

“THE OTHER” IN THEIR OWN LAND:
ORIENTALISM, GENOCIDE, AND THE NORTHERN
PAIUTE OF THE OREGON GREAT BASIN

By

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The Northern Paiutes, an American Indian tribe from Central and Eastern Oregon, experienced a significant reduction in their population at the hands the Oregon and federal governments during the Snake War of 1855-1868. Those who were left of the Northern Paiute population by the late 19th-20th century were subjected to assimilationist policies and economic subjugation through the reservation system. This history is not widely studied, written about, or taught in Oregon schools. My research seeks to understand and articulate the Northern Paiute experience of settler colonial violence, as it pertains to the interrelated phenomena of Orientalism, accumulation, and genocide. I argue that the Northern Paiute were re-described as the “other” through the discourse of Orientalism. This Orientalist discourse was used to justify the Snake War waged against the Paiute. I make the case that the Northern Paiute were the victims of state-sanctioned genocide, of which exterminatory violence is just one part.

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Reflecting on Decolonization

Have you ever heard of the Oregon Trail? Chances are, you have. Even those of us born and raised outside of the state of Oregon have at least a vague sense of what this trail was, where it came from, where it was going, and why. When we think of the Oregon Trail, some of us imagine a road- real and rocky- carving through farmlands and mountain ranges across a great, wild nation, concluding at the banks of the Pacific Ocean. Whether thanks to films, children's books, or our 5th grade teacher's Social Studies class presentations, we picture horses and carriages carrying mothers in white bonnets, children playing with wooden toys alongside the caravan, gallantly rugged men in wide-brimmed black hats on horseback, and a divine sense of purpose pushing our pioneer ancestors westward across the continent. While the land is open and beckoning, somewhere at the back of our mind, there is a memory of life – indigenous, teepee-dwelling, brown, human life. We recall the phrase “Manifest Destiny,” from high school History class, and upon hearing the phrase, are inclined to feel either proud or skeptical of those two simple words, depending on the social and political leanings of our 11th grade History teachers.

It is just as likely, to be sure, that these are neither your impressions nor your experiences. They certainly are not mine. Perhaps you are something like me; a non-Native Oregonian, a non-American Indian, the child of an immigrant, born in the midst of a liberal metropolis, raised with a healthy skepticism of dominant narratives, especially those tinged with paternalism and white-supremacy. Your childhood was not saturated with mythical imaginings of the Oregon Trail or the noble pioneer. The pioneers are no kin of yours, and you approach the stories of their nobility and civility

with the same skepticism with which you approach all other stories of American greatness. You are proud to say that you know there were entire communities, entire cultures living and thriving in Oregon before white settlement. You might have even heard of the Northern Paiute, the American Indian group from central and southeastern Oregon for whom this research is written. You might even know someone from a reservation.

But, you are dismayed to find, even in your righteous rejection and reeducation, Manifest Destiny has settled into the corners of your mind like the anesthesia it is. You are numb. Not literally, of course, but figuratively; a numbness of consciousness, of conscience. This numbness is expressed in the way in which you know *of* the Northern Paiute, but know *nothing* about them; in the way that you are diametrically opposed to the violence and inhumanity of the settling of the American West, but cannot come to terms with the reality that had it not happened, you and I might not be living the life we are today. You avoid this harrowing notion, because when you indulge it, you find yourself suddenly complicit in the violence and inhumanity that paved the way for your life today.

Excuse me for proposing to speak for you. Of course, I cannot. Hopefully, your lived experiences and opinions are much more complex and inquiring than the two narrow ones I have presented here. Furthermore, I hope you are yourself an American Indian person, a Northern Paiute person, as you are precisely for whom this historical research is conducted and presented. Regardless of who you are, where you are from, or what you believe, we are all invariably subject to the prejudices of our community, society, or nation. These prejudices are built into the stories we tell our children, and

into the histories we teach them. History is both a tool in the formation of identity and the foundation of liberation movements; it creates a sense of collective belonging, enforces value systems, and informs individual sense of self in the context of nation, ethnicity, religion, and culture. It teaches us who we are, and oftentimes more importantly, it teaches us who we are not, by providing us a scale on which to measure ourselves in contrast to others. But I wonder, what can be said about an identity built upon the foundations of misconception, misrepresentation, myth, prejudice, and neglect? Can it last? Or perhaps a better question to ask is should we allow it to?

This research is just one story of the Northern Paiute; one story among many, to be sure, in the long and complex history of a people who lived on the land of the Great Basin in Oregon, Nevada, and Idaho for tens of thousands of years. In many ways, however, this story is not of the Northern Paiute alone, both because the focus of this research is on the actions and motivations of the oppressor, and because the Northern Paiute's experience of oppression and genocide is not unique to the Paiute of Oregon. Rather, their experience is one part of larger, international and interdisciplinary processes of "othering," land-seizure, economic subjugation, cultural assimilation, and extermination. Over the course of the 19th century, less than two hundred years ago in recent history, the Northern Paiute were confronted with disease, invasion, land seizures, forced treaties, relocation to reservations, the slaughter of their people, and the systematic decimation of their culture. What is worse is that this story, this history, has not been remembered by the historical tradition of the last 200 years. In fact, it has been deliberately omitted from histories of the Pacific Northwest, and so has been all but forgotten. When a peoples' oppression is over-written by their oppressors, the struggle

forgotten by all but those who experienced it, and with every accusation that their supposed laziness or lack of character is to blame for their economic destitution and cultural crisis, the blame for their poverty and pain is heaped onto their shoulders. In this context, the goal of bringing to light historical inaccuracies promulgated by colonialism is an issue of moral urgency, of the necessity to right wrongs that have not been addressed, of the need for empowerment, and of the need to reclaim and redistribute truth.

While I will be analyzing the experience of the Northern Paiute using theories conceived of by non-Native peoples, I will be doing so through the lens of decolonizing methodology. I regard the discourses of Orientalism and genocide studies as instruments for better understanding the narrative of settler-colonial violence committed against the Northern Paiute, a narrative that I will choose to approach through the decolonizing framework of respect, responsibility, and reciprocity, thereby regarding the Northern Paiute community as the central driving force of this research. Native scholars such as Eva Marie Garroutte and Linda Tuhiwai Smith have extensively outlined the theory behind decolonizing methodology in their respective books, Real Indians: Identity and Survival of Native America, and Decolonizing Methodologies: Research and Indigenous Peoples.

Smith writes, “imperialism frames the indigenous experience.”¹ While imperialism is often used interchangeably with colonialism, colonialism is in fact just one part. She explains that among imperialism many layers are “1) imperialism as economic expansion; 2) imperialism as the subjugation of ‘others’; 3) imperialism as an

¹ Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (London, Dunedin, NZ: Zed Books, University of Otago Press, 1999; 19.

idea or spirit with many forms of realization; and 4) imperialism as a discursive field of knowledge.”² This final layer of imperialism related to knowledge is desperately important to this work because, as Smith explains, “the negation of indigenous views of history was a critical part of asserting colonial ideology...mostly because they challenged and resisted the mission of colonization.”³ Smith explains that because “it is extremely rare and unusual when indigenous accounts are accepted and acknowledges as valid interpretations of what has taken place,”⁴ centering Native perspectives in scholarly research represents a form of resistance.

Garrouette writes about the decolonizing methodology she has termed “Radical Indigenism,” an approach to scholarship that seeks to “illuminate differences in assumptions about knowledge that are at the root of the dominant culture’s misunderstanding and subordination of indigenous knowledge.”⁵ She writes that Radical Indigenism “argues for the reassertion and rebuilding of traditional knowledge from its roots, its fundamental principles,”⁶ and that it therefore is a form of “resistance to the pressure upon indigenous scholars to participate in academic discourses that strip Native intellectual traditions of their spiritual and sacred elements.”⁷ Garrouette explains that there are two requirements of Radical Indigenism – “to enter tribal philosophies and to enter tribal relations” in order for the scholar to “begin doing intellectual work

² Ibid; 21.

³ Ibid; 29.

⁴ Ibid; 35.

⁵ Eva Marie Garrouette, *Real Indians: Identity and the Survival of Native America* (Berkeley: University of California Press, 2003); 86.

⁶ Ibid.

⁷ Ibid; 88.

within an American Indian philosophy of knowledge, allowing themselves to be guided by its assumptions, values, and goals.”⁸

In the fall of 2014, I was enrolled in the University of Oregon Clark Honors College colloquium, HC 444: Decolonizing Research – The Northern Paiute History Project, during which I was fortunate to learn about decolonizing methodology, and fortunate to begin a three-year relationship with the Northern Paiute tribe. My professors and thesis advisors, Kevin Hatfield and Jennifer O’Neal, have a long-standing relationship with the Paiute community at Warm Springs, and have fostered this course so as to uphold the decolonizing methodology of reciprocal, community-driven academic research. The Northern Paiute community chooses all research topics that are provided to students in class, students conduct in-person and phone interviews with Northern Paiute tribal elders and members so as to center tribal knowledge and oral histories in the research, and all work is returned to the tribe in the form of a yearly Northern Paiute History Project Student Paper Collection at the conclusion of the course. The HC 444 course also includes a class research trip, during which time students have the opportunity to travel to the Warm Springs Reservation to meet with and listen to tribal elders and members, a crucial component of the decolonizing research process.

My research paper for this course was titled, “Assimilation and Activism: An Analysis of Native Boarding School Curriculum and Native Student Activism in the 20th Century,” in which I worked closely with Northern Paiute tribal elder, educator, and activist, Myra Johnson-Orange, to outline the way in which Native students such as

⁸ Ibid; 93.

herself resisted assimilationist educational policies in place until the 1970s. I had the opportunity to present this research twice, once at the Western Social Science Association Conference in Portland, OR, as well as at the 2015 Climate Change and Indigenous Peoples Conference in Eugene, OR. I was also awarded the Undergraduate Library Research Award in 2015 for my research, and Myra was able to attend the awards ceremony.

In regards to this current thesis, other than an analysis of secondary sources providing theoretical frameworks for this study, my research is archival, community-engaged, and community-based. The inspiration for this research came directly from interviews I conducted with Myra Johnson-Orange and Wilson Wewa, both tribal elders of the Northern Paiute community on the Warm Springs reservation, who consistently emphasized the way in which the re-description of the Northern Paiute as “savage” and inhuman were central to the colonizer’s justification for committing violence against them. I applied and was granted permission to conduct this research by the Confederated Tribes of Warm Springs Tribal Council. Additionally, I was awarded the University of Oregon Undergraduate Research Opportunity Program’s Vice President for Research and Innovation fellowship, which funded my trip the National Archives and Records Administration in Seattle, Washington, where I conducted archival research on Orientalism and exterminatory violence evident in Bureau of Indian Affairs documentation from the mid-1800s. Given that no one has yet written specifically about this piece of Northern Paiute tribal history, connecting it to the concepts of Orientalism and an explication of genocide studies, this research will be given to the Northern

Paiute tribe at its conclusion, where it will hopefully be put to use as part of curriculum designed specifically for Native students on the reservation.

In order to conduct interviews with members of the Northern Paiute Tribe, I went through the approval process with the University of Oregon's Internal Review Board (IRB). While the IRB process is certainly intended to uphold the rights of research subjects who have historically been vulnerable to exploitation by academia, I found that the vestiges of white supremacy still remain within this institutional process. For example, my IRB review board was concerned that the term "decolonization" was jargon, assuming that the Northern Paiute community would not understand this term or others used in this research. This of course is not the case, as the Northern Paiute community expects students from the Decolonizing Research colloquium to both use the language and honors the goals of decolonizing methodology. Because of edits such and this, the IRB process took a total of 9 months to complete, thereby drastically changing the nature of my research. I had originally intended to interview anywhere from 15-30 Northern Paiute tribal members. This would have allowed me to truly honor the goals of decolonizing methodology, by writing a research project focused exclusively on the perspectives of Northern Paiute with regards to settler colonial violence. However, this was not possible given time constraints, and so my research project was forced to take a different shape. While I am undoubtedly grateful that the IRB process is required given the history of abuse suffered by the subjects of academic research, this process reminded me that we have a long way to go in implementing decolonizing research protocols into the academic institution.

My intention with this research is to create a piece of work that will benefit the Northern Paiute community in some capacity. And, I must confess that my own struggle for identity and history as a Black, multiracial person-of-color living in the United States adds another layer of intent to my research, as my own sense of injustice and moral outrage compels me to seek out opportunities to confront oppressors with the wrongs they have committed, whether or not those wrongs were directly or indirectly committed against myself or my community. Perhaps this means that my research, in a sense, is conducted selfishly, with my own aims guiding my pursuit of knowledge, and my own sense of righteous outcomes at the forefront of my mind. I must confront this reality as I begin my research, and keep it in my sights as I formulate and write my thesis, because although I have my own reasons for wanting to conduct this research, those must always come second to the wishes of the Northern Paiute community to whom I dedicate this study. If I forget this, then I believe my work will have been in vain.

Introduction

On January 2, 2016, a group of disgruntled armed protesters occupied the Malheur National Wildlife Refuge outside of Burns, OR. They were there to protest what they believed to be unjust federal land use policies following the impending re-imprisonment of Dwight and Steven Hammond, two Harney County ranchers convicted for arson for the burning of federal lands ten years prior.⁹ Ammon Bundy, the leader of the occupation, announced repeatedly that the occupiers would not leave until they had control over the refuge land, which he claimed was unfairly seized from local property owners.¹⁰ The Malheur National Wildlife Refuge occupation immediately garnered nationwide attention, going so far as to inspire Eastern Oregon House Representative Greg Walden to give an impassioned defense of the occupiers on the floor of the House of Representatives in Washington D.C. The occupation would officially end 41-days later, on February 11, having trashed the refuge headquarters and costing taxpayers \$3.3 million.¹¹

The irony of this seemed completely lost on Bundy and his supporters. It was not lost, however, on members of the Burns Paiute tribe, located mere miles from the Malheur National Wildlife Refuge in Harney County. Fred Townshend, a Northern Paiute tribal member, had been “calling federal officials for years to say his people were shortchanged and he could barely get anyone to answer the phone,”¹² let alone inspire

⁹ Oregonian/OregonLive, “Oregon Standoff Timeline: How the Occupation Unfolded,” *OregonLive.com*, accessed May 9, 2017.

¹⁰ Maxine Bernstein, “Ammon Bundy Says Jail ‘Most Difficult Thing I’ve Ever Done’,” *OregonLive.com*, accessed May 9, 2017.

¹¹ Oregonian/OregonLive, “Oregon Standoff Timeline: How the Occupation Unfolded.”

¹² Kelly House, “Burns Paiutes to Ammon Bundy: You’re Not the Victim,” *OregonLive.com*, accessed May 9, 2017.

his elected official to give an emotional speech in Washington D.C. on his behalf. The Northern Paiute, the original and rightful inhabitants of the refuge land, were robbed of tens of millions of acres of their ancestral land in 1855 with the signing of the Treaty of Middle Oregon. This treaty marked the beginning of a 13-year war of extermination formally known as the “Snake War” of 1855-68¹³ between the “Snake Indians” (a derogatory term to refer to the Northern Paiutes, Bannock, and Shoshonis) and the Oregon and federal governments. The Snake War has been described as one of the deadliest Indian campaigns to occur in the western United States in terms loss of human lives.¹⁴ During this campaign, the Northern Paiute population was reduced significantly over the course of the 19th century before, during, and after the Snake War. Those who were left of the Northern Paiute population by the late 19th-20th century were subjected to severe cultural decimation in the form of assimilationist policies and economic subjugation through both the boarding school and reservation systems.

Part of this de facto policy of cultural genocide against the Paiute was the Orientalist discourse denigrating the Paiute, as is obvious from a look into government documents and newspaper publications at the time. These documents describe the Paiute as savage, uncivilized, hostile, dirty, and subhuman – and they were treated as such. With the onslaught of white settler colonialism in the region, the establishment of treaties appropriating traditional Northern Paiute land to reservations, the subsequent resistance waged by the Northern Paiute in protection of their land and life-ways, and the exterminatory campaign known as the “Snake War” waged against the Northern

¹³ James Gardner, “Oregon Apocolypse: The Hidden History of the Northern Paiute” (University of Oregon, 2015).

¹⁴ Gregory Michno, *The Deadliest Indian War in the West: The Snake Conflict, 1864-1868* (Caldwell, ID: Caxton Press, 2007).

Paiute, a process of dehumanization took hold which oriented government policy in regards to the Northern Paiute for the remainder of the 19th and 20th centuries.

In light of this history, Ammon Bundy and his band of patriots begin to look a bit out of touch. The Malheur occupation took place at around the same time I was working on formulating this research project, causing me to wonder what sort of social or historical processes must have taken place to allow people to be so unaware of the history of the place they claim ownership over. This inquiry is undoubtedly much larger than the scope of this research. However, I do think that one aspect of the problem of historical memory loss with regards to Native history is definitional. A Dirk. Moses, in his book, Empire, Colony, Genocide: Conquest, Occupation, And Subaltern Resistance In World History, writes, "colonial and imperial wars are not usually considered genocidal. Once regions are "pacified"- that is, armed resistance is broken- the occupiers settle down to the business of governing. This rather benign view of such conflicts precludes the question of genocide by equating it with the Holocaust of European Jewry: where no death camps can be found, genocide cannot be said to have occurred."¹⁵ This "definitional" problem, if one can even call it that, is not innocuous; rather, it is the product of intentional obfuscation and misrepresentation of Native history. This disassociation of settler-colonial violence and genocide is deeply problematic, not only because the man who coined the term, Raphael Lemkin, defined genocide as a process that was "intrinsicly colonial,"¹⁶ but also because the term "genocide" carries with it the necessarily condemnatory social, and therefore political,

¹⁵ A. Dirk Moses, *Empire, Colony, Genocide: Conquest, Occupation, and Subaltern Resistance in World History* (New York: Berghahn Books, 2008); 25.

¹⁶ *Ibid*; viii.

connotations to compel redress and retribution. Without the connotations of genocide attached to “colonial wars” in popular consciousness, massacres of Native people by settler-colonizers have been re-described as just and inevitable conflicts – wars of cowboys against Indians, noble pioneers against savages, good against evil – descriptions that are mythical and dangerously misrepresentative.

Additionally, genocide in the Americas is also often reframed as “cultural genocide.” While this term correctly refers to one aspect of genocidal violence, its use in popular and academic culture simultaneously disavows settler-colonizers of blame for exterminatory physical violence, while diminishing the legitimacy of the Native experience of physical violence, as if it was not “as bad” as those “real” genocides of the 21st century. This colloquial distinction between cultural genocide and “real genocide” is deeply problematic, and reflects the lack of extensive research and study into Lemkin’s original conception of genocide after his untimely death. It is also the product of intentional misrepresentation and obfuscation of the definition of genocide by the United States government in their role in crafting the Genocide Convention of 1948.¹⁷ The US was instrumental in creating a definition of genocide that understood it to be simply a matter of mass killing. The problem with this is two-fold. First, Lemkin believed that cultural loss was more important than mass killing to his conception of genocide. Lemkin wrote that culture, which he refers to as “derived needs,”

are just as necessary to their existence as the basic physiological needs... These needs find expression in social institutions or, to use an anthropological term, the culture ethos. If the culture of a group is violently undermined, the group itself disintegrates and its members

¹⁷ Samantha Power, *A Problem from Hell: America and the Age of Genocide* (New York: Basic Books, 2002); 67.

must either become absorbed in other cultures which is a wasteful and painful process or succumb to personal disorganization and, perhaps, physical destruction...the destruction of cultural symbols is genocide...[to destroy cultural symbols] menaces the existence of the social group which exists by virtue of its common culture.¹⁸

Second, and more importantly, Lemkin was reticent to use the word “extermination” when discussing genocide, because he worried that states would neglect to address genocide except in instances when every member of a group had been killed (Power 54). The notion that every member of a group must be killed in order to consider it genocide ignores the lasting effects of genocidal policies and practices, while precluding any redress in preventing genocide in the first place.

This research seeks to understand and articulate the Northern Paiute experience of settler colonial violence in Oregon. In order to understand this violence, there are a few major factors to be explored. Over the course of the white invasion and settlement of Oregon, the Northern Paiute were re-described as subhuman through the discourse of *Orientalism*, as were every other Native group in the Americas at the time. While this re-description was certainly born out of *white supremacy*, *Orientalism* was primarily a tool of *accumulation*. White settler-colonizers believed that because they settled and apportioned it, the land of the American West belonged to them. The Northern Paiute and other Native tribes, therefore, represented an impediment to the white man’s exercise of his natural right to liberty and private property. The settler-colonizer’s campaign to accumulate land at the expense of Northern Paiute life led to the *genocide* of Paiute people, beginning in the 19th century and continuing on well into the 20th.

My thesis is in three parts, and will argue as follows:

¹⁸ Moses, *Empire, Colony, Genocide: Conquest, Occupation, and Subaltern Resistance in World History*; 12.

1. A presentation of the discourse of Orientalism, as well as the history and substance behind the definition of genocide. These are both essential to understanding the violence committed against the Paiute. I argue that the Northern Paiute were re-described as the “other” through the discourse of Orientalism, as conceived of by Edward Said. This is important because the discourse of Orientalism was a principle tool used by settler-colonizers and the Oregon government to justify its attempted extermination of the Paiute.
2. An outlining of the history of the Snake War, and the events and circumstances that led up to it. I argue that the discourse of Orientalism was used to justify the Snake War against the Northern Paiute. This justification was given to both the federal government, the white Oregon public, and to posterity in Oregon’s academic tradition. Tracing the history of the Snake War is important for two reasons. One, doing so provides definitive proof of the genocidal nature of the campaign. Two, and more importantly, by tracing the history of the Snake War, I will show the way that cultural, economic, and biological violence were also primary aspects of the violence of the Snake War, long after the campaign itself ended.
3. An overview of the dominant rhetoric of genocide, including the scholarly research, media publications, and government documents that exemplify the power and utility of Orientalism in committing genocidal violence against the Northern Paiute. I argue that the Northern Paiute are the victims of genocide at the hands of the Oregon and United States governments, of which the Snake War is just one part.

