

Echoes of murder

Doubts haunt an Indian leader's jailing

On a blistering June morning in 1975, during a daylong battle between native Indians and law enforcement officials on the Pine Ridge reserve near Wounded Knee in South Dakota, an assailant stumbled upon two stranded agents of the U.S. Federal Bureau of Investigation and shot each of them in the head. The officers died instantly, but their violent demise set into motion a complex series of events that continues to raise questions about the plight of the American Indian, bias within the U.S. judicial system and the role played by Canadian authorities in the imprisonment of a man who is believed by many prominent individuals and human-rights organizations to be innocent. Now, after winning two libel suits that cost his publisher more than \$2 million—the defence was one of the longest and most expensive in publishing history—American author Peter Matthiessen has re-released his controversial 1983 book about the event, *In the Spirit of Crazy Horse* (Viking, 645 pages, \$35).

Fuelled by an open rage at what he describes as “400 years of betrayals and excuses” by North American courts and politicians in their treatment of Indians, Matthiessen’s hard-hitting and unabashedly one-sided tale appears in bookstores one year after the standoff began between police and Mohawk Warriors at Oka, Que. And Matthiessen’s courtroom victories may represent the beginning of a reversal of the fortunes of American Indian leader Leonard Peltier, the dogged hero of *In the Spirit of Crazy Horse*. In 1977, a North Dakota court sentenced Peltier, now 46, to two consecutive life terms for the shooting deaths of FBI special agents Jack Coler and Ronald Williams on that summer day 16 years ago. Since the verdict, Peltier has unsuccessfully appealed his case twice in U.S. courts. And in 1989, he even took his case to the Supreme Court of Canada, where Toronto lawyers Clayton Ruby, Frank Addario and Dianne Martin argued that, after Peltier’s capture in western Alberta in 1976, the FBI had falsified evidence in its successful efforts to extradite him. The high court ac-

knowledged the truth of that allegation—but declined to grant the request for an appeal of Peltier’s extradition.

But now, in addition to Matthiessen’s legal victory and the publication of his book, Peltier’s supporters have other reasons to hope that the imprisoned activist’s controversial case will

call on witnesses to introduce new evidence of wrongdoing in the government’s handling of the Pine Ridge investigation and Peltier’s 1977 trial in Fargo, N.D. Among those expected to testify is Judge Paul Benson, who presided over the earlier trial. Said Frank Dreaver, co-founder of the Leonard Peltier Defence Committee (Canada), a lobby group based in Scarborough, Ont., and one of several such committees in North America and Europe: “Finally, we are seeing signs of hope.”

The history of *In the Spirit of Crazy Horse* rivals that of the story it tells. In 1983, Viking stopped the presses after former South Dakota governor William Janklow and FBI special agent David Price launched their lawsuits. By then, about 30,000 first-edition copies of the book—which now fetch up to \$250 apiece—had made it into circulation. The lawsuits against Matthiessen and Viking sought a total of \$55



Indians commemorating the 1890 massacre at Wounded Knee last year; Peltier (below): rage

receive renewed attention. Director Oliver Stone is in the early stages of producing a feature-length film about the case. And Robert Redford has set a release date of early next year for his production company’s just-completed documentary, directed by Michael Apted (*Coal Miner’s Daughter*) and tentatively called *Peltier*. That film will include appearances by several of the activist’s most vocal supporters, including Canadian Liberal MP Warren Allmand, who in May introduced his fifth private member’s bill into Parliament seeking to annul the extradition proceedings and return Peltier to Canada.

Meanwhile, a North Dakota court is scheduled to convene on July 29 for an evidentiary hearing at which Peltier’s U.S. lawyers will

million in damages for libel. Janklow, who was the attorney general of South Dakota at the time of Peltier’s trial, claimed that the book had portrayed him as “morally decadent.” Price said that it painted him as a “corrupt and vicious” individual. A South Dakota judge dismissed Janklow’s suit, calling Matthiessen’s account “fair and balanced.” In the Price case, a Minnesota Federal Court judge conceded that the book was “an entirely one-sided view of people and events.” Still, the judge dismissed the libel case, defending Matthiessen’s right to state his opinion and praising Viking’s determination to undertake the publication of such “difficult but important works.”

Matthiessen, whose most recent book, *Killing Mr.*



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