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GENOCIDE AND THE INDIANS OF CALIFORNIA, 1769-1873

A Thesis Presented

by

MARGARET A. FIELD

Submitted to the Office of Graduate Studies and Research of
the University of Massachusetts at Boston in partial
fulfillment of the requirements for the degree of

MASTER OF ARTS

MAY 1993

HISTORY PROGRAM

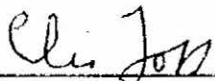
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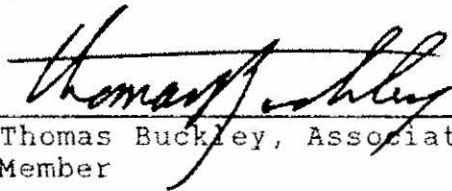
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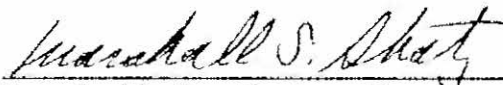
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ABSTRACT

GENOCIDE AND THE INDIANS OF CALIFORNIA, 1769-1873

MAY, 1993

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This study is an effort to determine whether the phenomenon of genocide, as defined in the UN Convention on Genocide of 1948, played a distinguishable role in the sharp decline of the California Indian population during the period 1769 to 1873. Through examination of such resources as memoirs, newspaper accounts of the time, anthropological and demographic studies, government documents, and works on genocide theory, it considers key issues of intent and action on the part of the Spanish, Mexicans, and Americans who arrived in California during the period.

The evidence indicates that genocide of indigenous peoples occurred in California in the later years of the period under examination, and that its perpetrators were primarily miners and settlers who had recently arrived from the East. Although genocide was not a primary cause of the indigenous population collapse in California, it had a decisive impact on the survival of some of the state's

Indian groups. Numerous contemporary accounts provide details of indiscriminate killing of Indians by American settlers. The Indians of California experienced massive depopulation when California was under Spanish and Mexican authority as well, but the decline cannot be attributed to genocide because of a lack of intent and an absence of widespread, sustained, one-sided attacks on the part of the Spanish and Mexicans.

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CHAPTER I

INTRODUCTION

The Indians of what is today the state of California, like many indigenous groups around the world, experienced a sharp population decline following contact with people from different lands. Researchers have estimated the Indian population of California before the arrival of the Spanish missions in 1769 to have been as high as 700,000, although the figure most widely accepted today is a minimum of 310,000. The population declined to about 100,000 in 1849, during the Gold Rush, and to about 30,000 in 1870. It subsequently reached a nadir of 15,000 to 25,000 during the decade 1890-1900. The main cause of indigenous population decline in California, as in the rest of the United States, is generally considered to have been disease. To varying extents throughout the country, however, indigenous groups were also subject to violence and destruction of their way of life.¹

Since the UN adopted its Convention on Genocide in 1948, the term *genocide* has been applied to the experiences of American Indians, as well as to the experiences of other indigenous and minority populations. The Convention defines genocide as specific acts committed with intent to destroy, in whole or in part, a national, ethnic, racial, or religious group. Acts of ethnocide, defined as

deliberate and systematic attempts to destroy a group's culture, religion, or ethnic identity, can be interrelated with genocide.

Some who have written about American Indians view the plight of indigenous peoples as a mass genocide starting with the first European contact. Other authors single out specific segments of the Indian population as victims of genocide, while still others either raise the subject to dismiss it or do not refer to it at all when discussing American Indian population decline. In the 1990 standard work The History and Sociology of Genocide: Analyses and Case Studies, Frank Chalk and Kurt Jonassohn devote two chapters to the experiences of the Indians of the Americas. They write:

The part played by genocide in the destruction and crippling of so many societies spread over a vast area and colonized by settlers of many different nationalities and social systems is complex and still poorly understood. The opinion of many experts is that genocide was one of five major factors that undermined Indian civilizations; the others were disease, warfare, geographic removals and relocations, and the destruction of traditional ways.²

Several authors have used the term *genocide* in relation to experiences of the Indians of California.³ So far, however, little effort has been directed at examining precisely how the experiences of California Indian groups can be identified as genocide using a specific definition, as expressed in the 1948 UN convention. In their work, Chalk and Jonassohn briefly discuss the case of the Yuki

Indians of the Round Valley reservation in northern California, describing it as a government sanctioned genocide. While Chalk and Jonassohn consider specific acts that indicate genocidal intent, other writers view genocide in a more general way. In an article in The Indian Historian, William E. Coffey recounts events of the 19th century and writes, "In 1975, the genocidal treatment of the California Indian continues."⁴

In contrast, Albert L. Hurtado, like other writers who focus on Indian resistance and survival, expresses skepticism about applying the label to the experiences of the Indians of California. In Indian Survival on the California Frontier, Hurtado discusses population studies of the California Indians conducted by Sherburne F. Cook and wonders why later writers have not questioned portrayals of California Indians as passive victims: "Instead, subsequent writers have accepted [Cook's] analysis and concentrated on the grossest aspects of population decline. Indeed, two recent books use the word *genocide* in their titles."⁵

There is a need to review evidence of the particular experiences of Indian groups in an effort to put genocide, along with ethnocide, into perspective when considering the impact of migration and colonization on indigenous peoples. Blanket statements that all American Indians, or even all California Indians, were victims of genocide represent

extreme views; distinctions are necessary if the concept of genocide is to have any value as a tool in efforts to comprehend the past. In the other extreme, assertions that genocide or mass killings were not significant factors in American Indian population decline are also not very helpful. The American Indian experience, though complex and diverse, presents many parallels to the experiences of other populations that have declined following contact with outsiders. Consideration of the impact of genocide in specific cases is of significant value in understanding both the phenomenon of genocide itself and what happened in a particular place and time.

This study is an effort to determine whether genocide played a distinguishable role in the population decline of the Indians of California. Specifically, I examine the purposes behind interactions with the Indians on the part of Spanish missionaries and soldiers, Mexican settlers and the Mexican military, and U.S. settlers, government officials, and the army, as well as the implications of their respective goals.

These issues are explored through examination of memoirs, such as those of explorers, trappers, and missionaries; Indian histories; anthropological studies of California Indian groups; contemporary newspaper accounts; government documents, including reports from federal Indian agents in the West and Congressional debates regarding the

conditions of the Indians; population assessments and studies of assessment methods; works on genocide theory; and records of Indian policy elsewhere in the United States.

The Indian experience varied considerably according to the people the Indians encountered and the type of land the Indians inhabited and its value to outsiders. Spanish missionaries, who settled mainly in coastal areas of California, sought to gain and maintain converts, but portrayals of the Franciscans as benevolent toward the California Indians have been the subject of much debate in recent years.⁶ Indians living near missions and ranchos who stole cattle or horses were subject to swift retribution from Spanish and Mexican settlers.⁷ The arrival of white settlers from the east following the discovery of gold in northern California in 1848 represented, according to many accounts, the most direct physical encounter between the Indians and outsiders. These later conflicts, which generally occurred in areas with diverse Indian populations, had a clear economic nature: the Indians posed an obstacle to white land use (see Figure 1, p. 6).⁸

Numerous questions that interrelate genocide theory, U.S. history, and cultural anthropology have not been addressed in regard to the experiences of the Indians of California. Amid the current emotionally charged debate on

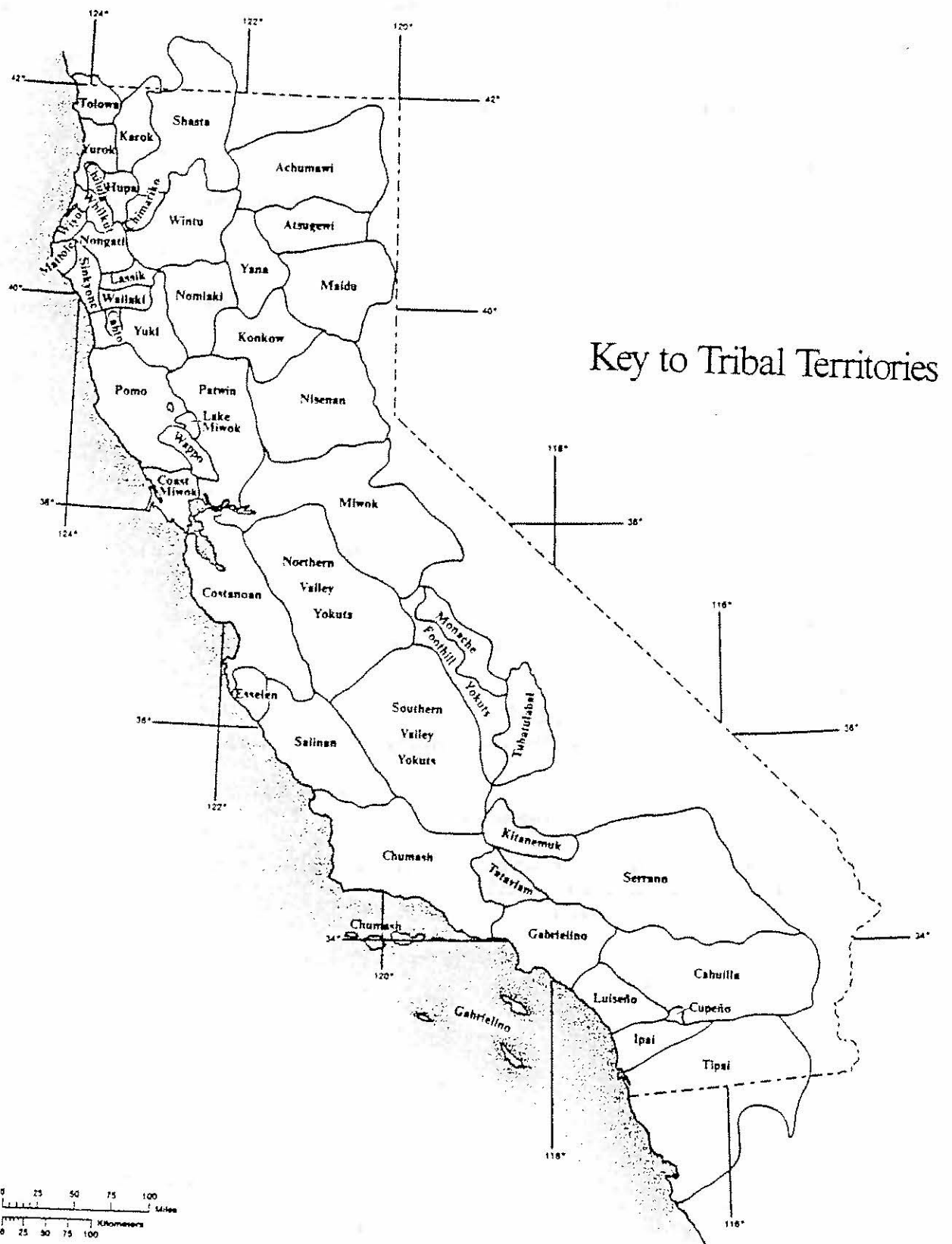


Figure 1 (Heizer 1978, p. ix)

the consequences of European exploration of the Western Hemisphere initiated 500 years ago, an examination of what occurred from the arrival of the Spanish in Alta California in 1769 to the conclusion of the last great armed conflict between the Indians and whites in California--the Modoc Wars in northern California--in 1873 can serve to illuminate at least part of the picture.

1. Sherburne F. Cook, The Population of the California Indians, 1769-1970 (Berkeley, 1976), pp. 69-71, and "Historical Demography," in Robert F. Heizer, ed., Handbook of North American Indians (Washington, D.C., 1978), pp. 91-93; Stephen Powers, Tribes of California (Berkeley, 1976 (reprint of 1877 edition)), p. 416.

2. Frank Chalk and Kurt Jonassohn, The History and Sociology of Genocide: Analyses and Case Studies (New Haven, 1990), p. 176.

3. Lynwood Carranco and Estle Beard, Genocide and Vendetta: The Round Valley Wars of Northern California (Norman, Okla., 1981); William E. Coffey, "Genocide of the California Indian," The Indian Historian 10(1977):8-15; Rupert Costo and Jeanette Henry Costo, eds., The Missions of California: A Legacy of Genocide (San Francisco, 1987); Jack Norton, When Our World's Cried: Genocide in Northwestern California (San Francisco, 1979); Russell Thornton, American Indian Holocaust and Survival: A Population History Since 1492 (Norman, Okla., 1987).

4. Coffey, p. 13. Also on genocide and colonization, Jean-Paul Sartre, "On Genocide," Ramparts (February 1968), pp. 37-42.

5. Albert L. Hurtado, Indian Survival on the California Frontier (New Haven, 1988), p. 3.

6. Costo and Costo; Carey McWilliams, Southern California Country: An Island on the Land (New York, 1946), p. 29; James A. Sandos, "Junipero Serra's Canonization and the Historical Record," American Historical Review 93(December 1988), pp. 1253-69.

7. John C. Ewers, ed. Adventures of Zenas Leonard, Fur Trapper (Norman, Okla., 1984); Sherburne F. Cook, The Conflict Between the California Indian and White Civilization (Berkeley, 1976), p. 201; George Harwood Phillips, Chiefs and Challengers: Indian Resistance and Cooperation in Southern California (Berkeley, 1975) pp. 40-47; Robert F. Heizer and Alan F. Almquist, The Other Californians: Prejudice and Discrimination Under Spain, Mexico, and the United States to 1920 (Berkeley, 1971), p. 18.

8. Cook 1976a, p. 257.

CHAPTER II

POPULATION ESTIMATES

Researchers have used a variety of methods over the years to estimate the population of Native Americans in North America, the United States, and California before contact with Europeans in an effort to determine the magnitude of indigenous population decline. There is little consensus on the subject. In a 1992 essay, historian John D. Daniels reviewed methods of calculating aboriginal population in North America and concluded:

More than a century of debate has produced neither generally accepted population estimates nor consensus on the methods of obtaining them. The majority of current investigators reject the extremely low figures of the early bottom-up school; beyond that point, little agreement exists.¹

The "bottom-up" school, which according to Daniels has fallen out of favor, refers to a method of estimating population that rejects all forms of inference except simple analogy. A brief overview provides some familiarity with the sources and techniques that have been used by the major contributors to the study of Native American demographics before contact.

In 1910, Smithsonian Institution anthropologist James Mooney estimated that the aboriginal population of North America was nearly 1.15 million (846,000 in the United States), a figure that in 1928 he revised upward to 1.153 million. For his estimates, Mooney relied on an

ethnohistorical approach, considering information derived from the observations of early European explorers, the timing and severity of epidemics, and family size and structure. He said that about 403,000 American Indians remained at the time of his writing, representing a 65 percent decline.² In a 1976 essay, Smithsonian Institution anthropologist Douglas H. Ubelaker notes that Mooney deliberately favored conservative estimates, and suggests that Mooney's aboriginal estimate represents a minimum when the actual number could in fact be much higher.³

In 1934, anthropologist Alfred L. Kroeber relied on Mooney's assessment, except for Mooney's estimate of the California population, to arrive at a figure of 900,000 Native Americans north of the Rio Grande before contact. Kroeber had reconsidered the number of indigenous Californians using a tribe-by-tribe assessment of his own.⁴

In 1966, anthropologist Henry F. Dobyns presented a sharply divergent assessment by working back from a low-point population and inferring from studies of carrying capacity. Dobyns used a ratio method to project the precontact population based on a nadir population of 490,000 North American Indians in 1930, and presented a North American aboriginal estimate of between 9,800,000 and 12,250,000.⁵ In 1983, Dobyns used a Malthusian analysis of food resource potential to revise his figures upward even further, estimating an aboriginal population of

approximately 18 million Native Americans in North America.⁶

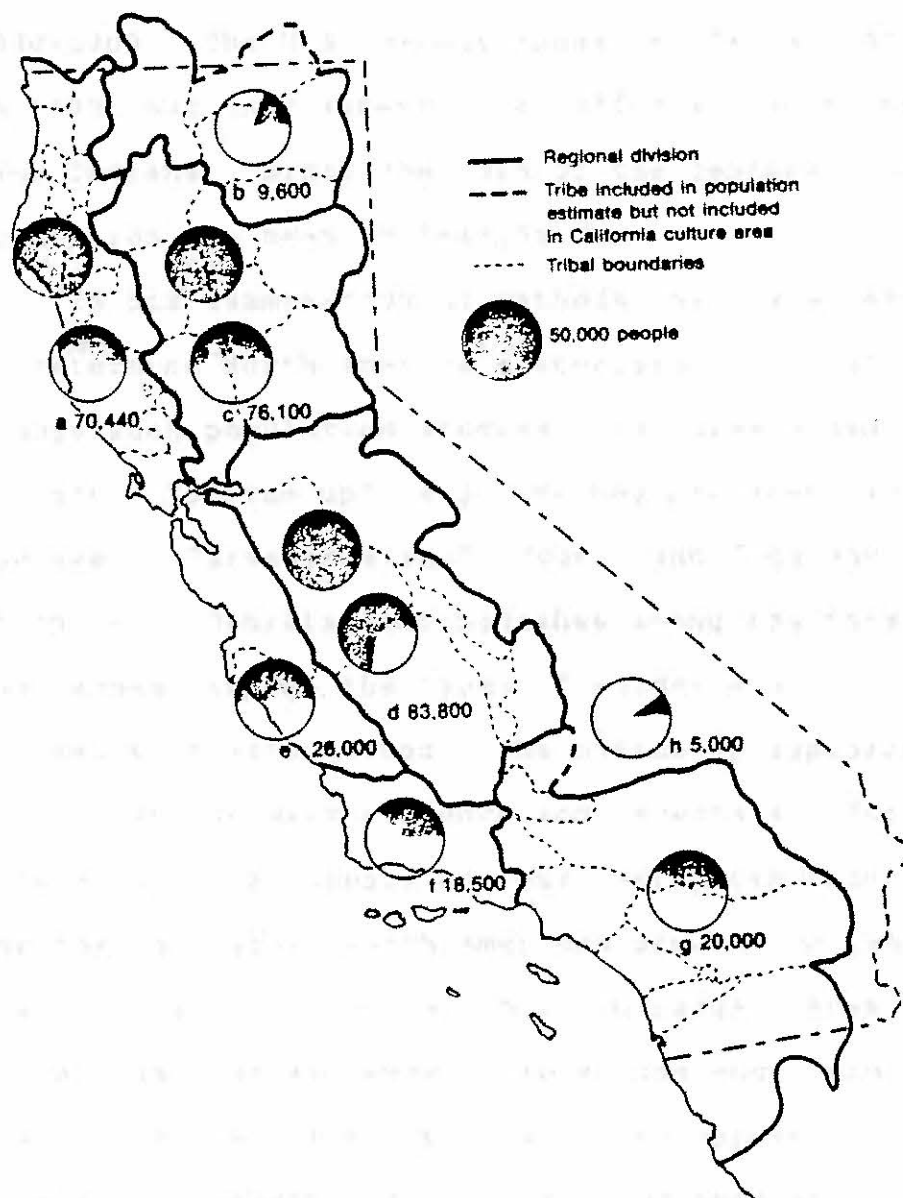
In 1987, sociologist Russell Thornton used Dobyns's ratio method, but on a lower nadir population (250,000 in the United States in 1890-1900 and 101,000 in Canada in 1906), to arrive at an estimated 1492 population of more than 7 million north of Mexico, with more than 5 million of those in the United States.⁷ In the same year, Anne F. Ramenofsky estimated a North American aboriginal population of around 12 million based on archaeological evidence.⁸ A year later, Ubelaker, who continued to adhere to the bottom-up approach even as the school came under attack, suggested a North American estimate of 1,894,350 indigenous persons for the year 1500 based on tribe-by-tribe estimates compiled in the 1978 Smithsonian Institution Handbook of North American Indians.⁹ According to Ubelaker, by about 1900 the North American Indian population had been reduced to approximately 530,000, constituting a decline of 72 percent. Ubelaker estimates that the California indigenous population suffered the greatest reduction, from 221,100, which he estimates as the precontact population, to a nadir of 10,000 in 1940, amounting to a 95 percent drop.¹⁰

An early assessment of the precontact indigenous population in California came from journalist Stephen Powers, who in 1877 put the number of Indians at 700,000. Powers based his estimate on observations of subsistence

patterns and food supply.¹¹ In a 1905 essay, C. Hart Merriam presented findings based on records from California's Franciscan missions and his observations of available food supply. Merriam estimated that the indigenous population of California was much less--260,000 at the time of discovery.¹² Twenty years later, Kroeber estimated the state's precontact population at 133,000, a total derived from his calculations of individual tribes and dialect groups.¹³

In 1943, Sherburne F. Cook, whose work on the California Indian population is generally accepted as the most thorough to date, estimated the state's precontact population at 133,550 using essentially the same sources as Kroeber. However, in a volume published after his 1974 death, he revised his estimate to 310,000 following further examination of records and archaeological evidence in four regions of California (see Figure 2, p. 13).¹⁴

Cook estimates that the California Indian population in 1845, before the discovery of gold, had fallen to 150,000, and that it subsequently fell to about 100,000 by 1850, a year after the Gold Rush began. Five years later, when mining activity was at its peak, there were no more than 50,000 California Indians, he states, noting: "Seldom has a native race been subjected to such a catastrophic decimation."¹⁵ According to Cook, the California Indian population was between 20,000 and 25,000 in the decade



a, Cook 1956; d, Cook 1955; b,c,e,f,g, Cook 1974a; h, author's estimate.

