

The Proceedings of the Symposium:

Killing California Indians: Genocide in the Gold Rush Era

Held November 7, 2014, at the University of California, Riverside



COSTO CHAIR IN NATIVE AMERICAN AFFAIRS
CALIFORNIA CENTER FOR NATIVE NATIONS

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INTRODUCTION

The following are the proceedings, “Killing California Indians: Genocide in the Gold Rush Era,” a symposium organized and executed by research fellows at the California Center for Native Nations (CCNN) and the Costo Chair for Native American Affairs at the University of California, Riverside. Included are whatever materials the participants shared with the coordinators and are thus, not complete or uniform. Some scholars shared both their PowerPoint presentations as well as the papers they wrote for the symposium. Others only had PowerPoints or papers, and a couple presented papers they had already either published in journals or edited volumes. Nevertheless, a great deal of the information presented is present in these proceedings. Included also are articles from local and university newspapers as well as readers’ comments.

“Killing California Indians: Genocide in the Gold Rush Era”

**A Forward to an Academic Symposium Held at the
University of California, Riverside, November 7, 2014**

**By Clifford E. Trafzer, Convener
Distinguished Professor of History
Rupert Costo Chair in American Indian Affairs
Director of the California Center for Native Nations**

January 2015

In January 1848, California Indians, John Marshall, and others working near the Nisenan Indian village of Koloma made a monumental discovery of gold. At the time of the gold discovery, Maidu, Nisenan, and other Native Americans were digging a millrace in the deep gray gravel from the American River to John Sutter’s new lumber mill. The gold discovery on the western slope of the Sierra Nevada Mountains set off one of the most dramatic migrations in world history. Thousands of non-Indian newcomers rushed to California, rapidly and permanently changing the lives of thousands of indigenous people in California.

Representatives of the United States government did little or nothing to protect Native Californians from the invasion of transnational miners into the homelands of the first people of California. In 1850, California joined the Union. Officials of the United States and the nation’s newest state did nothing to protect Indian people, land, rights, or resources. They encouraged and supported the extermination and exploitation of Native American men, women, and children. Peter Burnett, California’s first governor, made it clear in his second annual message of January 7, 1851. The people of California and the United States must expect,

Burnett proclaimed, “That a war of extermination will continue to be waged between the two races until the Indian race becomes extinct.”

Over the course of several years, historians and other scholars have examined the relationship between non-Native newcomers and the First Nations of California. Sherburne Cooke, Robert Heizer, and Alan Almquist provided some of the most critical studies of the Gold Rush era, investigating Native American population decline, the print media’s exposes’ of killings and kidnappings of California Indians, and the campaigns launched against indigenous people. George Phillips, Clifford Trafzer, and Joel Hire have explored the relationship of settlers, soldiers, and miners with Native Californians during the era of the Gold Rush. These authors provided some emphasis to Southern California Indians, people often overlooked when investigating American Indian issues during the Gold Rush.

Hupa/Cherokee scholar and Professor Emeritus of Humboldt State University, Jack Norton, researched and wrote the first book identifying the murders, rapes, and kidnappings of Native Californians as genocide. His volume, *When Our Worlds Cried: Genocide in Northwestern California*, Norton used the “Conventions on the Preventions and Punishment of the Crime of Genocide” provided by the United Nations in 1948 to define genocide. The definitions provided by the United Nations in the wake of the Nazi genocide of Jewish people has become the standard worldwide, although some scholars refuse to acknowledge and use the definitions provided by the world body.

The United Nations determined that the “intent to destroy, in whole or in part” a religious, national, ethnic, or racial group constitutes genocide. Likewise, killing members of the group or causing mental or physical harm to members of a group also falls under the definition genocide. In addition, whenever one group inflicts conditions deliberately intended “to bring about its physical destruction in whole or in part” or “imposes measures intended to prevent births.” Finally, genocide occurs when one group transfers children from one group to another, as the United States did when federal officials took children from their parents and forcing them into Indian boarding schools. Norton effectively used these definitions of genocide to prove his case, just as he did in his address at the symposium, “To Destroy in Whole or in Part: Remembering the Past to Affirm Our Future.”

Significantly, neither Norton nor any other participant in the symposium compared the genocide of California Indians to that of Jewish and other communities during World War II or any other genocide. Norton argued that specific cases of genocide in world history each stand on their own as unique events of inhumanity and horror. Some contemporary scholars ignored the definitions of genocide provided by the United Nations, and others have labeled the conflicts during the Gold Rush “ethnic cleansing.” More than one tribal elder has asked, “What is the difference?” The answer is unclear except in the minds of those using such labels. For each of the participants in the symposium, however, the definitions offered in 1948 by the United Nations provided a clear path for understanding the Gold Rush era in California.

In order to discuss, define, and deconstruct the genocide of California Indians during the era of the Gold Rush, the California Center for Native Nations, Rupert Costo Endowment, Native American Educational Program, and Native American Student Programs at the University of California, Riverside, hosted a symposium on November 7, 2014. Organizers convened the symposium to encourage additional research on the subject and allow the leading scholars of the field an opportunity to share their research, evidence, and interpretations. The gathering began with a dynamic opening by Robert Przeklasa, a young scholar completing his Ph.D. in History at the University of California, Riverside, who offered an engaging Power Point. He has also agreed to compile and edit these Proceedings, which will enlighten readers to the historical research and community comments made during the symposium. Przeklasa shared his opening remarks and then introduced the first three speakers: Jack Norton, Brendan Lindsay, and James Fenelon.

Norton provided a moving and in-depth examination of the definitions of genocide provided by the United Nations and provided illuminating examples that he researched among the American Indian people of Northern California. Brendan Lindsay a professor of history at Sacramento State University offered the second lecture. Lindsay is the author of a groundbreaking and much acclaimed book, *Murder State: California's Native American Genocide*. Lindsay followed Norton's presentation with "Child Stealing, Guardianship, and Genocide in California," the topic of his next book. One definition of genocide focuses on the forced removal of children from one group to another, which Lindsay showed occurred during the Gold Rush. He argued that even before the removal of Indian children from their

parents to federal Indian boarding schools, non-Native newcomers kidnapped boys and girls, sometimes murdering their parents to take them as slaves for labor and sexual exploitation.

Child kidnappers even became the legal “guardians” of Indian children. Under Chapter 133, An Act for the Government and Protection of Indians, the state of California proclaimed Native American children to be “wards” of the government and assumed greater say over their lives than their parents. In this way, the state codified a “legal” method for non-Natives to capture and hold children without the permission of their parents who were not citizens of the state or nation. Lindsay is currently researching the topic of stolen children, child adoptions, and the diaspora of Native California Indians during the mid-nineteenth century. After Lindsay’s chilling examination of child theft and abuse, Przeklasa introduced Professor James Fenelon of California State University, San Bernardino, where he serves as the Director of the Indigenous Peoples Studies Center and professor of Sociology. He is *Lakota/Dakota* from Standing Rock, and has published two significant works that deal with genocide, *Culturicide, Resistance, and Survival of the Lakota (Sioux Nation)* and co-authored *Indigenous Peoples and Globalization*.

During his lecture, Fenelon placed genocide in a larger, world systems context. As in his classrooms, Fenelon captivated his audience with an engaging Power Point presentation, “Indigenous Genocide in the State of California: Proofs, Practices, Policies (or) Genocide: Creation of California over Dead Indian Bodies.” Without mincing words, Fenelon offered a theoretical lecture to situate the California Indian genocide into a global context. This theme has become an element

of Fenelon's new research, which constitutes innovative scholarship and a contribution to sociology and the field of Native American Studies.

Trina Roderick, a Ph. D. student in History from the University of California, Riverside, led the afternoon session, offering humor and a lightened spirit during the second half of this serious gathering. Roderick introduced Professor George Phillips, Emeritus from the University of Colorado, the most notable academic authority of Southern California Indian history. Phillips has published extensively on California Indians, and his books include *Vineyards and Vaqueros: Indian Labor and the Economic Expansion of Southern California, 1771-1877*; *Chiefs and Challengers: Indian Resistance and Cooperation in Southern California*; and *Indians and Indian Agents: The Origins of the Reservation System in California, 1849-1852*. His presentation, "Labels and Indian History: Do We Really Need Them?" challenged participants on the use of word: genocide. He urged the scholars and public participating in the symposium to stick to facts, which reveal what needs to be said and shared. The facts, he said, speak for themselves about the events during the Gold Rush era, and he felt that people could get so caught up in labels they would lose sight of details describing the shootings, raids, and taking of Indian captives. He did not urge participants to abandon historical interpretations, but cautioned the group to be careful about becoming consumed with "labels." As usual, the lecture by George Phillips created quite a stir and lots of discussion before Roderick introduced the next speaker, professor Michelle Lorimer of California State University, San Bernardino.

Lorimer examined the way history and social science textbooks in California handle the issue of genocide, murder, kidnapping, slavery, and abuse. Her lecture was a continuation of her on-going research on the historical representation of genocide to schoolchildren and an expansion of her article, "Silencing California Indian Genocide in Social Studies Texts," that was published in 2013 in the peer-reviewed journal *American Behavioral Scientist*. Lorimer argued that the State Department of Education has silenced genocide through approved readings for elementary and high school students in California. In her lecture, Lorimer exposed the fact that although academic research by multiple scholars clearly demonstrates genocide against California Indians during the Gold Rush, the State Department of Education in California does not require textbook companies to provide accurate and well-documented presentations about the genocide. In California today, children learn about the horrors of the holocaust and Armenian genocide, and rightfully so, but they learn little or nothing about the authentic conditions for Native Americans during the Gold Rush era and its aftermath. The state office refuses to use the term genocide, and textbook companies, eager to please the state and sell millions of dollars of books, refuse to address California's genocide of Native Americans. In fact, the State Department of Education denies the California Indian genocide, even in the face of historical evidence through overwhelming research to the contrary.

Benjamin Madley is one of the newest scholars investigating the genocide of California Indians during the Gold Rush. A professor of history at the University of California, Los Angeles, Madley presented "California and Oregon's Modoc Indians:

How Indigenous Resistance Camouflages Genocide in Colonial Histories.” He moved his audience by presenting a Power Point using the Modoc Indians of Northern California and Southern Oregon as his example of Native American resistance to incursions by miners, settlers, and soldiers who invaded their country and stole their land and resources. Madley pointed out that the newcomers used words and graphics to portray the Modoc as primitive, unyielding savages who opposed American civilization and progress, thereby ignoring basic human rights to protect their property and families. Madley’s lecture provided the perfect segue into the highlight of the conference.

San Bernardino County Supervisor James Ramos led the third portion of the symposium. Ramos, a member of the San Manuel Band of Mission Indians and former Tribal Chairman, oversaw discussions by six Native Americans from diverse indigenous experiences and communities. The session included Larry Myers a Pomo Indian administrator and the long-time Executive Secretary of the California Native American Heritage Commission. Myers gave one of the most concise and important comments about the long-term effects of genocide among California Indians. Over the course of many years, from his own Pomo community, to the far reaches of Indian Country in California, Myers has witnessed the ill effect of the genocide perpetrated by miners and settlers during the mid-nineteenth century. Many kinds of problems that continue to emerge in Indian Country have their root cause of the historical trauma experienced over a century ago.

One of the on-going results of genocide appears in the handling of sacred sites, burials, and cremations. The Native American communities decry the

destruction of American Indian cultural resources, including the cremations and burials of their people, but non-Native peoples working for private businesses or government agencies ignore state and federal laws that protect human resources. For Myers, this is a continuation of genocide, and it causes ill health among Native Americans who believe that harming human remains causes chaos within indigenous communities. Laws given to California Indians at the time of Creation direct Native Americans to care for the dead in respectful ways. To exhume remains or cremations is a violation of ancient laws. In traditional Native thought, the exhumation and destruction of human remains and sacred sites has contributed to dysfunctional contemporary communities.

Ramos also introduced another California Indian with a wealth of experience dealing with human remains and cultural resources. Gregg Castro, T'rowt'raahl Salinan/Rumsien Ohlone, also tied his work in cultural preservation to a continuance of genocide in Native American communities. For over twenty years, Castro has protected human remains and sacred sites. He has served as Tribal Chair and Vice Chair of the Salinan Nation Tribal Council, while working with the California Archaeological Society, California Indian Storytelling Association, and State Historic Preservation Office. After Castro's presentation, Ramos introduced another California Indian, Sean Milanovich, and a Cahuilla from the Agua Caliente Tribe. Milanovich is Ph. D. student in history from the University of California, Riverside, who continued the discussion of genocide, past and present. He offered personal insights that connected the creation of Cahuilla people of Southern California with tribal sovereignty. Milanovich used personal examples to discuss

genocide and cited the federal boarding school system as one way in which the government separated children from Native communities to boarding schools where they grew up without their families and traditions. “American Indian students in the boarding schools often lost their Native languages,” said Milanovich, who, along with other indigenous people decried language loss as a cultural genocide.

Two other Native American scholars shared their views during the open session with the panel. Supervisor James Ramos graciously introduced Daisy Ocampo, a Caxan-Zoque tribal member from Zacatecas, Mexico. She shared her views on the genocide of California Indians. She explained that the soldiers and settlers of Spain and Mexico have committed a grievous genocide among many indigenous people of Mexico and Latin American. Ocampo, a Ph. D. student at the University of California, Riverside, explained that genocide included the theft of lands and natural resources. As in other areas of the Americas, federal officials in Mexico have stolen large indigenous landscapes taken from the Native people for exploitation of natural resources. Her own research is situated in Zacatecas where the federal government of Mexico has taken total control the Creation Mountain of her people to establish a national park. Since taking over the mountain, federal authorities in Mexico have prohibited Native Americans, including Ocampo, from visiting or using the sacred mountain. She considers the act a violation of indigenous rights and a continuation of the genocide that has plagued Latin America since Columbus arrived in 1492.

When Ocampo finished her talk, Supervisor James Ramos introduced another Ph. D. student in History from the University of California, Riverside. Paiute scholar Meranda Roberts shared her interpretations of genocide, focusing her comments on the suppression of religious freedom of Native Americans on the frontier and in the United States. Members of Roberts' family had followed the teachings of Wovoka, the Paiute Prophet. Her people had followed the Ghost Dance Religion and prayed for the end of the world and return of a truly indigenous world. She is researching Wovoka and his spiritual impact on Indian people and tribal sovereignty. Roberts argued that Christian officials of the United States and some historians have maligned Wovoka by misrepresenting the Ghost Dance Prophet. She asserted that in spite of the ugly killing of men, women, and children by the Seventh Cavalry in 1890, the Ghost Dance Religion survived the massacréd at Wounded Knee Creek. Like other contemporary Paiute people, Meranda Roberts asserted that the doctrines of the first and second Ghost Dance Movement live on within the Indian communities through the Circle Dance. Officials of the United States, Indian agents, frontier preachers, and settlers in the Paiute Country did not destroy the Ghost Dance Religion. It lives on in the heart, minds, and practices of Paiutes and other indigenous people of the American West.

The symposium ended with participants stating openly that they had a greater commitment research in the fields of Native American history, culture, and genocide studies. Whether using the term genocide or not, scholars and community people participating in the symposium wanted to further research dealing with California Indians in the nineteenth century. Several graduate students became

interested in the topic presented at the symposium. In addition to its impact on future research, the presenters made a strong case that the United States, state of California, miners, settlers, and ranchers in California had committed genocide against Native California people. Using the definitions codified by the United Nations Convention, the scholars presenting at the symposium left no doubt that the evidence is clear. Governments and people committed genocide, killing, kidnapping, and harming thousands of men, women, and children.

Scholars overwhelmingly demonstrated that the State Department of Education in California is in error when the office states that the events surrounding the California Gold Rush were not genocide. For too long, the State Department of Education has ignored scholarly research and provided millions of schoolchildren over many generations with misleading information on the era by silencing genocide. The historical record is indisputable. Participants in the genocide of California Indians condemned themselves through the written word, and through the written word, the State Department of Education has denied the students of the state their right to know the truth.

The Rupert Costo Endowment in American Indian Affairs
and the California Center for Native Nations Present:

KILLING CALIFORNIA INDIANS

Genocide in the Gold Rush Era



Scholars from across the state will convene for a groundbreaking and controversial symposium on the California Indian experience during the Gold Rush. They will provide historical context and information and debate the question:

“Was there a genocide of California Indians during the Gold Rush?”

Panel One: Robert Przeklasa, UC Riverside, Introductions

Jack Norton, Humboldt State University; Brendan Lindsay, Sacramento State University; James Fenelon, CSU San Bernardino

Panel Two: Trina Roderick, UC Riverside, Introductions

Michelle Lorimer, CSU San Bernardino; Benjamin Madley, UCLA; George Phillips, U of Colorado

Native American Panel: Supervisor James Ramos, Chair

Gregg Castro, Sean Milanovich, Bill Mungary, Larry Myers, Steven Newcomb, Daisy Ocampo, Meranda Roberts

Conclusion: Clifford Trafzer, UC Riverside

9am – 4pm, Friday, November 7, 2014

UC Riverside, HUB 379

And the Elders and Scholars Wept:

A Retrospective on the California Indian Genocide Symposium

T. Robert Przeklasa
University of California, Riverside
Department of History
California Center for Native Nations

Following a few words of welcome, Clifford E. Trafzer (Wyandot ancestry), Distinguished Professor of History and Costo Chair in Native American Affairs, called for a moment of silence for all of the lives lost to horror during the nineteenth century in California. The silence was broken by a gentle Native flute tribute from Henry Vásquez (Huachichil), member of the Native American Community Council of San Bernardino and Riverside Counties. Vásquez's beautiful song of remembrance provided a stirring opening to the events of the day. The symposium, "Killing California Indians: Genocide in the Gold Rush Era," had begun.

Native California community members and leaders, scholars, students, and the general public gathered on a warm November day in Riverside, California, for a symposium on a topic that is, at least at the time of this writing, still very controversial: the genocide of California Indians during the Gold Rush. Organized and executed by research fellows at the California Center for Native Nations (CCNN) and the Costo Chair, the event was an important opportunity for engagement between both Native and non-Native scholars and the broader public. Audience members quickly underscored the importance of the event and topic as the room quickly filled, forcing people to peer through the doorway and strain their ears as they spilled out into the hall.

After the formal introduction of the morning panel, the first to speak was Emeritus Professor Jack Norton (Hupa/Cherokee) of Humboldt State University. Norton is the dean of the field, having published *Genocide in Northwestern California: When Our Worlds Cried*, the first

academic tract on the subject, through the Indian Historian Press in 1979. His presentation, “To Destroy in Whole or in Part: Remembering the Past to Affirm Our Future,” began the symposium with a uniquely experiential view of the genocidal actions committed during and after the Gold Rush era from a Native northwestern California perspective. He wove together personal, historical and cultural narratives that bore witness to the heinous crimes that were committed against California Indian Nations as a way to destroy, in whole or in part, them and their time honored religious beliefs, traditional customs, and ways of being.

Professor Norton’s personal history brought great insight and emotion to the morning panel. An enrolled member of the Yurok Tribe, he traced his family name to his great-grand father, Amonzo Norton. Amonzo came to California in the early 1850s and married a full blood Hupa woman from the Quimby family of the village of Tswenaldin. Though Amonzo “had no business in California, in Hupa, in Tswenaldin...” he was there, and, as a result, his great grandson, Jack Norton, Jr., was there to tell the story.

Norton adeptly painted a larger picture of the horrific episodes of the genocide, one that went even beyond the brutal murders. Explaining that many genocidal episodes in the northwest California took place during religious ceremonies, he mourned the burning of sacred ceremonial objects and regalia, some of which was also looted and can be seen today in museum collections on the East Coast. At times, the Hupa elder’s voice cracked noticeably, causing him to pause in silence to wipe a tear from his eye, as he spoke of babies burned alive along with the regalia during a massacre at the village of Yontoket in 1853. In this way, he proved the impossible, showing that such horrific episodes were even worse than people, Native and non-Natives, scholars and students, had imagined.

Academic works often fail to show the raw emotion that wells forth during discussions of the history of California Indians. At times, several of the scholars, grown men, broke down and cried due to the nature of their topics. The next presenter, Professor Brendan Lindsay of Sacramento State University, could not stop the tears when he spoke about the horror experienced by Native children stolen from their parents and taken into settlers' homes for forced labor and sexual gratification. Lindsay, who published the award winning book, *Murder State: California's Native American Genocide, 1846-1873*, in 2012 with the University of Nebraska Press, centered his talk on Section (e) of the United Nations' definition of genocide: "Forcibly transferring children of the group to another group." He explained how the first law the state of California ever passed, the 1850 "Act for the Government and Protection of Indians," effectively legalized child slavery through the indenture of Native orphans into non-Native homes.

Lindsay detailed the broader implications of the legislation, since the demand it created for orphans thus created an incentive to murder Indian parents. His research brought to light an amendment to the law ten years later that expanded the indenture to adult Indians and, though the practice legally ended just three years later in 1863, Indian children continued to be taken into non-Indian homes for decades. Thus, Lindsay showed that scholarly periodization of the Gold Rush Genocide may indeed need to be reevaluated. Though the work presented was the preliminary stages of his next project, it proved that there is still much to be done on the scholarship of genocide in California.

Sociologist James Fenelon (Dakota/Lakota) of California State University, San Bernardino, rounded out the morning panel. He reminded the audience of the many talks on Native survivance at the California Indian Conference he cohosted the month prior. The conference was another event in which the pain of the California Indian experience was evident.

However, while elders, community members, and scholars all shared stories of community destruction, they also shared their survival and renaissance, as well. Fenelon's presentation added further breadth to the symposium discussions by examining the genocide through a world systems lens. Through this, he showed the connections between the Gold Rush Genocide and the rest of Native America from first contact and around the United States. He also examined the processes of recognition of and healing from genocides throughout the world to provide possible avenues for the future.

As the speakers shared their research and personal experience with the attentive crowd, more and more people came to the door, eager to hear their presentations. People crowded shoulder-to-shoulder in the chairs, and students gave up their seats for elders when each scholar finished. More and more people sat on the floor, leaned against walls, and peered through the door from the hallway when there simply was no more room. Coordinators from the CCNN busily worked with university staff and found a larger room for the afternoon session. In the midst of this, a well-respected Cahuilla/Serrano religious leader noted the spiritual heaviness that came with the subject matter, pointing out boxes of tissues being passed around among the audience and speakers. He humbly requested to perform a cleansing of the room before the audience discussion to which the coordinators eagerly assented.

With a few brief words from the community leadership, the audience turned to the four cardinal directions in unison with the blessing as *pivat* (tobacco) smoke, fanned by eagle feathers, cleansed the room of the negativity. Though the religious leader thanked the coordinators for allowing him to perform the ritual, it was they who were truly grateful for his help. The episode showed the flexible, organic, and, indeed, Native nature of the event. More

importantly, however, it spoke to the close bonds that have formed between the university and the local Native community through the California Center for Native Nations.

Audience members began the discussion period by asking for clarification on several points from each of the scholars. However, the most interesting moments of the discussion came from two Native community members. After thanking the panelists, a Haudenosaunee gentleman recently from New York spoke fervently about the need to organize amongst the various tribes and with the non-Native community as well. The symposium was indeed a great example of such organization, itself. Another audience member, a Cupeño man, spoke passionately about learning and sharing Native ways and spirituality when he lived in the northwest of California. Emotion grew as he shared deeply of the pain his people felt because of their continued separation from their homeland, the village of Kupa in San Diego County, from which the United States government forcefully removed them in 1903.

During the lunch break, elders, scholars, and community leaders were invited to share in a meal provided by Zacatecas Café, a local restaurant owned by a family of mixed Maidu and Mexican heritage with strong ties to the university. Though seemingly trivial, the meal provided an excellent opportunity for networking among academics and community members. The night before, the participants and members of the local Native community gathered at Zacatecas for a welcome meal, as well. The amount of discussion, sharing, learning, and reminiscing highlighted the importance of such gatherings for community members and scholars. The university prides itself on these strong working relationships that it has fostered with the surrounding communities. Old friendships were rekindled and new ones forged while intellectual discourse furthered everyone's knowledge and understanding of the Native experience during the Gold Rush.

In a larger room down the hall, noted historian George Phillips, emeritus professor at the University of Colorado, began the afternoon panel and filled the role of *contraire* among the scholars. He began by strongly agreeing with the argument first set out by Jack Norton that, according to the 1948 United Nations definition, what happened in California during the Gold Rush period indeed constituted genocide. Phillips then began listing various events from throughout world history from the English invasion of Ireland to the Zulus under Shaka, the Khans of Mongolia to Pol Pot in Cambodia. Could labelling what happened in nineteenth century California as “genocide” actually do a disservice to the people and what they went through by enabling scholars to merely categorize it alongside innumerable other acts of global genocide and forget about it, he wondered. Perhaps there was a better approach for academics to take.

Phillips then described a scene in a noted Holocaust movie that showed the family of a Nazi concentration camp commandant sitting down to a nice Christmas dinner with a backdrop of snow falling outside the window and a large chimney ominously belching black smoke into the background. He used the scene as an example of an understatement, a technique he has employed throughout his career as a historian, and one he believes should be employed in the case of the Gold Rush Genocide. This juxtaposition of the dinner and death, he argued, clearly showed the true evil of the situation. Making monsters out of criminals who commit genocide, he pointed out, masks the true horror that is humans brutally killing other humans.

Like Brendan Lindsay, Benjamin Madley of the University of California, Los Angeles, is a rising star in the field. His first book, *An American Genocide: The California Indian Catastrophe* will soon be published by the Yale University Press. He presented on his work exploring the “Modoc War” of 1872-73, which, he argued is a grave misnomer. One of Madley’s

greatest contributions was his analysis of the continued application of the labels “battle” or “war” to events that, when examined historically, amounted to little more than genocidal campaigns by death squads. He pointed out that resistance to genocide, such as that put up by the famed Modoc leader Kintpuash, or Captain Jack, is not uncommon, as one finds examples of such resistance in more famous instances such as the Auschwitz-Birkenau, Sobibór, Treblinka, and Warsaw Ghetto Uprisings. Nevertheless, the war and battle labels in schools and scholarship today, continue to obscure the truth of incidents such as the seven murderous campaigns specifically launched by the United States Army and local militias to eradicate the Modocs as a people.

Michelle Lorimer of California State University, San Bernardino, brought more focus to the issues of representation in modern representation with a focus on textbooks. She has contracted with Great Oak Press, a new venture of the Pechanga Band of Luiseño Indians, to publish her forthcoming book, *Reconstructing the Past: Historical Interpretations and Native Experiences at Contemporary California Missions*, which critiques the romanticized history around the Spanish California missions that continues to minimize Native voices. Examining many of the textbooks used in California public schools, Lorimer showed how Californians are still reared with the false image of sourdough miners and the victorious Gold Rush. Combined with a whitewashing of the Spanish mission system, these texts, she argued, go against statements published by the State Board of Education that stress the deep importance of students recognizing the sanctity of life. Lorimer showed that, at best, some of these texts offer a “tarnished” version of history which may recognize negative issues such as unfair treaties, dispossession of land, and the reservation system but still ignore the sheer violence and genocide committed against California Indians. These evince a large gap between current scholarship that

recognizes the genocide and the history taught to California's students which has led to a gross public ignorance of state history.

James Ramos (Serrano), a San Bernardino County supervisor and former tribal chair of the San Manuel Band of Mission Indians, aptly followed Lorimer's presentation and chaired the Native Community Panel. He began the session with a brief description of the thirty-two day campaign against the Serrano by local militia forces in 1866. His own great-grandfather, Santos Manuel, bravely used his spiritual and leadership abilities to lead his band of Yuhaviatam down from the mountains to the valley below. Ramos explained the importance of the symposium for making the truth known to the public – not for blame, but in order to understand where we, as a society, must go in the future.

Supervisor Ramos knows full well the importance of education. In 2011, California Governor Jerry Brown appointed him to the State Board of Education. In addition to representing all Californians, Ramos worked toward acknowledgement of the genocide in state education standards and addressed educational issues facing Native Californians throughout the state. Unfortunately, his election to the Board of Supervisors of San Bernardino County meant his departure from the Board of Education. The situation is promising, however, as Governor Brown appointed Niki Sandoval of the Santa Ynez Band of Chumash Mission Indians to replace him. Ramos assured the audience and panelists that he will continue to work with her to amend the state's primary and secondary education curriculum.

The first panelist was former long-time Executive Secretary of the California Native Heritage Commission, Larry Myers (Pomo). He brought his many decades of experience to the fore. For years, Myers fought for the protection of sacred and cultural sites and the repatriation of human remains and tribal patrimony throughout the state. He has seen slow but steady progress

on these issues and noted that the symposium and the large audience in attendance was a testament to the fact that the genocide of Native Californians has come out of the shadows and is becoming something society can talk about.

Two graduate students offered their perspectives as a non-California Native women living in California. Daisy Ocampo (Caxcan/Zoque) spoke of her work chronicling her peoples' fight for their sacred lands in Mexico. She drew parallels to the experience of California Indians in the nineteenth century as they, too, lost access to their sacred sites and lands and saw them destroyed by industrial economic greed. Meranda Roberts (Northern Paiute) added a unique dimension to the symposium by explaining that miners did not confine their lust for mineral wealth within artificial boundaries. Rather, when the Forty-niners advanced eastward over the Sierra Nevada, they soon ignited the Nevada Silver Rush, bringing terror to and destroying the lives of the Paiute people who lived on both sides of the state line. Roberts drew a line of causation from these events to famed religious leader Jack Wilson, better known as Wovoka, founder of the Ghost Dance, and thence to the tragedy of the Wounded Knee Massacre among the Lakota.

Gregg Castro (t'row t'raahl Salinan/rumsien Ohlone) eloquently spoke about the pain of the past but underscored the need to move forward and do things in a proper way. He warned the community to resist the urge to blame and hate. Castro linked many modern problems that continue to tear Native communities apart to an on-going genocide, one in which Native people, at times, unknowingly perpetuate. The desire to operate in a non-Indian world using non-Native ways only leads to further destruction and loss, he said.

Steven Newcomb (Lenape/Shawnee) of Kumeeyaay Community College, too, reminded the audience of the non-Native influences and structures that supported the colonization of the

Americas and led to events like the Gold Rush Genocide. Newcomb shared quotations from United States court cases to show the active role the original Doctrine of Discovery played in the invasion of California and thus the genocide that followed. He also brought copies of various court decisions, laws, and other government documents to prove the complicity of the state government in many of the genocidal acts of the nineteenth century.

Sean Milanovich (Cahuilla) was the final participant to introduce himself and speak on the panel. He spoke of his own people's experience with non-Native newcomers following the invasion of their lands by the United States. A respected elder Alvino Siva passed down to him a story about a day when all of the men were away from the village. Pedro Chino, a *pavuul*, the highest kind of shaman, sensed trouble and told the people to hide behind the large boulders near the entrance of Chino Canyon. Non-Indians had come to kill the people, but Chino refused to allow them to get near. They began to shoot at him, but the *pavuul* was very powerful and was able to deflect every shot fired at him, thus giving his people time to run escape up the canyon.

Though Milanovich has learned much from Cahuilla community elders, his own relations were more reluctant. Whenever he asked his grandmother, LaVerne Miguel, about Cahuilla culture and history she always said she did not know anything. At one point, he told her that it just could not be, she had to know something, to which she responded that it was just too painful to share with him. Tears flowed as he described the hurt caused by her response and all of the lost culture and language that resulted from the pain his grandmother shared with many other Cahuillas. "I don't want to hurt anymore," he lamented, "and I don't want my children to grow up with it either." His was a powerful example of intergenerational trauma that continues to afflict many Native families throughout the state.

The true emotion of the event, though difficult to capture in words, is important for anyone seeking to understand the genocide and its impacts. Thankfully, representatives from the Sycuan Band of the Kumeyaay Nation and the Native-owned Digidat Solutions filmed the proceedings in order to preserve as much of the symposium as possible. Both entities are, as of this writing, busy working with the California Center for Native Nations editing their footage to produce a DVD that will be stored in community, tribal, and university libraries for the future.

A detailed discussion of what Californians, Native and non-Native, needed to do next followed the individual presentations of the Native Community Panel. Audience members interacted with the panelists on points ranging from corporatism and resource development to intertribal organization and sovereignty. Speaking on what needs to happen with the topic of the genocide, Gregg Castro compared it to a splinter in one's finger. "You first need to do the painful work of digging it out so that you can heal. And it's important to ensure that you get all of the pieces out so that it can heal properly, no matter how badly it hurts to keep digging around in there." The tears shed throughout the day were evidence that the process was still underway.

The symposium was a great success on many levels, and many people inquired as to when the next would be held. Though the symposium was not intended to be the beginning of a series of annual events and there are currently no formal plans to do so, it has already helped to advance the field as two research associates with the CCNN have begun work on an edited volume based on the proceedings. There is much work to be done, and the relationships between scholars and the Native community forged both at the symposium and in the years preceding promise to yield rich fruit. Fittingly, the day ended as it had begun, with a flute tribute from Henry Vásquez. Only this time, it was a song of hope for the future.



TO DESTROY IN WHOLE OR IN PART:

Remembering the Past to Affirm Our Future

Part I: At the Center of Our Being . . .

Each summer, I return to northern California, to the land of the Hupa, Yurok, and Karuk. I return to pray and dance within the centers of our world.





Kira Norton, my
granddaughter

I join my cousins, my sons, my grandchildren,
nephews and friends, to sing and dance
once again upon the grounds cleansed and
purified by spiritual energy eons ago.



Takimildin—center of the world for the Hupa

It is a time of renewal, to be amongst the energy of creation, to be re-created, born anew, and cleansed of a year's accumulation of stress, anxieties, and distorted information, negative thoughts, or projections onto to others for what we have failed to become. For ten days my wife and I stand within the radiance of ancestral memory as we visit, eat, and enjoy the company of those we have missed throughout the year.



Yet, within this aura of renewal, I feel a tinge of sadness and concern—for how many of our youth and even some adults know the true meaning and purpose, as well as essence of these prayers in motion? How many understand the teachings of the spiritual leaders and dance makers? Or better yet, instill these teachings into their daily lives?



Rudolph Socktish, Spiritual Leader

How much has been lost? How much was taken or beaten from them? Were they there when the Christians stood in front of the dancers and shouted at the people to stop this paganism? Or they were told that if they did not go home the superintendent would arrest them?

Many of the men and women my age had parents that were sent away to Indian boarding schools. My father was sent to Phoenix Indian Industrial Boarding School in 1912, and then to Haskell Institute in Lawrence, Kansas. He did not return home until 1942.



His father, my grandfather, Sherman Norton, was threatened by the superintendent with forced removal from the reservation for writing numerous letters to the BIA complaining about the unfair treatment and unequal wages paid to Indian employees.



Phoenix Indian Boarding School. According to Robert A. Tennert, its “purpose was to remove Indian children from their traditional environments, to obliterate their cultural heritage, and replace that . . . with the values of white middle class America” (p. xi).