While Raphael Lemkin certainly intended for a more multi-dimensional understanding of genocide than that which is outlined in the 1948 Genocide Convention or in popular consciousness today, I believe it is important to illustrate the way in which the Northern Paiute experience of settler-colonial violence conforms to *both* the popular understanding of genocide-as-mass killing *and* Raphael Lemkin’s original conception of the genocide as an amalgamation of concomitant processes. The Snake War of 1855-68 is a perfect example of the very sort of senseless and indiscriminate physical violence most commonly associated with the word genocide today. This violence was brought against the Paiute through the process of Orientalism, which posited the

Northern Paiute as the “other” in their own land. However, the Snake War does not constitute genocide in and of itself according to Raphael Lemkin’s original definition. Rather it is one part of a larger process of physical, cultural, biological, and economic violence brought against the Paiute in the hopes of destroying those aspects of Paiute life and culture that would survive over time.

This research is also important because as I have already explored, there is hesitance within academia to deem settle-colonial violence in the Americas at large as “genocide.” Brenden Rensink in his article, “Genocide of Native Americans: Historical Facts and Historiographic Debates,” explains that there are two factors that contribute to this trouble: numbers and intent. He explains:

First, if genocide is defined by the number of victims killed, Native American history mourns some of the highest. Although the consensus on such estimates has been tenuous, much of the related demographic debate over pre-contact and post-contact population statistics asserts per capita loss percentages unparalleled in human history (Dobyns, 1983, and Stannard, 1992). If taken at face value and as the only criteria for assessing genocide, one might conclude that Native American history should stand as the archetype. However, the accepted legal definition of genocide entails a second important factor: the *intent* to destroy a targeted group in whole or in part. This consideration greatly complicates the issue. The demographic collapse which Euro-American contact precipitated and perpetuated in Native America spans centuries and involves no less than eight colonial or federal governments, and thousands of distinct indigenous empires, cultures, and confederacies. How does one parse out the overall demographic decline of Native America as a whole into the appropriately specific geographic and chronologic terms? Furthermore, in ascertaining the commission of genocide, taking into consideration the issue of intent, how can such monumental numbers be properly assigned to the intent of innumerable separate and distinct Euro-American - Native American relationships? To label North America's indigenous populations in such monolithic terms is more than problematic. To generalize about the actions and reactions of all officials at the federal, regional and local levels vis-a-vis their treatment of all Native American groups is equally problematic. To attempt to extrapolate from one case where there was clear genocidal

intent to all other cases - across centuries and historical contexts - is to rely on inherently faulty methodological processes.¹⁹

Rensink proposed solution to this problem is to conduct research on specific tribal experiences of settler-colonial violence. By making the case for instances of genocide in regional histories, scholars can then point to these regional genocides as “a large composite of isolated events [which] speak to the existence of broader general trends.”²⁰

With regards to broad historical trends, the processes and effects of Orientalism and genocide described in this research are neither surprising nor innovative. Countless scholars and historians studying settler colonialism, genocide, and the American West have articulated the centrality of “othering” to the processes of colonization in the Americas and elsewhere. However, the lack of historiography on the Northern Paiute compels me to apply the theory of Orientalism to the experience of the Northern Paiute of Oregon, in the hopes of positioning the Northern Paiute within the context of settler colonialism and genocide studies of the Western United States.

¹⁹ Brendan Rensink, “Genocide of Native Americans: Historical Facts and Historiographic Debates,” *Genocide of Indigenous Peoples* 8 (2011): 17-18.

²⁰ *Ibid*; 18.

Orientalism & Justifying Genocide

Edward Said, in his seminal work, Orientalism, describes the othering that occurred between European colonizers and “the Orient,” loosely referring to the Middle East, East and South Asia, and North Africa. He dubbed this othering, “Orientalism,” which he explains is “a political doctrine willed over the Orient.”²¹ The political doctrine of Orientalism both exists as, and is informed by, “a style of thought based upon an ontological and epistemological distinction made between "the Orient" and (most of the time) "the Occident,"”²² the latter term referring loosely to Europe, the United States, and what later comes to be known as the West. Said writes that Orientalism as a “corporate institution,” integrated into the mechanisms of state governance, roughly began in the 18th century. It was during the 18th century that the processes of invasion and settler colonialism required European nations to conceive of a way of “dealing with the Orient- dealing with it by making statements about it, authorizing views of it, describing it, by teaching it, settling it, ruling over it: in short, Orientalism as a Western style for dominating, restructuring, and having authority over the Orient.”²³ Said explains that Orientalism arose both as a product of the power imbalance between the Orient and the Occident, as well as a way for Occidental governments to reinforce and diversify their power.²⁴ Corey Johnson and Amanda Coleman, in their article, “The Internal Other: Exploring the Dialectical Relationship Between Regional Exclusion and the Construction of National Identity,” write about the

²¹ Edward Said, *Orientalism*, 25th ed. (New York: Vintage Books, 1994); 204.

²² *Ibid*; 2.

²³ *Ibid*; 3.

²⁴ Said, *Orientalism*; 204.

way in which binaries were central to Orientalist discourse, as a means of constructing and reinforcing European power over the Orient:

Through texts and visual representations, Europeans crafted the Orient as a mystical, exotic, and, ultimately, disempowered place. Fundamental to the discourse of Orientalism was the (re)production of a system of binaries: Europe and the West as modern, masculine, and normal; the Orient/East as backward, feminine, and different. Said argued that the construction of the Orient as inferior and weak was a manifestation of European power and ultimately enabled Europeans to exert that power over the Orient in material ways, largely through the processes of colonialism.²⁵

However, Said was hesitant to conflate the process of colonialism with the political doctrine of Orientalism because according to Said, “Orientalism predated, and undergirded, European colonialism in the Orient,”²⁶ largely in the realm of academia.

Said differentiates between Orientalism as it was practiced by writers, travelers, and academics, with the way in which Orientalism informed European colonialism, a “long and slow process of appropriation by which Europe, or the European awareness of the Orient, transformed itself from being textual and contemplative into being administrative, economic, and even military.”²⁷ This is an important point to remember when discussing the Orientalism imposed upon the Northern Paiute of Oregon before, during, and after the Snake War. The cultural doctrine of Orientalism certainly predated settler colonialism and genocide against indigenous peoples in North America, at which point it became a political doctrine for accumulating land and maintaining power. In this sense, the producers of cultural Orientalism – historians, editorialists, and the white

²⁵ Corey Johnson and Amanda Coleman, “The Internal Other: Exploring the Dialectical Relationship Between Regional Exclusion and the Construction of National Identity,” *Annals of the Association of American Geographers* 102, no. 4 (2012): 867.

²⁶ Ibid.

²⁷ Said, *Orientalism*; 210.

general public – were instrumental in informing and upholding the doctrine of political Orientalism as a means of accumulating and ruling over Native land.

Applying the Discourse of Orientalism Outside of “the Orient”

With this in mind, two questions follow: 1) Is it appropriate to apply the theory of Orientalism, originally conceived to explain the othering of the Orient, to the Northern Paiute of Oregon? 2) Assuming the answer to the first question is yes, then how can the theoretical discourse of Orientalism be used as a tool in understanding the experience of the Northern Paiute of Oregon? Edward Said seemed to think that applying the discourse of Orientalism to other people in the world logically followed. In an essay he wrote on the Orientalist othering experienced by Arab Palestinians, Said writes, "there is an unmistakable coincidence between the experiences of Arab Palestinians at the hands of Zionism and the experiences of those black, yellow, and brown people who were described as inferior and subhuman by nineteenth century imperialists."²⁸ According to Edward Said, the experience of Orientalism spans time, location, culture, and political circumstances. Although these variables differ between the peoples described by Edward Said’s Orientalism and the experiences of Arab Palestinians in Israel or the Northern Paiute of Oregon, there are sufficient similarities to make the case that the discourse of Orientalism is appropriately applied to colonized peoples broadly.

The largest appeal for applying the discourse of Orientalism to the Northern Paiute’s experience of settler colonialism is that Orientalism is closely related to

²⁸ Edward Said, *The Edward Said Reader* (New York: Vintage Books, 2000); 127.

colonialism as a doctrine of *accumulation*,²⁹ accumulation of land and of political power through the accumulation of cultural authority. As far as the colonizers were concerned, the land they were settling was *unoccupied land*, not because they did not know Native peoples inhabited it, but because they regarded private property as the only legitimate means of ownership. This logic was used to justify taking Native lands, while the discourse of Orientalism justified the colonizer's "retaliation" against those Native people who attempted to prevent them from taking the land. The vocabulary of extermination came out of the practices and policies of land seizure. Wilson Wewa emphasizes this point, when he discusses the way in which advertisements for settlement in Oregon were combined with warnings of "hostile" Indian tribes in the region:

I have had the opportunity to view records at the National Archive, and I've had the opportunity to visit other tribes that have done the research, and almost every tribe that was dealt with across the United States was painted as savage and war-like and murderers and killers and marauders...when advertisements went up for people to join the treks on the Oregon Trail, first-and-foremost they were warned that there were Indian tribes that were not friendly to white people. And so settlers came into the area already fearing attack.³⁰

The "re-description" of the Northern Paiute as savage, hostile, and inferior, even in comparison to the "friendly" bands of Indians in the Pacific Northwest, is precisely the way in which settler-colonizers, the state of Oregon, the Oregon military, and the United States government justified the Snake War.

In turn, this Orientalist discourse was central to the construction of national identity in the newly established state of Oregon. In the preface to Suzi Jones'

²⁹ Said, *Orientalism*.

³⁰ Wilson Wewa, Phone Interview, Phone, January 13, 2017.

collection, Oregon Folklore, the folklorist Barre Toelken writes that within the canon of Oregon folklore, “close underneath, like a heartbeat, runs the continued lore of the American Indian...against whom the early settlers often defined themselves.”³¹ It is impossible to fully examine the effect of Orientalism without examining the consequent and contrasted identity constructed by the orientalist for himself. If many white people in Oregon believed the Paiute to be savage brutes as described by the various Orientalist discourses outlined in the previous sections, what did these white people, in contrast, believe about themselves? Wilson Wewa had this to say;

American history written by white authors portrays the noble explorer and the hard-working settler that came and made the land what it is today. But they don't teach that that existence came at a great price to the Native Americans...I doubt if the child psychologists that have a say in what is to be taught in schools would certainly not want kids to be taught about rape and murder and burning of homes and genocide of Native American peoples, because they don't want to ruin the noble explorer-settler picture that's been painted all these years. (Wilson Wewa Interview)³²

Wewa speaks to the deeply ingrained nature of the narrative of the “noble pioneer.” What he emphasizes, however, is that the reverence for this narrative does not originate from a defense of its objective reality (although its defenders might claim as much), but rather in the defense of the sense of communal identity constructed by collective identification with the nobility, civility, and ethics of the construction of the “noble pioneer.”

Peter Boag, in his article, “Death and Oregon's Settler Generation: Connecting Parricide, Agricultural Decline, and Dying Pioneers at the Turn of the Twentieth Century,” explains that the notion of the “noble pioneer” has roots in the economic

³¹ Suzi Jones, *Oregon Folklore* (Eugene: University of Oregon, 1977); 4.

³² Wewa, Phone Interview.

depression experienced by Oregon's rural working classes in the late 19th century. The 1860s-1890s were characterized by, "climbing transportation and storage costs, a tightening circulation of currency, and a growing realization of their powerlessness in the face of monopolies that appeared to be gaining control of the nation."³³ As costs rose and economic independence became a thing of the past in the face of the industrialization and the growth of free market capitalism, thousands of white settler colonizers began to lose the land they had just usurped from Native peoples decades earlier.³⁴ Boag writes that, "as depression deepened and more and more of the early settlers passed away, efforts intensified to remember Oregon's pioneer generation as representative of a cheerier and more heroic phase of the local past."³⁵ Boag attributes much of this memorialization of the noble pioneer to the impending uncertainty by which the 20th century was characterized, which he explains "created something of a cultural crisis evident in the fixation on, embellishment of, and memorialization of the pioneers and their demise."³⁶

This economic instability coupled with the end of the "pioneering generations" caused Oregon's popular consciousness to revalue the invasion, settlement, and colonization of the territory of the United States. Matthew Dennis argues then that the memorialization of the noble pioneer was born out of a sense of insecurity in the face of both cognitive dissonance and economic struggle;

³³ Peter Boag, "Death and Oregon's Settler Generation: Connecting Parricide, Agricultural Decline, and Dying Pioneers at the Turn of the Twentieth Century," *Oregon Historical Quarterly* 115, no. 3 (2014): 348.

³⁴ *Ibid.*

³⁵ *Ibid.*; 347.

³⁶ *Ibid.*; 349.

Despite their collective prejudices, sense of superiority, and cultural entitlement, white Americans were unwilling to embrace the self-image of the conqueror. They wished to deny that “might makes right” and instead sought to justify their colonization of Oregon (and the West more generally) on nobler terms, or to obscure it by the way they imagined and told their own glorious story as pioneers.³⁷

This reality is evident in the introduction to Kurt Nelson’s book on the military history of the Pacific Northwest, in which he writes;

When the topic of American military history arises and the discussion turns to battles on American soil, the first locations recalled are those of the Civil War...Yet our collective thought should include the military history of the Oregon Country...While most of the Pacific Northwest's battles were small scale, particularly when contrasted with epic engagements such as Gettysburg, the wars fought here were just as important to nationbuilding.³⁸

In comparing the war against the slave-holding antebellum South with war against the Paiute and other Native American tribes of the Northwest, Nelson relegates Native tribes of the Pacific Northwest to the status of “common enemy” of national unity and well-being, while elevating those who commit genocide against the Paiute and others to the status of war heroes.

While discourses of race relations often approach race as an inherent human category, the insidious reality is that race is a category that originates from the top-down- the product of and justification for economic subjugation, oppression, and exploitation. If colonization is an economic process, driven by a desire to gain territory and usurp resources, then the genocidal violence born out of colonialism is not simply

³⁷ Matthew Dennis, “Natives and Pioneers: Death and the Settling and Unsettling of Oregon,” *Oregon Historical Quarterly* 115, no. 3 (2014): 285.

³⁸ Kurt R. Nelson, *Fighting for Paradise: A Military History of the Pacific Northwest*, 1st ed. (Yardley, Penn: Westholme, 2007); xi.

the product of Orientalist racism, but rather is a means for removing an impediment to the accumulation of territory. In turn, the powers-that-be often seek to circumvent reality in favor of a recollection of the past that glorifies their actions while demonizing those whom they have wronged. In doing so, oppressors relegate the oppressed to the status of savages, aggressors, and instigators.

The Issue of Sovereignty: Drafting the 1948 Genocide Convention

In November 1944, the Carnegie Endowment for International Peace published Raphael Lemkin's 712-page study, Axis Rule in Occupied Europe, in which Lemkin conceived of and defined the term, "genocide,"³⁹ from the Greek word *genos*, meaning "human group," and the Latin word *cide*, meaning "to kill" or "to put an end to."⁴⁰ In his seminal work, Lemkin defines genocide as "a coordinated plan of different actions aiming at the destruction of essential foundations of life of national groups, with the aim of annihilating the groups themselves."⁴¹

Samantha Power, in her best-selling book, A Problem from Hell: America and the Age of Genocide, explains that after fleeing the Nazis during WWII, Lemkin spent years searching for a term that would "describe all assaults on all aspects of nationhood—physical, biological, political, social, cultural, economic, and religious."⁴² He sought a word that would not only describe Hitler's attempt to exterminate the Jewish population, but also one that would encompass "Hitler's other means of destruction: mass deportation, the lowering of the birthrate by separating men from women, economic exploitation, progressive starvation, and the suppression of the intelligentsia who served as national leaders."⁴³ It is for this reason that Lemkin included violence against the social, cultural, political, religious, and economic institutions of a specific

³⁹ Power, *A Problem from Hell: America and the Age of Genocide*; 38.

⁴⁰ *Ibid*; 40.

⁴¹ Raphael Lemkin, *Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress* (Washington, D.C.: Carnegie Endowment for International Peace, Division of International Law, 1944); 79.

⁴² Power, *A Problem from Hell: America and the Age of Genocide*; 40.

⁴³ *Ibid*.

group in his definition. This composite definition of genocide clearly articulated that genocide encompassed, and included much more than, mass killing.

In addition to his work on the Holocaust, in his unpublished manuscripts, Lemkin “wrote at length on European conquests and occupation in the Americas.”⁴⁴ In his research notes and journals, Lemkin lists the Indians of North America as one case of genocide among many about whom he was collecting data.⁴⁵ The American Jewish Historical Society in New York contains boxes of Lemkin’s unpublished manuscripts, with titles such as, “History of Genocide Projected Book and North American Indian Research Correspondence,” and “Spanish Treatment of South American Indians.” These collections also include research cards with titles such as, “North American Indians- Enslavement,” “North American Indians- European Expropriation of Land,” “North American Indians- Extermination,” “North American Indians- Forced Relocation,” and “North American Indians- Miscellany.”⁴⁶ John Docker, in his article, “Are Settler-Colonies Inherently Genocidal?: Re-reading Lemkin,” writes that;

In “Research Index Cards in Subseries 3, Box 9, Folder 1-21,” dated 1948/4/9, we see Lemkin focusing on aspects of genocide perpetrated by the English, French, and post-independence Americans that constitute a comprehensive historical process over a number of centuries, including deep into the nineteenth century: **dispossessing indigenous peoples of their land** (with or without permission of central authorities), kidnapping, enslavement, **removal, and deportation often involving forced marches, taking of children, disease through overcrowding on reservations with inadequate food and medicine, self-destruction brought on by introduction and sale of liquor, curtailing and deprivation of legal rights, cultural genocide (as in re-education of**

⁴⁴ Moses, *Empire, Colony, Genocide: Conquest, Occupation, and Subaltern Resistance in World History*; 74.

⁴⁵ John Docker, “Are Settler-Colonies Inherently Genocidal? Re-Reading Lemkin,” in *Empire, Colony, Genocide: Conquest, Occupation, and Subaltern Resistance in World History* (New York: Berghahn Books, 2008); 86-86.

⁴⁶ *Ibid*; 85.

children in boarding schools, cutting off of braids, forbidding native languages, prohibitions on Indian culture and banning of religious ceremonies, forcing children to become Christians, and mass death."⁴⁷

Regardless of whether or not Lemkin believed settler colonialism to be inherently genocidal, he undoubtedly considered the treatment experienced by Native populations such as the Northern Paiute to be genocidal.

The Genocide Convention, and a Shifting Definition

One of Lemkin's great projects, other than researching and defining his term "genocide," was formulating a convention to be adopted and ratified by the member-states of the United Nations. After its founding in 1945, one of the first resolutions the United Nations took on was General Assembly Resolution 96(I), which sought "an international legal instrument to punish and prevent the crime of genocide."⁴⁸ By June 1947, the Economic and Social Council (ECOSOC), who were tasked with producing a draft of the convention, presented their draft to the Council on the Progressive Development of International Law and Its Codification.⁴⁹

ECOSOC's original draft outlines three aspects of genocide: physical, biological, and cultural. Physical genocide was described as "mass extermination" or "slow death" practices, such as "lack of housing, clothing, food, hygiene, medical care,

⁴⁷ Ibid; 94.

⁴⁸ Ward Churchill, *A Little Matter of Genocide : Holocaust and Denial in the Americas, 1492 to the Present* (San Francisco: City Lights Books, 1997). Ward Churchill is a highly controversial and largely discredited historian of Native American history. He is an example of an academic scholar who appropriated Native identity for his own benefit. I cite him in this research in part because I was unaware of his transgressions before conducting this research, and did not have time to replace his work with that of legitimate Native scholars before the conclusion of this research. I have removed those references to his work that pertain to anything other than direct factual information with regard to the Raphael Lemkin and the drafting of the 1948 Genocide Convention. At the earliest possible date, I will update this research to better reflect the goals of decolonizing methodology, which will include removing reference to Ward Churchill from this research; 365.

⁴⁹ Ibid.

excessive work which resulted in death of individuals; mutilations or body experiments for non-curative purposes; deprivation of means of livelihood.”⁵⁰ Biological genocide referred to the restricting of birth rates in a group, through “sterilization, forced abortions, segregation of the sexes, [and] restricting marriage.”⁵¹ Finally, cultural genocide described the “destruction of specific characteristics of a group; prohibiting use of language, forced transfer of children to other human groups, forced exile of individuals representing the group culture, prohibition of religious works, destruction of historical or religious monuments, [and] destruction of historical/artistic/religious documents or objects.”⁵² Churchill explains that these three aspects of genocide were not ranked in terms of gravity, but rather were given equal legal significance as interrelated aspects of the annihilation of a group.⁵³

The General Assembly rejected this initial draft, citing “important philosophical disagreements.”⁵⁴ A committee of representatives was assembled - among them China, the USSR, and the US - to make revisions and resubmit the following year.⁵⁵ A final draft of the Convention on the Prevention and Punishment of the Crime of Genocide was presented to the General Assembly in December 9, 1948, and it was adopted.⁵⁶ According to Power, this final draft had serious “definitional problems,” not the least of which it did not encompass the definition of genocide originally intended by Raphael Lemkin in *Axis Rule*.⁵⁷ The convention focused heavily on the need to provide evidence

⁵⁰ Ibid; 367.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ Ibid; 365.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Power, *A Problem from Hell: America and the Age of Genocide*; 65.

of intent to kill members of a group, but provided “no consensus on how many people must be killed in order for the crime to be considered genocide.”⁵⁸ However, as Power explains, there would be no use for a law that would give the perpetrator of violence “free reign up to a certain point.”⁵⁹ Furthermore, the revising committee had removed all mention of cultural or economic genocide from the convention, focusing instead on the intentional physical destruction of members of a group.

By 1951, the 20th country ratified the Genocide Convention, officially rendering it international law. It would take another 40 years for the United States to ratify the convention.⁶⁰

U.S., Genocide Convention, and the Argument for “Sovereignty”

The United States was instrumental in rejecting the first draft of the Genocide Convention, stating that its “net was cast much too wide[ly]” and, if approved as law, might therefore serve to “impair the sovereignty” of signatory states.”⁶¹ Lemkin himself was highly critical of the argument for “state sovereignty” in discussions about genocide. He criticized the Nuremberg Trials, the international military tribunal set up after WWII to try Nazi war criminals⁶², for treating the violation of state sovereignty as “the cardinal sin and prosecuted only those crimes against humanity committed *after* Hitler crossed an internationally recognized border.”⁶³

⁵⁸ Ibid.

