.<sup>10</sup> Although collective identities generally emerge from shared fictions, myths rooted in a romanticized past, some fictions clearly are healthier for, and more productive of, democracy than others.<sup>11</sup>

To explore relationships among power, memory, and finalism more thoroughly, we turn to cases presented by proponents and opponents of two bills presented to the United States Senate Committee on the Judiciary in February 1976, bills designed to award “compensation to descendants or survivors of the Army’s massacre of Sioux Indians at Wounded Knee Creek in South Dakota in 1890.”<sup>12</sup> To clarify the operations of finalism and social memory within these cases, we begin with an examination of the case made in defense of the bills, as well as the oppositional case offered by the US Army. Even as they provide competing and sometimes apparently contradictory versions of events, both cases are fundamentally rooted in finalism and, as such, help to illustrate some of the key features and dangers of this mode of thinking and expression. As a means of recontextualizing these two instances of finalism, we then turn to Native American narratives also presented at the Senate hearings and discuss why they necessarily existed outside the vision of both sets of finalist narratives—even the narrative specifically designed to support the Natives’ claims.<sup>13</sup> Finally, we turn to a discussion of these narrative styles and how some stories persist even at the expense of clearly more defensible alternatives. Our aim is to use these narratives to illuminate the workings of finalism so we might more generally and deeply understand narratives relevant to the construction, maintenance, and preservation of national identity.

## CONTESTED NARRATIVES

In February 1976 the Senate Committee on the Judiciary convened a two-day hearing on Senate Bills S. 1147 and S. 2900, both of which proposed “to liquidate the liability of the United States for the massacre of Sioux Indian men, women, and children at Wounded Knee on December 29, 1890.”<sup>14</sup> Introduced by Senator James Abourezk (D-SD), these bills sought to authorize payments of \$3,000 for “each Sioux Indian man, woman, or child who suffered death in the massacre . . . [and] for each man, woman, or child who suffered wounds or other bodily injury in said massacre the sum of \$3,000, which shall be paid to the injured individual if living, to his or her heirs, if deceased.”<sup>15</sup>

This was not the first time someone had attempted to provide compensation for survivors of Wounded Knee. In 1938 and again in 1954 legislators had considered similar proposals, but those proposals, like S. 1147 and S. 2900 in 1976, failed. Rather than understanding these failures as the exertion of political dominance by the US government over indigenous nations, Senator Abourezk understood them as essentially democratic failures—failures of argumentation. From his point of view, the previous legislative attempts had failed because of a spurious argument “supposedly based on historical fact, which described the events in 1890 not as a massacre, but as a restrained compassionate response to an Indian provocation.”<sup>16</sup> Believing “better” arguments in 1976 might finally result in legislation authorizing the government to compensate survivors or their descendants for the atrocities committed in 1890, Abourezk marshaled as much rhetorical talent and compassion as he could in a concerted effort to advance the case and finally redress in some small measure the wrongs of a shadowed past. Despite his good intentions, Abourezk did not understand that the cases brought in 1938, 1954, and 1976 could not be strengthened simply by appeal to stronger or better or higher-order reasoning, that in important respects reasoning and narrative fidelity were not centrally at issue. What was at issue was that reparation for war crimes against Native Americans did not and still does not fit comfortably with the dominant frameworks of social memory—with the way contemporary beneficiaries of US Indian policies prefer to view themselves, with a romanticized past, or with the way Indians-as-Others must be portrayed for social memory to remain intact.

What he did not understand he could nevertheless enact. But that enactment, ostensibly an effort to alter social memory, was ultimately rendered lifeless by finalism. Abourezk’s reading of the historical record, his understanding of the consequences and implications of that history, and, most important, his use of the Native American narratives of the massacre were all constrained by his finalist assumptions and conclusions. Throughout the hearings, Abourezk sought to replace one particularistic version of history with another, to replace one element in social memory with like elements. Like the army’s narrative (elaborated later), Abourezk’s narrative nonetheless validated and idealized American cultural power even while criticizing it.

Despite his demonstrably good intentions, Abourezk’s understanding of the United States as committed to values rather than to self-interest was central to his reasoning. He understood those values to have been violated at

Wounded Knee, and he sought to redress that wrong to realign America with its core values. He could not see the possibility that American values could be used to further American self-interest; consequently, his argument could not encompass the possibility. Abourezk's finalism was not malicious but occurred by default. His commitment to a national ideology rendered his understanding of national history more simplified than complicated, more congruent with the dominant view than able to grasp a more nuanced view that included competing voices and claims.

By contrast, the army presented a more complicated set of imperatives. Under direct attack from some sectors as a result of the recently concluded Vietnam War, the military and other government institutions were also indirectly implicated by the activities of the Church Committee and the various investigations then under way regarding the Federal Bureau of Investigation (FBI) and the Central Intelligence Agency (CIA). The army specifically had to protect its good name against these varied assaults in the present, which in this instance also required protecting its good name in the past. This would repeatedly prove problematic because two dozen Medals of Honor were awarded to soldiers who participated in the massacre at Wounded Knee. Although the standards for awarding Medals of Honor changed significantly between 1890 and the 1970s, relabeling "battle" as "massacre" possessed clear implications that would necessitate revocation of those medals.<sup>17</sup> Because damaging the army's past would lend credence to present attacks, army representatives strongly felt a need to protect the present by protecting the past. They responded to this perceived need to deny culpability so as to preserve to some extent the army's standing within American life, as well as to maintain its own internal self-understanding.

The army's staunch opposition to alterations of the standard account alone would have made Abourezk's task difficult. Yet by working within the strictures of the very cultural recollections he sought to modify, Abourezk increased the difficulty of his mission by reasoning along lines preordained to validate the legitimacy of American coercive power. However much Abourezk may have sought to alter the public's memory of Wounded Knee to include at least acknowledgment of the massacre, the admission Abourezk sought would, by allying itself with a demand for reparations, subvert the force of the admission in its own articulation: error admitted, rectified, and forgotten, all in one rhetorical move. Abourezk's finalism thus still allowed for the glorification of "American" democracy so that justice, however delayed, would reign triumphant.

Native American narratives—denied by the army and appearing in Abourezk's case merely as material designed to reinforce finalist assumptions—stand clearly apart. For indigenous witnesses, who operated under different ideological imperatives and sought to modify the dominant national self-understanding, the point was not to "prove" a predetermined case; nor was it a search for historical truth. The point was to share a story with profound spiritual and ethical implications. More, the goal of their testimony was not to demand money, deny "real" events, or enshrine "their" version of those events in social memory. Rather, Native witnesses sought to place those events

within the living present, to rescue them from “history,” to position their narrative so that Americans—Native and non-Indian alike—could remember, understand, and learn. Accomplishing this task would mean that indigenous people could create a place for themselves—one they could recognize and be proud of—within social memory.

Joined in a protean struggle for cultural primacy, these narratives combine to illustrate a communicative strategy that offers a predetermined, unalterable conclusion in search of evidence to convince—or silence—the Other. In what follows, we consider Abourezk’s case in support of the bills and the army’s case in opposition to the bills as a means of exploring how even sincerely offered finalist discourse supports status quo power by silencing challenges and opposition to public memory. We then briefly examine the indigenous testimony as a counter-example of nonfinalist discourse designed to influence collective memory by opening rather than foreclosing alternative readings of the national past.

### THE CHALLENGE

Abourezk clearly had a carefully planned strategy for presenting his case, based on his experience in the Senate, his presuppositions about the task he faced, and his belief that the historical record had to be amended to reflect both the error of the government’s ways and the reparations he hoped would result from that acknowledgment. His strategy called for an overt assault on the credibility of the army’s case—an effort to replace “misinformation” with a more “accurate” rendering of “historical” fact.

Before allowing testimony to begin, Abourezk evidently felt it necessary to level the playing field by providing a brief autobiographical exercise during which he situated Native Americans well within the frame of “good American citizens,” worthy of the treatment all citizens merit: “When World War II started, I was a 9-year-old boy living in South Dakota. But I can still remember the pride displayed by the Sioux Indians over the fact that no draft board was needed on the reservation. The Indians believed that protecting their country was such a high honor that they volunteered in excess of the quota requirements, making a draft board totally unnecessary.”<sup>18</sup> This passage, possibly out of place at a Senate hearing, offers hearers a significant portion of Abourezk’s finalist perspective: Indians are citizens like any other citizens and, as such, are morally and politically entitled to the same treatment any other citizens would merit. Providing Indians with such “equal” treatment from this point of departure ostensibly ensures that the body politic will incorporate them, and the universalist agenda of democracy (“all men are created equal”) will be fulfilled so all may know that fear of difference is unfounded. Abourezk implicitly posits a parallel with the situation in 1890, when, as patriotic “citizens” of the Lakota, Nakota, and Dakota nations, Indians defended “their country” with equal dedication. That Abourezk did not and could not explicitly advance such a claim is in large part a measured silence reflecting the limitations of working within the parameters of finalism: Neither he nor his constituents were prepared to entertain a wholesale reevaluation of a mythically significant past.



Albeit very temporarily and within the confines of a specific communicative act, Abourezk nevertheless transforms the “Sioux” from lawless renegades, who in popular memory killed an innocent and well-meaning George Armstrong Custer and who therefore deserved everything they received at the hands of the army, into a patriotic and honorable segment of mainstream America. Like a good prosecuting attorney, he then explains why this leveling is appropriate and significant:

It is this same Army today that is seeking to deny partial retribution to a people who were treated more like animals than humans. Testimony during these two days of hearings will describe the peaceful intentions of Big Foot’s band of Indians and the frame of mind of a cavalry troop bent on revenge for the Custer defeat. We will show the pattern of brutality, trickery, and deceit practiced upon the Indians in the move to strip them of their land base and to pen them up to get rid of the so-called Indian problem. Revision and cover-up is as unworthy of today’s Army as [the] massacre was in 1890.<sup>19</sup>

These are powerful, challenging words—powerful because they immediately block and seek to turn back retorts Senator Abourezk saw as unworthy of honest consideration while simultaneously establishing a bold bearing, challenging because they clearly recognize and even begin to impeach long-standing, “official” narratives of the massacre. Abourezk elaborates what he can see only as dishonesty and thereby reveals his eagerness to confront lies with an “accurate” version of history.

