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ABOUT

The Scroll is the undergraduate historical journal of the University of Southern California's Phi Alpha Theta chapter. The journal seeks to promote student authorship of and engagement with high quality historical writing. There are two editions per year, one published each semester. After publication, The Scroll invites the edition's student authors to present at The Scroll Unrolled conference, giving students valuable experience presenting their original research.

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EDITOR'S NOTE

Dear Reader,

Welcome to the debut edition of The Scroll! I cannot overstate how excited we are that this research journal has come to fruition and that we can share with you the best of undergraduate research in History at USC. I would like to especially thank Professor O'Neill, Simone Bessant, and the Faculty Review Board for their continual help in establishing this journal.

These excellent papers all demonstrate innovative historical approaches. Megan Smith persuasively details her insightful take on individuals' role in contrast to organizations in response to the Rwandan Genocide. Following her eloquent article, Jack Casey skillfully applies a creative historical lens as he analyzes indigenous erasure through nominative cartography and land regimes in 18th and 19th century Northern California. Then, Lily Weible adeptly connects urbanization and the history of women's rights in 19th to early 20th century Los Angeles, filling important gaps in the historical narrative. Finally, Elijah Miller deftly analyzes the conflict of Cherokee cultural extermination and establishes a new appraisal surrounding non-violent, written resistance. These authors' research is impressive and showcases History at USC well, because many of these articles take advantage of USC's own special collections and/or the Shoah Foundation. I thoroughly congratulate Megan Smith, Jack Casey, Lily Weible, and Elijah Miller on the high quality of their work.

And so I once again welcome you to read your peers' articles, and to reflect on the complex and fascinating tapestry that is humanity's past.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean Silvia". The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

Sean Silvia

PHI ALPHA THETA CHAPTER PRESIDENT
EDITOR IN CHIEF AND FOUNDER OF THE SCROLL

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Up to the Individual

International Humanitarian Aid During the Rwandan Genocide

By: Megan Smith, '20

Abbreviations

ADRA Adventist Development and Relief Agency

CARE Cooperative for Assistance and Relief Everywhere

CRS Catholic Relief Services

DRC Democratic Republic of the Congo

HRW Human Rights Watch

ICRC International Committee of the Red Cross

IDPs Internally displaced persons

MdM Médecins du Monde

MILOB Military observer

MSF Doctors Without Borders (French: Médecins Sans Frontières)

NGO Non-governmental organization

ODI Overseas Development Institute

RPF (FAR) Rwandan Armed Forces (French: Forces Armées Rwandaises)

SCF Save the Children Fund

UN United Nations

UNAMIR United Nations Assistance Mission for Rwanda

UNHCR United Nations High Commission for Refugees

WFP World Food Programme

Introduction

An explosion sounded over Kigali, Rwanda with no perceived source on April 6, 1994; after about 20 minutes, Carl Wilkens, the director of the humanitarian arm of the Adventist Development and Relief Agency (ADRA), and his family received a phone call. The president's plane had been shot down. Rwandan President Habyarimana died. Gunfire in Carl's predominately Rwandan neighborhood of Kacyiru began by 9.00 p.m., just an hour following the president's death. They stayed inside, calling contacts while the lines were still open. The next day, the American embassy made contact via radio. The embassy would be shut down, documents shredded, and everybody would leave; there were to be no more expatriates in Rwanda after the evacuation to take place over a negotiated 72-hour ceasefire. Carl and his wife, Teresa, decided that she and their family would leave while Carl stayed. They would not abandon their friends in the midst of the unknown. His daughter ripped paper from her spiral-bound school notebook and drew a line with an "x." Carl signed and dated the paper, acknowledging his refusal of American government assistance to leave Rwanda.¹ His family left as the Rwandan genocide began. He was the only American to stay.

About 800,000 Rwandans died over the course of one hundred days as a result of systematic violence carried out by the Rwandan government. Within a day of the onset of violence, about 1,500 - 2,000 Belgian, French, American, and general UN troops began evacuating nearly all foreigners from Rwanda in under one week.² Though those evacuation troops could have been a strong enough force to halt the genocide that followed, they

¹ Wilkens, Carl. Interview 52040. *Visual History Archive*, USC Shoah Foundation, January 31, 2011, 123.

² Des Forges, Alison. *"Leave None to Tell the Story": Genocide in Rwanda*. Human Rights Watch, 1999. The book *Leave None to Tell the Tale* was accessed via Human Rights Watch online archives with no page numbers.

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were commanded to leave all Rwandans behind.³ Over the course of the next few weeks, even the UN peacekeeping mission cut their forces drastically to 270 total peacekeepers.⁴

Current research on international intervention in the Rwandan genocide focuses mainly on its failure, limits, and especially on the shortcomings of military humanitarian intervention.⁵ When non-military humanitarian assistance has been evaluated, most analyses have been at an organizational level⁶ or have examined the effectiveness of aid to the refugee flows out of Rwanda.⁷ Often described as uncoordinated and self-motivated, foreign aid is researched with a collectivist approach.⁸ When these structures fail, individuals still have the opportunity to act. By examining testimonies, evaluations, and secondary sources, this research will distinguish itself from existing literature because of its emphasis on how humanitarianism, though normatively neutral, can be utilized as a tool for resistance.⁹

In light of the current state of research, this paper will address foreign aid from an individualistic perspective to understand how the contribution of individual foreigners to humanitarian activity during the Rwandan genocide resisted the systematic violence. Foreigners who stayed in Rwanda during the one hundred day genocide and contributed to humanitarian efforts could certainly be considered as resisters to violence even as the international community as a whole failed in its responsibility

³ Des Forges, Alison. *"Leave None to Tell the Story": Genocide in Rwanda*. Human Rights Watch, 1999.

⁴ Lewis, Paul "Security Council Votes to Cut Rwandan Peacekeeping Force," *New York Times*, New York, NY, May 26, 1994, A1.

⁵ Kuperman, Alan J. *The Limits of Humanitarian Intervention: Genocide in Rwanda*. Brookings Institution Press, 2001.

⁶ ODI, Humanitarian Aid and Effects, Study III of The International Response to Conflict and Genocide: Lessons from the Rwanda Experience. Joint Evaluation of Emergency Assistance to Rwanda (Copenhagen and London: Danida, ODI, 1996).

⁷ Pottier, Johan. "Relief and Repatriation: Views by Rwandan Refugees; Lessons for Humanitarian Aid Workers." *African Affairs* vol 95, no. 380, Jul 1996, pp. 403-429.

⁸ Benjamin, Dave, "Protecting the Protectors: NGO Action and the Responsibility to Protect," *International Journal on World Peace* vol. 26, no. 1, Mar 2009, pp. 31-50.

⁹ ICRC. "The Code of Conduct: Principles of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Response Programmes."

to protect. Stories of successful resistance efforts should be highlighted as they can have implications for future humanitarian engagement in genocide.

Historical Background

The Rwandan Genocide followed a divisive colonial history, violent shifts in political structure, three years of civil war, and a largely silent UN peacekeeping force. At the beginning of the genocide, Western media characterized the killings as “tribal warfare,” which would frame the systematic killings as nothing more than “ancient tribalism.”¹⁰ The rhetoric was so powerful and the timespan so limited that the genocide would be lastingly generalized this way in public discourse for too long.