⁵⁹ Ibid.

⁶⁰ Churchill, *A Little Matter of Genocide : Holocaust and Denial in the Americas, 1492 to the Present*; 365.

⁶¹ Ibid; 365.

⁶² Power, *A Problem from Hell: America and the Age of Genocide*; 48.

⁶³ Ibid; 49.

Regardless, representatives of the USSR, who were equally weary of the convention's infringement on their "sovereignty," and representatives of the US struck a deal to strike the articles of the convention most offensive to their governments' conception of sovereignty: socioeconomic violence for the USSR, and cultural violence for the US. Churchill writes that this deal was quite clearly "a maneuver serving to exempt a range of its own dirty linen from scrutiny."⁶⁴ Other than the prohibition on the forced transfer of children from one group to another, the United States left no mention of the concept of cultural genocide in the final draft of the convention.⁶⁵

The United States would not ratify the Genocide Convention until 1988, and only after crafting a "Sovereignty Package" that absolved the US of the possibility of ever being held accountable to the convention. This "Sovereignty Package," established in 1950 by a Senate subcommittee, "reaffirm[ed] U.S. repudiation of the jurisdiction of international courts" and "assert[ed] the primacy of the United States Constitution over international law...**specifically absolving the effects of the discriminatory domestic policies and external military actions from being classified as genocidal other than in cases where genocide was a stated intent.**"⁶⁶ The Senate subcommittee even went so far as to state explicitly in the Sovereignty Package that, "genocide does not apply to lynchings, race riots or any form of segregation."⁶⁷

⁶⁴ Churchill, *A Little Matter of Genocide : Holocaust and Denial in the Americas, 1492 to the Present*; 365.

⁶⁵ *Ibid*; 367.

⁶⁶ *Ibid*; 385.

⁶⁷ Power, *A Problem from Hell: America and the Age of Genocide*; 68.

Intent is Hard to Prove (Article II)

Furthermore, the 1950 Senate subcommittee emphasized that Article II of the Genocide Convention “means a specific intent to destroy in whole or in substantial part must be proved.”⁶⁸ Power explains that “in criminal law an intent to commit a crime is generally hard to prove, and intent to commit genocide even harder. Only rarely would those planning a genocide record their intentions on tape or in documents. Proving an intent to exterminate an entire people would usually be impossible until the bulk of the group had already been wiped out.”⁶⁹ The definition, understandings, and reservations built into the United States’ revising and subsequent ratification of the Genocide Convention, specifically with regard for the need to prove intent to commit genocide, rendered the crime one that “would be **virtually impossible to prove.**”⁷⁰ Because “intent” in the 1948 Genocide Convention focuses on whether genocide is the intended outcome, it redirects focus away from the more important question of whether certain policies and practices are *genocidal* or have genocidal effects. The biggest issue with including the requirement for proof of “intent” in the 1948 Genocide Convention is that even in the absence of explicit intent, the killing of part or all of a group is certainly genocidal.

⁶⁸ Churchill, *A Little Matter of Genocide : Holocaust and Denial in the Americas, 1492 to the Present*; 385.

⁶⁹ Power, *A Problem from Hell: America and the Age of Genocide*; 67.

⁷⁰ Churchill, *A Little Matter of Genocide : Holocaust and Denial in the Americas, 1492 to the Present*; 412.

In Favor of a Multidimensional Understanding of Genocide

In light of the testimonies provided by Wilson Wewa, Myra Johnson-Orange, and a multitude of other Native peoples throughout posterity about their experiences and oral histories with regards to settler colonial violence, the notion that “genocide” simply refers to mass killing seems as off base as the notion that “cultural genocide” can be understood in isolation from larger process of direct physical removal, accumulation, and violence committed against Native peoples. Rather, as we have seen, these processes are deeply interrelated. Furthermore, the conventionally understood distinctions between them are not the result of the notion of genocide’s lack of scope or applicability, but rather have resulted from misconception and manipulation of the definition of genocide in popular consciousness since the adoption of the 1948 Genocide Convention and Raphael Lemkin’s death.

The problem with “qualified” genocides

In Patrick Wolfe’s article, “Structure and Event (of Settler Colonialism)”, Wolfe’s argues against the term “cultural genocide” because of the way it is used to disregard the violence of settler colonial violence in the Americas;

My reason for not favoring the term is that it **confuses definition with degree**. Moreover, though this objection holds in its own right (or so I think), the practical hazards that can ensue once an abstract concept like "cultural genocide" falls into the wrong hands are legion. In particular, in an elementary category error, **"either/or" can be substituted for "both/and" from which genocide emerges as either biological (read "the real thing") or cultural- and thus, it follows, not real**. In practice, it should go without saying that the imposition on a people of the procedures and techniques that are generally glosses as **"cultural genocide" is certainly going to have a direct impact on that people's capacity to stay alive...At the height of the Dawes-era assimilation**

program, for instance...Indian numbers hit the lowest level they would ever register.⁷¹

Now, this is not to say that cultural genocide did not take place in the Americas, nor does it mean that cultural genocide is not a category of genocidal violence that is distinct from physical killing. Rather, Wolfe requires us to consider the way in which hegemonic discourses almost exclusively use the term “cultural genocide” to refer to settler colonial violence against Native peoples.

This hegemonic discourse is most evident in the way settler colonial genocides are compared to the Holocaust. Wolfe writes that the Holocaust, which is “the unqualified referent of the qualified genocides, can only disadvantage indigenous people because it discursively reinforces the figure at lack at the heart of the non-Western.”⁷² Put another way, the assertion that the Holocaust is the genocide to which colonial genocides must be referenced is the product of the same orientalist mentality explored in this paper – “whereas the Holocaust exonerates antisemitic Western nations who were on the side opposing the Nazis, those same nations have nothing to gain from their liability for colonial genocides.”⁷³ Even with regard to the Holocaust, the “non-Western” (here referring to the Nazis) is remembered as the most savage, the most brutal, and the most deserving of reproach. The issue of moral reproach, on the other hand, does not plague the violence of settler colonialism because, as Wolfe explains,

⁷¹ Patrick Wolfe, “Structure and Event: Settler Colonialism, Time, and the Question of Genocide,” in *Empire, Colony, Genocide: Conquest, Occupation, and Subaltern Resistance in World History* (New York: Berghahn Books, 2008); 116.

⁷² *Ibid*; 120.

⁷³ Moses, *Empire, Colony, Genocide: Conquest, Occupation, and Subaltern Resistance in World History*.

“the logic of elimination...is premised on the securing-the obtaining and the maintaining- of territory.”⁷⁴

Raphael Lemkin’s Original Understanding of Genocide

It is telling that Raphael Lemkin was hesitant to use the term “extermination” in defining the term “genocide.” This is not because Lemkin believed that group extermination was different from genocide – on the contrary, Lemkin regarded the extermination of groups of people throughout history as primary examples of genocide. Rather, Samantha Power explains that Lemkin was worried that the word “extermination” would lead the nation-states responsible for enforcing the Genocide Convention to conclude that only circumstances in which every member of the group was killed would be considered genocide,⁷⁵ thereby absolving themselves of responsibility for responding immediately to genocidal policies or practices. On this subject, Lemkin wrote;

Genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. **It is intended rather to signify a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves [even if all individuals within the dissolved group physically survive].** The objectives of such a plan would be a disintegration of political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups. Genocide is directed at the national group as an entity, and the actions involved are

⁷⁴ Ibid.

⁷⁵ Power, *A Problem from Hell: America and the Age of Genocide*; 54.

directed at individuals, not in their individual capacity, but as members of the national group.⁷⁶

Lemkin's hesitancy to use the word "extermination" in connection to his term "genocide" does not mean that he did not believe exterminatory campaigns did not constitute genocide. Rather, it means that he believed genocide was a larger, most comprehensive process than simply mass killing.

In addition to Lemkin's explication of the nature of genocide, he also outlined the eight genocidal techniques used by the Nazis in Germany during WWII in his book, Axis Rule in Occupied Europe. These techniques are as follows:

1. Political techniques: replacement of self-government/local rule with systems of governance/rule of the occupier.
2. Social techniques: attack/erradicate intelligentsia in order to "weaken the national, spiritual resources."⁷⁷
3. Cultural techniques: ban use of native language in education system, education system as tool for propaganda.
4. Economic techniques: create system of economic dependency, "shift economic resources from the occupied to the occupier."⁷⁸
5. Biological techniques: decrease birth rate of the occupied peoples.
6. Physical techniques: physically debilitate and/or annihilate the occupied by rationing food, endangering health, and/or engaging in mass killing.
7. Religious techniques: disrupt the religious influences of the occupied, through propaganda, forced re-education, or destruction of religious iconography.
8. Moral techniques: implement policies to "weaken the spiritual resistance of the national group."⁷⁹ A technique of "moral debasement entails diverting the "mental energy of the group" from "moral and national

⁷⁶ Churchill, *A Little Matter of Genocide : Holocaust and Denial in the Americas, 1492 to the Present*; 70.

⁷⁷ Moses, *Empire, Colony, Genocide: Conquest, Occupation, and Subaltern Resistance in World History*; 14.

⁷⁸ Ibid.

⁷⁹ Ibid.

thinking" to "base instincts."⁸⁰ The aim is that "the desire for cheap individual pleasure be substituted for the desire for collective feelings and ideals based upon a higher morality."⁸¹ Lemkin offers encouragement of alcoholism as an example.⁸²

A. Dirk Moses argues that rather than typifying Holocaust exceptionalism in genocide studies, Lemkin was making the case that the techniques employed by the Nazi's during the Holocaust mimicked those used by settler-colonial societies. Furthermore, Moses argues that, "in light of Lemkin's elaborate techniques of genocide, the proposition can be ventured that the greater the intensity of colonial rule, the greater the likelihood that it is genocidal."⁸³

The United Nations Declaration on the Rights of Indigenous Peoples

While the UN Declaration on the Rights of Indigenous Peoples does not provide an alternative definition of genocide, it was certainly drafted with indigenous peoples' experience of genocidal violence in mind. In his book, In the Light of Justice: The Rise of Human Rights in Native America and the UN Declaration on the Rights of Indigenous Peoples, lawyer of 35 years with the Native American Rights Fund, Walter R. Echo-Hawk, explains that the Declaration, drafted over the course of 20 years and adopted by the UN General Assembly in 2007, "is the only standard-setting human rights instrument created with the participation of the rights holders themselves."⁸⁴ Indeed, the *Declaration* would not have been drafted without the direct contributions of

⁸⁰ Ibid.

⁸¹ Ibid.

⁸² Ibid.

⁸³ Ibid; 23.

⁸⁴ Walter R. Echo-Hawk, *In the Light of Justice: The Rise of Human Rights in Native America and the UN Declaration on the Rights of Indigenous Peoples* (Golden, Colorado: Fulcrum, 2013); 34.

various American Indian tribal members, scholars, lawyers, and legal theorists.⁸⁵ Echo-Hawk explains that “the *Declaration* shows how we can heal historical injuries inherited from the misdeeds of Manifest Destiny,”⁸⁶ and that nation-states who adopt the Declaration on the Rights of Indigenous Peoples are “[making] room for indigenous justice.”⁸⁷

The *Declaration* was born out of the concern that “indigenous peoples have suffered from historic injustices as a result of, inter alia, their colonization and dispossession of their lands, territories and resources.”⁸⁸ It therefore affirms the following: “indigenous peoples are equal to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such;”⁸⁹ “all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences are racist, scientifically false, legally invalid, morally condemnable and socially unjust;”⁹⁰ and finally, “indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence.”⁹¹ The entirety of this document certainly intends to protect against the very abuses that constitute genocide according to Raphael Lemkin’s original conception of the term.

⁸⁵ Ibid; 32-34.

⁸⁶ Ibid; 249.

⁸⁷ Ibid.

⁸⁸ General Assembly of the United Nations, “UN Declaration on the Rights of Indigenous Peoples,” September 13, 2007; 2.

⁸⁹ Ibid; 1.

⁹⁰ Ibid; 2.

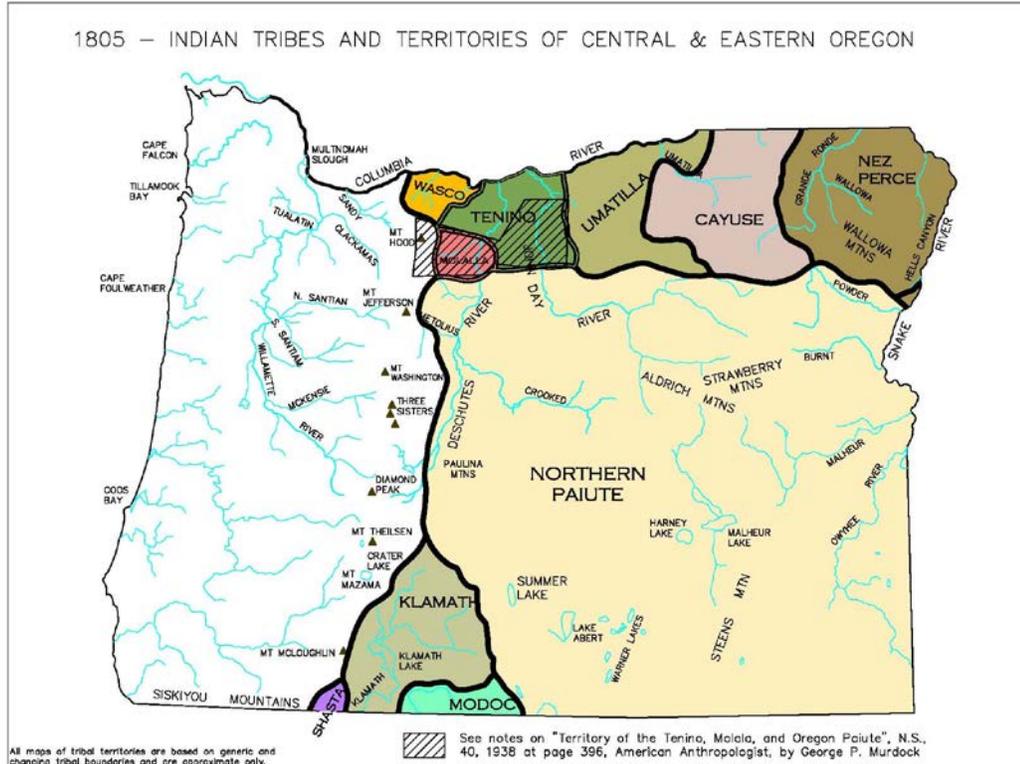
⁹¹ Ibid; 5.

The Northern Paiute

I first met Northern Paiute tribal elders, Wilson Wewa and Myra Johnson-Orange, in the fall of 2014, when I was enrolled in the University of Oregon Clark Honors College colloquium, HC 444H: Decolonizing Research – The Northern Paiute History Project, taught by Kevin Hatfield and Jennifer O’Neal. Wilson Wewa is a spiritual leader on the Warm Springs Reservation and the grandson of the great Paiute chief, Chief Weawewah. Myra Johnson-Orange has worked for the tribe for 40 years, teaching young people the Paiute language and belief systems, and is a descendent of the equally revered Paiute chief, Chief Oytes. In the years since I was enrolled in Kevin and Jennifer’s class, I have been fortunate to visit the Warm Springs Reservation twice, listen to both Wilson and Myra speak on various panels and in class discussions, meet with them when they have traveled to Eugene on various occasions, and had the opportunity to interview each of them in the winter of 2017. Both Wewa and Johnson-Orange have graciously shared knowledge and oral histories about the Northern Paiute that have been instrumental in the formation of this research project, and for that I feel both honored and lucky to have had the opportunity to work with them.

In speaking with Wilson, he emphasized the oft-neglected fact that The Northern Paiute are an independent, sovereign people of the Great Basin. Up until the early and mid 19th century, the Northern Paiute called home to 78, 000 square miles of “rugged, often arid and treeless basin and range territory,”⁹² mostly in Oregon and Nevada, but also in northern California and southern Idaho.

⁹² Gardner, “Oregon Apocolypse: The Hidden History of the Northern Paiute.”; 43.



Map courtesy of James Gardner.

Until recently, Oregon bands of the Northern Paiute historically occupied large swaths of the state’s high desert, east of the Cascades and south of tributaries to the Columbia River.⁹³ Wilson emphasizes the Northern Paiute’s historical connection to the land of the Great Basin as a central tenet of Northern Paiute sovereignty in the Pacific Northwest:

When you have the notion of sovereignty, you have to take into consideration the people who have used the land for 30,000 years. They have a vested interest in that land that they are on, and they would not have survived had it not been for that long-standing relationship to the land itself, which took care of people. If you take that into consideration, then you are dealing with a sovereign entity, just like the United States

⁹³ Ibid.

recognizes British authority and Russian authority and Chinese authority because they occupy the lands that make them a sovereign nation also.⁹⁴

James Gardner, in his unpublished book, Oregon Apocalypse: The Hidden History of the Northern Paiute echoes Wilson's words, also writing that the Northern Paiute traditionally were very well adapted to their desert home, and regarded themselves as, "a highly social, peaceful and cooperative hunter, gatherer and fishery culture, remarkably well adapted to their environment."⁹⁵

Myra's depictions of the Paiute are of a people who feel a deep sense of community with one another, having defended their lives and land for generations in the face of immense violence and greed. At one point in our conversation, she said, "Paiutes still stick together...I can go somewhere, and the first thing someone will ask me if they're a Paiute lady- "Are you a Paiute?" and I'll go, "Yeah!" and then there's that really friendly sense that they'll welcome you with open arms."⁹⁶ When I asked Myra what she believed to be the origin of the prejudice and vitriol with which the white man regarded the Paiute, she said:

The Paiute people were survivors because of their lifestyles and how they lived out in the desert...they were naturally going to fight for their families- what people were calling "vicious" and "cruel" and all of those kinds of words that were used regarding them. And I can see why they became that way as defenders of their families and their lands... I think because of their ability to stay together as one people and their ability to survive was really a hard thing for the new people to come and figure out how to take over that land that they wanted so bad. So they devised another way to try and get other tribes to use their skills in knowing the land and how to defeat another tribal people.⁹⁷

⁹⁴ Wewa, Phone Interview.

⁹⁵ Gardner, "Oregon Apocolypse: The Hidden History of the Northern Paiute."; 45.

⁹⁶ Myra Johnson-Orange, Phone Interview, Phone, February 2, 2017.

⁹⁷ Ibid.

Myra speaks to the way in which the Paiute, who were viewed as a threat, were “othered” by the white settler-colonizers in Oregon as a means of engendering violence against them.

Disease Epidemics

Beginning long before European conquerors or American invaders arrived in the Pacific Northwest, the smallpox virus made its way across the continent and decimated the tribes of west and north Oregon.⁹⁸ Aguilar writes that the Wascos, a band of Indians who occupied the Columbia River from The Dalles to Hood River, numbered in at 900 people in 1822. However, after a 1853 smallpox epidemic that rocked the community, only 300 Wascos survived,⁹⁹ shortly before the 1855 signing of the Treaty of Middle Oregon which would forcibly relocate these peoples to the newly established Warm Springs Reservation.¹⁰⁰

As disease continued to ravage Oregon tribes, white invaders moved into the Oregon territory and began the process of land-taking and relocating of indigenous peoples to reservations. Instead of regarding the dying indigenous peoples with compassion and empathy, or even with the paternalistic pity characteristic of some white colonizer communities in the Americas, many white people in the Pacific Northwest viewed the disease epidemic as the actualization of Manifest Destiny, and as retribution for the Indians’ blasphemy. Ruby and Brown write that:

the Bushtins (Whites) blamed the Indians for their unsanitary living. A Roman Catholic believed the disease was a "manifestation of the wrath

⁹⁸ Gardner, “Oregon Apocolypse: The Hidden History of the Northern Paiute.”; 46.

⁹⁹ George Aguilar, *When the River Ran Wild!: Indian Traditions on the Mid-Columbia and the Warm Springs Reservation* (Seattle: Oregon Historical Society Press, 2005).

¹⁰⁰ Ibid.

of God because of the natives' abominable lives" Another group wrote: "This country has been populated by powerful Indian tribes but it has pleased the Great Dispenser of human events to reduce them to mere shadows of their former greatness. Thus removing the chief obstruction to the entrance of civilization, and opening a way for the introduction of Christianity where ignorance and idolatry have reigned uncontrolled for many ages."¹⁰¹

According to Gardner, the tribes of the Columbia River experienced suffering and death that dramatically reduced their strength and number in a relatively short period of time. He comments that, "it is difficult to overstate or fully comprehend the magnitude of death and devastation experienced by these indigenous tribes and peoples."¹⁰² In contrast, the Northern Paiute were largely spared the diseased suffering and death experienced by the tribes of the Columbia River. Wewa explains that this was due in large part to their geographic isolation in central and southeastern Oregon:

The Northern Paiutes were safe into the 1850s and 60s because we were far removed from the major traveling routes of the Oregon Trail, and there were no resources in the high desert that the white people wanted. There was not tailable land and vast amounts of water for farming. People didn't look at the desert lands as being wanted, so the Paiutes were safe, a lot safer than the Yakimas, the Umatillas, Nez Perce, Spokane, Blackfeet, everybody that was along the Oregon Trail. They were easily influenced by the white immigration into the Northwest. And when they had no other lands to find, that's when they started moving into the Paiute land- because gold was discovered. Everybody started criss-crossing the Paiute territories searching for open-stakes of land to search for gold.¹⁰³

Unfortunately, this became a source of conflict between the Paiute and the tribes of the Columbia River because, "by extension, their lands and populations were even more sought after by surrounding tribes and peoples, most of whom had earlier access to

¹⁰¹ (Quote from Robert Ruby and John A. Brown, *The Chinook Indians: Traders of the Lower Columbia River*, 1976) Ibid.

¹⁰² Gardner, James. *Oregon Apocalypse*: 46.

