Kaitlin Reed

11 "We Are a Part of the Land and the Land Is Us": Settler Colonialism, Genocide, and Healing in California

Introduction

In 1979, Hupa and Cherokee scholar Jack Norton lamented over both the consequences and unfinished business of the California Indian genocide.[1] While the state-sanctioned killing of California Indians occurred well over a century ago, the impacts of that violence continue to be felt in Indian country. Norton writes:

> In two hundred years of brutal occupation they have *repeatedly committed genocide in one form or another.* Its patterns, its pervasiveness, its massive conspiracy is so common and well understood that its horror is diffused. It is so embedded in clichés of white manifest destiny, that the magnitude of the crime is transformed into inevitability or high moral principles . . . The American citizens have inherited the patterns, the scheme and the *business of making America great.* And to accomplish this task, the policies of two hundred years of white supremacy and destiny have been embraced and accepted by society.[2]

The genocide that founded California is erased from state curricula and the consciousness of its settlers. However, Norton understands genocide, much like settler colonialism, as a process that is often ongoing and that can take many forms. The building of the American nation-state and the State of California were fundamentally dependent upon violence against Indigenous people – and continue to be so. In other words, the United States was born out of genocide. The "business of making America great," as Norton phrased it in 1979, was a business of Indian killing and the plunder of natural resources justified by white supremacy and manifest destiny.

Thirty-seven years later, in 2016, the Trump administration came into power, relying on the campaign slogan "*Make America Great Again*." Embodying American exceptionalism, this slogan perpetuates an American mythology predicated on the ideological construction of the United States as morally righteous and di-

1 This chapter is included with permission from the *Humboldt Journal of Social Relations*, by whom it was first published: Kaitlin Reed, "We Are a Part of the Land and the Land Is Us," *Humboldt Journal of Social Relations* 42 (2020): 27–49.

2 Jack Norton, *Genocide in Northwestern California: When Our Worlds Cried* (San Francisco, CA: The Indian Historical Press, 1979), 125, emphasis added.

https://doi.org/10.1515/9783110781328-011

vinely ordained. This narrative also erases the violence required to create the United States – and the ongoing structural violence of U.S. occupation on stolen Indigenous land. Historian Ned Blackhawk (Western Shoshone) argues, in his award-winning book *Violence Over the Land*, that American exploration and conquest required violence to organize economies and settlements. This is because "people do not hand over their land, resources, children, and futures without a fight, and that fight is met with violence."[3] This violence must then be institutionalized to maintain systems of domination over Indigenous peoples. In other words, "violence and American nationhood, in short, progressed hand in hand."[4] The United States, as we know it today, would not exist without the genocidal measures inflicted upon Indigenous peoples and the expropriation of Indigenous lands; indeed, what Norton points out – and Trump misses completely – is that the construction of America's "greatness" rests on racial capitalism, land theft, and settler colonial violence.

This essay seeks to understand the interconnections between settler colonialism and genocide – with an explicit focus on land dispossession and environmental destruction – and what that means for California Indians today. Settler colonialism is a historical and ongoing structure of Indigenous land dispossession. Scholars have varied viewpoints on the relationship between settler colonialism and genocide. Historian Roxanne Dunbar-Ortiz argues that settler colonialism is "inherently genocidal" because it is predicated on the elimination of Native peoples.[5] Patrick Wolfe, however, argues that settler colonialism is "not invariably genocidal" as elimination can occur without constituting genocide.[6] While we cannot conflate these terms, I argue that settler colonialism produces what Tony Barta calls "relations of genocide" that manifest via settler colonial orientations to land that are predicated on both violence and human-centric hierarchies. Throughout my analysis, I suggest that the kinship-oriented relationships with land held by Indigenous peoples, as well as the theorization of land within Indigenous Studies, work to complicate and expand contemporary notions of genocide.

The State of California epitomizes settler colonial genocide as its very existence emanated from the genocide of Native peoples. On 18 June 2019, California Governor Gavin Newsom acknowledged and apologized for the genocide against California Indians. Specifically, he stated: "It's called a genocide. That's what it

3 Roxanne Dunbar-Ortiz, *An Indigenous Peoples' History of the United States* (Boston, MA: Beacon Press, 2014), 8.

4 Ned Blackhawk, *Violence Over the Land: Indians and Empires in the Early American West* (Cambridge, MA: Harvard University Press, 2006), 9.

5 Dunbar-Ortiz, *An Indigenous Peoples' History*, 9.

6 Patrick Wolfe, "Settler Colonialism and the Elimination of the Native," *Journal of Genocide Research* 8, no. 4 (2006): 387.

was. A genocide. [There's] no other way to describe it and that's the way it needs to be described in the history books. . . . And so I'm here to say the following: I'm sorry on behalf of the state of California."[7] While this is certainly an improvement on the American exceptionalist rhetoric of the Trump administration – especially considering that the United States Federal Government has never acknowledged genocide against Native Americans in any form[8] – acknowledgments and apologies must come with action. In line with Dina Gilio-Whitaker's critique of acknowledgment, Hupa scholar Stephanie Lumsden tweeted the following shortly after Newsome's acknowledgment of genocide.

Fig. 1: Tweet by Stephanie Lumsden, 20 June 2019.

With humor and wit, Lumsden articulates a connection between the historical land dispossession of California Indians, genocide, and the ongoing project of settler colonialism. Contemporary inequalities experienced by California Indians – and, indeed, Native peoples throughout Turtle Island – can all be traced back to land and the dispossession thereof. Or, as Hupa scholar Brittani Orona phrases in the short documentary *History of Native California*: "We are a part of the land, and the land is us." Indigenous studies scholar and political ecologist Clint Carroll argues that all contemporary social, political, and economic issues in Indian country "come back to the issue of land and the degree of our connection to it."[9] The theft of Native lands continues to be justified through the legal fiction of the Discovery Doctrine and ideological constructions of Manifest Destiny. The destruction of Native lands continues in the name of capitalistic resource extraction and economic development. The ongoing project of settler colonialism – aimed at the

7 Quoted in Taryn Luna, "Newsom Apologizes for California's History of Violence Against Native Americans," *Los Angeles Times*, June 18, 2019, https://www.latimes.com/politics/la-pol-ca-gavin-newsom-apology-california-native-american-tribes-061818-story.html.

8 Dina Gilio-Whitaker, *As Long as Grass Grows: The Indigenous Fight for Environmental Justice, From Colonization to Standing Rock* (Boston, MA: Beacon Press, 2019).

9 Clint Carroll, *Roots of Our Renewal: Ethnobotany and Cherokee Environmental Governance* (Minneapolis, MN: University of Minnesota Press, 2015), 12.

dispossession of Indigenous lands and the erasure of Indigenous people – is founded on genocide.

This contribution is organized into three key sections. The first section examines the consistent denial of the California Indian genocide by both historians and the broader American public. The second section provides a brief historical narrative of the California Indian genocide for the potentially unfamiliar reader. This section does not set out to *prove* that a genocide did occur, as this has already been rigorously documented by numerous scholars. The third section makes a significant departure and explores the theoretical underpinnings of settler colonialism and genocide. Here, I explore the notion that healing from the California Indian genocide requires both land reparations and ecological restoration. Put simply, we must call for decolonization. Decolonization, as Eve Tuck and K. Wayne Yang argue, is not a metaphor, nor does it have a synonym; decolonization "in the settler colonial context must involve the repatriation of land . . . that is, *all* of the land, and not just symbolically."[10] Thus, one cannot talk about healing without talking about land; that connection is deeply rooted. To heal from the genocide, California Indian communities need land reparations. That is not to say that communities without land bases are incapable of healing from the traumas of settler colonial genocide, but rather that the theft of land was an important component of genocide and therefore the restitution of lands must be an important component of healing from genocide. And thus, I argue, to heal a people from genocide, one must also heal the land – because we are a part of the land, and the land is us.

Denial of the California Indian Genocide: "Yes There Was, It Was Genocide"

In this pithy blog post title by Dr. Cutcha Risling Baldy, a Hupa, Yurok, and Karuk scholar as well as the Department Chair of Native American Studies at Humboldt State University, she humorously preempted the widespread denial – by students and historians alike – of the California Indian genocide. In this post, Risling Baldy discusses the skepticism she faces from students when they finally learn that a genocide occurred in California and that the very formation of the state is tied to this genocide.[11] And yet, even professors of history deny that such a genocide oc-

10 Eve Tuck and K. Wayne Yang, "Decolonization Is Not a Metaphor," *Decolonization: Indigeneity, Education & Society* 1, no. 1 (2012): 7.