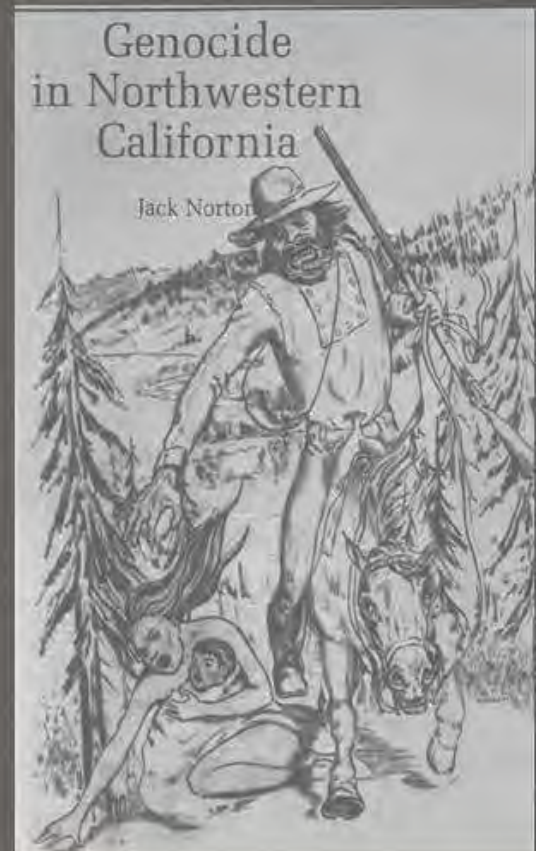


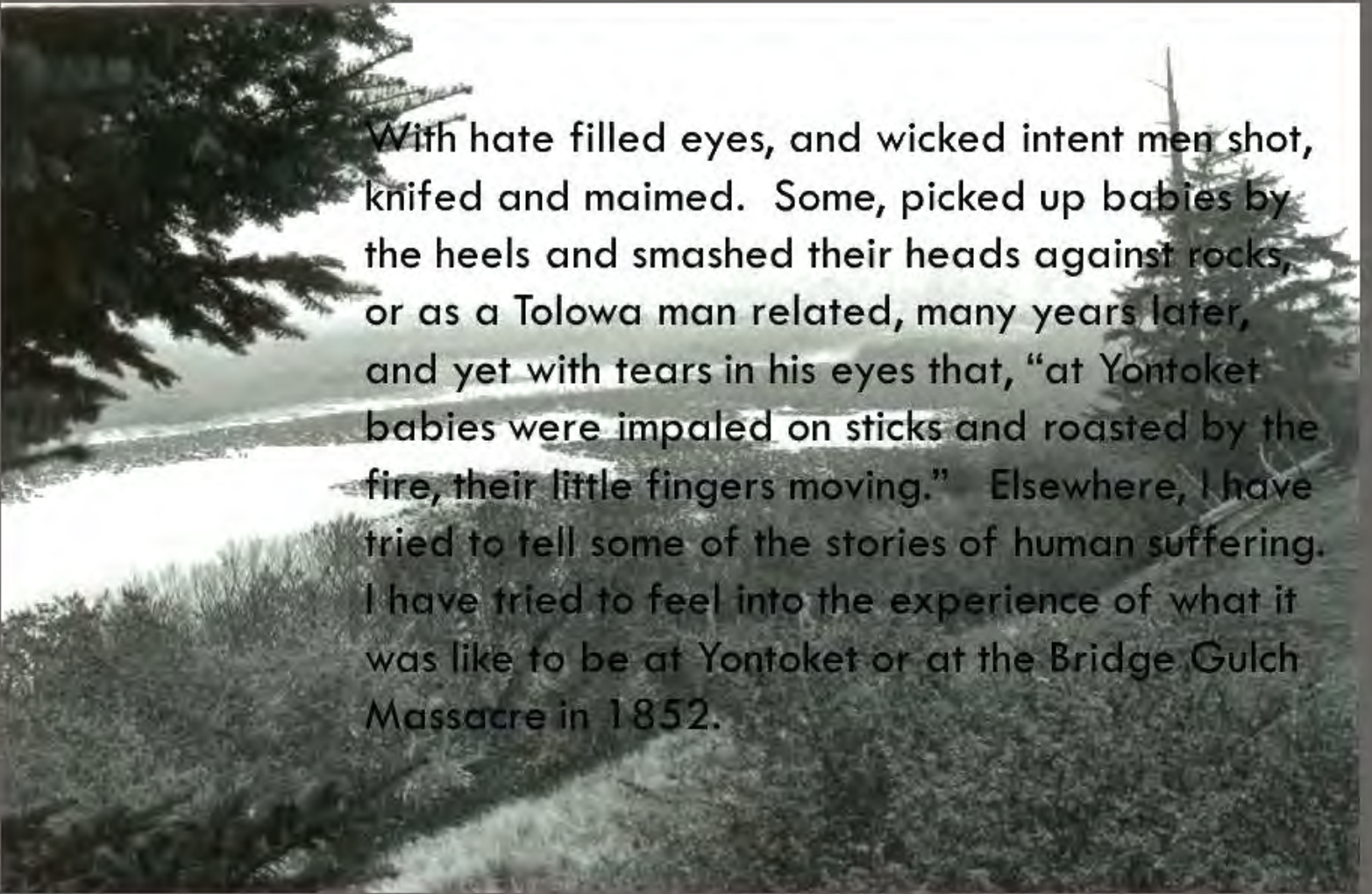
House where my great grandfather Amonzo Norton homesteaded in present day Blue Lake.

His father, my great-grand father, Amonzo Norton, came to California in the early 1850's and married a full blood Hupa woman from the Quimby family from the village of Tswenaldin. During this pivotal time, all around them Indian villages, families, men, women and children were being attacked and killed. Many were sold into slavery, especially young pretty girls—often for \$250 to a lonely gold miner or farmer.

In Shasta City, 100 miles east of Hoopa, an Indian head was worth \$5.00 or a scalp for \$1.50 to be paid at the local court house. All around Hoopa, the newspapers at Eureka, Yreka, Shasta, and Redding called for the extermination of the native peoples. To most miners and settlers, Indians were no more than heathens, savages, or life unworthy of life.

The official sanction to commit genocide or the intent to destroy native cultures and life ways was declared by Governor Bigler in January of 1851. His charge to exterminate whipped the pathological fear and projection of many miners and settlers to commit some of the most heinous crimes against humanity then or since.





With hate filled eyes, and wicked intent men shot, knifed and maimed. Some, picked up babies by the heels and smashed their heads against rocks, or as a Tolowa man related, many years later, and yet with tears in his eyes that, “at Yontoket babies were impaled on sticks and roasted by the fire, their little fingers moving.” Elsewhere, I have tried to tell some of the stories of human suffering. I have tried to feel into the experience of what it was like to be at Yontoket or at the Bridge Gulch Massacre in 1852.

Site of Yontoket Massacre, 1853

Part II: History as Lived . . .



There were at least 250,000 miners and settlers in California by 1852. There were 2000 on the Trinity River by Big Bar and nearby Weaverville and at Hayfork. In the summer of 1850, miners, for example, had diverted the entire river at Junction City because they thought that gold could be found at the bottom.



Salmon, a blessed food source for native northwestern cultures were severely depleted and their natural habitats destroyed.



Salmon runs were disrupted, hogs and cattle destroyed acorns and grasses that were essential to the general food supply such as deer, elk and other game the natives relied on for sustenance.



Indians could be shot without repercussion. Many native peoples, faced with starvation, harassment, fear and anxiety fled to the hills or mountains to hide, still others attacked settler livestock to feed their families. A group of Wintun Indians took five cattle belonging to a Colonel Anderson. In the foray, Anderson was killed.

Hayfork or Bridge Gulch Massacre

By the time Anderson's body reached Weaverville, a posse of 75 male volunteers had been organized. Merchants and others furnished weapons and supplies. Under the leadership of the local sheriff they set upon the track. A camp of Wintuns was located in the evening near present day Natural Bridge.



Site of the Bridge Gulch Massacre, 1852

That night, as the unsuspecting families lay down to sleep, they were ringed by desperate men lying in cover with rifles cradled in their arms. At day break the signal was given. One hundred and fifty three men, women and children were slaughtered without provocation. They were given no chance, but paid with their lives for five cattle and for the death of one man, who had perhaps unknowingly intruded into Wintun aboriginal homelands, the natural and secure world of their ancestors. No burial followed. Their bodies were left to rot and their bones lay scattered and bleaching under the sun to be later found by loved ones or scavenged by animals.



Two or three infants were carried back to Weaverville and sold into slavery or were adopted into white servitude. One such infant, a Ellen Clifford became a nanny for the Meckels, a local family. She died at the age of 77 and is buried in the Weaverville Catholic cemetery.



Ellen Clifford, survivor of the Bridge Gulch Massacre

Later, the Wintun account of the massacre was recorded by Grace Nolton McKibben, who was perhaps the last full blooded Wintun in the Hayfork area.

McKibben states that her uncle, Bob Tewis, also a survivor of the massacre, told her that those “young warriors who were guilty of the murder of Col. Anderson passed by the Bridge Gulch fleeing on up Hayfork Creek in the night. The large band of Wintun camped in the gulch were mainly women and children, and were unaware of danger as the men were away hunting.” Apparently, the raiders who stole the cattle and killed Anderson escaped punishment.

Part III: The Charge of Genocide . . .



No two genocidal events are the same. They will vary as to the intent of the perpetrators, the geography, the political situations and history. For example, in central California, the tribal nations on and near what was to become Sacramento were devastated by malaria in the 1830s that was introduced by trappers and traders from Vancouver and Canada. Also, they had been periodically raided by the Spanish to capture more souls to be saved at the missions in the San Francisco Bay area.

Therefore, when news of gold found at Coloma leaked out, greed soon turned into a pathology. The term pathology in this case refers to a pronounced deviation from assumed and socially acceptable behaviors and values to the degree that healthy functioning is no longer possible. Men left wives and families, abandoned professions and raced to the mines and river beds of California in a largely misguided frenzy to chase and capture, at all cost, an allusive chance at fame and fortune.



The majority of settlers were Christians who accepted the teachings of Christ, and the ideals that all men “are created equal.” Yet, they committed some of the most terrible acts of inhumanity in American history.

When the 18 treaties with California Indians were not ratified in July of 1852, no reservations were established in the north until 1855. For three long years, settlers raped, killed, enslaved, brutalized, and maimed native people, and stole their land without any repercussions. In fact, they were encouraged to exterminate all Indian people by politicians, community leaders, elected officials, and newspapers.

When the Indian people acted to protect their families and their homes, more paranoia and projected calls for their extermination went out from the white perpetrators. Federal troops were sent to Eureka to construct Fort Humboldt in 1853 and Fort Gaston at Hoopa in 1858.



For the Hoopa, this opened up a new phase of occupation from being over run by settlers, to soldiers who began to directly interfere in the life of the villages. The soldiers raided and stole items and spread diseases such as syphilis and gonorrhea by raping the women. Orders were issued that no guns could be carried by Indians and no one could cross arbitrary boundaries or they would be shot on sight. When these professional soldiers were sent to the east coast to fight in the Civil War in 1861, Fort Gaston was manned by three companies of California volunteers.



Site of the Indian Island Massacre, 1860

These volunteers were the very men who held varying degrees of hatred and ambition in California. One such individual, a Hank Larrabee and ten of his volunteers known as the Hydesville Dragoons, planned and orchestrated the notorious Indian Island Massacre in February of 1860, and arrived at Fort Gaston in September of 1861.

In response, many Hupa people fled to the mountains and several Indian leaders such as Big Jim of Matildin, Tswenaldin John, and Handsome Billy led Indian warriors against the soldiers for several years. It was said that Big Jim could call out 200 warriors when needed.

Over the next three years, numerous attacks on both sides occurred, but by January of 1864, 600 soldiers were at Fort Gaston and by February they had burned down the village of Tswenaldin, and had moved the village of Matildin next to the fort.

In April 1864, Congress authorized four reservations in California under a single superintendent, and on August 12, 1864, a Treaty of Peace and Friendship obligated the federal government to render services and protection in return for a general peace and end of the conflict.

The Hupa leaders signed in good faith but in an act of governmental deceit, the then acting Commissioner of the Bureau of Indian Affairs, Dole reminded his peers that “it was not the policy of the United States to enter into formal treaties with California Indians” (Anderson, “Hoopa Valley,” p. 119).

Then, in 1870, missionaries arrived under President Grant's new policy to bring honesty and equity to the reservations in America. Hoopa fell to the Methodist-Episcopal church and for the next seven years, graft, corruption, and favoritism was granted, particularly to white trespassers who wanted to grow crops, sell goods, or move onto the reservation. If the Hupa people complained they were threatened to be sent to Round Valley Reservation, to a southern California mission or even removal to the traditional homelands of the Tongva Nation and to Santa Catalina Island.



Part IV: The Wave of Assimilation . . .

After years of blatant disregard for the separation of church and state, forced assimilation and Christianity, which had threatened the Hupa, the valley was once again subjected to military rule under the charge of Captain Richard Parker as of May 1877. Many were convinced that the “savage” Indian needed to be tamed and taught the virtues of Victorian domestic values and behaviors as well as the primacy of individualized property and profit.

- 1887 passage of the Dawes Act—Hoopa Reservation was surveyed and individual allotments were made. The Hupa insisted that only the valley floor and low grasslands would be assigned thus protecting the ceremonial and dance grounds, along with mountain timberlands which were to be held by the tribe in common.
- 1892 all soldiers left the valley. The BIA soon occupied the buildings of Fort Gaston to expand the boarding school where an aggressive policy to destroy the customs and culture, religion and language as well as the tribal identity of the Hupa was enacted.



Young Indian girls in Hoopa subjected to the will and ways of the dominant white culture.

and Forced Termination

- 1957 to 1959 Hupa was faced with the termination policy enacted by the federal government under the Rancheria Act, implemented by Congress in 1958. This termination act, called for ending any and all relationships, moral obligations, and trust responsibilities between California Indian Nations and the federal government.
- My father as tribal chairman, and the tribal council that was formed in 1950, successfully fought off all efforts to terminate the Hupa Reservation. However, forty one tribal nations in California were terminated. These policies were reversed under the Tellie Hardwick Act of 1983, which allowed terminated tribes to seek the long process of federal recognition. Some California Indian nations such as the Ohlone and Nor Rel Muk Wintu are still seeking to be recognized as a tribal entity.



- ❑ In 2000, the acting Director of the BIA, Kevin Gover (Pawnee), officially apologized for committing genocide against the very people the BIA was charged to serve; the native nations of this land.



Therefore, every surviving tribal nation in California must continue to seek justice and equity that may enhance the lives and future of their people for generations to come.

My son and grandson Jack Norton, III and IV.

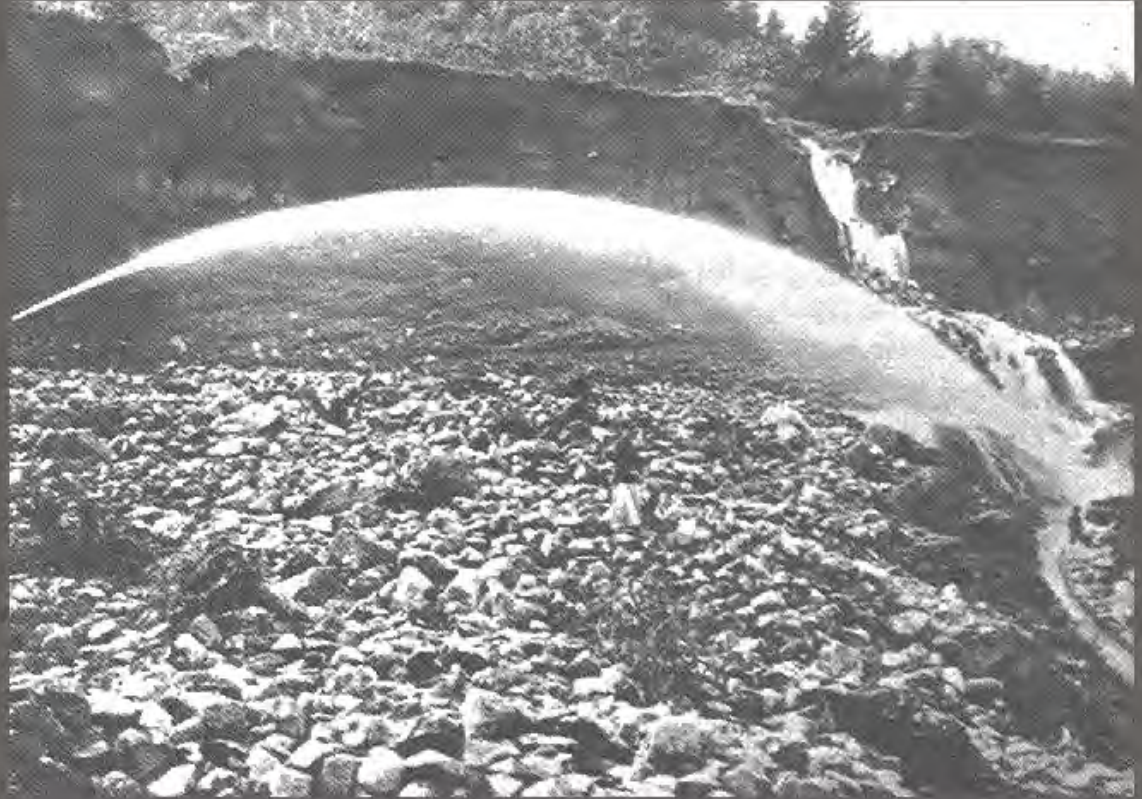
Early morning Brush Dance



The future of California Indian identity is being affirmed through the assertion of tribal sovereignty and traditional life ways and the renewal of ceremonies and rituals.

Every other autumn, the Hupa people still hold their White Deer Skin and Jump Dance ceremonies at Takimildin, the center of their beautiful and secure world. About 60 miles away up the Klamath River the Karuk will dance with prayers for all things near their own center of spiritual purpose and pride. The Karuk recently rejuvenated their Mountain Dance ceremonies in 1994 after 100 years of murder, assault and neglect.

Ironically, or perhaps most poignantly, nearby the traditional dance camps, one can still see the huge iron pipes that once carried water to the hydraulic canons that miners used to wash down the banks of the river to mine for gold. The people still tell of stories where many held their loved one's bodies as they tumbled from their graves into the river below.



Today . . .



Some religious regalia has been returned to the tribes and the forest service has allowed some access to ceremonial grounds and sacred areas. But the arrogant and paternalistic attitude of the government disallows them the ability to understand the values and beliefs held by most Indian people. Justice Sandra Day O'Connor disregarded the freedom of religion in 1988 to the Yurok, Tolowa and Karuk people by declaring that the US forest service had the right to build a logging road through the heart of the high country that is essential to the spiritual training and preparation for their ceremonies.

However, we will secure our future and our children's future because we will not forget the strength, bravery, and dedication of our ancestors. We shall not forget the purpose of our ceremonies to honor all life and all things. With the knowledge and commitment of young scholars and leadership of dedicated people, we can strengthen that ideal and live a meaningful life with beauty and dignity on this earth.



Child Stealing, Guardianship, and Genocide in California

Dr. Brendan Lindsay

CSU Sacramento, History Department

Children and Genocide

United Nations General Assembly Resolution 260 (III), December 1948, Prevention and Punishment of the Crime of Genocide

Article II defines five acts that can be defined as genocide when coupled with the intent to destroy the group, in whole or in part, including:

- Section (e): “Forcibly transferring children of the group to another group”

Implications

An Act for the Government and Protection of Indians

Ch. 133 of California Statutes (1850)

- Section 3 created apprenticeship laws allowing for Indian children to be held until they were 15 years old, if female, and 18 years old, if male

In 1860, Section 3 of Ch. 133 was amended

- Expanded apprenticeship ages to include adults and extend period of indenture

In 1863, apprenticeship system ended but Indian children continued to be held in white households

- Evidence is clear that some indentured children remained in households well after 1863
- Evidence is also clear that thousands entered white households after 1863

The School Law

Native American children and public education

- Tracking was required, but enrollment was not
- Integration of Indian children in white schools was difficult, if not impossible

California School Marshall Census

- Data assembled for reports by State Superintendent of Public Instruction
- School Marshall Census detail may be available at county-level repositories and archives

Marshalls tracked “Indian children living under white guardianship”

- Between 1866 and 1892, Marshalls tracked Indian children (17 and under) specifically living with white families
- Beginning in 1893, standard became Indian children “whose parents or guardians pay taxes, or do not live in the tribal relation or on government reservations”

School Census Data

Location of Data

- Appendix to Journals of Senate and Assembly of the State of California, 1861-1903
- Annual and Biennial Reports of the State Superintendent of Public Instruction

Organization of Census Data relevant to Native American children

- Number of Indian children attending public school
- Number of Indian children attending private school
- Number of Indian children under 5 years of age, by county
- Number of Indian children ages 5-15(17), by county
 - Many years include a breakdown of male and female children

Contemporary Analysis of Census Data

- Data for white children is analyzed regularly and is the focus of the reports
- Most of the data for Indian/non-white children is not analyzed

Indian Children, by age range, 1866-1891, “living under white guardianship”



Indigenous Genocide in the State of California: Proofs, Practices, Policies (or) Genocide: Creation of California Over Dead Indian Bodies

James V. Fenelon

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Center for Indigenous Peoples Studies

November 7, 2014

California Center for Native Nations
University of California, Riverside

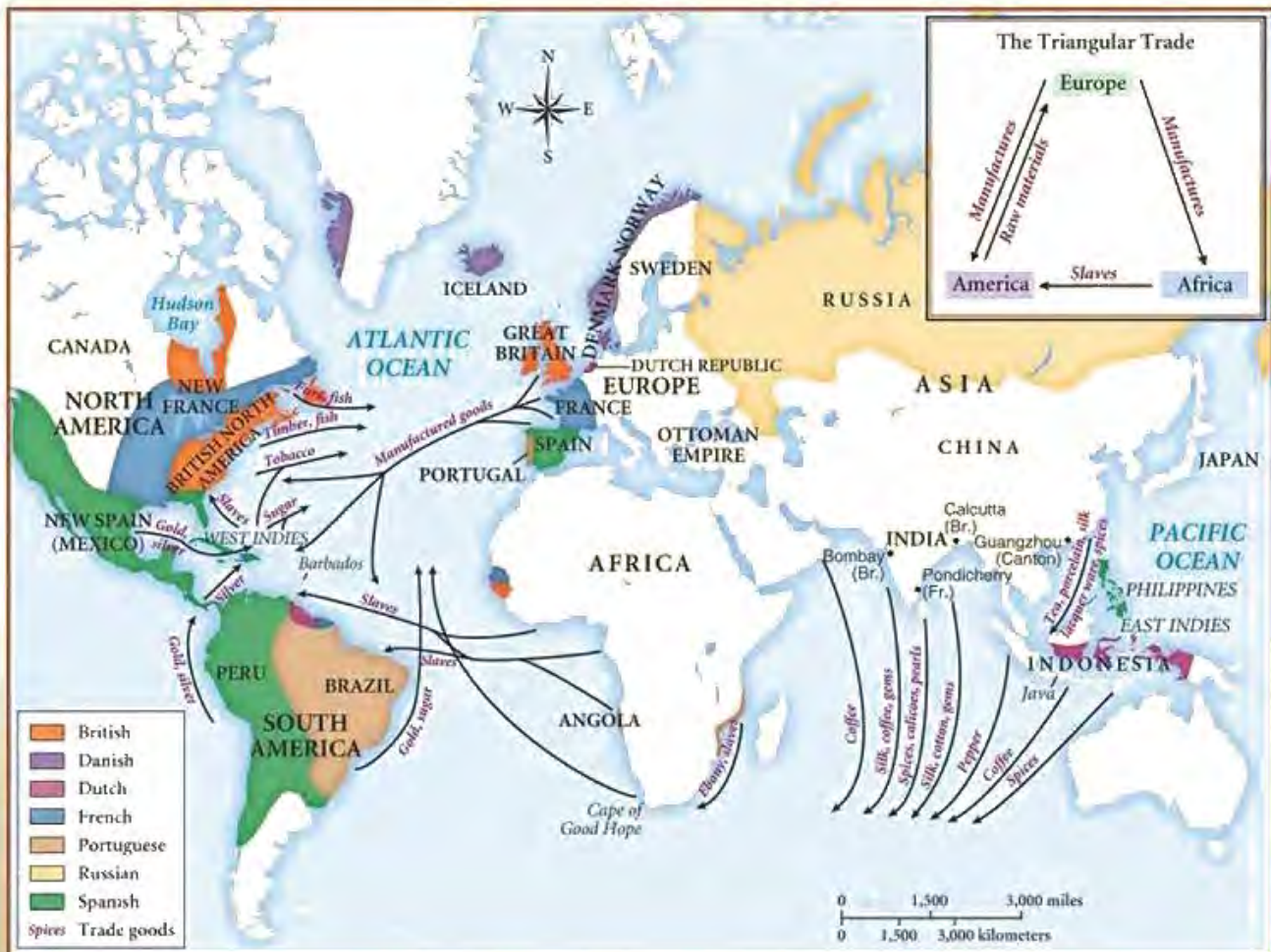
4 Elements: Modernity & Genocide

- Systemic Racism, Modern world-system, Genocide, and Generic Denial of this all
- 4 Genocide examples from the Modern world-system of the last 500 years
- Case of California “Killing Indians”
Contemporary Denial and Distortion
- Genocide is inherently part of a Modern world-system: United States denies this

Genocide & the Modern World – 1

- Prof Rod Bush – *End of White World Supremacy*:
- I have argued here that **systemic racism is the foundation of the new world** formed with the **European conquest of the Americas**, the **destruction of the Amerindian civilizations**, and the capture of Africans to serve as slave labor in the colonial societies. It was at this time that the concept of race was introduced into scientific and public discourse as a means of naturalizing the relationship between the conquerors and the conquered, and was **generalized to the entire world-economy** during the subsequent European conquest of the rest of the world (page 216).

A World of Trade



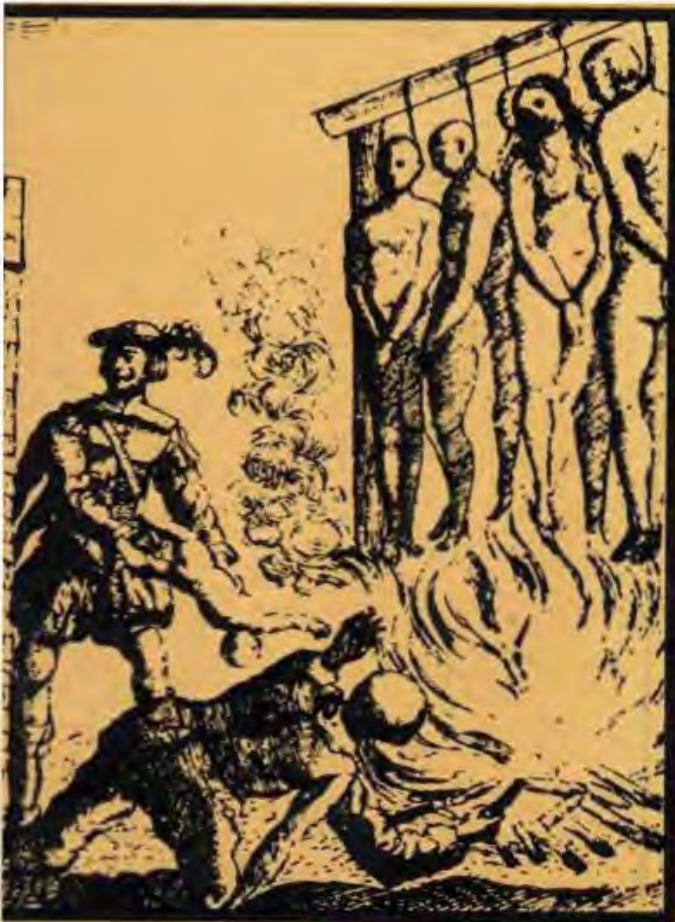
Genocide & the Modern World – 2

- There are four instances which demonstrate this:
- Columbus's second voyage and the launching of the European genocides and expansion over the Americas **fueling the wealth development of Euro-American colonization** of the “new world” and **first vestiges of capitalism**.
- Second is the **destruction of the Wampanoag**, (the very people who had saved the Puritans & English at Plymouth) **Pequot** along with other **Native Nations in “New England”** that launched **freedom political philosophies** (hypocritical) leading to the United States.

Genocide & the Modern World – 3

- Third would be the **dual strategic destructions of the Haudenosaunee** (Iroquois) Confederacy by George Washington, and the **genocidal Indian Removals** of the Cherokee and “Five Civilized Tribes” by Andrew Jackson – that is U.S. **Presidents conducting genocide policies** to build the new nation.
- Fourth, most problematic, is the **pure applied policy-driven genocide of California Indians**, (after 1850, following highly destructive Mission period by Mexico) when existing **Native peoples were reduced by mass killings 95%** (minimum) depopulation rates, fully intentional.

Columbus & Conquest



With an extensive arsenal of advanced weaponry and horses, Columbus and his men arrived on the islands that were later named Cuba and Hispaniola (the latter, present-day Dominican Republic and Haiti). Upon arrival, the sheer magnitude of gold, which was readily available, set into motion a relentless wave of murder, rape, pillaging and slavery that would forever alter the course of human history.

Denial Ideologies – Conquest & Law

- Europe's treasure chest of political ideologies for conquest of "colonial" people (Legter, 1992), are the "**Doctrine of Discovery**" and the related "**Prince's Rights to Conquest**" (Steve Newcomb's book also discusses this)
- "Every legal doctrine today... traces its conceptual roots back to the Doctrine of Discovery and the subsequent moral and legal rights.. of the United States with respect to the Indians" (Deloria and Lytle, 1984)



“Monk and Indians” by Gabriel Flores

the Cross & the Sword provided ideological and physical constraint for total domination, **superordinating** priests, settlers and conquistadores, **subordinating Indians**, creating caste-like social systems fully **alienating Indigenes.**

Genocide ideologies: Conquest & Law

- Bartolomé de las Casas expanded upon the extent of Columbus' reign of terror within his multivolume book, History of the Indies:
- *“There were 60,000 people living on this island, the Indians; so that from 1494 to 1508, over **3,000,000 people had perished from war, slavery, and the mines. Who in future generations will believe this?** I myself writing it as a knowledgeable eyewitness can hardly believe it.”*
- Such words offer the reader a firsthand account of the **state-sponsored genocide** that the Spanish empire had financed through Columbus.

Wampanoag Homelands – thanksgiving & “savages” New England genocide war



Cant Conquest



Denial – a river in America

- "Denial of massive death counts is common among those whose **forefathers were the perpetrators** of the genocide" (Stannard, 1992) with the motive of **protecting** "the **moral reputations** of those people and that country responsible," including some scholars

Genocide in the SouthEast U.S.

- “Five Civilized Tribes”
- Cherokee and Creek “Nations”
- President Andrew Jackson
- Constitutional Crisis – Courts
- “Trail of Tears” Ethnic Cleansing
- Genocidal Removal to Midwest

Indian Removals in the 1830's



U.S. intentionality

- "U.S. policymakers, and military commanders, were stating their objective was no less than the **'complete extermination'** of any native people" resisting the cultural-genocidal policies
- Stiffarm and Lane (1992)

In 1824, 2000
Chumash struck
Santa Barbara, La
Purisma, and
Santa Ines
Missions, the
largest of the
Indian Revolts.
(4th grade report)

James Dean Fenelon



**“CONVERSION
AND CONFLICT:
MISSIONS AND
INDIANS”**

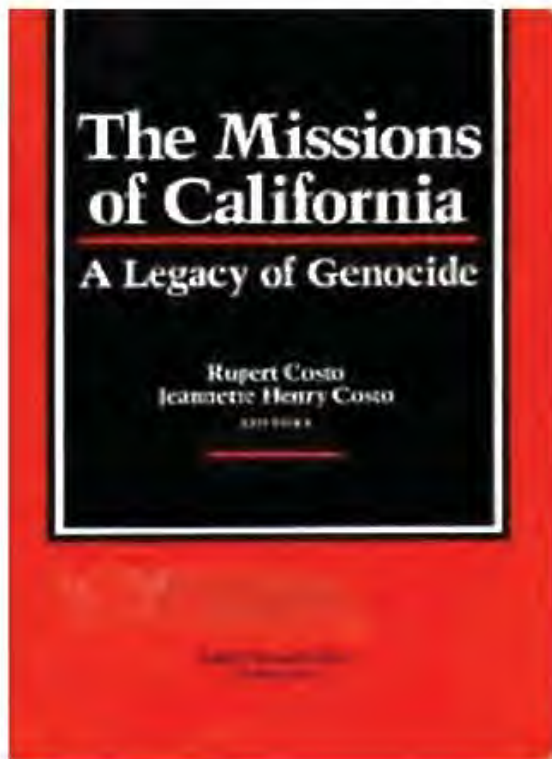
THE COOPER REGIONAL HISTORY MUSEUM OF
UPLAND
AND THE
GABRIELENO TONGVA SAN GABRIEL BAND OF
MISSION INDIANS

INVITE YOU TO DISCOVER A WORLD TOO OFTEN
ROMANTICIZED, MYTHOLOGIZED, AND HIDDEN, A
WORLD FOREVER CHANGED IN A CATASTROPHIC
CONFLICT: 1769-1850.

"genocide-at-law" (Strickland, 1992)

- The Nonintercourse Act of 1790
- *Johnson v. Mc'Intosh*, (1823)
- *Cherokee Nation v. Georgia*, 30 U.S.(5 Pet.) 1 (1831)
- Indian Removal Act of 1830
- *Worcester v. Georgia* (1832)
- [missing: California laws, policies and practices]
- The Treaties Statute of 1871
- The General Allotment (or Dawes) Act of 1887

California Culturicide-Genocide



The Mission System used Culturicide as primary mechanism, slipping into Cultural Genocide and event Genocide at times (Spain-Mexico). The U.S. System was Genocide first and Culturicide later.