Having thrown down the gauntlet, Abourezk extended his opening argument by calling on Alvin Josephy, the noted historian who served as editor of *American Heritage Magazine*. Josephy claimed that his position as a noted expert on Native American history and his experience as a combat veteran gave his testimony added weight, for his empathy and experience provided him with a secure understanding of both positions.<sup>20</sup> However much he may have wanted to represent a balance of interests, though, Josephy-the-academic could not contain a sense of proprietary anger so peculiar to historians when they confront what they understand as deliberate distortion. His assessment of the US Army’s preemptory letter was direct:

[It was] a curious and appalling letter about which historians are going to have much to say in the future. All of its facts and data aside, it is unbelievable to me that a representative of the American government could have written it in 1975. It is a patronizing and ethnocentric document that could have been written 100 years ago; that reflects none of the awareness that the present generation has gained about Indians as real people who were faced with the most desperate life-and-death threats that a conquered minority can fear; and that appears shamefully oblivious of, and insensitive to, the lessons of human relations, cultural superiority, and racism, that we thought we

had learned in the tragic developments on this earth since the start of World War II.<sup>21</sup>

Even as it combines with the historian's sense of professional outrage, Josephy's finalism stands out clearly. Like Abourezk's, Josephy's outrage was based on finalist assumptions—that the United States behaves in certain clearly defined and widely understood ways that are best understood as principled, fair, and sensitive. He attacked the army and validated the system at the same time.

Josephy then unfolded a three-part attack on the army's case against the two bills. First, he challenged the army's motives for disputing the claims the survivors of Wounded Knee had made, calling the army's account "a self-serving, propagandistic version of what happened," comparable to the distorted interpretation the military offered in the aftermath of the Civil War as well as the justifications of atrocities made by "Hitler's Germany."<sup>22</sup> He attacked the army's ethnocentric interpretations of Native American/non-Indian relations, of the meaning of the Ghost Dance, of the meaning of Sitting Bull's death, and of Big Foot's intentions.<sup>23</sup> Finally, Josephy impeached the army's credibility, citing numerous instances of racist, false, and misleading information. Here he focused attention on the army's use of the terms *bucks* and *squaws*, its declarations that the "Sioux" were "responsible" for the massacre, and he disputed evidence the army insisted was "incontestable." Josephy concluded his testimony by referring again to core American values, locating Native Americans—as did Abourezk—within the mainstream of citizenship: "I regret this letter very much as an American citizen. It is out of step not only with fact and history, but, more important, with the aspirations of this generation that the Indian and the white man should at last understand and respect one another."<sup>24</sup> The goal was national unity in the present; for Josephy, as for Abourezk, that goal could best be achieved by admission and rectification of past error.

As it was for Abourezk, the issue for Josephy here and throughout is a matter of respect. For that respect to be enacted, the historical record must be opened to competing voices and conflicting interpretations. Abourezk saw the issue through a lens of morality; his task was to align the actions of the US government with the ideals that government expressed. Only then, from this perspective, might the matter be closed. Through his particular lens of history, Josephy thus fortified Abourezk's position by insisting that this was as much a matter of defining the present as of correcting the past.

That the hearings were held to judge the merits of compensation for specific actions, where committee members must consider issues of justice (not law), was far from accidental, for it was precisely on this ground that Abourezk's finalism most directly confronted the case posed by the army's representatives. Senator Charles Mathias (R-MD) put it this way:

I think you are essentially right, that the Congress has to act in cases of this sort as the court of conscience[, ] not as a court of law. This is a place where the people of the United States can come for equity in situation[s] which are not provided for in a court of law.

What we are really trying to do is to do what is the right thing and the right thing is sometimes very hard to identify. One of the problems in a situation of this sort is that it is so exotic, it is out of the ordinary experience of mankind that people don't take it entirely seriously. It ought to be taken seriously because emotions and feelings run very deep.<sup>25</sup>

Although the senator ostensibly sought to support the affirmative case, he curiously reconfigured history. From a Native perspective, the events at Wounded Knee were far from "exotic" and hardly "out of the ordinary experience." On the contrary, they were emblematic of the treatment Native Americans received at the hands of non-Indian invaders.<sup>26</sup> Again, the logic of finalism stands lucid, for the stuff that turns proposed bills into enacted legislation conspicuously dissolved here into a rationale based on the conclusion that "emotions and feelings run very deep." The senator's remarks attached themselves to the finalist premises on which Abourezk relied throughout the hearings: Native Americans are patriotic citizens and thus did not deserve the treatment meted out to them by the army; an inclusive and democratic future requires reconciliation based on reparations. Once guilt is acknowledged and reparations are made, the incident can and should be put safely in the past so that "we" can move forward as one people.

Grounded in a well-nurtured finalist perspective and constrained by a linear sense of what counts as "history," Abourezk sought to attack the opposing narrative and replace it with his own. This goes a long way toward explaining why Abourezk and his authorities rebutted the army's case well before army representatives were permitted to speak. Later, Abourezk would distill the army's position down to two points of opposition: that it is unwise to establish a precedent of reparations and that, even were the precedent permissible, the culpability for the massacre had not been (and could not be) established. Charles Ablard, general counsel for the Department of the Army, eventually added a third point with which the army could not (and would not) agree: the "characterization of the matter as a massacre."<sup>27</sup> When asked if the army would withdraw its objection to the bills if these objections were overcome, Ablard clearly revealed the army's finalist position: "We would have to see the bill at that point."<sup>28</sup> Even to insinuate that overcoming the army's objections (or imagining that the army's representatives could not continue to manufacture reasons for rejecting these and all similar bills ad infinitum) is inconceivable from his finalist perspective.

### THE CHALLENGE ANSWERED

In this sense, the army's narrative was an attempt to demonstrate what the dominant culture presupposes must be true to preserve an ethos and a worldview deeply embedded in social memory. Far from being synonymous with the American public, the army faced serious opposition from that public during the period. Yet as a powerful political institution, the army is indeed an important component in the construction, articulation, and preservation of certain

aspects of social memory, especially as it contributes to the preservation of the status quo. The stakes included not only the possibility of further damaging the army in the public eye but also its own internal view of itself.

Given those stakes, the army's representatives saw their narrative task as twofold: first, to protect a specific version of events in order to reinforce the status quo and, second, to reject and provide reasons for the continual rejection of anything, in part or in whole, that might undermine, challenge, or otherwise alter social memory. In the end, affirmation, which functions to preserve one version of events, and purification, which serves to expunge any challenges to that version of events, coalesce into a singular purpose: the protection of existing social memory and the prevention of further damage to the army's role within the culture supported by that memory.<sup>29</sup>

In pursuing their twofold task, the army's representatives presented a case one might too readily interpret as a "tissue of lies," which the opposition (Abourezk, expert witnesses, survivors of the massacre, and testimony taken at the time of the massacre) methodically exposed during the hearings. But thus essentializing the matter misses the point entirely. To charge the army's representatives simply with lying, distortion, selective attention to details, presenting misleading information, and so forth incorrectly assumes malevolent intentions—an assumption wholly unsupported by anything those representatives said or suggested. Rather, the various positions representatives of the US Army advanced and retracted unveiled not malevolence but ideology portrayed through a finalism they believed necessary to protect their past, present, and future.

## PURIFICATION

In their effort to "purify" the historical record, to forestall challenges to their version of events, the army's representatives attempted to alter (and thereby control) the interpretive context. By adjusting the frame of "relevant" information, they hoped to influence both the content and the meaning of the "facts" under discussion. Immediately following Josephy's impassioned arguments, Ablard and William G. Bell, a historian at the army's Center of Military History, presented "the views of the Department of the Army."<sup>30</sup> Speaking first, Ablard advanced the army's narrative by introducing clear boundaries:

On August 28, 1975, Acting Secretary of the Army Norman Augustine forwarded a letter to Chairman Eastland detailing the Army's views on S. 1147. That report was not designed to be, nor do we represent it to be, an exhaustive historical analysis of the Wounded Knee incident.

Rather, the report is intended to provide a general description of the historical context in which this event occurred, and thus to enable a better understanding of those considerations of policy and precedent which in our view demonstrate the shortcomings of this bill. Indeed, the report was not prepared by Army historians, but rather by the staff of the Judge Advocate General.

The report has, however, been reviewed by the chief of military history who has concluded that it is neither new nor revisionist as has been portrayed by the press. Rather, it follows the existing body of historical writing and confirms essentials of the Wounded Knee story that were recorded at the time by observers, participants, and investigators.<sup>31</sup>

The tension here between “history” and conclusion is striking. From the onset, Ablard made it clear that the army’s views did not emerge from “an exhaustive historical analysis.” Yet the conclusion remained unaltered (and unalterable). The army’s “general description of the historical context” would stand here and throughout the army’s case as sufficient reason for the army’s conclusion because the conclusion was immutable, inevitable. An “investigation” had been conducted, and the matter therefore should be considered closed.

This is why it was fundamentally irrelevant to the army’s representatives that the “history” that generated this response was not exhaustive, that “the report was not prepared by Army historians, but rather by the staff of the Judge Advocate General,” and that the report emerged not from an analysis of the evidence but from the same “existing body of historical writing” that buttressed the army’s position in 1938 and 1954—a position that was and remains a selective review of the “evidence” given by those people who supported and support the army’s conclusion. History, the means by which that history is constructed, the materials of that construction, and the meaning and significance we are to attach to anything whatsoever are important only to the extent that they support the inevitable conclusion. As Josephy pointed out in the hearings, this is also why the army’s “general description” was singularly descriptive of the army’s actions.