Rwanda is a landlocked country of about 10,169 square miles.¹¹ Across what is often called the “land of 1,000 hills” resides one of the world’s highest population densities.¹² Three main ethnic groups compose Rwanda’s population: Hutu (85%), Tutsi (14%), and Twa (1%).¹³ Strictly speaking, the Hutu, Tutsi, and Twa are not ethnic groups: they have historically shared the same language of Kinyarwanda, religious beliefs, cultural practices, and even neighborhoods.¹⁴ These categories were originally indicators of socioeconomic status, similar to terms across the Great Lakes region of Africa. Under pre-colonial Rwandan, Tutsi-led monarchical rule, Hutu farmers held a lower social status than Tutsi pastoralists; a Hutu could become a Tutsi should they obtain cattle and vice

¹⁰ Robert, McFadden D. “Western Troops Arrive In Rwanda To Aid Foreigners.” The New York Times. The New York Times, April 10, 1994.

¹¹ Prunier, Gérard. *The Rwanda Crisis: History of a Genocide*. Columbia University Press, 1995, 1.

¹² Prunier, Gérard. *The Rwanda Crisis: History of a Genocide*. Columbia University Press, 1995, 3-4.

¹³ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, xvii.

¹⁴ Straus, Scott. *The Order of Genocide: Race, Power, and War in Rwanda*. Cornell University Press, 2008, 19-20.

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versa.¹⁵ However, under German then Belgian colonial rule, fluid ethnic identities were manipulated to consolidate power. Notably, Belgium converted socioeconomic terms into ethnic identities from 1933-34. The Belgian administration constructed an ethnic classification scheme after an official census; they distributed identity cards with indications of Hutu, Tutsi, or Twa “ethnicity.”¹⁶ What were once indicators of general status became racial categories.

The Belgians preserved the power structure of the pre-colonial monarchy, with the Tutsis as the highest-status group. As a result, when the marginalized Hutu majority formed political parties to resist colonial subjugation, they rebelled against both Belgian colonists and the Tutsi ruling elite. The “Hutu Revolution” lasted until 1962 when Hutus took control of key political positions leading to Rwanda’s official independence from Belgium in 1962.¹⁷ Thousands of Tutsis, including former monarchy figures, fled to Uganda.¹⁸ While Hutus dominated the government from independence through 1973, anti-Tutsi discriminatory policies were established and a series of massacres against Tutsis were carried out from 1962-1973.¹⁹ Though Rwanda’s second president Habyarimana eliminated discrimination, there were regional and ethnic quotas that limited Tutsi progress.²⁰ By the early 1990s, the Tutsi exiles in Uganda had organized as the Rwandan Patriotic Front (RPF) and launched their first attack.²¹ This began the Rwandan Civil War which lasted three years. By 1993, the Arusha

¹⁵ Straus, Scott. *The Order of Genocide: Race, Power, and War in Rwanda*. Cornell University Press, 2008, 20.

¹⁶ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 263.

¹⁷ Straus, Scott. *The Order of Genocide: Race, Power, and War in Rwanda*. Cornell University Press, 2008, 21.

¹⁸ Prunier, Gérard. *The Rwanda Crisis: History of a Genocide*. Columbia University Press, 1995, 55.

¹⁹ Straus, Scott. *The Order of Genocide: Race, Power, and War in Rwanda*. Cornell University Press, 2008, 23.

²⁰ Straus, Scott. *The Order of Genocide: Race, Power, and War in Rwanda*. Cornell University Press, 2008, 23.

²¹ Prunier, Gérard. *The Rwanda Crisis: History of a Genocide*. Columbia University Press, 1995, 93.

Accords had been reached, which established a ceasefire, the beginnings of a multi-party government system, and an international peacekeeping force.²² However, the negotiations have largely been criticized as being internationally pressured, lacking popular support and actually feeding into rising extremism.²³ ²⁴ The peace reached was fragile, and everyone knew it.²⁵ Less than a year after the Arusha negotiations, with tension building, two missiles shot the presidential plane, killing all inside and sparking the violence of the Rwandan genocide.

Almost immediately, evacuations of expatriates began.

Americans and Europeans stand in line at the Burundi border town of Kanyaru yesterday, waiting for visas. They had just arrived in an evacuation convoy from Rwanda, where tribal warfare has left thousands dead.

Associated Press

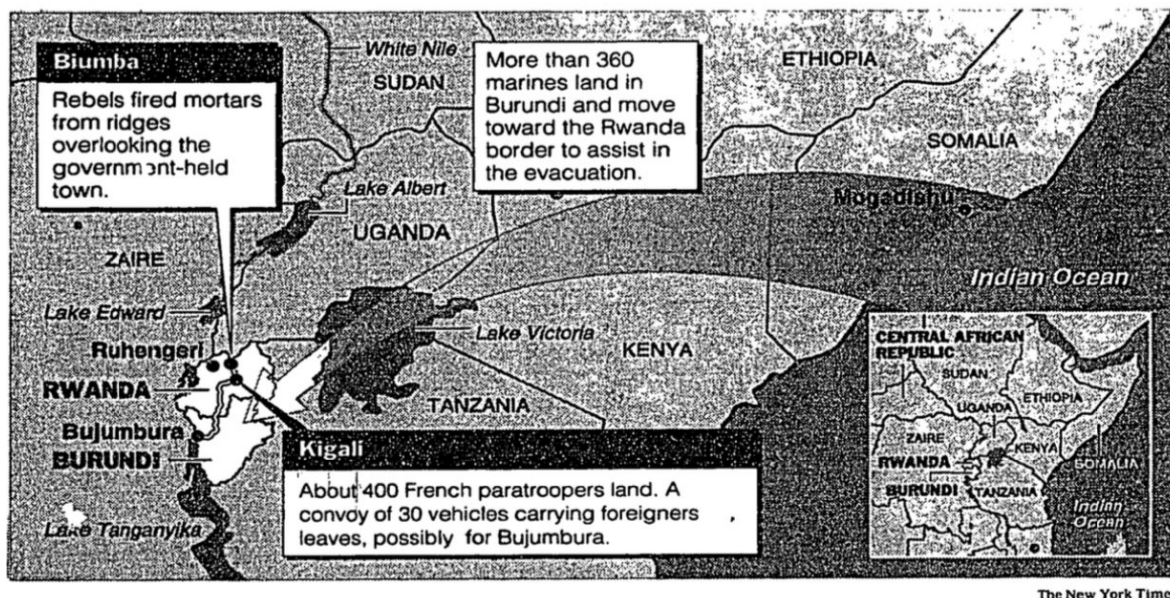


Figure 1: Map of Western evacuation activities published in the New York Times²⁶

²² Straus, Scott. *The Order of Genocide: Race, Power, and War in Rwanda*. Cornell University Press, 2008, 24.

²³ Prunier, Gérard. *The Rwanda Crisis: History of a Genocide*. Columbia University Press, 1995, 160-174.