Denial, Dismissal, Distortion

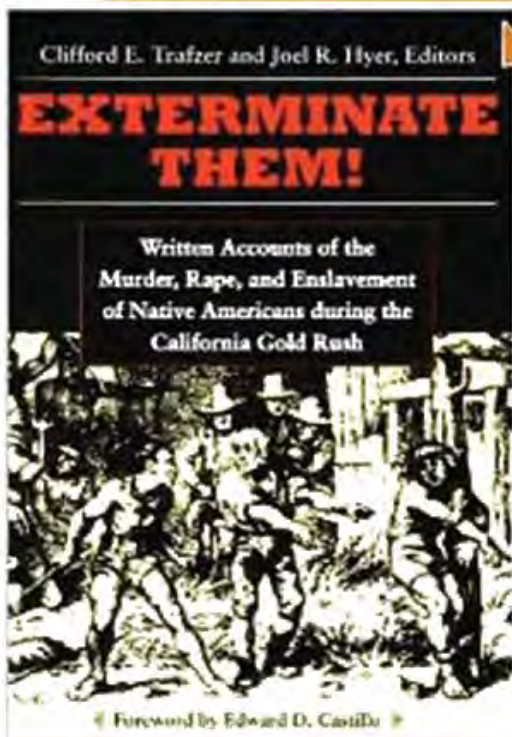
- analysis of Genocide in California has proven difficult because of the **lack of precedents**,
- **general denial** among - scholars, historians, and socio-political forces
- difficulty to establish **Intentionality**
- in-applicability of **contemporary models**
- lack of temporal sequencing between **systems**
- failure to **take responsibility** by descendants and **beneficiaries of genocidal policies**

Focus on: Identity & Ideology

- Helen Fein states: "Only by focusing on the **identity of the victim** and that of the **perpetrator**, can we strip the **mask of ideology** and the accounting mechanisms used by perpetrators to **disguise their responsibility**"

Genocide by Law & Deed in California

Click to **LOOK INSIDE!**




Click to **LOOK INSIDE!**



- Fein (1979:29-30) finds "victims of twentieth-century **premeditated genocide** -- the Jews, the Gypsies, the Armenians -- were murdered in order **to fulfill the state's design for a new order.**" – a formula was required, one that showed "**the right of the master race**, the unique destiny of a chosen people" as being the critical justification to wage war "to **transform the nation**" – *by eliminating groups conceived as alien*, enemies by definition. ("enemy icons")
- Thus, victims are labeled as adversaries."

Systems analysis & Genocidal Models

- **Genocide** *(movement)*
- Cultural Genocide
- **Culturicide**
- Cultural Suppression
- Assimilation, Coercive
- 
- **California State** **Missions** **California State**
- 19th century 18th to 19th ce 20th century

Factors of Genocide Sequences

- The dominant society's ruling elite **operationalizes a "sequence of preconditions, or **intervening factors**,"** (Fein, 1979) that precede genocide
- 1. The victims have been defined ***outside the universe of obligation, of the dominant group;***

- 2. The rank of the **state** has been **reduced in war or strife** (this "predisposing condition" is linked to "political or *cultural crisis of national identity*" which, for Native peoples, may be attributed to U.S. "end of the frontier" or a new state);
- 3. An elite *political formula to justify the nation's domination and/or expansion*, idealizing singular rights of the dominant group; and then

- **4. *Calculus of costs of exterminating the victim*** changes as **perpetrators join a coalition** against antagonists who might protest the persecution.
- Fein states that the "third and fourth conditions taken together constitute necessary and sufficient conditions or causes of premeditated genocide."
- ***Are these found in California case?***

Answering charges of Genocide

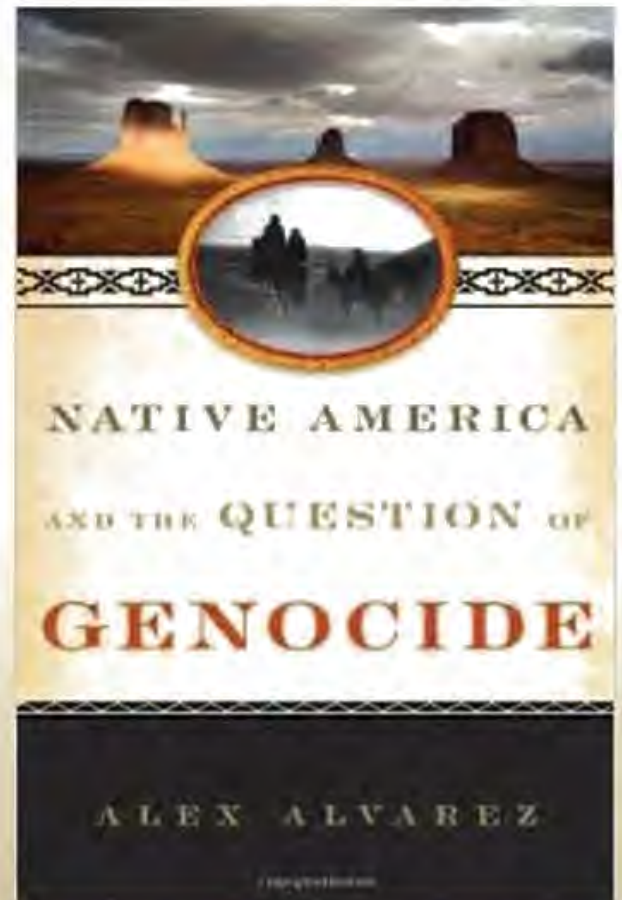
- To answer this question, we must establish:
- De-population rates and trends in California
- Denial of these rates linked to national denial
- Perpetrators and Victim's (Identities) – identify
- Methodology (link to Mooney, current studies)
- Policies and Practices – co-occurring in Laws
- Obfuscation by academics

Falling estimates of Cal Indian pop.

- [Stephen Powers](#) (1872:307) initially proposed an estimate of **1,520,000** for the pre-contact population of the state. He subsequently reduced this figure to **705,000**.^[3]
- [C. Hart Merriam](#) (1905) offered the first detailed analysis, based on mission records and extrapolation to non-missionized areas. His estimate for the state as a whole was **260,000**.
- [Alfred L. Kroeber](#) (1925:880-891) made a detailed re-analysis, both for the state as a whole and for the individual ethnolinguistic groups within it. He reduced Merriam's figure by about half, to **133,000** Native Californians in 1770.
- Martin A. Baumhoff (1963) used an ecological evaluation of carrying capacity to propose an aboriginal population of 350,000.
- [Sherburne F. Cook](#) was the most persistent and painstaking... examining both pre-contact estimates and the history of demographic decline during mission and post-mission periods. Initially, in 1943, Cook (1976a:161-194) arrived at a figure only 7% higher than suggested by Kroeber: **133,550** (excluding Modoc, Northern Paiute, Washoe, Owens Valley Paiute, and Colorado River Yumans). Subsequently, Cook (1976b, 1978) raised his estimate to **310,000**.

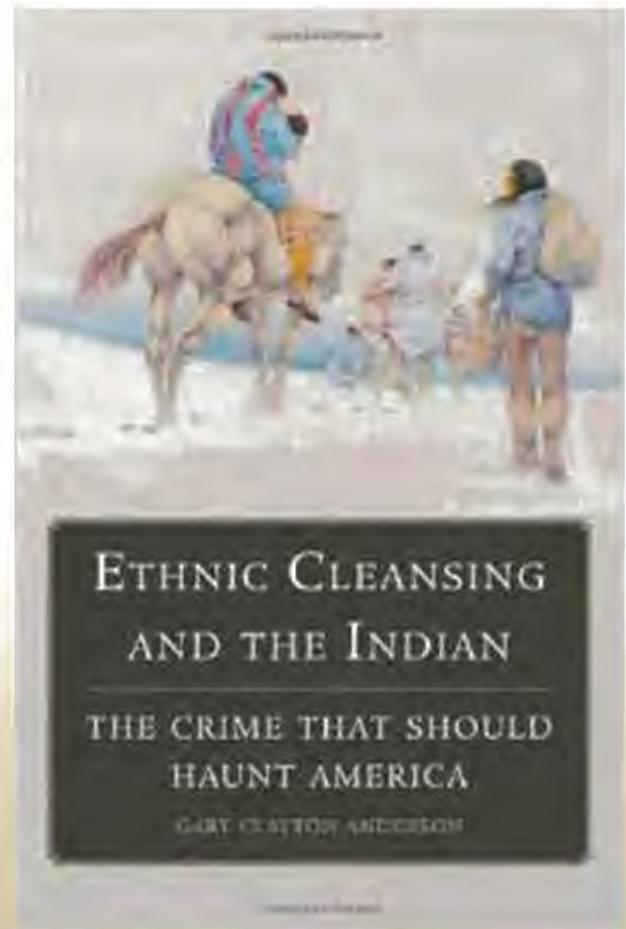
Size and intent to deny genocide

- Did Native Americans suffer genocide? This controversial question lies at the heart of *Native America and the Question of Genocide*.
- Uses “friendly initial” encounters (by Spanish?) and intermittent “conflicts” growing mis-understanding for denying genocide...



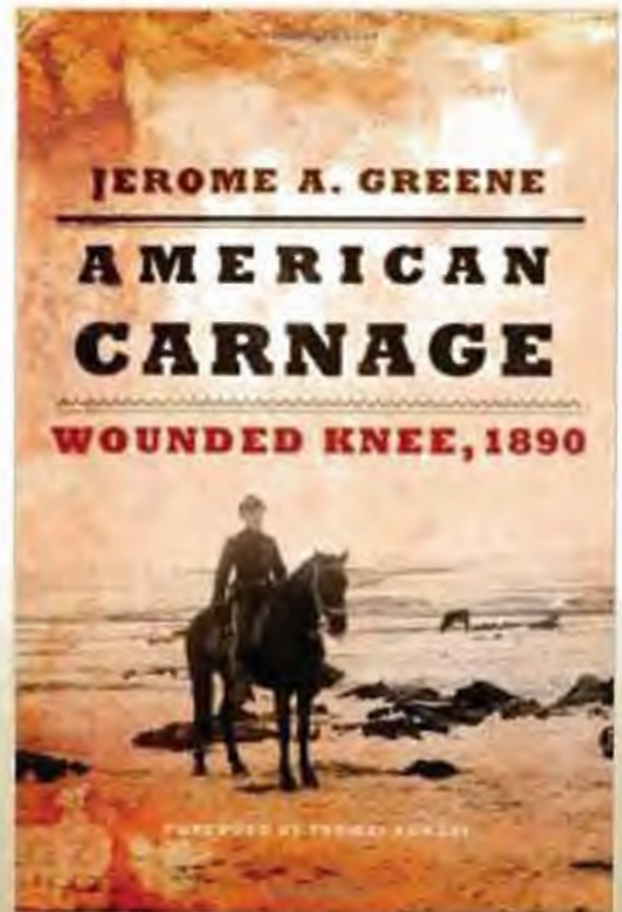
“ethnic cleansing” substitute genocide

- In *Ethnic Cleansing and the Indian*, Anderson uses ethnic cleansing as an analytical tool to challenge the alluring idea that Anglo-American colonialism in the New World constituted genocide.
- Needs holocaust scale-size and “effective” policy laws



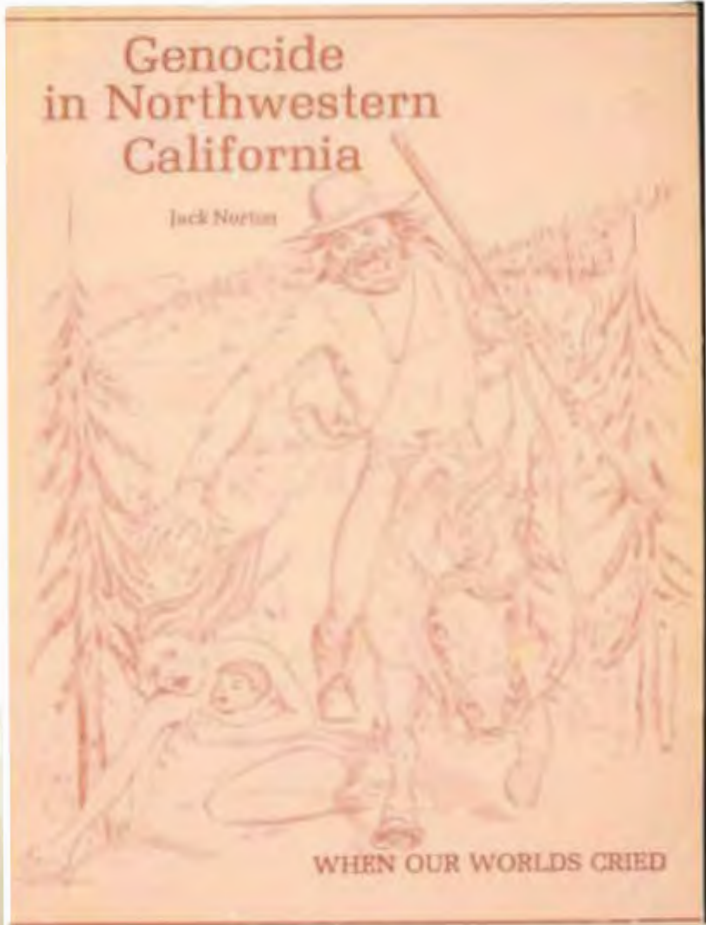
Prevaricate national policies to deny

- Indian removal as policy extended to defend and rationalize soldier laws – “protecting citizens” “prevent raiding” and “miners broke treaties” operating out of “greed” – allow historians to see as “tragic” or “mis-guided” (but not genocide)...



1850 Act for the Government and Protection of Indians

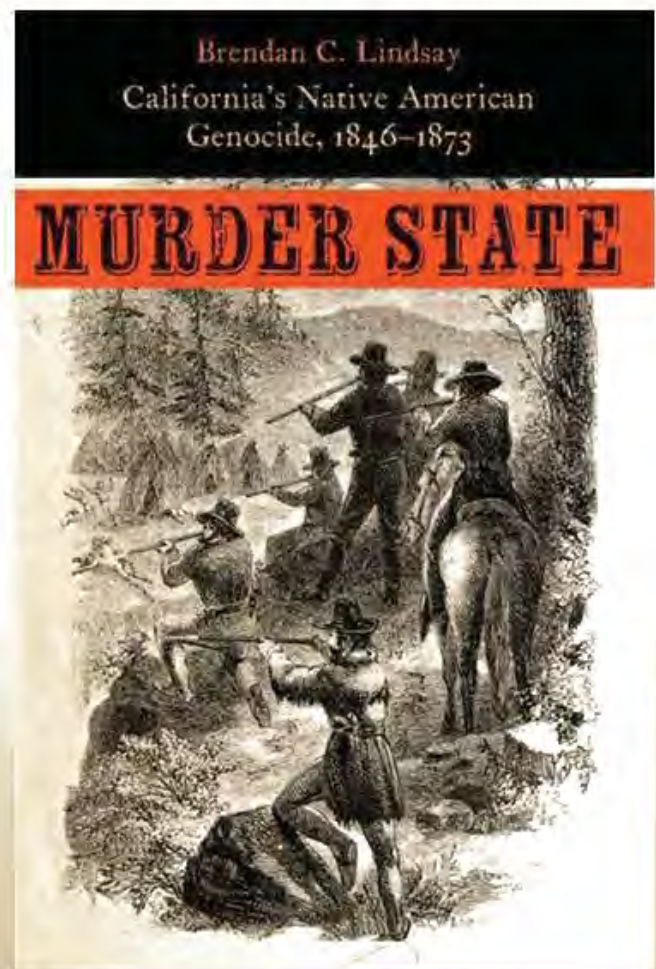
- facilitated **removing** California Indians from their traditional **lands**, separating at least a generation of **children and adults from their families**, languages, and cultures (1850 to 1865).
- provided for “apprenticing” or indenturing Indian **children and adults to Whites**, and also punished “**vagrant**” Indians by “hiring” them out to the highest bidder **at a public auction** if the Indian could not provide sufficient bond or bail.



- In 1850 and 1851, the California Legislature enacted laws concerning crimes and punishments that **prohibited Indians**, or black or mulatto persons, from giving “evidence in favor of, or *against, any white person.*”
- The **1850 statute defined an Indian as having one-half Indian blood.** The 1851 statute defined an **Indian as “having one fourth or more of Indian blood.”**

California as a Genocidal State

- “Murder State” depicts “California’s Native American Genocide, 1846-1873”
- Evidenced-based history Typologizing a State government, and it’s formative democracy, being simple Genocide



California militia policies and “Expeditions against the Indians” during 1851 to 1859

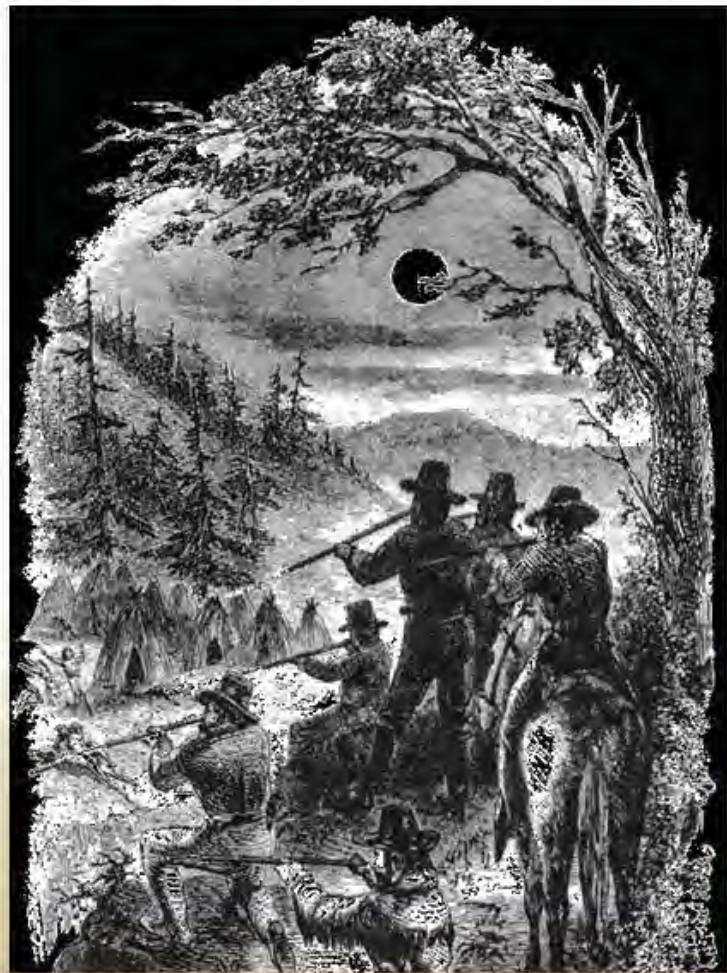
- During 1850 to 1859, the official record does verify governors of California called out the militia on “Expeditions against the Indians” on a number of occasions, and at considerable expense (with large numbers mobilized and armed)
- Accounts are daily coming in... of sickening atrocities and wholesale slaughters of great numbers of defenseless Indians... Within the last four months, more Indians have been killed by our people than during the century of Spanish and Mexican domination (Mendocino County official register)

- “That a **war of extermination** will continue to be waged between the races, **until the Indian race becomes extinct**, must be expected. While we cannot anticipate this result but with painful regret, the **inevitable destiny of the race** is beyond the power or wisdom of man to avert.”
- Governor Peter H. Burnett, January 7, 1851

KILLING CALIFORNIA INDIANS

Genocide in the Gold Rush Era

- **“Was there a genocide of California Indians during the Gold Rush?”**
- **Panel One:** UC Riverside, Introductions
- Jack Norton, Humboldt State University; Brendan Lindsay, Sacramento State University; James Fenelon, CSU San Bernardino
- **9am – 4pm, Friday, Nov 7,**
- **UC Riverside, HUB 379**
- Rupert Costo Endowment in American Indian Affairs, and the California Center for Native Nations



Conclusions on California Genocide

- Intentionality (commit genocide) is established
- Mission Culturicide stages to California Genocide
- Nation-al as problem stressed as **racial order**
- **“Indians” seen as Aliens** and not fully human
- Juridical-legal complex established (law, policy)
- **California Genocide** stages to **Assimilation**
- **Denial & Distortion by Academics** central to failure of perpetrators to take responsibility, and to alleviate intergenerational **historical trauma**

Traditional dancers from many Indian Nations respectfully enter the pow-wow for a flag song, recognizing sovereignty of the (San Manuel) Serrano people's homeland communities (10/10/04).



Structural Genocide

- From Sand Creek to Wounded Knee
- Jim Crow South and Indian Reservations
- From Race Supremacy to Structural Supremacy
- World War II and “Holocaust”
- Latin America – Guatemala; Middle East – Kurds
- Guatemala Conviction and Zapatistas
- California as Progressive state (w/o genocide)
- 21st Century Structural Genocide as Modernity

Sand Creek and Wounded Knee – genocidal events – policy acts

Mass burial
of Lakota at
Wounded
Knee 1890 –
resistance of
Indian tribes
nations ends



Indigene response to genocide

- The Native elder responded, “Here’s what you’ve got to understand. When you look at black people, you see ghosts of all the slavery and the rapes and the hangings and the chains. When you look at Jews, you see ghosts of all those bodies piled up in death camps. And those ghosts keep you trying to do right.
- “But when you look at us you don’t see the ghosts of the little babies with their heads smashed in by rifle butts at the Big Hole, or the old folks dying by the side of the trail on the way to Oklahoma while their families cried and tried to make them comfortable, or the dead mothers at Wounded Knee or the little kids at Sand Creek who were shot for target practice. You don’t see any ghosts at all.
- **...And when people aren’t humans, you can turn them into slaves or kill six million of them or shoot them down with Hotchkiss guns and throw them into mass graves at Wounded Knee. “No, we’re not looking at the American dream. And why should we? We still haven’t woken up from the American nightmare..**

- Guatemala Illuminates its Dark History With a Stunning Guilty Verdict for Rios Montt
- 13 May 2013 By [Lauren Carasik](#), [Truthout](#)
- **Former Guatemalan military dictator Gen. Efraim Rios Montt at hearing, Guatemala City, Jan, 2013**
- in the trial of US-supported former Guatemalan dictator Jose Efraim Rios Montt for genocide and crimes against humanity,
- Judge Jazmin Barrios
- delivered a stunning victory
- for truth and justice.



Survivance – of Indigenous Genocide

(from California Indian Conference 2014)

- **Establish the Voice of the Indigenous People**
- Guatemala Mayan Indians – rise of Zapatistas, in Mexico, It is estimated that up to 200,000 people were killed between 1966 and 1990, including many thousands who died /'disappeared' –genocide of Mayan Indians
- **Identify Perpetrator and Historical Memory**
- April 1998 Catholic Church's '**Recuperation of Historical Memory**' (also called 'Never Again'), published, like '**Memory of Silence**' put responsibility for Guatemala's war crimes squarely on the army (government)

Modernity & Indigenous Genocide

- Structural violence and “event” genocide are integral parts of contemporary social control when states often turn to ethnic cleansing and indigenous genocide to achieve dominant social group security, supremacist ideologies, or suppression.
- Modernity was indeed based on genocide, inherently and continuously for 500 years, denying the integral history of California.

Calling on the Spirits – Lifting Silenced Voices to end Genocide



From Colonialism to Denial of California Genocide to Misrepresentations: Special Issue on Indigenous Struggles in the Americas

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James V. Fenelon¹ and Clifford E. Trafzer²

Abstract

Indigenous peoples' complex analytical issues include historical misrepresentation, struggles over sovereignty and autonomy, and Euro-American "conquest" including invasion, genocide, culturicide, and coercive assimilation, ranging over half a millennium of invasion and colonization. Perhaps the most critically contentious of these issues is genocide. We review historical construction of racial formation and cultural domination, focus on California genocide of Native peoples, and present articles in this special issue as means of understanding these processes and proposing future directions for indigenous studies.

Keywords

indigenous peoples, genocide, Americas

Introductory Overview

Indigenous peoples represent the most complex social analytical issues in the world today, including invasion by foreign groups, outright genocide, culturicide and multiple forms of coercive assimilation, and ranging over half a millennium of modern colonization histories covering the Americas and globally. Perhaps the most critically contentious of these issues would be genocide, especially in North America and the United States, in terms of how scholars employ this relatively new term over social histories obfuscated by dominant group histories. (...text redacted...)

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Euro-Americans constructed the American Indian legally, socially, and racially to the benefit of Euro-American colonizers, and the United States invoked rationalizations and ideologies of invasion and destruction intentionally to steal Native American lands and control for the first nations of the Americas. Agents of the federal government sought to destroy Indian agency and the autonomy of the many Native nations, making sovereignty a legal concept under federal law rather than a spiritual concept born of ancient stories and songs of creation. Thus sovereignty is indigenous to the Americas and not a gift of the United States, which limited Native sovereignty legally without consent based on the Right of Conquest. Furthermore, the federal government employed religious domination as a central rationale in declaring the indigenous as “savage” from 1492 to 1892, and therefore outside the realm of legal and moral responsibility. Over this period, key differences between the Catholic conquest for supposed conversion, albeit at a terrible human cost, and the Protestant racial purification led to elimination of the indigenous, albeit often calling it absorption and later assimilation. These concepts emerged early in the colonial era but became the Manifest Destiny of the United States as the new nation justified the killing, theft, and rape of indigenous people. This interpretation is neither original nor innovative, but challenges scholars to rethink the genocidal attacks of the United States against indigenous Americans, and their underlying rationalizations in language such as the Louisiana “Purchase” and the building of early “democracy” in California...

Through our essay, we have identified the racial construction of the American Indian and attendant dominating ideologies of colonizing European and American powers and then by independent new states reproducing the same systems over indigenous peoples. Euro-Americans used broad transitions from feudal and colonizing countries to modern and independent states, which took place during a 500-year development of the modern world system. Industrialism and capitalism, systems very destructive to indigenous societies, were also developed and became hegemonic in Europe and the Americas. Following the colonizing patterns of Europeans, newcomers to indigenous nations provided global imprints that maximized private property and the accumulation of wealth above all other social systems. In so doing, Euro-Americans destroyed Native American economies and those of other indigenous peoples around the world to gain wealth at the expense of first peoples. Furthermore, transitions from centralized Catholic ideologies to diverse Protestant rationalizations as well as democratically constructed local governments were instrumental in achieving domination, such as the perverse democratic systems employed in California...

Indigenous Peoples—Genocide in California and the Americas

The development of the modern world begins with and is maintained by European and Euro-American invasions and dominations of the Native nations and peoples indigenous to the Americas. In California and other sites within the American West (and around the world) genocide played a central role in the historical processes. Brendan Lindsay has become a leading historian of the genocide theory as it is applied to California’s indigenous populations, relating genocide to the democratic traditions of Americans. In local frontier areas of California (and other sites of the United States), small groups of people met to formulate Indian policies, using democratic meetings to launch genocidal attacks against men, women, and children. During the 1850s and

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1860s, pioneers provided their voices as evidence of vast genocidal actions, but the state of California as well as educators, writers, textbook, editors and historians of the period deny the genocide and refuse to reevaluate the historical record based on the evidence. Thus, the dominant society denies and distorts genocide in the name of “progress” and “civilization.” California provides a perfect example of both genocide in practice and policy, and concomitant denial by using Western ideological constructs. In addition, the federal and state governments wish to block reparations due indigenous people by denying the theft of lands and resources, the “killing of members of the group,” the causation of “serious bodily or mental harm,” the destruction of indigenous “conditions of life,” the prevention of “births within the group,” and the enslavement, prostitution, and “transferring children of the group to another group.” (Lindsay, 2012, p. 15; United Nations, 1948).

Although genocide is an ancient practice throughout the world, the term emerged during World War II in response to the Nazi genocide. In 1944, Polish lawyer Raphael Lemkin wrote *Axis Rule in Occupied Europe*, which coined the term and applied it to state-sponsored genocide or the systematic and intended extermination of ethnic groups or entire human groups. In 1948, the General Assembly of the United Nations offered a convention to define genocide as (a) the killing of members of a group, (b) causing serious bodily or mental harm to members of the group, (c) deliberately infliction of the group conditions of life calculated to bring about its physical destruction in whole or in part, (d) imposing measures intended to prevent births, and (e) forcibly transferring children of the group to another group. Under every category provided by the United Nations, the historical record is clear. Euro-American people and governments have committed genocide worldwide against indigenous peoples, including genocide against Native Americans of California during the era of the Gold Rush, a fact denied by the California Department of Education. The articles in the following section in this volume provide selected examinations of genocide and its long-term effects within indigenous communities. They are offered to continue discourse about genocide with a focus on indigenous communities and peoples.

This section of the article discusses these processes as indicative of what many indigenous peoples have experienced and considers the problems arising for historical and scholarly analysis of genocide against Native Americans. Like other colonizers, the United States sought total domination of Native Americans, and federal and state officials allowed pioneers to murder, rape, kidnap, steal, and destroy Native Americans, creating systems for *superordinating* settlers, militia soldiers, and government officials to *subordinate* Indians, thereby developing caste-like social systems fully *alienating* Indigenes, usually on their own lands. These rationalizations provided the basis for the denial, dismissal, and distortion of genocide in America, most specifically in California, because of six major reasons: (a) the difficult analysis of genocide in California because of the *lack of precedent*; (b) *general denial* among scholars, historians, and sociopolitical forces; (c) an inability to establish *intentionality* (critical to proving genocide); (d) inapplicability of *contemporary models*; (e) lack of temporal sequencing between *systems* (e.g., missions to U.S. Indian policy); and (f) failure to *take responsibility* by descendants and *beneficiaries of genocidal policies* (similar to throughout the United States generally).

We examine each of these issues, with evidence from California Native nations. For instance, the Chumash were a complex society before the Europeans came, as see in a

painting by Michael Wood, *Gathering at Shisholop*, showing a beachside festival with sports, feasting, and considerable social order. Yet Spanish and later Americans depicted the Chumash and their neighbors as small-scale hunter-gatherers, called "Diggers," an intentionally charged, racist, and pejorative term with origins in "Niggers." During the mission period, Indian life was very hard. While many Indian families came willingly at first to the missions, later they resisted mission life and the regimented work. Soldiers forced Indian villagers into missions, traveling great distances into the Mojave Desert, Santa Rosa Mountains, and Colorado Desert to kidnap women and children to force into the mission systems at the San Fernando and San Gabriel missions. Spanish priests oppressed girls and boys, forcing everyone to work for the mission or face corporal punishments. Many died, as evidenced by the pit burials at Mission San Diego and others. Only favored neophytes lived longer, while most people led very short lives. Priests segregated young girls, taking them out of their homes and placing them in *monjerios*, Spanish dormitories where filth and disease killed many and sickened others. While Priests claimed this to be an attempt to guard girls from sexual activities by locking them in the dormitories where many died, it also made them vulnerable to other males at the mission, including soldiers. When neophytes fled the missions, the priests hunted them down and punished them with jails, stocks, whips, and other severe means. Over the years, California Indians fled the missions, seeking sovereignty and freedom from Spanish overlords. Not long after the Spanish creation of missions, indigenous peoples rose in violent revolt against the priests and soldiers. The Spanish treated first peoples as inferiors, attempting to "convert them to Christ" and force them into forms of Spanish civilization while denigrating Indian culture and religions.

In 1824, 2,000 Chumash struck Missions Santa Barbara, La Purisma, and Santa Ines, the largest of the Indian revolts. The Quechan struck the priests near present-day Yuma, Arizona, and the Kumeyaay burned Mission San Diego. When Indians living in the missions told their own stories, they shared many Native truths: "The Indians complain bitterly that they receive nothing for their toil. . . . This discontent . . . likely resulted in the revolt of the Indians at Santa Barbara and Purisma." However, there is virtually nothing about this maltreatment in the required fourth grade school curriculum in the state of California. One author's son, James Dean Fenelon, interviewed Tongva-Gabrieleno teacher Julia Bogany (April 1, 2010) about her origins from Mission San Gabriel and learned of many transgressions within the missions, including the killing of children younger than 10 so families would work harder. He also learned about systematic separation and sexual violation of pubescent girls in many missions, documented as "girls quarters for domestic education" at Mission La Purisma. The teacher of this 10-year-old criticized him for presenting his findings based on oral and Native sources to his classmates in a required fourth grade discussion of the missions and California Indians.

The silencing of historical realities and Native voices permeates the entire educational complex, from grade school to university curricula, with many scholars dismissing the voices of contemporary indigenous people, claiming they have nothing to offer the historical record, including any understanding of their own cultures or tribal

relationship with the Spanish in the mission systems. American textbook companies and programs deny Indians a voice, dismiss Indian evidence, and distort historical accounts to pass examinations by non-Native teachers and a few scholars. Genocide is not mentioned in historical texts when addressing the indigenous peoples of America, including Native Americans of California. Helen Fein states, “Only by focusing on the *identity of the victim* and that of the *perpetrator*, can we strip the *mask of ideology* and the accounting *mechanisms used by perpetrators to disguise their responsibility*” (Fein, 1979, p. 30).

With a continued focus on identity and ideology in our genocide examples, we also need to establish variation in practices and systems. Using systems analysis for genocidal models (Fenelon, 1998), we can identify a range of movement from the most destructive systems of genocide, to still lethal systems of cultural genocide, to the targeting of destruction of culture in order to subordinate by culturicide, to general cultural suppression, to the more benign dominant preferred system of Assimilation, coercive yet less destructive. However, dominant societies can move in either direction, ranging from genocidal practices to assimilation policies. In fact, this has been one of the beguiling factors of identifying genocide in California. The extremely destructive mission system put into place by the Spanish during the 18th and 19th centuries was clearly culturicide and often became cultural genocide in one direction and sometimes cultural suppression in the other. When the United States took over the then secularized missions, the government launched clear-cut genocide in Northern California and event genocide or cultural genocide in Southern California, intensifying the destruction. By the 20th century both California and the United States had moved into cultural suppression and coercive assimilation policies as their primary modalities.

In 1979, Fein contributed further to the analysis of genocide, pointing out that “victims of 20th-century *premeditated genocide*—the Jews, Gypsies, the Armenians—were murdered in order *to fulfill the state’s design for a new order*.” Nations created a formula that showed “*the right of the master race*, the unique destiny of a chosen people” as being the critical justification to wage war “*to transform the nation*” by *eliminating groups conceived as alien*, enemies by definition. Thus, perpetrators labeled victims as “adversaries.” The so-called Indian Wars and the above-noted revolts provided rationalization for creating uncivilized “savages” as adversaries to justify their complete destruction (Fein, 1979, pp. 29-30). Rupert and Jeannette Costo (1987) also contributed to the analysis of genocide from a Native American perspective in their book *The Missions of California: A Legacy of Genocide*. They argued that Spain’s “new order” was a California without recognizing claims by indigenous peoples, but through reconstructing them as mission Indians with no rights and targeted for elimination. Robert Heizer and Alan Almquist (1977) argued the process accelerated with the discovery of gold and American control of California, in *The Other Californians: Prejudice and Discrimination Under Spain, Mexico, and the United States to 1920*. Americans decided Native Californians were in the way of progress and wealth, and they were threats to miners. So American miners and pioneers determined to “exterminate them” to the extent that they would be eliminated—culturally, physically, politically, and even historically (Heizer & Almquist, 1977).

Newspapers of California and written documents speak to the intentionality of genocide perpetrated by citizens of California and the United States. On a national level, usually operating under Manifest Destiny ideologies, we can show that intentionality to commit genocide against indigenous peoples was strong. "U.S. policymakers, and military commanders, were stating their objective was no less than the 'complete extermination' of any native people" resisting the cultural-genocidal policies, according to Stiffarm and Lane (1992, p. 34). Stannard (1992) also describes Native peoples of the Northeast who "regularly suffered depopulation rates of 90 to 95 percent and more." Even General George Washington declared that the United States must "lay waste all of the [Indian] settlements" until there was "total ruin." And President Thomas Jefferson stated goals of "to pursue [Indians] to extermination" or "to drive them to new seats beyond our reach" (Takaki, 1979/1993).