Estimated aboriginal population by regional subdivision;
total is 310,000 \pm 30,000.

Figure 2 (Cook 1978, p. 91)

1890-1900. The U.S. census shows 16,624 in 1890 and 15,377 in 1900, but Cook asserts that official recording missed many Indians. Since the turn of the century, the population has been increasing.¹⁶

In his examination of methods that have been employed to determine North America's aboriginal population, Daniels groups such population studies into three broad schools of thought: "bottom up" (e.g., Mooney, Kroeber, and Ubelaker), "area modeling" (Cook), and "top down" (Dobyns, Thornton). Daniels distinguishes among the three approaches through the types of evidence accepted by adherents of each method. The bottom-up approach admits only direct primary evidence and rejects all forms of inference except simple analogy; estimates from this school for the aboriginal North American population tend to be low, in the 1 million to 2 million range. Area modelers accept indirect evidence, simple inference, and simple analogy if used cautiously, and they oppose Mooney and Kroeber's frequent discounting of primary written evidence. Moreover, they often increase estimates from direct evidence on the grounds that disease caused underreporting. Their North American estimates commonly range from 3 million to 5 million. Top downers, meanwhile, are recognized by their use of a depopulation ratio, based on a hemispheric calculation. They favor complex procedures,

such as carrying capacity, over simple analogy. Their estimates range from 7 million to 18 million.

Daniels states that a survey of 10 current textbooks shows that five have essentially adopted Dobyns's 1966 estimate, and that the approach of the top downers currently predominates. He notes, however, that top downers have expanded the use of inference compared to its role in previous efforts, and observes that some critics have expressed doubts about Dobyns's use of sources.¹⁷

For the California Indian population, the generally accepted figures are a precontact population of about 300,000 and a nadir population of about 20,000 around the year 1900.¹⁸ Cook remains the most important and influential 20th century scholar on California Indian population history, and there has been no substantial revision of figures based on his research.¹⁹

1. John D. Daniels, "The Indian Population of North America in 1492," William and Mary Quarterly 49:320.

2. James Mooney, "Population," in Frederick W. Hodge, ed., Handbook of American Indians North of Mexico, vol. 2, (New York, 1971) p. 287; Douglas H. Ubelaker, "The Sources and Methodology for Mooney's Estimates of North American Indian Populations," in William M. Denevan, ed., The Native Population of the Americas in 1492 (Madison, 1976), pp. 243-288.

3. Ubelaker 1976, p. 287.

4. Alfred L. Kroeber, "Native American Population," American Anthropologist 36:24.

5. Henry F. Dobyns, "Estimating Aboriginal American Population: An Appraisal of Techniques with a New Hemisphere Estimate," Current Anthropology 7:415.

6. Henry F. Dobyns and William R. Swagerty, Their Number Become Thinned: Native American Population Dynamics in Eastern North America (Knoxville, 1983), pp. 34-44, 291-295.
7. Thornton, pp. 30-31.
8. Anne F. Ramenofsky, Vectors of Death: The Archaeology of European Contact (Albuquerque, 1987), pp. 160-162, 173-176.
9. Douglas H. Ubelaker, "North American Indian Population Size, A.D. 1500-1985," American Journal of Physical Anthropology 77:289.
10. Ubelaker 1988, pp. 291, 293.
11. Powers, p. 416.
12. C. Hart Merriam, "The Indian Population of California," American Anthropologist 7:598.
13. Alfred L. Kroeber, Handbook of the Indians of California (Berkeley, 1925) p. 882.
14. Cook 1976b, p. 43.
15. Cook 1976b, p. 44.
16. Cook 1976b, pp. 70-71.
17. Daniels, pp. 310-318.
18. Thornton, p. 109.
19. Hurtado 1988, pp. 1-2.

CHAPTER III

GENOCIDE THEORY

Calculation of the magnitude of indigenous population loss following contact with outsiders remains a subject of much debate, but the devastating impact on the indigenous population is irrefutable. Russell Thornton notes that, based on fundamental demographic principles, the Native American decline resulted both from increases in death rates and from decreases in birth rates, "but it is clear that the increased death rates were of primary importance."¹

In 1910, James Mooney presented a brief assessment of the main causes of American Indian population decline, in order of significance, as

smallpox and other epidemics; tuberculosis; sexual diseases; whisky and attendant dissipations; removals, starvation and subjection to unaccustomed conditions; low vitality due to mental depression under misfortune; wars.²

Mooney stated that all but wars and tuberculosis could be considered to have come from the white man, while "the increasing destructiveness of tuberculosis itself is due largely to conditions consequent upon his advent."³

The adoption by the United Nations General Assembly on December 9, 1948, of the Convention on the Prevention and Punishment of the Crime of Genocide provided a new way of thinking about the experiences of indigenous peoples and

minority populations. The convention provided a label for the phenomenon, found through history, of violence against groups. Researchers in many fields have since used the term *genocide*, some more convincingly than others, to describe a wide range of situations.⁴

In 1987, Thornton argued that while Mooney's ranking of the causes of American Indian population decline was basically correct, genocide--a term not available to Mooney in 1910--must be added to the list.⁵ Thornton writes that, for the period 1492 to 1890-1900, European contact and colonization resulted in increased Native American death rates through introduced disease, including alcoholism; warfare and genocide; geographical removal and relocation; and destruction of ways of life, such as disruption of subsistence patterns. He notes that some causes were more important for certain tribes than others, while introduced disease was the single most important factor overall.⁶

The quincentenary of Columbus's voyage to the New World has elicited a great deal of opinion on the impact of European expansion on indigenous peoples, and the term *genocide* frequently has been invoked in the debate. For example, in an essay reviewing Ramenofsky's archaeological study of precontact American Indian population, Ezra Zubrow remarked: "Viewed from this side of the 'pond,' [Columbus's] arrival brought into being a mass genocide which was the worst the world has known."⁷

Other writers, for different purposes, have balked at such uses of the term. Some who object do so in defense of European expansion, while others emphasize Indian resistance and dispute portrayals of American Indians as passive victims.³ Between the two extremes is the idea that genocide was one of many factors that contributed to the decline of the indigenous Americans.

Because the Indian experience in the Americas is so complex, assessment of the impact of genocide on Native Americans needs to be addressed in a case-by-case manner. An examination of the UN Convention on Genocide provides a starting point for determining the proper application of the term in the case of the Indians of California for the period 1769-1873.

Genocide is defined as

any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious groups as such:

- a) Killing members of the group;
- b) Causing serious bodily or mental harm to members of the group;
- c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- d) Imposing measures intended to prevent births within the groups;
- e) Forcibly transferring children of the group to another group.

The convention declares that genocide, "whether committed in time of peace or in time of war, is a crime under international law which [the contracting parties] undertake

to prevent and punish."⁹ Thus, under the UN convention, the key factors in determining whether genocide occurred are the types of acts and the intent to destroy members of a specified group.

Critics of the UN definition suggest that the convention could be more inclusive in some areas and more exclusive in others.¹⁰ In Genocide and Human Rights: A Global Anthology, Jack Nusan Porter, the volume's editor, argues that his own definition of genocide includes the deliberate extermination of political and sexual groups; another important author on the subject, Leo Kuper, also favors the inclusion of political groups in the convention.¹¹ Chalk and Jonassohn deem the convention flawed for a number of reasons, including the exclusion of the deliberate annihilation of political groups and social classes. They acknowledge that scholars who have noted the flaws continue to use the UN definition in deference "to the fact that the UN definition is the only internationally recognized definition of genocide." Still, they reject the UN convention in favor of a restrictive definition of their own designed to limit application of the term to the most extreme cases of mass killing. Chalk and Jonassohn urge wider use of the term *ethnocide* for cases "in which a group disappears without mass killing."¹²

The objections of the critics discussed above arise largely from their views that the convention is inadequate

for consideration of 20th century cases. However, the convention is adequate for the purposes of the current study: it presents the essential components of genocide and, as Chalk and Jonassohn noted, it is as close to a standard definition as exists in current scholarly writing.

Presented with the facts of mass death in all its horrifying details, it is not unreasonable to feel repugnance at efforts aimed at labeling, quantifying, making distinctions, and otherwise analyzing the precise nature of such events. The distinctions are necessary, however, to gain a better understanding of such events, and to make sure that they are not written off and forgotten.

1.Thornton, p. 43.

2.Mooney, p. 286.

3.Mooney, p. 286.

4.For discussion of uses and misuses of the term *genocide*, see Jack Nusan Porter, Genocide and Human Rights: A Global Anthology (Lanham, Md., 1982), pp. 7-12; Chalk and Jonassohn, p. 3.

5.Thornton, p. 44.

6.Thornton, pp. 43-53.

7.Ezra Zubrow, "The Depopulation of Native America," Antiquity 64:754-65.

8.Brian Dippie, The Vanishing American: White Attitudes and U.S. Indian Policy (Middletown, 1982), p. 39-40; Hurtado 1988, p. 3.

9.United Nations, Convention on the Prevention and Punishment of the Crime of Genocide (New York, 1991), p. 13-14.

10. The controversies surrounding the drafting of the UN Convention on Genocide (for example, Soviet objections to the inclusion of political groups as a protected category) that ultimately influenced its final form are discussed in Leo Kuper, Genocide: Its Political Use in the Twentieth Century (New Haven, 1981), pp. 24-39, and in Chalk and Jonassohn, pp. 8-12, 21.

11. Porter, p. 8; Kuper, p. 39.

12. Chalk and Jonassohn, pp. 11, 23.

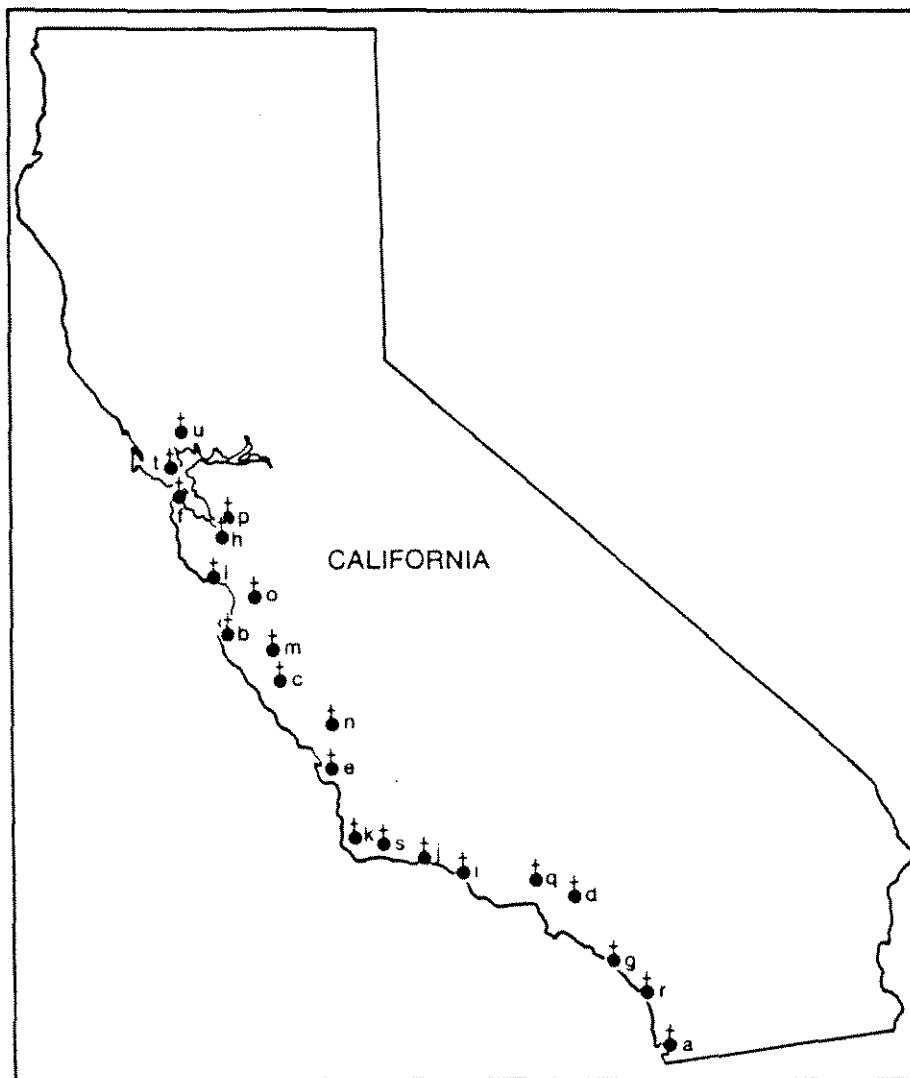
C H A P T E R I V

Spanish period, 1769-1821

The California Indian population began to decline sharply after the arrival of Spanish Franciscan missionaries from Baja California in 1769. The 21 missions established by the Spanish along the Alta California coast had a total Indian population of about 54,000 for the period ending with mission secularization, in 1834 (see Figure 3, p. 24).¹ Between 1770 and 1830, the California Indian population is estimated to have fallen from 310,000 to about 245,000.²

When the missionaries settled in an area, they attempted to attract voluntary converts from the local Indian population through gifts of trinkets or inducements of food, clothing, or shelter.³ In his 1913 work The Missions and Missionaries of California, Zephyrin Engelhardt, a Franciscan, compiled accounts of the Indian population recorded by priests and travelers. According to Engelhardt, "All accounts agreed in representing the native of California as among the most stupid, brutish, filthy, lazy and most improvident of the aborigines of America."⁴ Engelhardt also wrote that the Indians were people

without religion, without government or laws . . . who busied themselves about nothing, thought of nothing, cared for nothing, save how to fill their stomachs . . . This made it extremely difficult for the missionaries to convey the lofty ideas concerning the unseen, supernatural world.⁵



Missions established in Alta California: a, San Diego de Alcalá, 1769; b, San Carlos Borromeo (Carmel), 1770; c, San Antonio de Padua, d, San Gabriel, 1771; e, San Luis Obispo de Tolosa, 1772; f, San Francisco de Asís (Dolores), g, San Juan Capistrano, 1776; h, Santa Clara, 1777; i, San Buenaventura (Ventura), 1782; j, Santa Bárbara, 1786; k, de la Purísima Concepción, 1787; l, Santa Cruz, m, de la Soledad, 1791; n, San Miguel, 1796; o, San Juan Bautista, p, San José, q, San Fernando Rey de España, 1797; r, San Luis Rey de Francia, 1798; s, Santa Inés (Ynez), 1804; t, San Rafael, 1817; u, San Francisco Solano (Sonoma), 1823 (Bowman 1965).

Figure 3 (Castillo 1978, p. 100)

He quotes mission friar Francisco Palou, who observed:

"Some superstitions and foolish practices were discovered among the Indians, and among the old men some ridiculous tales, but they were easily disillusioned."⁶

According to Engelhardt, the main purpose of the mission was to teach the Indians a higher level of existence through the worship of God, and the only way to teach them was to keep them at the missions. Once an Indian had been baptized, he or she was not permitted to return to "wild and immoral life; because they bore the indelible mark of a Christian upon the soul which it was not allowed to desecrate."⁷ Moreover, an Indian who deserted the mission was a traitor to Christianity and posed a threat to the mission's safety. Thus, fugitives from the missions were tracked down and returned.⁸ Indians who left a mission were considered fugitives for as long as two years, after which they were dropped from the records.⁹

Indians were congregated in and around the missions, where they raised crops, tended to animals, and performed such other tasks as spinning wool, smithing, and soap and tallow making.¹⁰ Sherburne F. Cook noted that the mission Indians' diet consisted mainly of grains, beef, and any traditional wild food that they gathered on their own, such as acorns, seeds, grasses, and insects. He concluded that while it cannot be said that starvation directly caused population decline among Indians in the missions,

it does not appear that the neophytes universally and consistently received entirely adequate and nutritionally complete food. The tremendous incidence of disease, especially continuous, nonepidemic disease, suggests a level of nutrition probably insufficient for ordinary maintenance and certainly below the optimum necessary to provide a high resistance to infection.¹¹

Cook also asserts that the missions provided an atmosphere conducive to the spread of disease by aggregating the Indians in communities of as many as 1,000 to 2,000 people when they were accustomed to living in groups with less than 100 members. Diseases introduced by the Europeans thus spread rapidly among the Indians as they worked, ate, and slept in common areas.¹²

On the subject of violence as a cause of Indian population decline in the missions, Cook concludes that its role was negligible. "Certain uprisings did occur and various recalcitrants, rebels, or criminals perished in fighting or by execution, but armed conflict on a large scale did not enter the picture," he wrote.¹³

Although the issue of physical conflict during the mission period remains the subject of much debate, the Franciscan friars' goal of spiritual conquest is obvious and deliberate. Cook finds evidence that the mission Indian shamans treated the sick and conducted traditional rites while in the missions. This was prohibited by the mission priests, who considered such rituals witchcraft or sorcery. In some cases, though, rituals that were judged

by the missionaries as not conflicting with Catholic teachings were allowed. The ability of California Indians to adopt and modify Christianity and incorporate it into "their own manner of thought" is judged an adaptational success by Cook in the sense that Christianity was added to, not entirely substituted for, Indian beliefs.¹⁴

In the later mission period, the number of Indian fugitives increased, a trend that Cook described as part of a "vicious circle." Fugitive Indians who were punished for escaping generated dissent among Indians in the mission, prompting further punishment from soldiers and clergy attempting to maintain control. According to Cook, an estimated total of 10 percent of the mission Indian population became fugitives, and both clerical and secular authorities were worried about the problem. By 1818, in an attempt to stem the flow from the missions, laws were enacted by Spanish authorities that prohibited Indians from riding on horseback.¹⁵

Meanwhile, in the period 1790-1800, priests accompanied by soldiers ventured farther from the missions in search of converts as local village populations became converted or left the coastal area. Cook suggests that the soldiers who accompanied the priests were jealous of the missions and were perfectly willing to use force for political power.

As time went on, friction between wild Indians and whites increased, until toward the end of the mission

period, all pretense of voluntary conversion was discarded, and expeditions into the interior were frankly for the purpose of military subjugation and forced conversion.¹⁶

In 1795, Governor Borica wrote that guards would be provided to the missionaries to confess or baptize Indians who were unable to get to the missions, but "never to capture fugitives or above all gentiles."¹⁷ Engelhardt includes reports of abuses, but he dismisses them. In one case he blames a report of abuse on a demented friar; elsewhere he insists that the Indians who claimed abuses were lying. Moreover, Engelhardt asserts that Governor Borica recommended missionary expeditions to collect and punish runaways.¹⁸

The accounts of Catholic mission activity in Alta California discussed above fit a general pattern of established by Spanish and Portuguese missionaries throughout the world as summarized by C.R. Boxer in The Church Militant and Iberian Expansion, 1440-1770:

The conviction that once people had been baptized and converted, they had become practising Roman Catholics in whom no backsliding or reneging on faith could be tolerated, irrespective of the means used in their conversion, naturally led to serious abuses. Although the teachings of the Church on the whole explicitly condemned the use of force to obtain converts, forceful methods were often employed and were justified by recourse to the biblical precept, *compele eos entrare*, "compel them to come in" (Luke 14:16-24). . . . Deprived of their priests, mullahs, shamans, or witchdoctors, as the case may be, and unable openly to practice the rites and ceremonies of their ancestral faiths, a cultural or religious vacuum was created in the subjugated indigenous communities. This vacuum could only be filled by conversion to Roman

Catholicism, or by secretly practicing some form of more or less syncretic Christianity.¹⁹

The motives of the Spanish in missionization and the treatment of the Indians under Spanish authority have been the focus of much discussion in literature on this period in California history, and recent debate over the proposed canonization of California mission system founder Junipero Serra has heightened the controversy. In a 1987 response to the canonization campaign, The Missions of California: A Legacy of Genocide, Rupert Costo and Jeannette Henry Costo include assertions that the Franciscan friars, and Serra in particular, are among parties responsible for genocide of the California Indian peoples.

