



“To destroy in whole or in part”: Remembering Our Past to Secure Our Future

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Abstract

This essay proposes that the history of California includes the intended destruction and decimation of native cultures, including their forced removal, illegal land acquisition, slavery, separation of families, and outright murder enacted by the private citizenry and governmental agencies during European contact can be defined as genocide as outlined by the United Nations Geneva Convention, 1948. The lasting legacy of contact on aboriginal lifeways and tradition, as well as the recent resurgence of native traditions and culture is addressed to suggest that the health and healing of native communities lies in reconciling the past to make passage into the future.

Introduction

Each summer I return to northern California, to the land of the Hupa, Yurok, and Karuk. I return to pray and dance within the centers of our world. I join my cousins, my sons, my grandchildren, nephews and friends, to sing and dance once again upon the grounds cleansed and purified by spiritual energy eons ago. It is a time of renewal, to be amongst the energy of creation, to be re-created, born anew, and cleansed of a year's accumulation of stress, anxieties, and distorted information, negative thoughts, or projections onto others for what we have failed to become. For ten days my wife and I stand within the radiance of ancestral memory as we visit, eat, and enjoy the company of those we have missed throughout the year. Yet, within this aura of renewal, I often feel a tinge of sadness and concern—for how many of our youth and even some adults know the true meaning and purpose, as well as essence of these prayers in motion?

How many understand the teachings of the spiritual leaders and dance makers? Or instill these teachings into their daily lives? How much has been lost? Does the current generation know how much was taken from their ancestors? Did their elders tell them of the day when those from other faiths, stood in front of the dancers and shouted at the people, to stop this paganism? Or told that if they did not go home the superintendent would arrest them? Many of the men and women of my age had parents that were sent away to Indian boarding schools. My father was sent to Phoenix Indian Industrial Boarding School in 1912, and then to Haskell Institute in Lawrence, Kansas. He did not return home until 1942. His father, my grandfather, Sherman Norton, was threatened by the superintendent with forced removal from the reservation for writing numerous letters to the BIA complaining about the unfair treatment and unequal wages paid to In-

dian employees. These harsh realities of contact between settlers and governmental officials and the indigenous peoples of California has left a lasting imprint, on those alive today.

Traditional Native Life Ways

Yet, prior to contact with Europeans, the Native peoples of northwestern California thrived on vast salmon runs and numerous shellfish and sea mammals. In the mountains the Native peoples gathered acorns and hunted deer and elk. Food was abundant and time was given to developing rich religious ceremonies, proper modes of conduct, as well as superior artistry in basket designs, bow-making, and boat construction to produce incredible creative expressions found in their religious regalia and ceremonial practices that celebrated the vitality and beauty of a meaningful life.

Like all Native peoples of North America, California Native nations developed various forms of governance long before Europeans arrived. Their physical and social needs, as well as religious and emotional expressions, were supported and controlled by agreed upon formulations of laws. Membership in the group was defined by recognized boundaries, acceptance and practice of a common language, established customs and values and a shared history. These factors describe nation groups throughout the world. Pejorative labels such as “savage,” “heathen” or “uncivilized” are value laden terms projected by a self-serving critic, yet without these appellations and their acceptance, the name callers stand exposed to the world. Hence, the Indian nations of North

America were not uncivilized nor were the nation groups or tribes in California uncivilized. The term “civilized” is derived from the word “civil” which means a group of people or citizens composing a social community. The social groups in northwestern California, for example, were the Hupa, Yurok, Karuk, Wiyot, and Tolowa nations who lived side by side for hundreds of years without a war of attrition despite the fact each possessed distinctive languages, mores, and customs. However, there was a shared philosophy among the northwestern tribal nations that was perhaps characteristic of many if not all Indians of North America. This characteristic is the belief that all things possessed a spirit and cognition or awareness, including trees, animals, streams, and trails.

Tribal Nationhood and Leadership

In northwestern California, leadership was provided by men who had gained respect by listening to others and relating fair and equitable council or decisions within the decorum of the group. These leaders or headmen also demonstrated their spiritual achievements by gathering sacred items and regalia such as albino deer hides, red-headed woodpecker scalps, and large fluted obsidian blades. These objects along with others were recognized within an energized universal system. Thus, with the accompaniment of ceremonial songs and prayers, these energies helped renew the world from accumulative patterns of death and decay. Individuals who understood and assumed such metaphysical and ontological processes were

esteemed by the group. Hence, leaders were often "dance makers" as well as wise men who sought to keep balance in all things; social, political, economic, and religious. Each village identified a spokesperson and they, in conjunction with the headmen, often formed councils to adjudicate transgressions or to plan future events.