That Native perspectives and voices might/would/could be equally valuable as part of a “general description” within this calcified frame is neither conceivable nor relevant, which makes bringing past injustices into the present an inadvertent side effect. Indigenous voices had not been heard initially because indigenous peoples were not then part of the polity. Because those peoples were initially excluded, the reliance on unmodified data simultaneously perpetuated and erased that exclusion. Exclusion thereby emerges not as a choice of those acting in the present but as an artifact of past institutional actions. Finalism, backed by institutional authority, performs critical political work in protecting the contemporaneous status quo. We find a similar situation later in the hearings, during the question period, when Dee Brown, one of the committee’s consultants and author of *Bury My Heart at Wounded Knee*, asked Ablard why so many troops had been sent at the behest of a new and untrained government agent. Fielding the question, Bell shifted the focus from inquiry to a diffusion of blame: “I would like to note that the Army was an arm of the government and took its lead from the Government, the Congress, the Department of the Interior, and the Bureau of Indian Affairs in the Wounded Knee operations.”<sup>32</sup> Thus, if there were blame to be shouldered, its weight would have to be distributed among various branches of the government and certainly would not rest with the army alone. As in the earlier

examples, the political goal is clear: The diffusion of blame means there is no blame, which in turn means no redefinition of national history is required.

Bell sought to buttress the case further, thereby adding another layer to a well-calcified image, by insisting that assessing blame was the wrong thing to be doing at this moment in history: "The country today is an amalgam of red, black, white, yellow, and brown races. The Army today is an amalgam of those same races, and it seems rather unfortunate that we bring up a divisive event from 85 years ago and pit our two elements in present day society against each other."<sup>33</sup> Far more relevant than historical accuracy, then, is the status of racial and social harmony, which depends on the repression of any and all past events that can be construed as potentially "divisive." In other words, members of marginalized groups must ignore any and all evidence of unequal treatment by members of the status quo because such evidence calls into question the valorized images the dominant culture has installed in social memory. Calcification and social amnesia both materialize here as self-justifying because they preserve national harmony and protect valorized images by silencing alternative voices in the name of that harmony.

Whereas Bell's immediate statement ostensibly highlights (and silences) indigenous voices, it also amalgamates "red, black, white, yellow, and brown races" into a single group that seemingly opposes the dominant group. The cultural amalgam is then codified into "two elements in present day society." Rather than posit a society in which a variety of different perspectives from a variety of different cultural and racial foundations can contend with one another in a more or less amiable fashion through the public space, this view of history demands that all interests opposed to the status quo be silenced so that divisiveness may be prevented, which again advances the utility of social amnesia. Divisiveness thus emerged as a pandect prepared to stand against challenges to the images in social memory the dominant culture regards as important.

Clearly, historical accuracy—even linear historical accuracy, which the various disputants in this drama continually demanded—is not the point. Rather than focus on the importance of an accurate recital of events, the point was to make those events serve present needs. The report was, even in the context of the hearings, specifically characterized as a "lawyer's brief" rather than an attempt at historical reasoning.<sup>34</sup> It functioned to argue a case for a specific client, not to provide a dispassionate view of "the facts."

#### AFFIRMATION

In an important sense, the army's affirmative case grew from the insistence that its nineteenth-century counterparts not only did not intend but could not have intended a massacre (at Wounded Knee, Sand Creek, or anywhere else), that revenge was not a factor, that the army then as now (as an institution, and despite the possibly aberrant actions of a few isolated individuals) behaved with honor and propriety, respecting both the enemy and its own codes of conduct. Premised on a rhetoric of purification, this insistence constituted an attempt to move the hearings away from the question of appropriate moral

conduct to a “general description” of events based on a deliberately and admittedly limited reading of the historical record—first, so that “blame” for the “incident” could be distributed equally among Indians and non-Indians alike and, second, so the view of “innocents” suffering equally on both sides would remain intact, which preserved the conclusion that no compensation to either side was required or necessary.

Given that the army’s representatives were acutely interested in maintaining distinctions between Indians and non-Indians in their version of the “incident,” the presumptive platform of the army’s case might seem at odds with their purpose. Yet maintaining this distinction allowed the army’s representatives to maintain divisions along lines more appropriate to the conclusion they wished to reach, which was premised on calcified Native and non-Native images. This sheds additional light on Ablard’s use of a particular version of “history,” even as he hedged on the importance of historical accuracy. Thus, although he argued that the army “deplore[s] any injustices which have been inflicted upon the Indian peoples . . . and we share the sympathy felt by all Americans for those innocent Indians and soldiers who were wounded or killed at Wounded Knee, and elsewhere, during this period,” he placed the emphasis on the innocent people on both sides who suffered as a result of the “many battles between Indians and non-Indians.”<sup>35</sup>

Here, finalism invokes retrograde and anterograde amnesia simultaneously. The fabrication of “innocent” soldiers suffering at the hands of hostile Indians becomes possible only if one surrenders fully to social amnesia. Giving way to that surrender means one must forget military, federal, and social policies that overlooked, permitted, and even encouraged hostile actions and attitudes aimed at Native Americans everywhere across the continent. Amnesia must then engender the belief that “hostilities” on this occasion were the result of mutual accord or, at the least, a scion of mutual responsibility. One must forget the unequivocally one-sided nature of the “tragedy” to make room for the insistence that suffering and casualties on both sides were “comparable.” Preservation of privileged memory further requires one to forget a lengthy history of invasions and conquests, violated and unilaterally abrogated international treaties and compacts, one-sided military and social aggressions, and the devastating effects of those aggressions on past and present Native communities.<sup>36</sup>

Seen from this perspective, contextualization could only serve to challenge important, widely accepted assumptions about the operations of the American polity. Here the possibility of a gallant, high-minded, disciplined, compassionate, courageous soldiery—and, by implication, citizenry—would become an impossibility if read against context. Any such reading by necessity would acknowledge, at a minimum, that the assimilation, removal, and extermination of American Indians were the results of official and very public governmental policies during these years.<sup>37</sup> Such a recognition would contaminate the widely accepted view of American destiny and American policy making, would do so in ways that had the potential for undermining prevailing institutional structures and political arrangements, and would not only call into question calcified images of the past but would also create space in social memory for the admission of “heroic” Indians.

To reinforce calcification, the army's "balanced view" allowed governmental action to appear "fair," "objective," willing to present "both sides" while avoiding responsibility for acts of dominance, unilateral control, and brutality. The "truth" of the matter, from this point of view, exists between two "extremes" of "history," in the balanced center. As Robert M. Utley, assistant director of the National Park Service's Historic Preservation Division in the Department of the Interior, put it in his support of the army's case:

So Wounded Knee cannot truthfully be seen as a result of conspiracy or demonology. The stereotypes that took shape in the public perception in 1890 and that persist to this day are not historically defensible. Big Foot's people were neither deceitful, bloodthirsty fanatics or [*sic*] unoffending, defenseless Indians. The soldiers of the 7th Cavalry were neither vengeful butchers nor heroic guardians of the frontier. All, rather, while products of differing cultures, were decent, honorable people trapped by historical and cultural forces largely beyond their control.<sup>38</sup>

Utley's comments are particularly germane, given his status as an internationally known and highly regarded authority on Indian history and, even more, given that his opinions on these subjects have undergone important changes.<sup>39</sup> Left unexamined, such a statement allows the army's representatives to claim that all of the evidence concerning the motives of the men of the 7th Cavalry, the glorifying public reception of their acts at Wounded Knee, the economic benefits reaped as a direct consequence, and even the refutations of Utley's specific claims were and are irrelevant—serving only to cloud the "real" issue—and are immaterial to the "real" point: shared responsibility not only for the "incident" but for all things belonging to Indian/non-Indian relations. This act of sharing has the appearance of being genuinely inclusive and profoundly democratic and in this way helps support ideologically conditioned cultural understandings of both past and present. Yet its primary impact was to deny access to social memory either to alter calcified images or to install images that might call those revered images into question.

As the government's spokesperson, Utley's finalism emerged fully in his insistence that the army not only did not commit but could not have committed such atrocities. This was how he managed to elide the obvious fact that the army's tactic at Wounded Knee was a military maneuver commonly employed during the Civil War and throughout the army's western campaigns against Native nations. The army created an ideal scenario at Wounded Knee for implementing this tactic, which led to two additional tactical advantages.<sup>40</sup>

First, the army was operating under vastly superior conditions—it had well-fed, well-rested, well-armed, well-mounted, well-equipped, well-commanded, well-numbered soldiers who had already managed to obtain the enemy's surrender. As Bell noted in his testimony, "The unit records indicate that there were 438 men in the 7th Cavalry Regiment, including 25 officers. There was a company of Oglala Indian Scouts under two white officers present. There were also four Hotchkiss guns of the 1st Artillery with two officers and about 20



men.”<sup>41</sup> Second, the army had already disarmed its captives of nearly anything that might be used as a weapon, including cooking utensils. Setting a “killing box” in place by positioning Hotchkiss guns on adjacent hills so they could be aimed continually at the surrendered group required time and intention. Rather than press forward toward the reservation, the 7th Cavalry stopped early enough in the day so the men could thus position the guns; throughout the Civil War and later, placing the enemy at the center of downwardly aimed crossfire regularly led to surrender or to eradicating a trapped enemy. Having thus put into effect an especially effective tactic specifically designed to destroy the enemy (i.e., since the 7th had already obtained surrender), one might reasonably infer the army’s intent. From a military standpoint, the only potential problems were that the 7th Cavalry had not yet withdrawn all of its interior troops and that significant segments of the general American populace might be disturbed by the fact that the army was still butchering Native peoples.<sup>42</sup>

The latter problem immediately found voice in two forms. The first harkened back to earlier attitudes that reveled in the destruction of Native Americans as a means to an end, as illustrated by a story entitled “We Glory in the Revenge of the Seventh,” which appeared in the *Chadron Democrat* [Nebraska]: “The ‘only comfort’ that would be derived from Wounded Knee is that each such occurrence brings us a little nearer [to] the inevitable end. Someday our little army will not have to fight the Indians any more, because there will be no Indians left to fight.”<sup>43</sup> The other form was a public relations nightmare—explaining to a public whose members had begun to think of themselves as far more “civilized” than their immediate predecessors that the army was still conducting itself in an entirely “uncivilized” manner. As Francis Amasa Walker had already acknowledged in his capacity as commissioner of Indian affairs in 1874, sixteen years before the massacre at Wounded Knee, “There can be no question of national dignity involved in the treatment of savages by a civilized power. . . . With wild men, as with wild beasts, the question whether to fight, coax, or run is a question merely of what is easiest or safest in the situation given. Points of dignity only arise between those who are, or assume to be, equals.”<sup>44</sup>