Although many early portrayals of the California missions depicted idyllic communities of contented Indian workers, reports of rebellions indicate that, at the very least, some portion of the native population was unwilling to comply with the missionaries and had to be coerced into mission life. Rebellions and attacks were recorded at a number of missions, including at San Diego in 1775, on the Colorado River in 1781, at Mission San Gabriel in 1785, again in San Diego in 1786, and at San Luis Obispo in 1794.²⁰ Writing in the Smithsonian Handbook, Edward D. Castillo, a Luiseño Indian, notes sporadic violent opposition, but says that nonviolent or passive resistance was more prevalent and of much greater significance:

"Reports of fugitivism from the missions occurred in each mission for every year until secularization."²¹

Reasons cited by some recaptured Indians as causes for attempting to flee the missions (as recorded by missionaries) include "His wife and son had run away to their country, and at the mission he was beaten a great deal," and "They made him work all day without giving him or his family anything to eat. Then, when he went out one day to find food, Father Danti flogged him."²² Reports of coercion and corporal punishment reproduced in Cook's work are cited by some as proof that California Indians were victims of cruelty under the mission priests. On the other hand, Cook's work has been criticized by Catholic historians--notably Francis F. Guest, O.F.M.--and others who assert that the missions had an enlightening effect on the population and that harsh policies of the mission friars, such as the use of flogging as a method of punishment, ought to be judged by 18th century standards, not the norms of the 20th century.²³

Castillo discusses the motives of the missionaries in the context of the Spanish *encomienda* system of the period, which involved the requirement of Indian labor for the benefit of various Spanish citizens, and he describes the institution as

a variation of the feudal-manorial labor system. This *encomienda* system along with Christianization would ultimately absorb the Indian into Spanish colonial

society--at its lowest levels--and consolidate Spanish control over territory.²⁴

A similar assessment of the Spanish view of the Indian is offered by historian Woodrow W. Borah, an associate of Cook:

There was no intention of driving out the Indians or destroying them. Rather, they were to become part of a new social structure as the lower class, furnishing labor and services to the people from Mexico, but also living in their own settlements under the guidance of Christian missionaries.²⁵

Borah sees the intentions of the Franciscan missionaries in California as essentially benevolent, despite their reliance on coercion. According to Borah, both the missionaries and the Spanish civil population saw the Indians as an integral part of society. He asserts that "The Indians were not being discriminated against as Indians; they were simply being given the same treatment that lower classes elsewhere received."²⁶

Castillo, by contrast, emphasizes an underlying malevolence on the part of the colonizers:

The Spanish colonization scheme for Alta California rested upon a total contempt for culture and human and property rights of the Indians. Careful examination of this little-known and poorly understood period of Indian-white conflict clearly demonstrates a widespread dissatisfaction with mission life and colonial authority. No reasonable person can argue that the California Indians in any way benefited from a colonization scheme that confiscated their land and resources; uprooted entire villages; forced them to migrate to feudalistic mendicant estates on the coast; subjected them to daily floggings, forced labor, and wholesale sexual assaults on their wives and daughters, and resulted in deaths of thousands of innocent men, women, and children.²⁷

Asserting that the mission friars had benevolent intentions, as Borah does, does not necessarily imply that the Indians must have benefited from the missions, however. Clearly, the arrival of the Spanish proved devastating to California's aboriginal population, but Castillo appears to be indicting the Catholic church's overall endeavor to convert non-Christians, rather than assessing activities specific to the California missions. As Borah observes, the Spanish applied the same approach to populations in other parts of the world. Rather than being singled out for discrimination or persecution by the Spanish because they were Native Americans, the California Indians suffered as a consequence of having the misfortune to be non-Christians who happened to live in the path of Spanish expansion efforts.

World War II and the origination of the term *genocide* have influenced discussion of the Spanish period experiences of the California Indians. In a 1946 history of Southern California, Carey McWilliams wrote, "With the best theological intentions in the world, the Franciscan padres eliminated Indians with the effectiveness of Nazis operating concentration camps."²⁸ According to McWilliams, contact with the Spanish was harder on the California Indian than the Indians of Central and South America:

When the Spanish system of colonization [based on the mission, pueblo, and presidio] was applied in

California, it had to be modified in a number of respects. Since California Indians did not live in large and stable communities, it was impossible to bring the faith to them; they had to be brought to the faith. The process of removing the Indians from their small rancherias and herding them into well-guarded Mission compounds resulted in the complete disruption of the native culture.²⁹

Borah concurs, saying that native economy, much of native social structure, and native government could remain intact in Mexico, whereas the diversity of the California Indian population, its limited social stratification and political organization, and nonagricultural technology necessitated sweeping changes when the Spanish arrived to colonize.³⁰

Assertions that the devastating effect the missions had on the native California population constitutes genocide often link the mission experience with later contact. In an essay in The Missions of California: A Legacy of Genocide, historian Jack Norton, a Native American, writes, "The genocide that was missionization by the Spanish and the terror of manifest destiny of the Americans flows from the assumed superiority of the white race over all others."³¹ In the same volume, the editors write: "Patterns of genocide were laid down early in California with the missions, then the Mexicans, and continued with the American Gold Rush in the North."³²

Thus, the range of opinion on the Spanish period in California is diverse. Researchers differ in the extent to which they are willing to judge the purposes of Spanish

colonizers in California and whether they are willing to blame the disastrous impact contact had on the Indian population on individuals or institutions.

Contact between European and native cultures occurred in California at this time outside of the Spanish missionaries' sphere of influence, providing an interesting contrast. While the Spanish built missions from the south along the California coast, Russians employed by the Russian American Company were establishing relations with the Kashaya Pomo Indians on the Sonoma coast north of San Francisco. Their approach to the Indians is frequently contrasted with the Spanish approach to Indians to the south. The Russians at Fort Ross are depicted as having treated the Indians of the region fairly, as people valued for their assistance in a commercial venture.³³ The efforts of the Russians to forge friendly relations with the Kashaya are attributed to the realization by the Russians that they needed allies against Spanish encroachment from the south. In an examination of the 1817 treaty between the Russian American Company and the Kashaya, Diane Spencer-Hancock and William E. Pritchard credit Russian Commandant Kuskov with setting the tone. They say Kuskov

wisely focused the priorities of the colony upon hunting sea otter and establishing a food base in California rather than upon the domination of the Kashaya and alteration of their traditional way of life. Although unsubstantiated rumors to the contrary

exist, no documentation that the Russians mistreated or adversely exploited the Kashaya has been located.³⁴

Archaeologist Glenn J. Farris, however, argues that the Russians were not as benevolent as some might think. "It must be remembered that the experience of the company in Alaska had been very bloody, with numerous killings on both sides."³⁵ Farris sees reasons in addition to the Russians' appreciation of having the Kashaya as allies for the different approach in California: the Russians did not need to press the Kashaya into service because they had brought skilled Aleuts with them, and the Russians were not actively trying to proselytize.³⁶ He notes that there are indications that some "antagonisms and exploitation" of the Indians occurred later in the nearly three-decade-long relationship between Russians and Kashaya, including reports of Indians being forcibly gathered for field work, and concludes that both the Spanish and the Russians viewed the Indians as second class citizens.³⁷ Still, it is clear that native Californians fared better in their contact with Russians than with Spaniards.

1. Cook 1976a, p. 5.

2. Cook 1978, p. 92.

3. Zephyrin Engelhardt, O.F.M., The Missions and Missionaries of California, (San Francisco, 1913), vol. 2, p. 248; Cook 1976a, p. 66.

4. Engelhardt, vol. 2, p. 224.

5. Engelhardt, vol. 2, p. 227.

- 6.Quoted in Engelhardt, vol. 2, p. 237.
- 7.Engelhardt, vol. 2, p. 264.
- 8.Engelhardt, vol. 2, pp. 244-245, 264-265, vol. 3, p. 499; Cook 1976a, p. 58; Thornton, p. 84.
- 9.Cook 1976a, p. 58.
- 10.Engelhardt, vol. 2, pp. 258-263. An examination of the type, amount, and hours of labor in the missions is found in Cook 1976a, pp. 91-101.
- 11.Cook 1976a, p. 55.
- 12.Cook 1976a, pp. 30-31.
- 13.Cook 1976a, p.13.
- 14.Cook 1976a, pp. 145-148, 156; Engelhardt, vol. 2, pp. 237-238.
- 15.Cook 1976a, pp. 57-64; Engelhardt, vol. 3, pp. 502-506; Heizer 1971, p. 11.
- 16.Cook 1976a, pp. 74-76.
- 17.Quoted in Cook 1976a, p. 75.
- 18.Engelhardt, vol. 3, pp. 501-502, 506-508.
- 19.C.R. Boxer, The Church Militant and Iberian Expansion 1440-1770, (Baltimore, 1978), pp. 99-100.
- 20.Francisco Palou, O.F.M. Historical Memoirs of New California, tr. and ed. Herbert Eugene Bolton (New York, 1966), pp. 61-72, 201; Cook 1976a, p. 66.
- 21.Edward D. Castillo, "The Impact of Euro-American Exploration and Settlement," in Robert F. Heizer, ed., Handbook of North American Indians, vol. 8, California (Washington, D.C., 1978), p. 104. Also, George Harwood Phillips, "Indians and the Breakdown of the Spanish Mission System in California," Ethnohistory 21:291-302, p. 297.
- 22.Cook 1976a, p. 70.
- 23.Wilbur R. Jacobs, "Sherburne Friend Cook: Rebel-Revisionist (1896-1974)," Pacific Historical Review 54:191-199, p. 197. A response from Francis F. Guest, O.F.M., to critics of the Spanish missionaries in California is reproduced in Costo and Costo, pp. 223-233.

- 24.Castillo 1978, pp. 100-101.
- 25.Woodrow W. Borah, "The California Mission," in Charles Wollenberg, ed., Ethnic Conflict in California History (Los Angeles, 1970), p. 7.
- 26.Borah, p. 14.
- 27.Edward D. Castillo, "The Native Response to the Colonization of Alta California," in Columbian Consequences, vol. 1, Archaeological and Historical Perspectives on the Spanish Borderlands West, David Hurst Thomas, ed. (Washington, D.C., 1989), pp. 391-392.
- 28.McWilliams, p. 29.
- 29.McWilliams, pp. 29-30.
- 30.Borah, pp. 8-9.
- 31.Costo and Costo, p. 121.
- 32.Costo and Costo, p. 189.
- 33.Heizer and Almquist, p. 12.
- 34.Diane Spencer-Hancock and William E. Pritchard, "Notes to the 1817 Treaty Between the Russian American Company and Kashaya Pomo Indians," California History 59:311.
- 35.Glenn J. Farris, "The Russian Imprint on the Colonization of California," in David Hurst Thomas, ed., Columbian Consequences, vol. 1, Archaeological and Historical Perspectives on the Spanish Borderlands West, (Washington, D.C., 1989), p. 488.
- 36.Farris, pp.488-489.
- 37.Farris, pp. 489-490, 493.

C H A P T E R V

Mexican period, 1821-1846

The Mexican period of California history saw a number of changes. Authority shifted from the clerics of the mission system to government officials. Indian-white relations during the period were marked by efforts--both through legislation and force--to make the indigenous peoples of California a useful part of an economic system outside the missions. The period also saw Russian efforts to sustain a colony at Fort Ross and the arrival of the first American settlers overland from the east. California remained largely unsettled at the outset of the period, but the Mexicans were watchful of encroachment by Russians and Americans.

The Indian population declined during the period from approximately 245,000 in 1830 to about 125,000-150,000 in 1845, according to Cook's estimates.¹ For the period 1770 to 1848, Cook estimates that the total California Indian population declined by 72 percent, largely because of disease. He attributes only 6 percent of the total general population decline to killing, although in specific instances killing was a critical element. Cook writes: "Among the wild tribes those which resisted incursion the most stubbornly are seen to have suffered really appalling losses."²

A shift in attitude regarding the native population accompanied the transition to Mexican authority. The Spanish had hoped to civilize the Indians in the missions and turn them into useful members of society as they knew it. By contrast, Mexican authorities, mindful of the writing of Bartolomé de Las Casas, had a more fraternal view.

Las Casas, a member of the Dominican order, was a 16th century critic of the exploitation of native peoples in the Americas. He asserted that Indians were rational beings who were entitled to retain their property. His work was later cited in a manner that he never intended by French, English, and Dutch propagandists who sought to denigrate the Spanish character for national and patriotic purposes. The body of literature that they generated became known as the Black Legend. Early 19th century Anglo portrayals of California, as discussed below, reveal the influence of the Black Legend through the years and reflect the view that the Spanish and Mexican inhabitants were somehow undeserving of the land.³

The influence of Las Casas and other Spanish humanitarians on the manner in which indigenous peoples were regarded during the Mexican period of California history is discussed by C. Alan Hutchinson:

Inspired by the humanitarian movement of eighteenth-century Spain the [Mexican Commission for the Development of the Californias] disapproved of the mission method of civilizing pagan Indians. In its

view, the Spanish concept of spiritual conquest, whereby troops were used to help gather non-Christian Indians into the fold, was not in accord with the methods for converting the heathen laid down by Jesus Christ and applied by His Apostles.

The views of the Commission for the Development of the Californias on missions and mission Indians were to have considerable influence on Mexican policy in what is today the state of California. The first Mexican governor of California, José María Echeandía, issued a Proclamation of Emancipation in 1826 which allowed certain Indians to be freed from the supervision of the missions, but release was limited to those Indians judged capable of supporting themselves. The order was opposed by the missionaries, who felt that the freed Indians would either be exploited by whites or would succumb to idleness. In 1827, Echeandía concluded that the proclamation had not gone well for either the Indians or the missions; not all of the Indians who were permitted to leave did so, and those who left and encountered difficulties received no support.

A new proposal, issued in 1828, featured plans for the conversion of all of the missions--except for two newly established ones--into towns within five years. Indians were to be given house lots, along with farm plots, animals, and tools, which they were to keep for at least five years. Mission churches were to become parish churches, and mission buildings were to be converted for municipal uses, such as schools and jails. The plan was

approved, with minor changes, by the Territorial Deputation in 1830, and it became Echeandía's secularization decree of 1831.

Missionaries opposed this plan as well. Father Narciso Durán, president of the California missions, argued that the proposal was part of a conspiracy to plunder mission property. The dispute worsened mutual distrust between the missionaries and secular Mexican authorities.⁵

In 1833, Mexico's vice-president and acting chief executive, Valentin Gómez Farías, moved to promote colonization and fend off Russian and American expansionism in California, and it was felt that secularization was a necessary precondition. In 1834, Mexico finally secularized the 21 missions of Alta California, released the Indians and announced plans to distribute mission property to them.⁶ Many Indians who received land, however, did not keep it, and the majority received nothing; most of the mission wealth went to secular authorities and their relatives. Some Indians left the missions and returned either to their villages or moved to the interior. Others went to towns such as Los Angeles to look for work, while still others worked on ranchos owned by Mexicans or Americans who held Mexican land grants. By 1840, some 4,000 Indians were part of a hacienda-peon system that was maintained by methods which included outright slavery.⁷

Most of the missions' Indian inhabitants scattered, although some remained at missions until the mid 1840s, when the system completely broke down.⁹ The Mexican government had the right to force converted Indians to continue working on undistributed mission land, and many Indians became little more than servants paid with food and shelter. The number of Indians raiding Mexican ranchos and missions for horses and cattle increased, and the response of Mexican and Spanish settlers could be ruthless. Mexican administration of California was weak, and the government had little control over the actions of its troops.⁹

From 1830 to 1848, numerous small exploratory or punitive campaigns came to replace those that had been officially organized by the missions, and they increasingly became private retaliatory or fugitive-capturing raids. Military expeditions increased as demand for labor at private ranchos rose and as Indians increasingly raided stock to supplement their food supply.¹⁰

Meanwhile, in the north, the Russians had essentially lost interest in California by 1841. The supply of otter and seals near Fort Ross had been depleted, attempts at agricultural production had proven disappointing, and the Mexicans had resisted any Russian incursions south of San Francisco Bay. Fort Ross was sold to Capt. John Sutter for \$30,000 in 1841.¹¹

Since the 1820s, Americans had been coming across the mountains to California, and evidence indicates that their relations with the California Indians were initially friendly. Accounts recorded by early Anglo Americans in California portrayed Indians as victims of the Hispanic population, and the influence of the Black Legend tradition is clear. Still, observers' motivations in recording the negative aspects of Indian life under the Spanish and Mexicans do not necessarily mean that Indians were not treated cruelly at times. In fact, accounts of events during the period suggest consistency in some Mexican soldiers' approaches toward Indians they encountered.

Zenas Leonard, a trapper who traveled through the mission region in 1834, describes an incident near San Juan Mission, when some traders accompanied soldiers from a mission in search of a group of Indians who had stolen horses:

They then dismounted and went into the thicket, where they found a large portion of their horses already butchered, and partly dried and a few old and feeble Indians, with some squaws and children. The Indians having killed some of the horses were engaged in drying the meat, but on seeing the white men approach, fled to the mountain, leaving nothing behind but what is above stated. The disappointment of the Spaniards now exceeded all bounds, and gave our men some evidence of the depravity of the Spanish character. By way of revenge, after they found that there was no use in following the Indians to the mountains, fell to massacreing [sic], indiscriminately, those helpless creatures who were found in the wigwams with the meat, and cutting off their ears. Some of them were driven into a quantity of combustible matter thrown on and around the hut, for the purpose of setting fire to it, and burning them altogether. This barbarous treatment

our men would not permit and they went and released the prisoner, when the Spaniards fell to work and despatched them as if they were dogs.¹²

Another account, from George Simpson's An Overland Journey Round the World, During the Years 1841 and 1842, records indiscriminate killing on the part of Mexicans:

Too indolent to be always on the alert, the Californians overlook the constant pilferings of cattle and horses, till they are roused beyond the measure even of their patience by some outrage of more than ordinary mark; and then, instead of hunting down the guilty for exemplary punishment, they destroy every native that falls in their way, without distinction of sex or age. The bloodhounds, of course, find chiefly women and children for, in general, the men are better able to escape, [the soldiers] butchering their helpless and inoffensive victims after the blasphemous mockery of baptism.¹³

In the multivolume work on California, Hubert Howe Bancroft, a major historian of this period, asserts that nearly all mission expeditions between 1826 and 1830 involved atrocities, and the practice of cutting off ears to send to the commandante general became "a new kind of trophy for California warfare."¹⁴

Such depictions from Anglo travelers continued through the 1840s, as noted by historian James J. Rawls:

The Hispanic Californians had revealed themselves unfit for California, not only by humming their "tune of Castilian laziness" and ignoring the imperative to develop California by "honest toil" but also by treating the Indians with such harshness and compulsion that their reign could only be described as a "dastardly tyranny."¹⁵

Rawls attributes the depictions both to the fact that the missions of California were paternalistic and authoritarian

institutions and to the obvious self-interest of the Anglo observers.¹⁶

By the end of the Mexican period, almost all of the indigenous peoples of California, except those in the remote mountains of the north and east, had come into contact with Spanish-Mexican civilization.¹⁷ The main causes of Indian population decline during the period were epidemic disease, endemic disease, armed conflict, and destruction of food supply.¹⁸ The negative impact on the California Indian population of Russian, as well as British, fur trapping activity was mainly through the destruction of food resources and the introduction of disease.¹⁹

Although the impact of contact with outsiders had clearly been severe for the California Indians by the end of the Mexican period, it was the massive influx of Americans which followed that was to have the most devastating effect. The Mexicans, like the Spanish before them, considered the Indians to be an integral part of society; many of the Anglos arriving from the East did not share that view.