In addition, each group developed a careful and well-defined schedule of exchange or payments using valuable items to compensate the victim for any potential disruption, affront or loss such as theft, trespass, adultery or death of a loved one. The council negotiated the exchange and payments to be made. During the ceremonial cycle, the individual, community and universe would thus be renewed and balanced through a process of agreed upon restitution and reconciliation.

The tribal nations of California lived, and many still do, in nationhood status. That is, they have recognized boundaries usually defined by rivers, mountain ridges, and historical villages. In addition, they have a common language and an agreed upon cosmology that defines their existence through mythos and ritual as well as a shared history. These qualities are recognized by nations throughout the world as criteria for statehood. International law is based upon this reality. Sovereignty is not granted by another. It is held intrinsically by the identified aboriginal nation. For example, the Hupa people in northwestern California have no migration story from a distant land to their beautiful valley home. They tell of the time when Yimantuwiniai, a spiritual being, created mountains, rivers, trees, animals--all the things of this world. When he was done, he looked

back and saw that it was good. "Soon," he said, "the Indian people will be here, I see their mist, I see their smoke on the mountains." (Soktish 1976.) Within this gift from an immortal force the people lived in harmony and sought balance between human needs and the integrity of their environment. The Hupa people killed deer and other animals for food and held a ceremony for ten days every year that atoned and renewed the energy of life. Salmon, as a sacred food source, were taken when the Trinity River was blocked by a fish-dam but only for 10 days. The dam was then dismantled after prayers given by the spiritual leader and the released salmon continued their journey upstream to other tribes.

A World Turned Upside Down

This responsibility and respect given to others was characteristic of California Indian nations and did not lead to aggressive warfare. The Hupa, Yurok, Karuk, Wiyot, and Tolowa peoples lived side by side for thousands of years. Yet there was never a war of attrition. Never did the Yurok march upon the Karuk to make the world safe for "Yurokism." There was no need to be envious or fearful of others because all were secure and potentially whole in the bounty of their world. Given this minimal overview of some of the tribes in northwestern California one can begin to comprehend the terror and bewilderment that these Native peoples suffered when attacked by unfeeling and disconnected miners and settlers. It was a time when many may have felt that the world turned upside down, or it was the end of the Indian people. No longer did the sanctity of property apply. No longer could the

world be put in balance. How could one make sense of the world when at the Yurok village of Kepel, for instance, the following was recorded by Lt. C. H. Rundell in 1857:

I have the honor to report everything as usual in this section. On the night of the 19th February two men (one named Lewis commonly called ‘Squire’ and the other Lawson, generally known as ‘Texas’) came to an Indian ranch (Wasch) about a mile above this camp on the opposite side of the river. They commenced abusing the Indian squaws (sic) and one squaw, while endeavoring to protect her daughter, was stabbed by Lewis very severely in the back and shoulder, he also stabbed the father of the girl twice in the arm. They then seized two other squaws whom they forced to remain with them all night. On the 22nd, the two men Lewis and Lawson came to this camp, but not meeting with a favorable reception they left and went back up the river. On the way they stopped at the same ranch, but the Indians had seen them in time, and the squaws ran to the hills. The man Lewis, enraged at the escape of the squaws, seized a club and without provocation, attacked and brutally beat an Indian boy named Tom, so that it is doubtful he will recover (Heizer 1974:91-92).

Earlier, in 1853, Special Indian Agent Stevenson stationed near the gold fields of El Dorado and Placer counties noted that:

It is a frequent occurrence to find

white men living with Indian women and because the Indians dare to remonstrate against this course of conduct, they are frequently subject to the worse and most brutal treatment. An occurrence of this kind took place last month near Buckeye Flat in the County. Two miners had seduced a couple of squaws (sic) and were living with them or keeping them as prostitutes. The Indians went to the cabin and demanded their women, when they were fired upon by the miners which resulted in the immediate death of one and dangerously wounding another, and yet there was nothing but Indian evidence that could be obtained to punish these villains, and as the Indian’s evidence is not allowed against any white man in this State, they could not be convicted. (Heizer 1974:14).