¹⁰³ Wewa, Phone Interview.

trade, horses, guns and ammunition.”¹⁰⁴ Additionally, the Paiute remained relatively strong in health and numbers up until the creation of the Warm Springs Reservation, which would exacerbate the violence of the impending the Snake War.

Intertribal Prejudice

According to Myra Johnson-Orange, a lasting impact of the Snake War is that the Northern Paiute are regarded as uniquely inferior to other tribes of the Confederated Tribes of Warm Springs by their fellow tribe members. In our interview, she recounted her experiences of prejudice starting in childhood:

I'll start from my childhood experience. Growing up amongst a lot of prejudicial people. At that time, tribal prejudice was pretty strong. They would call the Paiute kids names- you dirty Paiute, you black Paiute- those kind of things. Kids don't come up with those things on their own, it comes from their environment...So I grew up pretty angry...As I grew up and became an adult, you could still hear that kind of tribal prejudice in the voices of our people.¹⁰⁵

Some scholars attribute this intertribal prejudice to the intertribal slave trade in the Northwest that took place for generations before white colonization.¹⁰⁶ However, both Wilson and Myra rejected this understanding of the origins of prejudice between the Paiute and Wasco in our interview, even that even in spite of the history of intertribal slavery, the Paiute traded with the tribes of the Columbia River. Myra explains that contemporary tribal prejudice against the Paiute was constructed and exacerbated by white colonizers hoping to divide and conquer the tribes of the Northwest:

They [white people] knew how to originate the river tribes to have that inner tribal fighting. In my heart I really believe that before the new

¹⁰⁴ Ibid: 48.

¹⁰⁵ Johnson-Orange, Phone Interview.

¹⁰⁶ Donald M. Hines, *The Forgotten Tribes: Oral Tales of the Teninos and Adjacent Mid-Columbia River Indian Nations* (Issaquah, WA: Great Eagle Publishing, Inc, 1991); 26.

people came from back East that the Paiute people traded with the people of the river...I knew that there was willingness to trade, but I can't say that they were friends. And the reason I believe that is because of one Paiute song that was given to the Wasco people, and it was called the Yupai song. The Paiute people actually gave that song to the people of the Wasco people...That story has been told to me many times for years by lots of elders, so that's the story I believe. I think there was trading, peace that allowed our tribes to trade with one another, and then they'd all go back to their lands. And there was no animosity in gathering sights...they were on friendlier terms than they are today, because of the trade process. When the white people came, they knew how to create a war environment by pitting tribes against each other.¹⁰⁷

While both intertribal trade and conflict had been taking place for generations, the contemporary prejudice against the Northern Paiute arose in the mid-19th century. This prejudice is evident in the way that other Native scholars write and speak about the Paiute. For example, Wasco elder and scholar George Aguilar, in his book, When the River Ran Wild!: Indian Traditions on the Mid-Columbia and the Warm Springs Reservation, writes:

There was always intermittent warfare between the River People and the Northern Paiute of eastern Oregon...When the Mid-Oregon Treaty was effected and the River Indians were placed on the created Warm Springs Reservation, raids from the Rattle Snake groups accelerated. The Snake Indians of the John Day Valley region were raiding the Warm Springs Indian Reservation, stealing horses, cattle, women, and children.

I recently heard an oral account of one such raid. During an ambush by the Rattle Snake People, the grandmother ordered two young boys to sprint to safety. The aged grandmother and a young pregnant woman were unable to escape and were slain. The young pregnant mother's belly was ripped open, and the raiding party dashed the unborn child to pieces on the rocks...It was raids like these and many other minor skirmishes that provoked the U.S. Army to recruit the Wasco and Tenino Indians from Warm Springs as Scouts for the Snake War Campaign. One month after Poust-am-i-ni was gunned down in October 186, Lieutenant Barrow began recruiting the Scouts for William McKay and John Darragh at the Warm Springs Reservation.¹⁰⁸

¹⁰⁷ Johnson-Orange, Phone Interview.

¹⁰⁸ Aguilar, *When the River Ran Wild!: Indian Traditions on the Mid-Columbia and the Warm Springs Reservation*; 208-209.

There are two important items to note in this passage. The first is Geroge Aguilar's use of the term "Rattle Snake People," a derogatory term used against the Northern Paiute and a few other bands of American Indians in the Pacific Northwest. Whether or not it is Aguilar's intention to use the term "Rattle Snake People" to convey prejudice against the Northern Paiute is somewhat beside the point, although to simply presume Aguilar's ignorance about the derogatory nature of the term typifies the deeply ingrained nature of prejudice against the Paiute, even at the level of local Native historical study. The reality that this passage conveys is that the prejudicial treatment of the Northern Paiute has been continuously enshrined in historical writings produced both by white scholars and non-Paiute Native scholars alike, such as George Aguilar.

The second item of note in this passage is that Aguilar states that raids by Paiutes onto the newly established Warm Springs Reservation after the signing of the Treaty of Middle Oregon in 1855 is the reason the U.S. Army recruited Wascos, Teninos, and other Columbia River Indians to serve as scouts in the Snake War. Aguilar states this at other points in his book, such as here where he writes:

In the 1860s, the U.S. Army recruited the Wascos and the Teninos for the government's war against the Paiutes. The army chose these people because they had so many years of conflict with the Paiutes and knew where they lived and what their tactical strategy would be.¹⁰⁹

However, Aguilar fails to mention a few important points. First, the Northern Paiute of central, south, and eastern Oregon were not signatories to the Treaty of Middle Oregon, and were in fact entirely unaware of the establishment of the Warm Springs Reservation and the ceding of millions of acres of Paiute land to the Oregon government. Second, after the signing of the Treaty of Middle Oregon, thousands of

¹⁰⁹ Ibid; 9.

Columbia River Indians were relocated onto Paiute land.¹¹⁰ In this context, the Paiute's resistance against the various Indian and white inhabitants of the Warm Springs Reservation is entirely understandable. By unknowingly or intentionally omitting this context, Aguilar reiterates the familiar narrative that the Snake War was a retaliatory campaign against Northern Paiute aggressors, as opposed to the exterminatory campaign for the accumulation of land. This is not surprising, given that the narrative of retaliation against hostile tribes was both the de facto and explicit policy of white expansion throughout the history of colonization in the Americas.

With that said, Aguilar is undoubtedly correct in his observation that the U.S. Army would recruit Wasco, Tenino, and other Native men to serve as Indian Scouts during the Snake War against the Northern Paiute. In doing this, the Oregon and federal governments used the tactic of "divide and conquer" in order to usurp Native land from both the Paiute and other tribes of the Northwest.

¹¹⁰ Gardner, "Oregon Apocolypse: The Hidden History of the Northern Paiute."; 265

The Snake War Campaign (1855-1868)

The Snake War marked the beginning of a cultural and ideological process of dehumanization that shaped government policy toward the Northern Paiute for generations. While I will refer to the “Snake War” as such throughout this research, it should be stated clearly that this was not a war, but rather was a campaign of extermination waged by the Oregon and federal governments against the Northern Paiute. Beginning four years prior to Oregon achieving official statehood in February 1859¹¹¹, the Snake War acted out the official policy of extermination of the Northern Paiute over the course of thirteen years, with the height of violence taking place from 1866-1868. This campaign, and the Orientalist prejudice against the Paiute by which it was informed, positioned the Northern Paiute as uniquely inferior within the confederated political structure of the Warm Springs Reservation and the Burns Paiute Reservation throughout the remainder of the 19th and 20th centuries. While Oregon’s conventional historical tradition remembers the Snake War as a war of retribution to punish the hostile, aggressive “Snake” Indians, the writing done by various Oregon scholars, media publications, military generals, and government officials about the Snake War unwittingly convey the truly exterminatory nature of this campaign.

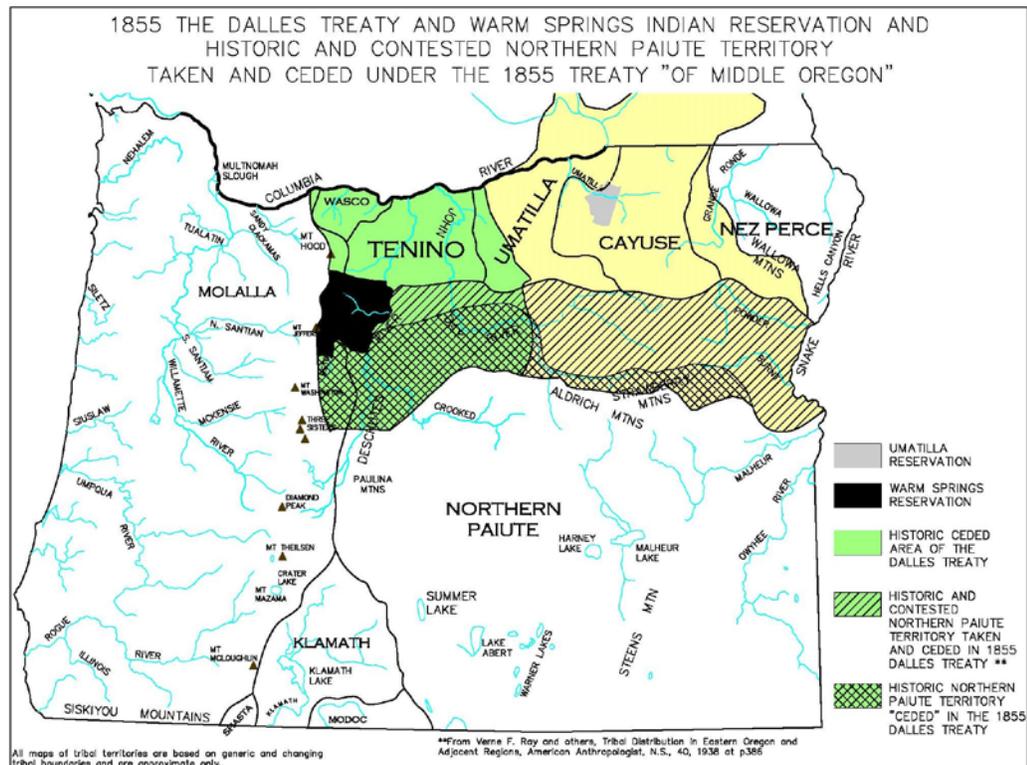
Treaty Of Middle Oregon (1855)

The treaty council of the Treaty of Middle Oregon began on June 22, 1855 in The Dalles, Oregon, a major “military and commercial center”¹¹² for the Oregon government and white population. Gardner explains that the treaty, drafted and

¹¹¹ Nelson, *Fighting for Paradise: A Military History of the Pacific Northwest*; 151.

¹¹² Gardner, “Oregon Apocolypse: The Hidden History of the Northern Paiute.”; 252.

presented by Superintendent of Indian Affairs, Joel Palmer, was complete upon Palmer's arrival to the tribal council, and was read to the tribes on day one of the treaty council.¹¹³



Map courtesy of James Gardner.

Palmer sought access to lands along the Columbia River and south into the Great Basin for white settlement, lands which ran parallel to those he had just acquired in the Treaty at Walla Walla a mere two weeks prior.¹¹⁴ Palmer visited and designated the lands for the Warm Springs Reservation, as outlined by the Treaty of Middle Oregon, over a year prior to the signing of the Treaties of Walla Walla or Middle

¹¹³ Ibid; 259.

¹¹⁴ Ibid: 252.

Oregon¹¹⁵, and much of the land included in the treaties was Northern Paiute territory. However, no Northern Paiute member was present at the treaty councils for either the treaties of Walla Walla or Middle Oregon.¹¹⁶

Palmer's main tactic in coercing the Columbia River tribes to sign the Treaty was engendering fear. He described the invasion of white people in the region as inevitable, and described himself as powerless to prevent them from taking Indian land and using violence to do so.¹¹⁷ Aguilar describes the effect of Palmer's intimidation tactics when he writes, "in the year 1855, by a simple thumbprint next to each name, the River People were forced from their homeland by a treaty that ceded millions of acres to the Whites. Many people of the river died, perhaps not physically but broken down in spirit."¹¹⁸ Palmer made promises that the River peoples' fishing and hunting rights would be guaranteed, but soon after their forced relocation to the Warm Springs Reservation, land and fishing locations along the Columbia River were allocated to, settled on, and fenced off by white people.¹¹⁹ At the same time, through manipulation, intimidation, and coercion, the Columbia River tribes were forced to cede over 10 million acres.¹²⁰ of Northern Paiute land through the Treaty of Middle Oregon to the Oregon government without Northern Paiute knowledge or consent, in exchange for a reservation that measured in at about 464,000 acres in size.¹²¹ Aguilar describes the physical and cultural destruction that arose from the forced removal of the Columbia

¹¹⁵ Ibid: 255.

¹¹⁶ Ibid.

¹¹⁷ Ibid: 260.

¹¹⁸ Aguilar, *When the River Ran Wild!: Indian Traditions on the Mid-Columbia and the Warm Springs Reservation*; 15-16.

¹¹⁹ Ibid: 17.

¹²⁰ Gardner, "Oregon Apocalypse: The Hidden History of the Northern Paiute."; 265.

¹²¹ Aguilar, *When the River Ran Wild!: Indian Traditions on the Mid-Columbia and the Warm Springs Reservation*; 17.

River tribes to the Warm Springs Reservation after the signing of the Treaty of Middle Oregon. He writes:

the lay people barely scratched enough wheat for flour out of the harsh desert ground. During these early reservation periods, women and children crawled on hands and knees to harvest wheat with butcher knives and pounded the wheat with sticks. People also survived by eating the meat of winter-starved and diseased horses.¹²²

He also explains that many tribal bands, those who perhaps spoke the same or similar languages but practiced different cultures under different ethnic identities, lost their cultural and ethnic differences once removed to the Warm Springs Reservation. Upon arrival at Warm Springs, for example, individuals who spoke the Eastern Chinookan language were registered as “Wasco,” without regard to their individual or ancestral cultural identity.¹²³

To be clear, the 10 million acres ceded in the Treaty of Middle Oregon was not the Columbia River tribes’ land to cede. Aware of this, Palmer built a proviso into the Treaty, which James Gardner refers to as “constructive consent.”¹²⁴ Gardner writes that this proviso allowed “participating tribes or Chiefs to disregard or override the objections of non-concurring Chiefs or a non-participating tribes--and indeed to sign and receive benefits on behalf of excluded or dissenting chiefs and tribes.”¹²⁵ Palmer’s constructive consent allowed for the cessation of millions of acres of Northern Paiute land to the federal government, which in turn led to the creation of the Warm Springs Reservation and the forced removal of Columbia River tribes to Northern Paiute land.

¹²² Ibid; 18.

¹²³ Ibid: 4-5.

¹²⁴ Gardner, “Oregon Apocolypse: The Hidden History of the Northern Paiute.”; 256.

¹²⁵ Ibid.

These compounded realities made way for the beginning of the Snake War, which would decimate the Northern Paiute population over the course of the subsequent 13 years.

Accounts of “Snake Indian Depredations”

Kurt Nelson in “Chapter Six: The Snake Indian Wars (1858-1868),” of his 2007 book, Fighting for Paradise: A Military History of the Pacific Northwest, spends a copious amount of time outlining the various Indian attacks against white settlers and infantrymen as they encroached on traditional Paiute territory. Nelson observes that, “the public demand for protection from the Snakes grew as the press wrote of little children being killed or carried off into captivity,”¹²⁶ but fails to challenge the validity of the media’s reporting of Paiute “depredations,” or counter the public’s perception of the Paiute with the perspectives of actual Paiute people. Consequently, Nelson confines all mention of Paiute people to the likes of marauders, killers, and annoyances. For example, he writes, “While the periphery of the state was being secured, the heart of the Oregon desert was still wild and open to the Indians. This was changing as miners entered the area in greater numbers hungry for mineral wealth. Stagecoaches, wagon trains, isolated travelers, and ranches were all attacked.”¹²⁷ Nelson’s description of Northern Paiute land as “wild”- needing to be “secured” and tamed by the very white men who were invading Paiute territory and wrecking havoc on Paiute life-ways- is representative of a common trope often invoked by historians of the American West seeking to memorialize the pioneer as the diametric opposite to the “wild,” “savage,”

¹²⁶ Nelson, *Fighting for Paradise: A Military History of the Pacific Northwest*; 152.

¹²⁷ *Ibid*; 159.

and “uncivilized” Indian. Wilson Wewa addresses this process of invasion, and the Northern Paiute’s consequent resistance to the violence brought upon Paiute women at the hands of settlers and miners seeking to usurp mineral wealth from Paiute lands:

When the Paiutes tried to barter and trade with the settlers, the miners that were invading their land, you have a whole mining crew of men that have no women to feed their lust for sex, they started raping Paiute women, Paiute daughters, Paiute granddaughters. Our people didn't like that, so the aggressors were killed for committing acts of rape which was not a part of our culture- it was something that was viewed as dishonorable and atrocious. And so our people retaliated, just like any other race around the world would if you daughter or sister or mother was raped. And so our people were labeled as aggressors and savages who had to be dealt with. But you don't read that in the history books, what the white people were doing to our women. It's always the Indians were attacking us, burning our homes, burning our fields, running off our stock. But there's always something that starts, and it was always on the part of the white people. And white people believe other white people, so our people were made as the "savage beast." That's why the war happened.¹²⁸

Ironically, Keith and Donna Clark, in their article, “William McKay’s Journal, 1866-67: Indian Scouts, Part I,” assert that the reason the Paiute attacked white settler populations migrating to the Oregon territory was because they were confronted with “a civilization whose material wealth first led to awe and then to envy.”¹²⁹ Clark and Clark assert that the Paiute were driven to conduct attacks and raids against white settler caravans and communities out of jealousy, without mentioning the history of the Treaty of Middle Oregon or the Paiute’s experience of violence and starvation as white settlers invaded traditional Paiute land. Furthermore, their assumption that the Paiute were jealous of the white man’s wealth is founded on the assumption that the Paiute would necessarily

¹²⁸ Wewa, Phone Interview.

¹²⁹ Donna Clark and Keith Clark, “William McKay’s Journal, 1866-67: Indian Scouts, Part I,” *Oregon Historical Quarterly* 79, no. 2 (1978): 123.

view the material conditions of the white man as a superior to their own, an assumption that is shortsighted and ethnocentric, to say the least.

Unfortunately, Nelson, Clark and Clark are not alone in their misguided analysis of the Northern Paiute, and in fact are part of Oregon's historical tradition of misrepresenting the Paiute so as to justify the violence committed against them. This history originates with the first-hand accounts of military men and generals such as Maj. Gen. H.W. Halleck, who writes in the Secretary of War's annual report of 1866-67:

The rapid advance of white settlements into Nevada, Idaho, and eastern Oregon, has greatly limited the sources of these supplies, and the Indians, both the friendly and hostile bands, are often reduced to the verge of starvation. All the good lands in the valleys and on the borders of the lakes and streams being taken up by farmers, they can no longer gather grass seed, catch fish, or kill wild fowl in the places where they formerly obtained a large portion of their food...And even here, when met by parties of travellers or emigrants, they are pretty certain to be shot down without notice or inquiry as to their friendly or hostile character...Hence these Indians are almost forced into collisions and hostilities with the whites, and from their shiftless habits in regard to subsistence, they have scarcely any other alternative than to *rob* or *starve*. The frequent robberies and murders committed by these savages, and the retaliatory measures of the settlers, have inaugurated a war of extermination in portions of that country which will be ended only with the removal or entire destruction of the Indians...¹³⁰

Unfortunately, Gen. Halleck's account in this annual report is noticeably more humane than the vitriolic accounts of the need for exterminatory war by other military men, historians, and media sources at the time, accounts that I will present in detail later in this study. He acknowledges that Indians are unable to access traditional land that is now occupied by white settlers, and consequently are starving due to the strain on resources presented by the growing white population. He also acknowledges that white settlers are killing Indians indiscriminately, and that those Indians resorting to robbery

¹³⁰ Ibid; 121-122.

and raids are being forced to do so due to starvation. These glimpses of concern for Paiute life, however, do not temper the violent nature of his conclusion, namely that the only solution to this conflict is complete removal or extermination of the Paiute.

Non-Paiutes Opposed to Paiute Extermination

While the major actors in the Snake War waged genocide against the Paiute, some groups and individuals spoke out in opposition. George Aguilar writes that during the Snake War, many Wasco serving as scouts for the U.S. Army objected to the indiscriminate killing of Paiute men, women, and children, and instead wished to keep Paiute captives as slaves. Aguilar notes, however, that the government's official policy was to exterminate the Paiute, and so the Wasco's wishes were ignored.¹³¹ Warm Springs scouts serving under Dr. William McKay objected to exterminating the Paiute, fearing retaliation against their tribe.¹³² Clark and Clark also briefly mention an interesting character, Courtney M. Walker, a missionary and political organizer in the 1840s who "defended the Paiutes as people more trespassed against than trespassers."¹³³ In a letter Walker wrote to Superintendent of Indian Affairs, Edward R. Geary, in 1859, Walker explains that historically, Columbia River bands of Indians had "entered Snake Country to pillage property and destroy lives,"¹³⁴ referring to the slave raids conducted by these tribes into Paiute communities for generations. He goes on to write that after the establishment of the Warm Springs Reservation, Warm Springs Indians frequently;

¹³¹ Aguilar, *When the River Ran Wild!: Indian Traditions on the Mid-Columbia and the Warm Springs Reservation*; 169-170.

¹³² Clark and Clark, "William McKay's Journal, 1866-67: Indian Scouts, Part I."; 130.

¹³³ *Ibid*; 122.

¹³⁴ *Ibid*; 123.

made ingress into the Snake Country and committed most flagrant outrages. Were they reproached for this act?!...Or were they not encouraged to renew these damnable outrages by our people...I was myself in the Snake nation a number of years, have seen lone individuals unacquainted with the language or customs of the Tribe, pass from one to the other extremity of the nation without suffering the least harm or menace. On the contrary, I have very often know these kind people, to aid to a very handsome extent, the needy person, without compensation or hope of; I have know them, (when it was completely in their power to play the offenders) to suffer & endure wrongs without retaliation.¹³⁵

This testament in support of the Paiute represents a people trespassed against- a picture that runs directly counter to the narrative of Paiute savagery that dominated public consciousness at the time. Walker's letter to Superintendent Geary causes one to both wonder why he felt compelled to speak out in support of the Paiute, and to assume that his reasoning must have been simple, given the seemingly unpopular nature of his statements: to identify and speak out against a great injustice being committed against an oppressed people. Unfortunately, Walker's appeal and the few others like it, if they existed, were drowned out by the noise of prejudice and greed that drove the Oregon and United States governments to exterminatory warfare against the Paiute.