11 Cutcha Risling Baldy, "In Which We Establish That There Was a Genocide Against Native Americans, Yes There Was, It Was Genocide, Yes Or This Is Why I Teach Native Studies Part 3

curred. When Maidu/Navajo student Chiitaanibah Johnson spoke up in a history course led by Maury Wiseman, a history professor at California State University (CSU), Sacramento, to argue that a genocide occurred in California, Wiseman allegedly claimed that genocide was not an appropriate word to describe what happened in California because Native people primarily died of disease.[12] Historians cling to this narrative, referred to by Dunbar-Ortiz as a terminal narrative: "Commonly referred to as the most extreme demographic disaster – framed as natural – in human history, it was rarely called genocide until the rise of Indigenous movements in the mid-twentieth century forged questions."[13] By attributing Native American demise to disease, scholars avoid culpability and reinforce the notion that Native Americans are biologically inferior and not meant to survive into the age of modernity.

Historians – and the broader American public – simultaneously mitigate and espouse the violence that occurred to Indigenous peoples. James Fenelon and Clifford Trafzer provide six key reasons why historians – and the American citizenry – deny, dismiss, or distort genocide against California Indians (and Native Americans more broadly):

(a) the difficult analysis of genocide in California because of the *lack of precedent*;
(b) *general denial* among scholars, historians, and sociopolitical forces;
(c) an inability to establish *intentionality* (critical to proving genocide);
(d) the inapplicability of *contemporary models*;
(e) a lack of temporal sequencing between *systems* (e.g., missions to U.S. Indian policy); and
(f) a failure by descendants and *beneficiaries of genocidal policies* to *take responsibility* (similar to throughout the United States generally).[14]

Fenelon and Trafzer provide a detailed analysis of all six reasons that historians use to refute the reality of the California Indian genocide despite extensive historical documentation. Rather than reiterating that analysis here, I would suggest

Million," *Sometimes Writer-Blogger Cutcha Risling Baldy*, September 8, 2015, https://www.cutcharislingbaldy.com/blog/in-which-we-establish-that-there-was-a-genocide-against-native-americans-yes-there-was-it-was-genocide-yes-or-this-is-why-i-teach-native-studies-part-3-million.

12 While it is technically true that many California Indians did, in fact, die of disease, Wiseman's argument severely simplifies the complexity of genocide. If one is sick during a genocidal event, one does not stop to care for onself. You hide, you run, you pray. The question is more complicated than, "Did you die of the flu?" (Risling Baldy).

13 Dunbar-Ortiz, *An Indigenous Peoples' History*, 40.

14 James V. Fenelon and Clifford E. Trafzer, "From Colonialism to Denial of California Genocide to Misrepresentations: Special Issue on Indigenous Struggles in the Americas," *American Behavioral Scientist* 58, no. 1 (2014): 13.

that there remains an underlying thematic connector between these points of disagreement. The California Indian genocide was essential to the creation of California as both state and contemporary property ownership configurations (as well as water and other natural resources). The centrality of genocide to the settler's way of life is a daunting epistemic realization.

The justification and rationalization of the genocide in California, committed by settlers, is perpetuated to this day. It is found in its absence: absence from school curricula, absence from tourist leaflets, absence from thought. However, from my experiences as an educator within the university structure, students are hungry for this information. Even students who are not enrolled in my courses seek me out to obtain historically accurate information about the history of California. While drafting this article in a cafe, a student approached me to share that one of her professors also denied that a genocide took place in California and, much like Maury Wiseman, claimed that we had merely died of disease. California Indians are screaming out the truth, but "the collective silence on this genocide is so loud."[15]

The task at hand is not to prove that a genocide occurred in California, as this has been rigorously documented by many. Two recently published texts on this are Brendan Lindsay's *Murder State: California's Native American Genocide, 1846–1873* and Benjamin Madley's *An American Genocide: The United States and the California Indian Catastrophe*.[16] Each text provides detailed historical accounts of genocide and explicitly analyzes them within the context of the UN Genocide Convention definition. While these lauded texts are rife with historical evidence, California Indian scholars are challenging historical representations of genocide in California. Stephanie Lumsden, for example, makes a very important methodological critique of Madley's *An American Genocide*. Lumsden argues that "Madley is methodologically upholding a settler narrative of disavowal that locates genocide exclusively in the past."[17] The Freudian concept of disavowal is characterized by "simultaneous acknowledgement and denial" that "allows [for] the rejection of some perception of reality because, if accepted as real, that perception would threaten the integrity of an existing worldview."[18] The slavery and genocide of California Indians challenges

15 Risling Baldy, "In Which We Establish That There Was a Genocide Against Native Americans."

16 Brendan C. Lindsay, *Murder State: California's Native American Genocide, 1846–1873* (Lincoln, NE: University of Nebraska Press, 2012); Benjamin Madley, *An American Genocide: The United States and the California Indian Catastrophe* (New Haven, CT: Yale University Press, 2016).

17 Stephanie Lumsden, "American Genocide: Historical Methodologies of Settler Disavowal," Native American and Indigenous Studies Association, Los Angeles, May 19, 2018, 3.

18 Deborah L. Madsen, "Tragic Wisdom and Survivance," in *Conversations with Remarkable Native Americans*, ed. Joëlle Rostkowski (Albany: State University of New York Press, 2012), xix–xviii.

settler colonial ideologies of terra nullius and manifest destiny and, indeed, the very legitimacy of the liberal democratic settler state. While scholars are now beginning to address the historical evidence of the California Indian genocide, it remains a purely historical phenomenon within their scholarship. Similar to how settler colonialism is often perceived as an event that is now over, genocide is temporally bounded by historians. Lumsden, however, stresses:

> What must be remembered then, is that the genocide enacted by the settler state against California Indian peoples continues to frame the material conditions of our lives and that the disavowal of that relationship is necessarily incomplete . . . By locating California Indian genocide in a fixed moment in time Madley, intentionally or not, limits how we might understand the logics of elimination as they are deployed by the state in the contemporary moment.[19]

Native peoples in California continue to live with the impacts of genocide. Lumsden's scholarship demonstrates the ways in which the incarceration of Native peoples continues the work of settler colonialism by displacing Indigenous jurisprudence, physically removing Native peoples from their land, and "much like the early practices of genocide in California, it keeps Native people from reproducing Indian identity, culture, land, and children."[20] I argue throughout this essay that this is also done through the continued dispossession and contamination of Indigenous lands.

Works such as Norton's *When Our Worlds Cried: Genocide in Northwestern California*, in contrast to works such as Madley's, center the Indigenous experience and conceptualize genocide as a pattern of violence – rather than a phenomenon temporally bound in the past. Moreover, Norton wrote about genocide in California well before it became trendy, and thus his text significantly predates contemporary historical scholarship on the California Indian genocide. Norton was the first scholar to use the UN Genocide Convention definition to frame his evidence of the California Indian genocide. California Indian scholars are still relying on this text. In a Spring 2017 issue of *News from Native California*, Brittani Orona reviewed the book and reflected on the importance of finding this text as a young historian and how it helped guide her through college and eventually her doctoral work in Native American Studies:

> The impact of Jack Norton's work, however, has stayed with me well into my academic career. I continually reach for the book to better understand how we survived the unspeakable violence that nearly destroyed our worlds. I marvel at what my ancestors survived

19 Lumsden, "American Genocide," 11–12.

20 Stephanie Lumsden, "Reproductive Justice, Sovereignty, and Incarceration: Prison Abolition Politics and California Indians," *American Indian Culture and Research Journal* 40, no. 1 (2016): 33.

> under such intense hatred and evil . . . . We survived and we must, as Norton asserts, continue to carefully discern every act of violence and to bear witness to the truth of that violence.[21]

Like Orona, I also found power and motivation within this text. Additionally, Norton helped shape my scholarship during my formative years of graduate school and encouraged me to make ideological connections between settler violence against Indigenous bodies and settler violence against Indigenous lands and recognize the ways in which this violence is continually reproduced today.