The democratic legacy of the United States made it difficult to recognize and acknowledge genocide. Instead the national government and its leaders have offered a systemic denial of genocide, the occurrence of which would be contrary to the principles of a democratic and just society. "Denial of massive death counts is common among those whose forefathers were the perpetrators of the genocide" (Stannard, 1992, p. 152) with motives of protecting "the moral reputations of those people and that country responsible," including some scholars. It took 50 years of scholarly debate for the academy to recognize well-documented genocides of the Indian removals in the 1830s, including the Cherokee Trail of Tears, as with other nations of the "Five Civilized" southeastern tribes. Yet elementary texts are silent and do not use the term *genocide* when dealing with Indian removal to the trans-Mississippi West. To do so would put at risk millions of dollars in sales for publishing companies established to make money, not to tell the truth or various interpretations of historical events. Thus, textbooks explain the Indian removals and sometimes share statistics about the thousands of people killed while "inflicting on the group conditions of life calculated to bring about its physical destruction," but no text identifies genocide or develops the theme. Genocide is preserved for the Jewish Holocaust and a few other events in world history.

In considering the analysis and demonstration of how genocide works and what factors or sequences are involved, Fein finds the dominant society's ruling elite operationalizes a "sequence of preconditions, or intervening factors" (Fein, 1979) that precedes genocide. These factors are the following. First, the victims have been defined outside the universe of obligation of the dominant group. Second, the rank of the state has been reduced in war or strife (this "predisposing condition" is linked to "political or cultural crisis of national identity," which, for Native peoples, may be attributed to the "end of the frontier" or a new state). Third, an elite political formula is produced to justify the nation's domination and/or expansion, idealizing singular rights of the dominant group. And then finally this calculus of costs of exterminating the victim changes as perpetrators join a coalition against antagonists who might protest the persecution. Fein (1979) further sees that the "third and fourth conditions taken together constitute necessary and sufficient conditions or causes of premeditated genocide" (pp. 9-10).

Mission system development was certainly premeditated, but actual extermination is not as clear. However, the United States was already pursuing “genocide-at-law” (Strickland, 1992) strategies during this period, as found in the Nonintercourse Act of 1790 by “alienating” Natives from their own lands, in the Indian Removal Act of 1830, and in the *Johnson v. M’Intosh* (1823), *Cherokee Nation v. Georgia* (1831), and *Worcester v. Georgia* (1832) Supreme Court decisions. Skirting ahead past the California laws, policies and practices, we can also identify the Treaties Statute of 1871 and the General Allotment (or Dawes) Act of 1887 as cementing the alienation and transfer of lands by the United States from and over Indian nations. Similarly, we see genocide by law and practice or deed in California, documented in “*Exterminate Them!*” *Written Accounts of Murder, Rape, and Enslavement of Native Americans During the California Gold Rush*, by Clifford Trafzer and Joel Hyer (1999), and in *Forgotten Voices: Death Records of the Yakama, 1888-1964*, by Trafzer and Robert McCoy.

Finally, linking these policies and practices found with intentionality in law and policy, Irving Horowitz (1982, p. 57) finds that “a central tendency in all genocidal societies is to initially *create juridical-legal separations between citizens and aliens, elites and masses, dominant and backward races, and so forth.*” So, in this analysis, we ask the question, *do we find these in the California case? The answer is an unquestionably and resounding yes.* The state of California and federal government contributed to genocide by encouraging militia groups to attack and kill Indians and by paying them for resources they used in destroying Native American communities. In fact, in 1850 the state of California passed Chapter 133, An Act for the Government and Protection of Indians, legalizing the taking of Indian children as state wards and the incarceration of vagrant Indians who could not pay their fines and were auctioned off as laborers for eager ranchers. The laws facilitated *removing* California Indians from their traditional *lands*, separating at least a generation of *children and adults from their families*, languages, and cultures (1850 to 1865) and provided for “apprenticing” or indenturing Indian *children and adults to Whites*, and also punished “*vagrant*” Indians by “hiring” them out to the highest bidder *at a public auction* if the Indian could not provide sufficient bond or bail. In 1850 and 1851, the California Legislature enacted laws concerning crimes and punishments that *prohibited Indians*, or Black or mulatto persons, from giving “evidence in favor of, or *against, any white person*” in a court of law. And the *1850 statute defined an Indian as having one-half Indian blood*, while the 1851 statute defined an *Indian as “having one fourth or more of Indian blood.”* These are clear *juridical-legal separations between citizens and aliens*. Legislators in California intended to control Indians at local and state levels by justices of the peace, not federal Indian agents. And when American agents negotiated 18 treaties, creating 18 reservations, the California delegation made sure that Senate of the United States met in a secret session and voted against ratifying any of the negotiated treaties. Thus, California Indians had no “legal” ownership to traditional lands, giving the newcomers time to steal as much Indian lands as possible before federal officials recognized Indian reservations and Indian nations could claim a small portion of their vast former holdings taken by newcomers through “legal” means established by non-Indians in the state of California.

Between the 1850s and 1860s, the state supported militia forces created to kill, rape, and enslave Indians. During the era, the governors of California called out the militia for “expeditions against the Indians” on a number of occasions and at considerable expense (with large numbers mobilized and armed); “Accounts are daily coming in . . . of sickening atrocities and wholesale slaughters of great numbers of defenseless Indians. . . . Within the last four months, more Indians have been killed by our people than during the century of Spanish and Mexican domination” (Mendocino County official register); “That a *war of extermination* will continue to be waged between the races, *until the Indian race becomes extinct*, must be expected. While we cannot anticipate this result but with painful regret, the *inevitable destiny of the race* is beyond the power or wisdom of man to avert” (Governor Peter H. Burnett, January 7, 1851). In this, the policies of the state and official records are laid bare. But the costs of these genocides remain incalculable as California Indians continue to cope with the atrocities committed against members of their families. In open sessions of the Native American Heritage Commission of the state of California and the sessions sponsored by the California State Parks to create the California Indian Heritage Center, descendants of California’s first people openly lamented the murder, rape, kidnapping, and enslavement of friends and relatives, remembered in detail through their oral traditions.

Newcomers to California racially defined indigenous peoples and their nations. Between 1851 and 1852, Indian commissioners of the United States negotiated 18 treaties with California Indian tribes, thereby extinguishing Indian title to more than 92% of indigenous lands, with all their resources. In return, the first peoples of California secured a mere 11,700 square miles, or 7.5% of California land. California citizens (which did not include Native peoples) opposed the treaties and did not want to recognize any lands for the first inhabitants of California. In March 1852, the California Assembly voted 35 to 6 to oppose the Indian treaties, and the Senate of the United States, meeting in secret session, voted 19 to 4 against ratification of treaties. The United States rejected the treaties in 1852 but *did not inform the indigenous people of these actions until 1904*.

In conclusion, pioneers and miners in California committed genocide against the indigenous people of California and initially crowed about the killings, rapes, kidnappings, and enslavements during the 19th century, only to have scholars, authors, and textbook companies silence the genocide in the 20th and 21st centuries. The state of California and federal government participated in the genocide or turned a blind eye to democratically constituted militia groups bent on genocide. The missions of California had a history of *Culturicide*, one of the stages toward genocide. Newcomers to California—Spanish, Mexican, Russians, and Americans—considered indigenous people to be “alien,” and certainly most were non-Christian. Spain, Mexico, and the United States, and California enacted laws detrimental to the life and liberty of California’s first people, codifying the theft of land and exploitation of indigenous people. In the wake of attempted extermination, the United States enacted laws to destroy the Indian estate, especially the General Allotment Act, Burke Act, and Termination—all subjects beyond the scope of this study. Today the federal and state

governments deny the historical record of genocide and do not view the killings as a “real” genocide. Academics, teachers, scholars, authors, educators, politicians, textbook publishers, and the general public do not accept the fact of genocide, even with the evidence provided by Jack Norton, James V. Fenelon, Robert Heizer, Alan Almquist, Clifford Trafzer, Joel Hyer, and especially Brendan Lindsay. More important are the voices of contemporary indigenous people of California who offer oral testimony to the genocide that took the lives of thousands of their families members but not the heart and spirit of California’s first nations people.

We end this section with interview quotes from Emanuel Olague, descendant of Payuchi people of San Bernardino region, whom scholars and governments do not recognize even existed:

The Aqueduct near the San Bernardino courthouse is significant to the Payuchi people because this water belonged to Native Americans, this was their ground, where they would spend their winters because the water came out so hot (180 degrees). All the way down to the Orange Show there was a lake. These are the stories my uncle would tell me. Because there were so many Indians there, when they would make their pot of beans they could see the smoke, and thus it became known as the “Valley of Smoke”—this is where the Payuchi people start at. . . .

I was told that story about 2 ranches, up in Devore of the Cajon Pass, 1 owned by a white guy other by Mexicans. Mexican ranch they had guns and would protect you from the other [American ranch] when great uncle came to this area, they had to get to the Mexican ranch. [pointing] There is the house that the cowboys lived in. Can see where all the people are coming through from the house. Uncle would tell me that when Indians came across the Cajon pass, the cowboys would see them and chase them down, or just shoot at them.

This is 1850 to 55 time period, 1870 tops. Uncle was born in Mexico. Stories of Genocide is not just a myth, we came out to explore uncle’s story and it’s not just a story, it did happen. . . . There was another big massacre happened in Las Flores ranch, literally cut natives heads off and stuck them in the front poles. Las Flores ranch by Silverwood Lake. . . . My dad told me that they could never could say that they were native American from Redlands, because what would happen was that Native Americans were taken into San Timoteo Canyon and were put in horse corrals, like planks where they would train the horses, no one could see in or out. Stuck them in corrals and gave them blankets with diseases and they all died. Tried to figure out where the plague was at, and was told that it was at an old school house and it happened behind in San Timoteo canyon. Refused to let them pray or see the place, sign of what happened to Native Americans. . . .

People went to Deep Creek, Chemehuevi are a branch of Southern Payuchi, and all of them were one huge nation, Paiutes nation. Payuchi meaning is “little Paiute.” . . . When I went to Mojave Lake, an elder saw me and said he was a relative, it was a really nice spirit. But they didn’t know about Chimney Rock. Believe that at Chimney Rock it should say Paiutes, not Chemehuevi, there was a mixture of both and it was written wrong. It was a 32-day battle. Some of the Militia died here, but not many, they were well armed. They had weapons while the Natives were only armed with bows. The Native people chose this spot. . . . My uncle told me to look for springs and if you go into the rock, there is water and they chose this place for

the battle because they knew there was water and a lot of rattlesnakes. Militia, name was Holcombe, at that family had a lot of land, by Big Bear and there were mercenaries chasing them, they got money for killing Indians, they got money for taking down Indians, paid by scalp. That was the proof that you killed an Indian; was by the scalp. . . . These markers don't tell you about that. Many of my relatives died here, it was like the end, yet our stories still survive. (personal communication, June 2, 2012)

Indigenous Peoples—Struggles in Resistance and Revitalization in the Americas

We have attempted to describe the evolving essence of who indigenous peoples were and are through tracing the racial construction of the Indian in the early conquest of the Americas, how colonialism shaped relations between Native nations and colonizing European powers, and how that contributed to the creation of highly racialized new states in the Americas. Of course, over these hundreds of years many indigenous peoples and nations were lost forever, while others survived but in an often violent subordination to dominant Euro-American powers that initially refused citizenship and participation, and thereafter would not recognize the autonomy and potential for sovereignty of American Indians who survived the onslaught of civilization...

California Genocide Articles

Much of what is known by the general public about the history of California and the American West stems from social studies texts written by well-known scholars and published by the school division of major publishers in the United States. In third grade, most states focus on the history of local areas, but in fourth grade school curricula generally examine state history, including the history of Native Americans of the state's past. In fifth and eighth grades, students learn about American history, which includes the relationship of English settlers with the Pamunkey and other tribes in Virginia as well as the Wampanoag, Narragansett, and Massachusetts Indians of New England. Most texts for elementary children deal with "Praying Indians," warriors of the French and Indian War, Tecumseh, Indian Removal from the South, and the Indian wars of the middle and late 19th century. Nearly all of the texts in American history deal with the California Gold Rush, a central event in American and California history, but they rarely examine the genocide perpetrated by pioneers against California's first people.

In their work, "Silencing California Indian Genocide in Social Studies Textbooks," Clifford Trafzer and Michelle Lorimer of the University of California, Riverside examine the silencing of genocide in the historical record provided to children in California and the United States. Trafzer's earlier volume, *"Exterminate Them!"*, did little to enlighten teachers, school superintendents, politicians, and administrators of education in California. The present work by Trafzer and Lorimer points out more clearly that although social studies texts examine the California Gold Rush, the curriculum focuses primarily on benign aspects of the Gold Rush: the gold discovery at Sutter's Mill on the American River, the rush of the forty-niners, routes taken by gold seekers, the high price of food and Levi's jeans, and the transition from mining with pans and rockers to high-powered hydraulic hoses.

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Some texts mention the place of California Indians in the Gold Rush, but only a few mention that miners and soldiers killed thousands of Indian men, women, and children. Not one textbook refers to the killings and displacement of Native Americans as a genocide, even though the treatment of Indians during the era fits every category of genocide defined by the United Nations: killing members of the group, causing bodily or mental harm, inflicting conditions of life calculated to bring about physical destruction (theft of natural resources, including food and water), imposing measures intended to prevent births (kidnapping of children, slavery, and prostitution), and forcibly transferring children (kidnapping children, separating families, and forcing children into federal schools). The state of California contributed to genocide by aiding and funding settlers and volunteer troops, and the United States provided money and regular soldiers to kill Indians and destroy their homes. The state of California and federal officials ignored the atrocities, in part because Indians were a vanishing race and because their extermination suited the aims of every level of government. Since the 1850s and 1860s, Californian officials have denied genocide, and the California Department of Education continues to deny genocide and silence textbooks from providing children truths about the genocide of Native Americans by pioneers during the era of the Gold Rush.

Trafzer, Lorimer, and other authors in this special issue owe a great debt to the cutting-edge scholarship of Jack Norton. They all draw on the groundbreaking research of Hupa-Cherokee author Norton. In 1979, Norton became the first scholar to use the definition of genocide provided by the United States when addressing genocide in his book, *Genocide in Northwestern California: When Our Worlds Cried*. The professor emeritus of American Indian studies at Humboldt State University adds to his past research on genocide in his essay, "If the Truth Be Told: Revising California History as a Moral Objective." The enrolled member of the Yurok Nation was the first California Indian historian to be appointed to the Rupert Costo Chair of American Indian History at the University of California, Riverside. His work in this volume documents the genocidal aggression committed by the majority of White citizens against the Native peoples of California.

Despite the moral objectives of settlers and their purported ideals of Christianity, democracy, and protection of loved ones granted to all of humankind, they perpetrated horrible acts of inhumanity against California's Indian people. Through their own writings, White pioneers and their leaders justified murders, rapes, kidnappings, and thefts by projecting their racial superiority over "savage heathens." The dichotomy between their stated virtues and overt behavior has allowed them and past leaders to offer distortions, misinformation, and continued psychological confusion and conflict within the American psyche and California's Indian history. The essay found here offers us the opportunity as scholars, historians, and concerned citizens to review and revise the historical record based on sound archival research and to aid future learning while, perhaps, healing human relations. Hence, our shared moral objective for accountability, for justice, and for truth may teach us all about the ethical responsibility we have to one another and to all life forms.

Brendan C. Lindsay is an assistant professor of history at California State University, Sacramento, and the author of the recent much-acclaimed volume, *Murder State*:

California's Native American Genocide, 1846-1873. Lindsay adds to his past work with an original essay, "Humor and Dissonance in California's Native American Genocide," which focuses on a disturbing feature of California's Native American genocide—the use of humor as a salve by its perpetrators, the Euro-Americans who flooded California seeking wealth and opportunity beginning with the Gold Rush. These emigrants launched a peripherally organized, democratically driven popular campaign of genocide against California's Native American population that nearly wiped them out by 1900. It is difficult to imagine a history more humorless. But as one examines Euro-American attitudes toward and actions against Native peoples in California, a compelling vein of evidence emerges that illustrates the significant role played by humor in aiding and abetting atrocity.

White settlers to California used humor to help relieve cognitive dissonance between the perpetrators of and bystanders to the genocide. By making Native American humanity a joke and their demise something to be laughed away, genocide could proceed with fewer misgivings associated with brutalizing and killing human beings, including women and children. Humor taught and reinforced in White audiences what other sources within Euro-American culture had already laid the groundwork for, even before heading west to California: Indians were savage animals or at best laughable caricatures of humans rather than humans, not to be lamented but laughed at in their extinction. White pioneers and newspaper editors deployed their wit in a variety of ways: in published articles and humor sections; in cartoons and illustrations; in practical jokes played on Native Americans; and, later, recounted in written pioneer memoirs. By examining anti-Indian jokes, cartoons, and humor in the latter half of the 19th century, one can understand in new and complex ways the nature and character of Euro-American attitudes toward indigenous peoples and their extermination.

In addition to the killing, rape, enslavement, and other nonhumorous methods, non-Indians extended their genocide with an assault on American Indian cultures, religions, and languages by placing children in federal Indian schools where administrators, teachers, and disciplinarians could reprogram children. In his book, *Education for Extinction: American Indians and the Boarding School Experience, 1875-1928*, David Wallace Adams (1995, x-xi) stated that the federal government established off-reservation American Indian boarding schools "for the sole purpose of severing the child's cultural and psychological connection to his native heritage." And in his book, *Kill the Indian, Save the Man: The Genocidal Impact of American Indian Residential Schools*, Ward Churchill (2004, xlv) states that given the definition of genocide provided by the United Nations, the forceful removal of Native children and intended destruction of American Indian cultures in boarding schools constitutes genocide: "The profundity of their destructive effects upon native people, both individually and collectively . . . [is] incalculable." Federal officials established the Indian schools to destroy American Indian cultures and replace Native "savage" cultures with American "civilization" through limited academics, vocational education, work, and Christianity.

Kevin Whalen of the University of California, Riverside, scholar of student labor at the Sherman Institute, provides an examination of cultural genocide at the flagship

off-reservation American Indian boarding school, the Sherman Institute of Riverside, California. In his essay, "Finding the Balance: Student Voices and Cultural Loss at Sherman Institute," Whalen argues that most people view Indian boarding schools as imagined places, defined by homesickness, disease, and cultural loss. While school officials set out to destroy every aspect of Indian cultures, religions, and languages, recent studies have added nuance to older interpretations of the boarding school experience. During the early 20th century, many students used the schools to benefit themselves and their families. Documents from the Sherman Institute provide case studies regarding this trend. During the Great Depression, Native people from across the American Southwest found work in Southern California through the "outing system," an Indian boarding school program intended to "uplift" Indians by sending them to work within White households and businesses. Others came to Sherman seeking a specific skill that might allow them to gain employment in Los Angeles. Urban Indians in Los Angeles used Sherman as an escape route from poverty in the city to gainful employment.

While more recent studies of federal Indian boarding schools highlight how students "turned the power" and used the schools to their own benefit, contemporary Native voices often remember the schools as places of violence and suffering. How, then, can scholars illuminate student approaches to federal Indian education systems without downplaying the pain and suffering caused by ethnocentric curricula and dangerous conditions within the schools? The acknowledgment of cultural genocide within boarding schools is a good place to start. As scholars continue to focus on student voices and choices within the boarding school experience, the acknowledgment of cultural genocide within the schools will call to mind the damage inflicted on individuals and communities by federal Indian education. Moreover, the study of cultural genocide will remind us of the remarkable challenges that Native students faced and many overcame as they navigated their boarding school "seasons" and used the schools to access jobs and gain new skills and perspectives. But as James Fenelon has pointed out, federal Indian boarding schools serve as a clear example of "culturicide" or cultural genocide that remains a part of the nation's past and of many Native American people today... We have documented how the mission system in California was cultural genocide, leading to the death of many Native peoples and the destruction of their cultures.

Indigenous Peoples—Lessons and Future Prospectus

Coloniality and its attendant cultural destruction continues to affect modernity for indigenous peoples throughout the Americas, including in their understanding of history, dominant distortions of their cultural sovereignty, and even issues of internal identity. These issues are exacerbated because of immigration issues in contemporary state systems, particularly the United States, and a general lack of recognition of international borders other than those arising from colonial constructs.

Systems of cultural destruction reconstruct ideologies of rationalization and justification, such as with the California missions, that further subordinate American Indians and nations. When even more dominant and destructive systems enter into the social arena, these distortions are amplified, such as with the genocides in California after it was a state, that hegemonic forces take the trouble to deny, distort, and suppress in political systems claiming to be democratic. Recognition and revitalization become increasingly more difficult when these systems refuse indigenous perspectives,

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history, and knowledge. Some bureaucratic mechanisms of control such as boarding schools operated in a sphere of education culturicide while claiming to be “helping” indigenous peoples. American Indian identity therefore becomes suppressed and confused, furthering dominant group interests.

Other bureaucratic mechanisms such as the BIA ensure ongoing dominant exploitation, as with corporate mining interests. Globally, these systems and their denial of indigenous traditional knowledge are even harder to observe because they are situated in neoliberal systems of capitalist and state control, which are solely evaluated by productive measures that ignore community or collective interest.

Finally, we observe that racial and cultural constructions, emanating from settler colonial ideologies, further distort community and sociohistorical endeavors to make progress within these systems. Of course, these are rooted in the same coloniality from our first observation, amplified by denial of genocide and culturicide, such as what happened in California and is still perpetuated by the schools and curriculum of the state. Thus, the struggles of indigenous peoples require reconstructing histories and identities and revitalizing our societies by melding those into modern social systems that accept and understand traditional knowledge and perspectives, while creating our own new social movements that allow us to collectively step forward.

These struggles are evident in the world around us, as the Idle No More movement from Canada spread throughout North America and now is global. Sustained efforts by Native survivors of the genocidal suppression of the Ixil and many other Mayan highland communities by General Efraín Ríos Montt in Guatemala have brought the first charges of genocide against their own head of state by any country in history, even as indigenous peoples in Ecuador and Peru challenge multinational oil and mining corporations with lawsuits on environmental destruction. Many successful Native nations are working with and assisting struggling peoples to have their stories heard, and some semblance of justice to be stated in the open. We can only hope this special issue can help with these important efforts by establishing these past and present Indigenous struggles in the Americas. In that sense, we are all related in the world, or as Lakota people say, “mitakuye oyasin” (all my relatives in respect and strength across the earth).

Notes

1. Catholic Church began to represent larger mestizo populations in Mexico, elsewhere in Latin America, usually poorer elements, often to the detriment of Pueblos Indígenas, who were seen as more primitive and less civilized. This contributed to racialization of Indians and their subordination, making larger systems of stratification and allowing many scholars to see “culture” as operative, not racial formation, suppression, and exploitation. Still the Catholic Church is central to many indigenous social movements.

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Clifford E. Trafzer is Professor of History, Rupert Costo Chair, and Director of the California Center for Native Nations. His many books include *"Exterminate Them!" Written Accounts of Murder, Rape, and Enslavement of Native Americans during the California Gold Rush* (1999, with J. Hyer).

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Labels and Indian History: Do They Harm or Help?

George Harwood Phillips

“Twelve Years a Slave” came to theaters last year; a powerful film that depicted the life of a free black man captured by slavers and taken to the South where his demented master flogged him and other slaves in ways that were graphically presented on the screen. But isn't this what demented slave owners do? The fact that he was demented even explains his behavior. This portrayal I call an *overstatement*.

Eons ago, when television was black and white, there was a movie or series on Nazi Germany. Set in one of the concentration camps, it dealt with a relatively well-adjusted commandant, although, if I recall, he became conflicted late in the film. In one scene, he and his family were having lunch or dinner, discussing ordinary things. Through their window, however, we the viewers can see smoke coming from the crematorium. This scene I call an *understatement*.

Which statements have the greatest impact? Because there is so much violence in movies and on television, the flogging of a slave, as graphic as it was, had no long lasting effect on me. In fact, I had not even thought of it until writing this paper. The scene of the family eating while Jews were cremated, however, has remained with me for decades.

In writing several books on Indians in California History, I have emphasized adaptation, strategies of survival, and cultural persistence, and have used understatement to make my point. One example should suffice. In 1863, on the Kern River in the Southern San Joaquin Valley, California state militia, led by three Indians, surrounded a village of Paiutes that surrendered without a fight. The Indians identified those who were peaceful and released them. However, they identified thirty-two men as stock raiders, and the state troopers slaughtered them. In his report, the officer of the militia recounted what had happened, noting that the Indians were

“either shot or sabered. Their only chance for life being their fleetness, but none escaped, though many of them fought well with knives, sticks, stones, and clubs.” Is there anything I, as a historian, could have added to the account given by the man who slaughtered the Indians to make it more heinous or jarring? I do not think so. I did not even need to mention that it was a massacre—the commander did that for me. Would identifying it as genocide made the crime worse that it was? Again, I do not think so. I think understatement was the best way to go.

Does this mean that I deny genocide took place in California? Even though I have never used the term in my writings, it does not. By the United Nations definition of 1948, genocide took place in California—perhaps not in every case of conflict between whites and Indians but certainly in many. My problem is with the definition, which I find so broad that it can be applied to conflicts throughout time and place. Did the Mongols who invaded of Eastern Europe commit genocide? The invasions of Alexander the Great and Napoleon caused tens of thousands of people to die. Do they constitute genocide? Was the English invasion of Ireland genocide? How about the French Catholic persecution of the Protestant Huguenots? The Japanese invasion of China? The Zulu under Shaka destroyed neighboring tribes, killing thousands: genocide? The slave-raiding state of Dahomey in West Africa captured thousands of neighboring Africans to sell to Europeans along the coast. Again, is this genocide?

By the U.N. definition, therefore, genocide is not limited to Spanish, French, English, and American crimes perpetrated against Indians. One might even apply it to Indians themselves. Did the expansionist Iroquois Confederacy commit genocide when it invaded and dominated the Huron and other Great Lakes peoples? The Aztecs could well be identified one of great genocidal states of North America. Moreover, in the American Southwest and Great Plain, there was chronic warfare—or at least raiding—among so many peoples, in which the stealing of

children was one objective. Did the Cheyenne commit genocide when they stole children from the Comanche?

Raising these issues does not give me any satisfaction. I do so only as a warning. The word may come back to haunt those of us trying to understand the difficulties faced by the Indians of California when their lands were invaded by Spaniards, Mexicans, and Anglo-Americans. If genocide is a worldwide phenomenon, then what happened in California is not unique. I think it *is* unique, but its uniqueness—in all its tragic manifestations—might be better understood without applying the word, which, in time, might come to mean nothing more than doing harm to people. Nevertheless, let me restate what I said before—by the UN definition, genocide was carried out in California. I conclude by asking: Does the term “genocide” harm or help our understanding of the past?

COLONIAL GENOCIDE IN
INDIGENOUS NORTH AMERICA

ANDREW WOOLFORD, JEFF BENVENUTO,
and ALEXANDER LABAN HINTON, *editors*

Foreword by Theodore Fontaine

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CHAPTER 4

CALIFORNIA AND OREGON'S MODOC INDIANS

How Indigenous Resistance Camouflages Genocide in Colonial Histories

Benjamin Madley

On Good Friday 1873, the Modoc leader Kintpuash—or Captain Jack—stood up in the lava beds of northeastern California and shot General E. R. S. Canby in the face. It was the first and last time a Native American ever killed a regularly commissioned United States Army general. In conjunction with the Modoc killing of two other men that day, this violence provoked the final phase of the 1872–73 Modoc War. Yet little is known of the genocide that precipitated these acts.

Between 1851 and 1873, whites launched seven campaigns against the Modocs that, along with disease, displacement, and less organized violence, reduced the Modoc population from one thousand to two thousand people or more, to some 250, a decline of roughly 75 to 88 percent.¹ Despite the many books about the 1872–73 Modoc War—during which a handful of Modocs held off the U.S. Army and state militiamen—scholars have written little about these prior anti-Modoc campaigns, and no author has addressed the 1851–73 campaigns as genocide.² While exploring the broader occurrence of genocide in California for a book on that topic, the fact that the Modoc case merited further detailed study became clear (Madley: forthcoming). Using varied sources, including some new to Modoc studies, this chapter will narrate the seven anti-Modoc campaigns, explain how they constituted genocide, and explore how indigenous resistance can camouflage genocide in colonial histories before suggesting ways to overcome such misunderstandings.

The Modocs apparently suffered their first massacre at white hands in 1840. According to an early twentieth-century Achumawi Indian chief who lived south of the Modoc, "About the year 1840 the first white men, a party of about forty trappers came from the north and stopped among the Modoc at

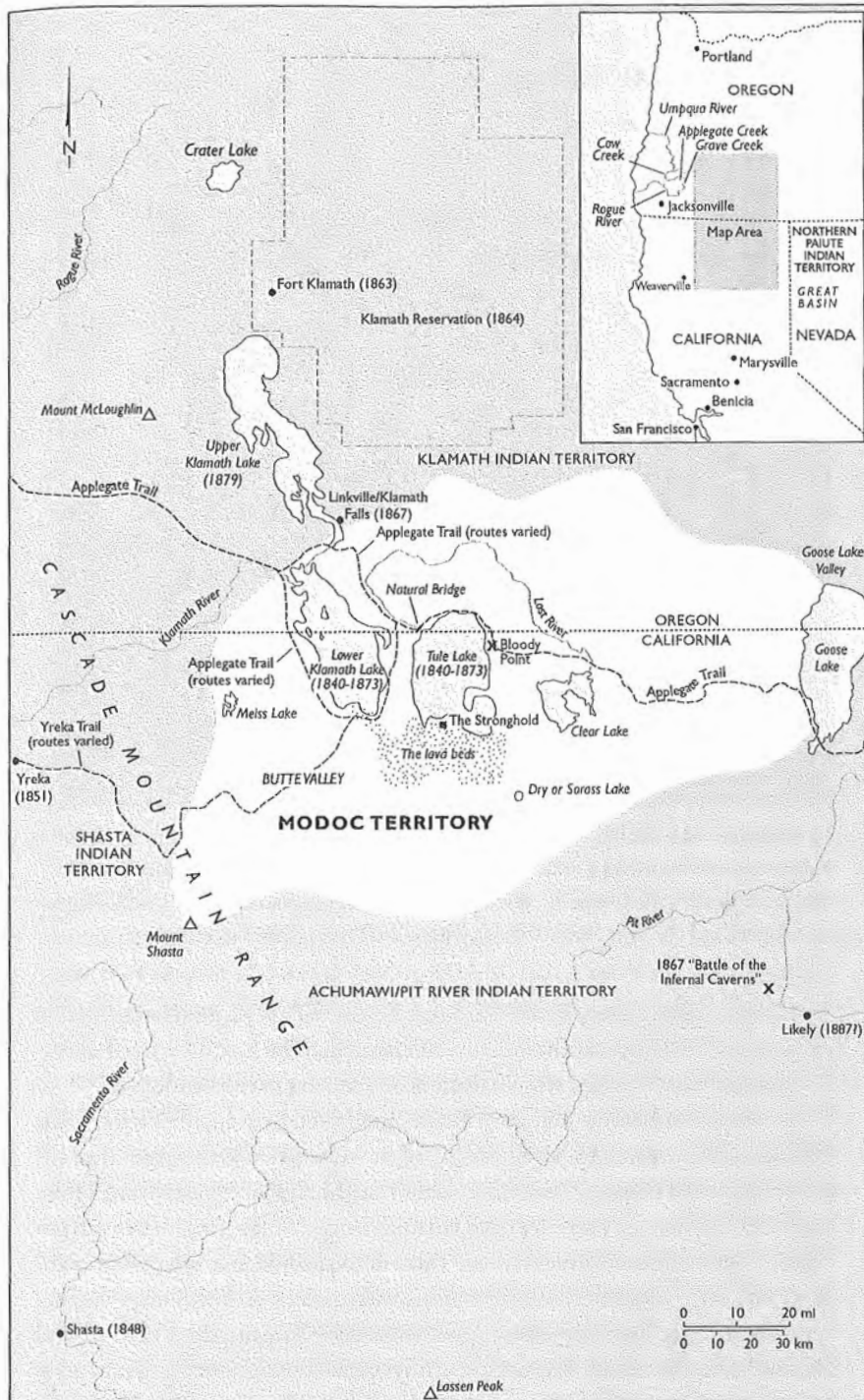
Tule lake." The trappers invited the Modocs to a feast: "The food was spread in a long line on the ground, and the Indians sat down; but Captain Jack's father and another man stood apart." This saved their lives. "At one end of the line was a small cannon, the use of which the Indians of course did not understand." Then, "While they were eating, the cannon was fired, and a large number of the feasters fell dead" ("Chief of the Fall River band" quoted in Curtis 1924: 132). This unprovoked and now all but forgotten atrocity primed the Modoc people to resist incursions. Their resistance then became notorious, so well remembered that it camouflaged the genocide they endured.

Before contact, Modocs called themselves *Maklaks*, or "People," and inhabited an area about the size of Connecticut (Johansen and Pritzker 2008: 1142; James 2008: 19; see map 4.1). On their lake-studded plateau between the snowcapped Cascades and the arid Great Basin they built semi-subterranean lodges, fished from dugout pine canoes on several major lakes, hunted waterfowl and game, and harvested seeds, fruits, berries, pine nuts, and tubers (Stern 1998: 448–49, 452). As an observer wrote in 1873, "Their country was rich in everything necessary to sustain aboriginal life."³ Their hills, grasslands, lakes, and lava beds constituted a delicate, semi-arid ecosystem. It had sustained the Modocs since perhaps 5000 B.C.E. or, as some believe, "since time immemorial" (Stern 1998: 446; Allison 1994: 39). The early nineteenth-century introduction of horses and guns revolutionized their world, intensifying trade and hostilities with neighboring tribes (Stern 1998: 460). Mass migration brought yet far more dramatic changes (see figure 4.1).

In 1846, the Applegate Trail ripped through Modoc lands, damaging the Modocs' ecosystem. Immigrants passing through scared off and killed game while their livestock devoured the grasses and plants upon which Modoc people depended. Unsurprisingly, Modocs resisted the trespassers. The first recorded killing was "in the fall of 1846," when an "immigrant was killed on the southern Oregon immigrant road, near Lost river, by Modoc Indians."⁴ Migrants also brought disease, likely reinforcing Modocs' will to resist. According to the nineteenth-century ethnographer Stephen Powers, "In 1847, the small-pox destroyed about 150 of the tribe."⁵ Far worse was yet to come.