1. Cook 1978, p. 93.

2. Cook 1976a, p. 206-207.

3. Charles Gibson, Spain in America (New York, 1966), pp. 40-44, 136-137; James J. Rawls, Indians of California: The Changing Image (Norman, 1984), pp. 55-56.

4. C. Alan Hutchinson, Frontier Settlement in Mexican California (New Haven, 1969), p. 118.

- 5.Hutchinson, pp. 118-152.
- 6.Hutchinson, pp. 161, 242-244.
- 7.Hutchinson, pp. 306-307, 400-401; Heizer and Almquist, p. 18; Castillo 1978, p. 105.
- 8.Cook 1976a, p. 217; Phillips 1975, p. 40, and "Indians and the Breakdown of the Spanish Mission System in California," Ethnohistory, 21:292.
- 9.Hutchinson, p. 255-260; Cook, 1976a, pp. 200-201; Heizer and Almquist, pp. 15-18.
- 10.Cook 1976a, p. 201.
- 11.Diane Spencer-Hancock, Fort Ross: Indians, Russians, Americans (Jenner, Calif., 1980), pp. 19-20.
- 12.Ewers, pp. 115-116.
- 13.Quoted in Heizer, p. 14.
- 14.Hubert Howe Bancroft, History of California, vol. 3 (San Francisco, 1885), pp. 18, 109, 114.
- 15.Rawls, p. 64.
- 16.Rawls, p. 42.
- 17.Cook 1976a, p. 199.
- 18.Cook 1978, p. 93.
- 19.Van H. Garner, The Broken Ring: The Destruction of the California Indians (Tucson, 1982), p. 49.

CHAPTER VI

American period, 1846-1873

With the arrival of Americans in California after 1846, the value of the California Indian as members of society began diminishing, and the Indian population entered a new period of catastrophic decline. As in the Mexican period, the greatest single factor in the population decline was disease, but it is also attributed to direct attack, exposure, and starvation. By 1880, the native population of the state had fallen to about 20,000, with a decline from 150,000 to 50,000 occurring in the ten year period 1845 to 1855 alone.¹

The white perspective on the California Indians began to change in the 1830s as an increasing number of whites from the east took up residence, as noted by James Rawls in his study of the image of the California Indian. Rawls observes that Americans who settled in California at first began to view the Indians more as a useful source of labor than as victims of Mexicans.

Americans adopted aspects of the Spanish and Mexican labor systems that suited their needs, many of them following the lead of John A. Sutter, who had established a settlement on the Sacramento River under Mexican authority in 1840.² In the Spanish empire, the dominant institutions of colonization and labor control were, successively, the

systems of *encomienda*, by which Spaniards were granted Indian groups from whom they were entitled to receive both tribute and labor; *repartimiento*, which involved the requirement that Indian villages send a quota of their male population to work for a number of weeks each year; and *hacienda*, by which Indians either lived on a hacienda or lived in an Indian community and hired themselves out to the hacienda. Under the hacienda system, labor was controlled through debt peonage.³ Under Mexico, Spanish colonial practices remained in place in California through the system of debt peonage on ranchos. Americans saw the advantages of the Spanish-Mexican system, and there is evidence that Indians willingly participated in the system as laborers provided they were treated humanely.⁴ Eventually, however, Americans expanded existing practices to include the capture of younger Indians for sale.⁵

Although continuities in labor practices existed during the transition from Mexican to American authority, official policies established upon California's entrance to the Union reveal the shift in attitude toward the Indian peoples. Parallels between the Anglo approach to the Indians in California and white attitudes towards blacks in the South are particularly evident. Under Mexico, Indians had been permitted to testify in court and oppose settlers who took their property, but Indian rights and privileges were lost with California's constitutional convention of

1849 and action by the newly formed state legislature of 1850. A law enacted in 1850, "An Act for the Government and Protection of Indians," was the first in a series to provide for the indenture or apprenticeship of Indians of all ages. The law included provisions for local justices of the peace to rule on the ownership of Indian land; white men could not be convicted through the testimony of an Indian; Indians convicted of stealing livestock or any valuable item could be whipped; able-bodied Indians caught loitering could be arrested if a resident complained; and a local justice of the peace, mayor, or recorder could convict an Indian and subsequently hire that Indian out to the highest bidder.

Americans thus adopted the Spanish and Mexican methods of exploiting Indian labor, but they added a component of trafficking in Indians.⁶ It is estimated that about 10,000 Indians may have been indentured or sold in the period 1850 to 1863.⁷

The American approach to the California Indians differed from that of the Spanish and Mexicans in other ways. Unlike the Spanish and Mexicans, who did not see any moral or physical obstacle to intermarriage with the indigenous peoples, Americans found such unions unacceptable. The Americans who came to California had confronted native peoples across the North American

continent, and many held the notion that the Indian was inherently evil.⁸

The discovery of gold in California in 1848 occurred two years after California came under U.S. authority, in the same year that Mexico ceded the state and its other northern provinces to the United States through the Treaty of Guadalupe Hidalgo. The gold lay in the Sierra Nevada and other mountain regions, which had been beyond white settlement up to that point. Indians initially assisted whites as guides and worked in the mines; they also worked on farms, ranches, and vineyards, but it was only in the earlier years of American rule that their numbers were significant. Anglo racial attitudes and changing economic circumstances, including the flooding of the labor market by former miners and Chinese immigrants, subsequently limited the opportunities for Indians. Demand for domestic servants remained fairly constant, though, and the persistent practice of kidnapping and indenturing of Indians was an indicator of this demand.⁹

By the end of 1851, much of the territory that had been occupied by Indians under Mexican authority had become non-Indian land. Less game was available for hunting, and Indian access to primary areas of food-production was increasingly limited. Commissioners sent to California by President Millard Fillmore in 1851 had attempted to protect the Indians with plans to remove them to special reserved

areas. A total of 18 treaties, mostly in the gold mining region, were entered into in the hopes that the Indians could be protected and taught agriculture and other skills. California legislators were vehemently opposed to the appropriation of the 8.5 million acres of land for the natives, however. Influenced by U.S. senators John C. Fremont and William McKendree of California, the U.S. Senate rejected the treaties in 1852.¹⁰

As whites flooded into northern California after 1849 and mining methods changed, gold seekers relied less on Indian assistance and the native population came to be viewed as an obstacle to settlement of the land and a threat to safety. Indians fearful of white attacks abandoned the mining areas. Contemporary accounts attribute the Indians' fears to a retaliatory attack by a group of Oregonians on an Indian village near Coloma in 1849.¹¹ Regret at this turn of events was expressed by Theodore Johnson, who had observed the Indians when they had worked peacefully with white miners: "The late emigrants across the mountains, and especially from Oregon, had commenced a war of extermination upon them, shooting them down like wolves, men, women and children, wherever they could find them."¹²

The federal government decided in 1853 to establish a series of military reservations where Indians could be gathered and protected. At its peak, in 1857, the system

may have affected as many as 10,000 California Indians. Some reservations existed for just a few years, however. The reservation system did not supply adequate food, clothing, housing, or protection for the California Indians and was noted for abuses. The system started declining in the early 1860s, and from then into the 1870s criticisms, such as claims that the agents were corrupt or negligent and that the reservations were dreary and unproductive, increased.¹³

Occasionally during the period 1850 to 1870, Indians rebelled in what were known as Indian Wars, but the conflicts almost always proved costly for the Indians. At a relatively early date, in 1851, the governor of California expressed a fatalistic view of relations between whites and Indians:

That a war of extermination will continue to be waged between the two races until the Indian becomes extinct, must be expected; while we cannot anticipate this result with but painful regret, the inevitable destiny of the race is beyond the power and wisdom of man to avert.¹⁴

Gov. Peter H. Burnett's words seem prophetic, but they should be considered in the context of the period 1846 to 1851, which was one of federal Indian policy formulation. The prevailing view among government officials familiar with the Indians during the era of expansion was that the Indians would be exploited and exterminated unless the country provided for assimilation. The choice that many

Anglos saw for the Indians was simple: relinquish the old ways or die. The Indian wars of the West between 1860 and 1890 resulted from various western tribes' resistance to assimilation. Attempting to assimilate, however, was no guarantee of survival.¹⁵

In California, the 20 years after the 1849 gold rush were marked by Indian massacres in northern areas of the state as the white population soared. Such killings are well-documented in newspaper accounts and letters from residents and by Indian agents of the federal government. Although, as previously discussed, small expeditions had been organized by Spanish and Mexican authorities with the aim of chastising interior Indians, efforts to "pacify" Indians were greatly expanded when the U.S. Army occupied California between 1845 and 1848. The Army's response to the least indication of armed hostility on the part of the native population was to burn Indian villages and destroy all the food they had stored. In the 1850s, settlers who felt that the federal government was not adequately protecting them took matters into their own hands. Dispossessed Indians sometimes stole animals for food or killed whites, and local militias under California authority, as well as groups of private citizens, took it upon themselves to fight the Indians.¹⁶

The number of Indian victims of individual massacres ranged widely. In some incidents groups of 10 were

attacked and killed, while in other incidents the number dead was reported at 250 to 300. Two well-known massacres of California Indians that involved indiscriminate killing by American soldiers or settlers occurred at Clear Lake in 1850 and Humboldt Bay in 1860.

In 1850, two separate attacks by U.S. troops on Indian Island in Clear Lake occurred in response to the murders of Andrew Kelsey and Charles Stone in December of 1849. Under Capt. N. Lyon, troops killed at least 135 and possibly 250 Pomo Indians. In a report to the assistant adjutant general, Lyon states that the island "became a perfect slaughter pen."¹⁷ A statement by Thomas Knight, who had employed some Indians in the area and was familiar with them, attributes the killing of Kelsey to the Indians' desire for revenge after having been taken far from their homes to work in a mine and subsequently abandoned when the mine was found to have no gold. According to Knight, the government troops

went up and killed a large number of these Indians, and the two other Kelseys also killed a good many. They were arrested for their inhuman treatment of the Indians, many of those they had massacred being old or infirm and had never made any trouble, but through some flaw in the law or informality they escaped punishment.¹⁸

Another well known massacre occurred in the Humboldt Bay region of northern California on February 26, 1860. The account of a Wells Fargo messenger published in the San Francisco Bulletin two days later read as follows:

Between three and four o'clock on Sunday morning last (26 February), an attack was made by a party of white men, upon Indians at several villages around Humboldt Bay. At Indian Island, opposite the town of Eureka, and distant but a few hundred yards, more than 40 Indians were killed, three-fourths of the number being women and children. On the beach, south of the entrance to the bay, forty or fifty Indians were also killed. Report says all that were there--every one--was killed. It is also reported, and is no doubt true, that a simultaneous attack was made upon the villages on Eel river. From what is known in Eureka not less than two hundred Indians--men, women and children--were killed on this Sabbath morning.¹⁹

The account goes on to accuse farmers of the Eel River region, who had suffered depredations, of perpetrating the massacres. It notes that the majority of the people in the Eureka area denounced the events.

In a letter to the editor of the Bulletin, a reader presents an account, which he says he received from the sheriff of Humboldt County, of the same events. He writes that a group of 40 farmers of the Eel River region claimed Indians were killing their cattle, and that the whites massacred the Indians after following them to the bay. The letter-writer comments that the farmers were "determined to clean out every thing that wore a red skin."²⁰

In another letter to the editor, this one dated February 29, the Humboldt County sheriff estimates the number killed at 80, and he corroborates the fact that most of the dead were women and children. Noting that the farmers had lost about an eighth of their stock in the past year, he writes that the commander of Fort Humboldt

"refuses to take cognizance of these facts. The settlers then battle the Indians on their own."²¹

In early March, Major G.J. Raines of Fort Humboldt issued a report to an Adjutant General on what he saw the day of the massacre: "I beheld a scene of atrocity and horror unparalleled not only in our own Country, but even in history, for it was done by men self-acting and without necessity, color of law or authority."²² In an open letter in the Bulletin, Raines charged the county sheriff with issuing a "false statement" on the responsibility of the military for the attack, and he criticized the sheriff for not taking steps to bring the perpetrators to justice.²³ Two months later Raines urged an end to volunteer groups killing Indian men, women, and children "as they often do"; he acknowledged that Indians had been killing cattle, but agreed with another officer's assessment that the Indians were finding it difficult to subsist.²⁴

Earlier that year, in January of 1860, a letter in the Bulletin disputed an account of how a "gallant little army" had retaliated against Indians in the Pitt River Valley:

The Indians attacked, or butchered, had been living at a place called "Roff's Ranch" for a long time. There the "bold" volunteers crept on them before day, and, without informing Roff or any of the cattle-herders thereabouts, marched on the ranch, killed about nine men, the balance escaping. The women and children remained, trusting to confidence in the honesty of an American, whom they believed would not murder women and children. In this they were mistaken; for not only in the "excitement" of the moment, but through

the greater part of the day, they searched around among the "haystacks" with the hatchet, and split the children's head open. In this way there were over forty women and children butchered--the whites exceeding even the Indians in their butchery.²⁵

In the case of the Yuki Indians in the Round Valley area of northern California, there is evidence that groups of settlers went out two to three times a week, killing 50 to 60 Indians on a trip, for as long as five years.²⁶ A table of population decline between 1847 and 1852 in Cook's work shows that, of all the California Indian tribes that the author studied, the Yuki population suffered the greatest population decline due to killing.²⁷

Similarly, the Yahi-Yana of the Sacramento Valley are believed to have declined in number from 2,000-3,000 possibly to extinction, primarily because of a series of massacres between 1846 and 1867. One attack on a Yahi-Yana group in 1866 is attributed to a single farmer.²⁸

There is other evidence that some people acted independently, outside of organized groups, to kill Indians indiscriminately. A settler is reported in the Sacramento Daily Union to have boasted of multiple poisonings accomplished by lacing flour with strychnine, then leaving it where starving Indians would find and eat it. His most recent poisoning effort was prompted by the death of his brother, but he is said to have successfully poisoned Indians previously while living with his brother.²⁹ In a War File deposition taken in 1860, a rancher stated that

the stock supervisor for California Indian Superintendent Thomas Henley put strychnine in Indian "baskets of soup, or whatever they had to eat."³⁰

While white miners and settlers fought Indians in the north, some Indians in southern California were also engaged in hostile encounters with settlers from the east. In 1851, Antonio Garra, a leader of the Cupeño Indians, attempted to create an alliance of Indians to fight Americans who were settling in the area. The uprising, which was aimed specifically at Americans and not Spaniards or Mexican Californians, failed. In George Harwood Phillips's Chiefs and Challengers, Garra is said to have "sought to create a powerful alliance that would, through careful and long-range planning, eliminate the Americans from the entire region of Southern California."³¹

Garra and his followers resented what they perceived to be preferential treatment given Indians in northern California, where reservations were to be established. They were also upset about being taxed by the United States, and they wanted to stop the flow of immigrants through their territory. The uprising failed because most Indians at the time did not share Garra's perception of the Americans as dangerous.³² After this disturbance the Indians of southern California lived relatively peacefully, with many working as laborers on ranchos or were reduced to living as homeless vagabonds.³³

The Garra uprising marked the last Indian rebellion in southern California. In the last outbreak of organized Indian resistance in the state--the Modoc War of 1872-73--the Indians caused heavy casualties among U.S. Army troops, but were ultimately defeated.

Although the testimony regarding massacres discussed above is dramatic and shocking, it is generally acknowledged that disease was the main cause of California Indian population decline. Sherburne Cook estimates that disease caused the deaths of 53.5 percent of the estimated 1848 Indian population, accounting for 65 percent of the population decline. The illnesses that struck the Indian population during the American period occurred mostly in chronic form or as small outbreaks. The most common diseases were tuberculosis, smallpox, pneumonia, measles, and venereal disease.³⁴ In comparing population decline during different periods of California history, Cook concludes that the impact of Americans on the California Indian population was three times as severe as the impact of outsiders before them.

Cook studied the relative impacts of violence and disease on the California Indian population for the years 1848 to 1880. He divides death by killing into two categories: "military homicide" and "social homicide." The first category includes Indians killed due to warfare with Americans, which Cook considers strictly armed

conflict between the races where the purpose of whites was to "kill, chastise or otherwise subdue the natives"; the second category refers to "killing directly attributable to the social conditions under which the natives were obliged to live," killings which would not be expected to occur in aboriginal surroundings or "in a peaceful and well-ordered white community." This second category includes deaths resulting from incidental quarrels, brawls, and revenge for injury. Cook asserts that study of the latter category is valuable as a means of measuring racial conflict.³⁵

Basing his figures on newspaper accounts, diaries, and later histories, Cook estimates that, overall, about 7 percent of the population decline (a loss of 6 percent of California Indian population) resulted from "military homicide," or war, between 1848 and 1880. In some cases, warfare accounted for as much as 18.5 percent of the population decline of certain tribes during the period, according to Cook. "Social homicide" was less significant as a factor in reducing the population. This category is said by Cook to have accounted for less than 1 percent of the total population decline between 1852 and 1865.³⁶ It seems reasonable, however, to question the use of newspaper articles as reliable sources for the tabulation of isolated, individual homicides of Indians, given the low value of an Indian life in the eyes of many Anglos. The

death of one Indian was probably more easily obscured than a massacre of an entire village.

In a general survey of California Indian demography, published four years after Cook's death 1974 death, Cook does not discuss the phenomenon of genocide, but he strongly condemns the treatment of the Indians during the American period:

The overwhelming assault upon the subsistence, life, and culture of all California natives during the short period from 1848 to 1865 has seldom been duplicated in modern times by an invading race. . . . This desolation was accomplished by a ruthless flood of miners and farmers who annihilated the natives without mercy or compensation.

There is no lack of evidence in the form of contemporary accounts regarding one-sided massacres of indigenous peoples--including women, children, and the elderly--by whites in the early history of the state of California. The Indians' chances for survival were also affected during this period by factors such as the loss of food supply and the kidnapping of Indian children by whites. An effort to determine if any of these factors--as well as related factors during the Spanish and Mexican periods--separately or cumulatively amounted to genocide (as defined in a previous section) must address several issues, among them the identity of the parties that can be considered directly responsible for Indian deaths, the intent of those parties, the acts that resulted in the

population decline, and the actions of authorities and bystanders as these events unfolded.

1. Cook 1978, p. 93.
2. Hurtado 1988, 47-55; Rawls, p. 78.
3. Charles Gibson, Spain in America (New York, 1966), pp. 48-67; Rawls, pp. 3-4.
4. Hurtado 1988, p. 53; Cook 1976a, pp. 305-308.
5. Cook 1976a, pp. 311, 315.
6. Rawls, pp. 106-108.
7. The text of the law is reproduced in Robert F. Heizer, ed., The Destruction of California Indians: A Collection of Documents from the period 1847 to 1865 in which are Described Some of the Things that Happened to Some of the Indians of California (Santa Barbara, 1974), pp. 219-224.
8. Sherburne F. Cook, "The California Indian and Anglo-American Culture," in Charles Wollenberg, ed., Ethnic Conflict in California History (Los Angeles, 1970), p. 27.
9. Rawls, pp. 114-116; Hurtado 1988, pp. 211, 213; Cook 1976a, p. 315.
10. The treaties are reproduced in Robert F. Heizer, The Eighteen Unratified Treaties of 1851-1852 Between the California Indians and the United States Government (Berkeley, 1972).
11. Rawls, pp. 116, 126-133.
12. Quoted in Rawls, p. 132.
13. Rawls, pp. 152, 154-155.
14. Quoted in Heizer and Almquist, p. 26.
15. Robert A. Trennert, Alternative to Extinction: Federal Indian Policy and the Beginnings of the Reservation System 1846-1851 (Philadelphia, 1975), pp. 194-197.
16. Cook 1970, p. 31; Heizer and Almquist, p. 27.
17. Report is reproduced in Heizer 1974a, pp. 244-245.