Add to this an interesting curiosity—that the Miniconjou witnesses provided distinctly different narratives about their experiences at the massacre, a significant sign that they were in different locations and therefore necessarily witnessed different things.<sup>45</sup> Despite the fact they too were in different locations, however, a remarkably high percentage of the army’s witnesses consistently testified that they gave, heard given, received, or witnessed someone else receiving orders to treat the women and children as noncombatants, as nontargets.<sup>46</sup>

Then there was Ralph H. Case’s statement from the 1938 hearings, which clearly fell into Utley’s view: “I will say for the record that Colonel Whitside [the son of Major Whitside, who commanded the troops at Wounded Knee] told me that the Seventh Cavalry went to Pine Ridge with full intent of getting even for the loss of Custer at Little Big Horn 14 years before.”<sup>47</sup> Evidently astounded by Utley’s position in the face of all the evidence, Dee Brown remarked, “You say that the women and children were killed because they

were present when the fighting broke out, that at first they were killed by fire from their own men. This runs counter to everything I have ever heard or read about the attitude of Indian people toward their women and children. They would be the last to be fired upon by their own men because the whole tribal apparatus was the women and children must survive at all costs, even if we all have to die.”<sup>48</sup> Even in the face of such glaring testimony and evidence, even though he had heard the testimony of Frank D. Baldwin (captain, 5th Infantry) directly contradicting the army’s version of events, and even though he had indicated that he was familiar with numerous other reports that explicitly described in detail the intentional killing of unarmed men, women, children, and infants, Utley’s conclusion remained unaltered: “I would not concede that there were instances in which children were intentionally fired on.”<sup>49</sup> Retrograde and anterograde amnesia again combine in a powerful defense of privileged memory.

Rather than accept or even consider contradictory evidence and testimony, Utley’s strategy, as throughout the army’s case, was to broaden or narrow the context whenever it suited finalism’s interpretive goals. Similarly, when asked if he knew of any evidence concerning whether the relative youth and lack of training among the cavalry troops contributed “to the uncontrolled fire fight that took place at that time,” for example, Bell’s reply reinterpreted history while appearing to broaden the interpretive context; he insisted that there had been “no campaigning on the part of the Army against the Sioux . . . for a period of upwards of 14 years.”<sup>50</sup> To state the matter thus, of course, allowed the army to portray the soldiers of the 7th Cavalry and the Sioux in 1890 as equals. If they were equivalent in terms of battle experience, then implicitly they were equals in other ways relevant to the waging of war—for example, in terms of a “mental state” of fear and mistrust that could plausibly explain the massacre.<sup>51</sup> As Utley argued:

Wounded Knee was a terrible tragedy, a stain on our history that we recall with sorrow and shame. . . . That so regrettable an incident happened, however, does not automatically require us to divide the contending parties into heroes and villains or white hats and black hats. Despite the natural proclivity of people for simple explanations, making the award of praise and blame easy, most events in history are fraught with ambiguity and inconsistency.<sup>52</sup>

This is exemplary finalism at work: The army’s case, which was drawn entirely from that vast reservoir of popular, dichotomous images of “heroes and villains,” must be wholly accurate and indisputable, whereas a complex representation that acutely parallels Utley’s (earlier) characterization must be wholly impermissible. Utley nevertheless understands that members of the dominant culture need and require an explanation for horrific events, so his portrayal of an “aberrant” historical moment assumes considerable ideological import. Locating responsibility for the horror in the tragic clash of cultures locates blame away from any individuals or groups of individuals (thus protecting revered images) and parcels it out equally among the participants,

thereby opening the door for a convenient form of social amnesia. The motivations, intentions, and responses of the individual soldiers pass from short-term social memory into oblivion.

To avoid the question of cultural or institutional culpability, which might challenge or even disinter memory, the army attempted to keep the focus on the individual soldiers. The imperative, given the army's view of history, demanded that those soldiers be absolved from any individual guilt in the events. That is why the army's representatives insisted that the violence must have been precipitated not by the soldiers but by the Sioux's perversion of the originally pacific Ghost Dance into an antiwhite, potentially violent, openly threatening movement.<sup>53</sup> Further and more particularly, for Bell and Utley Wounded Knee was not the consequence of a conspiracy or malevolence—or responsibility. Instead, “both sides, working from within the framework of their respective cultures, got involved in a fight, the battlefield fell apart, and anybody who has been in combat knows that when fighting starts, it is difficult to stop.”<sup>54</sup> The argument here curiously shifts agency away from any actors or agents onto the scene. Rather than make the events at Wounded Knee the products of army policy or the decisions of specific individuals or even the product of human error, Bell and Utley place the responsibility on a mix of historical circumstance, group relations, and cultural predilection.<sup>55</sup>

Having avoided the question of responsibility and shifted the focus to an apparently empathic response to the suffering of individuals, we find ourselves in the midst of an ostensibly even-handed, “fair” description: Neither side understood the other; each reacted out of fear, and a tragedy occurred. It is a simple plot that has a revered place in the Western narrative canon, and the prevalence of the plot makes its repetition here transparently credible. Yet it is difficult at this point to know what is to be done about the obvious omissions and distortions that produced this empathy.

Considerable evidence indicates, for example, that the Indians understood a great deal about the invading culture. The Lakota, Natoka, and Dakota (among others) understood all too well that the Wasichu wanted their land and meant to take it. Further, the scenario of both sides mutually and of dual accord “getting involved in a fight”—as if no particular agency had been involved or, if involved, was equally involved in both sides—is plausible only if both sides were equally well nourished, equally rested, equally armed, equally vulnerable, equally surrounded by troops and Hotchkiss guns, equally required by their cultural dictates to protect their women and children at all costs, and equally confident that their noncombatants would be well protected. But the Miniconjous were freezing, starving, exhausted, unarmed, surrounded by clearly superior enemy forces, and hampered in any potential fighting stance by their elderly, their women, and their children—all of whom required immediate protection. They were a conquered people—poor, desperate, and afraid. Although it is possible to read the pretense of parity here as unconscionable and invidious but essential to the army's ability to protect social memory, a more exact understanding suggests that this is a result of the power of finalism within the context of a specific American ideology.

A portion of that power emerged when Dee Brown asked Ablard questions that explicitly challenged the finalist view the army's representatives had continually advanced. Like Abourezk and Josephy, Brown's first move was to reference American core values: "I was always under the impression that the Declaration of Independence, particularly paragraph 2, establishes that it is a policy of this country to right ancient wrongs. I am curious as to when we changed this policy."<sup>56</sup> Ablard's response reiterated his earlier point that group wrongs, such as those addressed in the Alaska Native Claims Settlement Act, were in a different category from the ones addressed in the pending bills: "Should the Congress entertain legislation for descendants of wives on prairies who might have been shot by roving bands . . . at this point in history?"<sup>57</sup> Planned military aggressions thus not only reduced to unplanned, sporadic, unwitnessed shootings but also reified ever-present images from frontier mythology.

According to such images, small numbers of hardy frontiersmen, accompanied by their courageous women, set off to tame the "wilderness," facing all but insurmountable odds including the depredations of marauding Indians, whose attacks on the innocent settlers were as brutal as they were unjustified. Ablard specifically called on these images in his reference to "prairie wives" (women and children constituting the presumptively innocent in this specifiable mythology) and by caricaturing Native Americans as "roving bands," contrastively implying both that they had no rights in or to the lands across which they "wandered" and that they were raiding villages and homes out of an excessive, savage *joie de vivre*. This is the mythology that remains central to the dominant American self-understanding, and it is widely accepted as "true." That acceptance—calcified, protected, unassailable—might be romanticized, but its essence is pure; and it is this acceptance that makes finalism necessary and necessarily powerful.<sup>58</sup>

Utley's testimony similarly embraced and supported the same set of images through his untethered claim that hostilities were initiated by Native Americans, his insistence that an Indian must have fired the first shot, his boldly unsupported and intuitively vacant assertion that the women and children were killed by their own men, and his argument that the Indians remained well armed throughout the confrontation. Were it not for the driving force of his finalism, one might find Utley's conspicuous compassion peculiar: "Mr. Chairman, it is wholly understandable that the friends and relatives and descendants of the Indian victims at Wounded Knee regard it as a massacre. But massacre is a loaded word. It connotes premeditated, indiscriminate slaughter of defenseless people."<sup>59</sup> Guided by finalism, Utley's compassion served a clear purpose—to carve out a place for the "incident" that fits far more comfortably with the conclusion he has already reached. Wounded Knee cannot be a massacre because that would entail implications his conclusion cannot comprehend, but his compassion at least allowed for "a terrible, lamentable tragedy" that "a mature enough people" should be able to view "not in terms of the easy, conventional stereotypes of good guys and bad guys" but in the more "realistic" terms "of decent, ordinary people caught up in the passions and insanities of armed conflict that none of them intended or anticipated."<sup>60</sup>

From the perspective of a “mature” people now looking backward dispassionately yet compassionately, Wounded Knee was a tragedy precipitated by cultural misunderstandings, with mournful consequences for both sides. Blame and responsibility become irrelevant, which renders the question of compensation moot. More, the army’s fallback position inhibited the possibility of a backlash; for if one must assign any blame, a goodly share clearly belongs to the Native Americans themselves, who throughout the hearings stubbornly “refused” to accept their share of responsibility. Further, by designating “some” Indians as a “minority” upon whom blame should be placed, the army could still “sympathize” with the “innocent” Indians who were victims of events caused by that rebellious minority. Bell’s remarks are illustrative:

By no means were all Indians involved in this. Many of them took the position that it would be ridiculous for Indians to buck white civilization, that they might as well settle down and accept the facts of life. Around Pine Ridge, you had probably 3,000 Indians who were perfectly peaceful, and part of the Army’s mission in going in there was to protect the “loyal” Indians. . . . [T]here were individual incidents of violence in the region, such as firing on agencies, which endangered Indian people as well as whites. It was considered on the Pine Ridge reservation that there was a serious threat to peace and good order.<sup>61</sup>