The First Vigilante Campaign, 1851

In January 1851, California's first civilian U.S. governor, Peter Burnett, defined the new state's Indian policies by declaring "that a war of extermination will continue to be waged . . . until the Indian race becomes extinct." He added, "the inevitable destiny of the race is beyond the power or wisdom of man to avert."⁶ State legislators then endorsed Burnett's declaration. One



Map 4.1. Map of Modoc Territory.



41. Eadweard Muybridge, "Winema or Tobey Riddle, a Modoc, standing between an agent and her husband Frank (*on her left*), with four Modoc women in front." Photograph, 1873. National Archives and Records Administration, Record Group 165; Records of the War Department General and Special Staffs, 1860–1952.

month later they appropriated \$500,000 to pay for anti-Indian state militia campaigns.⁷ Prospectors and others soon launched the first organized operation against the Modocs, which, until now, scholars have overlooked.⁸

A veteran Indian hunter, John Ross, recollected arriving in Yreka, California, in what seems to have been April or May 1851. Several days after his arrival, Modocs allegedly "stole forty mules and horses" at or near Yreka.⁹ Ross then led "20 men . . . and surprised them in Butte Valley 60 miles east from Yreka," killing fifteen Modocs while "three or four white men were wounded," one mortally.¹⁰ This 1851 massacre established a pattern of "retaliatory" killing repeated throughout the 1850s: when livestock went missing, men in and around Yreka launched search and destroy operations against distant Modoc communities, generally killing any Modoc people they encountered,

The posse then initiated a ghoulish local tradition: “seven scalps were brought in.” Arriving in Yreka, Ross displayed a “chief’s scalp,” and Ben Wright “pitched his tent with a long pole to the top of which some one fastened an Indian scalp.” An interpreter—possibly Modoc—saw one of the scalps, “ran, and . . . was shot to death.”¹¹ The campaign soon continued with a second expedition.

Late that summer, unidentified rustlers stole “forty-six fine mules and horses” near “Butteville.” Modocs may have taken them, or it may have been white rustlers then active in the area (Wells 1881: 123). Either way, Yrekans organized and sent for Ben Wright, a Quaker turned Indian hunter (William Fanning in Wells 1881: 123; see figure 4.2). Meanwhile, rustling continued. Posse member William Kershaw later explained that when the squad finally set out that autumn, they were “in pursuit of some two hundred head of stock.”¹² “About twenty men,” with Wright as “scout and guide,” traced some animals to a Lost River Modoc village, about “one hundred miles from Yreka” just inside Oregon.¹³

Posse member William Fanning reported that Wright instructed the group to pass the village in full sight of its inhabitants, who made no hostile gestures. The posse then returned and attacked at dawn. “The Indians came rushing out of their wickiups in confusion, and fought desperately for a while, having nothing but bows and arrows and protecting themselves with shields made of tule rushes, old tin pans, etc.” The Modocs then retreated. Eventually, according to Fanning, “we found some sixteen dead Indians” but “captured [only] several . . . horses.”¹⁴ Exactly how many Modocs died in the massacre may never be known, but it is certain that no whites perished.

Modocs now counterattacked the posse at Willow Creek, catalyzing an extended killing campaign. Fanning wrote, “We came to the conclusion that they needed a better drubbing than we had given them, and four of us started to Yreka for provisions for a new campaign.” Meanwhile, other posse members killed “a number of Indians” in a “running fight” before attacking another village at dawn “near the mouth of Lost river.” There they captured about thirty Modoc people and chased others “who plunged into the icy water . . . and hid in the grass. . . . We spent the entire day in hunting them, and killed fifteen or twenty.” The posse then murdered a prisoner before riding south through November snows to the rugged lava beds south of Tule Lake. There they “killed several” more Modocs.¹⁵ When the expedition ended at least thirty-eight Modoc people, and perhaps many more, were dead. Only two of Wright’s men sustained wounds; both recovered.¹⁶

The 1851 Modoc-hunting operations killed at least fifty-five Modoc people but were hardly anomalous. By early 1852 California legislators needed more

money to fund ongoing anti-Indian state militia campaigns. Thus, in May 1852, they raised an additional \$600,000 for Indian-hunting operations.¹⁷ That summer, Yrekans launched the first state militia campaign against the Modocs.

The Siskiyou Volunteer Rangers Expedition, 1852

Cognizant of California's Indian policies and the possibility of collecting substantial sums as volunteer state militiamen, on July 12 fifty-nine Yrekans petitioned Burnett's successor, Governor John Bigler, for help against Shasta Indians west of Yreka, whose "conduct has been generally insulting and overbearing and marked by several acts of Robery [*sic*]."¹⁸ Ten days later five leading Yrekans requested forty to fifty rifles and pay in order to muster a volunteer state militia unit into service against Indians.¹⁹

In response, Governor Bigler met with U.S. Army General Ethan Hitchcock, and on July 27 Hitchcock ordered 1st Dragoons Brevet Major E. H. Fitzgerald to take two companies and ride north from Benicia, in the San Francisco Bay Area, to Fort Reading, Yreka, and beyond to "prevent a war."²⁰ However, in the months before their arrival an inferno of killing engulfed the Modocs.

Resistance triggered the conflagration when Modocs attacked "a small [wagon] train" in Modoc territory. Siskiyou County Sheriff Charles McDermitt reported that on August 6, "forty packers arrived" in Yreka and urged him to send "assistance and protection" to "some three or four families" at Tule Lake who would otherwise "undoubtedly be all murdered by the Indians."²¹ McDermitt wasted no time. Having raised "volunteers and gold dust," on August 7 he led twelve men east through the high grasses and lava boulders to Tule Lake.²² He arrived too late. The emigrants were "all murdered by the Indians," although one packer apparently escaped.²³ Then, on August 30, McDermitt lost three men to a Modoc attack.²⁴

Meanwhile, Wright—later described as "a genuine Indian-killer"—organized twenty-one volunteers who rode east from Yreka on August 29 to reinforce McDermitt.²⁵ According to an 1884 history, this was "an expedition to annihilate utterly and without remorse" the Modocs who had attacked McDermitt (Walling 1884: 205). En route, Wright's men "killed several Indians [almost certainly women] digging camas," or edible plant bulbs.²⁶ Arriving at Tule Lake on August 31, and finding circled wagons besieged by Modocs, Wright attacked. According to him, Modoc people—including women and children—"broke for the [shoreline] Tulies [*sic*]. . . . We followed them about an hour and a half firing whenever we could get a sight of the Red Devils,



42. Captain Ben Wright. Photograph, undated. Courtesy of the Oregon Historical Society, Portland, OrHI 1711.

about sixty shots were fired by our company and ten or twelve Indians killed, [plus] a number of women and children [who] must have been drowned.²⁷ Another attacker later recollected sixty-four Modoc people killed.²⁸ Finally, another eyewitness wrote that after the massacre a male prisoner “was . . . shot and scalped.”²⁹

Death toll estimates for this encounter range from fifteen to sixty-four, probably because some Modoc bodies slipped below Tule Lake’s surface or were lost in its bultush-choked shores. Moreover, white (and perhaps some Modoc) accounts tended to count only Modoc men killed in attacks on Modoc settlements.³⁰ No matter how many Modocs died, the killing was one-sided. Kershaw later testified, “Our company sustained no loss whatever,”³¹ Wright’s volunteers soon found new motives for additional atrocities.

Wright’s men discovered eighteen immigrant bodies near Bloody Point, according to John Ross—now an Oregon territorial militia officer—who, with twenty-two Oregon volunteers, had joined Wright’s operation that September after reportedly finding fourteen other immigrant corpses at Lost River.³² Decades later, one source suggested that Modocs killed as many as “seventy-five white persons in 1852.”³³ Although this estimate, made in the emotional aftermath of the 1872–73 Modoc War, smacks of exaggeration, in 1873 the Modoc chief Old Se[h]onchin did recollect that the Modoc “made

legitimate war . . . the whites had imposed upon them in the beginning, and they undertook to kill them off."³⁴ The Modocs were, after all, a people resisting invasion and repeated massacres.

Having discovered the immigrant bodies on September 2, Wright requested supplies and additional volunteers.³⁵ Five days later, fifty-five Yrekans petitioned Governor Bigler for help and authority to enroll a state militia company, enclosing Wright's report and the proceedings of a public meeting.³⁶ Genocidal rhetoric now began to suffuse anti-Modoc operations. That same day one Yrekan, H. S. Lewis, wrote to Bigler asking him to assign authority "to enlist men here and procure the necessary supplies for a company to go against these Indians and subdue or exterminate them."³⁷

General Hitchcock, meanwhile, hardened army objectives. No longer interested in deploying dragoons as peacekeepers, on September 15 he reported to Bigler, "Major Fitzgerald has about Eighty mounted men with him and I cannot doubt he will be successful in punishing the Indians."³⁸ Wright's reported discovery of "the bodies of three men, one woman, and two children . . . butchered by the Indians" east of Yreka probably informed Hitchcock's intentions.³⁹

The dragoons now arrived in Modoc territory (Wells 1881: 131). Fitzgerald's company gave Wright a boat and by "scouting along the shores" of Tule Lake forced "all of the hostiles to seek refuge on [an] island."⁴⁰ Meanwhile, Fitzgerald's dragoons "burned fourteen Indian rancherias [villages]" and "Somebody killed an Indian" (Strobridge 1994: 45). Additional violence probably accompanied the systematic village burnings, but by early November Fitzgerald's cavalcade was in Yreka en route to "winter quarters at Scott's Valley," well beyond Modoc territory.⁴¹ Wright, meanwhile, relieved McDermitt and continued "hunting Indians" until November 24 with a command that grew to thirty-six men.⁴²

William Barry participated in an 1852 Wright action that may have been an additional massacre by Wright's men. Barry, an Englishman who subsequently moved to Australia, wrote in 1878 that, after receiving news of immigrants killed by Modocs, some eight hundred whites had "set out to exact a severe retaliation." Probably exaggerating, given that no other sources reported an 1852 anti-Modoc operation of this scale, Barry recalled that after locating some six hundred Modocs at "a small lake," Wright's men charged as "darkness set in" but could not locate their quarry. However, at "daylight, when the Indians showed in a body. . . . We immediately charged them, shooting down men, women, squaws, and papooses indiscriminately." Barry continued, "The slaughter—for it could hardly be called a fight—was over in half an hour, and we reckoned that scarcely fifty out of the mob escaped; the rest were

despatched [*sic*] to the 'happy hunting-grounds' without the slightest show of mercy."⁴³ If Barry meant to report that Wright's men killed some 550 Modocs, and if that is accurate—even by half—the atrocity represents one of the largest massacres in U.S. history, rivaling the 260 to 300 Miniconjou Lakota massacred in 1890 at Wounded Knee, South Dakota (Jensen 1990: 198; Ostler 2004: 345). Barry, shot in the leg during the attack, recollected, "The loss on our side was trifling, ten killed and twenty wounded, the onslaught being so sudden that the foe could not make any stand at all."⁴⁴ Following his Bloody Point Massacre, Wright found engaging the Modocs difficult. Kershaw recollected, "We had only light and occasional skirmishes with the Indians after we relieved the train at 'Bloody Point.'"⁴⁵ Finally, Wright captured a Modoc woman whom he released with an invitation to attend a diplomatic conference.⁴⁶ Thus "on the north bank of Lost River, a few hundred yards from the Natural Bridge," Modocs "attended, and, as agreed upon by both parties, no weapons were brought."⁴⁷ Yet Wright's intentions were not peaceful.

On the morning of November 8, Wright's men armed themselves, surrounded the Modoc peace delegates, and opened fire. On November 21 one Yrekan explained that "thirty-one Indians had been killed, and two of our citizens wounded."⁴⁸ In December, McDermitt reported to the governor, "Wright's Company have had another battle with the Lake Indians, and succeeded in killing forty-three."⁴⁹ This was, of course, no battle. Such martial language was camouflage. Indeed, based on information from participants, Hitchcock confirmed the surprise attack on the negotiators: "Upon a signal indicated by Captain Wright, they suddenly fired upon the Indians and succeeded in killing about thirty-eight."⁵⁰ Still camouflaging language persisted. Four years later Kershaw reported that it was "a smart engagement, in which we killed about forty."⁵¹ However, in 1873 Kintpuash recollected, "when I was a little boy, Ben. Wright murdered my father and forty-three others who went into his camp to make peace."⁵² That same year an anonymous correspondent echoed Kintpuash's estimate, and William Turner wrote that Wright had killed all but two of the fifty-one Modoc peace delegates.⁵³ Then, in 1881 and 1884, Wells reported forty-seven men and "a few squaws" massacred.⁵⁴ Finally, Frank Riddle, who was married to the Modoc woman Wi-me-ma and was also "one of Ben Wright's men," asserted that about ninety Modocs had been murdered in the trap (Thompson 1912: 80; Riddle in Thompson 1912: 83). In 1914 his son Jeff explained why his father's estimate was higher than other reports: "about half of the killed . . . had sunk to the bottom of the river" and could not be recovered (Riddle 1914: 31). So complete was the surprise and the Modocs' disarmament that none of Wright's men were killed and only two were injured.⁵⁵

Wright's volunteers returned to Yreka some time before November 29, with "Indian scalps dangling from their rifles, hats, and the heads of their horses. Scores of scalps were thus flaunted." Then "the enthusiastic crowd lifted them from their horses and bore them in triumph to . . . the saloons, and a grand scene of revelry commenced."⁵⁶

California's Senate Committee on Indian Affairs later asserted that Wright's "Mounted Rangers" had killed "in all, seventy-three of the enemy."⁵⁷ This was probably the minimum figure from two incidents. The death toll was almost certainly much higher, possibly 159 or more, according to other sources. There may also have been additional killings, as Barry's account suggests. In 1873 Chief Sc[h]onch[in], presumably well acquainted with Modoc casualties, estimated that Wright's 1852 "Summer campaign" killed half of all Modoc warriors and "nearly 200" Modoc people in all.⁵⁸ By contrast, Wright reportedly lost only two or three men killed and three wounded.⁵⁹

The violence of 1852 marked a turning point. As the historian Erwin Thompson observed, it "left a heritage of bitterness on both sides." More important, "The prevailing attitude among whites that all Indians should be exterminated was greatly reinforced" (Thompson 1971: xvii). State and federal policymakers soon fortified that "prevailing attitude." Meanwhile, the Modocs would not forget the Lost River massacre.

California legislators emphatically approved Wright's campaign, while Oregon's Indian Affairs superintendent and federal decision makers did so indirectly. Despite evidence of premeditated massacre, on April 16, 1853, California legislators passed an act providing \$23,000 to reimburse the "Volunteer Rangers under Captain B[en] Wright and Charles McDermitt."⁶⁰ State legislators thus sanctioned Wright's killings after the fact. The following year, Oregon's Indian Affairs superintendent rewarded him with the position of "special sub-Indian agent" in southwestern Oregon (Douthit 1999, 410). On August 5, 1854, U.S. congressmen voted to pay some or all of the \$924,259.65 California had spent on Indian-hunting militia expeditions from 1850 through 1853, which included Wright and McDermitt's 1852 Siskiyou Volunteer Rangers Expedition.⁶¹

Cosby's Vigilante Campaign, 1853

Meanwhile, the Rogue River War, between southern Oregon Indians and immigrants, inspired calls for the total annihilation of all northern California Indians. On August 7, 1853, the *Yreka Mountain Herald* roared, "Now that general Indian hostilities have commenced, we hope that the Government will render such aid as will enable the citizens of the North to carry on a war

of extermination until the last red skin of these tribes has been killed." The author added, "Extermination is no longer even a question of time—the time has already arrived, the work has been commenced, and let the first white man who says treaty or peace be regarded as a traitor and coward." Imagining a vast alliance joining California and Oregon Indians, the *Herald* saw enemies everywhere: "the Rogue River, Cow Creek, Grave Creek, Applegate Creek, Umpqua, Shasta, and Klamath Indians, and probably the Pitt River's, and also the Indians about the Klamath and other Lakes [the Modocs] have united and declared an open and general war against the whites."⁶² On August 6, "twenty or thirty volunteers and fifteen soldiers left Yreka" for the Rogue Valley, and the *Herald* soon bellowed, "Let extermination be our motto!"⁶³

In this atmosphere, Yreka-area men apparently launched a third killing campaign in Modoc territory. In 1914 Jeff Riddle, born in 1863 to Frank and Wi-me-ma Riddle, wrote that "about the year 1853" sixty-five vigilantes under "Jim Crosby [almost certainly Cosby]" were returning to Yreka from an expedition against Achumawi Indians, south of Modoc territory, when Achumawis attacked them at night on "the east side of Tule Lake," in Modoc territory (Riddle 1914: 15–17). In response, Crosby initiated a brief but lethal campaign against the Modocs.

According to Jeff Riddle, "Capt. Crosby and his men left their camp early that morning. They had not gone far when they saw a few Modoc men and squaws. The Indians were preparing their morning meal. Crosby ordered his men to fire on the Indians, which they did. Only three Indians made their escape out of fourteen." Next, near Oklahoma, California, Crosby's men encountered "some Hot Creek Modocs" who "came right up with their wives and children and said, 'How do!' The answer was a volley from the white man's deadly guns. Only a few made their escape. Several women and children were murdered in cold blood, as well as men." Riddle concluded that when Crosby reached Yreka, "The men had quite a few scalps to show their friends, but they did not say that some of the scalps they carried were off poor old, innocent squaws and little children" (Riddle 1914: 17).

In what might have been a report on one of these massacres—or the participation of Yrekans in Oregon's Rogue River War—on August 11, 1853, the Marysville *Daily Evening Herald* announced, "The citizens of Yreka have recently killed twenty-five out of a band of thirty thieving Indians."⁶⁴ Finally, on October 1 the *Yreka Herald* reported, "peace with the Indians of that country is now obtained."⁶⁵ The pattern of exterminatory attacks was becoming clear. According to Jeff Riddle, "about five or six months after the Modoc Indians had been killed by Crosby's men . . . Captain Jack's father"

announced at a council that, "God put our fathers and mothers here. We have lived here in peace [but] we cannot get along with the white people. They come along and kill my people for nothing. Not only my men, but they kill our wives and children." He added, "They will hunt us like we hunt the deer and the antelope," and he called on Indians to resist (Riddle 1914: 19). Modocs did defend themselves—rather effectively, considering the odds—but lost men, women, children, and entire villages in resisting each killing campaign. Now, a severely weakened Modoc people faced a fourth campaign sent against them, this time from Oregon.

Walker's Oregon Militia Campaign, 1854

On July 7, 1854, five men at Jacksonville, in southern Oregon Territory, petitioned the territorial governor, John Davis, to call out volunteers to protect Applegate Trail emigrants. It was to be a preemptive campaign: the petitioners, who included John Ross and Oregon's militia quartermaster general, cited no recent Indian aggression. Instead, they mentioned the opposite: the killing of two Indians who might have been Modocs and a consequent concern that other Modocs might seek "redress for real or imaginary wrongs from any or all citizens who may fall within their grasp." As a more concrete justification for attacking Indians, they cited California state militia units organized to fight them. The petitioners, well aware that their campaign could be lucrative, offered to help obtain federal funding "by way of memorializing Congress to defray the expenses."⁶⁶

Governor Davis agreed. Ten days later he authorized Colonel John Ross of the Oregon Militia to "enlist a company of volunteers" to "proceed out upon what is known as the southern route to Oregon for the protection of the coming immigration against hostile Indians."⁶⁷ Sixty or seventy men joined up, and on August 8 Ross ordered their commander, Captain Jesse Walker, to establish a base in Modoc territory, granting him *carte blanche* in dealings with Indians: "Your treatment of the Indians must in a great measure be left to your own judgment and discretion. If possible, however, cultivate their friendship; but if necessary for the safety of the lives and property of the immigration, whip and drive them from the road."⁶⁸ Walker would exercise both options.

Walker reported reaching Lost River on August 18, 1854, where he met thirteen Yreka men who claimed to have been fired upon—but uninjured—by "not less than 150 or 200 [Modoc] warriors . . . on the north side of Tulé lake, at the sink of Lost river." Eschewing diplomacy, Walker immediately assaulted a nearby Tule Lake village. He reported that surprised Modocs

"fled in great confusion to their boats and canoes." Like previous anti-Modoc campaigners, Walker burned "the ranches." He did not state the Modoc death toll there, but did report that between August 18 and September 4, "we had several skirmishes with these Indians, killing several and taking a few prisoners" and that "In all of these skirmishes the Indians would (when hard pushed by us) retreat to their boats." Walker's men tried to kill retreating Modoc people, but even "wading in water up to our armpits . . . it was impossible to follow them." However, Walker did deploy "small boats . . . to attack the enemy successfully." Finally, on September 4, some Modocs "being entirely out of provisions, were compelled to beg for quarters, which were granted them upon their faithfully promising to be friendly and never to kill or rob another white person."⁶⁹ This informal 1854 treaty would provide Modocs with frail protection.

On October 1, Walker moved east to Goose Lake, which separates traditional Modoc and Northern Paiute territory. "In Goose Lake valley" his men "surprised an Indian ranche [perhaps Modoc and] killed two Indians and took one prisoner." Northeast of Goose Lake, they killed at least sixteen to eighteen other Indians, whom Walker identified as Paiutes.⁷⁰ Oregon legislators later estimated that Walker's volunteers had killed "some thirty or forty" "Modocs and Piutes [*sic*]," noting that "not a single" militiaman or white immigrant was killed during Walker's ninety-six days in the field.⁷¹ Killing Modoc women apparently bothered some militiamen. A Captain Judy, for example, explained how "a few squaws were killed by accident!" with the inconsistent and improbable claim that an all-female Modoc war party had led an attack on his unit.⁷² Despite such reports, Oregon politicians began lobbying Congress to pay for this campaign, in which from perhaps five to thirty-eight or more Modocs were killed.⁷³

By the fall of 1855 some Siskiyou County Californians were openly advocating the total annihilation of the Modoc people.⁷⁴ As one Yrekan reported, "The citizens of Siskiyou, are exasperated to the highest pitch. They desire no interference on the part of the agents of the General Government to procure a peace. They are determined to leave not a vestige [*sic*] of the savage race alive." Winter weather delayed the continuation of this "war of extermination," but not for long.⁷⁵

The Modoc Expedition, 1856

In the early summer of 1856, California state senator and militia general J. D. Cosby began orchestrating a fifth campaign in Yreka (see figure 4.3). On June 12, he reported, "isolated parties of miners and herdsmen . . . murdered



4.3. C. C. Kuchel, "Yreka, Siskiyou County, Ca, 1856." Lithograph, 1856. Courtesy of the Bancroft Library, University of California at Berkeley.

and robbed," probably by "the 'Modock' [*sic*] and 'Klamath Lake' tribes . . . and the Klamath River and Applegate tribes on the north." That day he also dispatched "thirty mounted men to ascertain the position and strength of the enemy, and for the immediate protection of the threatened country."⁷⁶ Thus, under flimsy pretexts and the camouflage of martial rhetoric, Cosby launched what was probably the largest operation yet hurled at the Modocs: a campaign that would last for months, deploy over 230 militiamen, and kill scores of Modoc people. The informal 1854 Modoc treaty was now conveniently forgotten in favor of another potentially lucrative state militia campaign.

Between July 17 and 23, "three companies of mounted volunteers raised by Gen. Cosby, by authority of [California] Gov. [J. Neeley] Johnson," mustered in and rode east "for the Modoc country."⁷⁷ Yreka newspapers described their campaign in glowing terms: "The ball opened at Tule Lake" on July 29 or 30. "Capt. Martin's company made a descent upon a rancheria, leaving it desolate. The village was burned to the ground and one Indian killed," a militiaman mortally wounded, and another Modoc warrior killed elsewhere. Several days later Lieutenant H. H. Warman "attacked a large body of warriors near Tule Lake" and Bloody Point. "After four hours' hard fighting, in which Lieut. Warman was killed and two of his men wounded, the volunteers were compelled to retire, leaving the Indians master of the field." Such was the tenacity and skill of Modoc resistance. Yet with eight Modocs dead, it was a

pyrrhic victory. The tribe, worn down by four prior killing campaigns, could ill afford such losses. That same day, Cosby chased another Modoc group, “killing three” more.⁷⁸

Unaware of these attacks, on August 4 Governor Johnson urged Cosby “to take such measures and employ all the power you may possess, as the Major General commanding the 6th Division Cal. militia under the laws of this State, which may be absolutely necessary for the protection from Indian hostilities of the persons and property of the people within your command.”⁷⁹ The state militia’s supreme commander thus granted Cosby power to do as he saw fit. Cosby now went on a murderous rampage.

After killing ten or eleven more Indians—probably not Modoc people—in the Pit River region, on August 17 or 18 Cosby’s men detected Modocs on an island near Bloody Point. They “waded through the water and tules” to attack, “but the Indians had left in their canoes and nearly all escaped.” The militiamen did kill “two or three Indians. . . . There was a squaw shot some five or six times whilst in the water, and after being brought to the shore it was impossible to do anything for her. She was left on the island.”⁸⁰ Another source reported that after the two men and a woman in a boat fought back, all three were killed. A correspondent in the militia camp ominously concluded that remaining Modoc warriors “need a good cleaning out [of] the worst kind,” presumably meaning extermination.⁸¹

Cosby’s men now visited Goose Lake, Russian Springs, and Klamath Lake. Some time between August 21 and September 4, they surprised “a large ranch of Indians,” killing at least four men—who may or may not have been Modocs—on “Great Klamath Lake.” They also killed an Indian man near “the base of the Sierra Nevada.”⁸² On September 20, they “had a skirmish . . . on Clear Lake, in which eight or ten Indians were killed without having an opportunity to fire a shot or an arrow.” The day after this massacre, reported as a “skirmish,” militiamen killed “two men and one squaw” in “another fight.”⁸³

To the west, Cosby’s men prepared to continue hunting Modoc people, now with a deadly new asset: a “fleet of eight boats.”⁸⁴ As one Yrekan later explained, “boats were made here [Yreka], and hauled out over the mountains . . . and then the hostile Indians were hunted in their former inaccessible marshes and islands in the large Klamath lakes, which before had been impregnable to their enemies.”⁸⁵ Once sanctuaries, these watery refuges now became killing fields.

On or just before October 3, deploying three boats on Tule Lake, Cosby’s men “[ran] down a lot of Indians in the tule; twenty-six are killed, and but four made their escape.”⁸⁶ Cosby’s officers then located a Modoc village on a

Lower Klamath Lake peninsula. Attacking at daylight on October 9, militiamen killed "several" Modocs on land. Militiamen waiting in boats then sank three fleeing Modoc canoes while the land-based militiamen "destroy[ed] their ranches, *muk-a-muk, ic ters, etc.*" and captured "several children." In total, militiamen counted five Indians killed; many others likely disappeared in the lake.⁸⁷ Modoc Expedition members now began mustering out.⁸⁸

With his 237 militiamen, Cosby reported killing some 185 Indians in this campaign, most or all of them presumably Modoc.⁸⁹ In several months, the Modocs had lost perhaps 10 percent of their 1851 population. The operation was thus a devastating blow to the already reeling Modoc people.

As before, state and federal lawmakers subsequently sanctioned the campaign. California legislators retrospectively approved paying participants and their suppliers over \$188,000 (California State Military Museum 2002). In 1861, Congress allocated \$400,000 "to defray the expenses incurred" by California militia operations, including the Modoc Expedition.⁹⁰ The U.S. Treasury then gave California over \$80,000 to help pay for the expedition (California State Military Museum 2002). State and federal authorities thus sanctioned the killing *ex post facto*.

A period of relative calm ensued while federal officials sought to control and contain surviving Modocs. In 1862, Superintendent of Oregon Indian Affairs William Rector called for them to "be subjugated and governed like a colony," and in 1864 federal agents began laying the groundwork for a treaty.⁹¹ Meanwhile, Yreka lawyer Elijah Steele initiated his own negotiations. Although no longer Indian Agent for Northern California Indian Affairs—Steele had left that post in 1863—he signed an 1864 treaty with the Modocs that implied their right to remain on their lands (Stern 1998: 460).⁹²

Federal officials, however, insisted on a new agreement. Still recovering from the five killing campaigns of 1851–56, Modocs complied. On October 15, 1864, Modoc leaders signed the Klamath Lake Treaty, ceding their homeland for payments, education, other benefits, and a shared reservation along the Klamath lakes in the territory of Oregon's Klamath Indians.⁹³ That year Chief Sc[h]onchin summarized his people's devastation at white hands and their commitment to peace: "Once my people were like the sand along yon shore. Now I call to them, and only the wind answers. Four hundred strong young men went with me to war with the Whites; only eighty are left. We will be good, if the White man will let us, and be friends forever."⁹⁴ That autumn, Oregon's Indian Affairs superintendent counted just 339 surviving Modoc people at Fort Klamath, Oregon.⁹⁵

Crook's Army Expedition, 1867

Some Modocs refused to live on the reservation, and in 1867 the U.S. Army launched a brief campaign that killed an unknown number of them. On September 22, General George Crook led several hundred soldiers and Indian auxiliaries from Oregon into California and south through Modoc territory west of Goose Lake, as part of the so-called Snake War. The Modoc people were not fighting in this conflict, but in four days Crook's men killed perhaps a dozen unidentified Indians, and took at least one scalp.⁹⁶ Crook's men then surrounded "about seventy-five Paiutes and thirty [Achumawi], plus a few Modocs," in a lava field near what is today Likely, California.⁹⁷ Crook's intent was clear: "the General said the siege should be continued . . . until the red devils were all killed or starved to death."⁹⁸ Crook himself recollected, "I never wanted dynamite so bad."⁹⁹ How many died during the three-day-long Battle of the Infernal Caverns may never be known. However, soldiers found at least eight Indian bodies, and contemporary sources estimated fifteen to twenty Indians killed before survivors escaped (Indian survivor in Minchno 2007: 264; Minchno 2007: 265).¹⁰⁰ How many were Modoc people remains unknown, but seven of Crook's men died in the attack.¹⁰¹

Relative peace followed after several Modoc bands left the Klamath Reservation for their homelands, to which they believed they still held legal title through their 1864 treaty with Elijah Steele (Stern 1998: 460). Their return, in 1870, initially caused no upheaval. However, on July 6, 1872, U.S. Indian Affairs Commissioner F. A. Walker ordered Oregon's Indian Affairs superintendent "to remove [the Modocs] to the Klamath reservation—peaceably, if you possibly can; but forcibly, if you must."¹⁰² Commissioner Walker thus precipitated the final campaign against the Modoc people.

The Modoc War, 1872–1873

Although Modoc bands had been living peacefully in their homeland for over two years, the U.S. Cavalry and local auxiliaries used deadly force in their November 29, 1872 attempt to force these bands back to the reservation. Shots were exchanged, and Captain James Jackson reported that at Lost River, "I poured in volley after volley among their worst men [while losing] one man killed and seven wounded."¹⁰³ As Modoc people fled, cavalrymen torched the village (Murray 1959: 89). At least one Modoc warrior, named Watchman, was killed, and a sick Modoc woman was burned to death.¹⁰⁴ Meanwhile, local men opened fire in another Modoc village across Lost River, killing, according to U.S. Special Commissioner to the Modocs Alfred Meacham, "an



4.4. "The Modoc War—Captain Jack's Cave in the Lava Beds." *Harper's Weekly Journal of Civilization*, June 28, 1873.

infant in its mother's arms." Meacham wrote that in these two engagements, attackers killed two Modoc infants, a girl, and one or two women.¹⁶⁵ Resisting these assaults, Modocs killed one civilian attacker and another mistaken for an attacker (Murray 1959: 88–89). Furious renegade Modoc warriors then killed twelve local white men, while sparing white women.¹⁶⁶ Thus began the infamous 1872–73 Modoc War.

Retreating, Kintpuash led his people into the lava beds—a "Hell with the fires gone out"—and to what became known as Captain Jack's Stronghold, a natural rock fortress reinforced by the Modocs (Jesse Applegate quoted in Dillon 1973: 160; see figures 4.4 and 4.5).¹⁶⁷ The U.S. Army, California Volunteers, and Oregon militiamen soon besieged them, but could not break in despite a major assault on January 17, 1873, that left twelve attackers and two Modocs dead (Thompson 1971: 43, 169).¹⁶⁸ On March 13 the head of the U.S. Army, General William Sherman, told General E. R. S. Canby that if the Modocs failed to cooperate: "I trust you will make such use of the



4.5. [Louis Heller], "Captain Jack (Kintpuash), A Modoc subchief; executed October 3, 1873; bust-length, full face." Photograph, 1873. National Archives and Records Administration, Record Group 165; Records of the War Department General and Special Staffs, 1860–1952.

military force that no other Indian tribe will imitate their example, and that no other reservation for them will be necessary except graves among their chosen lava-beds."¹⁰⁹ This was precisely what the Modocs—who had suffered repeated surprise attacks and massacres at white hands—feared. They did not know of Sherman's order, but they were now wary to the point of planning their own preemptive strike.

Negotiations continued until April 11, 1873. That day, A. B. Meacham, the Reverend Eleasar Thomas, L. S. Dyar, their translators, and the chief negotiator, General Canby, rode into that black sea of jagged rock. The Modoc negotiators greeted them, but this latest round of peace talks soon ran into familiar roadblocks. General Canby demanded that the Modocs surrender as prisoners of war and submit to U.S. authority. The Modocs continued to insist that Canby withdraw his soldiers, as a demonstration of good faith, and promise them some small portion of their homeland instead of deporting them from it. Finally, the Modoc negotiator John Schonchin exclaimed, "Take away the soldiers, and give us Hot Creek, or stop talking." Then, before Schonchin's statement could be fully translated, Kintpuash stood and gave the signal, "Ot we kantux-e"—"*all ready*."¹¹⁰

Perhaps with the 1852 Lost River Massacre in mind, Kintpuash had planned an ambush. He immediately shot Canby in the face.¹¹¹ A moment later, the Modoc warrior Boston Charley shot the Reverend Thomas. The Modocs quickly killed and stripped both men. Meacham ran, was shot repeatedly,

and eventually fell, but not before shooting Schonchin.¹¹² Both men survived. Meanwhile, on the east side of the lava beds, Curley Headed Jack and other Modoc men initiated impromptu negotiations with the U.S. infantry officers Lieutenant William Sherwood and Lieutenant W. H. Boyle. As the officers turned away, the Modocs opened fire, mortally wounding Sherwood.¹¹³

The killings of Sherwood, Thomas, and especially Canby created an uproar in white America and orders sanctioning a final, extermination war. Upon receiving news of Canby's assassination and the two other killings, General Sherman telegraphed the new commander, Brevet Major General Alvan Gillem, via his commanding officer, "the President . . . authorizes me to instruct you to make the attack so strong and persistent that their fate may be commensurate with their crime. You will be fully justified in their utter extermination."¹¹⁴ In keeping with the Modoc killing campaigns of the 1850s, the army's highest-ranking general considered "utter extermination"—what we would today call total genocide—a legitimate strategy that he could recommend while passing on President Ulysses Grant's instructions. Gillem's commanding officer, General J. M. Schofield, forwarded this message with an endorsement note of his own: "Let your work be done thoroughly."¹¹⁵ On April 14, General Schofield added, "Nothing short of their prompt and sure destruction will satisfy the ends of justice or meet the expectations of the Government."¹¹⁶

Gillem agreed that extermination was a legitimate path to victory. Artillery began shelling the Stronghold, and on April 14 hundreds of troops closed the noose (see figure 4.6).¹¹⁷ Fighting a skillful rearguard action, Kintpuash's fifty-five to seventy warriors slowly retreated closer and closer to the Stronghold (Thompson 1971: 168). On the third morning of the attack Gillem made his intentions clear: "We will endeavor to end the Modoc War today. . . . Let us exterminate the tribe."¹¹⁸ That was easier said than done. When soldiers finally entered the Stronghold's caves they found them almost abandoned. Kintpuash and his people had slipped away on the night of April 16, having inflicted twenty-three casualties. In total, the Modocs lost between three and sixteen killed in the battle and its immediate aftermath (Thompson 1971: 74–76, 168, 170).¹¹⁹ Inside the Stronghold, soldiers apparently shot an old woman, murdered and scalped a wounded elderly man, and kicked a severed Modoc head (Quinn 1997: 143). Such actions were unsurprising given commanders' previous orders and persisting attitudes. That very day Sherman wrote of Kintpuash's Modocs, "the order to attack is against the whole, and if all be swept from the face of the earth, they themselves have invited it."¹²⁰ On the spot, Gillem reported, "I have dislodged the Modocs from their stronghold. . . . No effort will be spared to exterminate them."¹²¹



4.6. "The Modoc Indians in the Lava Beds." *Illustrated London News*, June 7, 1873.