There were at least 250,000 miners and settlers in California by 1852. There were 2000 on the Trinity River by Big Bar and nearby Weaverville and at Hayfork. Many Native peoples, faced with starvation, harassment, fear and anxiety fled to the hills or mountains to hide, still others attacked settler livestock to feed their families. Indian people, as all human beings, had the fundamental right to protect and provide for their families as best they could. History would prove, however that these basic human rights were consistently and, in many cases, collectively denied. The miners, tore up and diverted the streams, turning them into mud. By May of 1850, the devastating ecological consequences of mining was observed by Special Agent E. A. Stevenson, who noted that “the rivers or tribu-

taries of the Sacramento formerly were clear as crystal and abounded with the finest salmon and other fish. But the miners have turned the streams from their beds and conveyed the water to the dry diggings and after being used until it is so thick with mud that it will scarcely run" (Heizer 1974:16). Thousands of salmon, a vital natural resource, had been killed. In addition, cattle and hogs introduced by the settlers destroyed prairie lands where deer and elk grazed, as well as consuming the acorns that had sustained the Indian populations for centuries. Indian men were often shot on site, while fishing; or as one miner bragged "just to try out his rifle" (Norton 1979:50).

Though few Americans were in California before the overwhelming invasion of miners occurred in late 1848 and 1849, many of these would-be miners came from all over the world; Russia, Mexico, Hawaii, Australia and thousands came from China. The vast majority were Anglo-Americans who left their families, homes, and loved ones and frantically rushed to the gold fields. Many were escaping debts. Others were criminals. Most were average Americans looking for riches. Once these miners were isolated among rugged mountains far from civilization, many became pathological, senseless beings driven by greed. If they did not commit brutality upon others, they often stood by or were complicit in their support of violence. This bleak record of human behavior demonstrates absolute evidence of murder, hatred, racism, rape, enslavement and rampant horror unleashed upon the Native populace that can only be called genocide. Those individuals consumed by an obsession for wealth and the society that supported them ideologically, cannot

claim they were fighting a war against a unified enemy because there was never an official declaration of war against the Native peoples.

Nor could they claim self-protection because inevitably it was the miners and settlers who initiated the first aggressive acts. It is inconceivable that crimes against humanity were often perpetrated in this atmosphere of greed and a distortion of superiority by white, Christianized, democratic individuals. Yet, historically, the record clearly documents violent attacks against California Indian people that occurred at the hands of white citizens, often without warning or provocation. Several violent attacks occurred in northern California, when tribal peoples were observing religious ceremonies and praying that the world would be in balance. They were brutally attacked and butchered by local citizens.

For example, this occurred in the fall of 1853 after the Tolowa people had stored their food for the coming winter. They gathered at the village of Yontoket near the mouth of the Smith River, to pray around the world. They considered Yontoket to be the center-of-the-world, that is, a place where the energies of heaven and earth meet and where prayers, through song and ritual, revitalized all life. Meanwhile, citizens from Crescent City formed a killing squad and ringed the sacred village ready to murder men, women and children. A Tolowa man tells the story with deep sadness, years later:

The whites attacked and the bullets were everywhere. Over 450 of our people were murdered or lay dying on the ground. Then the white men built a huge fire and threw in our sacred ceremonial dresses, the rega-

lia, and our feathers, and the flames grew higher. Then they threw in the babies, many of them were still alive. Some tied weights around the necks of the dead and threw them into the nearby water. Two men escaped. They had been in the sacred sweathouse and crept down to the water's edge and hid under the lily pads, breathing through the reeds. The next morning, they found the water red with blood of their people. (Norton 1979:54-56).

Tragically, western anthropologists, ethnographers and historians have a long record of purposely nullifying and negating the suffering of other cultures. Whether to do so is an attempt to claim an unbiased and scientific approach or to appropriate the voice of the victim for their own use, cannot be sufficiently answered here. Nevertheless, an emotionally dissociated account of the Yontoket massacre is given by A. J. Bledsoe's *History of Del Norte County* (1881):

After the punishment of the Indians at Battery Point, a large number of the Survivors [were] removed to a Rancheria near the mouth of the Smith River, known as the Yontoket Ranch. But the feeling in Crescent City against them was too intense to subside without further punishment being administered. A company was formed and procuring a guide who had some knowledge of the country, they with difficulty, made their way through the forests, and arriving at a point near the ranch, prepared for the attack on the Indians. Of the manner in which the attack was made, no authentic information

can be obtained. It is well known, however that the fight ended in a disastrous defeat to the savages, a large number being killed, while the whites escaped with little or no loss (p. 19-20).

Bledsoe's indifference to the suffering of the Tolowa people is clearly noted. Yet, the Yontoket massacre is but one of many ruthless and unfeeling attacks by the California citizenry upon unsuspecting families, villages, and tribes.