The California Indian Genocide: Brief Historical Narrative

California Indians experienced three distinct waves of genocide. Spanish missionization, the first wave of the California genocide, lasted from 1769–1820. The second wave ranged from 1821 to 1845, between the end of the missionization period and the Mexican-American War. The third and final wave of the California genocide coincided with the Gold Rush; this genocide lasted from 1846–1873.[22] It is estimated that the death toll of California Indians between 1770 and 1900 was over 90% of the population, which decreased from 310,000 to less than 20,000.[23] Some California Indian scholars suggest this figure was significantly higher than 310,000 and may have been closer to one million.[24]

The Spanish Catholic missionization of California lasted from 1769 to 1820. Spanish priests summoned soldiers to round up California Natives to construct adobe brick missions under slave-like conditions; many were forced to reside within mission walls and practice Spanish Catholicism. Deborah Miranda, in her tribal memoir *Bad Indians*, defines missions as follows: "Massive Conversion Factory centered around a furnace constructed of flesh, bones, blood, grief, and pristine land and watersheds, and dependent on a continuing fresh supply of human

21 Brittani Orona, "Review of *Genocide in Northwestern California: When Our Worlds Cried* by Jack Norton," *News from Native California*, Spring 2017, 33–34.

22 Sara-Larus Tolley, *Quest for Tribal Acknowledgement: California's Honey Lake Maidus* (Norman, OK: University of Oklahoma Press, 2006).

23 Sherburne F. Cook, "Historical Demography," in *Handbook of North American Indians*, ed. Robert F. Heizer (Washington, DC: Smithsonian Institution Press, 1978), 91–98.

24 Deborah Miranda, "Extermination of the Joyas: Gendercide in Spanish California," *GLQ: A Journal of Lesbian and Gay Studies* 16, no. 1–2 (2010): 253–284.

beings, specifically Indian, which were in increasingly short supply."[25] Resistance, however, loomed large. California Indians continued to practice their ceremonies under the guise of Christianity, and some tribes, such as the Kumeyaay, destroyed the missions altogether. During the second wave, from the end of missionization to the start of the Mexican-American War, trading and ranching increased throughout the region; as a result, many California Indians were sold into slavery to be exploited for their labor, and diseases began to ravage Native communities.[26] While slavery and disease certainly had negative impacts for Indigenous California, Forbes argues that "generally speaking, the Spanish and Mexican period had very little overall cultural impact upon Indian people aside from the great population reduction."[27] This speaks to both the resiliency of California Indians, but also the extreme measures taken by the United States Federal Government and the State of California to eradicate California Indians and solve the Indian Problem.

The infamous California Gold Rush – celebrated as a feat of American ingenuity and perseverance – resulted in the destruction of Native California communities and environments. "The Gold Rush was an instrumental event in the economic history of California, setting the tone, mind-set, fervor, and conditions for the exploitation of other resources and the mistreatment of minorities."[28] The Gold Rush marks a legacy of American colonialism that relegates Indigenous lands and bodies as wastelands while simultaneously glorifying a constructed "California Story" – a narrative of 19th-century California history as a heroic tale of how the West was won.

> Violence against peaceable Indians was to be deplored – so went the emerging California Story – but as an inferior civilization stuck in the past they were destined to extinction anyway . . . . This revisionist view of the past quickly became incorporated into the teaching of history in schools and museums, the commemoration of significant events and people, and the development of the state's cultural identity in magazines, travelogues, adventure stories, and public gatherings.[29]

This story rationalized "Settler colonialism, exculpated white Americans for nineteenth- and twentieth-century violence, and erased Indigenous People from the

25 Deborah Miranda, *Bad Indians: A Tribal Memoir* (Berkeley, CA: Heyday Books, 2013), 16.

26 Andrés Reséndez, *The Other Slavery: The Uncovered Story of Indian Enslavement in America* (New York: Houghton Mifflin Harcourt, 2016); Tolley, *Quest for Tribal Acknowledgement*.

27 Jack D. Forbes, "The Native American Experience in California History," *California Historical Quarterly* 50, no. 3 (1971): 239.

28 M. Kat Anderson, *Tending the Wild: Native American Knowledge and the Management of California's Natural Resources* (Berkeley, CA: University of California Press, 2005), 91.

29 Tony Platt, *Grave Matters: Excavating California's Buried Past* (Berkeley, CA: Heyday Books, 2011), 57.

historical and contemporary scene."[30] From classrooms to State Senate meetings, the California Story continues to endure.

In response to such widespread historical amnesia, California Indians continue to tell their stories and produce educational materials that counteract public curricula predicated on lies. In reality, the Gold Rush resulted in "massacres, slavery, and the environmental raping of the land."[31] And, of course, Jack Norton's work continues to be a foundational text on the California Indian genocide. He argues that Northwestern California represents a

> relatively small geographical area [and] is a microcosm of the brutal savagery of the white anglo-saxon transient, who came to rape a land and a people. Those shibboleths of *inevitable conflict,* the *greatest good for the greatest number*, and *the destiny of the white man*, are the ramblings of a violent national attitude that brought death, destruction and dishonor upon the western hemisphere.[32]

Norton recounts numerous massacres, replete with gruesome detail. He argues that gold and greed are what "ignited the brutality, savagery, and filthiness of those early white men."[33] Contemporary scholars, such as Madley and Lindsay, have built upon the work of Norton and others.[34] Lindsay focuses on the ways in which the California Indian genocide was fueled by preexisting racism, facilitated through democratic procedure, and advertised through media.[35] Madley's work constitutes a year-by-year recounting of the California Indian genocide; he analyzes the state and federal decision-makers, the organization and funding of the genocide campaign, and the roles of vigilantes, volunteer state militiamen, and US soldiers.[36]

The formation of the State of California was predicated on violence and founded through genocide. One of the very first laws passed by the nascent legis-

---

30 William J. Bauer Jr., *California through Native Eyes: Reclaiming History* (Seattle: University of Washington Press, 2016), 5.

31 Chag Lowry, Kate Droz-Handwerker, Rain Marshall, Ron Griffith, Fawn White, and Lonyx Landry, *Northwest Indigenous Gold Rush History: The Indian Survivors of California's Holocaust* (Arcata, CA: Humboldt State University Center for Indian Development, 1999), 1.

32 Norton, *Genocide in Northwestern California*, xi.

33 Ibid., 38.

34 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* (Lincoln, NE: University of Nebraska Press, 1974); Norton, *Genocide in Northwestern California*; Clifford E. Trafzer and Joel R. Hyer, eds., *"Exterminate Them": Written Accounts of the Murder, Rape, and Slavery of Native Americans During the California Gold Rush, 1848–1868* (East Lansing, MI: Michigan State University Press, 1999).

35 Lindsay, *Murder State.*

36 Madley, *An American Genocide.*

lature was the 1850 Act for the Governance and Protection of the Indians. Unfortunately, this law did neither. First and foremost, this act stripped California Indians of legal rights, including the ability to testify against a white person in court.[37] Furthermore, this act "facilitated removing California Indians from their traditional lands, separating at least a generation of children and adults from their families, languages, and cultures (1850–1865), and indenturing Indian children and adults to Whites."[38] Norton argues that this law amounted to slavery.[39] Included in Norton's book is an excerpt from a letter written by the Superintending Agent of Indian Affairs in the Northern California District, George M. Hanson, in 1861. In the letter, a man testifies to Hanson regarding the kidnapping of two Indian children:

> [The man] who testified [said] 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."[40]

While this law certainly constituted slavery, it also paved the way to state-sponsored genocide. "California's systems of Indian servitude – directly linked to murderous kidnapping raids and massacres, the forcible removal of children from their tribes, and frequently lethal working conditions – would become a major component of California genocide."[41] Following the passage of the 1850 Act, the California Congress passed legislation creating two militias – one voluntary and one compulsory – to exterminate California Indians; these genocidal campaigns were funded by both the State of California and the United States Federal Government.[42] The most extreme death toll of California Indians resulted from American colonization; between 1846 and 1870, the California Indian population plunged from 150,000 to less than 30,000.[43]

In the following two years, 1851 and 1852, U.S. Indian Commissioners negotiated 18 treaties with California Indian tribes, reserving 11,700 square miles (7.5 million acres) of land – roughly 7.5% of the State of California.[44] The President submitted the treaties to the Senate on 1 June 1852, but the legislature was determined that

37 "An Act for the Government and Protection of Indians," 1850.

38 Kimberly Johnston-Dodds, *Early California Laws and Policies Related to California Indians* (Sacramento, CA: California Research Bureau, 2002), 5.