Here, as throughout the army’s case, there is no need for proof or elaboration. One need not wonder, for instance, what “the facts of life” were, why Indians should believe that abandoning their religions and values and beliefs and principles and ways of life was not only necessary but “right,” what it might have meant for an Indian of the time to have been “perfectly peaceful,” what it might mean to be counted among the “loyal” Indians. All one needs to “know” is that some Indians related the conditions that led to the massacre. Responsible citizens naturally would find it “regrettable” that the “perfectly peaceful” Indians were jeopardized by the actions of an irresponsible, dangerous few. With this “knowledge” in hand and knowing that the “peace and good order” of the reservation were sacrosanct, we also “know” that the army was “forced” to take the necessary “protective” actions. In this case, as well as historically, dividing Indians into “good” and “bad” enabled the government to legitimize including and excluding voices, attitudes, and political positions.<sup>62</sup>

Another hallmark of finalism that runs through the army’s case is the ability to maintain a subtle but significant distinction between “knowing the truth” and ignoring inconsistent or even contradictory evidence—as well as being unaware of inconsistencies and even gaping holes in one’s case. For example, although the main thrust of his argument demanded the irrelevance of history, Ablard revealed no awareness that continuing to debate the “facts” of the case might be in any way problematic (for example, he declared that the characterization of the events at Wounded Knee as a “massacre” was “entirely unfair and inaccurate”).<sup>63</sup> Nor does his case suggest that arguing for placing blame on the “bad” Indians might contradict his efforts to argue against placing blame on the soldiers. Such remarkable flexibility resulted not

from oversight or lack of acuity but from the partializing effects of finalism; for what one “knows” in the midst of finalism is that the conclusion is true—all else is appurtenant.

The same partializing shapes Ablard’s argument that the government should not be in the business of “righting ancient wrongs.”<sup>64</sup> When Abourezk interrupted the testimony to ask if Ablard had heard of the Alaska Native Claims Settlement Act, an instance in which the government sought to do just that, Ablard insisted that land claims belong to a different category than the “kind of alleged wrongs we are talking about here. We are, years after the event, talking about a[n] incident, a tragedy, a massacre, however it might be described by observers, that happened to individuals.”<sup>65</sup> Here Ablard not only returned to an effort to ahistoricize events but also partialized his audience by using “observers” to refer to members of the media who were in attendance—although clearly not to the Native Americans scheduled to testify to the events at Wounded Knee. Ablard’s reasoning follows the path of least resistance to make the data fit the preordained conclusion: “We do not right ancient wrongs, and if we do, we should compensate non-Indians as well as Indians, and since we did not compensate the wronged non-Indians, we should not compensate the Indians because we compensated the non-Indians a long time ago, and that was not an ancient wrong but a contemporary one.”<sup>66</sup>

Asked if he had meant to address a matter of principle or of timing, Ablard identified his intention as involving “a degree” of principle and offered a curious observation: “I believe there is legislation pending now to compensate the innocent victims of the Wounded Knee confrontation in 1973. This is still timely. If that legislation were introduced 100 years from now, I would say as a matter of public policy, one would have great difficulty with it.”<sup>67</sup> The question of compensating living people was one thing—those wrongs were still widely acknowledged within a contemporary context. But compensating living relatives of past victims was another thing, for it opened the doors to a potential reconsideration of the American past and thus of the political and institutional arrangements of the American present. The present could only be protected by controlling present and future interpretations of the past.

As a result, on some occasions the army’s representatives appeared so suspicious of “history” (especially its attendant claims to morality rather than to legality) that the committee’s other consultant, Harry Anderson, asked whether the army’s representatives felt any historical interpretation could ever be verified or legitimated. Bell provided the army’s response:

I might say that anybody dealing with Wounded Knee could come up with any kind of position from extreme right to extreme left, all the way across the board because there are a lot of complex and controversial elements in it. You would not find agreement. One of the unfortunate things, it seems to me, in terms of a general statement, would be that the public has fixed misapprehensions about this event and sees only the word *massacre*. The word *massacre* does not mean to the average citizen what the definition is in the dictionary. . . . The substance of the Army’s report is not something that was created today; it

is a presentation of facts related to that event. Admittedly, it is selective, but to that extent, it is sound.<sup>68</sup>

In light of the partializing effects of finalism, Bell's response is hardly surprising. Nor is it surprising that his response elicited no further questions or requests for clarification. Both sides had reached their conclusions well in advance and were primarily searching for supportive evidence.

### NATIVE VOICES

Although the hearings lasted two days, generated seventy-one pages of text, and concerned matters of pivotal interest to Native American communities, indigenous voices were seldom heard. Even on issues of vital concern to Native Americans, even when Abourezk was attempting to defend and include their perspectives, the debate persistently focused on the two opposing finalist versions of Native American "history" that we have just examined—to such a degree that the record reflects a contest resolutely determined to decide which non-Indian perspective would serve as an interrogative for social memory.

By contrast, Johnson Holy Rock, Talbert Looking Elk, Reverend Simon Looking Elk, and Edgar High Whiteman—the four Native American witnesses who testified—consistently sought to find common grounds of agreement and to advance evidence in search of a conclusion. There can be no question that these four witnesses believed just as firmly that the members of the 7th Cavalry had murdered their relatives at Wounded Knee as the army's representatives appear to have believed that the 7th Cavalry did not massacre Big Foot's people. Arguing for a conclusion based on concrete, substantial, and long-considered evidence, however, is driven by different ideological predispositions than finalism. Thus, whereas Abourezk's people and the army's people sifted argumentatively through the evidence to find bits and pieces that would support preordained conclusions and worked assiduously to expand and contract the context to protect their conclusion from contrary evidence, the Native American speakers persistently demonstrated a willingness to admit any evidence that was relevant and to work within a context broad enough to include even the perspectives of the 7th Cavalry. American Indians spoke from outside the mainstream American political culture and in defense of their own mainstream polity; in defending their polity from the American one, they followed different narrative imperatives.

For example, the witnesses consistently attempted to translate their experiences into values that members of the mainstream could comprehend: "Mr. Chairman, I have no quarrel with the military. I spent almost three years of my life wearing the uniform of this nation and shouldering a rifle in its defense."<sup>69</sup> As is customary among members of many indigenous nations, the witnesses also began their contributions to the hearings by grounding their discourse in that of previous speakers, which for members of those cultures demonstrates respect and provides an immediate framework for adaptation.

Johnson Holy Rock, the first of the four Native Americans to testify, began by agreeing with previous witnesses who had argued that the "chain of events"

leading to the massacre at Wounded Knee was rooted in historical relations between the Indian nations and the army. Unlike the army's representatives, whose reach into the past extended at best only a few years before the massacre, Holy Rock located his understanding within the context of hundreds of years. Thus contextualized, the relationship would not reduce to a matter of disorganized and informal conflicts between two incompatible cultures but expanded to become social and legal associations constituted by explicit agreements (treaties) between "the Sioux nation and the American Government."<sup>70</sup> Since the bills under consideration were aimed at providing relief for the survivors and descendants of survivors, this was and is the ground on which the matter rested and from which it emerged; it was also an effort to remain within the confines of the most recent preestablished boundaries put in place by mutual agreement. More, from this point of view the initiation of any discussion of relations between the Lakota, Nakota, and Dakota and the United States must be premised on the 1868 Fort Laramie Treaty. As High Whiteman pointed out, that treaty "ended the war between the U.S. government and the [Native nations]. This document also establishes due process. Disregarding this document leads to unnecessary events."<sup>71</sup>

Given this starting point, two significant matters immediately emerged. First, since the 1868 treaty was in effect at the time of the Wounded Knee massacre, the Native nations did not presume a state of war. This was clearly demonstrated by the actions of Big Foot's people: "[T]he Indians were asked to lay down their arms, so they gave up their guns as they know it's peacetime."<sup>72</sup> Second, since the treaty was still in effect, the Native nations unquestionably possessed the rights to freedom of religion and to due process.

Such an expanded and inclusive context not only included all of the possibilities articulated by both Abourezk's and the Army's cases, it also erected the kind of interpretive framework that elites—including Abourezk—find threatening to social memory. For if the 1868 treaty was in effect at the time in question, then the 7th Cavalry was in violation of the treaty, and the US government violated the treaty by persecuting Ghost Dancers and denying due process to Big Foot's people.<sup>73</sup> Clearly, such things could not be admitted without considerably damaging social memory, as an examination of the witnesses' argumentation makes clear.

### INDIGENOUS ARGUMENTATION

What is perhaps most immediately obvious from the Native witnesses' testimony is that their discourse was multilayered, personalized, and often emotional; and it produced very detailed renderings of the massacre—to such an extent that the testimony makes for painful reading, even at a distance that is both temporal and analytic.<sup>74</sup> Painful as it may be, from a non-Indian perspective such testimony may appear unnecessary, repetitive, circular, and irrelevant since it is not framed in a predetermined context, does not drive home a specific and easily perceived point, and does not lead irresistibly to an already decided and obvious conclusion. That is the case at least potentially because the ideological aim of such discourse is not to protect long-revered images in social memory by



inducing social amnesia through excluding everything that does not serve a particularized and partialized end. Rather, the witnesses sought to include every potentially meaningful moment of recollection that can help the living understand how to live in the present. In trying to find for themselves an appropriate place in the national collective memory, indigenous speakers were more interested in opening, rather than closing, spaces within that memory. They were more concerned with the possibilities of redefinition than with its dangers.

Toward those ends, witnesses provided testimony in both English and Lakota. Audience adaptation clearly required translation, yet because the meaningful memories have been preserved in a language that is every bit as much a worldview and an ethos as a mode of expression, their presentation required that articulation in original form accompany translation. As Vine Deloria Jr. correctly points out, among most Native nations the narrative “may be refined to some extent, but it is not subject to very much editing because it is the common property of the community, not the exclusive property of the community’s poets or religious leaders. The symbols are always representations of the concrete and the place always has precise location.”<sup>75</sup> This is also why Native witnesses consistently told the people present that their narratives were the narratives of survivors of the massacre—they depicted fidelity to language and worldview and ethos, as well as to narrative and narrator. To underline this point, it is worth quoting Talbert Looking Elk at some length:

My mother said, “I was sitting on the wagon tongue watching women-folks who were left at their tents, when four soldiers came along the tents searching them. The soldiers threw the bedrolls and all the belongings out of their tents. There was a woman sitting in front of her tent as she was about to be a mother. She was slow getting up so the soldiers pushed her over and then shot her. In this way they killed a woman and an unborn baby.