²⁴ Straus, Scott. *The Order of Genocide: Race, Power, and War in Rwanda*. Cornell University Press, 2008, 45.

²⁵ Prunier, Gérard. *The Rwanda Crisis: History of a Genocide*. Columbia University Press, 1995, 191.

²⁶ Robert, McFadden D. "Western Troops Arrive In Rwanda To Aid Foreigners." *The New York Times*. The New York Times, April 10, 1994.

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There is consensus that the international community had a responsibility to intervene in the genocide, had substantial knowledge of the systematic killings, and yet failed to uphold that responsibility. Now, there is a wide consensus that the hundred days constituted genocide. Declassified documents show that within hours, various officials knew that the killing systematically targeted Tutsis, moderate Hutus, and political opponents, with the potential for mass destruction. Still, the international community did not prevent violence as they promised. Within the first month, it was clear that the killings in Rwanda amounted to genocide and that policymakers knew this.²⁷ Still, some governments adopted the language of the Genocide Convention while applying significant amounts of diplomatic pressure to avoid the word “genocide,” so they would not be legally obligated to militarily intervene.²⁸

Despite the lack of military intervention, there were already international humanitarian organizations at work. Four principles, first laid out by the ICRC/Red Crescent Movement, define how humanitarian activity is to be conducted during times of conflict. Those four are:

1. *humanity*: to prevent and alleviate human suffering, without ulterior motives
2. *impartiality*: to relieve the suffering of individuals solely on the basis of their needs, with no discrimination related to nationality, race, religious beliefs, or political opinions
3. *neutrality*: to refrain from taking sides in hostilities or “engage[ing] at any time in controversies of a political, racial, religious or ideological nature”
4. *independence*: to maintain autonomy from governments”²⁹

²⁷ National Security Archive. *International Decision-Making in the Age of Genocide: Rwanda 1990- 1993, Briefing Book*, Vol. 1-2. George Washington University, June 2014.

²⁸ There are some exceptions. See epilogue for more details on diplomats and military officers who tried desperately to officially declare a genocide.

²⁹ Ferris, Elizabeth G. *The Politics of Protection: The Limits of Humanitarian Action*. Brookings Institution, 2011, 11.

Later, these principles were further codified into the ICRC's 1994 Code of Conduct³⁰, signed by numerous NGOs that were present in and around Rwanda during the Genocide. Many humanitarian aid workers were thus presented with ethical dilemmas particular to genocide. Unlike war, during which the conflicting parties theoretically have similar capabilities that allow the conflict to progress until one side overcomes the other, a genocide is characterized by an inherent and intense power imbalance. If humanitarian aid were fully impartial or neutral, then support to perpetrators could enable them to continue the genocide, thus defeating the purpose of humanitarian aid during conflict – to protect and assist victims. However, these principles also enable humanitarian aid organizations to operate at all because it allows universal trust, which is necessary to assisting victims of armed conflict. In this way, paradoxes arise from each of these humanitarian principles in the context of the Rwandan genocide.

Notably, while it was difficult for those inside the country to fully grasp the scale of violence as genocide at its onset, external government officials had extensive knowledge of the systematic killing but remained uninvolved due to national interest.³¹ These same governments were also the largest government funders of aid activity during the genocide. For example, the European Union and the U.S. Government contributed the largest amounts of funding during the response to the Rwandan genocide.³² Thus, the activities of those organizations were restricted to those for which the government agencies allocated funding. Despite this, insiders resisted while the outsiders who had power to make policy left. In order to adhere strictly to the principles of humanitarian intervention, policymakers simply avoided involvement altogether. Other individuals, however, saw the

³⁰ Full name: Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations (NGOs) in Disaster Relief

³¹ National Security Archive. *International Decision-Making in the Age of Genocide: Rwanda 1990-1993, Briefing Book*, Vol. 1-2. George Washington University, June 2014.

³² ODI, Humanitarian Aid and Effects, Study III of The International Response to Conflict and Genocide: Lessons from the Rwanda Experience. Joint Evaluation of Emergency Assistance to Rwanda (Copenhagen and London: Danida, ODI, 1996), 11.

opportunity to stay and engage in what drove them to partake in humanitarian activity in the first place.

Context for the Humanitarian Activity in Rwanda during the Genocide

By the time the genocide began, the international community already had a substantial role in Rwandan affairs. Hundreds of NGOs were present in Rwanda and key cities of neighboring countries, especially in Goma, DRC. Clearly, conditions within Rwanda were dangerous at the onset of the genocide, greatly restricting the capacity of NGOs to deliver aid. The limitations to humanitarian assistance were further exacerbated by the lack of coordination between the various organizations. Despite the proliferation of NGOs and other humanitarian organizations throughout the hundred days, only a handful were able to actually operate and successfully engage in humanitarian activity within Rwanda's borders during the genocide. In addition to restrictions on humanitarian aid operations in certain places by both the government and the RPF, checkpoints manned by local Hutu militias were put in place to capture and kill "enemies," and also hindered the transportation of supplies and patients themselves. According to an interview with the Deputy Regional Delegate of the ICRC at the time, Geoffrey Loane,

*"in 24 hours, Kigali had checkpoints all over, so the mobilization of, for better or worse, popular forces, was immediate. And it was immediate within 2 days that the whole of Kigali had checkpoints and that there were house to house killings taking place... the checkpoints were everywhere. They were every one to two hundred meters."*³³

With checkpoints in place, killings began immediately, as did the evacuation of foreigners. Most of the evacuees witnessed Tutsi neighbors being brutally murdered as they fled, but they were directly ordered to

³³ Loane, Geoffrey. Personal phone interview. December 6, 2019, 00:30:30.

bring no Rwandans out of the country. After the evacuation, only the International Committee of the Red Cross,³⁴ and the UNAMIR had an effective organizational presence in the capital. Additionally, nine MSF personnel remained with the ICRC to provide surgical and medical care. Even in the face of hospital shelling, looting of provisions, and other high levels of violence, humanitarian activity in Kigali was more successful than in other areas.³⁵ Carl Wilkens representing ADRA was also based in a Kigali neighborhood.

In southern and western Rwanda, only the ICRC, Catholic Relief Services (CRS)/Caritas, and the World Food Program (WFP) were able to deliver aid at first.³⁶ By June, *Operation Turquoise*, the French military humanitarian intervention, established the “Zone Humanitaire Sure,” or a safe humanitarian zone.³⁷ This safe zone ultimately protected approximately 14,000 civilians and allowed for 12 more humanitarian agencies to begin administering aid.³⁸

In the RPF-Controlled Areas of the North, the RPF strictly monitored the activity of all organizations they allowed to operate in their territory. Only some organizations, earning the nickname of “sleepover agencies,”

³⁴ ICRC. “The Code of Conduct: Principles of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Response Programmes,” www.ifrc.org/publicat/conduct/code.asp.

³⁵ ODI, Humanitarian Aid and Effects, Study III of The International Response to Conflict and Genocide: Lessons from the Rwanda Experience. Joint Evaluation of Emergency Assistance to Rwanda (Copenhagen and London: Danida, ODI, 1996), 34.