39 Norton, *Genocide in Northwestern California*, 44.

40 Ibid., 49.

41 Madley, *An American Genocide*, 161.

42 Ibid., 174–175.

43 Cook, "Historical Demography"; Madley, *An American Genocide*; Tolley, *Quest for Tribal Acknowledgement.*

44 Johnston-Dodds, *Early California Laws and Policies.*

the golden paradise of California would not be left in Indian hands. The treaties were rejected by the Senate during a secret session, and the documents were placed under an injunction of secrecy. The 18 treaties were not revealed to the public – or even the respective tribal nations – until 18 January 1905, after the injunction was removed.[45] Many California Indian tribes were never informed that the treaties had not been ratified and were forced to renegotiate treaties, leaving them with much smaller land bases.[46] Many tribes never received land bases or federal recognition.[47] This is the process by which Indigenous peoples were dispossessed of their ancestral territories. This era of California Indian history was characterized by the systematic eradication of Indian rights to lands and waters.

The genocide of California Indians and the appropriation of lands (via unratified treaties and outright theft) are linked in intent and harm. As a project, settler colonialism must rid the land of the Indigenous population to acquire new lands. The large-scale eradication of Native peoples – while simultaneously refusing to ratify treaty negotiations – both meet the goals of settler colonialism. Moreover, those who managed to survive the historical era of direct mass killing continued to struggle to survive because of a lack of a land base. And in addition to land theft, many lands throughout California have been targeted for natural resource extraction or development or have experienced environmental destruction in one capacity or another. Therefore, we must understand both mass killing and land theft as central to the genocide of California Indians and the ongoing project of settler colonialism. This essay now turns to a theoretical discussion of the relationships between settler colonialism and genocide, with an explicit focus on land.

It All Comes Back to the Land: Relationships between Settler Colonialism and Genocide

Yurok elders say that as long as the River is sick, Yurok people will never be healthy. All that sustains us comes from, or depends upon, the River. We exist in a reciprocal relationship with the River, and the health of Yurok people is fundamentally tied to the vitality of salmon and the Klamath River. But over a century of neglectful and abusive behaviors that have disregarded the River's wellbeing has led to contamination and injury. From deadly dams to clear-cutting forests to

45 Ibid.

46 William B. Secrest, *When the Great Spirit Died: The Destruction of the California Indians, 1850–1860* (Sanger: Word Dancer Press, 2003).

47 Tolley, *Quest for Tribal Acknowledgement.*

massive agricultural diversions, drastic declines in water quantity/quality have reduced salmon runs on the Klamath River by as much as 95%.[48] And, in 2002, tragedy struck when Yurok people witnessed the largest fish kill in American history when over 70,000 salmon died along the lower Klamath River. This was genocide. We often only use the word genocide for people, but within Yurok epistemology, salmon are also people, understood as relatives or ancestors. To us, the fish kill was genocide.

Nor was this an isolated event. Tasha Hubbard argues that the strategic and systematic slaughter of buffalo constitutes an act of genocide; "in other words, destroy the buffalo, and one destroys the foundation of Plains Indigenous collectivity and their very lives."[49] Nick Estes argues that it took settlers nearly a century to exterminate the estimated 25 to 30 million buffalo, "forcing the survivors of the holocaust, much like their human kin, west of the Mississippi River."[50] Violence against Indigenous bodies has been paralleled as violence against the natural world and non-human kin. Thus, attempts to destroy buffalo are attempts to destroy buffalo people, and attempts to destroy salmon are an attempt to destroy salmon people. Given the reciprocal and familial relationships that Native peoples have formed with their places and non-human kin, the severing of these relationships represents profound cosmological and epistemic violence.[51] To heal from settler colonial and genocidal violence in California, therefore, it is crucial to center and prioritize land return (decolonization) and ecological restoration. Violence against the land is violence against Indigenous peoples – because we are the land, and the land is us. By healing the land, we heal ourselves.

All Indigenous political struggles always come back to the issue of land. And by land, I am not referring to the settler compartmentalization of land as composed of topsoil, subsoil, and bedrock; rather, throughout this essay, land refers to the entire biosphere that Native peoples maintain relationships with, including land, air, water, etc. Contemporary problems that Native American communities face, such as higher rates of disease, poverty, violence, suicide, drug abuse, and language loss, among others, "are all political problems when viewed within the

48 Theresa May, Suzanne Burcell, Kathleen McCovey, and Jean O'Hara, *Salmon Is Everything: Community-Based Theater in the Klamath Watershed* (Corvallis, OR: Oregon State University Press, 2014).

49 Tasha Hubbard, "Buffalo Genocide in Nineteenth-Century North America: 'Kill, Skin, and Sell'," in *Colonial Genocide in Indigenous North America*, ed. Andrew Woolford (Durham, NC: Duke University Press, 2014), 294.

50 Nick Estes, *Our History Is the Future: Standing Rock Versus the Dakota Access Pipeline, and the Long Tradition of Indigenous Resistance* (London: Verso Press, 2019), 78.

51 Tuck and Yang, "Decolonization Is Not a Metaphor."

context of settler colonialism . . . . The root causes of these problems are all found in the political economy of settler colonialism, which is inextricably linked to the exploitation of indigenous lands."[52] This means that the various social, political, economic, and environmental threats facing Indian country are not the problem but merely symptoms of a structure of oppression designed to eliminate Native people. This structure is called settler colonialism.

Settler colonialism is a form of colonialism wherein settlers create a new home for themselves on land apart from their homeland. This form of colonialism differs from traditional extractive forms of colonialism wherein the colonial power seeks to extract natural resources and human bodies for wealth accumulation and labor (e.g., the Berlin Conference); within settler colonialism, the imposing settler state insists upon "settler sovereignty over all things in their new domain," thereby legalizing settler colonial institutions while simultaneously criminalizing Indigenous ecological practices and relations to land.[53] The primary goal, then, is to expropriate Indigenous territories and replace Indigenous peoples with settlers. To do so, settlers are "discursively constituted as superior and thus more deserving over these contested lands and resources" through ideological justifications and legal fictions such as terra nullius, manifest destiny, and the Doctrine of Discovery.[54] But this process is never fully complete. Anthropologist Patrick Wolfe argues that settler colonialism is not an event that occurred in the past and is over now; rather, it is a structure that must be continually perpetuated and reproduced.[55] Thus, settler colonialism is fundamentally about the elimination of Indigenous populations to replace them[56] – to then reproduce settler colonial structures and populations.[57]

Numerous scholars have written about the inherently violent nature of settler colonialism. Yet, despite its emphasis on elimination, Wolfe argues that settler colonialism is "inherently eliminatory but not invariably genocidal."[58] Published in the *Journal of Genocide Research*, Wolfe's often-cited essay explores the relationship between genocide and the settler colonial tendency he names the logic of extermination. The logic of extermination refers to the "summary liquidation of

52 Carroll, *Roots of Our Renewal*, 12.

53 Tuck and Yang, "Decolonization Is Not a Metaphor," 5.

54 Dean Itsuji Saranillio, "Settler Colonialism," In *Native Studies Keywords*, eds. Stephanie Nohelani Teves, Andrea Smith, and Michelle Raheja (Tucson, AZ: University of Arizona Press, 2015), 284.

55 Wolfe, "Settler Colonialism." The example I give to my students is that every morning that I wake up and the deed to Yurok ancestral territory belongs to Green Diamond Timber Company or the Redwood National Park, settler colonial land dispossession is reproduced.

56 Wolfe, "Settler Colonialism."

57 Maile Arvin, "Pacifically Possessed" (Ph.D. diss., University of California, San Diego, 2013).

58 Wolfe, "Settler Colonialism," 387.

Indigenous peoples" and the "dissolution of native societies."[59] This is accomplished through myriad strategies, including land dispossession, miscegenation, child abduction, religious conversion, and, of course, mass killing. While Wolfe concedes there are commonalities between settler colonialism and genocide, namely the "organizing grammar of race,"[60] he argues that they must not be conflated. His rationale is that 1) the elimination of Native peoples can occur without genocide, and 2) genocides have occurred in the absence of settler colonialism.