Crimes Against Humanity

Perhaps the earliest recorded interaction between white miners and Indian people occurred after gold was discovered in January 1848, at Coloma on the south fork of the American River. There had been a concerted effort to keep the news of the gold strike a secret, however, by March 1849, there were hundreds of miners camped along Weber Creek. A miner raped a Maidu woman. When her family approached the mining camp to investigate the crime, they were shot. Other racist and paranoid miners attacked a nearby Indian village and murdered twelve people. The miners then kidnapped seven or eight Indian men and took them to Coloma. Once there, the miners debated whether to hang or shoot the Indian men. Finally, in a display of the miner's sadism, they told the Indian men to run while the miners shot them in the back (Trafzer 1999:17). Ignorance and paranoia soon became a stimulus for murder. In April of 1852, Redick McKee wrote to then Governor Bigler that miners had killed many Indian men and women as a precaution against anticipated retaliation for the shooting of one of their

young Indian men by a miner named Irvin R. Tompkins. McKee's letter refers to the "murder almost in cold blood of some thirty or forty Indians" by miners from Happy Camp. "In all the frontier settlements," he states, "there are many men from Missouri, Oregon, and Texas, etc. who value the life of an Indian just as they do of a coyote or a wolf and embrace every occasion to shoot down" (Heizer and Almqvist 1971:28).

Time, however, had not mitigated the actions of the miners. Another attack occurred involving a white man and an Indian woman that resulted in the "war" between the Karuk people and the miners. The *Humboldt Times*, December 1854, issue describes the circumstances. An Indian boy had been killed while protecting a woman, apparently his mother, from rape by a white man. The murderer had left the area, but in the meantime the Indians had retaliated by killing an ox that they believed belonged to him. Later, after learning that he had sold it, the Indians offered to pay the present owner the value of the steer. However, he refused the offer and the miners reacted by attempting to take all the guns from the nearby villages. When the miners met resistance, they attempted to burn the houses containing the Indian's winter provisions. The article ends by rationalizing the miner's paranoia and the resulting murders by suggesting that for "future protection, the miners should form themselves into a body as regulators and swing every man convicted of selling arms or ammunition to an Indian" (*Humboldt Times*, January 20, 1855).

The Slavery of Native Peoples

Troops repeatedly called to protect

the settlers often had to use force against the citizen settlers to protect the Indians. The *Humboldt Times* reported such an instance on February 3, 1855:

At the beginning of hostilities, Captain Judah went with 26 men to the Klamath. There the Weitspeck (sic) and other Indians surrendered their arms, but the miners gathered together and wanted to immediately start a general massacre of all Indians--friendly or otherwise--they could find and hunt down. Captain Judah succeeded in temporarily keeping the whites in check but needs reinforcement to handle the whites (Heizer and Almqvist 1971:33).

On April 22, 1850, the California legislature had passed "An Act for the Government and Protection of Indians," a law that can only be called a slave act. The law created a mechanism whereby Indians of all ages could be indentured or apprenticed by the court to any white citizen for a fee of \$2.00. The average terms of servitude was 16 years, although a longer term of 25 years was not uncommon. Section 6 of the law stated, "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" (Heizer and Almqvist 1971:213). Thus, the Indian person and labor was secured without the large capital outlay of Negro slavery in the South.

Furthermore, on April 18, 1860, the law was amended to suit any miner turned settler or capitalistic entrepreneur as the gold played out. Section 3 states:

County and District Judges in the respective counties of this State, shall, by virtue of this act, have full power and authority, at the instance and request of any person having or hereafter obtaining any Indian child or children, male or female, under the age of fifteen years, from the parents or person or persons having the care or charge of such child or children, with the consent of such parents or person or persons having the care or charge of any such child or children, or at the instance and request of any person desirous of obtaining any Indian or Indians, whether children or grown persons, that may be held as prisoners of war, or at the instance and request of any person desirous of obtaining any vagrant Indian or Indians, as have no settled habitation or means of livelihood, and have not placed themselves under the protection of any white person,... shall appear proper (Heizer and Almquist 1971:216).

Any person or persons “desirous of obtaining any Indian or Indians” child or not, had a legal right to own human beings as property. The law then legalized murderous individuals. In many cases sanctified killing units, acquired children by either imprisoning or killing the parents who in some cases were being held against their will as prisoners under the misnomer of war. According to a letter written to his superiors in Washington, from G. M. Hanson, Superintendent of Indian Affairs in 1860:

In the month of October last, I apprehended three kidnappers, about 14 miles from the city of Marysville,

who had nine Indian children, from three to ten 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 the testimony of the other two, who state that ‘he was not interested in the matter of taking 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’ (Document 63 1863:315).

