

# The Story of Standing Bear - Part 4

It's near to nine, the evening of May 2, 1879. The courtroom is standing room only. It's the second day of a trial that pits a weary band of indigenous people against a massive law-and-order government.

The Omaha courtroom features the famous Indian fighter, Brigadier General George Crook, who often took to the military field in buckskin, civilian togs. But today he's donned his full-dress uniform. Just three years earlier the nation's celebrations at its own big centennial commemoration were muted by bloodletting at Little Big Horn.

Another man in that room captures even more attention than the famous general. An eagle feather dangles from his braided hair. His shirt is bright blue. He wears blue leggings and deerskin moccasins, and a red and blue blanket is flung over his shoulders. His huge bear-claw necklace hangs around a brass medallion featuring Thomas Jefferson. He could have worn white man's clothing, but Standing Bear wore his own full-dress uniform.

Native people were rarely in courtrooms back then. They were Indians—they had no rights. Their being in that courtroom was unheard of, but dozens of spectators had been reading local papers and knew the back story. They wanted to bear witness.

Rather than rounding up the Ponca and herding them like longhorns back to Warm Country, General Crook had plotted something unforeseen. In a secret meeting, he'd urged a local attorney to obtain a writ of *habeas corpus* in defense of the Poncas, a move that could bring Standing Bear and his people into court for the very first time. Crook's mind and soul had determined there simply had to be a better way than more bloody war.

It's late—after nine. Lengthy speeches have stretched the proceedings; the case has stimulated passions: should the Ponca be allowed to return to the Niobrara, their homeland, or should the government send them back once more again to the place

where all of the nation's indigenous would, supposedly, eventually live? Is Standing Bear free, or are his people free?

Standing Bear raised his hand, looked at it before speaking, and then, translated by Susanne LaFlesche of the Omaha people, spoke in the his Ponca language.

"That hand is not the color of yours," he said to the judge in a voice deeply pitched, "but if I pierce it, I shall feel pain. If you pierce your hand, you also feel pain. That blood that will flow from mine will be of the same color as yours," he said, "I am a man. The same God made us both."

He described a dream. He and his wife and child climbed a bluff that overlooked the swift running water of the Niobrara River and the graves of his fathers. Only one man stood between him and his homeland in that dream. He faced the judge, pointed. "You are that man," he said.

The silence lay deep all around. Someone in the audience began to clap, then cheer. Soon, many joined in.

Brigadier General George Crook, the Department of the Platte, commander at Fort Omaha, stood in his fine dress uniform, walked across the courtroom floor to Standing Bear, and shook his hand.

Ten days later, the judge offered his ruling. Never before had he adjudicated a case marked by such extremes, he said: a people "weak and unlettered, and generally despised" pitted against the government of "one of the most powerful, most enlightened, and most christianized nations of modern times."

That whole decision appeared in the *Omaha Daily Herald*, then in the *Chicago Tribune*, and the *New York Daily Tribune*. "Out in Omaha at least," the New York paper said, "the idea has come to the surface at last, that an Indian is a man with human rights."

Standing Bear and his people, carrying with them the remains of his son, were free to go, free to return to the land of his people, free to be human, wholly and blessedly free.