³⁶ ODI, Humanitarian Aid and Effects, Study III of The International Response to Conflict and Genocide: Lessons from the Rwanda Experience. Joint Evaluation of Emergency Assistance to Rwanda (Copenhagen and London: Danida, ODI, 1996), 48.

³⁷ The effect of the Zone Humanitaire Sure must be highly qualified because it (a) was established halfway through the genocide and could have been much more responsive; (b) diverted the attention of donors away from other areas of the country because they saw that their donations could be “more effective;” (c) made the huge refugee influx of about 800,000 into Goma, DRC much more likely and intense as it increased the likelihood of the RPF’s northern advance; and (d) did not grant sufficient security for aid agencies to address the needs of everyone (ODI, 65).

³⁸ ODI, Humanitarian Aid and Effects, Study III of The International Response to Conflict and Genocide: Lessons from the Rwanda Experience. Joint Evaluation of Emergency Assistance to Rwanda (Copenhagen and London: Danida, ODI, 1996), 12.

were allowed to stay inside Rwanda overnight.³⁹ Among these were the ICRC, Médecins Sans Frontières (MSF), Samaritans Purse, WFP, Cooperative for Assistance and Relief Everywhere (CARE), Save the Children Fund (SCF), World Vision, Médecins du Monde (MdM).⁴⁰ Others were able to work in Rwanda, but not allowed to be based there, and would thus have to travel over the border to Uganda every night. Comparatively, the volume of assistance that was able to be provided was much greater than that to the rest of the country.

Against typical humanitarian principles, a few individuals within organizations became sympathetic towards the RPF. According to General Roméo Dallaire, one NGO supplied the RPF with 4,000 liters of diesel fuel for vehicles under the guise of usage to run water pumps. Another individual from the WFP in Kampala, Uganda offered to maintain trucks taken by the RPF from a WFP vehicle storage area in Kigali to be used in the northeast.⁴¹

Official Humanitarian Measures

With that context in mind, this section will explore the different ways that individuals working for and representing official humanitarian organizations were able to resist the Rwandan genocide. First, this section will summarize organizational responses and individual decisions. Then, two different categories of direct resistance will be explored: health and rescue. Several anecdotes and stories will be shared. Finally, these actions in the context of humanitarian principles will be analyzed.

³⁹ Ibid.

⁴⁰ ODI, Humanitarian Aid and Effects, Study III of The International Response to Conflict and Genocide: Lessons from the Rwanda Experience. Joint Evaluation of Emergency Assistance to Rwanda (Copenhagen and London: Danida, ODI, 1996), 40.

⁴¹ ODI, Humanitarian Aid and Effects, Study III of The International Response to Conflict and Genocide: Lessons from the Rwanda Experience. Joint Evaluation of Emergency Assistance to Rwanda (Copenhagen and London: Danida, ODI, 1996), 40.

Responses and decisions

At the very beginning of the genocide, expatriates faced a choice: evacuate or stay. For the most part, they evacuated. Some did not even realize they had a choice to stay. Carl Wilkens remembers his colleague, a Sri Lankan dentist who was working in an orphanage, saying that he didn't know he could choose to not go. Carl understood: "once the government is telling you, once your church organization is telling you, I mean everything-- people just, I think, took it as a given."⁴² Even in the face of the political and organizational pressure, individuals stayed. Carl Wilkens, representing ADRA, decided to stay. Just down the street from him, Harry, a watchman from the DRC for an orphanage harboring about 30 children, decided to stay.⁴³ ⁴⁴ Staff members working for the ICRC rotated in and out of the country while Phillippe Gaillard, head of the ICRC in Kigali, decided to stay. Marc Vaiteer, a Frenchman caring for 12-15 orphans with AIDS, decided to stay.⁴⁵

Organizationally, humanitarian aid agencies were confronted with the dilemma of either naming the genocide for what it was or publicly remaining neutral. Within a week, the ICRC broke their historic neutrality to call it genocide, the first instance that they publicly announced atrocities while simultaneously having staff in the field.⁴⁶ Gaillard was key in this, saying later in an interview with PBS that, "if you don't at least speak out clearly, you are participating in the genocide... morally, ethically you cannot shut up. It's a responsibility to speak out."⁴⁷ Geoff Loane agreed, explaining

⁴² Wilkens, Carl. Interview 52040. *Visual History Archive*, USC Shoah Foundation, January 31, 2011, 125.

⁴³ Wilkens, Carl. Interview 52040. *Visual History Archive*, USC Shoah Foundation, January 31, 2011, 321.

⁴⁴ The last name of Harry or Heri was not provided in Carl Wilkens' testimony nor was it spelled consistently in the transcript.

⁴⁵ Wilkens, Carl. Interview 52040. *Visual History Archive*, USC Shoah Foundation, January 31, 2011, 321.

⁴⁶ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 71.

⁴⁷ Gaillard, Phillippe. "Interview: Philippe Gaillard." *PBS Frontline: Ghosts of Rwanda*, Public Broadcasting Service, 12 Sept. 2003.

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that though headquarters took some time to come around to what those in the field already knew:

“the ICRC tried to be very neutral, but I think when it came to Rwanda... it didn’t take long for us to call it a genocide publicly... normally we can agonize over that kind of decision; there wasn’t much agonizing to be done... We had such strong personal testimony of all our delegates... that it was very self-evident for us”⁴⁸

The label of genocide was resistance of a global scale, even putting aid workers at greater risk as they saved lives.



Figure 2: Phillippe Gaillard standing next to an ICRC vehicle in Kigali⁴⁹

Health and rescue

As stated in the previous section, ICRC and MSF were the two humanitarian organizations that were able to continue functioning with much force throughout the genocide. These institutions facilitated individuals in providing aid, even though the movement and spread of that

⁴⁸ Loane, Geoffrey. Personal phone interview. December 6, 2019, 00:42:54.

⁴⁹ Gluntz, Claude. “Reference : V-P-RW-D-00020-21.” *ICRC Audiovisual Archives*, L’Illustré, Kigali, June 1994.

provision were limited. Additionally, the provision of basic needs may have seemed to international governments as the least likely to break humanitarian principles, so food, water or medical assistance were the largest funded activities.⁵⁰

In the hospitals, particularly when the genocide was nearing an end, even the provision of nourishment gave victims of the genocide both sustenance and a sense of normalcy. They provided basics, such as oats, flour, or maize.⁵¹ At Rilima Hospital, run by the ICRC, in Bugesera, an injured Tutsi named Marcel Rutagarama remembered that “life improved thanks to the help of the ICRC. They gave us good food, biscuits and tea... Things seemed to be better.”⁵² Before Marcel could see that hope, it took the effort of the ICRC workers to actually get him along with a few others to that hospital. Marcel received an injury that removed his ability to walk; nurses and doctors could only move him by stretcher. Originally located in a church administered by the Kabgayi Mission, the French instructed moving all patients to a hospital near Bugesera in the town Rilima after establishing the Zone Humanitaire Sûre. The ICRC workers put all patients into medical trucks, but soon reached a bridge built by the RPF that limited the movement of trucks. Immediately, some ICRC workers put the patients on their backs and crossed the bridge while others drove the truck all the way around to enter from the other side. This enabled the patients to get the care they needed at the Rilima hospital faster.⁵³ Overall, Gaillard concluded that the activities of the ICRC saved between 60,000 – 70,000 people.^{54 55}

⁵⁰ ODI, Humanitarian Aid and Effects, Study III of The International Response to Conflict and Genocide: Lessons from the Rwanda Experience. Joint Evaluation of Emergency Assistance to Rwanda (Copenhagen and London: Danida, ODI, 1996), 59.