“The soldiers took even their knives, anything that could be used as a weapon. Then one soldier on a sorrel horse standing by the hillside said ‘Hi,’ and they started shooting the guns to kill Indians.”

My father told [us] that “the Indian men were to sit in a circle around the guns that were piled in the center. They brought Chief Big Foot and laid him where the men were, even though he was very sick. When they all got there and sat down, someone said ‘hi’ and guns fired.” He started to stand up and they shot him down. Some never got up. They were shot where they sat. After the firing stopped, men were laying all over. Four soldiers were coming along checking where the men lay. If they found any alive, they shot them again to make sure they were dead.

When they came near my father, he closed his eyes so they did not shoot him again.

One woman was running for the flag and they shot her down before she got there. All these Indian men, women, children, and babies were shot down under a flag of truce. This was flying while Chief Big Foot was moving towards Pine Ridge, South Dakota. These

Indian people took the words and thought they were at peace. Who broke the treaty?<sup>76</sup>

Recognizing that he was speaking to a people for whom spoken words come more easily and to whom written words seem more reliable and trustworthy, Talbert Looking Elk tried to convey the significance of narrative fidelity within Native oral traditions: "Many of the things that we have learned and said are what might be considered hearsay. But yet, as Indians, we have memories. We can think and we can remember those things that have happened. Even though we may only tell each other in words, still, to us, they are the truth."<sup>77</sup> Because breath is sacred, speaking becomes much more than an opportunity to be heard, for speaking carries with it a sacred obligation. Retelling a story that embodies sacred significance therefore carries a double obligation.

That is an internal matter. Externally, one might begin to understand the weight of such an obligation by considering the congruence between the testimony at the 1976 hearings and Native testimony at the 1938 and 1952 hearings. Not only are these statements remarkably faithful to one another, revealing the centrality of narrative fidelity in Native oral traditions, but the detail and pathos of the individual recitals offer powerful refutative evidence against the army's case.<sup>78</sup> Taken as a whole, such testimony reveals a particularly important insight about how Native American witnesses saw the task of amending social memory, as this passage suggests:

I have seen four generations of Indians in my lifetime. . . . My children can read and wonder what it was like in the old days. . . . They must not forget the old days. In order to give my children the experience of what it was like that they might know the history of my people, I took my children for a ride in a wagon 7 years ago and on the first bump, one of my boys fell out.

Yet in all these generations, even today, my children are proud to be Indians as I am. Sometimes we find it difficult. A drawing was made in a class for my son. He brought it home proudly when he was still a very young boy. A row of teepees, typical Indian scene, but it was being shot at by jet planes. The story of killing at Wounded Knee, with the Indian losing by law or by murder, it is there. Through all these generations, comes the question to us today. What is an Indian, a brave, courageous, proud human being; a lazy, drunken, dirty and dumb savage? In these bicentennial days can the Americans think of the Indians' part in the making of a nation?<sup>79</sup>

Far from being irrelevant or academic or an amassing of a mountain of information, history here, as in many Native American cultures, is personal and personalized. The listener knows the storyteller, knows his or her relationship to the original (or previous) storyteller, and knows that the story's articulation is and must remain unaltered. Neither an abstraction nor an irrelevancy, history is real, human, the stuff that binds a community together. Storyteller and audience thus engage in a covenant to remember and repeat

with extraordinary fidelity so that personal, cultural, and social memories converge, fuse, and rearticulate as complementarities.

### CONCLUSION

Cultural values are important keys to social memory, for those values not only reflect but also shape the character and content of public communication. In the United States, reference to the values of patriotism, individualism, and the inherent morality of the system itself are important prerequisites to gaining a public hearing and are even more crucial in having a say in the contents of social memory. Because cultural values are mutable, subject to various interpretations, elites who wield finalism find ample opportunities to exploit that mutability to produce ideologically predetermined outcomes to be imposed on past events as a means of maintaining political dominance over marginalized groups and cultural dominance over society as a whole. In the Senate hearings we have examined, we have two examples of the ways finalism as a form of communicative and historical reasoning fabricates and preserves the historical record so as to support existing structures of political and cultural dominance and control. In the army's narrative, the principal task was to resist challenges to its previous narratives and to the social memory of which those narratives are constitutive—to preserve the existing order intact. In Abourezk's case, the goal was to amend the established record to include a historical injustice and its contemporary redress. In both cases, finalism operated to confirm a specific—and very similar—conclusion: The United States is a nation that respects certain principles and acts on those principles consistently and faithfully. For the army that meant injustice never occurred, which required a full dose of social amnesia; for Abourezk it meant injustice could not take place without eventually being corrected.

Neither the army nor Abourezk could make room within their formulations for indigenous narratives, which argued that injustice is not incidental but central to Indian experiences of the United States and its government; that such injustice was not an occasional aberration brought about by the uncontrollable actions of isolated individuals but was part of a broader systemic and patterned series of governmental actions aimed at dominating the North American continent; and that this behavior did not end with “the closing of the frontier” after the massacre at Wounded Knee but has continued, without more than changes in tactics occasioned by changing circumstances, well into the present.

Given the military and political context in which the hearings occurred, it seems reasonable to infer that the army was so invested in defending the 7th Cavalry's actions at Wounded Knee in 1890 because something was immediately at stake in 1976. To allow the survivors and relatives of those massacred at Wounded Knee to alter long-revered and protected images of military honor and fidelity and patriotic service in social memory could conceivably have a cascading effect. Wounded Knee, Sand Creek, the Trail of Tears, and literally thousands of other atrocities and instances of unmitigated domination might too easily steal into public view. An alteration of these elements of

social memory then might open the door for additional installments; for if the military admitted culpability in such instances, what would it have to acknowledge in terms of its culpability in Southeast Asia? If the deaths of more than three hundred unarmed men, women, children, and babies constituted a massacre, how might one define the deaths of more than two million Vietnamese? To admit culpability at Wounded Knee presumably is to threaten the existence of an organization that persists largely through reference to central values of the dominant culture. Massacre and atrocity do not fit comfortably within that lexicon of values.

This explains why both governmental narratives failed to account for Native narratives. Ablard and the army ignored them, and Abourezk attempted to exploit them. Although the government and the Native American witnesses shared some small pieces of common ground in that both acknowledged that history embodies moral lessons, there are large and obvious differences in the ways they applied this principle.

The army was willing to defend a calcified history that comports with institutional views of a moral self that constitutes a key element in social memory, which clearly conflicted with the goals of Native American survivors who wanted the public to understand (and social memory to reflect) moral lessons derivable from history before its rewriting. From the latter point of view, history must be an accurate reflection of events regardless of the consequences to the here-and-now; to believe otherwise is to risk contaminating the moral lessons that make that history (any history) relevant to the here-and-now.

Such drastically different understandings of the textures and purposes of history are irreconcilable. For non-Indians, the question of “setting the record straight” is a matter of factual accuracy. The appropriate data are derived from well-chosen contemporaneous sources, and the main interpretive issue mirrors how the events in question were perceived and understood by the participants in those events because members of the dominant cultural group understand history as linear and as adhering to a rigid chronology.<sup>80</sup> As Ablard remarked in the hearings:

Whether there may have been errors of judgment or use of unnecessary force on the part of individual soldiers at Wounded Knee are questions which I do not believe are capable of being definitely answered now almost a century after the event. While inability to resolve these questions need not preclude the Congress from providing appropriate redress for the injuries suffered by innocent individuals, neither need such redress be grounded on the presumption that a massacre occurred.<sup>81</sup>

And yet, this very insistence by a historian whose books manifest no such timidity—as well as the army’s remarkably selective use of “facts”—clearly tells acute observers that the questions are not merely answerable but have already been answered.

Native traditions function differently as narrative.<sup>82</sup> Appropriate data are derived from traditions of oral history, and interpretive issues concern guide-

lines for telling a story that offers the living a means of supporting and perpetuating the life of the community. Because life involves patterns, history serves as a guide for living correctly in the present. As an Apache observer noted in another context:

This is what we know about our stories. They go to work on your mind and make you think about your life. Maybe you've not been acting right. Maybe you've been stingy. Maybe you've been chasing after women. Maybe you've been trying to act like a Whiteman. People don't like it! So someone goes hunting for you—maybe your grandmother, your grandfather, your uncle. It doesn't matter. Anyone can do it.

So someone stalks you and tells a story about what happened long ago. It doesn't matter if other people are around—you're going to know he's aiming that story at you. All of a sudden it hits you! It's like an arrow, they say. Sometimes it just bounces off—it's too soft and you don't think about anything. But when it's strong it goes in deep and starts working on your mind right away. No one says anything to you, only that story is all, but now you know that people have been watching you and talking about you. They don't like how you've been acting. So you have to think about your life.<sup>83</sup>

When a community relies on oral history to remember the past and then uses that past to inform, educate, and unite members of the present community, the actual events are not simply a matter of factual accuracy; they also necessarily inform and are informed by moral rectitude and influence. For the army, the claim that a member of Big Foot's band fired the first shot is important as an exculpatory factor, absolving the soldiers of any guilt in the massacre. From the perspective of Native oral history, the claim that the Indians were victimized has far less to do with placing blame in the past than with sustaining the community. The "facts" are not in this sense at issue; the Sioux have had access to the facts through oral histories from the beginning. What is important is that the story stands as a guide for how relations ought to be conducted between Native Americans and the government. The lessons advanced in these two cases differ dramatically—one arguing that killing unarmed people who have honored a flag of truce is wrong, the other arguing that preservation of revered elements of social memory is imperative, regardless of the costs.