Gillem would never carry out this intent. Following an April 26 battle in which Modoc marksmen killed twenty-three of Gillem's men and wounded nineteen while losing perhaps one warrior, Sherman replaced Gillem with Colonel Jefferson Davis (Thompson 1971: 82, 92; Murray 1959: 236). Meanwhile, in the barren lava beds Kintpuash's approximately 165 people became desperate for supplies. On May 10, Kintpuash and some warriors attacked soldiers at Dry or Sorass Lake, southeast of the lava fields. Only one Modoc, Ellen's Man George, was killed, but the soldiers and their Paiute auxiliaries routed Kintpuash and his men. More important, by capturing their horses, powder, and ammunition, they broke the back of Modoc resistance (Murray 1959: 243, 246–51). Now in need of food and water, the fragmenting, exhausted, and poorly supplied Modocs became easier to kill. They avoided troops, but on May 18 cavalrymen killed two men and three women (H. C. Hasbrouck in Brady 1907: 324). Understanding their weakness and fearing annihilation, survivors began surrendering. Others were captured. From this point on, most of the direct, state-sponsored killing ceased.

Why? The army had become more careful, in large part, because the eyes of America were now on this last California Indian war. Reporters from New York, Portland, Sacramento, and San Francisco were on site. Indian



47. Modoc prisoners of war. Photograph, 1873. Courtesy of the Oregon Historical Society, Portland, #bb008056.

advocates like the Quaker Lucretia Mott and Philadelphia's Radical Club were pressuring President Grant, Interior Secretary Columbus Delano, and Indian Affairs Commissioner Edward Smith not to allow the army to exterminate the Modocs.¹²³ In addition, General Davis was sensitive to charges of misconduct given that, during the Civil War, he had abandoned ex-slaves as Confederate cavalrymen advanced, thus leading to civilian deaths and the loss of his command (Glatthaar 1983: 64; Murray 1959: 204). Finally, the fact that in January 1873 California Indians had at last become eligible to serve as witnesses in California criminal trials may also have curbed the killing.¹²⁴

Still, there were those who wanted to kill Modoc people even after they had surrendered or been captured. On June 8, two horsemen—probably Oregon militiamen serving under John Miller or John Ross—accosted a wagonload of Modoc prisoners and at point blank range shot four men dead, “Little John, Tehee Jack, Poney [and] Moocha,” and wounded Little John’s wife.¹²⁵ Sherman also wanted some killed. He ordered General Schofield, Davis’s commander, to have “some” Modocs “tried by court martial and shot.”¹²⁵ However, when Davis tried in June to summarily hang “8 or 10 ringleaders,” Schofield stopped him, in order to allow the U.S. attorney general to decide whether to try the defendants in a civil or military court.¹²⁶ Even after a farcical kangaroo court-martial—in which the six Modoc defendants served as their own lawyers, their translators testified against them, and they were judged by the men they had just fought—Lucretia Mott “burst in upon [an] elegant dinner party” and all but forced President Grant to commute

Table 4.1 Modoc Population Decline, 1851–1873

Year	Estimated Total Modoc Population
1846–51	1,000–2,000+
1864 (Huntington)	339+
1870 (Nourse) ¹	350–360
1873 (Powers)	~250
1881 (Office of Indian Affairs)	249

¹ “Geo. Nourse, sutler at Fort Klamath,” in *Yreka Weekly Union*, September 28, 1870. See also endnote 1.

the sentences of the two youngest Modoc defendants, Barncho and Slolux (Murray 1959: 285–86, 297; Quinn 1997: 180). Still, at 10:20 A.M. on October 3, 1873, Kintpuash, John Schonchin, Boston Charley, and Black Jim were hanged at Fort Klamath and decapitated, their heads sent to the Army Medical College in Washington, D.C. (Thompson 1971: 124–25, 126). The curtain thus closed on the final act of the last Modoc killing campaign, which had taken the lives of at least twenty-four Modoc people and perhaps thirty-nine or more.¹²⁷ The number of Modoc survivors in 1873 was less than one-quarter of the 1851 Modoc population.

Federal officials now deported 153 Modoc survivors to Oklahoma’s Quapaw Agency (see figure 4.7).¹²⁸ As a result more than a third died from poor conditions and disease exacerbated by corruption (Hurtado 1981: 86–107). By 1881, despite intervening births, the Indian Affairs Office reported just ninety-eight Modoc at the Quapaw Agency and 151 at Oregon’s Klamath Agency (see table 4.1).¹²⁹

Modoc people remain today because their ancestors resisted the seven campaigns sent against them between 1851 and 1873. In the 2010 census, over 2,100 U.S. citizens self-identified as Modoc or part-Modoc.¹³⁰ Many of them generously shared information for this chapter and are enrolled members of Oregon’s Klamath Tribes or the Modoc Tribe of Oklahoma. They are the descendents of genocide survivors, although historians have described their ancestors as belligerents in a series of wars.

Genocide and Resistance

The killing campaigns launched against the Modocs clearly fit the 1948 United Nations Genocide Convention definition. First, perpetrators articulated, in both word and deed, their “intent to destroy, in whole or in part, a

national, ethnical, racial [or] religious group, as such." Second, the "Killing" was highly organized. The state tolerated or sanctioned and financed seven anti-Modoc campaigns, all of which emphasized the massacre of civilians. Militiamen and soldiers also committed another genocidal crime that likely contributed to Modoc deaths by exposure, malnutrition, decreased fecundity, fetal death, and increased mortality rates. By deliberately destroying at least seventeen Modoc villages and their food supplies, militiamen and U.S. soldiers seem to have been "deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part" (United Nations 1948: 78:1021, 280).

Interpreting the Modoc ordeal as genocide is complicated by two major factors: disease and resistance. Disease is widely considered the leading cause of California Indian population decline under nineteenth-century U.S. rule (Cook 1978: 92; Hurtado 1988: 1). Yet apart from Powers's reference to 150 Modoc deaths from smallpox in 1847—representing not more than 15 percent of the 1851 Modoc population—extant primary sources provide little evidence of Old World epidemics among the Modocs before their 1873 relocation and incarceration.

Modoc resistance poses a larger challenge to an interpretation of genocide because many scholars define genocide as one-sided.¹³¹ Was this not simply a series of wars in which both sides killed civilians but one side had overwhelming firepower? Modoc warriors did kill civilians, notably in 1852 and 1872. Yet these killings were unusual, while from at least 1851 whites waged seven campaigns against the Modocs in which civilian massacres were commonplace.

Comparing casualties helps clarify the fact that while Modocs resisted, they also suffered genocide. Whites killed at the very least 231 to 1,106 Modoc people between 1851 and 1873, including many women and children. These estimates are built on specific reported killings and do not include nonspecific or undated reports of Modoc killings, even when found in nineteenth-century sources.¹³² For example, Chief Schonchin reported 320 young Modoc men killed by 1864. In contrast, primary sources suggest that Modocs killed 119 to 149 non-Modocs, sixty-eight of them soldiers, state militiamen, and auxiliaries during the 1872–73 war launched by the United States (see table 4.2).¹³³

The Modoc genocide is hardly the only genocide against indigenous people that has been sanitized as "war." For example, some characterize the early nineteenth-century genocide of Tasmanian Aborigines as a "war" or a "clash" (Bonwick 1870; Plomley 1992).¹³⁴ Likewise, some California legislators described the state's mid-nineteenth-century genocide of Yuki Indians as a "war."¹³⁵ Many Germans also initially referred to their early twentieth-century

Table 4.2 Comparative Reported Death Tolls, 1851–1873

Year	Reported number of white civilians killed by Modocs	Reported number of vigilantes, militiamen, and soldiers killed by Modocs	Reported number of Modocs killed (civilians and warriors) by whites and their allies
1851	0	1	55–61+
1852	30–42 (Meacham estimated a total of 75 whites killed in 1852)	3–10	74–709
1853	?	?	17–42+
1854	0	0	5–38+
1856	0–4+?	2	56–185(?)
From “war with the Whites” to 1864			320 young warriors (not counting women, children or the elderly)
1867	0	7 (?)	0–32 (it is possible that none of these victims were Modocs)
1872–73	15	68	24–39+
TOTALS	45–61	74–88	231–1,106

genocide of the Herero and Nama peoples, in what is today Namibia, as “wars” or “fights.”¹³⁶ Genocide and war are not mutually exclusive. Indeed, they often coexist.¹³⁷ Moreover, the 1948 United Nations Genocide Convention designates genocide a crime “whether committed in time of peace or in time of war” (United Nations 1948: 280). We must not let war camouflage genocide.

Groups targeted for annihilation usually resist, often violently. Armenians fought against their World War I genocide at Ottoman hands with extensive irregular warfare (Dasnabedian 1990: 110–23). During World War II, Jews likewise resisted the Holocaust in ghettos, camps, and beyond. The 1943 Warsaw Ghetto and Treblinka uprisings, the Sobibór revolt that led to its destruction that year, and the 1944 Auschwitz uprising are well known, and tens of thousands of Jews also fought as partisans (Bauer 1982: 254–74). During

the second half of the twentieth-century, as the historian Ben Kiernan has observed, Cambodia's Eastern Zone uprising against Pol Pot's regime led to Vietnam's 1979 invasion and the end of the Khmer Rouge genocide. Finally, as Kiernan also observed, "In Rwanda in 1994, it was left to an externally-trained but indigenous, predominately Tutsi insurgent army, the Rwandan Patriotic Front, to overthrow the Hutu Power regime and halt its genocide of Tutsis."¹³⁸ Like Armenians, Jews, Cambodians, and Tutsis, Modocs violently resisted genocide.

Variations of the Modoc ordeal occurred elsewhere during the conquest and colonization of Africa, Asia, Australia, and North and South America. Indigenous civilizations repeatedly resisted invaders seeking to physically annihilate them in whole or in part. Many of these catastrophes are known as wars. Yet by carefully examining the intentions and actions of colonizers and their advocates it is possible to reinterpret some of these cataclysms as both genocides and wars of resistance. The Modoc case is one of them.

Notes

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1. Working from post-1851 documents, which indicate that hundreds of Modoc people were killed between 1851 and 1873 while at least 250 survived, it is clear that there were at least one thousand Modocs in 1851, if not two thousand or more. For estimates of the population in 1851 and earlier, see Turner 1873: 22; Kroeber 1925: 320; A. L. Kroeber in Cook 1976: 45; Mooney 1928: 18; Cook 1976: 4, 6; Malinowski et al. 1998: 3:444; James 2008: 20. For the 1873 population, see Powers 1873: 536.
2. Examples include Odeneal 1873; Riddle 1914; Murray 1959; Sproull 1969; Thompson 1971; Dillon 1973; Reed 1991; Quinn 1997; Hathaway 1995; James 2008.
3. Turner 1873: 21.
4. Nathaniel Todd, February 3, 1858, in U.S. House of Representatives 1859, 57 (hereafter H. Mis. Doc. 47).
5. Powers 1873: 536.
6. Quoted in California 1851a: 15.
7. California 1851b: 520–21.
8. According to the recollection of a person who was in the area at the time, in 1851, "some reckless Oregonians had ruthlessly killed two Indians, and provoked by this means the massacre of unoffending travelers" in Modoc territory (Special Correspondent's letter, May 7, 1873, in *New York Times*, May 24, 1873).

9. Ross 1878: 1.
10. Ross 1878: 1, 22–23. Ross also recollected bringing in “5 or 6 female. . . Modocs” (24).
11. Ross 1878: 23, 24.
12. Statement of W. T. Kershaw, November 21, 1857, in H. Mis. Doc. 47, 41 (hereafter Kershaw statement).
13. Fanning quoted in Wells 1881: 123; Kershaw statement, 41.
14. Harry Wells thought fifteen were killed in the attack at the Lost River’s mouth (Wells 1884a: 133). Fanning in Wells 1881: 123–24.
15. Fanning in Wells 1881: 124–25. According to Wells, at least three were killed in the lava beds (Wells 1884a: 133).
16. Kershaw statement, 41.
17. California 1852: 59.
18. Fifty-nine petitioners to Gov. Bigler, July 12, 1852, in California Adjutant General’s Office 1850–80 (hereafter *IWP*), F3753:197.
19. W. A. Robertson, John [illegible], J. D. Cooke, Daniel Frauer, and Elijah Steele to John Bigler, July 22, 1852, *IWP*, F3753:198.
20. John Bigler to Thos. Coutts and fifty-eight other citizens of Siskiyou County, July 24, 1852, *IWP*, F3753:200; Assistant Adjutant General, Pacific Division to E. H. Fitzgerald, July 27, 1852, *IWP*, F3753:202.
21. Chas. McDermitt to John Bigler, December 19, 1852, in California 1853a, Document 21, 2.
22. Wells 1884b: 317; McDermitt to Bigler, December 19, 1852, Document 21, 3.
23. McDermitt to Bigler, December 19, 1852, Document 21, 2; Wells 1884b: 317.
24. Benj Wright to Gentlemen, September 2, 1852, *IWP*, F3753:203. See also McDermitt to Bigler, December 19, 1852, in California 1853a, Document 21, 2–3.
25. Special Correspondent’s letter, May 7, 1873, in *New York Times*, May 24, 1873; Report of the Committee on Indian Affairs in California 1853a, Document 33, 4; Kershaw statement, 41.
26. Special Correspondent’s letter, May 7, 1873, in *New York Times*, May 24, 1873.
27. Wright to Gentlemen, September 2, 1852, *IWP*, F3753:203.
28. J. C. Burgess summarized in Klamath Agency Correspondent, July 1, 1873, in *New York Times*, July 17, 1873.
29. Bradford n.d.: 39.
30. For death toll estimates, see H. S. Lewis to Bigler, September 7, 1852, *IWP*, F3753:211; McDermitt to Bigler, December 19, 1852, in California 1853a, Document 21, 3; Kershaw statement 42; Burgess summarized in *New York Times*, July 17, 1873; Wells 1881: 131; Walling 1884: 205; Wells 1884b: 318.
31. Kershaw statement, 42.
32. John Ross to Geo. Curry, November 10, 1854, in H. Mis. Doc. 47, 15. Kershaw reported twenty-two bodies (Kershaw statement, 42). Nathaniel Todd later reported thirty-six “murdered by the Modoc Indians on the southern Oregon emigrant road” in August 1852 (in H. Mis. Doc. 47, 57). In 1857 former Oregon Indian Affairs Superintendent Joel Palmer reported that Wright found eighteen to twenty bodies, while Ross’s party found about a dozen (Joel Palmer to B. F.

- Dowell, December 17, 1857, in H. Mis. Doc. 47, 54–56). Wells also wrote of thirty-six bodies (Wells 1884b: 318).
33. A. B. Meacham, "Report of A. B. Meacham, Special Commissioner to the Modocs, Upon the Late Modoc War," October 5, 1872, in U.S. Office of Indian Affairs 1874: 79.
 34. Old Sc[h]onchin summarized in Special Correspondent's letter, May 7, 1873, in *New York Times*, May 24, 1873.
 35. Wright to Gentlemen, September 2, 1852, *IWP*, F3753:203.
 36. Fifty-five petitioners to John Bigler, September 7, 1852, *IWP*, F3753:204. This petition specified that the meeting occurred on September 6, 1852.
 37. H. S. Lewis to Bigler, September 7, 1852, *IWP*, F3753:211.
 38. E. A. Hitchcock to John Bigler, September 15, 1852, in U.S. War Department 1821–1920, M2114, Roll 1, Frame 392.
 39. Jas. Strawbridge to Rains, September 28, 1852, in *Sacramento Daily Union*, October 4, 1852.
 40. Walling 1884: 206; Wells 1884b: 318.
 41. [Shasta?] *Courier* in *Daily Alta California*, November 8, 1852.
 42. Committee on Indian Affairs, on the Claims of Wright and McDermitt's Command, in California 1853a: Document 33, 4; [Shasta?] *Courier* in *Daily Alta California*, November 8, 1852.
 43. Barry 1879: 123, 124.
 44. Barry 1879: 124.
 45. Kershaw statement, 42.
 46. E. A. Hitchcock to S. Cooper, March 31, 1853, in U.S. House of Representatives 1857 (hereafter H. Ex. Doc. 76): 78.
 47. Turner 1873: 23.
 48. Yreka Correspondent to *Shasta Courier*, November 21, 1852, in *Daily Alta California*, December 2, 1852.
 49. McDermitt to Bigler, December 19, 1852, in California 1853a: Document 21, 3.
 50. Hitchcock to Cooper, March 31, 1853, 78.
 51. Kershaw statement, 42.
 52. Captain Jack in Special Correspondent's letter, May 7, 1873, in *New York Times*, May 24, 1873.
 53. Special Correspondent's letter, May 7, 1873, in *New York Times*, May 24, 1873; Turner 1873: 23.
 54. Wells 1881: 133; Wells 1884b: 320.
 55. Kershaw statement, 42.
 56. Kershaw statement, 42–43. For quotations see Wells 1881: 133. Hitchcock, Barry, and Jeff Riddle reported similar details: Hitchcock to Cooper, March 31, 1853, 78; Barry 1879: 124, 125; Riddle 1914: 32.
 57. Committee on Indian Affairs, on the Claims of Wright and McDermitt's Command, in California 1853a: Document 33, 4.
 58. Chief Sc[h]onch[in] in *New York Times*, July 17, 1873.
 59. McDermitt to Bigler, December 19, 1852, in California 1853a, Document 21, 3; Committee on Indian Affairs, on the Claims of Wright and McDermitt's Command, in California 1853a, Document 33, 4.

60. California 1853b: 95–96.
61. Minot 1855: 582–88.
62. *Yreka Mountain Herald*, “Extra!,” August 7, 1853. George Miles kindly provided this source from Yale University’s Beinecke Library.
63. *Mountain Herald* in *Daily Alta California*, August 15, 1853; *Mountain Herald* in *Shasta Courier*, August 27, 1853.
64. Marysville *Daily Evening Herald*, August 11, 1853, 2.
65. *Yreka Herald*, October 1, 1853, in Marysville *Daily Evening Herald*, October 10, 1853, 2.
66. C. S. Drew, E. H. Cleavland, Alex. McIntyre, O. B. McFadden, John Ross to Jno. Davis, July 7, 1854, in H. Mis. Doc. 47, 3–5.
67. John Davis to John Ross, July 17, 1854 in H. Mis. Doc. 47, 6–7. The governor simultaneously sent a similar letter to the quartermaster general authorizing the campaign (Jno. Davis to C. S. Drew, July 17, 1854, in H. Mis. Doc. 47, 5–6).
68. Walling 1884: 235; John Ross to Walker, August 8, 1854, in H. Mis. Doc. 47, 8.
69. Jesse Walker to John Ross, November 6, 1854, in H. Mis. Doc. 47, 12–13.
70. Jesse Walker to John Ross, November 6, 1854, in H. Mis. Doc. 47, 13–14.
71. Delazon Smith and A. P. Dennison, January 31, 1856, in H. Mis. Doc. 47, 29; L. F. Grover and James Kelly, January 13, 1857, in H. Mis. Doc. 47, 31.
72. Alvy Boles quoting Captain Judy in Powers 1873: 539.
73. Geo. Curry to Joseph Lane, September 20, 1854, in H. Mis. Doc. 47, 9–10; Joint Resolution of the legislative assembly of Oregon . . . adopted January 15, 1855, in H. Misc. Doc. 47, 26.
74. In 1858, Nathaniel Todd reported a person killed by Modocs on September 2, 1855 (in H. Mis. Doc. 47, 58).
75. Yreka correspondent in *Marysville Daily Herald*, November 18, 1855.
76. J. D. Cosby to J. Johnson, June 12, 1856, *IWP*, F3753:293; Comptroller of the State of California 1850–59, Modoc Expedition: 14.
77. Comptroller of the State of California 1850–59, Modoc Expedition: 9, 10, 12; *Yreka Union* in *Sacramento Daily Union*, August 5, 1856.
78. *Yreka Chronicle*, August 7, 1856, in *Sacramento Daily Union*, August 11, 1856; *Yreka Union*, August 7, 1856, in Wells 1881: 142. Army Captain H. M. Judah, stationed at Fort Jones, denied the accuracy of these reports (Judah in Wells 1881: 143).
79. J. Johnson to John Cosby, August 4, 1856, *IWP*, F3753:296.
80. Letter dated Clear Lake, August 19, 1856, in *Siskiyou Chronicle*, August 28, 1856, in *Sacramento Daily Union*, September 2, 1856; *Shasta Republican*, August 30, 1856.
81. August 19 letter to *Yreka Union* in *Shasta Republican*, August 30, 1856.
82. Jargon at Clear Lake to Editors Yreka Union, September 4, in *Yreka Union*, September 11, 1856, in *Sacramento Daily Union*, September 17, 1856.
83. *Sacramento Daily Union*, October 8, 1856.
84. “A correspondent, writing from head quarters, Clear Lake, September 29th,” in *Yreka Union*, October 9, 1856, in *Sacramento Daily Union*, October 17, 1856.
85. Geo. Furber in *Yreka Siskiyou Chronicle*, July 9, 1859.
86. Correspondent, October 3, 1856, in *Yreka Union*, October 9, 1856, in *Sacramento Daily Union*, October 17, 1856.

87. Correspondent in *Yreka Union*, October 16, 1856, in *Sacramento Daily Union*, October 21, 1856, emphasis original.
88. Comptroller of the State of California 1850–59, Modoc Expedition: 9–12, 22.
89. Comptroller of the State of California 1850–59, Modoc Expedition: A 6; Cosby in Wells 1881: 143.
90. “An Act for the Payment of Expenses Incurred in the Suppression of Indian Hostilities in the State of California,” in Sanger 1863: 12:199–200.
91. Wm. Rector to Wm. Dole, September 2, 1862, in U.S. Office of Indian Affairs 1863: 262.
92. For the treaty text, see *Yreka Union*, July 19, 1873.
93. “Brief of treaty with Klamath and Modoc Indians of Southern Oregon of October 15, 1864,” in U.S. Office of Indian Affairs 1865: 104–5.
94. Old Sc[h]onchin quoted in Turner 1873: 23.
95. J. W. Huntington to Wm. Dole, December 10, 1864, in U.S. Office of Indian Affairs 1865: 101–2. Huntington suggested that he might not have counted every Modoc. Nor were all Modoc survivors then at the reservation. Thus, the total Modoc population in October 1873 was likely considerably higher.
96. Robinson 2001: 96; Bourke 1891: 645; Joe in *The Owyhee Avalanche*, November 2, 1867.
97. Crook 1946: 155n3.
98. Joe in *Owyhee Avalanche*, November 2, 1867.
99. Crook 1946: 154.
100. J. M. Bassett, October 28, 1867, in *Yreka Weekly Union*, November 2, 1867.
101. Crook 1946: 155n3.
102. F. A. Walker to T. B. Odeneal, July 6, 1872, in U.S. House of Representatives 1873: 3:263.
103. James Jackson to John Green, December 2, 1872, in U.S. House of Representatives 1874 (hereafter H. Ex. Doc. 122): 42–43.
104. Meacham 1876: 81; Murray 1959: 88–89.
105. Meacham 1876: 80–81.
106. James Jackson to John Green, December 2, 1872.
107. These lava fields are today in Lava Beds National Monument.
108. The Modoc Greasy Boots was killed and Shacknasty Frank was wounded and died in the Lava Beds (Thompson 1971: 169).
109. W. T. Sherman to E. R. S. Canby, March 13, 1873, in H. Ex. Doc. 122, 70–71.
110. Schonchin and Kintpuash in A. B. Meacham to Commissioner of Indian Affairs, October 5, 1872, in U.S. Office of Indian Affairs 1874: 78, italics original.
111. Meacham 1875: 492; Murray 1959: 189.
112. Meacham 1875: 492–97.
113. Boyle n.d.: 55–57. See also Murray 1959: 192–93.
114. W. T. Sherman to Schofield, April 12, 1873, in *Daily Alta California*, April 14, 1873.
115. J. M. Schofield to Gillem, April 13, 1873, in *Daily Alta California*, April 14, 1873.
116. John M. Schofield to Gillem, April 14, 1873, in *Army and Navy Journal*, 10:57 (1873), 585.
117. Meacham 1875: 522–23.

118. Gillem to Mason, April 16, 1873, in Hagen 1865–78: 2:1061.
119. The Modocs Old Tales and Ike were killed in the battle (Thompson 1971: 170).
120. Sherman to Dear Sir, April 17, 1873, in *Army and Navy Journal* 10:57 (1873), 586–87.
121. A. C. Gillem to Schofield, April 17, in *Daily Alta California*, April 19, 1873.
122. Lucretia Mott, Elizabeth Bladen, and E. M. Davis to Ulysses Grant, Columbus Delano, E. P. Smith, and others, April 19, 1873, in Hagen 1865–78: 1:885–86.
123. California 1874: 455; *People v. McGuire* 1872.
124. *Daily Alta California*, June 10, 1873.
125. W. T. Sherman to J. M. Schofield, June 3, 1873, in H. Ex. Doc. 122, 86.
126. Jeff Davis to Assist. Adjut. General, June 5, 1873, in Hagen 1865–78: 2:1028; Thompson 1971: 120–21.
127. Thompson listed sixteen warriors who died during the war (1971: 168–70).
128. H. C. Hasbrouck to Samuel Breck, November 5, 1873, in H. Ex. Doc. 122, 102. Two of the original 155 prisoners were sent to the prison on Alcatraz Island in San Francisco Bay (Murray 1959: 297).
129. U.S. Office of Indian Affairs 1881: 278, 284.
130. U.S. Census Bureau 2010, “Modoc alone or in any combination” (accessed July 5, 2013).
131. For 1959–2009 academic definitions of genocide, see Jones 2011: 16–20.
132. In 1877, Stephen Powers wrote, in a chapter on the Modocs, “I have more than once . . . listened to old Oregonians telling with laughter how when out hunting deer they had shot down a ‘buck’ or a squaw at sight, and merely for amusement, although the tribe to which they belonged were profoundly at peace with the Americans!” (Powers 1877: 254).
133. For soldiers, militiamen, and auxiliaries killed in the 1872–73 Modoc War, see Thompson 1971: 171.
134. For scholarship on the Tasmanian genocide, see Madley 2008a. See also Ryan 2012.
135. California 1860. For scholarship on the Yuki genocide, see Carranco and Beard 1981; Madley 2008b.
136. Rust 1905; Salzmann 1905; Bayer 1906; Kriegsgeschichtlichen Abteilung I des Großen Generalstabes 1906, 1907. For summaries of the German South West African genocide and an annotated bibliography, see Madley 2005; Schaller 2011.
137. Martin Shaw has argued that, “instances of genocide—not only the Holocaust, but also Armenia and Rwanda—have been clearly connected with war contexts, and this is an overwhelming empirical trend” (2007: 43).
138. Kiernan 2008: 3, 7–58.

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Silencing California Indian Genocide in Social Studies Texts

Michelle Lorimer, Ph.D.

“Model Curriculum for Human Rights and Genocide”

“It is of deep importance in our increasingly multicultural society and our interdependent world that our students recognize the sanctity of life and the dignity of the individual. We want to instill in our students a respect for each person as a unique individual. We want our students to understand that concern for ethics and human rights is universal and represents the aspirations of men and women in every time and place.”

California State Board of Education, Forward to “Model Curriculum for Human Rights and Genocide,” 2000; reprint of 1988.

Silencing California Indian Genocide

- Public Ignorance
- Genocide in texts: Armenian genocide, Jewish Holocaust, Rwanda, Cambodia, and more
- Why not California Indian genocide?



“The New History Wars”

- Scholars acknowledge the genocide
- Why the gap in public knowledge?
- Glorified and “heroic” narratives

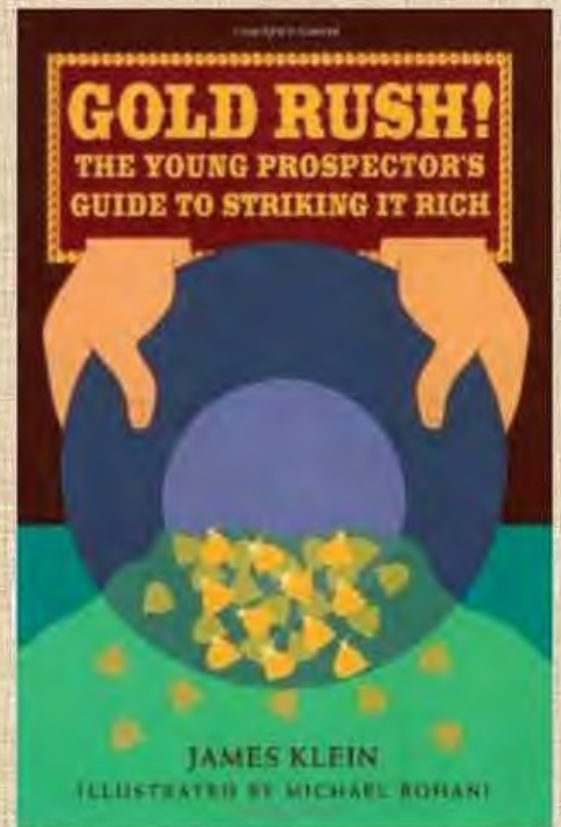


“... learning history means engaging with aspects of the past that are troubling, as well as those that are heroic.”

—James R. Grossman, “The New History Wars” *New York Times* Sept. 1, 2014. The article was written in response to the republican National Committee’s decision to pass a resolution against the “revisionist” and “negative” view of history in the revised A.P. curriculum framework released by the College Board in mid-2014.

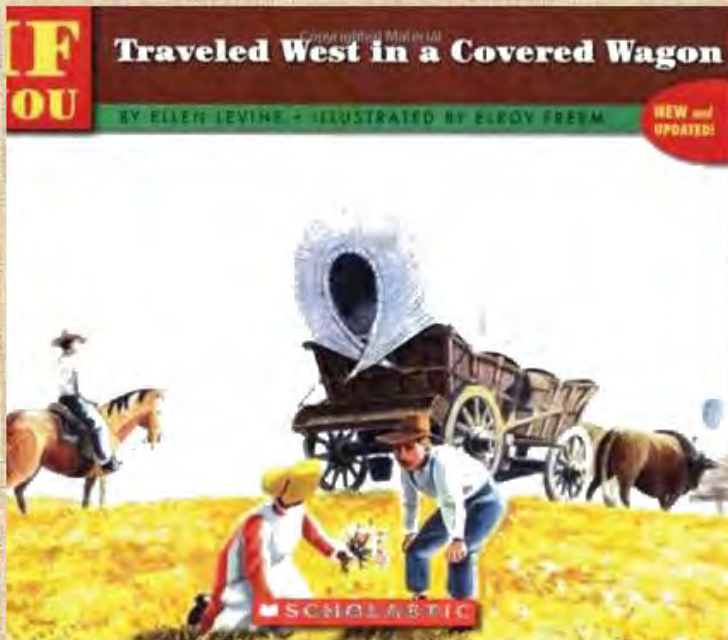
Privileged Perspectives

- Romanticized and Glorified
- Going West with the Forty-Niners!
- Common perspectives: Pioneers, Miners, Manifest Destiny, and Western Conquest
- Where do experiences of Native Californians fit in?



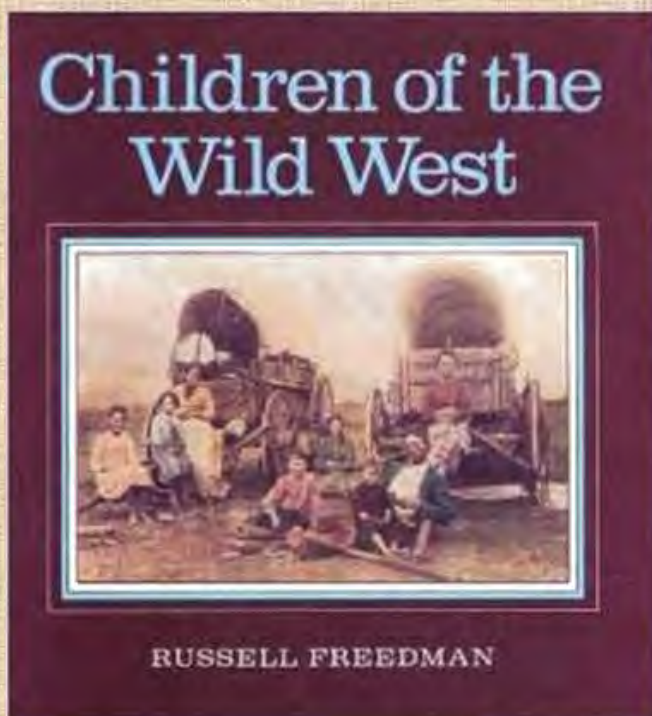
Sample of recommended literature for grade 4

“Going West”



Ellen Levine, *If You Traveled West in a Covered Wagon*
Sample Literature Recommendation for Grade 4

“Slightly Tarnished” Perspectives



Sample of recommended literature for grade 4

- Addresses conflict and violence
- Land dispossession
- Unfair treaties
- Reservations
- BUT ignores Genocide against Native Californians

Correcting the Narrative

- Recognize published primary sources
- Social studies texts:
- Reframe discussion of early California history
- Include historical examinations of “the deadly consequences of pioneer mining and resettlement in the West” – California Indian genocide



“Model Curriculum for Human Rights and Genocide”

“It is of deep importance in our increasingly multicultural society and our interdependent world that our students recognize the sanctity of life and the dignity of the individual. We want to instill in our students a respect for each person as a unique individual. We want our students to understand that concern for ethics and human rights is universal and represents the aspirations of men and women in every time and place.”