⁵¹ Nkurunziza, Jean-Pierre. Interview 52094. *Visual History Archive*, USC Shoah Foundation, April 27, 2011, 80.

⁵² Rutagarama, Marcel. Interview 52044. *Visual History Archive*, USC Shoah Foundation, April 19, 2011, 96.

⁵³ Rutagarama, Marcel. Interview 52044. *Visual History Archive*, USC Shoah Foundation, April 19, 2011, 93-98.

⁵⁴ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 71.

Rescue was not limited to medical teams. Carl Wilkens waited in his home for a few weeks, expecting some sort of international response. When he realized that nothing was being done, he began delivering food, water, and medicine to groups of orphans around Kigali. Eventually, Carl received a permit from Hutu officials that would allow him to move around Kigali with slightly less fear. He would personally haul gallons of water, rescue orphans around the city, and acquire medical supplies from ICRC bases.

Carl Wilkens and two others, Frenchman Marc Vaiter and Rwandan Damas Gisimba made it their central mission to rescue orphans around various neighborhoods in Kigali. Towards the middle of the genocide, they brought together all of their groups of orphans, a total of about four hundred children, to St. Michel's Church.⁵⁶ Shortly after, Carl heard that there was going to be a massacre at what was supposed to be a safe haven for the orphans. He tried going to police officers, contacting the UN – anything to try to protect the children. They turned him away, leaving Carl feeling physically sick.⁵⁷ Checkpoint after checkpoint, Wilkens eventually reached the colonel's office. The prime minister was visiting. Sarcastically, Wilkens suggested asking for his help to stop the massacre; to his surprise, the secretary fervently agreed.⁵⁸ Carl approached the prime minister. He knew of Carl's work saving orphans and agreed to ensure the massacre was stopped. It was.

Carl Wilkens stopped the massacre on the orphanage, but the trouble did not end there. At the church, Carl Wilkens realized none of the orphans had their belongings. Without blankets or provisions, they would not do well at night. He requested help from Colonel Tharcisse Renzaho, who signed and stamped an authorization letter for Carl. Militiamen, angry that they hadn't massacred the church, lurked outside with their weapons in tow

⁵⁵ Gaillard, Phillippe. "Interview: Philippe Gaillard." *PBS Frontline: Ghosts of Rwanda*, Public Broadcasting Service, 12 Sept. 2003.

⁵⁶ Wilkens, Carl. Interview 52040. *Visual History Archive*, USC Shoah Foundation, January 31, 2011, 250-252.

⁵⁷ Wilkens, Carl. Interview 52040. *Visual History Archive*, USC Shoah Foundation, January 31, 2011, 246.

⁵⁸ Wilkens, Carl. Interview 52040. *Visual History Archive*, USC Shoah Foundation, January 31, 2011, 249.

waiting for chances to rob the orphanage. Carl Wilkens thought he was about to die. Instead, he handed the letter to the militia leader. The leader read to the end, returned the letter, and matter-of-factly agreed that the orphans need their things. He ordered his militiamen to help Carl bring blankets, tables, food, and any other needed items.⁵⁹ After several hours, Carl Wilkens with the help of militiamen carrying machine guns over one shoulder and provisions for orphans on the other brought “two huge, heaping truck loads to that church in the center of town.”⁶⁰

Using and breaking humanitarian principles

Any form of movement would entail passing a checkpoint. Getting past was a dangerous mission, particularly when transporting Tutsis. One MSF worker explained how because some checkpoint officers were “downright vicious, drunk out of their minds”:

“A Tutsi at those checkpoints could only expect to be killed. Some days after the killings started at Butare, they were saying quite openly that they must finish what they called their ‘job.’ That is kill all the Tutsis. We ourselves became scared of going out and going anywhere near these checkpoints. And we were protected by being foreign and white. Can you imagine what a Tutsi person must have felt?”⁶¹

Despite the fear, this could be used as an advantage. Checkpoints would be manned by local militia or paramilitary with no clear chain of command. “They were the authority,” said Loane, “you couldn’t really say to them... the Geneva Conventions apply... this wasn’t the kind of dialogue that was going to make any sense at a checkpoint.”⁶² ICRC workers would insist that the patients they carried were Hutu, or even just corpses. Pierre Kavubi, a

⁵⁹ Wilkens, Carl. Interview 52040. *Visual History Archive*, USC Shoah Foundation, January 31, 2011, 251-255.

⁶⁰ Wilkens, Carl. Interview 52040. *Visual History Archive*, USC Shoah Foundation, January 31, 2011, 255.

⁶¹ African Rights. *Rwanda: Death, Despair and Defiance*. African Rights, 1995, 349.

⁶² Loane, Geoffrey. Personal phone interview. December 6, 2019, 00:40:00.

23 Up to the Individual

Tutsi survivor, remembers being transported to King Faisal Hospital in Kigali when a Hutu guard ordered them to open the car for a search. The guard, convinced that they were Tutsi, ordered his men to beat the patients and draw their guns while berating the ICRC workers: “You used to say that the Red Cross is not involved in politics, yet you’re taking *Inyenzi*⁶³ to their side.”⁶⁴ Another Hutu guard stopped them, reminding the militiamen that the ICRC treats Hutus as well. Kavubi says they later learned that the “white men” had called headquarters in order to save them from the checkpoint, but never drove past another one to ensure they would not be stopped.⁶⁵ Ildephonse Gasana remembers how an ICRC driver transporting him to the Centre Hospitalier Universitaire de Butare after an attack both broke then used humanitarian principles to get them past a checkpoint: when their truck was stopped, the worker lied and said the patients were actually corpses. The ICRC worker refused the guard’s continued persistence, saying “it is forbidden to remove people from a Red Cross vehicle to kill them.”⁶⁶

Even when not at checkpoints, Wilkens had similar interactions. One day, the militia arrived at his gate and threatened the 19-year old Tutsi watchman working at his house. A pastor’s wife, who insisted to always be the first to confront militiamen should they arrive at the house, met them at the gate.⁶⁷ However, the Hutu men persisted, saying that they wanted to talk to the *mzungu*, or foreigner. Wilkens obliged, and went to them with his key in hand. Without unlocking the gate, he explained that he was working for ADRA building schools in the area before “this happened;” he acted empathetic, saying “boy, it’s really hard, I know, for the soldiers right

⁶³ Word employed for Tutsi that translates to cockroach

⁶⁴ Kavubi, Pierre. Interview 52095. *Visual History Archive*, USC Shoah Foundation, January 1, 1994, 53-54.

⁶⁵ Kavubi, Pierre. Interview 52095. *Visual History Archive*, USC Shoah Foundation, January 1, 1994, 53-54.