In part, such dramatically different understandings of history and its uses are a product of what each participant in the hearings wants. The army wants to protect a narrative that safeguards, preserves, and teaches elements of social memory that represents a purified, even romanticized image of heroism, gallantry, bravery, honor, and strict adherence to long-standing, explicitly articulated ethical and moral values. Abourezk wants to serve as the conduit for announcing that the government has sustained those very same principles by addressing a wrong. And yet, neither position can accommodate the goals of the people for whom the bills were created; neither side was able to comprehend that the goals of finalism (in both instances) and those of the Native

witnesses embraced and projected altogether different projects: "We say that a wrong has been committed. We would like the Government at least once to say in this instance, in this kind of situation, that something wrong has been done and that justice ought to be brought forward."<sup>84</sup> Neither version of finalism can admit into social memory this moral lesson to guide present action because that lesson contradicts and endangers significant elements of that social memory.

Among other things, this illustrates with remarkable clarity that Native Americans and other marginalized groups are permitted to participate in the debate over legitimacy only at the margins and only at the risk of being identified as anti-American. Native American accomplishments, beliefs, values, principles, ethoi, and worldviews cannot attach to social memory or emend social ego because the images European Americans created as justification for conquest, colonization, and genocide are integral parts of social memory. In contemporary terms, this means Native Americans continually and inevitably represent a challenge to accepted beliefs about the principled behavior of the United States.

Anyone seeking to challenge this constellation of ego-memory-amnesia therefore necessarily confronts two expansive difficulties. First, challengers to the dominant culture must persistently establish, maintain, and preserve their own legitimacy; they must "prove" and protect their acceptability by proving their patriotism, good intentions, and continuing allegiance to a system of cultures that seeks to dominate, control, guide, teach, perpetuate. "Legitimate" challenges do not threaten this arrangement because they are localized to demonstrably "aberrant" events produced by a temporary malfunction of that arrangement. "Illegitimate" challenges are autonomically disremembered. Second, challengers to this arrangement must also contend with the system's social memory and amnesia.

The images, myths, and stereotypes of marginalized citizens can be and often are powerful weapons against any challenge such citizens might seek to bring.<sup>85</sup> Finalism in this sense is a powerful instrument for delegitimizing potential challenges on multiple levels. Individually, finalism on this plane helps keep any one member of a minority from gaining sufficient legitimacy to press for significant change. If, for instance, an Indian fired the first shot at Wounded Knee in 1890, if any Sioux men accidentally killed some of their own during the heat of battle, then no descendants can legitimately claim damages from the army or the government because they are definitionally delegitimized.

On the social level, finalism thereby serves to disempower entire groups of individuals. When elites ingest and reconfigure history in their own image, cultural identity—and with it the cause for opposing the dominant ideology—dissipates and reemerges as a comfortably consistent element of social memory. Just so, finalism is a powerful apparatus for maintaining the structures of social dominance and political power because it creates history to serve ideology through social memory and amnesia—shattering, disfiguring, and destroying identity in the process. Unless and until social amnesia abates and cultured memories emend by exposing and erasing images colonizers once

believed necessary to the conquest of a continent, unless and until society replaces those misrepresentations with positive, respectful images, public actions and attitudes toward Indians and social relations between Native nations and local, state, and federal governments cannot develop, expand, or even change.

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### NOTES

1. We use the term *massacre* because it conveys the scale of the event, because of the one-sided character of the event, and because most accounts of the event—including the Senate hearings we examine here—either accept or at least acknowledge use of the term.

2. It is unusual for hearings to be conducted on two such similar bills with the same sponsor, and there is no discernible reason for the two bills. Moreover, the two bills are nearly identical, except that S. 2900 includes a provision that this bill, if enacted, would set no precedent for other claims cases. S. 1147 was read out on 3 March 1975, and S. 2900 was read out on 20 January 1976—both during the 94th Congress. Because neither bill passed, no extant legislative history exists on the hearings, and no mention of them appears in congressional weekly almanacs, the Congressional Record, or in Abourezk's memoir, *Advise and Dissent: Memoirs of South Dakota and the US Senate* (Chicago: Lawrence Hill Press, 1989).

3. Our concern throughout this essay is with the Senate hearings and their role in the production, maintenance, and communication of public memory. Readers interested in ongoing debates about events at and surrounding the massacre in 1890 will find a labyrinth of primary and secondary sources. Some of the more interesting are: Alan Axelrod, *Chronicle of the Indian Wars: From Colonial Times to Wounded Knee* (New York: Prentice Hall General Reference, 1993); Conger Beasley, *We Are a People in This World: The Lakota Sioux and the Massacre at Wounded Knee* (Fayetteville: University of Arkansas Press, 1995); Thomas Bland, *A Brief History of the Late Military Invasion of the Home of the Sioux* (Washington, DC: National Indian Defense Association, 1891); Boyd Bosma, "An Interview with Jim Mesteth," *Indian Historian* 11 (1978): 18–21; Dee Brown, "The Ghost Dance and the Battle of Wounded Knee," in *The American Indian: Past and Present*, eds. Roger Nichols and George Alexander (Waltham, MA: Xerox College Publishing, 1971), 221–29; Hans-Christoph Buch, *Tatanka Yotanka: Oder Was Geschah Wirklich in Wounded Knee?* (Berlin: Verlag Klaus Wagenbach, 1979); William Coleman, *Voices of Wounded Knee* (Lincoln: University of Nebraska Press, 2000); Peter DeMontravel, "General Nelson A. Miles and the Wounded Knee Controversy," *Arizona and the West* 28 (1986): 23–44; Black Elk, "The Butchering at Wounded Knee," in *The American Frontier: Readings and Documents*, eds. Robert Hine and Edwin Bingham (Boston: Little, Brown, 1972), 492–96; Renee

Flood, *Lost Bird of Wounded Knee: Spirit of the Lakota* (New York: Scribner, 1995); Susan Forsyth, *Representing the Massacre of American Indians at Wounded Knee, 1890–2000* (Lewiston, NY: Mellen Press, 2003); Mario Gonzalez, *The Politics of Hallowed Ground: Wounded Knee and the Struggle for Indian Sovereignty* (Urbana: University of Illinois Press, 1999); Jerome Greene, “The Sioux Land Commission of 1889: Prelude to Wounded Knee,” *South Dakota History* 1 (1970–1971), 41–72; Don Huls, *The Winter of 1890 (What Happened at Wounded Knee)* (Chadron, NB: NP, 1974); William Huntzicker, “The ‘Sioux Outbreak’ in the Illustrated Press,” *South Dakota History* 20 (1990): 299–322; Indian Rights Association, *The Killing of Women and Children* (Philadelphia: NP, 1891); Richard Jensen and John Carter, *Eyewitnesses at Wounded Knee* (Lincoln: University of Nebraska Press, 1991); William Kelley, *Pine Ridge, 1890: An Eye Witness Account of the Events Surrounding the Fighting at Wounded Knee* (San Francisco: P. Bovis, 1971); Todd Kerstetter, *God’s Country, Uncle Sam’s Land: Religious Exceptionalism, the Myth of the West, and Federal Force* (Lincoln: University of Nebraska, Diss., 1997); John Lauderdale and Jerry Green, *After Wounded Knee* (East Lansing: Michigan State University Press, 1996); Sheryl L. Lindsley, Charles Braithwait, and Kriston Ahlberg, “Mending the Sacred Hoop: Identity Enactment and the Occupation of Wounded Knee,” *Great Plains Quarterly* 22 (2002): 115–26; John MacKintosh, *Custer’s Southern Officer: Captain George D. Wallace, 7th U.S. Cavalry* (Lexington, SC: NP, 2002); James McGregor, *The Wounded Knee Massacre: From the Viewpoint of the Sioux* (Rapid City, SD: Fenske Printing, 1940); Merrill Mattes, “The Enigma of Wounded Knee,” *Plains Anthropologist* 5 (1960): 1–11; David Miller, *Ghost Dance* (Lincoln: University of Nebraska Press, 1985); Richard Morris and Philip Wander, “Native American Rhetoric: Dancing in the Shadows of the Ghost Dance,” *Quarterly Journal of Speech* 76 (1990): 164–91; Roger Nichols, “The Ghost Dance and the Battle of Wounded Knee,” in *The American Indian*, ed. Dee Brown (New York: Knopf, 1981), 171–79; Roxanne Ortiz, “Wounded Knee 1890 to Wounded Knee 1973: A Study in United States Colonialism,” *Journal of Ethnic Studies* 8 (1980): 1–15; B. J. Peterson, *The Battle of Wounded Knee* (Gordon, NB: News Publishing Company, 1941); Julian Rice, “‘It Was Their Own Fault for Being Intractable’: Internalized Racism and Wounded Knee,” *The American Indian Quarterly* 22 (1998): 63–82; John Sayer and Alan Dershowitz, *Ghost Dancing the Law: The Wounded Knee Trials* (Cambridge, MA: Harvard University Press, 2001); Dennis Shaw, *The Battle of Wounded Knee: Myth Versus Reality* (Ann Arbor, MI: University Microfilms, 1981); Will Spindler, *Tragedy Strikes at Wounded Knee* (Vermillion: University of South Dakota Press, 1972); Turning Hawk, Captain Sword, Spotted Horse, and American Horse, “The Massacre at Wounded Knee, South Dakota, on December 29, 1890,” in *Great Documents in American Indian History*, eds. Wayne Moquin and Charles Van Doren (New York: Praeger, 1973), 267–71; United States Congress, House Committee on Indian Affairs, *Wounded Knee Massacre, S.C., 1890* (Washington, DC: US Government Printing Office, 1940); United States Department of the Interior, *In the Senate of the United States Letter from the Secretary of the Interior, in Response to Senate Resolution of February 21, 1893, Relative to Claims of Friendly Indians for Depredations Committed during the Pine Ridge Disturbance* (Washington, DC: US Government Printing Office, 1893); Jack Utter, *Wounded Knee and the Ghost Dance Tragedy* (Lake Ann, MI: National Woodlands Publishing Company, 1991); Herman Viola, *Trail to Wounded Knee: The Last Stand of the Plains Indians, 1860–1890* (Washington, DC: National Geographic, 2004); Gerald Vizenor, “Dennis of Wounded



Knee," *American Indian Quarterly* 7 (1983): 51–65; James Walker, ed., *The Ghost Dance and Wounded Knee Fight* (Lincoln: University of Nebraska Press, 1982); Wounded Knee Legal Defense/Offense Committee, *Remember Wounded Knee, 1890–1973* (St. Paul, MN: The Committee, 1973–1983).