Nor were the Indian people safe upon the few Federal Reservations established by 1855 in California. An article from a San Francisco newspaper in 1856 relates:

Some of the agents, nearly all of the employees, we are informed, of one of these reservations at least, are daily and nightly engaged in kidnapping the younger portion of the females for the vilest of purposes. The wives and daughters of the defenseless Diggers (sic) are prostituted before the very eyes of their husbands and fathers, they dare not resent the insult, or even complain of the hideous outrage (*San Francisco Bulletin*, September 13, 1856).

In total, it is estimated that at least 10,000

California Indians were indentured between 1850 and 1863 in the northern counties alone. As a result, the kidnapping and abuse of thousands of Native women and children became common place because Indian testimony was disallowed against white settlers. Predictably, the European community, turned American settler, benefited from the law. Native Californians continued to suffer ruthless assaults upon their integrity, life ways, and families. Pitelka (1994) stated that “the abduction and sale of Indians, especially women and children became a lucrative business from 1852 to 1867. Most of the Indians seized came from Mendocino and other remote northern counties, but their captors sold them all over the state” (p. 30).

In addition to survivor accounts, it was documented within the U.S. Senate Annual Report of the Commissioner of Indian Affairs in 1861, that the United States troops were responsible for genocidal acts in conjunction with the abduction of innocent children:

A company of United States troops, attended by a considerable volunteer force, has been pursuing the poor creatures... The kidnapers follow at the heels of the soldiers to seize the children when their parents are murdered to sell them to the best advantage (Pitelka 1994:31).

Such brazen and indecent behavior outraged the Native populations as well as making them afraid of whites because how they suffered at the hands of many settlers. Kidnapping of women and children was a direct affront to the familial life ways, hence the very survival of Native people (Rivers-Norton 2014).

Though all Native life was in danger, Hurtado (1988) confirms that “women’s chances for survival were measurably worse.” Brutal assaults, deadly diseases, and general privation killed women and left their communities’ reproductive potential in doubt” (p. 188). Thus, the patterns of genocide by a democratic and Christian nation were established. The white invaders were often whipped into a frenzy of gold fever and racist intolerance. Few considered the very basic right of protection of one’s family, loved ones, community or nation from others. In their vulgarity they could only apply these realities to themselves. Those persons motivated by greed and racist agendas, including local county and district judges as well as Indian agents, interpreted and implemented the law to serve their own genocidal purposes.

“Indian Wars” as Genocidal Intent

Years later, two University of California, Berkeley historians, Robert Heizer and A. J. Almquist, wrote that:

California newspaper officials in the office of Indian Affairs and other observers cited the organized bands of Indian kidnapers operated independently, or followed troops on Indian campaigns and collected women and children after an attack on a village, as one of the main causes of the “Indian wars” which were common in the late 1850s and early 1860s. (Heizer and Almquist 1971:44).

The authors put in quotes the term “Indian wars” because no war had been

officially declared by the United States Congress against California Native peoples. Yet, the intent to destroy in whole or in part, was clearly orchestrated by the white citizenry, a necessary condition for a charge of genocide to be made, according to the Geneva Convention, as will be later discussed.

These conditions had established the background for the horrendous Hayfork Massacre (Bridge Gulch Massacre) in Trinity County, May 18, 1852. Terrorized, murdered, and often hungry, the Wintun struck back. They took five cattle belonging to “Colonel” John Anderson and Anderson was killed. By the time Anderson’s body reached the town of Weaverville, a gang of seventy volunteers had been organized. The merchants and many others freely furnished food, blankets, and supplies to outfit these killers. Under the leadership of the local sheriff they set upon the track. A Wintun camp was located in the evening near present day Natural Bridge. That night, as the unsuspecting families lay down to sleep, they were ringed by desperate men lying in cover with rifles cradled in their arms. At daylight the signal was given. One hundred and fifty-three men, women, and children were slaughtered without provocation. They were given no chance. Yet, paid with their lives for five cattle and for the death of one man who had intruded into their natural and secure world. No burial followed. Their bodies were left to rot, their bones lay scattered and bleaching under the sun.

The Wintun account of the massacre is recorded by Grace McKibben, perhaps the last full-blooded Wintun in the Hayfork area. She states that her uncle, Bob Tewis, a survivor of the massacre, told her that:

Young warriors who were guilty of the murder of Colonel Anderson passed by Bridge Gulch fleeing on up Hayfork Creek in the night. The large band camped in the Gulch were mainly women and children and were apparently unaware of danger as the men were away hunting... Apparently the raiders who stole the cattle and killed Anderson escaped punishment (McKibben 1998).