California State Board of Education, Forward to “Model Curriculum for Human Rights and Genocide,” 2000; reprint of 1988.

Refusing to Exterminate their Voices:
(Un)Silencing California Indian Genocide in Social Studies Texts¹

By Michelle Lorimer

“It is of deep importance in our increasingly multicultural society and our interdependent world that our students recognize the sanctity of life and the dignity of the individual. We want to instill in our students a respect for each person as a unique individual. We want our students to understand that concern for ethics and human rights is universal and represents the aspirations of men and women in every time and place.”²

The experiences of California Indians during the Gold Rush are greatly minimized in social studies textbooks. On the local, state, and national levels there is an ignorance of the Gold Rush era campaigns to exterminate Native people in California. In part, this deficient is the product of textbooks and silencing of domestic instances of genocide in the United States. Discussions of the California Gold Rush that fail to address the extermination campaigns perpetrated against Native Californians continue to marginalize Native experiences and publically minimize the impact these killings had on indigenous communities. Instead, many texts focus on gloried narratives of American pioneers and miners – commending them for overcoming many hardships to settle and tame the “Wild West.” As a result of inadequate textbooks “a person without any detailed knowledge on the subject of Native American genocide would refuse to accept such a conclusion from a scholar having studied the matter for many years.”³ Textbook publishers have minimized the voices of thousands of Native Californians who have family histories that recount kidnappings, violence, and massacres of their relatives during the Gold Rush. In silencing this genocide, major corporate publishers of textbooks rob the American public and school children of historical examinations of the deadly consequences of the Gold Rush and continue to marginalize the lived experiences of Native Californians.

Historian Brendan C. Lindsay observed that “mainstream U.S. history texts and courses experienced by most students in primary and secondary education” present the early era of the United States in California “as only slightly tarnished by the neglect of Native Americans and other nonwhite peoples . . . during and after the Gold Rush.”⁴ James R. Grossman, executive director of the American Historical Association, articulated the political struggle behind this salient truth – observing that “[n]avigating the tension between patriotic inspiration and historical thinking, between respectful veneration and critical engagement, is an especially difficult task, made even more complicated by a marked shift in the very composition of ‘we the people.’”

⁵ Scholars and proactive educators increasingly work to engage students to critically examine alternative perspectives that deviate from the “heroic” narrative of American history; however, many frequently face fiercely resistant conservative voices who contend that unglorified depictions of the past are overly negative and “revisionist.”⁶ These critics are uncomfortable and resistant to inclusive histories that examine troubling events – such as the genocide perpetrated against Native Californians by American settlers during the Gold Rush era.

The romanticized mythology of manifest destiny and western conquest commonly associated with the California Gold Rush has been perpetuated throughout time in texts for students of all ages. Beginning in primary education, young Californians learn a truncated version of gold discovery history. Few texts even hint at the role Native Californians played in the gold rush and mining history of the West. Rather students learn about routes taken by Argonauts on their journeys into the West, land claims, mining techniques, life in mining camps, and the growth of American California. These texts conceal the death and genocide of thousands of California Indians as a result of violence brought by American settlers. Between 1848 and 1868, generations of Native Californians experienced a genocide that reduced their population

from approximately 100,000-150,000 in 1848 to approximately 30,000 in the 1860s. Thus, by the end of the 1860s, the California Indian population wavered somewhere between 20,000-40,000 people.⁷

Unfortunately, few if any textbooks address the drastic and shocking genocide that occurred in California against Native Americans. In comparison, primary texts address the Jewish Holocaust that took place under Nazi Germany in the 1940s. Why is there a silencing in texts of the genocide of California Indians during the Gold Rush but a discussion of genocide under Nazi Germany? There are varying answers to this question. It may be difficult for textbook authors to reconcile the mythology of westward expansion in the United States within the context of the Gold Rush, with organized campaigns to murder California's first people. Conservative segments of society may be especially resistant to this – more accurate – revision of texts. Conversely, textbook authors can more easily point to genocide campaigns undertaken by Nazi Germany, a foreign nation vilified without difficulty because it does not call into question glorified accounts of American settlement in the West. Moreover, the United States emerged heroic during World War II by fighting oppression and ending the Nazi campaign of horrific genocide. On the other hand, the newly formed state government in California in 1850 often supported campaigns by small militia groups against Native Californians through financial support and legal silence. And the state has contributed to the silencing of the genocide by allowing social studies text and their authors to ignore the killings, kidnappings, and enslavement effectuated against the tribes of California. This silence continues today.

Many scholars of American history, Native America, and the American West have accepted the fact that California militia, supported by the United States Army and state government, committed genocide against the Native Americans of California during the 1850s and 1860s. Publishers and authors of elementary social studies texts have ignored the scholarship of the past thirty years that has documented the historical accounts of Indian killing during the California Gold Rush. During the mid-nineteenth century, small independent military units attacked Native Californian communities, killing men, women, and children. Non-Indian militia forces in California committed genocide as defined by the United Nations. Volunteer soldiers caused “serious bodily” and “mental harm to members of” several California Indian communities, “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction.” These small armies of people, hearty frontiersmen, imposed “measures intended to prevent births” and forcibly enslaved and transferred “children of the group to another group.”⁸ For many Native Californians, the Gold Rush era proved a time of genocide but also exemplified Native peoples’ determination to survive murder, kidnap, rape, and dispossession of their lands. People critical of including some of the more disturbing components of American history in curriculum and textbook contend that “negative” histories are drawing attention away from traditional and “heroic” historical narratives that focus on the founding fathers, great battles, and courageous military commanders.⁹ This argument does not justify the silencing of the genocide against Native Californians during the Gold Rush era.

Traditional depictions of the past in textbooks focused on histories that glorified the American experience. Lindsey observed that the history of California “is covered as little more than the rip-roaring good times of gold miners or the triumphal joining of east and west via the Transcontinental Railroad.”¹⁰ However, American interactions with Native people throughout

history often countered these celebrated depictions of the past. Presidents and renowned military commanders participated in campaigns to remove and kill Native people from land craved by American settlers, and Americans in California perpetrated genocide against indigenous people in the region. Textbooks ignore these complicated histories, and provide a sanitized version of the past to its readers – generations of American school children.

The development of genocidal campaigns against Native Californians during the Gold Rush era is a complicated history – but one that is crucial to understanding the relationship between Euro-Americans and modern California Indian communities. California Indians attacked American settlers, and they stole livestock, especially in the 1860s after miners had effectively destroyed local plant and animal habitats, creating malnutrition and starvation among many Native communities. Responses from Euro-American miners proved far more dangerous than those from Native Californians. During the 1850s, miners attacked and killed Indian miners, and Indian residents responded by fighting for their people, homelands, and resources.

In 1979, Hupa-Cherokee scholar Jack Norton first applied the term genocide to the collective attacks, rape, enslavement, kidnappings, and slaughter of Native people in Northern California. At the time, his work stood alone in recognizing the genocide as defined by the United Nations. Several scholars over the past forty years have documented this genocide. From the outset, American miners and settlers justified their attacks and slaughter of Indian men, women, and children – often blaming Native people for instigating the attacks through thefts or other unproven crimes. Violence intensified rapidly in the early 1850s, and quickly Americans in California organized small hunting parties to seek out and kill every Native person they encountered. At the same time, many members of these groups kidnapped, captured, raped, and enslaved Native women and children. Many of the new migrants who sought to quickly

Americanize California during the Gold Rush era also viewed Native people as obstacles to American settlement and socioeconomic progress. Some American settlers turned to wars of extermination in an effort to solve the so-called “Indian problem.” Small groups of miners and settlers perpetrated the first phases of genocide, but in time, larger military units attacked Indians. Although government officials knew of genocidal scouts against Indians, local groups – not governments – executed the genocide. Nevertheless, genocide against California’s first people developed rapidly in the gold fields of Northern California.¹¹

American men created volunteer militia groups that attacked Indian communities under the guise of retribution for theft and killing of livestock or the killing of American settlers. Volunteer groups killed California Indian women and men indiscriminately. Some municipal governments offered bounties for the scalps and/or heads of Native people collected by these volunteer groups. The state treasury then reimbursed these municipal governments for their payments – in essence supporting the extermination campaigns and scalping of men, women, and children.¹²

Perpetrators and indirect participants of the genocide documented their own despicable deeds in numerous written accounts, including a plethora of newspaper articles. Other observers, military and civilian, witnessed the tragedies first hand and provided additional written accounts.¹³ Newspaper accounts provided shocking headlines that boasted of the killings. For example, on January 17, 1863, the editor of *The Humboldt Times* of Eureka, California, provided a headline: “Good Haul of Diggers—Band Exterminated!” and on April 11, 1863, the same newspaper remarked: “Good Haul of Diggers—One white Man Killed—Thirty-Eight Bucks Killed, Forty Squaws and Children Taken.”¹⁴ One of the worst acts of “Indian Butcheries in California,” occurred in Humboldt County May 1860 during “a deliberate design to exterminate

the Indian race” when a party of American men attacked an Indian village on an island in Humboldt Bay in an attempt to kill “women and children, the men being absent at the time.”¹⁵ Editors labeled the people one of “the Digger tribes, known as friendly Indians.” At the time, the Wiyot people had conducted a multi-day ceremony when the men left the island to hunt and gather food. In their absence, Euro-American militiamen attacked women and children. “Flying on the approach of the human bloodhounds,” the pioneer force attacked, killing the women and children. According to the editor, “they all perished.” As stated by this newspaper account, “about two hundred and forty” Indians died. “Some of them were infants at the breast, whose skulls had been cleft again and again.”¹⁶ Commonly, the perpetrators went unpunished following the murder, rape, and kidnapping of Indian men, women, and children.¹⁷

Literate people left so many accounts that historians have addressed the genocide in numerous academic works. Over the years, some scholars have published on the topic of California Indian genocide. Jack Forbes, Robert Heizer, Sherburne Cook, Albert Hurtado, James Rawls, and Alan Almquist examined elements of genocide against California Indians in Northern California.¹⁸ George Harwood Phillips provided many details associated with genocide among Southern California Indians, a topic also explored by Clifford Trafzer and Joel Hyer in *Exterminate Them!* (1999).¹⁹ And recently, Lindsay constructed a detailed monograph that documented and interpreted the genocide.²⁰ In spite of a wealth of sources, the California Department of Education ignores the genocide of its first people and publishers and authors of social studies text silence the killing and enslavement of thousands of Native Californians.²¹

Children in fourth grade focus heavily on California state history, with some emphasis on the history of California Indians. Unfortunately, information found in fourth grade textbooks about California's first nations center primarily on the past, not contemporary people. Thus, the texts often fail to portray Native Americans as contemporary people still living in the twentieth or twenty-first centuries. Students in the classrooms of California receive some historical treatment about California Indians. The texts sometimes deal with the Gold Rush Era, but they usually gloss over the violence of the period, and not one program identifies the genocide perpetrated by violent, democratic militia groups bent on killing, kidnapping, and enslaving Native Americans.

Some texts do address the killings of California Indians, but do not engage the genocide of the era. For example, in 2006, Dr. Jesus Garcia, et. al., published *Creating America: A History of the United States*, an eighth grade text that offered a brief but honest presentation of the violent killings of Native Americans during the California Gold Rush. Under the subtitle, "The Impact of the Gold Rush," Garcia wrote "Native Americans suffered Thousands of them died from diseases brought by newcomers. The miners hunted down and killed thousands more." Garcia provided a simple explanation, saying "Native Americans stood in the way of progress," but noted a population decline from 150,000 to 58,000—with no dates attached to these figures.²² Most scholars believe the Indian population had declined to roughly 30,000 by 1870. Still, Garcia and his coauthors offer the most historically accurate presentation of the Gold Rush without directly mentioning genocide. In spite of its shortcomings, the text offered some information about the national tragedy. Although most school texts deal with the Gold Rush, the fourth grade programs center on California history, which always mentions the Gold Rush to some degree.

In recent years, the State of California approved a handful of texts for school districts to select from as part of their adoption process.²³ One of the more popular texts, *California: A Changing State*, is part of Harcourt's *Reflections* series.²⁴ The text openly addresses violence and conflict between Native communities and newcomers during the Spanish and Mexican eras. However, their discussion of violence, abuses, and death becomes much more mediated once the American period begins. The authors silence genocide of California Indians during the Gold Rush Era. The textbook focuses heavily on the mythology of the era and the thrilling life of American pioneers moving West. Within the Harcourt text for fourth grade students, California Indians fall out of the historical narrative. Rather, the text focuses heavily on the day-to-day experiences of miners and the environmental effects of the Gold Rush on the California landscape. The Harcourt text does not address the intentional slaughter of Native Californians. Rather, it points to deforestation, the destruction of inland waterways, and intrusion of Americans on Native lands as sources of conflict between Americans and California Indians.²⁵ Authors of the text ask teachers to explain to students in teacher editions of the text that "scientists believe more than 70,000 Indians died from diseases brought unknowingly by the miners," although the authors offer no sources or evidence to support their assertion.²⁶ Most scholars would disagree that disease primarily caused the population decline. The California Indian population declined as a result of shootings, stabbings, beatings, kidnappings, and burnings, not disease. The explanation found in the text does not account for the violent deaths suffered by thousands of Native Californians during the era and removed accountability from American settlers who murdered thousands of Indian people. These negative components of history do not fit into the image that the text supports – "the pride that Californians have for their state and its natural beauty".²⁷ It is easier for the authors of the text to reconcile violence against

Native populations during the Spanish era than to tarnish the image of the Gold Rush era, American pioneers, and other symbols of manifest destiny. Students using Harcourt texts in fifth grade *Reflections – United States History: Making a New Nation* find similar narratives.²⁸ The Harcourt books participate in the silencing of genocide.

The Holt text, *United States History: Independence to 1914*, silences Native American experiences in its discussion of the Gold Rush, ignoring the contributions of California Indians and the genocide perpetrated against them – noting simply that the Gold Rush had “negative consequences for many... California Native Americans.”²⁹ The Holt social studies program fails totally when addressing violence toward Native people during the Gold Rush. The volume does not examine Native American population decline, but it focuses convincingly on the boom and economic growth of Americans in California. Other texts including *California Vistas: Our Golden State*, published by Macmillan/McGraw-Hill present very similar narratives of the Gold Rush that primarily focus on the experiences of American pioneers and miners.³⁰ By writing in the passive voice, the authors of textbooks for children often do not reveal participants of the genocide of California Indians. Some authors suggest to impressionable children that Indians had caused their own demise by attacking miners or by having immune systems unable to process Euro-American diseases. The texts frequently focus on socioeconomic issues affecting miners but not Indian people who lost their homelands, resources, and lives to greed and aggression.

The fourth-grade text from Houghton Mifflin, *Oh, California!*, depicts the California Gold Rush as a glorious event – yet it also offers revealing insight into the killings of California Indians. Under the subtitle, “Fights at the Mining Camps,” students learn that miners “did not like Indians and did not care that Indians had lived on the land for thousands of years.”³¹ The text suggests Indians caused conflicts through statements such as “Indians raided mining camps

using bows and arrows.” The authors report the newcomers “fought back,” and in passing, they mention, “By the mid-1800s over 100,000 Indians had been killed.”³² Although a revealing statement, the authors provide no context that the deaths resulted from murders, not disease.

Teacher resources created by a division of the California Department of Education to assist instructors in their presentation of fourth grade course content addresses the need to expose students to sensitive topics in a thoughtful manner.³³ They recommend that teachers use creativity and careful planning to introduce troubling topics to students through literature, use of primary source documents, journaling, and small group activities. The authors endorse small group activities as one method of choice for teachers to use, especially when examining the conflict of cultures in California following the Gold Rush. Students in different groups take the perspective of one ethnic group, read about their experiences, and document their roles in the Gold Rush to understand the “causes and effects of conflicts in the camps.”³⁴ While this would be an ideal time for students to learn about the genocide of California Indians, few, if any, textbook resources provide students with sufficient background and knowledge to examine the genocide of California Indians during the Gold Rush.

High school level texts also leave much to be desired in their discussion of the treatment of Native people during the gold rush. The text *American Pageant: A History of the Republic*, often used in advanced placement history courses, deals minimally with the California Gold Rush. The text has a more broad national perspective, thus the Gold Rush is placed in the context of President James K. Polk’s expansionist policies, manifest destiny, and the role California played in the tensions that preceded the Civil War.³⁵ Similarly, *The American Nation:*

A History of the United States to 1877 follows a similar narrative as found in *American Pageant* and many elementary texts. *The American Nation* briefly describes the Gold Rush – observing that the Native Californian population dropped from 150,000 in the mid-1840s to about 35,000 by 1860. Just as in the fourth and fifth grade texts, *The American Nation* does not provide an explanation for the population decline – only noting that Native people were “almost wiped out” as a result of “ethnic conflict” and discrimination.³⁶ This language lends itself to a discussion of human rights and genocide in California, but fails to address this critical time in Native Californian history.

Major histories found in texts produced for California History courses at the college level provide the most detailed history of the Gold Rush era. *The Elusive Eden: A New History of California* (2002) examines the Gold Rush from multiple perspectives, *including* the perspective of Native people in the region. The authors note that California Indians worked as some of the first miners at the outset of the Gold Rush as independent miners and as paid laborers for whites and Californios. However, the authors note that Oregonians and other settlers that moved to California brought with them prejudices and stereotypes conjured from “violent encounters [between Americans and Indian people] or sensationalized tales of slaughter and savagery” passed-along on the trail to California.³⁷ The authors explain that Americans clashed with Native people who worked productive claims. Americans attacked Indian villages, and developed organized Indian-fighting units: “a vicious few simply enjoyed the killing.”³⁸ This perspective brings students closer to understanding the intentional killing of Native people that took place in California during the Gold Rush Era, but still falls short of labeling the pioneer actions against Indians causing “genocide.”

Despite the availability of published primary sources that validate the existence of genocidal campaigns against Native Californians, no textbooks addressed in this essay examined this component of the Gold Rush that affected the lives of thousands of Native Californians and continues to impact Native people into the present.³⁹ Rather than learn about complicated interactions between communities in the early history of the state, texts present students with sanitized version of the past that glorify American “progress” in California. Textbooks ignore the intentional campaigns to exterminate California’s first inhabitants. Conversely, contemporary oral testimony by Native people often detail deaths and rapes suffered by members of their family. They share their stories at public events such as the California Indian Conference and often shed tears in remembrance of this painful past still silenced in most California classrooms.

While elementary and high school textbooks in the past addressed human rights abuses related to African Americans, Jews, and encourage teachers to explore genocides against Armenians, Cambodians, Chileans, people in Rwanda, Bosnia, and other areas around the world, the texts ignore the genocide of Native Californians. Norton pointed out that California’s “Model Curriculum for Human Rights and Genocide,” published by the California State Board of Education in 1988, required social studies texts to deal frankly and honestly about genocide. The model curriculum, updated in 2000 to reflect changes in content standards, reiterated the continued importance to critically examine human rights issues and genocide “to recognize the sanctity of life and the dignity of the individual,” to “instill in our students a respect for each person as a distant individual,” and “to understand that concern for ethics and human rights is universal and represents the aspirations of men and women in every time and place.”⁴⁰

For many years, the Board required social studies programs to present genocides in honest, intellectual, moral, and courageous ways since “no nation or society in human history has

been totally innocent of human rights abuses.” The curriculum required publishers “to acknowledge unflinchingly the instances in United States history when our own best ideals were betrayed by the systematic mistreatment of group members because of their race, religion, culture, language, gender, or political views.”⁴¹ However, the State Board of Education has been contradictory of its own stated goals of identifying and analyzing genocides. For instance, according to the California State History framework, students in grade ten should learn about human rights in the context of events such as the Armenian genocide to “examine the effects of the genocide on the remaining Armenian people, who were deprived of their historic homeland....”⁴² The Armenian genocide in 1915 sets the groundwork for lessons about the horrific truth of the Jewish Holocaust during World War II, to “engage students in thinking about why one of the world’s most civilized nations participated in the systematic murder of millions of innocent people....”⁴³ The genocide of thousands of innocent California Indians perpetrated by American settlers and militia groups during the Gold Rush – supported by state and federal resources – raises similar questions for students to exam on the home front. Yet as of 2014, the Board has continued to ignore the genocide of Native Californians. And since 1948, the board approved numerous textbook programs that silence the genocide of California Indians, a direct and obvious contradiction to its own statements.⁴⁴

As stated previously, scholars of California history do not have to search far for evidence of the genocide of California Indians during the Gold Rush era. Acknowledging the work of other scholars, California State librarian emeritus, Kenneth Starr, observed that “it is a true story, and it must be faced” – militia groups led extermination campaigns against California Indians.⁴⁵ Unfortunately, federal, state, county, and local officials working in the field of elementary and high school education appear to know little or nothing about the genocide of California’s first

people. The general public knows little or nothing of the California genocide, in large part because textbooks silence genocide of Native Californians. Indeed, outside the academy, few people – including schoolteachers – know of this genocide, in large part because major publishers of children’s social studies textbooks do not acknowledge it. This is in marked contrast to the Jewish Holocaust or the inhumane treatment of African American slaves, which publishers do not deny or silence and include in their texts.⁴⁶

Authors and consultants of social studies textbooks have argued for the inclusion of California’s genocide, but to no avail. As a result, the subject remains a silence, a deafening silence, decried by Native Californians whose families felt the full and long-term effects of genocide.⁴⁷ In 1970, Cahuilla Indian community scholar Rupert Costo wrote that there is not one Indian living today “who does not cringe in anguish and frustration because of these textbooks.”⁴⁸

Frontiersmen responsible for the genocide, newspaper editors, and government officials left a great deal of historical evidence documenting inhumane acts against the first people of California. The purpose of this essay is not to recount the many examples of genocide found in published and primary sources, but to argue that scholars have disclosed, examined, and analyzed the genocide; many Native Californians have family narratives that testify to the atrocious nature of the killings, but publishers of elementary textbooks silence the historical record of the California genocide against Native people. Lindsay stated, “many Americans today are hesitant to accept that our state or our nation has a genocidal past.”⁴⁹ The accusation that the state and nation had committed genocide against Native Americans runs “contrary to the narrow,

often saccharine versions of the U. S. or Californian history we have been taught.” As a result of inadequate textbooks many Americans are ignorant of the genocide against Native Californians and continue to promote glorified narratives of the Gold Rush that minimize Native perspectives and experiences.⁵⁰ Poor textbooks and silencing of genocide has resulted in national and state ignorance of the tragedies during the Gold Rush Era of American history. This glorified history denies the voices of thousands of California Indians who know their family history and the slaughter and enslavement of their relatives during the mid-nineteenth century. Most egregious, textbooks and major corporate publishers ignore and silence Native American genocide, thereby depriving the American public and school children of an historical examination of the deadly consequences of pioneer mining and resettlement of the Golden State. The “Model Curriculum on Human Rights and Genocide” published by the California State Board of Education established a framework to facilitate the discussion of genocide in public schools. It is important to include the genocide of California Indians into this model curriculum and push for textbooks to deal with the troubling aspects of Gold Rush history honestly and accurately.

¹ This essay has been adapted heavily from the article: Clifford E. Trafzer and Michelle Lorimer, “Silencing California Indian Genocide in Social Studies Texts,” *American Behavioral Scientist*, 58 (Jan. 2014), 64–82.

² California State Board of Education, “Model Curriculum for Human Rights and Genocide” California Department of Education, 2007, v.

³ Brendan C. Lindsay, *Murder State: California’s Native American Genocide, 1846-1873* (Lincoln: University of Nebraska Press, 2012), 9.

⁴ *Ibid.*, 8-9.

⁵ James R. Grossman, “The New History Wars,” *New York Times*, September 1, 2014, http://www.nytimes.com/2014/09/02/opinion/the-new-history-wars.html?_r=1 (Accessed September 22, 2014).

⁶ The Republican National Committee and several state Republican Parties passed a “Resolution Concerning Advanced Placement U.S. History” that condemns the revised framework presented by the College Board, claiming that it “emphasizes the negative aspects of our nation’s history using ideology of race, gender, class, and ethnicity to teach U.S. History, which presents a radically revisionist, biased, and inaccurate view of important events in American history.” For an example see: Oklahoma Republican Party, “Resolution Concerning Advanced Placement U.S. History” <http://www.okgop.com/wp-content/uploads/2014/10/OK-AP-US-HISTORY-RESOLUTION-2014-2015-Clean-Copy-for-Web-Site.pdf> (Accessed November 6, 2014).

⁷ Clifford E. Trafzer and Joel R. Hyer, eds., *Exterminate Them! Written Accounts of the Murder, Rape, and Enslavement of Native Americans during the California Gold Rush* (East Lansing: Michigan State University Press, 1999), xiii-4.

⁸ United Nations, “The Crime Against Genocide: A United Nations Convention,” Resolution 260 (III), A of the General Assembly December 9, 1948. The Convention of the Prevention and Punishment of the Crime of Genocide is found in many sources, including the web sites, but cited from Jack Norton, *Genocide in Northwestern California: When Our Worlds Cried* (San Francisco: American Historians Press, 1979), pp. 159-60; hereafter the Convention is cited as United Nations, “The Crime Against Genocide.”

⁹ The Republican National Committee voiced these concerns in a resolution against the College Board’s *Advanced Placement U.S. History Framework* in 2014.

¹⁰ Lindsay, *Murder State*, 9.

¹¹ *Ibid.*, 231-270.

¹² Rawls, *Indians of California*, 185.

¹³ For numerous accounts of genocide in California during the Gold Rush, see Clifford E. Trafzer and Joel Hyer, *“Exterminate Them!”: Written Accounts of Murder, Rape, and Enslavement of Native Americans during the California Gold Rush* (East Lansing: Michigan State University Press, 1999).

¹⁴ *The Humboldt Times*, January 17, 1863 and April 11, 1863.

¹⁵ Trafzer and Hyer, *“Exterminate Them!”*, 128-129; *San Francisco Bulletin*, June 18, 1860.

¹⁶ Trafzer and Hyer, *“Exterminate Them!”*, 129.

¹⁷ Lindsay, *Murder State*, 327.

¹⁸ The following are the books written by the authors mentioned, works that deal with genocide: Forbes, *Native Americans of California and Nevada*; Heizer, *They Were Only Diggers*; Cook, *The Population of California Indians*; Hurtado, *Indian Survival on the California Frontier*; Rawls, *California Indians*; Heizer and Almquist, *The Other Californians*.

¹⁹ George Harwood Phillips, *Chiefs and Challengers* (Berkeley: University of California Press, 1975), 130-176; Trafzer and Hyer, eds., *Exterminate Them!*, 56-112.

²⁰ Lindsay, *Murder State*, 3, 9-23.

²¹ California State Board of Education, “Model Curriculum for Human Rights and Genocide,” California Department of Education, 2000. Some of the scholarly works that have dealt with the genocide of California Indians during the Era of the Gold Rush includes: Lindsay, *Murder State*; Trafzer and Hyer, *Exterminate Them!*, Jack Norton, *When Our Worlds Cried*; Jack D. Forbes, *Native Americans of California Nevada* (Healdsburg, California: Naturegraph, 1969); Frank H. Baumgardner, *Killing For Land in Early California: Indian Blood at Round Valley, 1856-1863* (New York: Algora, 2006); William Coffer, “Genocide of the California Indians, with a Comparative Study of Other Minorities,” *Indian Historian* 10 (1977): 8-15; Sherburne F. Cook, *The Population of California Indians, 1769-1970* (Berkeley: University of California Press, 1976); Michael Flynn and Charles Strozier, eds., *Genocide, War, and Human Survival* (Lanham, Maryland: Rowan and Littlefield, 1996); Robert F. Heizer, *They Were Only Diggers* (Socorro, New Mexico: Ballena Press, 1974); Robert F. Heizer and Alan Almquist, *The Other Californians* (Berkeley: University of California Press, 1971); Irving Horowitz, “Many Genocides, One Holocaust? *Modern Judaism* 1 (1981): 74-89; Albert Hurtado, *Indian Survival on the California Frontier* (New Haven: Yale University Press, 1988); Guenter Lewy, “Were American Indians the Victim of Genocide?” *Commentary* 118 (2004): 55-63; Benjamin Madley, “California’s Yuki Indians: Defining Genocide in Native American History,” *Western Historical Quarterly* 39 (2008): 303-332; MariJo Moore, ed., *Eating Fire, Tasting Blood* (New York: Thundermouth Press, 2006); James J. Rawls, “Gold Diggers: Indian Miners in the California Gold Rush,” *California Historical Quarterly* 55 (1976): 28-45; James J. Rawls, *Indians of*

California (Norman: University of Oklahoma Press, 1984); Alan S. Rosenbaum, ed., *Is the Holocaust Unique?* (Boulder, Colorado: Westview Press, 1996); William Secrest, *When the Great Spirit Died: The Destruction of the California Indians, 1850-1860* (Sanger, California: World Dancer Press, 2003); Ashley Riley Sousa, "They will be Hunted Down Like Wild Beast and Destroyed!" *Journal of Genocide Research* 6 (2004), 193-209; Michael Stohl, "Outside of the Small Circle of Friends: States, Genocide, Mass Killing and the Role of Bystanders," *Journal of Peace Research* 24 (1987): 51-66; Nicole Vartanian, "When History Hurts: An Analysis of the Influences Upon the Teaching of Genocide in U.S. Public Schools," Ph. D. Dissertation, Columbia University, 2000; Bruce Wilshire, *Get 'Em All! Kill 'Em All!: Genocide, Terrorism, Righteous Communities* (Lanham, Maryland: Lexington Books, 2005).

²² Jesus Garcia, et. al., *Creating America: A History of the United States* (Boston: McDougal Littell, 2006), 417.

²³ Under the newly launched Common Core Standards by the State of California in 2014, the State has not adopted new textbooks.

²⁴ Pricilla H. Porter, et. al., *Reflections: California: A Changing State* (Orlando: Harcourt School Publishers, 2007).

²⁵ Porter, *California: A Changing State*, 242.

²⁶ Ibid.

²⁷ Ibid., 257.

²⁸ P.H. Porter, et. al., *United States History: Making a New Nation*, (Orlando: Harcourt School Publishers, 2007), 132.

²⁹ William Deverell and Deborah Gray White, *United States History: Independence to 1914* (Orlando: Holt, Rinehart and Winston, 2006), 330. The text simply states, "fast population growth had negative consequences for many Californios and California Native Americans." The authors quote W. Kelly, a gold-rush era observer who noted that "The Yankee regarded every man but [his own kind] as an interloper who had no right to come to California and pick up the gold of 'free and enlightened citizens.'"

³⁰ James A. Banks, Kevin P Colleary, et. al. , *California Vistas: Our Golden State*, (New York: MacMillan/McGraw Hill, 2007), 241.

³¹ B,J. Armento, et. al, *Oh, California!* (Boston: Houghton Mifflin, 1991), 129.

³² Ibid.

³³ California Department of Education, Instruction and Learning Support Branch, Curriculum Frameworks and Instructional Resources Division, *A Look at Fourth Grade in California Public*

Schools and the Common Core Standards, (Sacramento: California Department of Education, 2011), 4.34-4.35.

³⁴ *Ibid.*, 4.35.

³⁵ David M. Kennedy, Elizabeth Cohen and Mel Piehl, *American Pageant: A History of the Republic* (Boston: Houghton Mifflin Company, 2008), 261, 265, 267.

³⁶ Mark C. Carnes and John A. Garraty, *The American Nation: A History of the United States to 1877*, (New York: Longman, 2003), 331-332.

³⁷ Richard B. Rice, William A. Bullough, and Richard J. Orsi, *The Elusive Eden: A New History of California* (Boston: McGraw-Hill, 2002), 202.

³⁸ *Ibid.*, 203.

³⁹ *Exterminate Them!*, edited by Clifford E. Trafzer and Joel R. Hyer, is a compilation of primary source documents including newspaper articles that depict violence between American settlers and Native communities.

⁴⁰ California State Board of Education, “Model Curriculum for Human Rights and Genocide,” v.

⁴¹ Norton, *When Our Worlds Cried*, 140.

⁴² History–Social Science Curriculum Framework and Criteria Committee, “History–Social Science Framework for California Public Schools Kindergarten Through Grade Twelve,” California Department of Education, 2005, pg. 127. Hereafter referred to as “History–Social Science Framework for California Public Schools.”

⁴³“History–Social Science Framework for California Public Schools,” 129.

⁴⁴ At the time of this writing, Governor Jerry Brown has appointed James Ramos of the San Manuel Indian Reservation in California and Supervisor of San Bernardino County to the State Board of Education. Perhaps Ramos will be committed to working with the Board to re-examine its definition of genocide in relationship to Native Californians, for the first time recognizing the California genocide.

⁴⁵ Kevin Starr, “Rooted in Barbarous Soil: An Introduction to Gold Rush Society and Culture” *California History 79* Special Edition: Rooted in Barbarous Soil: People, Culture, and Community in Gold Rush California, 1-24.

⁴⁶ The statement is not intended to downplay the horrors of the Jewish Holocaust or African American slavery. The authors make no attempt in the present essay to compare those atrocities with that of California Indians.

⁴⁷ From 2000 to 2012, a group of Native Americans worked with California State Parks to create the California Heritage Center, and during several deliberations, California Indian people recounted the murders, rapes, and enslavement of members of their families. These oral histories live today, and many California Indians wept as they shared their family histories.

⁴⁸ Rupert Costo and Jeanette Henry, *Textbooks and the American Indian* (San Francisco: Indian Historian Press, 1970), 9.

⁴⁹ Lindsay, *Murder State*, 9.

⁵⁰ *Ibid.*

Were Native Americans victims of genocide?

Experts disagree over whether deaths of tens of thousands of California Indians merit the term's use.

Tens of thousands of Native Americans in California were killed in the mid-1800s or died of disease, malnutrition or overwork. On that historians agree.

But was it genocide? Participants at a recent conference argued that it was, and hope to increase awareness about what they define as genocide. They also plan to coax the California Department of Education to use the term in model curricula that shape what



DAVID OLSON
STAFF WRITER

children are taught. "Historians clearly have documented that genocide occurred here in California," said Michelle Lorimer, a panelist at the UC Riverside conference and a history lecturer at Cal State San Bernardino. But other experts say that no matter how awful the atrocities committed against American Indians in California were, they did not constitute genocide.

FOCUS ON GOLD RUSH

The conference, "Killing California Indians: Genocide in the Gold Rush Era," focused on the influx of prospectors to California to mine gold and the accompanying atrocities against Native Americans.