- 18.Reproduced in Heizer 1974a, p. 247.
- 19.Reproduced in Heizer 1974a, pp. 255-256.
- 20.Reproduced in Heizer 1974a, p. 256.
- 21.Reproduced in Heizer 1974a, pp. 257-258.
- 22.Reproduced in Heizer 1974a, p. 259.
- 23.Reproduced in Heizer 1974a, p. 261.
- 24.Reproduced in Heizer 1974a, p. 262.
- 25.Reproduced in Heizer 1974a, pp. 93-96.
- 26.Virginia P. Miller, Ukomno'm: The Yuki Indians of Northern California (Socorro, 1979), p. 97. Many scholars who discuss the experiences of the Yuki Indians refer to Lynwood Carranco and Estle Beard's Genocide and Vendetta: The Round Valley Wars of Northern California (Norman, 1981). There are questions, however, about the authenticity of Carranco and Beard's work, much of which is drawn directly from Miller's efforts.
- 27.Cook, 1976a, p. 357.
- 28.Thornton, p. 110.
- 29.Reproduced in Heizer, They Were Only Diggers: A Collection of Articles from California Newspapers, 1851-1866, on Indian and White Relations (Ramona, 1974), p. 31.
- 30.Miller, p. 53.
- 31.Phillips 1975, pp. 166-167.
- 32.Phillips 1975, pp. 68-69, 76, 167, 172-173.
- 33.Rawls, pp. 110-113.
- 34.Cook 1976a, p. 268; Castillo 1978, p. 109.
- 35.Cook 1976a, pp. 259-268.
- 36.Cook 1976a, pp. 262-264, 267, 357.
- 37.Cook 1978, p. 93.

CHAPTER VII

Evidence

There is no shortage of argumentation both in favor of and opposed to labeling experiences of the California Indians as genocide. Among such efforts are polemics which assert that the Indians of California, along with other U.S. Indian groups, have been subject to genocide from the moment of first contact with outsiders through the present. Using the definition of genocide discussed previously, it is clear that such arguments overstate the case. More restrictive uses of the term are not always more instructive, however. There is little to be gained from identifying as genocide only those cases in which a group has been successfully exterminated, since it is very rare to find a group that has been completely eliminated.¹

Thus, the case of the Indians of California is a difficult one. While the magnitude of population decline among the overall California Indian population from the time of first contact to 1900 is substantial regardless of which estimate one accepts as accurate, the decline is a result of many interrelated factors. Genocide appears to have been one of these factors, but it was by no means the single most important one overall. That is no reason to discount it. The purpose of this paper is to gain insight into the phenomenon of genocide by examining events in a

particular place and time and determining whether the conditions of genocide are identifiable in that case.

At the outset of this analysis, it is important that the issue of the magnitude of genocide be further clarified as it relates to the case of the California Indians. It is my contention that intent and a pattern of activity are the deciding factors in making a determination of genocide. As stated above, genocide does not apply only to those cases where a group has been eliminated entirely. Although "attempt to commit genocide" is punishable under the UN Convention on genocide, it refers to attempts to commit the specified acts that are intended to at least partly destroy a group. There is no classification for "attempted genocide" in the event that the intended demise of a group does not occur, as one could have an "attempted homicide." For the latter category, it is necessary to establish that one or more people had the intention of killing another individual. In a case of genocide, however, a person or persons must commit certain acts with the intent to destroy, in whole or in part, a specified group. The key factors are the intent and the nature of acts, such as killing, not the complete destruction of the group. In most cases of genocide there is some loss of life; the most well known cases involve enormous numbers of victims.

Therefore, using Cook's figures as a guide, the estimate that about 7 to 8 percent of the California Indian

population decline (representing about 4,300 individuals) for the years 1848 to 1880 resulted from what he terms "military homicide" (defined strictly as armed conflict between the races) and "social homicide" (encompassing killing from quarrels and revenge) may initially seem relatively insignificant when compared with the tremendous loss of life experienced by other groups in history that have been subject to genocide. It is important to keep in mind, however, that the idea of an aggregate California Indian population, encompassing all of the varied and numerous tribal groups, is an artificial construct based on state boundaries determined in the mid 19th century. The Indians of the region generally congregated in villages of at most several hundred inhabitants, and the killing of what may considered a small number of individuals by the standards of the Holocaust had a significant impact on the survival of some California Indian tribes. This is because deaths due to killing during the period discussed in this paper were not evenly distributed among all California Indian groups: some distinct cultural groups were subject to genocide to a greater degree than others.² For example, in the case of the Yuki Indians, Cook estimates that 18.5 percent of the group's population decline was caused by what he labels "war," the highest proportion of any of the tribes surveyed in his study.³

The evidence for the period 1769 to 1873 indicates that genocide of Indians occurred in California during the American period, and that its perpetrators were primarily miners and settlers who had recently arrived from the east. I plan to show that the massive depopulation that occurred during the Spanish and Mexican periods cannot be attributed to genocide due to a lack of intent and an absence of widespread, sustained, one-sided campaigns on the part of the Spanish and Mexicans.

Spanish period: Conversion, civilization, colonization.

The purposes of the Spanish in California can be briefly outlined as conversion, civilization, and colonization. It cannot be disputed that the arrival of the Spanish in Alta California was accompanied by a dramatic decline in the coastal Indian population, but the Spanish did not actively seek the extermination of the Indian. In contrast to the early Spanish policy toward the natives of the West Indies, where Indians were exterminated as the Spaniards sought to enrich themselves, the approach after 1600 included efforts to curb abuses.⁴ The Spanish clearly employed coercive methods in gathering and keeping Indians at the missions of California, but throughout the period the primary aim of contact was a spiritual conquest of the native peoples.

That the spiritual ends of the Spanish missionaries had physical consequences is amply demonstrated in the work of Sherburne F. Cook. Conversion required the physical removal of Indians to mission compounds. The population declined under the stresses of introduced disease, crowded conditions, and perhaps inadequate nutrition. Punishment, commonly by flogging and imprisonment, could be considered harsh and cruel by today's standards, although not by contemporary standards.

Meanwhile, Indian culture was constantly under siege as the mission fathers pursued the goal of Christianization. As far as the missionaries were concerned, Indian spiritual life was a void to be filled with Christian doctrine. The evidence indicates that the intent of the missionaries was not to obliterate the Indians as a people, but to bring them into the civilized world as the Franciscans perceived it.⁵

The process of conversion was initially peaceful in California, but that changed over time, exacerbating the detrimental impact of the Spanish on the Indian population. Military expeditions in search of fugitives had become common by 1810, and the spiritual motivation of the missionaries was less clear as the object of the expeditions began more closely to resemble mere subjugation for the purposes of forced labor.⁶ Cook notes that the treatment of an Indian varied considerably depending on the

individual in charge.⁷ A contemporary observer, Frederick W. Beechey, recorded his impression of the treatment of Indians in the later mission period:

As for the various methods employed for the purpose of bringing proselytes to the mission, there are several reports, of which some were not very creditable to the institution: nevertheless, on the whole I am of opinion that the priests are innocent, from a conviction that they are ignorant of the means employed by those who are under them.⁸

There can be little doubt that the Spanish had a low estimation of the California Indian. In the words of Franciscan Father Geronimo Boscana:

The Indians of Californian may be compared to a species of ape; for in naught do they express interest, save in imitating the actions of others, but in doing so they are careful to choose vice in preference of virtue. This is the result, no doubt, of their corrupt natural disposition.⁹

For the Spanish friars, though, a low opinion of the indigenous people of California provided further impetus for attempting to change the Indians that they encountered, in contrast to the attitude of Americans who arrived years later. For some Anglos, a low assessment of the peoples encountered provided a rationale for the isolation and destruction of those peoples.

In terms of broad purposes, then, it is clear that the Indians had a role in Spanish mission life and that the Spanish who came into contact with indigenous people were not intent on eliminating them. Evidence of cruelty and coercion makes questionable assertions that all of the

Spanish missionaries were acting out of altruistic and benevolent intentions, but it is reasonable to conclude that their contact with the California Indians was not genocidal. The purpose of Spanish incursion into the interior areas was not for the expropriation of Indian land, but for Indian converts and laborers. This may have been at least in part a function of the limited number of Spanish in Alta California (estimated at less than 4,000 by Cook) compared with later settlers, who arrived in huge numbers over a short period of time and who viewed Indians as obstacles to land use. Cook observed that

in opening up California the Spanish system undertook as far as possible to employ the Indians, even by force, in useful pursuits. This in turn meant that the aboriginal race was an economic asset and as such was to be conserved. Destruction of individual life occurred only when and if the Indian actively resisted the process of amalgamation or definitely failed to conform to the conqueror's scheme of existence. Wholesale slaughter or annihilation was definitely undesirable.¹⁰

Archaeological evidence attests to the role of the Indian during the Spanish mission period of California history as contrasted with the Anglo period. Based on archaeological data, Robert L. Schuyler observes that there was "intensive and encapsulated acculturation" within the Franciscan framework. He notes:

An industrial contact situation is seen in overwhelming acculturation at Indian sites and an almost total lack of Indian materials at post-1850 Anglo sites and finally in reserves and reservations. There was a place for the Indian in Spanish California; in fact, he was an integral part of its economic underpinning. There was a continuing place,

albeit much less important, in Mexican California; but the nature of Anglo culture excluded him and forced him close to extermination.¹¹

While the term *genocide* has been applied by some to the experiences of the Indians of California under Spanish authority, the evidence does not support such uses. The issues of contention regarding treatment of the Indians in this period appear to be introduced disease, forced labor, harsh punishment, and poor living conditions, but not outright killing. As noted previously, Cook estimates that outright killing resulted in the deaths of 2,245 Indians, accounting for 6 percent of the general Indian population decline, from 1770 to 1848, much of it resulting from fighting back and forth during the Mexican period.¹² Heavy Indian casualties sometimes occurred during Spanish expeditions to collect converts or runaways, or to punish Indians for stealing, but the evidence does not suggest a pattern of massacres in which Indians were killed indiscriminately. For example, in an incident recorded in 1805:

Luis Peralta went on a punitive expedition from Santa Clara. After he had caught up with the Indians the latter began to fight. He fired on them and killed "five of the bums (*gandules*).\" The survivors fled to the brush, where he attacked again and killed five more. The Spanish then "beat the bush" and captured "twenty-five head (*piezas*)," all women. The prisoners were then brought to Santa Clara for conversion.¹³

Despite the poor treatment that some Indians received under the Spanish, the fact remains that the Indian had a

place in Spanish society in California. For the missionaries, that place was as a convert, laborer, and, at least according to stated aims, eventually an assimilated member of the social order. For the Spanish civil population, the Indian population had a place as a source of labor and of women.¹⁴

Accounts written by mission priests at the time note the prevalence of illness among the Indian population, but the extent of their knowledge about the causes of those illnesses is unclear. Widespread illness among Indians frequently was attributed to climate, although there are indications that the friars were aware of the detrimental effects of close quarters. Cook notes, however, the general ignorance of "sanitary science" at the time.¹⁵ In any event, the evidence does not suggest that high death rates due to disease prompted reactions other than bewilderment and sadness on the part of the missionaries.

The impact of Spanish contact on the California Indian population may have inadvertently been worse than what occurred following Spanish contact with other groups because the missionaries were attempting to implement a system that was poorly suited to the conditions in Alta California. Changes were more disruptive because the missionaries sought to remove and convert several diverse, nonagricultural Indian groups at once. Thus, despite their stated intentions, in their efforts to continue practices

established over centuries, the missionaries pursued a course that had devastating consequences for the native peoples of California.

Mexican Period: Absorption.

Like the Spanish, the Mexicans who inhabited California considered Indians an integral part of society, albeit at the lowest level. The rights of Indians had made rapid progress in the early 19th century as egalitarian attitudes spread both in Spain and New Spain. Under Mexico the Indians were nominally free, but they were bound to service as part of the rancho economy through a system of hacienda and Indian peonage.¹⁶

Violence increased between Indians and Mexicans during the period, and there is evidence that in some instances women and children were killed in attacks on Indian villages. The evidence does not suggest, however, that Mexicans sought to kill Indians based on race alone, which would indicate genocidal intent. Throughout the period, the Indian had a place in Mexican society, however lowly, oppressive, and racially-based it may have been. Intermarriage with Indians was acceptable to the Spanish and Mexicans, in contrast to the attitudes of Americans, who generally viewed miscegenation with contempt. The mestizo was considered a valued, integral part of the multicultural Mexican civilization.¹⁷

Many military expeditions against Indians in the Mexican period were retaliatory in nature, often resulting from the theft of livestock, or were undertaken in an effort to obtain Indian laborers for ranchos. Up to the year 1836, missionaries, with the help of soldiers and sometimes converted Indians, ventured farther from the coastal mission areas seeking unconverted Indians. These expeditions antagonized the Indians of the interior.¹²

Cook writes:

the explorers and convert hunters began to find the villages empty, or were greeted with showers of arrows as they approached. Retaliation and "chastisement" were in order. Gentiles were carried off by force rather than persuasion, and atrocities began to occur. By the decade 1820-1830, the people of the interior valleys and hills had definitely embarked upon a policy of physical resistance, not through any political or cultural unification, but through a common response to a uniform style of treatment . . . a peaceful, sedentary, highly localized group underwent conversion into a semiwarlike, seminomadic group.¹³

By the time the missions were secularized, the interior Indians had become quite aggressive in raiding livestock, and the response of the Mexican government was to counterattack by expedition, which resulted in many Indian deaths and the destruction of several villages. A Mexican resolution establishing a military border police and plans for construction of a fortification at Pacheco Pass indicate a shift to a defensive approach toward the Indians. The Indians' offensive peaked in 1845, and its

decline is attributed to the arrival of Americans from east.²⁰

The Mexican period thus was a time of great violence for some Indian groups. Governor Pío Pico remarked, perhaps around 1845, "The savages of the north have been committing serious depredations. With sufficient force and the help of all it would be possible to destroy them."²¹ In a different context, his statement could be construed as genocidal, but the intent in the case of the Mexicans does not appear to have been the actual physical obliteration of the California Indians. The Mexicans were not settling in numbers that would permit wide-scale action against interior Indians--according to Robert F. Heizer and Alan F. Almquist, the Mexican overlords numbered fewer than 500--and the evidence does not reveal, as it does in the case of American settlers, explicit intent to kill any Indians simply because they were Indians.²²

In any event, the Mexicans were never able to pursue their disputes with hostile Indians. Mexican efforts to settle California were continually hampered, as noted by C. Alan Hutchinson:

By the time Governor Manuel Victoria came to California in 1830, all the best coastal land had been engrossed by the missions, who spread their cattle domains around them as if to protect themselves from undesirable settlers in the few existing towns. Before the country was populated by more than a handful of people, therefore, little land was left, unless the settler moved into pagan Indian country. This was where the Farías colony went for strategic reasons; but although the colonists were provided with

weapons, Governor Figueroa saw a threat to himself in these arms and ordered them removed. Only the experienced, independent American frontiersman in California seemed to be in a position to take exposed land.²⁵

As we shall see, the conflict between the Indians of California and Americans arriving from the east was much more one-sided and widespread than that of the Indians and Mexicans. Moreover, the broad tendencies and purposes of settlers during the American period reveal a clear genocidal intent that is absent in the military operations of Mexico.

The American period: Isolation and extermination.

That the California frontier under Spanish, Mexican, and American authority was a violent place is indisputable, and the drastic reduction of the Indian population from the time of the arrival of the Spanish is clear. Violence accompanied by population decline, however, is a correlation that of itself does not point to genocide. The key is the nature and purpose of the violence.

In the case of the California Indians following the arrival of American miners and settlers from the east, the components of genocide are readily identifiable. Documentary evidence reveals a pattern of purposeful destruction of Indian life by Anglos, without regard for whether the Indians posed a threat, and without distinction based on age or sex.

The case of the California Indians between 1846 and 1873 is illustrative of genocide as perpetrated by settlers on an indigenous population. Many parallels exist between what occurred in California at this time and other genocides in history. Before reviewing the particular evidence of genocide in the California case, it is instructive to consider the circumstances that made genocide possible at this particular time in history.

In contrast to the Spanish policy of conversion and the Mexican policy of absorption, the Anglo approach adopted by the United States and brought West by American settlers featured little consideration for the welfare of Indian peoples encountered. The program that had been established in colonial America by the British focused on the acquisition of land, either through purchase or through outright appropriation. An attempt by the government in England in 1763 to limit the taking of Indian land by settlers in the American colonies proved ineffective, and was among factors contributing to rebellion 1775.²⁴ Edward Spicer outlines the Anglo approach, as implemented by American settlers, thus:

As settlers pushed westward, the result was the growth of a territory inhabited almost entirely by Europeans with few persisting Indian communities . . . no systematic efforts were made to incorporate them as citizens. They existed merely as objects of charity with doubtful human status.²⁵

When pushed to the fringes of white settlement, the Indians were free to live as they wished, provided their activities did not affect the settlers. When settlers reached California, they ran out of Western territory to which they could push the Indians and forget about them. The attitude that the Indian was to be isolated rather than immediately incorporated persisted, resulting in the development of reservations.²⁶

The reservation concept arose from a widespread perception that the only alternative to the extinction of the Indian was assimilation through education in white ways, which was to take place at reservations. Reservations were first established with the idea of protecting Indians until some point when they would be ready to participate in American society, but faith in the ability to bridge the gap between the Indian and whites dissipated, and the reservations came to represent a means of removal. In his study of the establishment of the U.S. reservation system, Robert A. Trennert notes that the Indians wars of the Western states were a response to a mid-19th century reservation policy that had been devised for the conditions of an earlier time:

Two decades later the exploration of the West was in full swing and only the Indian stood in the way. The pressure to move the tribes away from the lands they were not using for productive purposes increased until the nation found itself in a major war to dispossess the Indian.²⁷

In frontier California, many whites viewed the reservations as Indian prisons or concentration camps. Still, they became dissatisfied with the system as a response to their concerns regarding the Indians. In his study of white attitudes, Rawls observes:

It was but a small step from this loss of faith in the system to the demand for Indian removal beyond the Pacific shoreline--or to the demand for Indian extermination. Today there seems to be a quantum difference in the last step, but to many whites on the California frontier in the 1850s and 1860s there was little difference between concentration of the Indians on distant reservations and their extermination. In either event Indians would be eliminated, expelled, or removed from lands desired by whites. The methods used to accomplish that elimination was not so important as the certainty that it would be done.²⁸

Thus, the alternatives were reduced from protection and assimilation or extinction, to removal or extermination.

Meanwhile, the reduced value of Indian life compared with white life was evident in a number of areas.

Distinctions based on race were codified in California's 1850 Act for the Government and Protection of Indians, which remained in effect until 1863. Two sections of the act read as follows:

6. Complaints may be made before a Justice of the Peace, by white persons or Indians; but in no case shall a white man be convicted of any offence upon the testimony of an Indian.

20. Any Indian able to work and support himself in some honest calling, not having wherewithal to maintain himself, who shall be found loitering and strolling about, or frequenting public places where liquors are sold, begging, or leading an immoral or profligate course of life, shall be liable to be arrested on the complaint of any resident citizen of the county, and brought before any Justice of the

Peace of the proper county, Mayor or Recorder of any incorporated town or city, who shall examine said accused Indian, and hear the testimony in relations thereto, and if said Justice, Mayor or Recorder shall be satisfied that he is a vagrant, as above set forth, he shall make out a warrant under his hand and seal, authorizing and requiring the officer having him in charge or custody, to hire out such vagrant within twenty-four hours to the best bidder, by public notice given as he shall direct, for the highest price that can be had, for any term not exceeding four months; and such vagrant shall be subject to and governed by the provisions of this Act, regulating guardians and minors, during the time which he has been so hired. The money received for his hire, shall, after deducting the costs and the necessary expense for clothing for said Indian, which may have been purchased by his employer, be, if he be without a family, paid into the County Treasury, to the credit of the Indian fund. But if he have a family, the same shall be appropriated for their use and benefit: *Provided*, that any such vagrant, when arrested, and before judgment, may relieve himself by giving to such Justice, Mayor or Recorder, a bond, with good security, conditioned that he will, for the next twelve months, conduct himself with good behavior and betake some honest employment for support."