The brutal massacre had occurred so suddenly that there had been no time, no period of grace, for the 153 human beings who had died there. These, men, women, and children had awakened for an instant of complete terror before feeling the tearing pain of bullets, or seeing ghastly, bottomless wounds of their loved ones, their life-long friends, and their tribesmen. Havoc, screams, tears, cries for help, were mixed and muted by the sharp deadly crack of rifles, and bitter curses from hate-filled mouths. There had been no time to hold the dying ones’ hand to ease their journey. No time for simple acts of love, of wiping the brow or sitting quietly beside them. There was so little time to reflect upon one’s meaning in life or a purpose for which one is given. There was no time to review those things of a life of deeds that ease the transition from the material and manifested world to the spiritual. There was no time for remembrances, no memories; no time to hand down articles of heritage of a fine woman or a good man. There was not even time to decide upon the acceptance of death.

The tragedy of the Hayfork Massacre is terrible within its own narrative however, the greater horror lies in the fact

that its pathology was repeated in California history. Inhuman patterns of murder, maiming, dismemberment, rape, enslavement, and kidnapping were inflicted against the Native peoples. Hundreds of massacres occurred throughout California. At least, 93% over-all of California Indians died during and after the Gold Rush era. Entire Indian nations were destroyed. For example, where are the Chimariko? Gone. The Yuki? Gone. Where are the Mattole and Sinkyone? Gone. The common thread that tied all these horrific crimes against humanity together were the vigilante and volunteer killing units made up of white citizens. These citizens formed well supplied and compensated squads to go out and murder California Indians. It has been estimated that "the United States Government reimbursed the state of California \$924,259.00 [nearly a million dollars] for this sort of semi-pro Indian killing units between 1850 and 1859" (Brandon 1961:282). They often gave themselves names such as the "Humboldt Home Guards," Hydesville Dragoons," "Eel River Minutemen," or the "Mariposa Battalion" (Norton 1979). Their intention, under the guise of "war," was to annihilate California Indian people and steal their lands. A northern California newspaper stated that:

Upon the completion of the Indian

War, and the consequent disbanding of the volunteer corps, we learn that it is the intention of many who have been engaged in the service, to locate upon the territory reclaimed from aboriginal occupancy. We hope they will do so; and we emphatically say that those should have due preference in the selection of homes (*Northern Californian*, March 23, 1859).

Nazi Germany as Parallel History

A parallel history can be found in the formation of Nazi Germany's *Einsatzgruppen* in the early years of World War II. The atrocities committed have been described as Hitler's "Hidden Holocaust" and they were particularly operational in Eastern Europe. For example, in 1942 citizens of Estonia, Latvia, Lithuania, and the Ukraine joined these specialized killing units, often constituting 60% of the personnel. They began murdering the Jewish population by forcing the men to the edge of a prepared pit and shooting them at close range. Then women and children were similarly executed until the grave was filled and covered over. The citizens were then free to steal the belongings, property, and the homes of their victims.¹ The destruction of California Indians varied in the north, central and

1. See the works of F. Chalk and K. Jonassohn, 1990, *The History and Sociology of Genocide: Analyses and Case Studies*. New Haven, CT: Yale University Press, W. Churchill, 1994, *Indians Are Us? Culture and Genocide in Native North America*, Common Courage Press, Monroe, MA, D. E. Stannard, 1992, *American Holocaust*, Oxford University Press, NY, and E. Staub, 1992, *The Roots of Evil: The Origins of Genocide and Other Group Violence*, Cambridge University Press, NY, for a cross case comparison

southern sections of the state. However, in the north, entire tribes were exterminated or reduced by at least 98% of the aboriginal population. For example, the *Humboldt Times*, January 17, 1863, ran the headline: “Good Haul of Diggers-Band Exterminated.”

Later, the paper also editorialized: The Indian must be exterminated or removed... This may not be the most Christian-like attitude, but it is the most practical (*Humboldt Times*, May 1863).

Earlier, the newspaper *Yreka Herald* made its position unequivocally clear:

Now that general hostilities against the Indians have commenced, we hope that the government will render such aid as will enable the citizens of the north to carry on a war of extermination until the last Redskin of these tribes has been killed. Extermination is no longer a question of time--the time has arrived, the work has commenced, and let the first man that says treaty or peace be regarded as a traitor (August 7, 1853).