When the Gold Rush began in 1848, there were an estimated 150,000 Native Americans living in California. By 1870, the number had dwindled to 30,000 and by 1900 to 15,000, said Brendan Lindsay, an assistant professor of history at Sacramento State University and author of "Murder State, California's Native American Genocide 1846-1873."

Most died of disease, malnutrition and as the result of forced labor, but thousands were killed, many by citizen militias that set out to murder large numbers of American Indians, Lindsay said.

The diseases were brought by Europeans; the deaths from overwork stemmed from enslavement; and the malnutrition was a result of Indians being forced off their traditional gathering, fishing and hunting land, he said.

Lindsay said those deaths shouldn't be discounted in deciding whether genocide occurred.

Many of the 6 million Jews who died in the Holocaust perished from those causes, and "no one would put an asterisk" next to that, he said.



COURTESY OF WIKICOMMONS
Cahuilla Indian woman Maria Los Angeles, a basket maker, is seen in California around 1900.

AMERICAN INDIANS IN CALIFORNIA

The history of California from the time of the Spanish until well after the Gold Rush coincided with a precipitous drop in the population of Native Americans:

- **1542:** Juan Rodríguez Cabrillo, who was of either Spanish or Portuguese nationality, leads the first European expedition to California. Estimates vary widely on how many Native Americans were living at the time in what is now California, from 133,000 to 1.52 million.
- **1769:** First mission founded in San Diego. Indians were forced to settle on and work at the missions and many died of diseases introduced by the Spanish.
- **1848:** California Gold Rush begins. Native American population estimated at 150,000. During the Gold Rush, many miners formed militias to kill Native Americans. Communities offered bounties for Indian heads or scalps. State and federal funds also were paid to militias that hunted Indians.
- **1850:** California law essentially forces Native Americans into servitude. Among other things, it allowed Indians who were not employed to be seized, sold at an auction and forced to work without pay for the buyer for four months.
- **1851:** California Gov. Peter Hardeman Burnett states: "That a war of extermination will continue to be waged between the two races until the Indian race becomes extinct, must be expected."
- **1866:** Attacks on the Serrano people in San Bernardino County kill dozens or hundreds. Killings and disease are among the factors that reduce population of the Yuhaviatam Clan of Serrano people, now the San Manuel Band of Mission Indians, to fewer than 30 by 1890.
- **1870:** Killings by white settlers, disease, malnutrition and forced labor reduce the Indian population to approximately 30,000.
- **1892:** Parris Indian School (now Sherman Indian High School in Riverside) opens. It was one of nearly 500 boarding schools that opened to, as the founder of the first school in Pennsylvania said, "Kill the Indian in him, and save the man." Many students were forcibly taken from their homes and families in an effort to erase "savage" Indian values and beliefs from students and force them to assimilate to "civilized" European culture. Sherman now celebrates and immerses students in Native American culture.
- **1900:** Only about 15,000 Native Americans remain in California.
- **2013:** Estimated number of American Indians and Alaska natives living in California: 278,377 whose only race is American Indian; 709,952 who report American Indian as one of multiple races.

SOURCES: California Department of Education, Historical Society of Southern California, Cal State San Bernardino Professor James Fenelon, Sacramento State University Professor Brendan Lindsay, UC Riverside Professor Cliff Trafzer, American Experience, historian James Rawls, Sherman Indian High School, U.S. Census Bureau estimates.



Copyright © 2015, T. Robert Przeklasa, California Center for Native Nations, University of California, Riverside
James Fenelon, left, of the Center for Indigenous Peoples Studies at Cal State San Bernardino, and Jack Norton, of Humboldt State University, attend the Nov. 7 conference at UC Riverside.

GENOCIDE: Scholars push to teach atrocities

FROM PAGE 3

In California, there was no formal government order to annihilate Native Americans, like the Nazis' "final solution" to wipe out European Jews, Lindsay said. But the government was complicit and facilitated the mass murder, including reimbursing settlers for killing Indians, Lindsay said.

In 1851, Peter Hartsman Burnett, the first governor of California after it became a U.S. state, said in an address to the Legislature: "That a war of extermination will continue to be waged between the two races until the Indian race becomes extinct, must be expected."

Most of the killings, along with kidnapping, prostituting and enslavement of Indian children and adults, occurred in Northern California, because of the Gold Rush and the belief that Indians were in the way, said Cliff Trafzor, director of the California Center for Native Nations at UC Riverside and organizer of the conference.

Trafzor is an editor of 1999's "Exterminate Them!" wording taken from a Chico newspaper that he said reflected widespread public sentiment in the 1850s.

Even though mass killings were less common in Southern California, they did occur, such as in 1866 settler raids on the Serrano people in San Bernardino County, Trafzor said.

It's unclear how many people were killed in the raids, but after it was over, fewer than 30 people from the Yuhaviatam Clan of the Serrano Indians — now the San Manuel Band of Mission Indians — were left alive, said James Ramos, a former chairman of the San Manuel tribe and now a San Bernardino County supervisor.

"They were shooting and killing Indian people on sight," he said.

The namesake of what is now known as the San Manuel (Ike Santos Manuel) led his people out of the mountains to what is now San Bernardino to protect them.

"If that hadn't happened, I don't know if we'd be here today," Ramos said. "We were almost wiped off the earth."

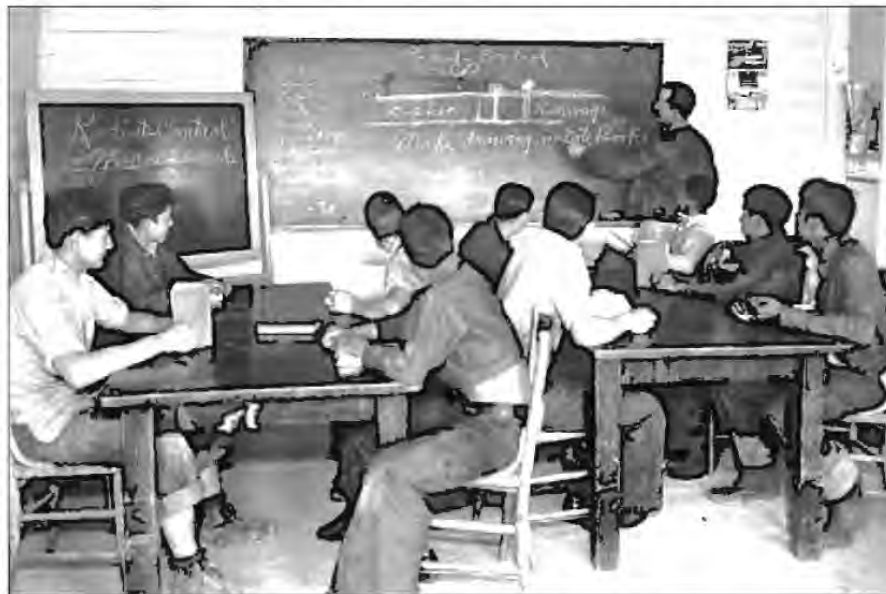
DEBATE OVER TERMINOLOGY

Trafzor said the atrocities against California Indians clearly meet the definition of genocide agreed upon by the United Nations in 1948: an intent to destroy in whole or in part a particular national, ethnic, racial or religious group. The definition includes acts such as serious physical and mental harm against a group in addition to murder.

Michael Magliari, a history professor at Cal State Chico who is conducting research on enslavement of California Indians in the mid 1800s, said the U.N. definition is too broad and waters down the meaning of the word. Magliari said the definition of genocide most commonly understood by the public is a deliberate policy of extermination.

He said evidence indicates that three California tribes — the Wiyot, Yuki and Yuki — were "subjected to a policy of genocide, but I don't think you could use it sweepingly to describe what happened to most native peoples in California."

Magliari said the push to use the word genocide in textbooks is a disservice that not doing so minimizes what happened to Native Americans. But he said the atrocities, and the attempt



Sherman Indian High School students attend an agriculture class between the 1930s to late 1960s in Riverside. FILE PHOTO



Brendan Lindsay, assistant professor of history at Sacramento State University, speaks to a group attending a conference, "Killing California Indians: Genocide in the Gold Rush Era," at UC Riverside. STAN LIM, STAFF PHOTOGRAPHER



Indians were forced by Spanish missionaries to settle on and work at Mission San Francisco de Asis and other missions, and many died of new, foreign diseases. COURTESY OF WIKICOMMONS

to destroy Native American culture, stand on their own. "The record is tragic and brutal enough," he said.

GUIDELINES FOR SCHOOLS

The state Department of Education is interested in finding out what scholars presented, said Thomas Adams, director of the department's curriculum frameworks and instructional resources division.

The state issues advisory guidelines for schools and teachers to use in preparing curricula. The guidelines are used by the state in evaluating textbooks for use in schools. Adams said the social science guidelines released in September do not define wrongs committed against Native Americans

as genocide, said Adams. But the commission is still receiving public comment on the guidelines and welcomes any additional historical research that could improve the framework before it is approved by the state board of education, he said.

Lorimer said changing what is taught in California schools is key. When she tells her California history

class what happened to Native Americans, students are shocked because they never were taught about it in school, Lorimer said.

Lorimer said one reason why atrocities against Indians are downplayed is because it hits too close to home.

"We can talk about genocide in other areas of the world but we can't discuss it in the United States and in California because it calls into question the romanticized notions of Gold Rush history, manifest destiny and American expansionism," she said.

"We look at the history of that time period positively, from the pioneer, frontiersman experience. We don't look at the loss from the native perspective."

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TEXTBOOK CASE

UC Riverside's Cliff Trafzor and Cal State San Bernardino's Michelle Lorimer researched

textbooks' treatment of Native Americans for the article "Silencing California Indian Genocide in Social Studies Texts," which was published in 2013 in the journal *American Behavioral Scientist*.

- In what Trafzor and Lorimer call "the most historically accurate presentation of the Gold Rush without directly mentioning genocide," the eighth grade text "Creating America: A History of the United States" says that "Native Americans suffered... Thousands of them died from diseases brought by newcomers. The miners hunted down and killed thousands more."
- They were much more critical of "California: A Changing State," which they say "participates in the silencing of genocide" because it "does not account for the violent deaths suffered by thousands of Native Californians during the era and removed accountability from American settlers who murdered thousands of Indian people."

- "United States History: Independence to 1914," they write, "totally silences Native Americans in its discussion of the Gold Rush, ignoring the contributions of California Indians and the genocide perpetrated against them."
- "Oh, California!" presents the "Gold Rush as a glorious event. Rather than developing the killings and kidnapping of California Indians, the text points out the negative effects of inflation and how this economic issue ravaged the miners. The text focuses on economic issues affecting miners but not Indian people who lost their homelands, resources, and lives to greed and aggression."

Genocide of California Indians Examined

Nov. 7 conference will focus on the deaths of 100,000 Native Americans during Gold Rush era

By [Bettye Miller](#) On OCTOBER 29, 2014

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RIVERSIDE, Calif. – The Gold Rush brought prosperity to many of the estimated 300,000 prospectors who flocked to California between 1848 and 1855. For a large majority of California Indians, however, the Gold Rush was lethal.

An all-day conference at UC Riverside on Friday, Nov. 7, will address what a growing number of scholars have come to regard as the genocide of California Indians. The symposium, “Killing California Indians: Genocide in the Gold Rush Era,” will bring together historians and Native Americans from throughout the state.

The event begins at 9 a.m. and continues until 4 p.m. in Highlander Union Building 379. It is free and open to the public. Parking permits

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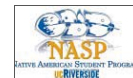
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An all-day conference on Nov. 7 will address what a growing number of scholars have come to regard as the genocide of California Indians.

may be purchased at the kiosk on West Campus Drive near the University Avenue entrance to the campus. Sponsors are the Rupert Costo Endowment, California Center for Native Nations, Native American Education Program and Native American Student Programs.

More than 120,000 Indians were living in California when the Gold Rush started in 1848. Between 1848 and 1868, as many as 100,000 Indians died from disease, malnutrition, enslavement and murder, said Cliff Trafzer, distinguished professor of history, Rupert Costo Chair in American Indian Affairs, and director of the California Center for Native Nations at UCR.

Articles published in California newspapers of the time and other sources make it clear that the

experience of Native Americans during the Gold Rush meets the United Nations definition of genocide, Trafzer said.

“Some say it was not genocide, it was ethnic cleansing,” Trafzer said. “Indian people say, ‘What’s the difference?’ More than 80 percent of California Indians died in a 20-year period. Our hope is that the conference will encourage more research by our students on aspects of the genocide and will create an awareness among Californians and people around the world that this took place. We hope it will encourage the state Department of Education to recognize that what happened to California Indians was genocide and is worthy of inclusion in state textbooks.”

Participants in the morning panel include:

- ▶ Jack Norton, emeritus professor of Native American studies at Humboldt State University and author of “Genocide in Northwestern California, When Our Worlds Cried.” He is of Hupa/Cherokee descent and an enrolled member of the Yurok Nation. He was the first California Indian to be appointed to the Rupert Costo Chair in American Indian Affairs at UC Riverside.

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EXPERTS on demand

UC Riverside has dozens of experts in virtually every field you can imagine.

Whether it's the latest fad in Hollywood, the latest must-have gadget or the latest row in Washington, UCR has a vast pool of staff and faculty who can present a unique view right now.

These interactions can take place in person,

- » Brendan Lindsay, assistant professor of history at Sacramento State University and author of “Murder State, California’s Native American Genocide, 1846-1873.” He earned his Ph.D. in history at UCR.
- » James Fenelon, professor of sociology and director of the Center for Indigenous Peoples Studies at California State University, San Bernardino. He is *Lakota/Dakota* from Standing Rock, and wrote “*Culturicide, Resistance, and Survival of the Lakota (SiouxNation)*” and co-authored “*Indigenous Peoples and Globalization.*”

Participating in the first of two afternoon panels will be:

- » George Harwood Phillips, emeritus professor of history at the University of Colorado, Boulder and the second scholar named to the Rupert Costo Chair in American Indian Affairs at UCR. Among his books are “*Vineyards and Vaqueros: Indian Labor and the Economic Expansion of Southern California, 1771-1877*,” “*Chiefs and Challengers: Indian Resistance and Cooperation in Southern California*,” and “*Indians and Indian Agents: The Origins of the Reservation System in California, 1849-1852.*”
- » Michelle Lorimer, who teaches in the CSU San Bernardino Department of History. She earned her Ph.D. in history at UCR. Lorimer and Trafzer co-authored an article, “*Silencing California Indian Genocide in Social Studies Texts*,” that was published in 2013 in the peer-reviewed journal *American Behavioral Scientist*.
- » Benjamin Madley, an assistant professor of history at UCLA. He is transforming his dissertation, “*American Genocide: The California Indian Catastrophe, 1846-1873*,” into a book for Yale University Press.

The conference will conclude with a Native American community panel whose participants include:

- » James Ramos, San Bernardino County supervisor, Third District, and past chairman of the San Manuel Band of Mission Indians
- » Larry Myers, chairman of the California Indian Heritage Center Foundation Board of Directors and former longtime executive secretary of the Native American Heritage Commission (NAHC), Pomo
- » William Mungary, former NAHC chairperson and current board member of the California Indian Heritage Center Foundation, Paiute/Apache
- » Steven Newcomb, indigenous law research coordinator at the Sycuan education department of the Sycuan Band of the Kumeyaay Nation in San Diego County, co-founder and co-director of the Indigenous Law Institute, and a columnist with *Indian Country Today*, Shawnee/Lenape

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- » Sean Milanovich, tribal cultural specialist, Agua Caliente Band of Cahuilla Indians
- » Gregg Castro, former tribal chair of the Salinan Nation, researcher and scholar in Salinan cultural history and language preservation, advisor to the California Indian Storytelling Association, **Salinan/Ohlone**
- » Meranda Roberts, a UC Riverside Ph.D. student, Paiute

For more information contact Trafzer at clifford.trafzer@ucr.edu.

<p>MEDIA CONTACT</p> <p>Betty Miller Tel: (951) 827-7847 E-mail: bettye.miller@ucr.edu Twitter: bettyemiller</p>	<p>RELATED LINKS</p> <p>California Center for Native Nations</p> <hr/> <p>Native American Student Programs</p> <hr/> <p>UCR Magazine: New Voices, New Stories, New Dreams</p> <hr/>
<p>ADDITIONAL CONTACTS</p> <p>Cliff Trafzer E-mail: clifford.trafzer@ucr.edu</p>	

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BY DAVID OLSON / STAFF WRITER

Published: Nov. 7, 2014 Updated: Nov. 8, 2014 11:58 a.m.



STAN LIM, STAFF PHOTOGRAPHER

INDIANS IN CALIFORNIA

The history of California from the time of the Spanish until well after the Gold Rush coincided with a precipitous drop in the population of Native Americans.

1542: Juan Rodriguez Cabrillo, who was of either Spanish or Portuguese nationality, led the first European expedition to California.

Estimates vary widely on how many Native Americans were living in what is now California at the time, from 133,000 to 1.52 million.

1769: First mission founded in San Diego. Indians were forced to settle on and work at the missions and many died of diseases introduced by the Spanish.

1848: California Gold Rush begins. Native American population estimated at 150,000.

Tens of thousands of Native Americans in California were murdered in the mid-1800s or died of disease, malnutrition or overwork. On that historians agree.

But was it genocide?

Participants at a conference at UC Riverside on Friday argued that it was. They hope the event will increase awareness about what they define as genocide and prod the California Department of Education to use the term in model curricula that shape what public-school children are taught.

"Historians clearly have documented that genocide occurred here in California," said Michelle Lorimer, a panelist Friday and a history lecturer at Cal State San Bernardino.

Other experts say that no matter how horrible the atrocities committed against American Indians in California were, they did not constitute genocide.

FOCUS ON GOLD RUSH

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1851: California Gov. Peter Hardeman Burnett, stated, "That a war of extermination will continue to be waged between the two races until the Indian race becomes extinct, must be expected."

1866: Attacks on the Serrano people in San Bernardino County kill dozens or hundreds. Murder and disease among factors that reduce population of the Yuhaviatam Clan of Serrano people, now the San Manuel Band of Mission Indians, to fewer than 30 by 1890.

1870: Murder by white settlers, disease, malnutrition and forced labor helped reduce the Indian population to approximately 30,000.

1892: Perris Indian School (now Sherman Indian High School in Riverside) opened. It was one of nearly 500 boarding schools that opened to, as the founder of the first school in Pennsylvania said, "Kill the Indian in him, and save the man." Many students were forcibly taken from their homes and families in an effort to erase "savage" Indian values and beliefs from students and force them to assimilate to "civilized" European culture. Sherman now celebrates and immerses students in Native American culture.

1900: Only about 15,000 Native Americans remained in California.

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In California, there was no formal government order to annihilate Native Americans, like the Nazis' "final solution" to wipe out European Jews, Lindsay said.

But the government was complicit and facilitated the mass murder, including by reimbursing settlers for killing Indians, Lindsay said.

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DEBATE OVER TERMINOLOGY

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He said evidence indicates that three California tribes – the Wiyot, Yahi and Yuki – were "subjected to a policy of genocide, but I don't think you could use it sweepingly to describe what happened to most native peoples in California."

Magliari said the push to use the word genocide is rooted in part in a concern that not doing so minimizes what happened to Native Americans. But he said the atrocities, and the attempt to destroy Native American culture, stand on their own.

"The record is tragic and brutal enough," he said.

GUIDELINES FOR SCHOOLS

The state Department of Education is interested in finding out what scholars presented at the conference, said Thomas Adams, director of the department's curriculum frameworks and instructional resources division.

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Lorimer said one reason why atrocities against Indians are downplayed is because it hits too close to home.

“We can talk about genocide in other areas of the world but we can’t discuss it in the United States and in California because it calls into question the romanticized notions of Gold Rush history, manifest destiny and American expansionism,” she said. “We look at the history of that time period positively, from the pioneer, frontiersman experience. We don’t look at the loss from the native perspective.”

Contact the writer: 951-368-9462 or dolson@pe.com




Lou C Young  Follow Owner of PATAWASCO Fort Community
 It's about time the wrong doing's of all American Indians be addressed from coast to coast in the USA and the wrong doing's in land claims and culture.
 Reply Like  1 Follow Post November 10 at 3:42pm




Gail Bear Child
 Glad to see some scholars are working on a very important aspect of California American Indian history. Genocide did take place there. When the history reflects the truth, it may not be repeated, and the truth hurts.
 Reply Like Follow Post November 10 at 3:41pm




Harold Monteau  President N/IEA at Self Employed
 The International Law definition of Genocide does not include just murder but also includes "Intentional acts/actions that would tend to bring about the "disappearance" of a distinct people (e.g national origin, race, religion, political body, tribal people); Acts or actions can include legislation, administrative practice, court rulings, religious restrictions, restricted movement, forced movement, lifestyle destruction, resource destruction, destruction of food sources, confinement to areas that cannot support human life, diffusion of an identifiable people into a majority population, forced genetic dissolution including rape and sterilization, taking of land, taking of substantial rights including the right to conduct commerce, forced living under unhealthy circumstances, and others. Opps, forgot one; seeking and securing a legislative, judicial or administrative declaration that the people no longer exist.
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Aileen Gaynor
 Susan the Irish did not come here as slaves they may have come as indentured servant
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Susan Mihaupt  Lead Writer at Party Planning/Mortgage Division
 Technically perhaps. But that did not make much difference it was up to the owner when/if they were released.
 Reply Like November 10 at 4:40am



George Atwood  Top Commenter
 And Susan, you have repeatedly said that you take offense because you are tired of being blamed. I have read all of the comments, and I have not seen anybody blame you for anything at all. You appear to be a pretty little blonde woman, who I imagine has never actively harmed other people. Perhaps you are taking your own self a little too seriously? I don't know. But nobody has blamed you for anything at all. It is only you who are doing that to yourself, by repeating you are tired of being blamed in the stark absence of that actually happening to you.

 You are experiencing a failure to comprehend. Nobody, not in the article, not in these comments, and not me, is seeking to blame you or any other White person for the atrocities of the past. We all know the past is the past. But what we will not tolerate, and will not ...
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Carla Antone

Amen to that!!

Reply Like 1 November 10 at 11:53am



Charlie Wright

IMC, Blame of people not directly complicit in Genocidal acts, is not the point of peoples who have had Genocide waged against them, but to make sure that no one forgets what happened and how it happened, so that it might never happen again to any other race or ethnic identity. In order to teach people why it is not a weakness to practice tolerance for cultural differences and the importance of mutual respect and human dignity.

Reply Like November 11 at 11:09am

George Atwood

★ Top Commenter

Susan, virtually all of your statements in this comment section are fallacies. They are illogical comments that may sort of sound reasonable, but are actually deceptive and dishonest. You've used Ad Hominem- saying I am promoting hatred, saying I am being prejudiced. You've used the tactic of a Red Herring- shifting the focus to unrelated points (the Irish to name 1). The article was very specific about a particular academic perspective of School curriculum. If you are sincere about wanting the Irish story to be given consideration, then by all means, please write your own article about the Irish! In fact, I encourage you to do that. I promise you that I will not go on the comment section of your article about the Irish and troll it, asking, "But what about the Indians?"

I chastise myself because I am apparently... [See More](#)

Reply Like 1 Follow Post November 9 at 10:24am



Carla Antone

I don't see how anyone could be offended by this article, unless there's some guilt? No one is blaming Caucasians today for the atrocities in the past, what is being asked is to never forget and to make sure history is told from both sides of the coin.

Reply Like 3 Follow Post November 9 at 6:45pm



Susan Milhaupt

★ Top Commenter

Local Officer at Pacific University Heritage Division

Well saying someone committed genocide is considered pretty offensive where I come from.

Reply Like November 9 at 7:45pm



Susan Milhaupt

★ Top Commenter

Local Officer at Pacific University Heritage Division

Of course anytime something like this happens to any human being it is beyond tragic and I find it heart breaking. Nobody should ever be treated like this!!!! Sadly, these things are occurring on our planet now!

Reply Like November 9 at 7:54pm



Carla Antone

Offensive to whom? Custer? Hernán Cortés? Columbus? Those people are long gone, those are just to name a few of whom is responsible for the destruction of the indigenous. Believe it or not colonization of the native still affects our society today.

Reply Like November 9 at 9:50pm



Susan Milhaupt ★ Top Commenter Eben 38th Cir at East St Bonding/Debtgage Division

Carla Antone why does it still affect you? It is offensive to me as a white person to be constantly blamed.

Reply Like November 9 at 9:55pm



Carla Antone

Susan who is blaming you? I'm not I have nothing against you or any other Caucasian person out there.

Reply Like November 9 at 11:24am



Carla Antone

Read about assimilation, my great gram, my grandma, grandpa many were forced into boarding schools and beaten if spoken their language, only English was spoken. They had forgotten their language was forced to use it less and less therefore not being able to pass it down, if they did it was a very limited. So now I don't know my original language. Read about the poverty on reservations it's sad, I don't expect you to be culturally sensitive to this subject.

Reply Like November 9 at 11:34pm



Susan Milhaupt ★ Top Commenter Eben 38th Cir at East St Bonding/Debtgage Division

Carla Antone My Dear, I am sorry for your hard times. Some of my people were brought here as slaves just like the Africans. I have both relatives and friends who are Native American. I grew up in extreme poverty, we also lost our language and customs. We are not that different.

Reply Like November 10 at 9:35am



Carla Antone

Susan, I get what you are saying no one is arguing with you on the fact that other cultures were slaves or in poverty but that's not the argument it's recognizing what happened here in this Country. I think what the ultimate goal for some people here and now in regards to California native history is trying to "right a wrong" by not mentioning it or telling the truth.

Reply Like November 10 at 11:35am



Carla Antone

You have to accept the good with the bad, recognizing history does not make a person less patriotic.

Reply Like  1 November 10 at 11:33am



George Atwood ★ Top Commenter

Who are these, "your people" you refer to? Who are these fictional people you've made up in your mind who are not as generous as some other people you have imagined. How does any of that gibberish have anything to do with the topic of the article? Do you remember the article Susan?

Reply Like 1 Follow Post November 3 at 11:50pm



George Atwood ★ Top Commenter

I dont even know who "your people" are. You have people?

Reply Like 2 Follow Post November 3 at 11:57pm



George Atwood ★ Top Commenter

I don't spread hate. I just speak the facts of the historical record, which apparently hurts your feelings. I don't intend to hurt your feelings Susan. This is supposed to be a grown up conversation.

Reply Like 1 Follow Post November 3 at 11:55pm



Susan Milhaupt ★ Top Commenter Loan Officer at Fidelity Funding Mortgage Division

George I do believe you spread hate.

Reply Like November 10 at 9:42am



George Atwood ★ Top Commenter

Dodge and deflect Susan, dodge and deflect. Yes, I know that I know history because I work in a library. THAT'S WHERE HISTORICAL RECORDS ARE KEPT!

Reply Like 1 Follow Post November 3 at 11:53pm



Susan Milhaupt ★ Top Commenter Loan Officer at Fidelity Funding Mortgage Division

Well you are selective in your reading of such articles as you seem to believe your people are the only ones who have had any hardship.

Reply Like November 10 at 9:44am



George Atwood ★ Top Commenter

I don't need to prove anything to you people. I work in an archival library. All of the factual information is in the archival records. This information is available to anybody who cares to look. These facts of brutal violence by white people is not in dispute anywhere, certainly not in the actual article above. The definition of "genocide" is laughably in dispute in the article, not that it occurred. After 1849, California Indians were hunted down with the intention of extermination like they were wild dogs. Extermination was the official policy, and the rallying cry was, "The only good Indian is a dead Indian." This was so prevalent that newspapers actually referred to dead Indians as, "good Indians." There were bounties on the heads of the Indian men, women and children. Bounties paid not by vigilante mobs, but by... See More

Reply Like 1 Follow Post November 3 at 11:51pm



Susan Milhaupt ★ Top Commenter | Local Official at Public Funding Mortgage Fusion

You think you know it all because you work in a library? You spread hatred. Who says this is your country? Did you own the land I live on? Are you accusing my people? It sounds like it. I haven't seen your people offering any charity. Say what you want about "white people" we are more likely to give to others as a rule than others. All you care about is your people.

Reply Like 1 November 8 at 11:49pm



George Atwood ★ Top Commenter

Hallett, this is my country. Mine before yours. Mine for uncountable generations. I have a love and a pride for my nation that your little sacrifice can never equal. You didn't fight for my freedom. You fought for corporations. Nobody invaded my land. Generally, I give thanks for a soldier's service. But that's where I draw the line. After that, it's about the integrity and honor of the man beneath the uniform. You sir, may be a good fireman, and a good order taker. But you failed the honor and integrity test. Thank you for your service. You're still an idiot.

Reply Like 2 Follow Post November 8 at 11:42am



George Atwood ★ Top Commenter

People don't like hearing the truth. They'd rather hang onto their mythology. When they hear the cold hard truth, they go on emotional rants and speak in rhetorical cliché. They become the ugly face of the worst part of our culture.

Reply Like 1 Follow Post November 8 at 9:52pm



Susan Milhaupt ★ Top Commenter | Local Official at Public Funding Mortgage Fusion

"Truth" is relative. Everybody has their version.

Reply Like November 8 at 10:33pm



Andrea Padilla Works at Self-employed

No one is asking us to take the blame for our ancestors. Just trying to get us to see there were white people no different than Isis or Adam Hussein.

Reply Like 1 Follow Post November 8 at 9:41pm



Ava Sanchez Berkeley, California

You're comparing apples and oranges. It has nothing to do with race, it's culture.

Reply Like 1 November 8 at 9:49pm



Susan Milhaupt ★ Top Commenter | Local Official at Public Funding Mortgage Fusion

There are people of every race with violent histories. Don't kid yourself.

Reply Like November 8 at 10:17pm



George Atwood ★ Top Commenter

Yes Susan Milhaupt there is violent people of every ethnicity and culture. But there is also no doubt what so ever about what ethnicity and what culture and what Nation is far and away THE most violent of all. Used to be, always has been, still is. Don't kid yourself no one else is even close to the good old USA in that Dept. Own it! Be proud of it! Claim your heritage. don't be ashamed of it.

Reply Like 1 November 8 at 10:35pm



Susan Milhaupt ★ Top Commenter | San Official Parish Funding Heritage Division

White is the color of our skin. We are from all nationalities. Some of us came from Ireland, like my family. Some from England, some from Germany. To clump all white people into this category is prejudicial. It's just like saying for example-all black people... or all Mexican...

Reply Like November 8 at 10:37pm



Susan Milhaupt ★ Top Commenter | San Official Parish Funding Heritage Division

It does really get old being blamed for all the woes of Indians, African Americans, and Hispanics. Not just that but globally as Americans. I love all these people as I would any individual. But I keep hearing the stereotypical comments that "white people killed, enslaved, etc etc". It is old. It is also prejudicial. There are some white people who never partook in any of these actions. Yet we are blamed solely on the color of our skin. Talk about living in the past!! As an Irish descendant we too were slaves. Do you see us asking anyone for reparations? No-the opportunities we have as Americans is our reparations.

Reply Like Follow Post November 8 at 9:00pm



George Atwood ★ Top Commenter

WTF are you even talking about? Nobody is asking for reparations. Do yourself a favor and gain some education on the topic before posting or you just sound goolish.

Reply Like 2 November 8 at 9:45pm



Susan Milhaupt ★ Top Commenter | San Official Parish Funding Heritage Division

George Atwood Really? What? Maybe you should get some education before you claim no one is asking for reparation. Or for that matter that none has been paid!

Reply Like November 8 at 10:19pm



Carla Antone

To diminish people's history is a genocide. I don't think people are spreading hatred, or blaming you it's more of a matter of never to forget.

Reply Like November 9 at 6:30pm



Hallett Newman ★ Top Commenter | Riverside Community College

Genocide by who? The indians were pretty good at whipping each other out. Is this another "blame the white guys" idea?

Reply Like 2 Follow Post November 8 at 1:29pm



George Atwood ★ Top Commenter

The most violent culture in the history of the planet is America. Most guns. Most homicides. Most people in prison. Most wars, invasions, and on and on. All of this is the legacy of America. It's not just old history that someone did 150 - 200 years ago. It never stopped. It's still continues today. Even the way America worships it's soldiers, puts them up on a heroic pedestal is sick. It's sick. But you can't see it. You live in it. I have to live in it. We suffer because of the legacy if violence, but almost nobody can see it. Because we're too close to it.

Reply Like 4 November 8 at 8:55pm



Hallett Newman ★ Top Commenter Riverside Community College Mark as Spam

You don't have to live in it George. Pick one of the other 194 or 195 countries in the world and IMMIGRATE. No one here will miss you. BTW, I was proud to serve in the Army and help keep the country free so idiots like you can trash America.

Reply Like 1 November 6 at 9:19pm



Susan Milhaupt ★ Top Commenter Loan Officer at Pacific Funding Mortgage Division

George Atwood America has a host of people from every nationality. We obviously need to work on these issues, agreed. But it is not one group of people.

Reply Like November 8 at 10:34pm



Carla Antone

Hallet, are you denying that history never exterminated the indigenous? Or that there was a privileged society that did not include people of color?

Reply Like November 9 at 6:30pm




Glynnis McKinley ★ Top Commenter California


Indians slaughtered their other indians with no mercy.


Reply Like 1 Follow Post November 8 at 6:10am


George Atwood ★ Top Commenter
 Please support your simple minded view with substance. A link to any credible source at all that isn't just you running your mouth will do. But you won't because you can't.
 Reply Like 3 November 8 at 10:02am


Derek Benham ★ Top Commenter Works at Home of Your Business
 True. It gets old taking the blame because of our ancestors.
 Reply Like 2 November 8 at 3:20pm


Nicole Eleck ★ Top Commenter Friends Assistant at Citirens
 Untrue in Northern California which this article is based on.
 Reply Like November 10 at 8:56am


Susan Milhaupt ★ Top Commenter Loan Officer at Pacific Funding Mortgage Division
 George Atwood Maybe she should just say she works at a library.
 Reply Like November 10 at 9:47am


Anthony Jimenez ★ Top Commenter Parent California
 Manifest destiny>genocide... FYI, mexico once offered 200 peso bounties on the scalps of apaches, men, women, or children. That, accounts for genocide
 Reply Like 2 Follow Post November 8 at 7:24am


Gerry Ellenson Follow ★ Top Commenter California State College Los Angeles
 What we did could hardly be classified as less than genocide. The only difference was that it had nothing to do with culture or religion ... just greed and a wish to create a unified country that occupied an entire continent. We weren't that much different than ISIS back then. We benefited from what we did, but we're a better people now. Nobody here took part and need not apologize, just recognize that era for what it was and not sweep it under the rug.
 Reply Like 3 Follow Post November 8 at 7:53a


Susan Milhaupt ★ Top Commenter Loan Officer at Pacific Funding Mortgage Division
 If there is to be cultural awareness it should be for every culture. The Irish came here as slaves too. But you never hear about that. Just saying I believe we all have opportunity now. At least I hope so.
 Reply Like November 8 at 10:41pm

Facebook Like 0

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