⁶⁶ Gasana, Ildephonse. Interview 52060. *Visual History Archive*, USC Shoah Foundation, August 22, 2011, 94.

⁶⁷ Wilkens, Carl. Interview 52040. *Visual History Archive*, USC Shoah Foundation, January 31, 2011, 141.

now for you to secure the neighborhood.”⁶⁸ They reached through the gate, shook hands, and agreed that “everybody has to work together.”⁶⁹ In moments like these, the humanitarian aid workers feigned the principles of impartiality and neutrality, even as they were saving victims from the slaughter of the genocide.

Because of perceived neutrality, aid workers were able to speak with high ranking officials in the government to facilitate their operations. Gaillard spoke with representatives of the Ministry of Defense two to three times per week; once, he even went so far as to confront Colonel Théoneste Bagosora, a key Hutu official in strategizing the genocide, pressuring him to stop the killing.⁷⁰ Wilkens, too, made contact with high ranking officials as described earlier. He coordinated two buses with a military escort which transported the orphans to St. Michel’s Church without having to stop at any checkpoints.⁷¹ Then, he secured the help of the interim prime minister in stopping a massacre on the orphanage. Finally, he was able to receive the assistance of militiamen thanks to a simple note from a high-level colonel.

In Protection of Human Rights

Aside from formal humanitarian aid organizations, two other clear categories of international resistance occurred during the Rwandan genocide: through foreigners who supported Rwandese human rights activists and through faith-based motives and Western missionary workers. While in the case of the former, the Rwandese human rights activists themselves faced the violence of the genocide, foreigners could facilitate their evacuation, therefore ensuring the Rwandese human rights movement was sustained by Rwandans long after the genocide. The latter has often

⁶⁸ Wilkens, Carl. Interview 52040. *Visual History Archive*, USC Shoah Foundation, January 31, 2011, 145.

⁶⁹ Wilkens, Carl. Interview 52040. *Visual History Archive*, USC Shoah Foundation, January 31, 2011, 143.

⁷⁰ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 71.

⁷¹ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 200.

been problematic, especially in critical post-colonial literature examining the neocolonial and paternalist aspects of missionary work; however, while Western missionary agencies and the institution of the church can be critically examined, it is also important to highlight the actions taken by missionaries and faith leaders.

Promoting Rwandan resistance

Because of years of civil war preceding the genocide, several human rights organizations founded by Rwandans were already in existence. Because of their activism and open criticism of the former government, prominent leaders such as like Monique Mujawamariya of ADL, Alphonse-Marie Nkubito of ARDHO, Bernadette Kanzayire of AVP, and Fidele Kanyabugoyi of Kanyarwandawere targeted by the Hutu extremist government.⁷² Rwandans at the forefront of the Rwandese human rights movement found themselves prominent targets during the genocide.

Monique Mujawamariya of ADL had close ties with Human Rights Watch researcher Alison Des Forges. Being a leading activist, Mujawamariya was widely known and easily identifiable. On the first day of the genocide, she encountered some soldiers who had just killed her neighbor while on the phone with Des Forges.⁷³ Knowing the soldiers were looking specifically for her, Mujawamariya hung up and hid in the bushes. Des Forges may have thought that her friend was dead given the heavy goodbye before ending the call but redialed about 20 hours later. A man's voice greeted her, saying that Mujawamariya was unavailable. Des Forges then called the gardener of Mujawamariya, who confirmed that she was still hiding in the bushes.⁷⁴ Desperate to ensure the safety of her friend, Des Forges relentlessly called the Belgian Ministry of Foreign Affairs to put Mujawamariya's name on a list for evacuation to Brussels. Mujawamariya

⁷² Des Forges, Alison. *"Leave None to Tell the Story": Genocide in Rwanda*. Human Rights Watch, 1999.

⁷³ African Rights. *Rwanda: Death, Despair and Defiance*. African Rights, 1995, 171-72.

⁷⁴ Greenhouse, Steven. "One Rwandan's Escape: Days Hiding in a Ceiling, a Bribe and a Barricade." *The New York Times*, 20 Apr. 1994, 8.

escaped from her hiding place in her home to Hotel des Milles Collines, a safe haven for many during the genocide, after attempting to sneak past and eventually bribing military officers. After a few days in the hotel, a Canadian priest, Brother Raoul, volunteered to drive her to meet the Belgian troops.⁷⁵

Missionaries and faith leaders

Expatriate missionary workers, priests, and nuns often received direct orders from the Vatican to leave. Some refused. The Catholic Church represents a powerful, influential force in Rwanda. Overall, the structure and authority of the church were used to facilitate genocide; churches even became a site of massacre at times.⁷⁶ However, some leaders were able to use this power to rescue Rwandans who could have been victims of the genocide. Brother Raoul, for example, succeeded in getting Mujawamariya to the Belgian troops despite being stopped by a soldier; the soldier's friend insisted on their passage since Brother Raoul taught in his neighborhood as a member of the Christian Brothers teaching order.⁷⁷ ⁷⁸ Wilkens too, a missionary for the Adventist Church, has already been described in detail. He expressed that of the "10 easily identifiable foreigners who stayed," eight were Catholic: "five Catholic sisters from Spain, two fathers, one from France and Germany, and one Frenchman who had an orphanage."⁷⁹ Rwandan survivors express in testimonies their experiences both with faith leaders who stayed and those who relentlessly advocated for their Rwandan counterparts. One nun of a Kigali covenant, Marianne, remembers

⁷⁵ Greenhouse, Steven. "One Rwandan's Escape: Days Hiding in a Ceiling, a Bribe and a Barricade." *The New York Times*, 20 Apr. 1994, 8.

⁷⁶ Lemarchand, René. "Rwanda: The State of Research." *Mass Violence and Resistance - Research Network*, 25 June 2018.

⁷⁷ African Rights. *Rwanda: Death, Despair and Defiance*. African Rights, 1995, 172.

⁷⁸ Greenhouse, Steven. "One Rwandan's Escape: Days Hiding in a Ceiling, a Bribe and a Barricade." *The New York Times*, 20 Apr. 1994, 8.

⁷⁹ Wilkens, Carl. Interview 52040. *Visual History Archive*, USC Shoah Foundation, January 31, 2011, 60.

Canadian nuns of the same number consistently calling the UNAMIR office until international phone lines were cut.⁸⁰

More than just those Wilkens had the chance to encounter stayed during the genocide, too, most prominently the Bosnian-Croat priest Vjekoslav Ćurić, commonly known to his community as Father Vjeko. After moving to Gitarama in 1983 while volunteering for the Franciscan Africa Project, he soon became well-liked by his parish in Kivumu. He was one of the only two non-African Catholic priests to stay in Rwanda for the duration of the genocide. After the Vatican told him to leave, he refused, saying he could not abandon “his flock” while they were threatened.⁸¹ Because of his reputation, many of his neighbors looked to Ćurić once the genocide started; in response, we would secretly shelter Tutsis until he had the opportunity to hide some people in the bottom of his truck to smuggle them across the border.⁸² In addition to rescuing many lives of Rwandans, he also protected a BBC news team, ensuring that accurate stories would be sent to the global community.