The relationship between settler colonialism and genocide is contentious within Indigenous and genocide studies discourse. While relying on Wolfe's articulation of settler colonialism as a structure, many Native scholars have differed from Wolfe, specifically regarding the relationship between settler colonialism and genocide. For example, Dunbar-Ortiz argues that, since its beginnings, "[Euro-American settler colonialism has had] genocidal tendenc[ies]," and as a structure, settler colonialism is "inherently genocidal in terms of the genocide convention."[61] Gilio-Whitaker and Robles argue that the settler colonial logic of elimination is "fundamentally genocidal because it seeks to wipe away every trace of the original inhabitants and replace them with invading populations."[62] But for Wolfe, the process of elimination can occur without constituting genocide.

How to draw the boundaries of what and what does not constitute genocide has been a critical point of contention within genocide studies discourse. Coined by a prosecutor for the Polish Republic named Raphaël Lemkin in the mid-20th century, the term "genocide" combines *genos*, the Greek word for tribe or race, and *cide*, Latin for killing.[63] Lemkin is credited for the impetus of the United Nations' 1948 Convention on the Prevention and Punishment of the Crime of Genocide, also referred to as the Genocide Convention. However, in his book *Redefining Genocide: Settler Colonialism, Social Death, and Ecocide*, sociologist Damien Short argues that legal definitions of genocide – and genocide studies scholars – conveniently ignore Lemkin's links between genocide and colonization and his articulations of "genocide's inherently colonial character."[64] Of course, this should not be surprising as it was nation-states themselves that were responsible for crafting and subsequently

59 Ibid., 388.

60 Ibid., 387.

61 Dunbar-Ortiz, *An Indigenous Peoples' History*, 8–9.

62 Dina Gilio-Whitaker and Rebecca Robles. "When Is Genocide Over in San Juan Capistrano?" *Voice of Orange County*, August 20, 2019, https://voiceofoc.org/2019/08/gilio-whitaker-robles-when-is-genocide-over-in-san-juan-capistrano/.

63 Damien Short, *Redefining Genocide: Settler Colonialism, Social Death and Ecocide* (London: Zed Books, 2016).

64 Ibid., 3.

approving the Genocide Convention. Nation-states that acquired their wealth through colonization are unlikely to articulate colonization, and specifically settler colonialism, as a mode of genocide.[65] However, what is key to point out is that even the very initial theorizing of the concept of genocide has always articulated intrinsic relationships between it and colonization. I suggest that this is uniquely magnified in the context of settler colonialism because of the necessity for settler land acquisition and the elimination of Native populations. This is especially true in California, as previous westward removal policies employed by the federal government became futile when they reached the coast. Therefore, it is critical that historical processes of colonization and contemporary modes of settler colonial reproduction figure into our analysis and understanding of what constitutes genocide and, even more importantly, how to heal from it.

There must be a new conception of genocide. Writing about the experiences of Indigenous Australians, Barta argues that this new conception must embrace what he refers to as "relations of genocide." He uses this concept to describe a society whose very existence and perpetuation necessarily result in "remorseless pressures of destruction [on a whole race, that is] inherent in the very nature of the society."[66] Because the United States required stolen land merely to exist, genocidal relationships with Indigenous people are an inherent characteristic of the settler state. Moreover, Barta's conception of genocidal relations "removes from the word the emphasis on policy and intention which brought it into being."[67] Many genocide studies scholars conflate intent with motive and thus "require that groups be intentionally targeted *because of who they are* and not for any other reason such as economic gain."[68] Within the context of settler colonialism, the logic of extermination is driven merely by the desire for land acquisition; thus, in this line of argumentation, settler colonialism is not inherently genocidal as it lacks the clear intent to eliminate a group of people.

This is where the disconnection between genocide and settler colonialism occurs, for Wolfe at least. However, this is problematic because, as Short points out, "the primary driver of colonial genocide is an expansionist economic system, which rationally requires more and more territory to control and exploit."[69] The

65 Four major settler states – the United States, Canada, Australia, and New Zealand – did not initially sign the UN Declaration of the Rights of Indigenous People in 2007.

66 Tony Barta, "Relations of Genocide: Land and Lives in the Colonization of Australia," in *Genocide and the Modern Age: Etiology and Case Studies of Mass Death*, eds. Isidor Walliman and Michael N. Dobrowski (Westport, CT: Greenwood Press, 2000), 240.

67 Ibid., 238.

68 Short, *Redefining Genocide*, 16.

69 Ibid., 24–25.

result of this was not only the direct physical killing of California Indians but also land appropriation and the removal of California Indians from their traditional homelands, thereby separating them from their non-human relations, sacred sites, and cultural practices. Rather than spend intellectual energy to disprove the reality of the California Indian genocide on a definitional technicality – which is arguably not a worthwhile academic endeavor, nor does it contribute to the larger project of healing from the settler colonial violence that took place here – Barta suggests we seek to understand the ways in which genocidal violence, or the repercussions thereof, continue to play out in our society. Barta's recognition of the ways in which genocide continues to shape the present responds to Lumsden's critique of methodologically relegating genocide to the past. By interrogating the produced relations of genocide, we can recognize the ways in which logics of extermination are perpetuated and reproduced.

Settler colonial land dispossession and settler colonial relationships to land facilitate what Barta refers to as "relations of genocide." Settler society is constructed on top of Indigenous societies, or, as Potawatomi scholar Kyle Powys Whyte puts it, "settler ecologies have to be inscribed into indigenous ecologies."[70] Therefore, we must understand the continued separation of Indigenous peoples from their ancestral homelands and environmental destruction as a perpetuation of profound violence. In light of Barta's critique of intentionality as a critical component of what constitutes genocide, Short suggests that "if we take the *genos* in genocide to be a social figuration which forms a comprehensive culture . . . then *genocide is the forcible breaking down of such relationships* – the destruction of the social figuration."[71] While numerous scholars have examined the ways in which settler colonial dispossession works to break down relationships between Indigenous peoples and, in that way, constitutes genocide, these lines of analysis operate within a Western worldview that ideologically separates human beings from nature in the construction of social relationships. This human-centric epistemology does not consider other species, or relations, or the agency of the natural world. How is our notion of genocide – or the forcible breaking down of relationships – altered when our position of analysis considers a kinship-oriented relationship to and with land?

Within Indigenous worldviews, Earth is universally understood as a living entity, and all creation is related. As many Indigenous communities and Native American studies scholars have argued, Native communities maintain complex

70 Kyle Powys Whyte, "Indigenous Experience, Environmental Justice and Settler Colonialism." in *Nature and Experience: Phenomenology and the Environment*, ed. Bryan E. Bannon (London: Rowman & Littlefield, 2016), 171.

71 Short, *Redefining Genocide*, 36.

and dynamic relationships with their land bases. Our creation stories tie us to the places we originated. Our languages emerged from our homelands. Our lands and waters provide our material and spiritual needs but are fully integrated members of our communities, serving critical roles such as grocer, educator, pharmacist, counselor, and friend. And perhaps most importantly, within Indigenous epistemologies, land possesses agency. It is not a commodity that can be bought, sold, or owned by human beings.[72] Indeed, land holds both metaphorical and material power for Native peoples because it provides the basis not only for physical existence, but also for identity and spirituality; thus, "the importance of land stretches far beyond its role as the space on which human activity takes place; for Natives it is a significant source of literal and figurative power."[73] Within Native studies, land has been theorized as "the living entity that enables indigenous life."[74] And if land enables Indigenous life, the dispossession or contamination of those lands threatens Indigenous life.

For Indigenous peoples, environmental injustice began with the invasion and colonization of our lands. Not only must Indigenous environmental justice struggles be analytically framed by colonization, settler colonialism itself, as a structure, constitutes an environmental injustice.[75] Contrary to Indigenous relationships to land ensconced in relationship and reciprocity, settler colonial ecology compartmentalizes and controls land through the construction of property. Land, then, is transformed into a non-living object to be utilized for human consumptive purposes and wealth accumulation. Humans, within this socioecological context, are devoid of familial relationships with land or non-human kin. Moreover, familial relationships with land built on reciprocity and mutual respect are marked as "pre-modern and backward. Made savage."[76] Native relationships with land are demarcated as uncivilized/pagan, as well as wasteful because they were not fueled by profit. Settler depictions of Native relationships with land are then employed by settlers to justify the dispossession and appropriation of those same lands. Unsurprisingly, then, Na-

72 For example, in the Kanaka Maoli (Native Hawaiian) language, in the word for land, *ko'u 'āina*, the "o" is a possessive that indicates inherent status; it is also found in the words for my body (*ko'u kino*) and my parents (*ko'u mākua*). Thus, within Kanaka Maoli epistemology, one cannot own land, just as one cannot own their parents or body parts – these are inherent parts of one's existence. Haunani-Kay Trask, *From a Native Daughter: Colonialism and Sovereignty in Hawai'i* (Monroe, ME: Common Courage Press, 1993).