The act also provided for the indenturing of Indian children to whites with the consent of the Indian's parents. In reality, the laws were used as a cover for the practice of abducting and selling Indian children and young women. Most Californians condemned the practice; reports commonly noted that kidnappers killed the parents of the children they seized. About 10,000 Indians are estimated to have been indentured or sold between 1850 and 1863. It was not until California conformed with federal emancipation in 1863 before the apprenticeship laws were repealed. Even so, a special investigator from the

commissioner of Indian affairs reported in 1866 that Indian slavery was "not uncommon" in California.³⁰

A letter from George M. Hanson, Superintendent of Indian Affairs for the Northern District of California, dated July 3, 1861, reflects contemporary awareness of the problem and of the contradiction posed by California's status as a free state:

The laws should be changed or made as to protect the Indians against kidnapers. There is a Statute in California providing for the indenturing of Indians to white people for a term of years. Hence under cover of this law (as I think unconstitutional) many persons are engaged in hunting Indians (see my report of this month). Even regular organized companies with their Pres., Sec., and Treas. are now in the mountains and while the troops are engaged in killing the men for alleged offences, the kidnapers follow in close pursuit, seize the younger Indians and bear them off to the white settlements in every part of the country filling the orders of those who have applied for them at rates, varying from \$50 to \$200 a piece, and all this is being done under a plea of "Kindness to the poor Indians". Such acts of injustice and violence are now tolerated by an unconstitutional law, (as I believe) of this state (see my last report).³¹

An 1861 article in the San Francisco Bulletin, reprinted from the Napa Reporter, discusses the removal of Indian children in Mendocino County from their tribe and a subsequent statement signed by several residents denying that the children had been kidnapped. The article provides some insight into the reasoning behind the removal of children:

They say that the children are much better off where they are, and that their removal has been beneficial to the community, since if they had remained they must have starved, unless the Indians had killed stock for them to live upon. The certificate closes by saying

that the more of them that can find homes in the lower valleys, the less stock the Indians will destroy to feed their children.³²

The tragic circumstances that often accompanied the transferral of children are illustrated in a December 1861 report from Superintendent George M. Hanson to the Commissioner of Indian Affairs:

In the month of October last I apprehended three kidnapers, about 14 miles from the city of Marysville, who had 9 Indian children, from 3 to 10 years of age, which they had taken from Eel river, in Humboldt County. One of the three was discharged on a writ of *habeas corpus*, upon testimony of the other two, who stated that "he was not interested in the matter of taking the children"; after his discharge the two made an effort to get clear by introducing the third one as a witness, who testified that "it was an act of charity on the part of the two to hunt up the children and then provide homes for them, because their parents had been killed, and the children would have perished with hunger." My counsel inquired how he knew their parents had been killed? Because, he said, "I killed some of them myself."³³

The diminished value of the California Indian in the eyes of whites is also revealed in the prevalence of Indian stereotypes and in the frequent characterization of California Indians as something less than human. By the time of the Gold Rush, use of the term "Digger" in reference to a California Indian was common. The name reflected the perceived inferior status of nonagricultural Indians who hunted, gathered seeds, or dug up edible roots for subsistence. "Digger" became the standard term of reference for a California Indian by the mid-19th century.³⁴ Moreover, it came to embody many negative

images of California Indians, including the perception that they were the least advanced of Indians and that they were dirty, lazy, and docile.³⁵

In a letter to the Commissioner of Indian Affairs, dated June 1, 1851, Peter Campbell remarks:

The California Indian commonly called the digger Indians are the most abject poor, stupid and filthy tribe I have ever been acquainted with. Their chief food consists of roots, seeds, insects and vermin. Sometimes they hunt the deer, elk and antelope which are very abundant here, but they are slothful and indolent, seldom hunting till forced by hunger.³⁶

Animal metaphors, including comparisons of Indians to apes, pigs, and snakes, were frequently employed by those who recorded their observations in California. Rawls suggests that the metaphors were used to denote the status of the California Indians in relation to whites and "to register their own sense of extreme distance or difference from the people that they described."³⁷ The reduction of the Indian in the view of the Americans was a necessary precondition to their extermination, according to Rawls.

This radical loss of humanity made the prospect of Indian extermination and extinction palatable and even highly desirable, as if with their extermination California would be purified and cleansed of a set of degraded and repulsive creatures.³⁸

Evidence that a view of the Indian as subhuman existed at a time when Indian life was devalued appears in William Kelly's memoirs of his journey to California in 1849:

In natural conformation the Digger Indian is very few degrees removed from the oran-outang; not much above its stature, having the same compressed physiognomy, a low forehead, with little or no space between the

eyebrows and roots of the hair. He is altogether devoid of resources, possessing little beyond the instinctive cunning of the monkey, without a scintilla of energy to procure either good food or raiment. . . . Humboldt River and the head of the Sacramento are the places where they are most numerous; but they are fast dwindling in numbers, for trappers and travellers shoot them down without hesitation or remorse wherever they meet them.³⁹

The subhuman status of the California Indian is also revealed by the use of terms such as "varmint" and "devil" to refer to them. An act of aggression against whites resulted in the use of such labels for all Indians, and in acts of retaliation without regard to innocence or guilt.⁴⁰ From the Red Bluff semi-weekly Independent, August 4, 1862:

The citizens in the vicinity of Stony Creek, in this county, have had another fight with the Indians in that section. We have only been able to learn that 11 Indians were killed, and 1 white man, name not known. It is becoming evident that extermination of the red devils will have to be resorted to before the people in proximity to rancherias will be safe, or our mountain roads traveled with any degree of safety except by parties of well armed men.⁴¹

Anglo-American disapproval of miscegenation provides another indication that the Indian was viewed by whites as a significantly different type of being. Unlike in the Spanish and Mexican periods, when children of mixed relationships were accepted economically and socially, children of mixed heritage were rejected in Anglo California society and were considered to be more closely affiliated with Indians than whites.⁴²

Other factors relating to the arrival of whites from the East that contributed to the hostile conditions for the

Indians were the existence of a minimally controlled criminal element on the frontier, the speed with which people arrived from the East, settlers' demands for protection, and conflicts of interest on the part of officials charged with protecting both settlers and Indians.

In 1905, biologist and natural historian C. Hart Merriam commented on the people who had come to California in the mid-19th century:

During the single year 1849, no fewer than 77,000 arrived. This army of gold seekers was a heterogenous assemblage, comprising many good and noble men, but also thousands of rougher and more turbulent classes, not excepting criminals. As these adventurers spread north and south over the flanks of the Sierra and penetrated the rugged mountains of the northwest, they everywhere invaded the territory of the Indians and decimated the native population. From Humboldt and Trinity counties, from the Siskiyou, and from the flanks of the Sierra, the story is the same: villages were broken up and the inhabitants scattered or massacred; men and women were debauched with whisky; men were ruthlessly killed; women were appropriated, and seeds of disease were sown which undermined the constitutions of succeeding generations.⁴³

Establishment of a criminal justice system did not keep pace with the Gold Rush influx, as noted by historian Andrew F. Rolle:

While they awaited the arrival of a regular legal system, the miners organized drumhead courts which meted out such penalties as ear cropping, whipping, and even branding and hanging to convicted transgressors. This system of extralegal justice obviously involved abuses. Almost certainly it did help to discourage crime, however. The regulations that each mining area made and enforced served, in fact, as a practical alternative to anarchy.⁴⁴

Thus, given the low regard many settlers held for the Indian peoples of California, it should not be surprising that an extralegal system that was harsh to people considered equals should be especially hard on the Indians considered less than human. Settlers who felt that government officials were not looking out for them took it upon themselves to dispense justice. As noted previously, groups of private citizens frequently responded to the theft of cattle or horses by organizing raiding parties against Indians.

The consensus among those who have studied the period is that the loss of the best food-producing lands to settlers resulted in limited options for the Indians, and the Indians' dilemma is often characterized as a choice between stealing or starving.⁴⁵ In 1862, commissioner of Indian Affairs William F. Dole reported to the secretary of the interior:

From a position of independence they were at once reduced to the most abject dependence. With no one of the many tribes of the State is there an existing treaty. Despoiled by irresistible force of the land of their fathers; with no country on earth to which they can migrate; in the midst of a people with whom they cannot assimilate, they have no recognized claim upon the government, and are almost compelled to become vagabonds--to steal or starve. They are not even unmolested upon the scanty reservations we set apart for their use. Upon one pretext or another, even these are invaded by the whites, and it is literally true that there is no place where the Indian can experience that feeling of security which is the effect of just and wholesome laws, or where he can plant with any assurance that he shall reap the fruits of his labor.⁴⁶

Efforts to protect Indians from either unprovoked attacks or retaliatory raids by settlers were hampered by corrupt or incompetent officials, poor administration of Indian reservations, and slow communication between California and federal authorities in Washington, D.C. The reservation system in California aggregated members of several different tribal groups, and food and clothing were frequently inadequate, prompting Indians to attempt to return to their homelands. Resident agents, some of whom shared an antipathy toward the Indians, did not have the resources or the authority to control settlers.⁴⁷

Thomas J. Henley, a California superintendent of Indian affairs during a crucial period, oversaw the selection of Round Valley, home to the Yuki Indians, as a reservation site beginning in 1855. By 1857, the superintendent was himself a joint owner of a cattle herd in the valley, while his four sons and a nephew were among the first settlers in the area. J. Ross Browne, an agent appointed by the federal government to investigate the condition of Indians in California, Washington, and Oregon, reported that persons holding land claims in Round Valley were "nearly all connected in some way or other with the Superintendency."⁴⁸ Henley was ousted from the Indian service in 1859.

In the same region, beginning in 1859, Lieutenant Edward Dillon of the Sixth U.S. Infantry attempted to

assist the reservation agents and protect the Indians with just 17 troops. Virginia P. Miller, perhaps the preeminent scholar on the Yuki Indians, says that Dillon seems to have made a sincere effort to treat both settlers and Indians fairly. She describes Dillon's inability to exert control:

For example, the vagueness of his orders left him powerless to arrest a white man whom witnesses had seen kidnap and rape a young Yuki girl in broad daylight, because the man lived off the reservation and was therefore out of Dillon's jurisdiction. In February 1859, when he did arrest a man whom everyone knew to be guilty of striking an Indian in the reservation, the settlers threatened to storm the jail and release the prisoner.⁴⁹

In 1860, Dillon himself wrote:

There is a continual disposition on the part of the Settlers to annoy the Reservation. The fences are almost daily pulled down, by persons taking pains to prevent detection, and it is a common occurrence to have Squaws taken by force from the place . . . For Gods sake, how long are these things to continue. I have felt, and still feel greatly interested in this place, and these Indians, but I am disheartened at seeing these things, without the power to punish the offenders.⁵⁰

When settlers did not feel that they were receiving adequate protection from government authorities, they devised their own approaches. In an 1858 letter to Commissioner of Indian Affairs Charles E. Mix, Special Agent Browne reported on resolutions adopted by residents of Humboldt Bay:

From a perusal of these resolutions, you will perceive that, in consequence of Indian depredations and the murder of several white settlers in the vicinity of Humboldt, for which the federal authorities have failed to provide any remedy, the citizens, through the Board of Trustees of Union, have assumed the responsibility of declaring war against the Indians,

and taken measures to carry it into effect. They have levied a tax upon property, the proceeds of which are to be devoted to the expense of the war, "until provision shall be made for the payment of the same by the State or General Government."²¹

When settlers took it upon themselves to wage "wars," however, the result frequently was indiscriminate killing of Indians. In many cases, as will be seen, the nature of expeditions against Indians went beyond mere punishment or retaliation for a specific instance of theft or murder. With the life of an Indian valued less than that of a white person, and with restrictions on Indian legal rights, there was little need to seek out only the guilty among frontier Indians.

The combination of planned raids resulting in indiscriminate killing of Indians and the deliberate transferral of children through kidnapping indicates that genocide occurred in California during the period 1846-1873. Intent on the part of some settlers to destroy the Indians is clear from their actions--which included planned, sustained campaigns of indiscriminate slaughter, payment of bounties for Indian scalps, and episodes of poisoning--as well as in settlers' own statements. The impact of genocidal violence is especially evident in the experiences of the Yuki and Yana of Northern California, but it is not limited to those groups.

Cook estimated the 1850 Yuki population at 6,880, and census data indicate that the group's population declined

to about 300 by 1864, and 238 by 1870.⁵² According to Miller, the primary cause of Yuki population decline was "intentional, calculated genocide on the part of the Europeans in their greed for the Indians' land."⁵³ Her conclusion appears entirely justified based on the statements from both contemporary observers and participants.

One settler, Dryden Laycock, who lived in the region inhabited by the Yuki, stated in an 1860 deposition:

In one thousand eight hundred and fifty-six the first expedition by whites against the Indians was made, and have continued ever since; these expeditions were formed by gathering together a few white men whenever the Indians committed depredations on their stock; there were so many of these expeditions that I cannot recollect the number; the result was that we would kill, on an average, fifty or sixty Indians on a trip, and take some prisoners, which we always took to the reserve; frequently we would have to turn out two or three times a week.⁵⁴

A settler with a reputation for Indian killing was H.L. Hall. Speaking of this man, another settler, William T. Scott, said in an 1860 deposition:

Mr. Hall said previous to this time the Indians had never killed any of their stock, but soon after they killed some of their stock; then Hall associated hunters with him, and commenced killing all the Indians they could find in the mountains; when Hall met Indians he would kill them . . .

At another time I heard Mr. Hall say that he did not want any man to go with him to hunt Indians, who would not kill all he could find, because a knit [sic] would make a louse. Mr. Hall said he had run Indians out of their rancherias and put strychnine in their baskets of soup, or whatever they had to eat.⁵⁵

In his own testimony regarding the capture of Yuki, Hall acknowledged that Indian children were killed:

I think all the squaws were killed because they refused to go further. We took one boy into the valley, and the infants were put out of their misery, and a girl ten years of age was killed for stubbornness.⁵⁶

The raids against several Indians groups in northern California were noted by Special Agent Browne in September 1858:

A war of extermination has been declared against the Cascouse Creek, Bear River, Eel river and other neighboring Indians. Some twenty or thirty armed men are said to have been busily occupied during several months past in killing Indians South and East of the Mattole.⁵⁷

In an August 1859 letter, Lieutenant Dillon's superior, Major Johnson, expressed resignation regarding the actions of settlers against the Yuki: "I believe it to be the settled determination of many of the inhabitants to exterminate the Indians; and I see no way of preventing it."⁵⁸

Among settlers with reputations for "Indian hunting" was Walter S. Jarboe, who organized and led the Eel River Rangers, which received compensation from the state for 1859-1860 expeditions against the Indians. Under Jarboe, indiscriminate killing was the rule, and actions against the Indians began even before the militia received its commission from Governor Weller.⁵⁹ Two days after

commissioning the group in September 1859, Weller wrote to Jarboe:

The information which I have received satisfies me that there is only a small band of these Indians engaged in committing outrages upon the Whites and you should be careful to discriminate between the innocent and the guilty--an indiscriminate warfare against the Ukiah tribe could not be justified by the facts now in my possession.⁶⁰

In an October 1859 report to the Indian commissioner, Browne stated that Jarboe "has been engaged for some months past in a cruel and relentless pursuit of the Indians in this vicinity, slaughtering miscellaneously all with whom he comes in contact, without regard to age or sex."⁶¹

Miller attributes the known deaths of 1,146 Yuki after 1858 to Jarboe's Eel River Rangers and other settlers' raiding parties.⁶²

In the case of the Yana Indians, who inhabited the Sacramento River valley east of Redding, the population declined over a period of 20 years from 1,900 to probably less than 100. The first recorded contact with whites occurred in 1846, and a series of massacres followed. By 1865 only a few members of the Yahi subgroup of Yana Indians, also known as the Mill Creeks, remained as the last significant Yana population. Murders of whites were the stated reasons for the killing of Yana, but according to Jerald Jay Johnson, "the deaths of fewer than 50 settlers can be attributed to them with any degree of certainty."⁶³

The heart of the Yahi homeland in north-central California was traversed by the Lassen Trail, a route used by settlers arriving from the East. A single incident of killing or harassment of settlers could spark a call to drastic action against all Indians. The Red Bluff semi-weekly Independent published the following reaction to the killing and scalping of three white children:

There should be a general turnout from all sections, and every Indian exterminated that can be found in the mountains east of us. No person is safe along this valley as long as the savages are permitted to prowl around unmolested. It was only last spring that Mr. Meador was chased by Indians near Antelope, and the only way to deal with the rascals is to shoot them down upon sight.⁶⁴

Apparently, there were occasions when the impulse to exact revenge indiscriminately was suppressed. In his memoirs, Indian hunter and Butte County sheriff Robert A. Anderson recalls the community reaction following the death of two white girls and a white boy:

Many parties were raised and hurried into the hills. In fact, the feeling against the Indians was so bitter that it was proposed to make a general clean-up, even of the friendly Indians, of which there were camps at Bidwell's, at Keefer's and at the Phillips place on Pine Creek; but Mr. Hickok, the bereaved father, forbade this being done on his behalf, and, of course, at such a time, his wishes were respected.⁶⁵

An 1860 report of Adjutant-General Kibbe on expeditions against the Indians, which he states were conducted in response to theft of stock, destruction of improvements, and murders of settlers in the region, provides some insight into the group's intentions:

Several expeditions, numbering respectively from fifteen to thirty men, although fitted out with an express view to take summary vengeance in their object; and even at the time when the troops under my command took the field, so bold had the Indians become, that they were extending their exploits, rapine, murder--even into the intermediate neighborhood of the camp of the regular troops--from whom, they appeared to entertain not the slightest apprehension of arrest or punishment. Knowing these facts, and having succeeded in collecting together as brave and effective a company of officers and men as any country could produce, most of them experienced Indian hunters, I entered at once upon the duty, heretofore found so very difficult, of penetrating to the very haunts of the savages, with a view to conquer, and if possible, rid the country forever of their presence.⁶⁷

Kibbe reports that about 200 Indian men and one woman were killed in the expeditions, and he praised the men of his group for "their exalted magnanimity in exempting women and children from the slaughter." He reported that captured Indians were transferred to government reservations.⁶⁸

Major G. J. Raines, in a letter to Commissioner of Indian Affairs Thomas J. Hendricks, gives a somewhat different account of Kibbe's expeditions. According to Raines, Kibbe and his 80 volunteers were responding at the request of a Captain Bell and his volunteers, who had been attacking Indian ranches and killing indiscriminately. The group led by Kibbe

killed untold numbers of Indians, but finally changed their tactics and made provisions and shipped to Mendocino Reservation some 350 Indians or more, Kibbe having attained the glory as was said of finishing the war, and ridding the country of the Indians on Mad River, Redwood, and van Dusins fork.⁶⁹

According to Anderson, Kibbe "never captured a Mill Creek, or any other Indian who had ever caused the whites any trouble."⁶⁹ In his recollections, Anderson reveals his own approach to the Indian fighting:

I had often argued with [Hiram] Good regarding the disposition of the Indians. He believed in killing every man or well-grown boy, but in leaving the women unmolested in their mountain retreats. It was plain to me that we must also get rid of the women."

Around 1867 or 1868, 33 Yahi were killed and scalped by four white men led by Norman Kingsley. As Kingsley explained afterwards, he "changed guns during the slaughter, exchanging his .56 caliber Spencer rifle for a .38-caliber Smith and Wesson revolver, because the rifle 'tore them up so bad,' particularly the babies."⁷¹

The events occurring in California did not go unnoticed in other parts of the country, and California residents were aware of this. In June 1860, the San Francisco Bulletin reprinted an article that had been published the month before in the New York Century. In introducing the article, the California paper did not dispute the facts, noting that the article contained "observations upon a matter which has been often laid, in all its terrible details, before the readers of the Bulletin." The Century article, which is based on reports of "a number of individuals who, to some extent, witnessed the transactions," describes the Humboldt Bay massacre and the killing of Indian men, women, and children by groups of

armed settlers in Mendocino County. Of the events at Humboldt Bay, the report states, "The perpetrators seem to have acted with a deliberate design to exterminate the Indian race."²

In the 1925 Handbook of the Indians of California, Alfred L. Kroeber considered possible reasons why small "hill tribes" including the Yana experienced drastic decline while other Indian groups living in closer contact with white people had better survival rates.:

Where a tribe numbered 2,000 or 3,000 closely concentrated people, it may have sometimes seemed venturesome to the whites to give way to passion and commence a war of extermination. Moreover, the natives furnished labor, services, perhaps even food, and soon acquired some means to make their trade worth while. Much, therefore, tended toward a preservation of amicable relations. A little group of hill men, however, was of small potential use; they were too scattered to be available for work, and too poor to buy much; they were likely to be so hungry as to kill cattle or horses on opportunity, and thereby sow the seeds of conflict; and however brave or desperate, they were not strong enough to be feared.³

Kroeber's reaction in 1925 to the devastation that had been experienced by California Indians may seem dispassionate to readers today, but his sense of resignation does not seem unusual given the "removal or extermination" rhetoric surrounding the events.