The historian H. Dobyns placed the total death rate of California Indians at 94% of the original population of nearly 1.5 million people using the recognized calculation of 14 people per square kilometer for highly populated areas. California has long been recognized as supporting one of the highest Indian population densities in North America (Dobyns 1976). The historical

records of early European expeditions, such as those by Juan Rodriguez Cabrillo in 1542, and Sir Francis Drake in 1579, noted large populations along the coast. Later visitors to the Spanish Missions as well as the missionaries themselves noticed many Native villages in the area. This larger population figure replaces the extreme conservatism of early ethnographers and anthropologists who estimated a population of 300,000. When the U. S. Census was taken in 1900 only 16,000 Indian people had survived. There were 5,000 counted on the reservations while nearly 11,000 endured in their original homelands or were abandoned and displaced in cities. By 1906, congressional investigations revealed overwhelming poor health conditions in the California Native populations due to near starvation, poverty and diseases such as tuberculosis and trachoma. Congress appropriated \$100,000 to provide adequate water to rectify some of the most blatant injustices (Castillo 1998:118).

Manifest Destiny as Land Acquisition

Acquiring lands illegally from Native Californians was also a common and pervasive pattern. It was further presupposed that the original inhabitants, for their own good, were to be removed, and if not removed, exterminated. This approach was the inevitable consequence of the distorted theory of a “master race” over all others. Political harangues and editorial statements were not then perceived as public incitements to commit genocide but the articulation

between acts of genocide in Nazi Germany and the Americas.

of the common will encouraged to carry out justice under the guise of Manifest Destiny. On November 11, 1848, for instance, an issue of *The Californian* declared, "We desire only a white population in California; the Indians among us, as far as we have seen, are more of a nuisance than a benefit to the country. We would like to get rid of them" (Hoopes 1966:5). However, the intent of governmental policies continued in the assimilation and domestication efforts to inflict physical and lasting mental anguish upon the Indian people. Domestication programs were enhanced and continued by propaganda and public incitement to encourage fraudulent schemes that divested Indians of their resources and lands.

These patterns of tyranny did not lessen after the California Territory became a state. In fact, examples of intent to remove or exterminate, as well as descriptions of the crimes themselves, shout from the official correspondence between civil and military authorities and from the instruments of public incitement—the local newspapers. The official governmental sentiment, however, was clearly articulated by Governor John Bigler in April 1852 in a correspondence with General Ethan A. Hitchcock, Commander of the Pacific Division, that federal troops were obliged by the U. S. Constitution to protect its citizenry from "merciless savages." The "savages," the Governor wrote possess the "ferocity worthy of cannibals of the South Sea and they cherish an instinctive hatred toward the white race. If governmental aid was not forthcoming, then "the people of California would use their State Militia" (Heizer and Almquist 1971:207-209).

We Charge Genocide

How can the deaths of thousands of innocent lives suffered at the hands of an unfeeling populace, be justified as anything less than murderous acts perpetrated upon California Indians with genocidal intent? Until recently it was never seriously proposed that the American society could also become an instrument of brutality. It is asserted that most Americans would actively and vigorously deny any wrongdoing in the historical and present record. Their vehemence is particularly offensive, both as a cause and as an effect, in contemporary political charades of seeking authority and legitimacy. Perhaps this would be an opportune moment to note individual responses to what has been stated thus far, not only as a case in point, but also to more carefully consider what is to follow. More than likely, the ire of some Americans has been raised. Some, perhaps, have already neatly labeled this writing as that of the "rhetoric of rebellion," the very act of allowing a radical a gratuitous forum, that demonstrates the strength and tolerance of the democratic faith. This can be rejected.

Certainly, it may be offensive to use the word genocide in relation to the United States or to democracy. The word genocide and its attendant imagery are too incongruent for the democratic faithful. Often, the charge of genocide is not taken seriously and is dismissed out-of-hand. Yet, this is precisely the point. Irrational dismissal of perceived impropriety is arbitrariness. And depending upon the will to power, arbitrariness has often resulted in terror. Therefore, it may be of benefit to look at some aspects of the American record to determine whether words such

as brutality, terror, tyranny, cruelty and genocide have standing. Thus, it is beneficial to agree upon a working definition of the word genocide. Fortunately, a definition has been proposed, accepted and applied by 82 nations throughout the world. The United Nations by the *Geneva Convention on the Prevention and Punishment of the Crime of Genocide*, in 1948, presented for the world to consider the following (under Article II of the Convention Compact).

“In the present Convention, genocide means any of the following acts committed with intent to destroy in whole or in part, a national, ethnical, racial, or religious group, 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 group;
- e). Forcefully transferring children of the group to another group.

Further, Article III indicates that the following acts shall be punishable:

- a). Genocide;
- b). Conspiracy to Commit genocide;
- c). Direct and public incitement to commit genocide;
- d). Attempt to commit genocide;
- e). Complicity in genocide” (United Nations Pamphlet, 1948:6-7).