73 Stephanie Nohelani Teves, Andrea Smith, and Michelle Raheja, "Land," in *Native Studies Keywords*, eds. Stephanie Nohelani Teves, Andrea Smith, and Michelle Raheja (Tucson, AZ: University of Arizona Press, 2015), 59.

74 Ibid.

75 Whyte, "Indigenous Experience."

76 Tuck and Yang, "Decolonization Is Not a Metaphor," 5.

tive lands are also targeted for environmental destruction necessary to maintain settler lifestyles, serving as what Traci Brynne Voyles terms sacrifice zones, "or landscapes of extraction [that] allow industrial modernity to continue to grow and make profits."[77] Uranium mining, nuclear testing, and toxic waste storage, to name but a few practices, are all disproportionately sited on Native lands.[78] Gilio-Whitaker argues that "the origin of environmental injustice for Indigenous peoples is dispossession of land in all its forms," and thus settler colonialism must be understood as a "genocidal structure that systematically erases Indigenous peoples' relationships and responsibilities to their ancestral places."[79] In addition to settler colonial land dispossession, we must also understand the institutionalization of colonial relationships to land via a private property regime *and* the ongoing environmental injustices experienced by Native peoples as relations of genocide.

Such injustices include the contamination of our ecosystems. Tlingit scholar Anne Spice argues that "colonization is the foundation of environmental decline."[80] Specifically, Spice uses the example of environmental toxins found in our lands, waters, and bodies to illustrate her connection between environmental spoliation and settler colonialism. Firstly, Spice points out that the discourse around 'toxics' – stemming from the Greek word for a bow – in the environment often lacks intentionality or agency. They just happen to be there. How convenient, given the emphasis on intent in the definition of genocide. Instead, Spice encourages us to rethink this passive understanding of toxics.

> Toxicity is violence. More specifically, it is settler colonial violence. Toxicity and the invasive infrastructures it spills from separate us from the land by damaging our relations to it. If our lands are toxic, the more we engage in our cultural practices, the more we risk harming our bodies. Toxicity turns our relations against us. It kills us through connection. It eliminates us as Indigenous peoples by making Indigenous practices dangerous. Don't eat the fish, don't drink the water, don't gather the berries. It does the work of settler colonialism by destroying to replace. Our ways of sustaining ourselves, our local economies, our food provision, our medicine, are cleared for the expansion of an economy based primarily on oil and gas. Here, the pipeline spills and toxic emissions, while perhaps "accidents," are not without direction or intent. Trace the poison arrow back through its flight path, to the archer. Who is holding the bow?[81]

---

77 Traci Brynne Voyles, *Wastelanding: Legacies of Uranium Mining in Navajo Country* (Minneapolis, MN: University of Minnesota Press, 2015), 10.

78 Winona LaDuke, *All Our Relations: Native Struggles for Land and Life* (Cambridge, MA: South End Press, 1999).

79 Gilio-Whitaker, *As Long as Grass Grows*, 36.

80 Anne Spice, "Processing Settler Colonial Toxicities: Part I," *Footnotes*, June 16, 2018, https://footnotesblog.com/2018/06/16/processing-settler-toxicities-part-i/.

81 Anne Spice, "Processing Settler Colonial Toxicities: Part II," *Footnotes*, June 23, 2018. https://footnotesblog.com/2018/06/23/processing-settler-toxicities-part-ii/.

And who is left with arrow wounds? Gone are the days of child abduction and violent boarding school education, but deterrents from practicing our cultures remain. Basket weavers risk the ingestion of poisons as they run strands of grasses through their mouths. As we gather materials in our forests, we must wonder when the last time the United States Forest Service sprayed atrazine from above was. We watch the algae swell – fed by myriad pesticides and herbicides – and choke once clear rivers.

And yet, there seems to be a reluctance to use the term "genocide" to describe the type of ecological and cosmological violence Indigenous peoples experience in the present. As Short argues in his book, when Indigenous people "invoke the term genocide to describe their present-day experiences it is often derided. And yet . . . [their] use of the concept is often more accurate and precise than that espoused by many scholars."[82] Ecological violence lacks the intent so crucial to substantiating a claim of genocide. Daniel Brook argues that "[environmental] genocide is not (usually) the result of a systematic plan with malicious intent to exterminate Native Americans, it is the consequence of activities that are often carried out on and near the reservations with reckless disregard for the lives of Native Americans."[83] However, I urge us to entertain Spice's criticism of the lack of agency and intentionality associated with environmental destruction and ask who is holding the bow. Who benefits from environmental spoliation, and who suffers the consequences? By differentiating environmental violence as non-genocidal, we limit our ability to understand the ways in which relations of genocide continue into the present.

Some scholars maintain this differentiation by describing the ecological violence experienced by Indigenous peoples as ecocide rather than genocide. The distinction between genocide and ecocide stems from a worldview that ideologically separates human beings from nature, failing to recognize the interconnection and interdependency between people and ecosystems. In reality, we are a part of the land, and the land is us. Moreover, the concept of ecocide is rife with historical baggage and limitations that, in my view, prevent it from fully articulating present-day Indigenous experiences. Coined by Professor Arthur W. Galston in 1970 to condemn the environmental destruction of Operation Ranch Hand during the Vietnam War, ecocide was originally intended to describe wartime situations wherein the environment was specifically targeted as the victim. The use of the term has broadened since entering the popular lexicon and is now used to describe a large variety of environmental problems, including critiques of settler colonial land dispossession

82 Short, *Redefining Genocide*, 6.

83 Daniel Brook, "Environmental Genocide: Native Americans and Toxic Waste," *American Journal of Economics and Sociology* 57, no. 1 (1998): 105–106.

and destruction of Indigenous cultures. But, unlike genocide, ecocide is not recognized as an international crime, and, therefore, creating a distinction between genocide and ecocide is of little use to Indigenous peoples. At best, such a distinction is nonsensical for Indigenous peoples; at worst, it obfuscates the genocidal consequences of ecocidal behavior. For California Indians, the destruction of our nonhuman relatives or our ancestral territories constitutes genocide. Both concepts of genocide and ecocide stem from a settler colonial worldview that ideologically separates humans from nature. While understanding the varying methods or modes of genocide is significant in explaining our experiences to settler populations and sympathetic academics, when everything is taken into consideration, the primary task at hand remains healing from what occurred here.

Conclusion

Both people and the land must heal from genocide. The land – and its trees, rivers, and rocks – witnessed the genocide that occurred. The land experienced great violence during the California genocide. The environmental destruction endured during the Gold Rush in California has left long-lasting impacts that continue to impact Native peoples today. To begin healing from the genocide that tried to destroy our lands and our peoples, we must engage in community environmental restoration. This is not to devalue other critical methods of healing – such as language revitalization, cultural restoration, and mental health treatments to address what Anishinaabe scholar Lawrence Gross refers to as "post-apocalypse stress syndrome."[84] Rather, I suggest that by engaging with community-centered environmental restoration projects, we can restore relationships with each other and with our environments. If we understand genocide as the forcible breaking down of relationships, healing from genocide necessitates the rebuilding and strengthening of relationships Indigenous peoples have had with the natural world since the beginning of time. For example, Coleen Fox et al. demonstrate how river restoration "has the potential to not only restore ecosystem processes and services, but to repair and transform human relationships with rivers."[85] Again, I am reminded that if our

84 Lawrence W. Gross, "Cultural Sovereignty and Native American Hermeneutics in the Interpretation of the Sacred Stories of the Anishinaabe," *Wicazo Sa Review* 18, no. 2 (2003): 128.

85 Coleen A. Fox, Nicholas James Reo, Dale A. Turner, JoAnn Cook, Frank Dituri, Brett Fessell, James Jenkins, Aimee Johnson, Terina M. Rakena, Chris Riley, Ashleigh Turner, Julian Williams, and Mark Wilson, "'The River Is Us; The River Is in Our Veins': Re-Defining River Restoration in Three Indigenous Communities," *Sustainability Science* 12 (2017): 521.

river is sick, our people will never be healthy. The process of working together to rectify historical wrongs can have transformative powers.