Conclusion

“... we can't count on the government or somebody else to address these issues. We have to... personally commit to saying, I can do something about this. I may not be a politician..., a military or someone who I think has big influence here or there. But I am somebody... A way to prevent genocide is the relationships we build.”

– Carl Wilkens, 339-340

As genocide unfolded across Rwanda, the organizational capacity of foreign humanitarian aid agencies was evidently hindered by the violence itself in addition to the lack of political will of the entire international

⁸⁰ African Rights. *Rwanda: Death, Despair and Defiance*. African Rights, 1995, 187.

⁸¹ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 48.

⁸² Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 48.

community. Even though thousands were evacuated, great lessons can be learned from those who stayed. First, foreigners were able to save Rwandans who may have otherwise died, especially at checkpoints, thanks to the perception of their neutrality. Second, humanitarian aid during genocide will most likely be non-neutral due to the nature of genocide. Third, foreigners were able to help even outside the country using technology, like telephones, and rescued some Rwandans quickly, which supported the future of their own activism. Finally, the motivation behind successful nonmilitary humanitarian resistance was never egocentric but rooted instead in genuine empathy.

International failure during the Rwandan genocide still serves as a case study for strategizing interventions today given the abundance of research on the subject. Despite the collective failure, individuals highlight how the international community can succeed in resisting the violence of genocide. By emphasizing how to learn from what individuals did successfully, this case has implications for individuals who will be working in conflict intervention in the future. When faced with a choice to act, it is still possible to positively engage in conflict prevention and mitigation through acts of humanitarianism, even if their organization or government refuses to take a productive stance.

Humanitarian responses remain politicized. Most NGOs are funded by government bodies. Thus, the operations of these organizations will most likely have some sort of slant towards the policies of a certain government. This shows that policymakers and aid workers must work in closer collaboration in order to ensure that responses address reality. In the meantime, it is up to individuals to resist.

Epilogue: Policymakers and Observers Resisting

Individual actions with genuine motivation saved tens of thousands of lives. However, humanitarian aid does not exist within a vacuum. In fact, often it is the policymakers who authorize it to be there in the first place. Thus, the actions of diplomats and military observers should be considered

in conjunction with aid effectiveness. This epilogue briefly explores some individuals who resisted the genocide by using their positions of power to save lives.

Czech diplomat Karel Kovanda, then serving as the permanent representative of the Czech Republic to the UN, led the Czech delegation to become the first to verbalize that the violence in Rwanda amounted to genocide. Despite pressure from both Czech and American officials, he still publicly made this statement on May 5, 1994.⁸³ Having lost family to the Holocaust, Kovanda scoffed at the idea of any negotiation between the RPF and government, saying to the Security Council that it was “akin to asking Hitler to reach a ceasefire with the Jews.”⁸⁴ Instead, he went on to lead the Security Council session that published a statement on Rwanda using the Genocide Convention, leading to the deployment of UNAMIR II.⁸⁵

Foreign service officer Laura Lane coordinated the evacuation of all Americans from Rwanda out of the U.S. embassy in Kigali. Though both law and the instructions of her superiors should have restricted her to only focus on evacuating U.S. citizens, she worked tirelessly to ensure the American embassy represented safety for all in need. While she did not leave her office to personally rescue targeted Rwandans, she would ensure the safe evacuation of anyone able to get past the checkpoints and into the American embassy. Running on very little sleep, she coordinated the evacuation of several convoys, each trucking hundreds to safety despite having no military protection. One convoy carrying the wife of the American ambassador was stopped at a checkpoint: militiamen pulled out an African-American aid officer, accusing him of being Tutsi. Hearing this through her radio from several cars ahead, Lane marched over to confront the Interahamwe and Presidential Guards. The young white woman wearing a Mickey Mouse sweatshirt and red sweatpants angrily proclaimed

⁸³ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 114.

⁸⁴ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 114.

⁸⁵ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 115.

that the entire convoy had diplomatic immunity and they were never to be stopped again. Her tenacity shocked them; no other convoys coming from the American embassy were stopped again.⁸⁶ Following this, the final convoy from the embassy consisted of one hundred vehicles carrying about six hundred people, only nine of whom were American. Among the others were Kenyans, Tanzanians, Germans, Belgians, and French; despite very specific orders to leave all Rwandans behind, Lane smuggled a few Tutsi and Hutu Rwandans into the convoy.⁸⁷ She had given those Rwandans, among some others, “honorary American status” through travel papers that claimed they were on official business for the U.S. In some cases, she went so far as to hide them in trunks of convoy vehicles to get them through checkpoints and ensure they would be safe until they crossed the border.⁸⁸ Despite her actions that saved hundreds, Lane still wishes she was granted greater flexibility to be able to save more lives.⁸⁹

General Roméo Dallaire of Canada, his deputy force commander General Henry Kwami Anyidoho of Ghana, and his military assistant Major Brent Beardsley of Canada were key figures in ensuring the UNAMIR functioned despite the drastic force reduction in the number of peacekeepers. The UN attempted to send all three of them home, too; they all refused. An estimated 30,000 were saved by General Dallaire’s command.

Finally, perhaps the most courageous of those mentioned here, a Senegalese UN Military Observer Army Officer (MILOB) Mbaye Diagne personally rescued hundreds of Rwandans. After hearing that the moderate Hutu prime minister Agathe Uwilingiyimana and her husband had been murdered by Presidential Guards following the death of President Habyarimana, Diagne investigated. He found her five children hiding in a

⁸⁶ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 119.

⁸⁷ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 118.

⁸⁸ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 119-120.

⁸⁹ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 120.

nearby UNDP compound, stowed them under blankets in his vehicle, and smuggled them past multiple checkpoints into Nairobi after a brief stay at Hôtel des Milles Collines.⁹⁰ This was only one of many rescue missions Diagne undertook; he used his status as a MILOB – granting him access to most of Kigali, extensive government and militia contacts, and access to cigarettes and sums of money to be used for bribes – to save the lives of hundreds of Rwandans despite his actual function to strictly observe. Diagne sweet-talked himself past checkpoints using his charisma and bribes on solo rescue missions, putting himself at great risk. In one instance, after finding a group of 25 Tutsi hidden in a house, Diagne spent a full day carrying three to four at a time in his vehicle to safety; any more would have been too hazardous past the countless checkpoints while any less would have taken too long.⁹¹ While his commander General Dallaire was aware, he never stopped nor reprimanded Diagne. Eventually, when driving back to his station, a random mortar shell accidentally landed behind his jeep, killing him instantly on May 31, 1994.⁹²

This is not an exhaustive retelling of all policymakers, military officials, nor observers who resisted the Rwandan genocide. These stories highlight the need for individuals in any sector to stand up for others should they find themselves in positions of power. Their actions, in conjunction with charitable individuals, can have a wide impact on resistance efforts.

⁹⁰ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 62.

⁹¹ Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 63.

⁹² Herr, Alexis. 2018. *Rwandan Genocide: The Essential Reference Guide*. Santa Barbara, CA: ABC-CLIO, 63.