Exterminator Governor Woods & First Indian Scouts

It should be emphasized that the Snake War was not just mandated by military generals on the ground in Oregon, but in fact originated with orders from the highest offices in both Oregon and the United States government. Oregon's third governor, George L. Woods, elected in 1866 and governor of Oregon until 1870, is referred to as Oregon's "Exterminator Governor," because of his role in pursuing complete extermination of the Northern Paiute of Oregon during his years as governor.¹³⁶ Woods

¹³⁵ Ibid.

¹³⁶ Gardner, "Oregon Apocolypse: The Hidden History of the Northern Paiute."; 416-417.

argued that the 1854 Ward massacre, in which a group of “Snake” Indians had captured and tortured a party of white settlers, justified the extermination policy against the Paiute because, according to Woods, the “fiendish” nature of the “Snake” men and women proved that only the extermination of all Paiute men, women, and children would bring peace to Oregon.¹³⁷ Clark and Clark note that Governor Woods was “voicing popular sentiment,”¹³⁸ and so public objections to the policy of extermination after his election in 1866 were virtually non-existent. Gardner explains, however, that the 1854 Ward massacre that Governor Woods so frequently cited as justification for the extermination of the Paiute of Oregon was actually carried out by a group of Boise Shoshone, another group of Northwest Indians who were also referred to by the derogatory name, “Snake Indians.”¹³⁹ Gardner writes:

That attack did not involve the Northern Paiutes of Oregon, precisely because it was carried out by a complementary but differing tribe, in a differing state, through an attack that occurred some twelve years [earlier]. Yet more than a decade later Governor George L. Woods repeatedly cited the attack on the Ward Party as justification for a war of tribal extermination against the so-called “Snake Indians” of Oregon.¹⁴⁰

In spite of this reality, Governor Woods pushed for war, advocating that the Oregon government pursue extermination in part through the use of independently operating Indian scouts.

¹³⁷ Clark and Clark, “William McKay’s Journal, 1866-67: Indian Scouts, Part I.”; 129.

¹³⁸ Ibid.

¹³⁹ Gardner, “Oregon Apocolypse: The Hidden History of the Northern Paiute.”; 417.

¹⁴⁰ Ibid.

An Exterminatory Campaign: Dr. William McKay and Indian Scouts

The Oregon public largely supported the use of Indian scouts, as it was viewed as a "substitution of Indian risk for white risk."¹⁴¹ In October 1866, Dr. William McKay and John Darragh were appointed to serve as the commanders of the Indian scouts assembled on the orders of Governor Woods and Secretary of War Stanton.¹⁴² Hubert Howe Bancroft, an early historian of Oregon history whose accounts of the Snake War are smattered with a particularly vitriolic disregard for the humanity of the Paiute and other Indian bands of Oregon, writes in volume two of his book, History of Oregon, that McKay and Darragh were "sent into the field, with the humane orders to kill and destroy without regard to age, sex, or condition."¹⁴³

Bancroft's claims of the supposed humanity of the orders to exterminate the Paiute of Oregon are quickly and thoroughly negated by his own historical account of the violence brought upon the Paiute. McKay and Darragh, in a personal account of one battle during the Snake War, write, "their command killed fourteen woman and children, which was done in accordance with written and verbal instructions from headquarters of the military district."¹⁴⁴ In Dr. McKay's personal journal of the exterminatory campaign, he writes that on January 20, 1867, he and his men "*left camp to join our scouting party. Met them coming back with 9 scalps had demolished and annihilated the camp & not one escaped then traveled 3 miles further killed 1 man 1*

¹⁴¹ Clark and Clark, "William McKay's Journal, 1866-67: Indian Scouts, Part I."; 129.

¹⁴² Ibid; 137.

¹⁴³ Hubert Howe Bancroft, *History of Oregon* (San Francisco: History Co., 1886); 531.

¹⁴⁴ Ibid.

woman & child...[later that day] Killed 5 women and 1 child."¹⁴⁵ In regards to this excerpt from McKay's journal, George Aguilar notes, "this was just one of the documents that was the result of Major General Steel's extermination order, when the campaign was still in the infancy stage."¹⁴⁶ These are just a few of the numerous accounts of violent massacres brought upon Paiute people by McKay, Darragh, and their commands of Indian scouts.

Furthermore, scalping, while usually attributed to native populations in the Americas, actually originated as a form of warfare used by the British in Ireland.¹⁴⁷ Originally, scalping was used as a tool for invoking terror, but later bounties were placed on Indian scalps, making the whole business of indiscriminately killing Indian people profitable for military men and civilians alike.¹⁴⁸ McKay's recollections of the extermination campaign he led are rife with counts of scalps collected by the soldiers and scouts at his command.

General George Crook

At around the same time that McKay, Darragh, and the Indian scouts began their campaign, Lieutenant Colonel George Crook of the 23rd US Infantry was ordered to the command of the Boise district,¹⁴⁹ where he would come to be known as a key leader in the Snake War. Bancroft writes that Crook is "due the credit of subduing the hostile

¹⁴⁵ Aguilar, *When the River Ran Wild!: Indian Traditions on the Mid-Columbia and the Warm Springs Reservation*; 160-161.

¹⁴⁶ *Ibid*; 170.

¹⁴⁷ Churchill, *A Little Matter of Genocide: Holocaust and Denial in the Americas, 1492 to the Present*; 180.

¹⁴⁸ *Ibid*; 180-181.

¹⁴⁹ Bancroft, *History of Oregon*; 531-532.

tribes on the Oregon and California frontier, and in Idaho."¹⁵⁰ Nelson comments that, "once on the trail of a hostile band, he would pursue relentlessly, without leaving the field, until the Indians were killed or captured."¹⁵¹ General Crook's national recognition and later military decoration due to his role in the Snake War, as well as the celebration and memorialization of him to this day, is indicative of the level of manipulation, misinformation, and propaganda that permeates Oregon's historical record, especially in regards to the Snake War. General George Crook conducted a brutal and relentless campaign of extermination against the Paiute of Oregon during his time serving in the Northwest, and yet is remembered as a war hero.

Peter Cozzens in his book, Eyewitness to the Indian Wars, 1865-1890: The Wars for the Pacific Northwest, describes General Crook's relentless cruelty:

The constant harassing, winter and summer, day and night, by the regular troops since their arrival from the scenes of war in the East had so **demoralized** the Indians, by destroying their provisions and lodges, capturing their women and children, and killing many of their chiefs and braves, that nothing was left them but to surrender.¹⁵²

Crook led a campaign of extermination that decimated the Northern Paiute population in Oregon, killing men, women, and children indiscriminately, while wrecking havoc on Paiute culture and traditional life-ways. US officials and citizens were aware of the "acute anxiety, trauma, and depression, generally referred to as "demoralization"...resulted from the warfare they were waging."¹⁵³ Furthermore, this sort of psychological trauma is widely understood to correlate with a weakening of the

¹⁵⁰ Ibid.

¹⁵¹ Nelson, *Fighting for Paradise: A Military History of the Pacific Northwest*; 167.

¹⁵² Peter Cozzens, *Eyewitnesses to the Indian Wars, 1865-1890: The Wars for the Pacific Northwest* (Mechanicsburg, PA: Stackpole Books, 2001); 30.

¹⁵³ Churchill, *A Little Matter of Genocide : Holocaust and Denial in the Americas, 1492 to the Present*; 151.

immune system, and the inability to become pregnant.¹⁵⁴ The social and demographic effects of this sort of cruelty have a lasting effect that far outruns the attacked group's experience of direct violence.

General Crooks' Negotiation Tactics

Along with his notoriously relentless tactics in pursuit of the Paiute, Crook was also known for his brutal negotiation tactics. Nelson recounts that by the end of the Snake War, the summer of 1868, the only Paiute chief who remained was Chief Weahwewa, Wilson Wewa's great grandfather. In July of 1868, Chief Weahwewa and the remaining Paiute people, about eight hundred in total, arrived at Fort Harney to discuss terms of peace with General Crook.¹⁵⁵ However, instead of offering any semblance of peaceful terms, Crook informed Chief Weahwewa, "I was in hopes that you would continue the war."¹⁵⁶ According to Crook, he could easily replace the troops he lost in battle, a luxury that the persecuted Paiute did not have. Crook would go on to tell Chief Weahwewa, "In this way it would not be very long before we would have you all killed off, and then the government would have no more trouble with you." ...It was with the greatest reluctance, he said, that George Crook would let the Indians seek peace.¹⁵⁷ Chief Weahwewa conceded the point, making a powerful testament to the exterminatory nature of General Crook's tactics and the effects of settler colonialism in Oregon:

You great white people are like the grass; the more you cut it down the more it grows and the more numerous its blades. We kill your white

¹⁵⁴ Ibid.

¹⁵⁵ Nelson, *Fighting for Paradise: A Military History of the Pacific Northwest*; 170.

¹⁵⁶ Ibid; 171.

¹⁵⁷ Ibid.

soldiers, and ten more come for every one that is killed; but when you kill one of our warriors, or one of our people, no more come to replace them. We are weak and can not recuperate."¹⁵⁸

It was with this council that the Snake War officially ended¹⁵⁹, although social, cultural, and economic violence would continue against the Paiute throughout the remainder of the 19th and 20th centuries. Soon after the conclusion of the Snake War, the Oregon Legislative Assembly invited General George Crook to Salem where he received public thanks and recognition from Oregon's governor, House, and Senate.¹⁶⁰

General Crook's Exterminatory Offensives

While individuals such as General Crook and Hubert Howe Bancroft are memorialized in the history and iconography of the Pacific Northwest, the violent history suffered by the Northern Paiute of Oregon has been largely erased. Indeed, Bancroft takes great pains in his "History of Oregon" to outline the exact number of Paiute killed during each massacre, but the Paiute dead remain nameless in his accounts. The dead and injured white soldiers, on the other hand, are accounted for in detail in Bancroft's account, both in name and number. Nelson's is much the same. The following are the accounts of attacks conducted by Crook during the later portion of the the Snake War, from 1866-1867, as described by Bancroft and Nelson.

In December 1866, Crook, forty soldiers, and twelve Indian scouts attacked a Paiute camp, killing thirty.¹⁶¹ Bancroft, in his recount of this battle, only ever refers to the Paiute as "Indians" or "savages."¹⁶²

¹⁵⁸ Cozzens, *Eyewitnesses to the Indian Wars, 1865-1890: The Wars for the Pacific Northwest*; 31.

¹⁵⁹ Nelson, *Fighting for Paradise: A Military History of the Pacific Northwest*; 171.

¹⁶⁰ Bancroft, *History of Oregon*; 550-551.

¹⁶¹ *Ibid*; 532-533.

¹⁶² *Ibid*.

In January 1867, Crook and his company murdered nearly one hundred Paiute, killing men, women, and children indiscriminately, taking dozens as prisoners, and either stealing or destroying Paiute horses, ammunition, and supplies that remained.¹⁶³

In February of 1867, Crook and his party killed one Paiute and captured an entire village.¹⁶⁴ No further mention is made as to what was done with the Paiute captives.

On July 27th of 1867, Bancroft writes that Crook and two companies of Indian scouts attacked a Paiute Camp. Bancroft remarks that the Warm Springs Indian scouts were “eager for an opportunity of avenging themselves of an hereditary foe...the allies soon had thirty scalps dangling at their belts. It was rare sport for civilization, this making the savages fight the savages for its benefit.”¹⁶⁵ Soon after this attack, another Paiute camp was discovered, at which point Bancroft remarks the Indian scouts were once again “permitted to perform the work of extermination.”¹⁶⁶

In August of 1867, Crook killed twenty-four Paiute, and destroyed the majority of their food and supplies.¹⁶⁷

In September of 1867, Crook killed nearly one-hundred Paiute.¹⁶⁸

There are two points that must be made. First, this summary of massacres and the resulting dead by no means represent the entirety of the violence committed against the Paiute of Oregon during the thirteen-year Snake War. This summary just represents a portion of the two years of the war, as recounted by the military men and Indian

¹⁶³ Ibid; 533-534.

¹⁶⁴ Nelson, *Fighting for Paradise: A Military History of the Pacific Northwest*; 167-170.

¹⁶⁵ Bancroft, *History of Oregon*; 534-535.

¹⁶⁶ Ibid.

¹⁶⁷ Nelson, *Fighting for Paradise: A Military History of the Pacific Northwest*; 167-170.

¹⁶⁸ Ibid.

scouts under the command of General George Crook. It does not account for attacks and massacres committed by McKay and Darragh, nor does it account for attacks and massacres committed by white civilians, militia groups, or other military generals conducting campaigns in the region.

Second, I do not outline the number of Paiute dead with the intention of perpetuating the same dehumanizing tendencies of some of the historians referenced in this study, those who only comment on the number of Paiute killed in order to portray the Snake War as a victory for white expansion. Rather, my purpose in outlining the number of Paiute killed during the later portion of the Snake War as recorded by historians and generals such as Bancroft and Halleck, and later by scholars such as Nelson, is to show that the evidence of the exterminatory nature of the Snake War campaign has existed in governmental and historical documents since the mid-19th century when the attempted extermination was taking place.

In spite of this fact, the “Snake War” has not been remembered as the exterminatory campaign that it most certainly was. Furthermore, the erasure of this portion of historical memory is not unintentional, but rather is symptomatic of the strategic manipulation of ideas by those in power in order to maintain their power.

Orientalism and Justifying Genocide: Hubert Howe Bancroft & Oregon's Historical Record

In order to understand the genocidal practices of settler colonialism in the Pacific Northwest, one must understand the rhetoric that informed these practices and the way in which the producers of Orientalist doctrines produced, reinforced, and profited from genocidal violence. According to Edward Said, Orientalism's principal mode of transmission was scholarly research and writing.¹⁶⁹ Said writes, "the growth of knowledge, particularly specialized knowledge, is a very slow process. Far from being merely additive or cumulative, the growth of knowledge is a process of selective accumulation, displacement, deletion, [and] rearrangement."¹⁷⁰ Orientalist scholars of the Pacific Northwest such as Hubert Howe Bancroft, about whom this section will focus, profited from Orientalism by positioning themselves as the proprietors of truth within the white-supremacist conceptual institution Said refers to as the "research consensus."¹⁷¹ In this sense, Orientalism, used by occupying governments and settler-colonizers as a political tool for usurping land and power, was also used as an pseudoscientific ideological tool for the usurpation of intellectual, social, and cultural authority. The historian and ethnologist, Hubert Howe Bancroft, whose research focused on the American West, typifies Edward Said's description of the Orientalist scholar, while his legacy in shaping public opinion and government policy in favor of orientalist constructions of Northern Paiute identity cannot be overstated. The two

¹⁶⁹ Said, *Orientalism*; 221.

¹⁷⁰ Ibid; 176.

¹⁷¹ Ibid.

volumes of Bancroft's work that I will review in this section are titled, Native Races, and, History of Oregon.

On the opening pages of his "ethnographic" work, Native Races, Bancroft quickly begins the work of dehumanization by asserting the innate difference of the Indian bands of the American West from the remainder of the human species. He writes:

Differing among themselves in minor particulars only, and bearing a general resemblance to the nations of eastern and southern America; differing again, the whole, in character and cast of features from every other people of the world, we have here presented hundreds of nations and tongues, with thousands of beliefs and customs, wonderfully dissimilar for so segregated a humanity, yet wonderfully alike for the inhabitants of a land that comprises within its limits nearly every phase of climate on the globe.¹⁷²

Here we see Bancroft's complete ignorance of the extensive social, cultural, linguistic, and political variation evident in the Indian tribes of the Americas. This ignorance, informed by racist, pseudoscientific theories, does not prevent him from feeling qualified to write a nearly 700-page ethnographic work on the subject.

Furthermore, although at the time this work was published in 1882, when at least hundreds of thousands¹⁷³ (but presumably more, given that this estimation is based solely on U.S. Census data) of American Indian people still lived in North America, Bancroft writes;

At the touch of European civilization, whether Latin or Teutonic, these nations vanished; and their unwritten history, reaching back for thousands of ages, ended... Their strange destiny fulfilled, in an instant they disappear; and all we have of them, besides their material relics, is

¹⁷² Hubert Howe Bancroft, *The Native Races*, 5 vols. (San Francisco: ALBancroft & Company, Publishers, 1882); x.

¹⁷³ James P. Collins, "Native Americans in the Census, 1860-1890," *National Archives* 38, no. No. 2 (Summer 2006).

the glance caught in their hasty flight, which gives us a few customs and traditions, and a little mythological history."¹⁷⁴

While Bancroft's representation of American Indian peoples on a whole is inaccurate and skewed, his depiction of the Northern Paiute is particularly negative, repeatedly likening them to savages and animals. He writes of the Northern Paiute interchangeably as the "miserable root-eating Shoshones," whose territory on a whole encompasses southern and southeastern Oregon, as well as parts of Idaho, Utah, and Nevada.¹⁷⁵ His opinion of them is as follows:

they are thieving, treacherous, cunning, moderately brace after their fashion, fierce when fierceness will avail them anything, and exceedingly cruel. Of the miserable root and grass eating Shoshones, however, even this much cannot be said. Those who have seen them unanimously agree that they of all men are the lowest. Lying in a state of semi-torpor in holes in the ground during the winter, and in spring crawling forth and eating grass on their hands and knees, until able to regain their feet; having no clothes, scarcely any cooked food, in many instances no weapons, with merely a few vague imaginings for religion, living in the utmost squalor and filth, putting no bridle on their passions, there is surely room for no missing link between them and brutes.¹⁷⁶

Bancroft exemplifies one of the principal characteristics of an orientalist scholar as explained by Edward Said, namely his complete disregard for the actual cultures, political and social structures, experiences, or thoughts of the "oriental" about whom he conducts research. In regards to this point, Said writes;

Orientalism is premised upon exteriority, that is, on the fact that the Orientalist, poet or scholar, makes the Orient speak, describes the Orient, renders its mysteries plain for and to the West. He is never concerned with the Orient except as the first cause of what he says. What he says and writes, by virtue of the fact that it is said or written, is meant to indicate that the Orientalist is outside the Orient, both as an existential and as a moral fact. The principal product of this exteriority is of course

¹⁷⁴ Bancroft, *The Native Races*; x.

¹⁷⁵ *Ibid*; 460.

¹⁷⁶ *Ibid*; 440-442.

representation...The exteriority of the representation is always governed by some version of the truism that if the Orient could represent itself, it would; since it cannot, the representation does the job, for the West, and *faute de mieux*, for the poor Orient.¹⁷⁷

In true orientalist form, Bancroft's representation of the Northern Paiute is at once dehumanizing and shockingly misrepresentative. Throughout the chapters dedicated to the tribes of the Pacific Northwest, Bancroft refers to the Northern Paiute exclusively with derogatory labels. For example, in the following excerpt he makes reference to the derogatory "Digger" moniker, which originated from the disdain with which other tribes and early settler-colonizers held for the Paiute lifestyle practice of gathering roots and plants in the dry Great Basin territory.¹⁷⁸ He begins his chapter on the Northern Paiute by describing their livelihood as one based on subsistence, destitution, and savagery:

the miserable root-eating people, partly owing to their inherent improvidence, partly to the scantiness of their food-supply, never store sufficient provision for the winter, and consequently before the arrival of spring they are invariably reduced to extreme destitution. **To avoid starvation they will eat dead bodies, and even kill their children for food.** (Emphasis added. Bancroft, *Native Races* 427-428)¹⁷⁹

It should go without saying that this claim is thoroughly untrue. Northern Paiute life-ways were exceptionally well suited to the climate and geography of the Oregon Great Basin, allowing the Paiute to flourish as a people and culture for tens of thousands of years, considering themselves to be a highly successful civilization. Furthermore, according to Myra Johnson-Orange, the Paiute did not at any point in their history practice cannibalism.¹⁸⁰

¹⁷⁷ Said, *Orientalism*; 21.

¹⁷⁸ Gardner, "Oregon Apocolypse: The Hidden History of the Northern Paiute."; 103.

¹⁷⁹ Bancroft, *The Native Races*.

¹⁸⁰ Johnson-Orange, Phone Interview.

Edward Said writes that a particularly egregious implication of Orientalism, which would quickly become institutionalized as scientific fact throughout the 19th century, is the notion of “character-as-designation appearing as physiological-moral classification.”¹⁸¹ This system of racial classification identified human physiological differences (describes in terms of race) as indicative of moral differences between races. This system was both a product of, and a justification for, Orientalism, as academics working within the confines of the research consensus sought to legitimize the dehumanization of Native peoples. Said writes:

such designations gather power when, later in the nineteenth century, they are allied with character as derivation, as genetic type...the force of moral generalization is enhanced by the precision with which dramatic, almost archetypal figures...are shown to be the genesis of current moral, philosophic, even linguistic issues. Thus when an Oriental is referred to, it was in terms of such genetic universals as his "primitive" state, his primary characteristics, his particular spiritual background."¹⁸²

In reading Bancroft’s work on the Northern Paiute, one can clearly see the vehemence with which he invests in these pseudoscientific classifications. Bancroft uses this system of classification to make blatantly dehumanizing statements about the Paiute. In one instance, he writes that after the death of a family member, "child-like in this, they rush into extremes, and when not actually engaged in shrieking and tearing their flesh, they appear perfectly indifferent to their loss,"¹⁸³ while in another instance, he writes, "the women...suffer very little from the pains of child-bearing."¹⁸⁴ By stating that the Paiute are both impervious to pain and incapable of experiencing grief, Bancroft constructs an

¹⁸¹ Said, *Orientalism*; 119-120.

¹⁸² *Ibid.*

¹⁸³ Bancroft, *The Native Races*; 440.