However, when we discuss how we will heal from the California Indian genocide, the onus is often placed on Native peoples – as if we are the only people that must heal from the genocide that took place. Madley argues that "the question of genocide in California under US rule also poses explosive political, economic, educational, and psychological questions for all US citizens. Acknowledgment and reparations are central issues."[86] While the wellbeing of Native communities must be prioritized, to be sure, it is important to point out that, much like the descendants of genocide survivors, the beneficiaries of that genocide, and specifically descendants of the perpetrators, also hold historical traumas that they must work through, process, and heal from. Unfortunately, there remains a pervasive denial of the California Indian genocide, and many historians are unable to come to terms with this reality. And while I agree with Madley that the California Indian genocide poses critical questions for all citizens, an acknowledgment of what occurred does not aid the healing process as contemporary settlers continue to benefit from the California Indian genocide via the continued occupation of unceded Indigenous territory. The acknowledgment of genocide is akin to the now in-vogue land acknowledgments offered by universities and other institutions. A land acknowledgment is a political statement that encourages non-Native people to recognize that they are on Indigenous lands, often said before events or gatherings. Anishinaabe scholar Hayden King, who wrote the land acknowledgment at Ryerson University, says he now regrets writing it because it "effectively excuses [non-Natives] and offers them an alibi for doing the hard work of learning about their neighbors and learning about the treaties of the territory and learning about those nations that should have jurisdiction."[87] Often, land acknowledgments problematically thank the original stewards, despite not having permission, and use past tense verbs to describe Native people's relationship with that place, despite it being ongoing. Much like Lumsden's critique of Governor Newsom's acknowledgment of the California Indian genocide, if it does not compel one to do anything about it – like return *stolen* land – it does not do anything for Native people.

On 18 June 2019 – the day he formally apologized to Native Americans on behalf of the State of California – Governor Newsom issued Executive Order N-15-19,

86 Madley, *An American Genocide*, 9.

87 CBC Radio, "'I Regret It': Hayden King on Writing Ryerson University's Territorial Acknowledgement," *CBC Radio*, January 18, 2019, https://www.cbc.ca/radio/unreserved/redrawing-the-lines-1.4973363/i-regret-it-hayden-king-on-writing-ryerson-university-s-territorial-acknowledgement-1.4973371.

which, in addition to documenting his formal apology, required the Governor's Tribal Advisor to establish a "Truth and Healing Council." To be composed of California tribal representatives and/or delegates, the purpose of the Council is "to provide Native Americans a platform to clarify the historical record and work collaboratively with the state to begin the healing process."[88] While I remain hopeful that this Council will prove useful to tribal communities in some capacity, my frustration with the settler state persists. The genocide against California Indians is not "Native history" – it is California's history. The State already has access to these historical records because the State compiled them in 2002.[89] Moreover, California Indians have been clarifying the historical record for a very long time. Jack Norton's seminal text *When Our World Cried: Genocide in Northwestern California* was published over forty years ago. Even white historians have put our truth in books and used the violence perpetuated against California Indians to sell more copies and secure tenure for themselves. The truth is widely available – but what is the State of California going to do with our truth?

I implore the Truth and Healing Council to advocate for land return and ecological restoration. The dispossession and destruction of our lands were central to the California Indian genocide; therefore, their return and restoration must play a central role in healing from that same genocide. Powerful examples of healing with California[90] are occurring throughout Indian country.[91] The return of stolen land is possible. Healing is possible.

88 State of California, "Truth and Healing Council," accessed May 15, 2020, https://tribalgovtaffairs.ca.gov/truthandhealing/index.html.

89 See Johnston-Dodds, *Early California Laws and Policies*.

90 In a report compiled by Cutcha Risling Baldy and Carrie Tully to advocate that Humboldt State University return the Jacoby Creek Forest to the Wiyot Tribe, they outline numerous examples of land repatriations in California, including the Tásmam Koyom (or Humbug Valley, CA) to the Maidu Summit, Blue Creek (in Klamath, CA) to the Yurok Tribe, Sogorea Te' Land Trust (in Oakland, CA) to the Ohlone Tribe, Kuuchamaa Mountain and Ah-Ha Kwe-Ah-Mac' village (in Tecate, CA) to the Kumeyaay-Diegueño Land Conservancy, and Old Woman Mountains (in San Bernardino, CA) to the Twenty-Nine Palms Band of Mission Indians. See Cutcha Risling Baldy and Carrie Tully, "Working For and Toward Land Return of Goukdi'n (Jacoby Creek Forest)," November 2019, https://www.cutcharislingbaldy.com/uploads/2/8/7/3/2873888/working_for_and_toward_land_return_of_goukdi%E2%80%99n___jacoby_creek_forest___1_.pdf.

91 Across the nation, more land is being returned across the nation by universities, missions, governments, non-profits, and even individuals. Ibid. Two notable entities include Brown University and the Jesuit St. Francis Mission. The State of Oregon passed the Western Oregon Tribal Fairness Act in 2018 to return 17,000 acres to the Cow Creek Band of Umpqua Indians and 15,000 acres to the Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians. And, despite sustaining a financial loss from the transaction, a plumber in Colorado named Rich Synder returned his land to the Ute Tribe because it was right.

Returning stolen land to Indigenous peoples is a growing movement with international and national examples. The movements for decolonization in education, research, and policy must necessarily include the return of land to Indigenous peoples.[92] In a significant and groundbreaking moment, on 21 October 2019, the City of Eureka returned Tuluwat Island – a site of both world renewal and genocidal violence (sometimes called "Indian Island") – to the Wiyot Tribe in northwestern California. This was "the first time in the history of our nation that a local municipality has voluntarily given back Native land absent an accompanying sale, lawsuit, or court order."[93] A ceremony was held to celebrate the return. Tribal leaders and city officials called for "more collaboration, more community-building, more healing, and more returning land."[94] Let this beautiful example give us momentum and propel us into a decolonized future.

Works Cited

Anderson, M. Kat. *Tending the Wild: Native American Knowledge and the Management of California's Natural Resources*. Berkeley, CA: University of California Press, 2005.

Arvin, Maile. "Pacifically Possessed." Ph.D. diss., University of California, San Diego, 2013.

Barta, Tony. "Relations of Genocide: Land and Lives in the Colonization of Australia." In *Genocide and the Modern Age: Etiology and Case Studies of Mass Death*, edited by Isidor Walliman and Michael N. Dobrowski, 237–252. Westport, CT: Greenwood Press, 2000.

Bauer Jr., William J. *California through Native Eyes: Reclaiming History*. Seattle: University of Washington Press, 2016.

Blackhawk, Ned. *Violence Over the Land: Indians and Empires in the Early American West*. Cambridge, MA: Harvard University Press, 2006.

Brook, Daniel. "Environmental Genocide: Native Americans and Toxic Waste." *American Journal of Economics and Sociology* 57, no. 1 (1998): 105–113.

Carroll, Clint. *Roots of Our Renewal: Ethnobotany and Cherokee Environmental Governance*. Minneapolis, MN: University of Minnesota Press, 2015.

CBC Radio. "'I Regret It': Hayden King on Writing Ryerson University's Territorial Acknowledgement." *CBC Radio*, January 18, 2019. https://www.cbc.ca/radio/unreserved/redrawing-the-lines-1.4973363/i-regret-it-hayden-king-on-writing-ryerson-university-s-territorial-acknowledgement-1.4973371.

Cook, Sherburne F. "Historical Demography." In *Handbook of North American Indians*, edited by Robert F. Heizer, 91–98. Washington, DC: Smithsonian Institution Press, 1978.

92 Ibid., 7.

93 Thadeus Greenson, "The Island's Return: The Unprecedented Repatriation of the Center of the Wiyot Universe," *North Coast Journal of Politics, People, and Art*, October 24, 2019, https://www.northcoastjournal.com/humboldt/the-islands-return/Content?oid=15494902.

94 Risling Baldy and Tully, "Working For and Toward Land Return of Goukdi'n," 12.

Dunbar-Ortiz, Roxanne. *An Indigenous Peoples' History of the United States*. Boston, MA: Beacon Press, 2014.

Estes, Nick. *Our History Is the Future: Standing Rock Versus the Dakota Access Pipeline, and the Long Tradition of Indigenous Resistance*. London: Verso Press, 2019.

Fenelon, James V., and Clifford E. Trafzer. "From Colonialism to Denial of California Genocide to Misrepresentations: Special Issue on Indigenous Struggles in the Americas." *American Behavioral Scientist* 58, no. 1 (2014): 3–29.