4. Tzvetan Todorov, *The Conquest of America* (New York: HarperPerennial, 1983), 17.

5. From another angle, finalism at this level also bears a curious resemblance to Hofstadter's "paranoid style" and Browne's "pastoral voice" insofar as all three encourage reliance on foredrawn conclusions that reinvent the past and circumscribe the present and future so that "other" conclusions are foreclosed. See Richard Hofstadter, *The Paranoid Style in American Politics and Other Essays* (New York: Knopf, 1978); Stephen H. Browne, "The Pastoral Voice in John Dickinson's First Letter from a Farmer in Pennsylvania," *Quarterly Journal of Speech* 76 (1990): 46–57.

6. Richard Morris, *Sinners, Lovers and Heroes: An Essay on Memorializing in Three American Cultures* (Albany: SUNY Press, 1997). See also Sacvan Berkovitch, *The Rites of Assent: Transformations in the Symbolic Construction of America* (New York: Routledge, 1993); John Bodnar, *Remaking America: Public Memory, Commemoration, and Patriotism in the Twentieth Century* (Princeton: Princeton University Press, 1992); Michael Kammen, *Mystic Chords of Memory: The Transformation of Tradition in American Culture* (New York: Knopf, 1991); Page Putnam Miller, ed., *Reclaiming the Past: Landmarks of Women's History* (Bloomington: Indiana University Press, 1992).

7. Andrew Burstein, *The Passions of Andrew Jackson* (New York: Alfred Knopf, 2003), xix.

8. The process of installation, to be sure, is a far more complex formula.

9. See M. Lane Bruner, *Strategies of Remembrance: The Rhetorical Dimensions of National Identity Construction* (Columbia: University of South Carolina Press, 2002). See also Stephen H. Browne, "Reading, Rhetoric, and the Texture of Public Memory," *Quarterly Journal of Speech* 81 (1995): 237–50; Robert J. Cox, "Memory, Critical Theory, and the Argument from History," *Argumentation and Advocacy* 27 (1990): 1–13; Kathryn Olson, "The Controversy over President Reagan's Visit to Bitburg: Strategies of Definition and Redefinition," *Quarterly Journal of Speech* 75 (1989): 129–51.

10. Paul R. Brass, "Elite Competition and Nation Formation," in *Nationalism*, eds. John Hutchinson and Anthony B. Smith (New York: Oxford University Press, 1994), 83–88.

11. Bruner, *Strategies of Remembrance*, 90.

12. Wounded Knee Massacre: Hearings before the Committee on the Judiciary, February 5–6. United States Senate, Ninety Fourth Congress, Second Session (Washington, DC: US Government Printing Office, 1976), 1.

13. Congressional hearings are particular kinds of political events that, in cases like this, are very much about the discussion of what does and does not constitute appropriate historical narratives; they are therefore ideal sites for the kind of analysis in which we are engaged. See, for example, G. R. Boynton, "How Past Is Present in Writing International Affairs," in *The Theory and Practice of Political Communication Research*, ed. Mary E. Stuckey (Albany: SUNY Press, 1996), 177–95.

14. Wounded Knee Massacre, 75.

15. *Ibid.*, 75–76.

16. *Ibid.*, 1.

17. The continuation of the controversy over Medals of Honor having been awarded to soldiers of the 7th Cavalry is well catalogued at [<http://www.dickshovel.com/WKmasscre.html>], viewed 4 November 2003.

18. Wounded Knee Massacre, 1.

19. *Ibid.*, 1–2.

20. *Ibid.*, 15.

21. *Ibid.*

22. *Ibid.*

23. *Ibid.*, 16–17.

24. *Ibid.*, 19.

25. *Ibid.*, 27.

26. *Ibid.*, 22.

27. *Ibid.*

28. *Ibid.*

29. See Walter Fisher, “A Motive View of Communication,” *Quarterly Journal of Speech* 56 (1970): 131–39.

30. Wounded Knee Massacre, 19.

31. *Ibid.*

32. *Ibid.*, 23.

33. *Ibid.*, 24.

34. *Ibid.*, 25.

35. *Ibid.*, 22.

36. The overwhelming edge certainly belonged to non-Indians. See George Rogers Taylor, *The Turner Thesis: Concerning the Role of the Frontier in American History* (New York: D.C. Heath, 1972); Mary E. Stuckey and John M. Murphy, “By Any Other Name: Rhetorical Colonialism in North America,” *American Indian Culture and Research Journal* 25 (2001): 73–98.

37. Regarding governmentally perpetrated massacres, Leslie A. Stiffarm and Phil A. Lane observe that a “bare sampling of some of the worst must include the 1854 massacre of perhaps 150 Lakotas at Blue River (Nebraska), the 1863 Bear River (Idaho) Massacre of some 500 Western Shoshones, the 1864 Sand Creek (Colorado) Massacre of as many as 250 Cheyennes and Arapahoes, the 1868 massacre of another 300 Cheyennes at the Washita River (Oklahoma), the 1875 massacre of about seventy-five Cheyennes along the Sappa Creek (Kansas), the 1878 massacre of still another 100 Cheyennes at Camp Robinson (Nebraska), and the 1890 massacre of more than 300 Lakotas at Wounded Knee (South Dakota).” See Leslie A. Stiffarm and Phil A. Lane, “The Demography of Native North America: A Question of American Indian Survival,” in *The State of Native North America: Genocide, Colonization, and Resistance*, ed. M. Annette Jaimes (Boston: South End Press, 1992), 23–53; quotation on 34.

38. Wounded Knee Massacre, 37.

39. See, for instance, Robert M. Utley, *Custer and the Great Controversy: The Origin and Development of a Legend* (Lincoln, NE: Bison, 1998); Robert M. Utley, *The Last Days of the Sioux Nation*, 2nd ed. (New Haven: Yale University Press, 2004).

40. See, for example, Ralph K. Andrist, *The Long Death: The Last Days of the Plains Indians* (University of Oklahoma Press, 2001) [<http://www.amazon.com/exec/obidos/ASIN/0806133082/kradegbookreview>], viewed 16 November 2004, 41. Wounded Knee Massacre, 28.

42. Although this is still a matter of contention where reasonable people disagree, we believe the logic (military and otherwise) speaks quite clearly. Whether the 7th Cavalry engaged in a preplanned massacre of people who had already surrendered is not the point; the point is that the 7th prepared to do so and, once hostilities commenced, spent hours hunting down and killing unarmed people.

43. Quoted in Brian W. Dippie, *Vanishing American: White Attitudes and U.S. Indian Policy* (Middletown, CT: Wesleyan University Press, 1982), 202.

44. Quoted in Ronald Takaki, *A Different Mirror: A History of Multicultural America* (Boston: Little, Brown and Company, 1993), 231.

45. "Miniconjou" is one of the common spellings for this group. Others include Minneconjou, Minniconjou, or Mnicoujou (this last appears on the Cheyenne River Sioux's official website [<http://www.sioux.org> www.Sioux.org]), viewed 16 November 2004. We use this variant to avoid confusion, as it is the one used in the transcripts of the hearings (see, e.g., p. 63).

46. Wounded Knee Massacre, 115–33.

47. *Ibid.*, 93.

48. *Ibid.*, 45.

49. *Ibid.*, 48.

50. *Ibid.*, 28.

51. *Ibid.*, 29.

52. *Ibid.*, 37.

53. *Ibid.*, 29–30, 37–39.

54. *Ibid.*, 30; see also, 42–46.

55. See Kenneth Burke, *A Grammar of Motives* (Berkeley: University of California Press, 1945); for an interesting analysis of similar shifts in different contexts, see David Birdsell, "Ronald Reagan on Lebanon and Granada: Flexibility and Interpretation in the Application of Kenneth Burke's Pentad," *Quarterly Journal of Speech* 73 (1987): 267–279.

56. Wounded Knee Massacre, 23.

57. *Ibid.*

58. Many reputable historians and authors argue that the Indians precipitated the shooting. See, for instance, Renee Flood, *Lost Bird of Wounded Knee: Spirit of the Lakota* (New York: Scribner, 1995). Our concern here is less with a historically verifiable sequence of events than with the consequences of the various narratives concerning that sequence.

59. Wounded Knee Massacre, 36.

60. *Ibid.*, 43.

61. *Ibid.*, 32.

62. Richard Morris and Mary E. Stuckey, "More Rain and Less Thunder: Substitute Vocabularies, Richard Nixon, and the Construction of Political Reality," *Communication Monographs* 64 (1997): 140–60.

63. Wounded Knee Massacre, 20.

64. *Ibid.*, 21.

65. *Ibid.*

66. *Ibid.*

67. *Ibid.*, 23.

68. *Ibid.*, 25–26. Curiously, the army's representatives provided the committee with three pages of dictionary definitions. See *ibid.*, 40–42.

69. Ibid., 54.

70. Ibid., 52.

71. Ibid., 58.

72. Ibid., 60.

73. Ibid., 53.

74. Throughout this discussion, our focus is on narratives presented during the hearings. Needless to say, the ways individuals construct and present arguments in public do not necessarily resemble the ways they construct and present them in private or intraculturally.

75. Vine Deloria Jr., *God Is Red* (New York: Dell, 1994), 72.

76. Wounded Knee Massacre, 60.

77. Ibid., 63.

78. Ibid., 82–104.

79. Ibid., 61.

80. Deloria, *God Is Red*, 113.

81. Wounded Knee Massacre, 20.

82. Deloria, *God Is Red*, 115.

83. Keith H. Basso, *Western Apache Language and Culture: Essays in Interpretive Linguistics* (Tucson: University of Arizona Press, 1990), 124–25.

84. Wounded Knee Massacre, 55.

85. Morris and Stuckey, “More Rain and Less Thunder,” 140–60.