¹⁸⁴ *Ibid.*; 436.

identity for the Paiute setting them on par with the likes of monsters or animals.

Pseudoscientific claims such as those made by Bancroft throughout his works paved the way for calls for exterminatory war against the Paiute.

Another characteristic of the orientalist scholar is the scholar's inflated ego, which Said says conflates with the presumed superiority of the scholar's nation or race.¹⁸⁵ Bancroft fits quite comfortably into this description as well, in that he consistently feels justified in assigning clear, binary moral values to the beliefs and practices of Native people he writes about. This justification does not seem to be informed by any clear sense of moral or religious ethic, but rather by the unquestioned assumption that due to his race, gender, profession, or presumably all of the above, that he is fundamentally superior to and therefore dominant over the Indian person. For example, Bancroft writes:

in all men there stands out some prominent good, so in these, the lowest of humanity, **there is one virtue: they are lovers of their country;** lovers, not of fair hills and fertile valleys, but of inhospitable mountains and barren plains; **these reptile-like humans love their miserable burrowing-places better than all the comforts of civilization; indeed, in many instances, when detained by force among the whites, they have been known to pine away and die.**¹⁸⁶

It should go without saying that this last statement is particularly ironic, given that the vast majority of the violence committed against the Paiute was done in the name of land-taking and settlement of the very "inhospitable mountains and barren plains" that Bancroft deems "miserable" and unworthy of love. Even in the context of a supposed compliment, Bancroft interprets for his readers the Paiute connection to their land as a

¹⁸⁵ Said, *Orientalism*; 193.

¹⁸⁶ Bancroft, *The Native Races*; 442.

character defect, stating that only “reptile-like humans” could feel any affection or ownership over the dry land of the Great Basin. In the following excerpt from Bancroft’s work, History of Oregon V. 1, he not only condemns Paiute life-ways, but asserts that the Paiute were in fact jealous of the white settler colonizers invading their land, hence their supposed willingness to adopt white culture and religious traditions:

The first feeling that is awakened by the contact of the two races is covetousness. There are men who have everything desirable, and pretend to what they persist in calling the devil's gift, the knowledge of good and evil. The Indian wished to steal, to take these things at once as soon as he saw them or learned their use; but was restrained by fear of the consequences. Then came to him in this dilemma the offer of knowledge, which he immediately seized upon as a legitimate means to the end he coveted, the possession of property. The offer of knowledge was accompanied by the tender of a new religion; but to that no objection was made. What they knew of the white man's religion was good; why should more of it harm them? If it made the others wise, powerful, and rich, why not adopt it?¹⁸⁷

Said explains that the orientalist scholar’s inflated sense of self causes him to view himself as “a hero rescuing the Orient from the obscurity, alienation, and strangeness which he himself had properly distinguished.”¹⁸⁸ Bancroft unequivocally fits this description, while his dehumanizing and orientalist portrayals of Paiute culture and life-ways indicate his seeming indifference to, or even advocacy for, the extermination of the Paiute.

However, Bancroft is not alone in the perpetuation of Orientalism against the Northern Paiute, nor is he the last person to advocate for exterminatory war based on Orientalist principles. While he is certainly a key actor in the legacy of Orientalist research about the Paiute of Oregon, the history of Orientalism in Oregon far exceeds

¹⁸⁷ Bancroft, *History of Oregon*; 641.

¹⁸⁸ Said, *Orientalism*; 121.

the scope of this study. Rather, while scholars such as Bancroft legitimized and institutionalized orientalist portrayals of the Paiute, Oregon's media did the work of enshrining Orientalism in popular opinion.

Orientalism & Justifying Genocide: Oregon Historic Newspapers & Public Opinion

While Bancroft was institutionalizing Orientalist discourse about the Paiute into early Oregon academia, Oregon's newspaper publications were doing the work of enshrining anti-Paiute rhetoric into the legacy of white Oregonian public opinion. The Historic Oregon Newspaper repository made available by the University of Oregon Libraries is rife with articles about Indian depredations, the "devilish" and "savage" nature of the Paiute and other American Indian tribes of the Pacific Northwest, celebratory reports of vigilante massacres against Indian tribes throughout the 1850s, and calls for the extermination of the Paiute by Oregon reporters, editorialists, and civilian contributors. I will now provide an overview of a few notable articles pertaining to the Northern Paiute in Oregon Historic Newspapers, ranging in publication from 1851-1876, which serve as examples of the Orientalism that would come to fuel the genocidal violence against the Paiute.

The Oregon Spectator on July 10, 1851, four years before the signing of the Treaty of Middle Oregon and the beginning of the Snake War, published an article warning white settler-colonizers about the "Snake Indians," a derogatory term for the Northern Paiute:

We think it altogether probable that the immigrants will experience trouble among the Snake Indians, who are little better, as to intellect, than the bears and wolves of the forest. They are lawless, pilfering and treacherous, and improvident beyond measure, - subsisting many times upon the carcasses of their own dead. - Small parties stand no kind of chance among them- their only thought is to overpower the weak, pilfer

whenever they can and escape detection. They risk but little when life is endangered- relying principally upon thieving in a secret way.¹⁸⁹

A couple of months later, on September 2, 1851, the *Oregon Spectator* published another cautionary tale about the dangers presented by the “Snake Indians,” writing, “We have learned from some of the immigrants, who have just arrived, that the Snake Indians, alias Diggers, have been, as was anticipated, quite troublesome to small parties coming to Oregon.”¹⁹⁰ On December 23, 1854, the *Umpqua Weekly Gazette* published an article, describing the “butcheries and violations of women and children by the savages,”¹⁹¹ reporting that “unarmed men have been shot down, defenseless women and harmless children, after enduring captivity, have been most barbarously and inhumanly tortured to death.”¹⁹² Given that these articles and others like them were written less than a year prior to the signing of the Treaty of Middle Oregon and the beginning of the genocidal Snake War campaign, we see that the roots of Orientalism, as it would come to inform the war of extermination against the Northern Paiute, clearly preceded the genocidal violence brought against the Paiute. Furthermore, by portraying the Paiute resistance to the invasion of their land as “savagery,” Oregon’s news media was planting the seeds for the impending justification of exterminatory war against the Paiute. Indeed, in the same *Umpqua Weekly Gazette* article as above, the author concludes by stating, “Such intelligence cannot fail to arm the Secretary of War with

¹⁸⁹ D.J. Schnebly (editor), “Oregon Spectator July 10, 1851,” *Oregon Spectator*, accessed September 9, 2016.

¹⁹⁰ D.J. Schnebly (editor), “Oregon Spectator, September 02, 1851,” September 2, 1851.

¹⁹¹ W.M. Beggs (editor), “The Umpqua Weekly Gazette, December 23, 1854,” December 23, 1854.

¹⁹² *Ibid.*

facts with which to make a successful appeal to Congress for the necessary force to prevent such distressing occurrences."¹⁹³

On March 10, 1855, the Oregon Spectator made the following announcement in their Saturday paper:

We are glad to learn that the administration have decided that there is urgent need of troops, and that they are to be forthwith provided, to war with the Snake and Digger tribes on the great immigrant trail leading from the South Pass to Oregon and Washington...The U.S. Senate, on Feb. 1st passed a bill to raise 3000 troops to wage exterminating war against hostile Indians on the Pacific.¹⁹⁴

This is an interesting bit of information given that the treaty council at The Dalles that would lead to the signing of the Treaty of Middle Oregon would not begin until June 22, 1855,¹⁹⁵ about three months after this article was written. The message to be garnered from this article is that the Treaty of Middle Oregon that would cede millions of acres of Paiute territory to white people while forcing the unwitting Paiute onto a reservation to which they had not consented to move, was merely a formality. James Gardner makes note of this:

Beyond their own pejorative perceptions of the “Snake” or “Digger” Indians or the “Rattle Snake People,” the Americans newly arrived in the West held underlying expectation that the “peopling” of the region by Americans would one way or another be accompanied by an “un-peopling” of indigenous peoples, in this case the Northern Paiutes. In fact, the American invaders and settlers frankly knew or cared little about the Paiutes of the interior, except that they typically looked down on them as a tribe, people and culture, and wanted their lands—and wanted them removed.¹⁹⁶

¹⁹³ Ibid.

¹⁹⁴ C.L. Goodrich (editor), “Oregon Spectator, March 10, 1855,” March 10, 1855, <http://oregonnews.uoregon.edu/lccn/sn84022662/1855-03-10/ed-1/seq-2/#sort=date&index=8&rows=20&words=Indians+war&sequence=0&proxtext=Indian+wars&y=0&x=0&dateFilterType=range&page=2>.

¹⁹⁵ Gardner, “Oregon Apocolypse: The Hidden History of the Northern Paiute.”; 252.

¹⁹⁶ Ibid; 59.

This pining for traditional Paiute land at the expense of Paiute life and livelihood would play out in Oregon's Historic Newspapers. Three days after the conclusion of the treaty negotiations at Walla Walla, the treaty that would precede the Treaty of Middle Oregon, various newspapers around Oregon published the following notification to the white Oregon public:

June 12, 1855

By an express provision of the Treaty, the country embraced in the cessions and not included in the Reservations is open to settlement, excepting that the Indians are secured in the possession of their buildings and implements till removed to the Reservation. This notice is published for the benefit of the public."

-Signed, Isaac I. Stevens, Gov. and Sup't of W.T. and Joel Palmer, Sup't Indian Affairs, Oregon¹⁹⁷

On October 20, 1855, the same year as the signing of the Treaty of Middle Oregon and the beginning of the genocidal Snake War campaign, the Oregon Argus published a series of articles outlining various "Indian depredations." Not surprisingly, these series of articles do not differentiate between the various Indian peoples they reference throughout the paper, either as members of different Indian tribes or as individual human beings, but instead blend together the reports of one Indian group's "depredations" with calls for exterminatory war against others. The first article, simply titled, "Oregon City Indians," is a brutally dehumanizing portrayal of said Oregon City Indians as deviant, violent, thieving, "devilish drunk creatures." It reads as follows:

It seems that whilst our citizens were met on last Monday night to take our internal Indian relations into consideration, the squaws were busy in replenishing their empty bottles with rum. The Indian liquor merchant must have taken in considerable change that night, as the savages laid in good supply. At least on the night following the meeting, the red skins

¹⁹⁷ W. L. Adams (editor), "The Oregon Argus, July 14, 1855," July 14, 1855.

who are camped within the stone's throw of our domicile held a drunken jollification, which in the magnitude of its bluster, and in the seriousness of its character, out-Deviled any thing we have heard before. The whole of the fore part of the night was made hideous with the sounds of angry words, and with the screams and moans of the miserable victims of drunken savage ferocity. One squaw was literally cut to pieces and gave up the ghost. At least so we were informed. Another one was dreadfully cut and mangled around the head and face.

These poor creatures, that so often suffer from violent hands in their drunken sprees... We have a law subjecting the man- (no, we will take that back,)- the *creature*, the incarnate Devil in human shape who furnished these Indians with liquor, to the penalty of a heavy fine. In effect we might as well have a law imposing fines and imprisonments upon "the man in the moon." No body is able to find out who this mysterious "creature" is. Like the "Wandering Jew," he is everywhere, and nowhere. No one is able to ferret out his den, except the squaws...

The citizens of the place are night after night deprived of their rest, our women and children lie quaking in their beds through fear, all caused by the bedlam of some sixty or seventy drunken Indians, who have gathered in here from Klamath Lake for the purpose of begging, stealing, and getting drunk... Some of these Indians are getting so smart that they have within the last few weeks drawn their knives and arrows in some of our citizens' houses, to frighten the women in to giving them food... Now if, as some think, there is no danger from these Indians whilst they are sober, all will admit, we think, that while they are intoxicated any person is liable to fall a victim to their rage...

If the liquor cannot be removed from them we think it would not be a bad plan to remove them from the liquor, and send them back on Klamath to live on ants and snails, and drink river water, as they have been accustomed to.¹⁹⁸

The second article I will mention, from the same newspaper as the previous, urges for war against the "savages on our border," whom the author states are forming a military alliance with the other tribes of the Oregon and Washington Territory in order to wage war against white settlers. While the author seems to have no proof of this alliance other than rumor, he uses rumor of it to justify calling for war against Indians of the Pacific Northwest:

¹⁹⁸ W. L. Adams (editor), "The Oregon Argus, October 20, 1855," October 20, 1855.

Little else is heard, and little else is sought after, just at this juncture, but news from the scenes of Indian difficulties. It is now as it always has been whenever there has been a popular excitement, creating a *demand* for news, we have an abundant *supply*. It seems impossible to overstock the market. No report, however insignificant, is started, but what it finds in abundance of impetus from multitudes of people, who, in their wild excitement are ready to "keep the ball rolling" until what at first may be only an insignificant atom, comes down upon us as an overwhelming avalanche.

That we are in the midst of a general war with the savages on our border, we have abundant evidence to believe. And that there is now an offensive alliance of large numbers, from all the tribes, from the ocean on the southwest of our Territory, eastward, and northward to the British line, forming a continuous belt of watch fires encircling the settlements of Oregon and Washington Territories, we have good reason to believe...But that there is any immediate danger of an attack upon the settlements of the Willamette Valley, as is feared by many, or that the Indians are already on their way hither, as has been reported, we do not believe-Whether they entertain any such idea as being able to cut off all the whites in the country, we know not...In such an event we are unable to say what force they could muster in the field. It would not probably exceed some four or five thousand warriors, unless the Snakes should become their allies, in which case their numbers could be easily doubled. It seems that by arrangements already made by the Governor we shall soon have a force of some nine hundred men in the field...We feel quite confident that with this number of men, consisting mostly of volunteers, we shall be able to teach the red skins what they ought to have learned a long time ago. We sincerely hope that a lasting peace will be "*conquered*" this time, instead of being *bought* with a few blankets. Our policy, hitherto, with the Rogue River and Snake Indians has been such as to produce anything but respect for us, or fear of us...We predicted in 1851, when we passed through the Rogue river valley, and became conversant with their treacherous character, and the physical features of their country, affording every facility for hiding from their pursuers, that the country could never be settled with safety, short of an extermination of the Indians who held it in possession.

...Every Indian should be treated as an enemy unless he furnish good proof to the contrary; and we should be willing to take no proof short of his assistance in prosecuting the war against our enemies.¹⁹⁹

These two articles display the deeply codependent nature of Orientalism and genocidal warfare against the Indians of the Pacific Northwest, as they existed in Oregon news

¹⁹⁹ Ibid.

media at the time. Oregon news was simultaneously creating and indulging the preexisting prejudice against Indian tribes, while providing ample news reports of “Indian depredations” in order to substantiate and legitimize the prejudices of their readers.

On November 7, 1865, ten-years after the signing of the Treaty of Middle Oregon and the beginning of the genocidal Snake War campaign, the Daily Mountaineer posted an article advocating in favor of exterminating the “Snake Indians.”

The author writes:

With the assistance of the veteran regular troops which have arrived, or will arrive, in this department, the volunteer forces now in the field, would, during the coming winter, pretty well exterminate the Snake Indians now at war with the whites in south-eastern Oregon, and with the south-western districts of Idaho. It is only a measure of common justice that the savages should be put down in some way or another. The General Government owes it to our citizens to do that much, and as a people, we shall not be satisfied if any less is done.²⁰⁰

The author explains that it would not be difficult to convince citizens to volunteer to surround and exterminate the “Snake Indians,” due to the, “double motive of fondness for adventure and a desire to see the country.”²⁰¹ Furthermore, the author explains that the extermination of the “Snake Indians” is necessary for the economic growth of the State of Oregon: “The interests of the State require the development of the resources of the eastern section, and without the subjugation or extermination of the Snakes, this cannot be done.”²⁰²

On December 22, 1855, the Oregon Argus published a series of articles in response to a vigilante war of extermination between white settler colonizers and a band

²⁰⁰ William H. Newell (editor), “The Daily Mountaineer, November 07, 1865,” November 7, 1865.

²⁰¹ Ibid.

²⁰² Ibid.

of Shasta Indians in Southern Oregon. While this series of articles do not reference the Paiute specifically, they are indicative of the way in which exterminatory “vigilante” violence against Indian peoples of the Pacific Northwest, including the Paiute, was oftentimes sanctioned by the state. The series of articles begins with a declaration from the Governor’s office, written by Adjutant General E.M. Barnum, publicly condemning the vigilante violence, given that it was committed against “friendly Indians,” and was not authorized by the state:

Information having been received that armed parties have taken the field in Southern Oregon with the avowed purpose of waging a war of extermination against the Indians in that section of the Territory, and have slaughtered without respect to age or sex, a band of friendly Indians upon their reservation, in despite of the authority of the Indian Agent and the commanding officers of the United States troops stationed there, and contrary to the peace of the Territory, it is therefore ordered that the commanding officers of the battalions authorized by the proclamation of the Governor of the 15th day of October, instant, will enforce the disbanding of all armed parties not duly enrolled in to the service of the Territory by virtue of said proclamation...

By the Governor.

E. M. Barnum, Adj. General²⁰³

Also included in the same paper was a response to the Governor’s condemnation of the violence from a member of the Southern Oregon militia. He dismisses the Governor’s message as “*false and unfounded in every substantial particular*,”²⁰⁴ and proceeds to address the Governor’s two central allegations. In regards to the first allegation, “that *armed parties* have taken the field in Southern Oregon,” the Oregon militiaman has this to say:

The army in the field in Southern Oregon, at the time this order was issued, was called into the field by the legal and constitutional military

²⁰³ W. L. Adams (editor), “The Oregon Argus, December 22, 1855,” December 22, 1855.

²⁰⁴ Ibid.

commandant of that military district. They were regularly enrolled, supplies were regularly furnished by the legally appointed Quartermaster General, and everything was done in strict accordance with the military law of the Territory, and military usage, as the records, journals, and accounts, kept by Col. Ross and Quartermaster General Miller, will show; consequently they were not, in the technical sense intended by the Governor, "armed parties," but were a regularly organized regiment of Oregon militia, called into service to meet an emergency that could not be met in any other way.²⁰⁵

He does not negate the claim that an armed group of people massacred a band of Shasta Indians of Southern Oregon, but rather argues that this massacre was sanctioned by the state. The second allegation this author challenges is that his militia "*have slaughtered, without respect to age or sex, a band of friendly Indians upon their reservation,*"²⁰⁶ an allegation the author describes as "so palpably false and unfounded, and known to be so by everybody at all acquainted with the bounds of the reservation."²⁰⁷ In order to prove that the band of Shasta Indians was not friendly and indeed deserved the massacre brought upon them, the author includes in a communication published on October 20, 1855 in the Statesman Journal, written by Indian Agent George Ambrose from Southern Oregon, who writes:

Jacksonville, O.T., Oct. 11, 1855

Sir-

We are again in the midst of the most terrible Indian war ever known to this country. I doubt not but you may search the annals of history in vain to find anything that exceeds, in savage barbarity, the deeds of these soulless miscreants; and I doubt much if there ever lived a more formidable savage foe to the white man than this band of Shasta Indians. No pains have been spared to endeavor to civilize them, but without avail. It is consummate folly to endeavor to do anything with them but kill them off..."²⁰⁸

²⁰⁵ Ibid.

²⁰⁶ Ibid.

²⁰⁷ Ibid.

²⁰⁸ Ibid.

Agent Ambrose goes on to say that the settler's patience was worn so thin, that they decided to attack a camp of Shasta Indians, in order to scare them enough to coerce them to stay on their reservation. Later, upon inspecting the scene of the massacre, Agent Ambrose and his troops found the following:

twenty-three dead bodies, eight grown men, four of whom were very aged, and fifteen women and children...It appears from the statement of the Indian, that all the principal men were absent, not apprehending danger, hence such a destruction of life of the women, The principle cause of that I infer to have been the fact that the fight took place so early in the morning that the women were not distinguishable from the men.²⁰⁹

Without any semblance of regard for the cruel inhumanity of the massacre committed by the white settler colonizers that he has just recounted, Agent Ambrose concludes his communication by stating, "I expect to hear still sadder news, for more desperate, reckless, daring, savage demons exist no where upon the face of the earth, and in all that constitutes savage maliciousness I doubt if they ever had an equal."²¹⁰ He is, of course, referring here to the Shasta Indians, although it is difficult to tell, as he could just as easily have been referring to their white attackers. At this point, the militiaman concludes his article by stating, "the only alternative now left for the citizens of the valley was to "KILL THEM OFF," or, in other words, *to exterminate them*."²¹¹ This author seems to take great offense at the Governor's condemnation. Furthermore, the reason why the Governor would condemn an attack which was authorized, at least theoretically, by his own office remains to be seen; perhaps it was due to his honest lack

²⁰⁹ Ibid.

²¹⁰ Ibid.

²¹¹ Ibid.

of knowledge of the order for the attack; or perhaps it has to do with his desire to distance himself from the violence committed in the name of the state of Oregon.

This second scenario, I will argue, is more likely. Indeed, soon after the Snake War came to a close, Oregon's political and military establishment began the work of disabusing the public that exterminatory war had ever taken place against the Indians of the Northwest. On May 20, 1876 in an article written for the Eugene City Guard, U.S. House of Representatives member, Lafayette Lane, advocated for moving the Department of Indian Affairs from the Interior Department to the War Department. Strangely enough in this context, Lane uses his article to *make the claim that exterminatory war was never waged against the Indians of the Pacific Northwest*. Lane argues that moving the Department of Indian Affairs to the War Department will not "injuriously affect" the Indians, but will in fact "improve the condition of the Indian."²¹² In responding to the hypothetical objections of opponents of the bill, Lane criticizes them for not having adequate acquaintance with "the Indian character" to make decisions of this nature. He writes:

Has he seen the war-dance, heard the battle-cry, seen the uplifted tomahawk, the scalping knife glistening in the air, the blazing fagots, and the victim at the stake; houses, the poor and humble homes of our frontier settlers burned to the ground, and men, women, children indiscriminately butchered? Surely, O, surely not."²¹³

It is at this point that Lane begins to extensively dispute the claim that wars of extermination or genocide were ever waged against Indians of the West, a claim that is decidedly untrue. He writes:

²¹² Buys & Eltzroth (publisher), "The Eugene City Guard, May 20, 1876," May 20, 1876.