Not everyone viewed the alarming pace at which extermination was gaining favor with resignation, however. The events in Northern California prompted a call for

responsiveness on the part of the government in the San Francisco Bulletin in 1861:

The Bulletin has so often expressed its abhorrence of the indiscriminate slaughter of Indians in California, that it is not easy to intensify its position on the subject. Yet the constant repetition, on a large scale, of the same kind of outrages against humanity, renders it impossible to abstain from frequent reference to this crying evil. . . While we believe the manner in which the Indians are being exterminated is perfectly horrible, we are disposed to make every possible allowance for our own people. Throughout the region of the State referred to by our correspondent [Humboldt County], the Indians are undoubtedly very annoying. They are becoming more and more accustomed to live on what they can steal, and it is almost impossible to settle the country and bring it under cultivation in consequence of the constant depredations of these natural enemies to civilization. The sentiment is steadily gaining among the people who have repeatedly had friends slain, or suffered loss of property, by Indians, that extermination of the aborigines is the only safety of the whites. This will certainly become the prevailing sentiment, and the Indians between Clear Lake and the Oregon boundary, on both sides of the Coast Range, numbering probably several thousands, will all be killed within a short time unless Government assumes the task of saving their lives. . . If Government fails to act in putting into operation its humane policy of reclaiming the savages, its inactivity must be regarded as constructive license to the horrible butchery which is rapidly becoming an organized system.¹⁴

It is clear, therefore, that for some settlers at least, a time came when faith in government action dissolved, and removal was no longer considered a viable option. The only remaining outcome was extermination. Clearly, some who expressed this fatalistic view of Indian prospects expected whites to have a passive role in the extinction of the native population: the demise would be an inescapable consequence of the progress of civilization.

On the other hand there were, as noted above, plenty of people who saw an active role for whites in eliminating the Indian. Some settlers actively sought to be rid of the Indian threat--whether real or perceived--by organizing Indian hunting raids, or by supporting such attacks on Indians through taxation. The intent to exterminate Indians as though they were nuisance animals is apparent in reports of bounties being offered for Indian scalps. The April 16, 1859, Marysville Weekly Express quotes the Red Bluff Beacon:

A new plan has been adopted by our neighbors opposite this place to chastise the Indians for their many depredations during the past winter. Some men are hired to hunt them, who are recompensed by receiving so much for each scalp, or some other satisfactory evidence that they have been killed. The money has been taken up by subscription.⁵

In the May 12, 1861, edition of the Marysville Appeal, the following item is reprinted from the May 9 Shasta Herald:

The party who started in pursuit of the Indians who committed the depredations we noticed in our last issue, overtook them on Mill Creek, in Tehama county, and succeeded in killing four of their number. Mr. Waggoner recovered his horse, but the rest of the stolen animals had been killed and eaten. A meeting of citizens was held a day or two ago at Haslerigg's store, and measures taken to raise a fund to be disbursed in payment of Indian scalps for which a bounty was offered. A Committee was also appointed to confer with a meeting to be held during the week at Antelope Creek. The initial steps have been taken, and it is safe to assert that the extinction of the tribes who have been to settlers such a cause of dread and loss, will be the result.⁶

In 1864, the Mendocino Herald proposed the following solution to the Indian problem, explaining just what the alternative was if the Indian was not removed:

We have long since thought they should be collected together and removed to some remote district of the country, away from the settlements, or to an island in the sea, and there protected by the Government. The Indians are not so numerous now but what this would be feasible. Those of them that cannot be brought upon a reservation should be considered guerrillas, and treated accordingly. This latter might seem harsh treatment, but those who have spent a number of years on Indian country know full well this is the only policy to be adopted for the protection and safety of the whites.

1. Chalk and Jonassohn, p. 23.
2. Cook 1978, p. 98.
3. Cook 1976a, p. 357.
4. Edward H. Spicer, Cycles of Conquest: The Impact of Spain, Mexico, and the United States on the Indians of the Southwest, 1533-1960 (Tucson, 1962), p. 331.
5. Pedro Font, "The Colorado Yumans in 1775," in R. F. Heizer and M.A. Whipple, eds., The California Indians: A Source Book (Berkeley, 1970), pp. 207-208.
6. Cook 1976a, p. 74-76.
7. Cook 1976a, p. 130.
8. F.W. Beechey, in Cook 1976a, p. 79.
9. Quoted in Engelhardt, p. 240.
10. Cook 1976a, pp. 257-258.
11. Robert L. Schuyler, "Indian-Euro-American Interaction: Archaeological Evidence from Non-Indian Sites," in Heizer 1978, p. 79.
12. Cook 1976a, p. 206.
13. Cook 1976a, p. 76.

14. Borah, p. 13.
15. Cook 1976a, pp. 21, 31-33; Engelhardt, vol. 2, pp. 608-609; vol. 3, p. 30.
16. Rawls, p. 21; Hutchinson, pp. 80, 401-402.
17. Heizer and Almquist, pp. 12-15; Cook 1978, p. 96.
18. Cook 1976a, p. 83.
19. Cook 1976a, p. 228.
20. Cook 1976a, pp. 230-232; Castillo 1978, p. 106.
21. Quoted in Heizer and Almquist, p. 16.
22. Heizer and Almquist, p. 16.
23. Hutchinson, p. 398.
24. Chalk and Jonassohn, p. 175.
25. Spicer, p. 344.
26. Spicer, pp. 344-345; Rawls, pp. 138-140.
27. Trennert, p. 197.
28. Rawls, p. 170.
29. Heizer 1974a, pp. 222-224.
30. Rawls, pp. 95-108; Heizer 1974a, p. 219.
31. Reproduced in Heizer 1974a, p. 230.
32. Reproduced in Heizer 1974a, p. 241.
33. Quoted in Heizer and Almquist, p. 46.
34. Heizer 1974b, pp. xv-xvi.
35. The origins, uses, and endurance of the label "Digger" as applied to the California Indian is examined at length in Allan Lonnberg's master's thesis, Self and Savagery on the California Frontier: A Study of the Digger Stereotype (Salinas, 1980).
36. Reproduced in Heizer 1974a, pp. 185-186.
37. Rawls, p. 197.

38. Rawls, p. 201.
39. William Kelly, An Excursion to California Over the Prairie, Rocky Mountains, and Great Sierra Nevada (New York, 1973 reprint of 1951 edition), pp. 253-254.
40. David Horr, comp. and ed., California Indians, vol. V, Sagebrush Corner (New York, 1974), p. 78.
41. Reproduced in Heizer 1974b, p. 56.
42. Cook 1978, pp. 96-97.
43. Merriam, p. 602.
44. Andrew F. Rolle, California: A History (New York, 1969), p. 228; such incidents are recounted in Kelly, pp. 24-25.
45. Cook 1970, pp. 31-32.
46. Quoted in Heizer and Almquist, pp. 89-90.
47. Cook 1970, pp. 39-40.
48. Miller 1979, pp. 49-50, 54.
49. Miller 1979, p. 59.
50. Quoted in Miller 1979, p. 75.
51. Heizer 1974a, pp. 112-113.
52. Virginia P. Miller, "Yuki, Huchnom, and Coast Yuki," in Heizer 1978, p. 250.
53. Miller 1979, p. 99.
54. Quoted in Miller 1979, p. 49.
55. Quoted in Miller 1979, p. 53.
56. Quoted in Miller 1979, p. 53.
57. Quoted in Heizer 1974a, p. 114.
58. Quoted in Miller 1979, p. 67.
59. Miller 1979, p. 66.
60. Quoted in Miller 1979, p. 68.

- 61.Quoted in Miller 1979, p. 70.
- 62.Miller 1979, p. 97.
- 63.Jerald Jay Johnson, "Yana," in Heizer 1978, pp. 362-363.
- 64.Reproduced in Heizer and Kroeber, p. 13.
- 65.Reproduced in Heizer and Kroeber, p. 50.
- 66.Reproduced in Heizer and Kroeber, p. 16.
- 67.Heizer and Kroeber, p. 17.
- 68.Reproduced in Heizer 1974a, p. 155.
- 69.Heizer and Kroeber, p. 46.
- 70.Reproduced in Heizer and Kroeber, p. 58.
- 71.Theodora Kroeber, Ishi in Two Worlds (Berkeley, 1961), pp. 84-85.
- 72.Reproduced in Heizer 1974a, pp. 253-255.
- 73.A. Kroeber 1925, p. 890.
- 74.Reproduced in Heizer 1974a, pp. 213-215.
- 75.Reproduced in Heizer 1974a, p. 268.
- 76.Reproduced in Heizer 1974a, pp. 268-269.
- 77.Reproduced in Heizer 1974a, pp. 215-216.

CHAPTER VIII

Analysis

The genocide of Indians during the early American period in California deserves recognition alongside other cases of genocide through history. In terms of numbers of lives lost, the case obviously is not comparable in scale to the loss of millions of Jews and others under the Nazis, of one to two million Cambodians under the Khmer Rouge, and of hundreds of thousands of Armenians under Turkey. However, what happened in California in the mid-1800s parallels those events in a number of important ways, all of which point to a determination of genocide in the case of the Indians of California, under the circumstances described previously.

Theorists have outlined a number of preconditions common to cases of genocide. One of those preconditions is the reduced value of the victim group in the view of the perpetrator group. According to Chalk and Jonassohn, genocide is not possible as long as the potential victims are perceived as people: "We have no evidence that a genocide was ever performed on a group of equals. The victims must not only not be equals, but also clearly defined as something less than human."¹ Likewise, Jack Nusan Porter notes that an important component of genocide is the reduction of victims to the level of non-humans.²

In a psychological analysis of the phenomenon of genocide, Ervin Staub writes:

The most terrible of human capacity is that of profoundly devaluing others who are merely different. Often there is a reversal of morality, and killing them comes to be seen as good, right, and desirable. In the course of all this, new group norms evolve, and institutions are established in the service of genocide or mass killing. The progression may occur in a short time, although often intense devaluation has already developed by the time those who become the perpetrators of genocide appear on the scene.³

Such devaluation is frequently found in genocides perpetrated against indigenous peoples, notes Leo Kuper:

This is a common phenomenon, the equating of hunting and gathering peoples with animals, and hunting them down in the same way as animals . . . The elaboration of denigrating and justifying ideologies was an intrinsic part of the colonizing process, and these ideologies are often described as significant factors in the genocidal attacks against colonial peoples.⁴

Another precondition of genocide noted by Porter and by Chalk and Jonassohn is the presence of bureaucracy. According to Porter, bureaucracy is necessary for greater efficiency in carrying out genocide; Chalk and Jonassohn see it as essential for overcoming "reluctance on the part of most ordinary people in all societies to carry out a mass slaughter of defenseless victims."⁵ However, Chalk and Jonassohn state that there are exceptions to this precondition "when the victim group is numerically small, such as the indigenous tribes wiped out by colonial settlers."⁶

Thus, the events in California reflect a certain type of genocide, involving settlers versus indigenous peoples. This type of genocide is among four kinds that Chalk and Jonassohn distinguish according to the motives of the perpetrators:

1) to eliminate a real or potential threat (e.g., by the Tutsi in Burundi, the Pakistani government in Bangladesh, and the military in Indonesia);

2) to spread terror among real or potential enemies (Genghis Khan in Europe and Asia, Shaka in Southern Africa, and the USSR in the Ukraine);

3) to acquire economic wealth (numerous cases resulting from European expansion in the Americas, Asia, and Africa); and

4) to implement a belief, theory, or an ideology (by Turkey against Armenians, by Nazis in Germany, and by Pol Pot in Cambodia).⁷

In the case of the California Indians, the genocide was of the third type, and the agent of genocide was the settler, or private enterprise, with the government sharing some responsibility. Because Chalk and Jonassohn limit application of the term *genocide* to cases in which the perpetrator is a state or other authority, they label events in California during the American period *genocidal massacres*.⁸ I believe that there is no need for such a limitation on the use of the term, since it is the intent

and the acts that form the basis of a determination of genocide, not the authority, or lack of it, on the part of the perpetrators. An officially sanctioned genocide is a specific type of genocide, but not the only type. Moreover, the UN convention on genocide includes "private individuals" among parties subject to punishment for genocide. Other groups identified by Chalk and Jonassohn as being subject to genocide of the third type include the Herero of South West Africa (now Namibia), from 1904 to 1907, and, more recently, some of the tribes of the Brazilian Amazon.

Two kinds of action discussed by John H. Bodley in his study of the causes of tribal population decline are "wars of extermination" and "punitive raids." Bodley uses the term *war of extermination* rather than *genocide* in his study without explaining why he avoids the label, but the range of treatment of indigenous peoples that he discusses clearly encompasses the phenomenon of genocide. According to Bodley, the difference between punitive raids and wars

is that punitive raids tend to be short punishments for specific offenses committed by the natives and the intent is merely to establish administrative control. Wars, however, may involve protracted campaigns, often for purposes of extermination or the forced removal of native populations that are not in themselves of direct economic value.'

Expeditions into the interior of California in the later Spanish and Mexican periods would be appropriately labeled punitive raids as defined by Bodley. In several

such incidents, the Indians attacked were characterized as "rebels" from the missions.¹⁰ Cook presents records of expeditions against Indians during the Spanish and Mexican periods in table form, and an examination of the listings indicates that white-Indian fighting during those times was concentrated in time and place. Moreover, the records indicate numerous occasions when Spanish or Mexican parties were badly beaten by the Indians whom they had attacked, in contrast to the largely one-sided fights in the American period.¹¹

An incident that stands out is the 1837 Mesa-Amador expedition against the Sierra Miwok, in which 200 Indians were reported massacred and 160 captured. According to Cook, this action by "two ruffians . . . was universally condemned and repudiated."¹² By contrast, Cook's table for part of the period, 1847 to 1865, (which lists deaths by tribe from what Cook calls "military operations," including private expeditions) indicates that heavy death tolls resulted from campaigns conducted over a number of years against certain Indian groups. The table reveals steady activity against specific tribes including the Yuki, which the table indicates suffered a reported 525 deaths from military operations between 1853 and 1856. Oddly, the table neglects to mention deaths from military activity for the Pomo in 1850, the year of the Clear Lake massacre.¹³ Although this omission is perplexing, Cook's tabulation is

useful as a visual tool depicting patterns of campaigns against certain California Indian groups.

Previous sections of this paper have shown that events in California between 1848 and 1873 went beyond war, punitive raids, and settler self-defense. Much evidence reveals intent to exterminate, and resignation to its inevitability. Settlers went beyond mass killing in their persistent efforts to be rid of Indian "varmints." The use of bounties and poison indicates that, for some settlers, distinctions between Indians who posed actual threats to safety and those who did not were not important.

Two of the acts that constitute genocide under the UN convention on genocide are actual killing and forcible transfer of children of one group to another, with the intent of destroying, in whole or in part, a national, ethnic, racial, or religious group. The evidence clearly shows that both type of acts were committed by Anglo settlers against the Indians of California.

Evidence of massacres, such as the ones which occurred at Clear Lake in 1850 and at Indian Island on Humboldt Bay in 1860, and of prolonged Indian-hunting campaigns, including those in areas inhabited by Yuki and Yana Indians, conclusively points to genocide. The intent of many settlers involved was clearly stated and recorded at the time. In 1860, William Frazier, elected lieutenant of a volunteer company of forty men from Long Valley in

Mendocino County, provided this account of an attack by the group on an Indian rancheria:

We left Long Valley in the evening, and traveled in the night until we saw the fire of an Indian rancherie [sic], which rancherie we surrounded when day was breaking, and waited until near sun up before we attacked and killed twenty, consisting of bucks, squaws, and children, and also took two squaws and one child, prisoners; those killed were all killed in about three minutes.¹⁴

According to Miller, this event was typical of many attacks, in which the only offense of the rancheria was the misfortune of being discovered. "There was no specific reason other than that the victims were Indians. No beef or horse meat was found there."¹⁵

The forcible transfer of children from one group to another, a second act specified in the UN convention on genocide, occurred through the practice of kidnapping, which was widespread in California between 1850 and 1863. Cook estimates that the number of children kidnapped at 3,000 to 4,000. He says that the practice was tolerated because of the difficulty of prosecuting offenders, and because

a large segment of public opinion held that the Indian children were much better off as virtual slaves in the well-to-do and good Christian atmosphere of the white families than they would have been suffering misery and starvation with their own parents.¹⁶

An article published on May 20, 1857, reported the following:

The Pitt River volunteers have returned to Yreka, carrying with them a number of children, who were presented to different families in that place. The

Union says that some of them are bright little specimens and no doubt will be of much benefit to those who raise and care for them.¹⁷

According to Leo Kuper, the reference to the forcible transferral of children in the UN Convention on Genocide resulted from debate over including cultural genocide, or ethnocide, as a crime under the convention. The reference to the transfer of children, along with the use of the word "ethnical" in the list of groups covered by the convention, were intended to extend protection to groups with distinctive cultures or languages.¹⁸ In the case of the Indians of California, attitudes regarding the forcible transfer of children illustrate the low value that some Anglos placed on Indians as a distinct cultural group. The act of kidnapping alone contributed to the breakdown and destruction of some Indian groups; the fact that parents were sometimes killed so that children could be seized makes the kidnapping that occurred significant not only as ethnocide--defined as acts committed with intent to destroy a culture--but as a component of the genocide of California Indians.

As discussed previously, the private enterprise nature of the genocide in northern California is also found in other genocides that involved settlers or commercial ventures versus indigenous peoples, such as the cases of the Herero of what is today Namibia the tribes of the Brazilian Amazon. In the case of the Herero, which is

outlined in Chalk and Jonassohn's collection of case histories, the arrival of German colonists in what was South West Africa initiated a struggle for control of the land. The Herero, a nonagricultural herdsman group, revolted against German settlers in 1904, killing more than 100 German soldiers and settlers. A major cause of the revolt was the lack of rights afforded the Herero by the Germans, who "described the Africans as baboons and treated them accordingly."¹³ The Herero were angered by plans to move them to reservations, by intensified efforts on the part of German traders to collect debts, and by "the continued refusal of the courts to punish Germans for raping and murdering Hereros."¹⁴ Following the revolt, thousands of Herero died when additional troops and weapons were brought in. Measures taken against the Herero are reported to have included the deliberate poisoning of water holes.¹⁵ The Herero population declined from about 80,000 in 1904 to just 15,000 by 1911, largely due to killing in battles by German troops, difficult working conditions and disease in prisons and labor camps, and killing by patrols or thirst in the desert.¹⁶

In the case of the Indians of Brazil, settlers drawn to Amazonia by land, gold, and timber have caused the disappearance and decimation of Indians of northwestern region of the country. Chalk and Jonassohn summarize events there:

The farmers and miners kill Indians who obstruct the opening of the land, chase away the game on which the Indians depend for an important part of their diet, spill toxic mercury from their gold ore separators into rivers and streams, and infect the biologically vulnerable Indians with diseases they have never encountered before.²³

In the 19th and early 20th century, professional Indian hunters reportedly killed tribal peoples in Brazil; one Indian hunter is said in 1888 to have put strychnine in drinking water wells of a Kaingang settlement in Sao Paulo.²⁴ Chalk and Jonassohn warn that if Brazilians do not enforce new conservation policies, "the tragedy of the Indians in the American West will be repeated along the banks of the Amazon."²⁵

The intent of the settlers in the cases of the Indians of Brazil and California may not immediately seem clear: aggression against Indians is said to have begun because the Indians were on land that settlers wanted, or, in the case of California, because Indians had killed settlers or stolen livestock, and not explicitly because they were Indians. The key to understanding both cases, however, is perceiving the evolution (or degeneration) of the situation into a genocide. The devaluation of the lives of indigenous peoples permitted this degeneration to happen; settlers upset by Indian theft or harassment, or who believed that Indians represented a threat or obstacle, came to care less and less about distinguishing among those who were guilty and those who were not.