When the term genocide is directed

towards the American experiment, however, little credence is given to the charge. Yet, the sad litany of offenses that exist in the historical record, a small sampling of which has been given in this essay, and as lived by thousands of Native peoples throughout California and the United States, clarifies the issue. Though authors such as Gary Clayton Anderson, resist the use of the term genocide as established by the Geneva Convention, a growing number of Native and non-Native scholars, have embraced the definition for its explanatory power.² The United States Government and its people, in one form or another, for these past 200 years have practiced genocide as defined by the Geneva Convention. It should be obvious that a people cannot be systematically attacked, demeaned. Their lives and history destroyed or distorted, their suffering negated or rationalized; their rights, needs, and present lives and lifeways ridiculed unless it is a result of a deliberate policy to commit genocide as conducted by the state in whole or in part and those who control it. It is little wonder that the survivors of such brutality and fraud, might feel trepidation about what the future may bring for the Native nations of California and the broader United States.

Sadly, the American genocide against Native Americans in this country, unlike the Jewish Holocaust, has not been officially acknowledged by the federal government, and those responsible for the death and destruction have not been held accountable, though strides have been made to apologize for the atrocities committed. The fact remains, however,

2. See the seminal scholarship of J. Norton, C. Trafzer, B. Madley, and B. Lindsay.

that apologies alone do not address the magnitude of the death and destruction caused. It is this author's contention that an apology does not go far enough to allow any real healing for the orchestrated intent to destroy in whole or in part Native cultures of the Americas. More often than not, the Native legacy of trauma is still romanticized through glorious celebrations of European and American colonization. Western dominance as myth is directly linked to the demise of Native cultures. This collective myth is exalted under the banner of Manifest Destiny; in assertions of national pride and patriotism, that hide or distort the price expansionism cost Native people. Hence, it can be easily asserted that Americans and Europeans alike, do not comprehend or accept their own potential complicity in the genocidal death and destruction of Native American life ways. Rather, the death of millions of innocent people is described as inevitable or necessary for our macabre compulsion to acquire and possess limitless physical space, an all too familiar concept of spatial superiority later echoed in the Nazi doctrine of *lebensraumpolitik* or living space.

The Native people, it is argued, were heathens, incapable of utilizing the vast stretches of American soil, even though it was their ancestors who had dwelled upon aboriginal lands for eons in relative balance and environmental stewardship. Despite this, or perhaps because of it, Native people were required to yield to European interests—to the rightful and the just owners of the earth—whose ancestors had, in many instances, severely depleted the natural resources within their own European homelands and needed to seize the new world in order to survive.

Impact on Native Peoples

The historical and contemporary impact of genocide on Native cultures is tragic. Patterns of inter-generational dysfunction within Native families have damaged the resolve of many to recover or adhere to traditional values and belief systems. Alcoholism and drug use abound as does poverty, malnutrition and unresolved grief. In addition, re-traumatization often occurs when Native people witness the disrespectful and misguided perceptions exhibited by a seemingly insensitive and ignorant mainstream society regarding its own history. However, the future of California Native identity is being reaffirmed through the assertion of tribal sovereignty and traditional life ways and the renewal of ceremonies and rituals. The determination, beauty, and will of aboriginal ancestors, as well as of those Native people alive today, teaches us all about the tenacity and tenderness of the Native spirit—a spirit that cannot be destroyed, one that is currently reinventing itself through life affirming actions that promise to celebrate and revitalize each of us in the 21st century.

Sacred regalia is returning to its rightful owners, ceremonies are resurfacing to reenact the very moment of creation after years of sorrow and suppression, and the identity and integrity of Native communities are continually being reborn in the light of a precious remembrance of those lives lost to the historical onslaught of Indo-European racism and rage. Every other autumn, the Hupa people still hold their White Deer Skin Dance and Jump Dance ceremonies at Takimildin, the center of their beau-

tiful and secure world. About 60 miles away up the Klamath River, the Karuk will dance with prayers for all things near their own center of spiritual purpose and pride, as do the Yurok, Wiyot, and Tolowa peoples. We will secure our future and our children’s future because we will not forget the strength, bravery, and dedication of our ancestors. We shall not forget the purpose of our ceremonies to honor all life and all things. With the knowledge and commitment of young scholars and the leadership of dedicated people, we will live a meaningful life with dignity and purpose.

Every society has a code of ethics that defines and emphasizes their responsibility to others. It is only when individuals distort, narrow, or set aside these moral obligations do inhuman acts such as genocide find its way into human history. In the future, the history of California may be corrected so that justice and reconciliation can offer us new insights into human behavior in order to live more graciously upon this land.

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