²¹³ Ibid.

There is no disposition, Mr. Chairman, I assure you, anywhere in the West to exterminate the Indian race; but if there was and that feeling was universal, the Indian need not fear any so much as the border men...People very much mistake the border men. They are not ruffians or murderers. They are noble, brave, gallant, enterprising people, equaling in intelligence even the polite constituency of my genial friend from New York. They are as magnanimous as brave, as merciful as gallant. They respect the rights of the Indians, and by the Indians are far more respected than those who at a remote and secure distance extol their virtues...

Gentlemen talk about the injustice done the Indians. They magnify and manufacture massacres of the noble red family. They do not allow their memory to go back only a few years to many painful incidents in the history of our frontier settlement...they forget also the massacre at the Cascades, in my State, in 1855, where men, women and poor little children were horribly murdered. Some were cut to pieces, some thrown into wells before life was extinct; others were burned to death, their bodies roasted and left for hogs to devour, a dainty morsel for the contemplation of philanthropic peace policy philosophers...They forget, indeed, all the wrongs and sufferings endured by the people upon the border, and yet they assume to dictate to us how the Indians shall treat us, and not how we shall treat them. The Indians have rights; we, forsooth, have none. Let me illustrate by saying that agreeably to the prevailing policy of the government, if a white man trespass upon the rights or property of an Indian he is mulct in double the value of the property injured, and the government of the United States stands as security for its payment; but if an Indian, going beyond the limits of his reservation, destroys the property of the white man, he is held harmless and is protected by the government, and Congress, I regret to say, is disposed to deny indemnification to the sufferer...Protect your citizens from the Indian, and the Indian will need no protection from your citizens...²¹⁴

This excerpt is especially interesting because of the extent to which Lane constructs an image of a brave, valiant, honorable pioneer (“border men,” as he refers to them) in contrast to his descriptions of the savage, inhuman Indian. Furthermore, Lane perpetuates the dominant narrative that the attacks experienced by white settler colonizers in Oregon preceded the violence brought against the Indians, thereby refusing to acknowledge the inherently violent nature of occupation and colonization.

²¹⁴ Ibid.

However, that is not to say that the Northern Paiute and other Indian bands of the Pacific Northwest did not at times resist invasion and colonization with violence. They certainly did. Myra Johnson-Orange spoke to me about how as a young person, she struggled with the knowledge of her people having acted violently in the face of colonial invasion and violence. She recalled at one point in her childhood asking her aunt;

What do you know about the Paiute people, did they really used to burn people, their enemies?" And she said that's what she had heard, and she was an elder herself, my aunt was. And so I had to think about that myself, I thought why would they do that? Then in my mind, I thought- sure they would do that! Maybe that's their way of telling people, stay away from our people!...We're not hurting anybody as long as you leave us alone. And that's what I believe, I take my aunt's word. Paiute people are still that way. They're really defensive about who they are.²¹⁵

Perhaps the Northern Paiute and other Indian bands did in fact resist the invading white settler population with the severity and cruelty described by the reporters and editorialists outlined in these news reports and others. In regards to this, Wilson Wewa emphasized the importance of resistance in the struggle for Paiute land and life;

Having been on the land for 30,000 years or longer, being at peace, living in Eden- having that taken away from them, certainly anybody would fight. To protect their home, their livelihood, and their life, they had no recourse but to protect what they had, that was their life. And so, that was the cause for the wars that happened. Just like any man would do, protecting his home. A good man.²¹⁶

With that said, it is equally as plausible that some of these newspaper articles are slanderous and misleading. On August 14, 1869, a citizen wrote a letter in response to an article publish in the Oregon Sentinel. His letter reads as follows:

Fort Klamath, Ogn. Aug. 8, '69.

²¹⁵ Johnson-Orange, Phone Interview.

²¹⁶ Wewa, Phone Interview.

Editors Sentinel: The enclosed article appeared in your paper of the 17th ult. This is an entire mistake. I have been through almost the entire country of the Piute (Snakes as you call them) Indians, and no Indians could be more peaceable...I write this to disabuse the public mind of the false impression that your article might create. Be assured that the Indians throughout the whole country were never more peaceable. Please give this as much publicity as possible.²¹⁷

Whether or not the Paiute did in fact commit some or all of the depredations attributed to them in the 1850s and 1860s is of less importance than the fact that resistance of any sort to invasion was certainly justified as the sovereign inhabitants of the Northern Paiute land in the Oregon Great Basin.

²¹⁷ Jim Sutton (editor), "Oregon Sentinel, August 14, 1869," August 14, 1869.

Orientalism & Justifying Genocide: Bureau of Indian Affairs

Documents & Correspondences

While there are abundant sources of reference in Oregon's academic tradition and Historic Newspapers collection, the same cannot be said for Bureau of Indian Affairs documents, official correspondences, and other government reports from the 1860s onward. These record collections are sparse, and what they do contain are mainly mundane accounts of daily comings-and-goings, reservation ledgers, and correspondences full of bureaucratic formalities. Furthermore, BIA records are stored in the National Archives and Records Administration headquarters in Seattle, Washington and Washington, D.C., and until recently have not been digitized. Professors Kevin Hatfield and Jennifer O'Neal of the Clark Honors College colloquium, [HC 444H: Decolonizing Research: The Northern Paiute History Project](#), have spent copious hours since the first class in 2014 traveling to these archive repositories in order to photograph, digitize, and make available these invaluable documents to their students. I am extraordinarily thankful for the work they put in to make this undergraduate student research a reality. Because of Jennifer and Kevin's guidance, I also had the opportunity to travel to the NARA headquarters in Seattle in the summer of 2016, where I read and photographed archived materials pertaining to the Warm Springs Reservation.

Primary source government documents produced in Oregon during the Snake War are rife with the same orientalist, dehumanizing portrayals of Paiute people, life-ways, and culture as in both academic and media representations of the Paiute. However, because I have already explored these portrayals in the previous two sections, this section will focus on the increasingly violent tone of official government

documentation over the course of the period of the Snake War from 1855-1868.

Included below are those documents, correspondences, reports, and resolutions that indicate the role the federal and Oregon governments played in the violence against the Paiute, all of which rely on years of orientalist portrayals of the Paiute to explicitly call for their extermination. These sources are organized by year spanning from 1855 (the signing of the Treaty of Middle Oregon) to 1868 (the last year of the genocidal Snake War campaign), following the progression of anti-Paiute rhetoric in the Annual Report of the Commissioner of Indian Affairs produced by the Office of Indian Affairs.

Annual Reports of the Commissioner of Indian Affairs (1855-1870)

There is no mention of the Paiute in the Annual Report of the Commissioner of Indian Affairs in 1855, the same year as the signing of the Treaty of Middle Oregon,²¹⁸ nor is there any direct reference to the Paiute until the Annual Report of 1859.

However, reports of war with other Indian tribes during this time display the highly adversarial nature of the Oregon Office of Indian Affairs' relationship to native tribes in the area that presupposed the Oregon government's approach to the Paiute. The reports of 1855-1858 focus heavily on conflict between tribes of the Columbia River and the Oregon government, advocating for the occupancy of federal troops and the establishment of reservations to curb violence and begin the process of "civilizing the Indians." In 1855, Acting Superintendent of Indian Affairs for the Washington Territory J. Cain begins his report warning, "we are on the eve of an Indian war"²¹⁹ with the

²¹⁸ Gardner, "Oregon Apocolypse: The Hidden History of the Northern Paiute."; 252.

²¹⁹ Bureau of Indian Affairs, Department of the Interior, "Annual Reports of the Commissioner of Indian Affairs, for the Year 1855-1871" (Government Publishing Office, 1870 1855), The History Collection. 1855; 192.

Cayuse, Klickitat, and Yakima tribes. He then writes, “I send you herewith by this mail copies of the Oregonian and Weekly Times, containing all the reports and rumors that are in circulation, deeming that from them you will obtain the most full and complete accounts of the existing state of Indian affairs in this quarter,”²²⁰ providing a clear testament to the way in which newspapers and popular media informed the government’s response to Indian tribes. In 1856, Superintendent in Oregon, Joel Palmer, writes, “I am firmly of the opinion that nothing short of the immediate occupancy of that country by regular United States troops can save these tribes from a participation in this war,”²²¹ with the tribes of Walla Walla, a war which Palmer writes would “cast a stain of reproach upon our national reputation.”²²²

Superintendent J.W. Nesmith’s 1857 Annual Report is strongly worded and displays a particularly high lack of self-awareness in his account of conflict with the Yakima Indians. He writes;

While some of the collisions have doubtless grown out of, and have to some extent been induced by, the vicious and reckless conduct of a few unscrupulous white men, **for whose conduct the mass of the community can in no way be held responsible...the Indians have been the aggressors**, and the whites have acted on the defensive”²²³

The obtuseness with which Nesmith is able to both absolve white society writ large for any responsibility in the “vicious and reckless conduct” of some white men, while condemning “the Indians” in general as aggressors responsible for a conflict in which they are fighting an invader on their own land is horrifying. This is especially true given that soon after, Nesmith states, “with the exception of the loss and destruction of some

²²⁰ Ibid. 1855; 192-193.

²²¹ Ibid. 1856; 193-194.

²²² Ibid. 1856; 193-194.

²²³ Ibid. 1857; 315.

of their personal property, they [the Yakima Indians] have suffered little by the war.”²²⁴

He concludes his report by making the most aggressively oblivious statement of all:

It is useless to talk about pacifying the Indians, and cultivating friendly relations with them on any permanent basis so long as they are recognized by the government as having rights to the soil; while those rights remain unextinguished, they regard the government as ignoring them, and look upon every white settler as an emissary sent here to rob and despoil them of what they claim as their inheritance.²²⁵

The obvious irony of this passage is that Nesmith is dismissing the violent truth of settler colonialism as if it were simply the product of the Indians’ naïve imaginings. His report of 1858 is not any better, exemplifying the culture in the Bureau of Indian Affairs with regards to the Indians of Oregon.

Superintendent Edward R. Geary’s 1859 Annual Report is the first report to make reference to the Paiute of Oregon through the use of the derogatory “Snake Indian” moniker. He writes that the Paiute are “notorious from the early settlement of Oregon to the present for their depredations on the lives and property of the immigrants” and that before they can be corrected in their ways, “it will first be necessary that they feel the heavy hand of chastisement, and thus learn to respect our authority.”²²⁶ It should be stated that this is not an innocuous personal opinion, but rather a statement that would lead to the slaughter of native peoples. Furthermore, Geary’s recommendations for dealing with the Paiute are informed by an inane but unfortunately common perspective on the fate of native peoples when confronted with the “civilizing” forces of white settler colonialism:

²²⁴ Ibid. 1857; 316.

²²⁵ Ibid. 1857; 317-318.

²²⁶ Ibid. 1859; 389-390.

Roaming unrestrained without a fixed abode, and mainly relying for subsistence on the spontaneous productions of nature, man has never risen high in the intellectual and moral scale. Approached by civilized and enlightened communities, his history has usually been...to succumb to superior intelligence, sink by degradation by losing the virtues of the savage and gaining only the vices of the superior race, and finally dwindle into extinction...Approached by the advancing and the refluent wave of civilization there is neither respite nor escape...The alternative is civilization or annihilation.²²⁷

Geary's report of 1860 dedicates an even larger portion to describing depredations committed by the Paiute, who he writes, "have long been noted for their predatory and treacherous character."²²⁸ Geary admits that the Paiute's resistance against white colonialism of their land resulted directly from the Treaties of the 1850s, specifically the Treaty of Middle Oregon, which ceded millions of acres of Paiute land to the white man without Paiute consent. On this point, he writes:

The length of time intervening between the negotiation and ratification of these treaties, being a period of over four years, naturally produced much dissatisfaction and distrust in the minds of the Indians...the country east of the Cascade mountains ceded by these treaties being rapidly filling up with settlers, and traversed in all directions by large parties in search of the precious metals, served especially **to arouse the apprehension of the large and warlike tribes of the interior, that their country was about to be occupied by the whites without their receiving the consideration agreed upon.**²²⁹

Geary fears that "public sentiment is so aroused to the evils attending the presence of the Indians among the whites, that...a bloody catastrophe impends,"²³⁰ the only solution to which is forcing the Paiute to enter into a treaty so they can be removed to a reservation.

²²⁷ Ibid. 1859; 384.

²²⁸ Ibid. 1860; 173.

²²⁹ Ibid. 1860; 171.

²³⁰ Ibid. 1860; 183-184.

A couple of months after Geary submitted his 1860 Annual Report for the Office of Indian Affairs in Washington D.C., he submitted a report titled, “Depredations and massacre by the Snake river Indians: Letter of the Acting Secretary of the Interior,” at the request of a resolution passed in the House of Representatives. In this report, Geary compiled various reports of “depredations” committed by the Paiute, who he refers to as the “Digger Snakes.” Geary himself authored the majority of the statements compiled in this report over the course of the year 1860. On January 5, 1860, he writes:

...With regards to the Indians who made the destructive attack on the "Warm Springs reservation" on the 6th of August last...the attacking force were, I am satisfied, Digger Snakes...as these Indians, though noted thieves, are little formidable as warriors, being in possession of few horses, and armed, with few exceptions, with primitive bows and spears, their military prowess has given them little notoriety.

...The exciting cause of the final assault was doubtlessly that suggested by Captain Wallen, a desire to revenge the slaughter of several of their tribe on the John Day river by the reservation Indians led on by Doctor Fitch...I fully concur as to the necessity of collecting the Indians of eastern Oregon on judiciously selected reservations at an early day. Delay in this matter must inevitably result seriously to the worth and adventurous pioneers of civilizations now beginning to occupy the attractive valleys along the western base of the Blue mountains...²³¹

Three phenomena that have already been, or will soon be, explored in this research are evident in Superintendent Geary’s statement above. The first, Geary’s obvious prejudice against the Paiute as indicated by his use of the derogatory “Digger term” and his denigration of Paiute character and life-ways. Second, a fleeting acknowledgment of settler-colonial violence inflicted upon the Paiute that inspired Paiute resistance. And finally, romanticizing of the pioneer. It should also be noted the way in which Geary denigrates the Paiute’s military prowess and infrastructure. Later annual reports will

²³¹ Bureau of Indian Affairs, Department of the Interior, “Depredations and Massacre by the Snake River Indians : Letter of the Acting Secretary of the Interior” (Government Publishing Office, 1861); 5-6.

switch the script on this description, writing of the Paiute as a fearsome, powerful, and wealthy tribe, likely in order to justify the government's calls for their extermination.

On November 7, 1860, after recounting an attack waged by the Paiute against a company of settler-colonizers entering Paiute territory, Geary states:

These Indians should not be permitted to escape punishment for their past cruelties, and must be taught to respect our power which they now hold in contempt...Without it, immigration by land to this country from the Atlantic States will virtually cease, every enterprise tending to its development languish, and untold losses, social, moral, and commercial, result.²³²

Geary's imploring for a military response to the Paiute grows stronger with each statement included in the report. Also, it is interesting, yet unsurprising, how Geary fears the immigration and commercial losses to be incurred by not suppressing the Paiute militarily, speaking to the deeply economic nature of this violence.

Finally, on October 4, 1860, Geary makes his final plea for military force to be sent in to deal with the Paiutes. In this statement, Geary invokes fear of a future attack against the Warm Springs Reservation to justify urging the federal government to deploy forces to Oregon:

Apprehensions are now seriously entertained by Agent Dennison that an attack by a large body of these marauders is impending, and that unless military protection be speedily afforded the reservation will be desolated. I have already communicated with Colonel Wright, commanding the department, in regard to these frontier troubles, and have, no doubt his experience and energy will prompt him, at the earliest moment practicable, to make such a disposition of the forces as will prevent further disasters, and punish these miscreants.²³³

By 1861, descriptions of the Paiute had changed completely. Special Indian Agent James B. Condon writing the 1861 Annual Report writes of the Paiute; "This

²³² Ibid; 10-11.

²³³ Ibid; 10-16.

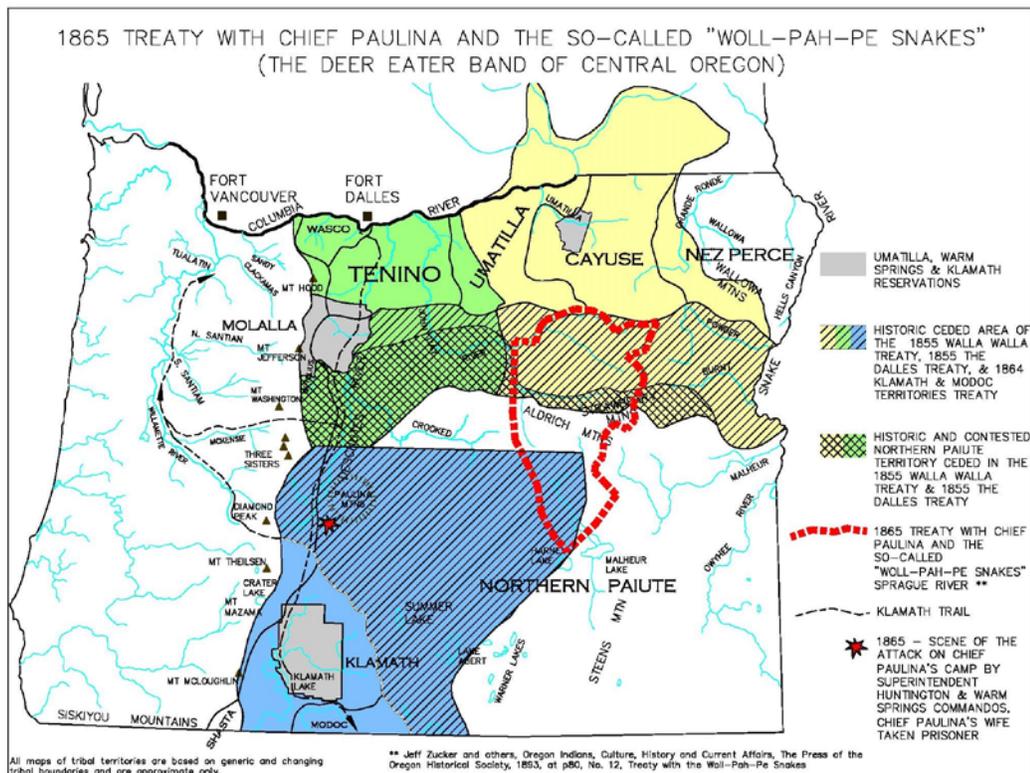
formidable band occupy the eastern portion of the State...they are a much dreaded and powerful foe, and each succeeding year only adds to their wealth and power. They are rapidly accumulating arms, ammunition, and horses,” and are frequently seeking opportunities to “sate their desire for robbery and murder”.²³⁴ Condon condemns the previous Superintendent Geary for not investing enough time and money into increasing the military’s presence in the region, but adds defeated, “In regard to the proper course to pursue towards these Indians, I am somewhat at a loss to suggest.”²³⁵ Condon’s report is also the first time in which an agent seemingly inquires into the size of the Paiute population. However, he concludes, “of their actual number, little is known.”²³⁶

There is little mention of the Paiute in Annual Reports for a couple years, other than stating that they are still hostile and treaties must be entered into with them to stop the violence. However, in 1865, the new Superintendent J.W. Perit Huntington writes of the capture of Chief Paulina’s wife and Paulina’s arrival at Fort Klamath to negotiate with his wife’s captors.

²³⁴ Bureau of Indian Affairs, Department of the Interior, “Annual Reports of the Commissioner of Indian Affairs, for the Year 1855-1870.” 1861; 155.

²³⁵ Ibid. 1861; 156.

²³⁶ Ibid. 1861; 155.



Map courtesy of James Gardner.

Huntington writes “Pauline himself has since come in to Fort Klamath, in response to my invitation and assurance that he should be permitted to depart unharmed...he was tired of war and ready to make peace if he could have protection.”²³⁷ Huntington and other Indian Affairs administrators in Oregon are conflicted as to the actual size of the Paiute population. Huntington comments, “Major Drew’s estimate, 4500 Indians, and by Superintendent Steel’s, 7000. I am sure that their numbers are far too large. There may be 2000 of them, all told, certainly not more.”²³⁸ Huntington changes his tune a year later, writing in the 1866 Annual Report that he

²³⁷ Ibid. 1865; 104.

²³⁸ Ibid. 1865; 102.

estimates the Paiute population to number in at around 5000, qualifying that estimate by stating that “they may double that, or fall below it.”²³⁹

Huntington’s 1866 Annual Report is the first report in which an acting Superintendent of Indian Affairs explicitly calls for the extermination of the Paiute. Consequently, 1866-1868 was the most deadly period of the genocidal Snake War campaign in term of loss of Paiute lives, due to the vicious campaign of General George Crook. In the section of his report dedicated to Indians not located upon agencies, Huntington writes:

Most important among these, both in numbers and consequences, are the various bands of Snakes. Little is known of them except that they are always determinedly hostile...What disposition can ultimately be made of them, I do not undertake to say. **Now, nothing can be done but fight and exterminate them.** Yet I am painfully conscious that extermination will cost the lives of *ten* whites for every Indian...**To attempt to treat with them now, is simple folly;** they cannot be even brought to a council, much less to a treat...The military forces located in that part of the country have been engaged, during the last year, in warring upon them with varying success.²⁴⁰

That same year, Congress adopted a House Joint Resolution allowing Oregon’s Governor George L. Woods to request more troops be stationed in Oregon “to afford the complete and adequate protection to our citizens.”²⁴¹

Huntington’s exterminatory rhetoric continues in his Annual Report of 1867. He writes that the Paiute are the last tribe in Oregon resisting the government, and that the Warm Springs Reservation in particular “has, from its first establishment, been subject to the predatory attacks of the Snakes...If the operation against the Snakes are

²³⁹ Ibid. 1866; 77.

²⁴⁰ Ibid.