The role of government authorities in the genocide experienced by California Indians is not entirely clear. As stated previously, the events that occurred in California can be identified as representative of a particular type of genocide: genocide of indigenous peoples for the acquisition of wealth. Within this category, there have been cases in history in which government authorities played a primary role as a perpetrator of genocide, and some have argued that such was the case in California. Jack Norton, a Native American who has written about the experiences of the Indians of northwestern California, unequivocally denounces the role of government authorities: "The government of the United States, as well as the various state, county, and municipal governments have conspicuously developed and implemented policies resulting in genocide being constantly practiced against the native people."²⁶ By naming the government as perpetrator, Norton expresses a view of events that neatly fits Chalk and Jonassohn's general model of genocide.

In the case of the California Indians, however, evidence of a direct, overt government role in committing genocide is lacking. The main actors in the case indisputably were settlers who, on their own initiative, took measures to eliminate the Indian population. The government did not coerce them to fight Indians; they clearly chose their own courses of action.

This is not to say that government authorities had no role whatsoever in setting up conditions which contributed to the hardships faced by California's indigenous population and which may have even encouraged abuse of Indians. The 1850 Act for the Government and Protection of Indians legislated racial differentiation in California by limiting the legal recourse of Indians and providing an official sanction for treating Indians differently than whites. Meanwhile, the state subsidized scores of military campaigns by volunteer groups in which Indians were often killed indiscriminately.²⁷

Federal authorities chose to reject 18 treaties, drafted in 1851 and 1852, despite pleas for passage from Indian agents who viewed the reservations as essential not only for the protection of settlers but for the protection of Indians as well. California Superintendent of Indian Affairs Edward F. Beale reported in May of 1852 that he saw no course of policy other than the ratification of the treaties to secure the peace and friendship of the Indians, and he specifically mentioned the need to protect the Indians on the reservations.²⁸ The rejection of the treaties, largely as a result of the perception that the land to be set aside was too valuable to cede, represented a major setback in the efforts of some government officials to protect Indians from settler encroachment.

The actions of some government officials were indeed part of the genocide of Indians in California, but their behavior does not necessarily implicate the U.S. government as an institution. United States Army Brevet Capt. Lyons and those under him bear responsibility for the 1850 Clear Lake massacre in which at least 135 Pomo were killed indiscriminately. Round Valley Reservation supervisor James Short, a political appointee of President Lincoln, was implicated in a massacre that occurred at the reservation in August 1862. At that time, at least 23 Indians were killed in an attack on sleeping Wailaki. One settler was killed, and one wounded. The testimony under oath of a settler involved in the massacre, James McHenry, reads as follows:

There were about 27 or 28 of us. It was before day. . . I suppose Capt. Short knew about it. . . . [Captain Short] said he did not see the use of men going into the mountains to hunt Indians when they were in here on the Reservation. . . . He said they were coming in without families, and he thought they were coming in for no good. About 100 had come in. He said that placed in the position he was, he did not like to sanction any act, but he thought something ought to be done with them.²⁹

The impulse to eliminate the Indians is most clearly evident at the local level. The extreme courses of action taken by residents have been discussed at length in this paper. They include the establishment of vigilance committees and the organization of volunteer parties for

Indian raiding expeditions, and the raising of money to pay bounties for Indian scalps.³⁰

The relatively benevolent approach to the Indians on the part of the federal government compared with actions taken at the local level is discussed in an editorial published in the San Francisco Bulletin on September 1, 1856:

The policy of the government of the United States when sincerely acted upon and carried out is really benevolent, and the desire of those having the direction of Indian affairs at Washington, is ostensibly to protect the Indians, and assist and encourage them while accustoming themselves to the new habits and modes of living which are forced upon them, by the continual and rapid encroachments of their white neighbors upon their ancient hunting grounds. But while such feelings may influence the authorities at Washington, and even govern the actions of all honest agents of the government who deal directly with the Indians, a very different sort of desires appear to influence a large portion of the inhabitants of our border districts. With them every inconvenience the result of contact of the two races is to be remedied only by driving the red men back or by extermination.³¹

Of course, at all three levels--federal, state, and local--there were sharp differences of opinion over how Indian-white relations should be handled. In letters to newspapers, residents frequently expressed their dismay at what they considered unwarranted attacks against Indians. In the January 21, 1860 San Francisco Bulletin, one reader wrote to the editor:

I see that Mr. Kibbe--I am tired of calling him "General"--styles his expeditions a war!! I would like to know how many guns or rifles he found among the Indians. When McElroy's body was found, he had a bullet hole through his head. If Kibbe was well

posted he would know there is a heap of white Indians around.

As a taxpayer--and I have been one for five years--I sincerely hope that such gross injustice will not be committed as to call upon the people of California to meet the expenses of such a "war." When will California get rid of her great "generals"?³²

Therefore, in identifying those responsible for genocide against the Indians of California, it would be unfair to place the blame on government as a whole, or on all settlers. The parties responsible for genocide in California were *some* settlers and officials, with government authorities setting up conditions that were favorable for the pursuit of genocidal activities.

All of this is not to say that Indians had never murdered or stolen. Indians, just like the Anglos, were capable of hostility towards each other and to outsiders. Indian scouts sometimes accompanied whites on expeditions against other Indians.³³ The use of Indian assistance by whites does not detract from a finding of genocide, however. During the Nazi Holocaust--for many, the genocide by which all genocides are measured--some Jews were kept alive to work in the camps.³⁴

In northeastern California, Modocs alarmed by the arrival of settlers--who entered their territory from the east on the Applegate Trail--and by numerous attacks began a campaign against the Anglos. Although the majority of older Modocs are said to have advised a patient and cautious approach to the whites, those eager to drive away

the settlers held sway. In later days, Modoc Chief Schonchin commented on the conflict: "I thought, if we killed all the white men we saw, that no more would come. We killed all we could; but they came more and more, like new grass in spring."³⁵ The remark poses troubling questions; it seems to parallel genocidal sentiments made by Anglos and raises the possibility that, given the right circumstances (e.g., better weapons, alliances with other Indian groups) the Modocs might have pursued a genocide against whites.

In 1852, an entire wagon train of 36 emigrants was killed at Bloody Point, a site favored by Modocs for attack and siege. That same year, however, a company of 21 mounted civilians from Yreka, led by Ben Wright, ambushed 48 Modocs whom Wright had invited to his camp to discuss making a treaty. On the fifth day of talks, Wright had become convinced that his group faced the choice of "kill or be killed," and he instructed his men to watch for his signal. During a discussion with the Indians, Wright suddenly opened fire. Only ten Indians were able to escape.³⁶

In his account of Modoc-Anglo hostilities, William Newell Davis notes the disparity of views that existed within both the Indian and Anglo communities when it came to dealing with the other:

Bad and irresponsible members of both races often controlled the collective reputation of each in the

eyes of the other. A wrong committed against them by a lawless white man led the Indians to a blanket distrust of the entire white race. The act of an unruly 'savage' hurtful to the whites brought a wholesale indictment of all Indians as 'varmints' and 'devils,' and often led to indiscriminate retaliation against the first Indians come on, innocent or guilty.³⁷

The majority of contemporary commentators note that hostilities between California Indians and Anglos generally occurred when whites attacked natives in response to the loss of animals such as horses, pigs, or cows. It is often mentioned in the accounts of contemporary eyewitnesses that Indians faced the choice of stealing or starving; when Indians stole, they were subject to vicious retaliation by parties of settlers. An article in the May 31, 1856, edition of the Sacramento Daily Union described the situation:

The Indian war is defunct. The whole matter has been a cowardly farce, the threatening legions of Indians turning out to be but 100, seeking refuge in a brush from the rowdies, who, on the least occasion, delight in the sport of shooting them.

As in all cases of this kind, the fault has been with the whites. The herds of cattle said to have been stampeded turn out to be a single calf taken to supply the deficiency of meat during an Indian feast. Retaliation, of a brutal character, for this trifling offense, coated all the disturbance.³⁸

In 1860, a joint committee of the California legislature traveled through Mendocino County, including Petaluma, Cloverdale, Ukiah, and Round Valley, to investigate the condition of the Indians there. The Majority Report, issued by four of the five members of the

committee, could describe the situation of Indians in many parts of the state:

The march of civilization deprives the Indian of his hunting grounds and other means of subsistence that nature has so bountifully provided for him. He naturally looks at this as an encroachment of his rights, and, either from motives of revenge, or what is more likely in California, from the imperious and pressing demands of hunger, kills the stock of the settler as a means of subsistence, and in consequence thereof, a war is waged against the Indian, with its incidents of cruel, inhuman revenge, rapine, and murder, which we are sorry, from the evidence before us, to be compelled by some few of our citizens.³⁹

The Minority Report, by sole dissenter J. B. Lamar, chairman of the committee, asserts that the Indians of the region were treacherous and bloodthirsty, and it defends the settlers' actions.⁴⁰

W.H. Brewer, a member of the Geological Survey of California, wrote in 1861:

There are now "Indian troubles" at various places in the upper part of the state--white men murdered, etc., troops are out--and as yet I have not heard a single intelligent white man express any opinion but that the whites are vastly more to blame than the Indians.⁴¹

An issue that arises when considering human rights issues in earlier times is presentism. In reviewing this case, current readers may wonder if it is presentistic to label as genocide cases that predate adoption of the UN convention on genocide. Only the label is recent, however. The phenomenon of genocide can be traced to antiquity. Moreover, in the case of the California Indians, it is clear that contemporary opinion distinguished genocidal

activities from war, and that human rights abuses were cause for outrage.

Authors of accounts from mid-1800s California recognized that what was happening was atrocious under the prevailing moral standards, and many spoke out against such treatment. Indeed, it is not unusual to see the term "crime against humanity" applied to what was happening, as shown in the examples below. The awareness was there, even though the label linking the events to phenomena found through history appeared later.

The practice of kidnapping Indian children clearly was viewed by many as an affront to humanity. Indian Agent W.P. Dole wrote in the 1861 Report of the Commissioner of Indian Affairs:

In the frontier portions of Humboldt and Mendocino Counties a band of desperate men have carried on a system of kidnapping for two years past. Indian children were seized and carried into the lower counties and sold into virtual slavery. These crimes against humanity so excited the Indians that they began to retaliate by killing the cattle of the whites. At once an order was issued to chastise the guilty. Under this indefinite order a company of United States troops, attended by a considerable volunteer force, has been pursuing the poor creatures from one retreat to another. The kidnappers follow at the heels of the soldiers to seize the children, when their parents are murdered, and sell them to the best advantage.⁴²

In the U.S. Senate in 1860, during debate over a measure that would transfer control of Indian affairs to the state of California, senators expressed shock at reports of attacks against the Indians of California.

Several newspaper accounts of Indian massacres, including the one at Humboldt Bay that same year, were read into the record at the request of Sen. Henry Wilson of Massachusetts. Afterwards, Wilson remarked:

I am informed by officers of the Army that it is a fact which they know to be true, that Indians are hunted down in some portions of the State of California; that old bucks, as they are called, are killed, and the children taken and disposed of, and in certain cases sold as slaves. I am informed by an officer of the Army who has served in California, and is now in this city, that he has seen these very children who are thus held. Sir, the abuses that have been perpetrated upon the Indians of California are shocking to humanity, and this Government owes it to itself to right their wrongs.⁴³

Sen. Milton Latham of California responded that the committee of the California legislature, which he said had been appointed "to go to Humboldt Bay, or Mendocino County, I do not recollect which," had determined that the newspaper accounts were greatly exaggerated.⁴⁴ In fact, the committee's majority report included the following statement regarding actions against Indians in Mendocino County:

We are unwilling to attempt to dignify, by the term "war," a slaughter of beings, who at least possess the human form, and who make no resistance, and make no attacks, either on the person or residence of the citizen.⁴⁵

Thus, although the concept of genocide had not yet been fully articulated as it would be following the Holocaust, those who indiscriminately killed Indians in California and those who forcibly removed Indian children

were viewed as having transgressed contemporary standards of human behavior.

In their examination of various cases, Chalk and Jonassohn briefly address the issue of presentism. They conclude that, if the evidence of genocide is reliable, there is no problem in applying the label whenever such phenomena occurred. Moreover, such application is long overdue in many cases, they say. Since the late Middle Ages, the authors write, genocide has increasingly been viewed as inconsistent with the values of human society:

This inconsistency has resulted until recently in what we have called the *collective denial* of the prevalence of genocidal events; that is, the ignoring of these events in historical reporting, or their glossing over by the use of vague or ambiguous terminology.⁴⁰

1. Chalk and Jonassohn, p. 28.
2. Porter, p. 12.
3. Ervin Staub, The Roots of Evil: The Psychological and Cultural Origins of Genocide and Other Forms of Group Violence (Cambridge, 1989), p. 18.
4. Kuper, p. 54.
5. Chalk and Jonassohn, p. 28.
6. Chalk and Jonassohn, p. 28.
7. Chalk and Jonassohn, pp. 29-40.
8. Chalk and Jonassohn, p. 26.
9. John H. Bodley, Victims of Progress (Palo Alto, 1982), p. 44-47.
10. Bancroft, vol. 18, pp. 112-115.
11. Cook 1976a, pp. 245-251.

12. Cook 1976a, pp. 202, 250.
13. Cook 1976a, p. 352.
14. Quoted in Miller 1979, p. 69.
15. Miller 1979, p. 69.
16. Cook 1970, p. 33; 1976a, pp. 314-315.
17. Reproduced in Heizer 1974b, p. 1.
18. Kuper, pp. 30-31.
19. Horst Dreschler, "The Herero Uprising," in Chalk and Jonassohn, p. 235.
20. Chalk and Jonassohn, p. 230.
21. John H. Wellington, South West Africa and Its Human Issues (London, 1971), pp. 208, 213.
22. Chalk and Jonassohn, p. 231.
23. Chalk and Jonassohn, p. 412.
24. Carlos de Araujo, "Some Data Concerning the Recent History of the Kaingang Indians," in Dostal, W., ed., The Situation of the Indian in South America, tr. W.J. C'Hara (Geneva, 1972), pp. 312-313; Bodley, pp. 27-28.
25. Chalk and Jonassohn, p. 414.
26. Norton, p. 128.
27. Hurtado 1988, p. 5; Heizer and Almquist, pp. 26-32, 207-211; Heizer 1974a, p. 134; Miller 1979, p. 65.
28. Robert F. Heizer, The Eighteen Unratified Treaties of 1851-1852 Between the California Indians and the United States Government (Berkeley, 1972), p. 20-23.
29. Quoted in Miller 1979, p. 85.
30. Heizer 1974a, pp. 268-269, 294-306.
31. Reproduced in Heizer 1974a, pp. 205-206.
32. Reproduced in Heizer 1974a, p. 97.

- 33.Heizer 1974a, p. 214; Jeff C. Riddle, The Indian History of the Modoc War and the Causes that Led to It (N.p., 1914), p. 164.
- 34.Kuper, pp. 129-137.
- 35.Quoted in W. N. Davis, Jr., Sagebrush Corner: The Opening of California's Northeast in David Horr, comp. and ed., California Indians (New York, 1974), p. 96-99.
- 36.Davis, pp. 99-101.
- 37.Davis, p. 97.
- 38.Reproduced in Heizer 1974b, p. 73.
- 39.Quoted in Heizer and Almquist, pp. 35-36.
- 40.Heizer and Almquist, p. 37; Miller 1979, pp. 77-78.
- 41.Quoted in Heizer and Almquist, p. 31.
- 42.Cook 1976a, pp. 312-313.
- 43.Reproduced in Robert F. Heizer, ed., Federal Concerns about Conditions of California Indians 1853 to 1913: Eight Documents (Socorro, 1979), p. 36.
- 44.Heizer 1979, pp. 32, 39.
- 45.Quoted in Heizer and Almquist, p. 37.
- 46.Chalk and Jonassohn, p. 27.

CHAPTER IX

Conclusion

Genocide has occurred since ancient times and has happened in various regions of the world. The evidence presented here demonstrates that genocide occurred in the United States just over a hundred years ago.

The implications of the conflict between American settlers and the indigenous peoples of California were clear to many contemporary observers. The 1861 editorial in the San Francisco Bulletin, quoted previously, describes the situation in a way that reveals awareness of the nature of events.

Certainly, by 1861 humankind had confronted the fact that people are capable of brutal, senseless killing; that civilians frequently die as a consequence of war; and that epidemics and incurable, chronic illness could wipe out generations. In California, observers distinguished a specific kind of mass death, a type of killing that shocked humanity by its deliberate indiscriminate quality, its one-sidedness, and its tendency to become systematized. All of these conditions were noted by the author of the San Francisco Bulletin editorial: "The constant repetition, on a large scale, of the same kind of outrages against humanity, renders it impossible to abstain from frequent

reference to this crying evil . . . the horrible butchery which is rapidly becoming an organized system."

The words suggest an uncomfortable American parallel to genocides that occurred long ago in distant places, and to more recent massacres that are suspected of being genocidal in nature, but of which there either is not enough known or which society has yet to be persuaded stemmed from genocidal intent (most recently among the Kurds in Iraq, and in the so-called "ethnic-cleansing" in Bosnia).

The UN Convention on Genocide is as close to a standard tool as now exists for considering the phenomenon as it occurred in different times and places. The possible applications of the concept have not been fully explored in many cases which warrant further study. This reticence may in part be the result of frequent misapplication of the term, such as those instances listed by Jack Nusan Porter:

'race-mixing' (integration of blacks and non-blacks); drug distribution; methadone programs; the practice of birth control and abortions among Third World people; sterilization and 'Mississippi appendectomies' (tubal ligations and hysterectomies); medical treatment of Catholics; the closing of synagogues in the Soviet Union."

It is essential for researchers to treat genocide as a meaningful term describing a specific phenomenon.

Insisting on a rigorous, strictly limited definition of genocide, however, necessarily eliminates situations that fall into gray areas. The enormous loss of life and

injustice experienced by numerous indigenous peoples and minority populations seems to call for assignment of blame, but a general indictment of European colonial powers for genocide does little to clarify or resolve anything.

Rather than relying on *genocide* as a general term of accusation for mistreatment or oppression, it is of more use to acknowledge that some cases of mass death, or even discriminatory racial policy, which do not meet a strict definition of genocide still raise important questions. The California Indians were not subject to direct, indiscriminate slaughter under the Spanish, but they certainly suffered and their numbers declined sharply after the Spanish arrived. Why, given the centuries of experience that the Spanish had with indigenous peoples, did Spanish missionaries continue to pursue the policy of aggregating Indians at missions even as the Indians were dying? This is a topic worthy of another paper.

Also deserving further study is the Indian slave trade in California during the American period. While not of itself an act of genocide, it is a perplexing anomaly, since California was officially a free state. An examination of the origins and extent of this practice would be a valuable contribution to our understanding of the American frontier and of California history.

Identifying genocide in a case study does not entirely resolve the problem of understanding just why such things

happen. In his study of the origins of genocide, Ervin Staub cites difficult life conditions, such those that might have been experienced on the frontier, as factors that can generate psychological changes and motives that turn one group of people against another. "The perpetrators change, as individuals and as a group, as they progress along a continuum of destruction that ends in genocide. The behavior of bystanders can inhibit or facilitate this evolution."² Staub observes that genocide arises from a pattern, not a single source: "The outcome of this evolution and the immediate cause of the genocide is that perpetrators come to believe either that the victims have something they want or (more likely) stand in the way of something they want."³ Hostility by some members of a group, often in response to repression or violence against them, is sometimes viewed as justification for attempts to exterminate the whole group, according to Staub.⁴ In presenting his ideas, Staub focuses on the Holocaust, the Turkish genocide of the Armenians, genocide in Cambodia, and mass killing in Argentina, but his analysis clearly has applications for the case of the California Indians as well.

Recognition that genocide, as defined through the UN Convention on Genocide, was among causes of the decline of the American Indian population is essential to a full awareness of the origins and history of the United States.

Although genocide was not a primary cause of the indigenous demographic collapse, it was a significant cause of decline for some distinct Indian groups. In California, it had a decisive impact on the survival of some Indian groups, such as the Yuki and the Yahi-Yana. The phenomenon as it occurred in the United States should not be belittled merely because other factors, mainly disease, took a greater toll on the Indian population than outright killing. The genocide of the Indians of northern California at the hands of American settlers needs to be acknowledged and explored further, just as other genocides through history are gaining renewed attention and understanding today.

1. Porter, p. 9.
2. Staub, p. 13.
3. Staub, p. 23.
4. Staub, p. 12.

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