

# Lincoln and the American Indians

By Rabbi Menachem Genack

On Sunday, protestors in Portland, Oregon, tore down a statue of Abraham Lincoln and spray painted “Dakota 38” on the base. This refers to the 38 Dakota men who were executed in the aftermath of the Great Sioux Uprising of 1862, with Lincoln’s approval. However, the protestors’ actions display either ignorance or a distorted view of history. In fact, in dealing with the aftermath of the Great Sioux Uprising, Lincoln’s moral rectitude was on full display.

With the establishment of the state of Minnesota in 1858, the Sioux had been pushed off their native lands and the government’s promised compensation for the land often came up short or did not reach the tribe. Many Sioux spent winters in near-starving conditions. As the situation continued to worsen, their desperation grew as well. In the summer of 1862, four Sioux men murdered five white settlers while robbing a farm for food. Sensing a counter-attack, the Sioux preemptively declared war. In his second annual message President Lincoln stated that “It is estimated that not less than eight hundred persons were killed by the Indians, and a large amount of property was destroyed.”

Lincoln sent General John Pope to quell the uprising. Eventually, twelve hundred Indian men, women, and children, were captured. A military commission was established to try the prisoners. Just over a month later, the commission had conducted 392 trials, including forty in one day. The trials resulted in death sentences for 303 Sioux men. Public opinion in Minnesota overwhelmingly approved the verdicts and wanted to see them carried out without delay, despite the lack of due process in these trials.

But the executions could not proceed without the approval of President Lincoln. Lincoln asked for “the full and complete record of these convictions,” insisting that no executions take place without his consent. Minnesota politicians did not welcome Lincoln’s interference. Local congressmen wrote to Lincoln: “We protest against the pardon of these Indians; because, if it is done, the Indians will become more insolent and cruel than they ever were before, believing...that their Great Father at Washington either justifies their acts or is afraid to punish them for their crimes... If the President does not permit the execution to take place under the forms of law, the outraged people of Minnesota will dispose of these wretches without law.” Yet Lincoln took the advice of the Episcopal Bishop Henry Whipple, who recommended “a new policy of honesty” in dealing with a “wronged and neglected race.”

This issue arrived on Lincoln’s desk at a crisis point in the Civil War. Lincoln was also grieving for his 11-year-old son Willie who had died shortly before. But despite the pressure from all sides, Lincoln began reviewing the cases of the convicted Sioux, spending days reading trial transcripts and receiving visits from family members of the convicted. As an accomplished trial lawyer himself, Lincoln knew that had the accused been allowed representation, they would have been able to demonstrate the problematic nature of the trials.

On December 6, 1862, Lincoln issued his decision, later explaining: “Anxious to not act with so much clemency as to encourage another outbreak on the one hand, nor with so much severity as to be real cruelty on the other, I caused a careful examination of the records of trials to be made... I then directed a further examination, and a classification of all who were proven to have participated in *massacres*, as distinguished from participation in *battles*.” Lincoln’s order allowed the execution of only 38 of the 303

Sioux sentenced to death. As historian Ron Soodalter notes, Lincoln “hand wrote the list of long, difficult, phonetically spelled Sioux names himself, and advised the telegrapher on the vital necessity of sending them correctly, lest the wrong men be hanged.”

When Alexander Ramsey suggested that Lincoln would have won Minnesota by a wider margin in the 1864 election had he allowed the original orders to stand, Lincoln responded: “I could not afford to hang men for votes.”

Decades earlier, in 1832, when Lincoln was a captain in the Black Hawk War, an old Indian had wandered onto Lincoln’s encampment. The men wanted to kill the Indian, but Lincoln would not allow it. As Carl Sandburg describes it, “The gleam in his eyes blazed as he stood by the old Indian and quietly told the mob, ‘If any man thinks I am a coward, let him test it.’”

Lincoln’s life was shaped by another Indian, before he was born. Abraham Lincoln’s grandfather and namesake, Captain Abraham Lincoln (1744-1786), was shot by an Indian while working his field with his sons. His eldest son, Mordecai, ran to the cabin where a loaded gun was kept. From the cabin, Mordecai observed the Indian come out of the forest and reach for Thomas, the future president’s father, either to kill him or to carry him off. Mordecai took aim and shot the Indian in the chest, killing him. This event significantly impacted the future president’s life. Due to the right of primogeniture, Mordecai, the oldest son, inherited all of his father’s wealth. Thomas Lincoln, who was eight years old when his father was killed, was left to fend for himself. Campaigning for president, Abraham Lincoln told a potential biographer, “It is a great piece of folly to attempt to make anything out of my early life. It can all be condensed into a single sentence...‘The short and simple annals of the poor.’ ”

Given this backstory, it would not have been surprising if Abraham Lincoln would have been prejudiced against American Indians. According to Lincoln’s friend William Herndon, Mordecai Lincoln was left with a lifelong animosity toward Indians: “The tragic death of his father filled Mordecai with an intense hatred of the Indians—a feeling from which he never recovered.” But Abraham Lincoln refused to judge a group by the actions of an individual.

Toppling Lincoln’s statue to protest the executions of the Sioux is a distortion of the historical record. Lincoln’s actions following the Great Sioux Uprising were conducted in the same spirit of fairness with which he lived his entire life, by that great creed, that all men are created equal.