²⁴¹ H.J.R. No. 8, Sept. 21, 1866. Oregon Senate and 4th Oregon Legislative Assembly, *Journal of the Proceedings of the Senate of the Legislative Assembly of Oregon* (The State of Oregon, 1866).

successful the chief obstacle in the way of this agency will be removed.”²⁴²

Furthermore, he reports that the military campaigns waged against the Paiute by General George Crook “have been prosecuted for the last year with great vigor” and that the Paiute “have been so harassed for a year past that they can have laid up very little supply of food, and doubtless many of them will perish the ensuing winter from starvation.”²⁴³ Huntington concludes his 1867 report by referencing his call for extermination of the Snakes from the year prior, simply stating, “what I then said is most true now,”²⁴⁴ and again in 1868 when he writes, “In submitting this my fourth annual report I deem it unnecessary and useless to reiterate the recommendations made in my former reports, but would say that I am still of the opinion of their necessity.”²⁴⁵

In 1868, Governor George L. Woods announced to the Fifth Regular Session of the Legislative Assembly in Salem, Oregon that the genocidal Snake War campaign had official come to an end. In his speech, Governor Woods thanks General George Crook for his service:

I take great pleasure in communicating to you that the Indian war which for years has been carried on by the savages in the eastern portion of our State, resulting in the destruction of so much life and property, and to which I so earnestly called the attention of the last Legislative Assembly, has been brought to a happy termination...Under the circumstances, I could only appeal to the United States military authorities. Upon them I urged the absolute necessity for immediate and vigorous measures to be adopted. And in justice to the Commander of the Department of Columbia, permit me to say that every call for assistance was promptly responded to, and everything done which could be done, to procure the only lasting peace which can be procured with hostile Indians - whip them into submission. Too much credit cannot be given to Brevet Major-

²⁴² Bureau of Indian Affairs, Department of the Interior, “Annual Reports of the Commissioner of Indian Affairs, for the Year 1855-1870.” 1867; 70-71.

²⁴³ Ibid. 1867; 72.

²⁴⁴ Ibid. 1867; 73.

²⁴⁵ Ibid. 1868; 108.

General George Crook for his courage, fidelity and untiring efforts in that behalf. (Message of Gov. George L. Woods to the Legislative Assembly, Fifth Regular Session, September 14, 1868, Salem, Oregon, W.A. McPherson, State Printer, 1868.²⁴⁶

By 1870, the Superintendent of Indian Affairs in Oregon, A.B. Meacham, estimated that there were 1775 Indians not residing on reservations,²⁴⁷ of which the largest band were the Paiute, their numbers having been drastically reduced over the course of the previous decade. It is difficult to conclude whether these figures are accurate, given the history of misrepresentation of the magnitude of Indian populations dead in official and academic reporting.²⁴⁸

²⁴⁶ George L. Woods, *Message of the Governor of Oregon to the Legislative Assembly: 5th Regular Session, September, 1868* (Salem, Oregon: Executive Department, 1868).

²⁴⁷ Bureau of Indian Affairs, Department of the Interior, "Annual Reports of the Commissioner of Indian Affairs, for the Year 1855-1870." 1870; 53-54.

²⁴⁸ Churchill, *A Little Matter of Genocide : Holocaust and Denial in the Americas, 1492 to the Present*; 131.

Genocide Against The Northern Paiute

During the 1950 Senate subcommittee that would establish the conditions upon which the United States would agree to ratify the Genocide Convention nearly 40 years after its adoption in 1948, not one mention was made on the subject of Native populations in the US.²⁴⁹ The reason for this is obvious. Not only did the US federal and state governments attempt to commit the physical extermination of native populations such as the Northern Paiute as this paper has shown, but they also committed extensive cultural and biological violence against the Northern Paiute and others throughout the course of the 19th and 20th centuries, during the very period of time in which the US was instrumental in defining and enshrining the notion of “genocide” into international law. Furthermore, documentary evidence of this cultural and biological violence, officially recognized as policies of “assimilation,” is abundant, constituting official BIA policy for over 100 years.²⁵⁰ These forms of state-sanctioned violence committed against the Northern Paiute and others sought the complete eradication of Indian culture and life-ways, and therefore constitute the remaining components of Raphael Lemkin’s original, composite definition of genocide.

From Extermination to Assimilation

Assimilation and extermination certainly coincided with one another as parallel policies on the Warm Springs Reservation before and during the Snake War. However, George Aguilar writes that soon after the official end of the Snake War in 1868, President Ulysses S. Grant announced his official policy of assimilation known as the

²⁴⁹ Power, *A Problem from Hell: America and the Age of Genocide*; 67.

²⁵⁰ Darek Hunt, “BIA’s Impact on Indian Education Is an Education in Bad Education,” *Indian Country Media Network*, January 30, 2012, January 30, 2012.

“Peace Policy.”²⁵¹ Within a year, on the Warm Springs Reservation in the spring of 1870;

Capt. John Smith, the Agency superintendent, was carrying out President Grant's Peace Policy, which involved abolishing slavery, discouraging multiple marriages, abolishing Indian customs, giving American names, and above all, destroying the Indian's language and trying to make them White. The Peace Policy created the Indian Police force, which was not so much established for law and order as to exterminate Indian ceremonials, gambling activity, and shamanism.²⁵²

Surely enough, soon after President Grant elevated assimilation to the status of federal Indian policy, the curators of public opinion began printing opinion pieces heralding the “humanity” and cost-effectiveness of assimilation campaigns. One article titled, “Grant’s Peace Policy,” published in the Oregon Sentinel on November 2, 1872, is particularly telling in that the author describes extermination and assimilation as two sides of the same coin:

There has been much sentimentality wasted on the Indian, and yet it is also true that great injustice has been done him. By some he has been considered little better than a wild beast, the lawful prey of the hunter, with no rights to be respected, with no wrongs worthy of redress. Others hold him as a fit subject to plunder, and use him as a go-between in swindling the Government...probably the larger number regard him as he is, a forlorn, uncivilized and badly treated member of the human family, and are willing to include him in the Christian category of men worth saving.

There are two ways to dispose of the Indian. One is, to exterminate him; the other, to civilize him, or at least to control his savage nature by the influences of civilization. The first has been partially tried, and has proven a failure. To say nothing of its inhumanity, it has been too expensive. Single wars waged against the Indians on this principle of extermination have cost the Government ten, twenty, thirty, and even as high as forty millions of dollars each.

...The Peace Policy of Gen. Grant has been partially tried, and thus far has been successful. Its humanity commends it to every Christian citizen,

²⁵¹ Aguilar, *When the River Ran Wild!: Indian Traditions on the Mid-Columbia and the Warm Springs Reservation*; 170.

²⁵² Ibid.

its comparative cheapness comments it to all...It is but natural to suppose that the Indian will, for some time to come, regard our efforts with suspicion. But if we continue the policy so wisely adopted by our President we shall soon gain the entire confidence of our Indian tribes, and the work of civilization will be comparatively easy... the future historian will only hesitate whether to give prominence to Gen. Grant's genius as a soldier, or his humanity as a man.²⁵³

While Grant was indeed heralded as a humanitarian for his Peace Policy at the time, today his policy is better understood as the federal government's ordering of the cultural and biological components of genocide against native peoples.²⁵⁴

Furthermore, Grant was an expansionist, passing numerous pieces of legislation robbing native peoples of their land, and leading to "some of the worst massacres in history" such as the Modoc War in California and the Nez Perce conflict in Oregon.²⁵⁵ Among these genocidal policies was the Indian Appropriations Act of 1871, which stated, "no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty,"²⁵⁶ officially absolving the US government of its responsibility to recognize Indian tribes as sovereign nations. This act, "signaled the start of official Indian assimilation policies."²⁵⁷ Although the federal government stripped them of their sovereignty through the Indian Appropriations Act of 1871, native peoples would not be granted US citizenship for another 50 years,²⁵⁸ formally rendering them the Other in their own land.

²⁵³ B. F. Dowell (editor), "Oregon Sentinel, November 02, 1872," November 2, 1872.

²⁵⁴ Alysa Landry, "Ulysses S. Grant: Mass Genocide Through 'Permanent Peace' Policy," *Indian Country Media Network*, May 3, 2016.

²⁵⁵ Ibid.

²⁵⁶ United States Congress. 42nd Congress., "25 U.S.C. Section 71 Future Treaties with Indian Tribes (Indian Appropriations Act 1871)" (United States Congress, March 3, 1871), University of Louisiana Lafayette.

²⁵⁷ Landry, "Ulysses S. Grant."

²⁵⁸ United States Congress. 68th Congress., "Indian Citizenship Act 1924," June 2, 1924.

Language & Cultural Oppression in Boarding Schools

During my interview with Wilson Wewa, I asked him if he believed the Northern Paiute experienced genocide at the hands of white settler colonizers in Oregon. He immediately responded that he believed the forced removal and reeducation of Native youth to boarding schools constituted genocide;

You're changing thought patterns in order to put away other people, in order to squash someone's identity...they forced children into army schools and reservation schools and later on boarding schools. And kids were removed from the home forcibly, in many cases, to learn how to be assimilated into white culture. And for some reservations, they lost their culture because they lost their language. And because they lost their language and culture, they lost their reverence for the land. And so it became easier for the conqueror to take the land, because then they could prove that the Indians were no longer dependent on the land, because they had been assimilated. If you look at it in that context, then yes, there was a genocide to the Northern Paiute people.²⁵⁹

In December 2014, I wrote a paper titled, "Assimilation and Activism: An Analysis of Native Boarding School Curriculum and Native Student Activism in the 20th Century" for the Decolonizing Research: The Northern Paiute History Project colloquium. In this paper, I outlined the history of assimilationist boarding school policies on the Warm Springs Reservations boarding school and the Chemawa Boarding School in Salem, Oregon, both of which served Northern Paiute youth throughout the later portion of the 19th century, and the duration of the 20th century. The primary arena of the cultural and biological components of genocide against the Northern Paiute of Oregon was education. As Wilson Wewa explained, by targeting children, removing them from their homes and families, and severing their ties to native languages and life-ways, Oregon's assimilationist regime did the work of severely reducing the amount of native peoples

²⁵⁹ Wewa, Phone Interview.

who were fluent in native cultures. Churchill notes that although in 1950 at the time of the US Senate subcommittee hearings on the Genocide Convention, Article II of the convention clearly prohibited “forcibly transferring children of the group to another group,”²⁶⁰ the subcommittee never discussed this clause because “doing so would have exposed the system of compulsory boarding school attendance imposed upon American Indian's for nearly a century.²⁶¹ On its own, this system constituted genocide according to the 1948 Genocide Convention, not to mention the remainder of the genocidal offenses committed by the US government against Native peoples of the Pacific Northwest.

The forced removal of Native youth to boarding schools began in the 1880s, and was seen as a necessary component of assimilation.²⁶² While this practices was officially curtailed in 1893, children were still sent away from home to on- and off-reservation boarding schools, so long as the Indian agent at the reservation obtained the “full consent” of the parents,²⁶³ consent that was undoubtedly obtained by dubious means. Upon arriving at school, each student’s traditional clothes and possessions were taken, and they were given a white name.²⁶⁴ All expressions of native culture, including native language, dress, and food, were strictly forbidden.²⁶⁵ Students were beaten and

²⁶⁰ General Assembly of the United Nations, “Convention on the Prevention and Punsihment of the Crime of Genocide.,” December 9, 1948.

²⁶¹ Churchill, *A Little Matter of Genocide : Holocaust and Denial in the Americas, 1492 to the Present*; 378.

²⁶² Sonciray Bonnell, “Chemawa Indian Boarding School: The First One Hundred Years, 1880 to 1980” (Dartmouth College, 1997); 62.

²⁶³ Jon Allan Reyhner, *American Indian Education: A History* (Norman: University of Oklahoma Press, 2004); 168.

²⁶⁴ Ibid.

²⁶⁵ Ibid.

left in isolation as punishment for disregarding the rules.²⁶⁶ The school day consisted of a half-day of assimilationist curriculum, with such classes as “Ethics and Christian Doctrine,²⁶⁷ and a half-day of vocational training.²⁶⁸ This vocational training, which although otherwise stated often took up over half of the students’ work day,²⁶⁹ required students to perform hard manual labor on the school grounds, amounting to child labor.

However, these boarding school policies did not go without criticism. The 1926 Meriam Report published by the Brookings Institute was highly critical of assimilationist policies in Bureau of Indian Affairs schools, and called for greater integration of Native peoples and cultures into school management and curriculum.²⁷⁰ However, instead of releasing their grip on Native cultures in school, BIA officials confined Native culture to “safety zones,” as defined by Melissa Ruhl in her dissertation, “Forward You Must Go”: Chemawa Indian Boarding School and Student Activism in the 1960s and 1970s.”²⁷¹ Native students were taught that their various and complex languages and cultures were homogenous, reducing a myriad of Native cultures to a collection of songs, dances, and handicrafts. Students were still forbidden from speaking their native languages or displaying culture in school, and were still trained daily to be “productive,” Christian members of the off-reservation capitalist mainstream.

²⁶⁶ Aguilar, *When the River Ran Wild!: Indian Traditions on the Mid-Columbia and the Warm Springs Reservation*; 37.

²⁶⁷ Patrick Michael McKeehan, “The History of Chemawa Indian School” (University of Washington, 1981); 185.

²⁶⁸ Bonnell, “Chemawa Indian Boarding School: The First One Hundred Years, 1880 to 1980.”; 46.

²⁶⁹ *Ibid*; 91.

²⁷⁰ Lewis Meriam, “The Problem of Indian Administration” (Brookings Institution, Washing, D.C., February 21, 1928), Institute of Education Services; 32.

²⁷¹ Melissa Ruhl, ““Forward You Must Go’: Chemawa Indian Boarding School and Student Activism in the 1960s and 1970s” 2011; 41.

The 1950s and the Cold War brought a resurgence of assimilationist education policies, as conservative politicians and bureaucrats feared that reservations were communist collectives needing to be disbanded. BIA education policy once again shifted toward favoring off-reservation boarding schools as a way of assimilating Native youth into white, capitalist society.²⁷² These policies would persist throughout the duration of the next three decades, catapulting Native youth into the civil-rights minded activism of the 1960s and 1970s.

Religious Oppression

In addition to the genocidal suppression of Native cultures experienced by Native youth in Oregon's boarding schools, religious suppression was another key avenue of genocidal violence committed against the Northern Paiute and others. Wilson Wewa emphasized the way in which religious repression was instrumental in the genocide committed against his people;

The white people made a point to kill all the religious leaders of the Northern Paiute, because it was the religious leaders, medicine men, that held the people together, because they had that gifted knowledge of the ages, 30,000 years of occupation that they held onto for the people. When the negotiations were happening, it was the spiritual people, the medicine men, the Indian religious people, that spoke out against assimilating and to continue to be who we were. And so the soldiers targeted our spiritual people, and once they did away with the spiritual people, they took over.²⁷³

George Aguilar echoes this treatment of religious figures on the Warm Springs Reservation. He writes, "ceremonial leaders and medicine men who engaged in religious practices and dances (washani) were punished and imprisoned for these

²⁷² Reyhner, *American Indian Education: A History*; 235.

²⁷³ Wewa, Phone Interview.

offenses, and their food rations, clothing, blankets, and so forth were withheld."²⁷⁴

Aguilar also writes of an account by a woman whose grandfather was "forcefully taken from their place of worship and dragged to death behind a horse by the Agency-recruited Presbyterian Indian police force,"²⁷⁵ simply for practicing his religion.

Myra Johnson-Orange emphasized that way in which these concomitant genocidal processes are on going, telling me about the way in which the effects of such genocidal processes as cultural safety zones are felt to this day;

I think currently there's a silent genocide, because of the loss of our culture and our way of life. It's that instinct that Paiutes from other areas have adopted, the mainstream tribes' way of life, the river tribes or the plains tribes. A lot of them have picked up there ways, and I don't see a lot of Paiute culture in those areas...I really feel sad that the cultural learning of Paiute people has kind of gone to the side. And now somebody says, "we still have our language!" and I say yes, but that's in danger...You used to see kids running around and speaking in Paiute, but that's not happening anymore...You go down there now, and they're running around talking in English. We are endangered.²⁷⁶

²⁷⁴ Aguilar, *When the River Ran Wild!: Indian Traditions on the Mid-Columbia and the Warm Springs Reservation*; 145.

²⁷⁵ Ibid.

²⁷⁶ Johnson-Orange, Phone Interview.

Conclusion

It is not easy concluding a research project such as this. My brain reaches for those enduring truisms about the tenacious resolve of Native survival and resistance in the 21st century. Rightfully so, I should say. In a cultural and political climate in which mere survival is resistance, Native peoples in the United States are consistently, clearly, and loudly demanding the recognition and redress that is so long overdue. The great travesty of orientalism is that in re-describing Native peoples and communities, orientalist and their progeny diminish Native struggles, rendering contemporary Native reality invisible. This invisibility-through-obfuscation is, in fact, both the necessary precondition and primary work of genocide. Genocide does not arise out of an abstract evil, as if the sort of cruelty and inhumanity required to commit such an act is distant or removed from that which we ourselves are personally capable of. On the contrary, genocide arises out of simple processes in the acquisition of wants, the institutionalization of greed, and the ease with which entire societies of people choose to deny and disdain the “other.”

This fundamental work of genocide – the erasure of historical memory through the erasure of the human group– is a phenomenon not unique to Oregon’s historical tradition with regard to its Native populations. Instead, it is symptomatic of the intentional and strategic construction of dominant narratives in general. It is estimated that in 1492, 100 million people lived in the continent of North America. By the 1890s, that number had fallen by 98% to its lowest point – 237,000 Native peoples living on

the continent.²⁷⁷ The process which brought about this immeasurable destruction did not end with the conclusion of exterminatory campaigns, nor did it end when the forced removal of youth to boarding schools was outlawed, nor did it end when the UN adopted the Genocide Convention in 1948, nor had it ended over 40 years later when the United States finally chose to ratify the Genocide Convention. Rather, the processes that brought about the deaths of well over 99 million people, severely endangering Native life-ways and cultures, continues to this day. The Northern Paiute experience is but one small part of this immensely violent history, and in this sense, genocide is very much a contemporary component of Northern Paiute reality, one that the Oregon and federal United States governments have yet to adequately address.

Furthermore, the notion that ideas exist independent of material reality – that those ideas realized, prioritized, and forgotten by any given society are preordained – is constantly negated by the facts of history. If anything has been reconfirmed for me in the course of this research, it is that ideas are not autonomous; they are born out of utility and power. The genocide of the Northern Paiute, just like the genocide of indigenous peoples in colonized territories all over the world, was justified by a set of ideas directly born out of the material conditions of settler colonialism, which is first-and-foremost a product of capitalism. It is for this reason that in order to begin to address the ongoing process of settler-colonial genocide affecting Native communities in the United States, there must be continued efforts to make this reality *visible*, not just through the shifting of consciousness, but also through the changing of the structures,

²⁷⁷ Churchill, *A Little Matter of Genocide : Holocaust and Denial in the Americas, 1492 to the Present*; 97.

institutions, and policies that compose our *material reality*, and that inform and uphold our collective consciousness (or lack thereof).

One initiative that is working to address this reality is Oregon Senate Bill 13. The bill, put forth at the beginning of the 2017 Legislative Session by the office of Governor Kate Brown after decades of Native community leaders demanding Native Studies education be included in common curriculum in Oregon schools, “directs the Oregon Department of Education (ODE) to develop a curriculum for students in kindergarten through twelfth grade relating to the Native American experience in Oregon.”²⁷⁸ While most Native Studies courses currently end in elementary school, and relegate study of Native culture to cultural safety zones while teaching students to sympathize with settler-colonizers,²⁷⁹ the text of Senate Bill 13 requires that curriculum include “tribal history, sovereignty issues, culture, treaty rights, government, socioeconomic experiences and current events,” all of which must be “historically accurate, culturally relevant, community-based, contemporary and developmentally appropriate.”²⁸⁰ The bill requires that the Oregon Department of Education “shall ensure that the federally recognized Indian tribes in Oregon are given the opportunity to collaborate in the development of the curriculum and the provision of professional development, and may make moneys available to those tribes to support collaboration efforts.”²⁸¹ Additionally, the bill requires teachers be trained in properly administering the curriculum to students. When interviewed by the Portland State Vanguard about the

²⁷⁸ Oregon Senate and 78th Oregon Legislative Assembly, “Senate Bill 13” (Oregon Legislative Information System, Regular Session 2017).

²⁷⁹ Alex-Jon Earl, “We’re Still Here: Senate Bill 13 and the Need for Native American Curriculum in Oregon Public Schools | Vanguard,” *Vanguard*, May 1, 2017.

²⁸⁰ Oregon Senate and 78th Oregon Legislative Assembly, “Senate Bill 13.”

²⁸¹ *Ibid.*

bill, Christopher Remple of the Kalapuya, Chinook, and Klamath tribes, said that he could not see himself in the curriculum growing up because, “[the] curriculum paints Native Americans as a vanished race. People were here and then they just disappeared.” Another Native student interviewed by the paper, Rachel Black Elk, who is Oglala Lakota and Lumbee Back Swamp Clan, said, “Senate Bill 13 symbolizes a step in how we systemically address these narratives and build consciousness throughout the generations, because right now, with our story, there’s an invisibility factor, and it’s dangerous.”²⁸²

Ms. Black Elk is undoubtedly correct in stating that Senate Bill 13 is a symbolic first step in making visible the experiences of Oregon’s Native peoples. But, assuming hopefully that it is approved by Oregon’s legislature and implemented in Oregon’s curriculum for the 2019-20 school year as the bill stipulates, this curriculum is just the beginning in what should necessarily be a decades-long process of redress to begin to address the multi-generational trauma experienced by Oregon’s survivors of genocide. When I asked Myra what her vision for the Northern Paiute people is looking forward, this is what she said:

My vision is that we'll still have speakers in the community. And I know that there are still children learning, thank goodness, which is a lot more than there was I'd say five years ago. So that's a good thing. But the sad thing is that our tribe here is failing to keep that going. They've eliminated community classes for two of the most endangered languages...I don't want to feel hopeless, but sometimes I do...I don't know if there's enough people with the desire to learn and carry that on. Because there has to be true commitment...And so, I feel sad. But I don't feel intimidated to stop.²⁸³

²⁸² Ibid.

²⁸³ Johnson-Orange, Phone Interview.

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