Forbes, Jack D. "The Native American Experience in California History." *California Historical Quarterly* 50, no. 3 (1971): 234–242.

Fox, Coleen A., Nicholas James Reo, Dale A. Turner, JoAnn Cook, Frank Dituri, Brett Fessell, James Jenkins, Aimee Johnson, Terina M. Rakena, Chris Riley, Ashleigh Turner, Julian Williams, and Mark Wilson. "'The River Is Us; The River Is in Our Veins': Re-Defining River Restoration in Three Indigenous Communities." *Sustainability Science* 12 (2017): 521–533.

Gilio-Whitaker, Dina. *As Long as Grass Grows: The Indigenous Fight for Environmental Justice, From Colonization to Standing Rock*. Boston, MA: Beacon Press, 2019.

Gilio-Whitaker, Dina, and Rebecca Robles. "When Is Genocide Over in San Juan Capistrano?" *Voice of Orange County*, August, 20 2019. https://voiceofoc.org/2019/08/gilio-whitaker-robles-when-is-genocide-over-in-san-juan-capistrano/.

Greenson, Thadeus. "The Island's Return: The Unprecedented Repatriation of the Center of the Wiyot Universe." *North Coast Journal of Politics, People, and Art*, October 24, 2019, https://www.northcoastjournal.com/humboldt/the-islands-return/Content?oid=15494902.

Gross, Lawrence W. "Cultural Sovereignty and Native American Hermeneutics in the Interpretation of the Sacred Stories of the Anishinaabe." *Wicazo Sa Review* 18, no. 2 (2003): 127–134.

Heizer, Robert F., 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*. Lincoln, NE: University of Nebraska Press, 1974.

Hubbard, Tasha. "Buffalo Genocide in Nineteenth-Century North America: 'Kill, Skin, and Sell'." In *Colonial Genocide in Indigenous North America*, edited by Andrew Woolford, 292–305. Durham, NC: Duke University Press, 2014.

Johnston-Dodds, Kimberly. *Early California Laws and Policies Related to California Indians*. Sacramento, CA: California Research Bureau, 2002.

LaDuke, Winona. *All Our Relations: Native Struggles for Land and Life*. Cambridge, MA: South End Press, 1999.

Lindsay, Brendan C. *Murder State: California's Native American Genocide, 1846–1873*. Lincoln, NE: University of Nebraska Press, 2012.

Lowry, Chag, Kate Droz-Handwerker, Rain Marshall, Ron Griffith, Fawn White, and Lonyx Landry. *Northwest Indigenous Gold Rush History: The Indian Survivors of California's Holocaust*. Arcata, CA: Humboldt State University Center for Indian Development, 1999.

Lumsden, Stephanie. "American Genocide: Historical Methodologies of Settler Disavowal." Native American and Indigenous Studies Association, Los Angeles, May 19, 2018.

Lumsden, Stephanie. "Reproductive Justice, Sovereignty, and Incarceration: Prison Abolition Politics and California Indians." *American Indian Culture and Research Journal* 40, no. 1 (2016): 33–46.

Luna, Taryn. "Newsom Apologizes for California's History of Violence Against Native Americans." *Los Angeles Times*, June 18, 2019. https://www.latimes.com/politics/la-pol-ca-gavin-newsom-apology-california-native-american-tribes-061818-story.html.

Madley, Benjamin. *An American Genocide: The United States and the California Indian Catastrophe*. New Haven, CT: Yale University Press, 2016.

Madsen, Deborah L. "Tragic Wisdom and Survivance." In *Conversations with Remarkable Native Americans*, edited by Joëlle Rostkowski, xix-xviii. Albany: State University of New York Press, 2012.

May, Theresa, Suzanne Burcell, Kathleen McCovey, and Jean O'Hara. *Salmon Is Everything: Community-Based Theater in the Klamath Watershed*. Corvallis, OR: Oregon State University Press, 2014.

Miranda, Deborah. *Bad Indians: A Tribal Memoir*. Berkeley, CA: Heyday Books, 2013.

Miranda, Deborah. "Extermination of the Joyas: Gendercide in Spanish California." *GLQ: A Journal of Lesbian and Gay Studies* 16, no. 1–2 (2010): 253–284.

Nohelani Teves, Stephanie, Andrea Smith, and Michelle Raheja. "Land." In *Native Studies Keywords*, edited by Stephanie Nohelani Teves, Andrea Smith, and Michelle Raheja, 59–70. Tucson, AZ: University of Arizona Press, 2015.

Norton, Jack. *Genocide in Northwestern California: When Our Worlds Cried*. San Francisco, CA: The Indian Historical Press, 1979.

Orona, Brittani. "Review of *Genocide in Northwestern California: When Our Worlds Cried* by Jack Norton." *News from Native California*, Spring 2017, 33–34.

Platt, Tony. *Grave Matters: Excavating California's Buried Past*. Berkeley, CA: Heyday Books, 2011.

Reséndez, Andrés. *The Other Slavery: The Uncovered Story of Indian Enslavement in America*. New York: Houghton Mifflin Harcourt, 2016.

Risling Baldy, Cutcha. "In Which We Establish That There Was a Genocide Against Native Americans, Yes There Was, It Was Genocide, Yes Or This Is Why I Teach Native Studies Part 3 Million." *Sometimes Writer-Blogger Cutcha Risling Baldy*, September 8, 2015. https://www.cutcharislingbaldy.com/blog/in-which-we-establish-that-there-was-a-genocide-against-native-americans-yes-there-was-it-was-genocide-yes-or-this-is-why-i-teach-native-studies-part-3-million.

Risling Baldy, Cutcha and Carrie Tully. "Working For and Toward Land Return of Goukdi'n (Jacoby Creek Forest)." November 2019. https://www.cutcharislingbaldy.com/uploads/2/8/7/3/2873888/working_for_and_toward_land_return_of_goukdi%E2%80%99n___jacoby_creek_forest___1_.pdf.

Saranillio, Dean Itsuji. "Settler Colonialism." In *Native Studies Keywords*, edited by Stephanie Nohelani Teves, Andrea Smith, and Michelle Raheja, 284–300. Tucson, AZ: University of Arizona Press, 2015.

Secrest, William B. *When the Great Spirit Died: The Destruction of the California Indians, 1850–1860*. Sanger: Word Dancer Press, 2003.

Short, Damien. *Redefining Genocide: Settler Colonialism, Social Death and Ecocide*. London: Zed Books, 2016.

Spice, Anne. "Processing Settler Colonial Toxicities: Part I." *Footnotes*, June 16, 2018. https://footnotesblog.com/2018/06/16/processing-settler-toxicities-part-i/.

Spice, Anne. "Processing Settler Colonial Toxicities: Part II." *Footnotes*, June 23, 2018. https://footnotesblog.com/2018/06/23/processing-settler-toxicities-part-ii/.

State of California. "Truth and Healing Council." Accessed May 15, 2020. https://tribalgovtaffairs.ca.gov/truthandhealing/index.html.

Tolley, Sara-Larus. *Quest for Tribal Acknowledgement: California's Honey Lake Maidus*. Norman, OK: University of Oklahoma Press, 2006.

Trafzer, Clifford E., and Joel R. Hyer, eds. *"Exterminate Them": Written Accounts of the Murder, Rape, and Slavery of Native Americans During the California Gold Rush, 1848–1868*. East Lansing, MI: Michigan State University Press, 1999.

Trask, Haunani-Kay. *From a Native Daughter: Colonialism and Sovereignty in Hawai'i*. Monroe, ME: Common Courage Press, 1993.

Tuck, Eve, and K. Wayne Yang. "Decolonization Is Not a Metaphor." *Decolonization: Indigeneity, Education & Society* 1, no. 1 (2012): 1–40.

Voyles, Traci Brynne. *Wastelanding: Legacies of Uranium Mining in Navajo Country*. Minneapolis, MN: University of Minnesota Press, 2015.

Whyte, Kyle Powys. "Indigenous Experience, Environmental Justice and Settler Colonialism." In *Nature and Experience: Phenomenology and the Environment*, edited by Bryan E. Bannon, 157–174. London: Rowman & Littlefield, 2016.

Wolfe, Patrick. "Settler Colonialism and the Elimination of the Native." *Journal of Genocide Research* 8, no. 4 (2006): 387–409.