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Living Heirlooms of Conquest

Land Regimes and and Nominative Cartography in Northern
California Native Land - 1776-1851

By: Jack Casey, '22

Introduction

In the expansive San Francisco Bay Area, the Bay Miwok and Muwekma Ohlone peoples composed a portion of the diverse Native population. These sovereign people of the East Bay, like an overwhelming majority of Native peoples, were subjected to physical and cartographical colonial erasure that is characteristic of genocide and settler colonialism. They are of specific focus as most historical narratives about Native peoples erroneously generalize distinct and complex Native nations and states that deserve honor and recognition. Since Native identities are predicated on place names and their relationship to the land, the erasure of Native place names was inextricably linked to the physical removal and elimination of indigenous peoples' presence on and claims to land. Although Spaniards had previously surveyed "Alta California," or what would become California under the United States, beginning in the sixteenth century, it was not until the late eighteenth century that settler-colonial efforts to "tame" the land and the peoples began in Southern California and proceeded up the coast to Northern California. Integral to the success of the missionization of California and the genocide of Native peoples was Father Junípero Serra, a Spanish Franciscan responsible for establishing nine of the twenty-one missions throughout the region.

Bay Miwok and Muwekma Ohlone land in the East Bay intersects with the broader historical trends of systematic erasure through nominative cartography. Rancho Monte del Diablo, a central property in the East Bay, is a microcosm of Spanish, Mexican, and U.S. mission and rancho land regimes. Significant shifts in the naming of the land and their close relation to the set of land regimes that were enforced under different colonial contexts guide this process of indigenous erasure. Beginning with contact and colonization in the late eighteenth century, major transitions in the land regimes imposed on Native peoples in the East Bay demarcate a period of indigenous genocide. However, this in no way signifies the extinction of Native peoples, histories, and cultures from Northern California that

resisted and continue to oppose the long-term ramifications of settler colonialism as active agents in history.

The notions of land regimes and nominative cartography may be used to better understand the history of the Native peoples of Northern California, especially because their presence has been wiped quite literally from the map. Les W. Field defines nominative cartography as “the power to erase and also implant, to disappear but also to substantiate, and to displace and replace in the service of colonial projects.”¹ In other words, the deliberate choices made to name geographical sites and landscapes cannot be separated from colonial projects to craft or remove identities originating from the land. The transformation of Bay Miwok and Muwekma Ohlone land under Spanish, Mexican, and U.S. colonial authorities enforced repressive land regimes that altered the names and cartography of their possessions in service of settler-colonial projects to work or extract from the land and lay claim to it.²

The term “land regime” embodies the implantation and displacement of Native place names and relationships to land by colonizing or settler groups that were responsible for the erasure of Muwekma Ohlone and Bay Miwok names from the geography of the San Francisco Bay Area. This happened in tandem with the decline in population numbers as systems of control like the missions Hispanicized the naming of the region through religious conversion and decimated the population through forced labor and the unintentional transmission of diseases.³ These destructive domination tactics dismantled the pre-contact sociopolitical organization of Native peoples through genocidal practices.

Preceding the arrival of the Spanish, the Bay Miwok and Muwekma Ohlone lived in a variety of complex sociopolitical structures that ranged from small, sociopolitical groups called tribelets to large-scale social, political, and ritual integration of numerous tribes across regions through

¹ Field, “Mapping Erasure,” 287.

² Field, “Mapping Erasure,” 287.

³ Field, “Mapping Erasure,” 293.

networks of trade, kinship, and ceremonial integration.^{4 5} Regardless of the organization of Native peoples, the previous sociopolitical structure collapsed first underneath the influence of the Spanish and then continued to dissipate under the Mexican and U.S. colonial regimes.⁶ Let us begin with the arrival of the Spaniards.

Tools of Colonialism: Degrading Native Peoples and Land Through the Spanish Missions

Beginning in September 1775, Captain Juan Bautista de Anza organized an expedition from New Spain that would venture north to the Monterey and San Francisco Bays and begin the process of the missionization of the region.⁷ On October 9, 1776, Mission San Francisco de Asís was established on the peninsula which precipitated the successive founding of Mission San José in 1791⁸ and Mission Santa Clara in 1777.^{9 10} The Hispanization of Native land and geography alongside the land regime of the mission system completely altered the geographical and agricultural interaction of the highly complex Native agrarian societies. The mission system aims to congregate, convert, and colonize the indigenous populations into sedentary labor forces and sources of tax revenue, an evolution of the *congregación* and *reducción* policy that the Spanish had performed since the sixteenth century, abetted this colonial transformation of Native geographical and agricultural features.¹¹

The mission system imposed Spanish agricultural, sociopolitical, and cultural systems upon the Bay Miwok and Muwekma Ohlone and irrevocably altered previous ways of life. Spanish agents removed them from their ancestral lands and resettled them in colonial sites like missions,

⁴ Field, "Mapping Erasure," 290.

⁵ Field, "Mapping Erasure," 291.

⁶ Field, "Mapping Erasure," 291.

⁷ White, *Missions of the San Francisco*, 26.

⁸ White, *Missions of the San Francisco*, 27.

⁹ White, *Missions of the San Francisco*, 76.

¹⁰ White, *Missions of the San Francisco*, 34.

¹¹ Field, "Mapping Erasure," 291-292.

plantations, mines, and barrios, which led to the structural degradation of Native societies.¹² Their collapse was not immediate, but a deterred and complex historical process that continued for decades and beyond (we will follow this process until 1851).¹³ Yet, that does not mean that Native peoples have become extinct and this history is in no way a “terminal narrative” of genocide in California. Livestock decimating the native vegetation precipitated the structural collapse of Native societies as it inflicted irreparable damage on the preexisting land conditions of the Muwekma Ohlone and Bay Miwok. Epidemics further contributed to the dramatic decline of the prolific population.¹⁴ In addition, Spanish Franciscans introduced many agricultural and ornamental species like Mediterranean fruits and nuts which Indian neophytes—a category that infantilized them, as it meant new to the religion and naïve—had to tend to at the missions.¹⁵ Symbolically, these organisms were living heirlooms of conquest that represented the forced alteration of the landscape through the mission land regime.

Strong religious convictions of the mission system also inflicted cultural damage and contributed to the erasure of local Native names and history. The missions resembled a penal system vehemently opposed to Native ways of life, exercising coercive acculturation predominantly through religion.¹⁶ Baptism was one of these abrasive religious and cultural assimilation processes that stripped the Native peoples of their identity and original names, preventing them from remembering their language and their culture. In addition, neophytes were placed in sex-segregated barracks that fomented diseases and Native peoples were brutally recaptured and flogged if they attempted to escape, eroding any semblance of personal autonomy.¹⁷

¹² Lightfoot, *Indians, Missionaries, and Merchants*, 88.

¹³ Milliken, *Time of Little Choice*, 59.

¹⁴ Field, “Mapping Erasure,” 293.

¹⁵ Farmer, *Trees in Paradise*, xl.

¹⁶ Lightfoot, *Indians, Missionaries, and Merchants*, 62.

¹⁷ Lightfoot, *Indians, Missionaries, and Merchants*, 62.

Intermarriage among the conglomerated populations of Muwekma Ohlone and Bay Miwok in the missions continued to diffuse and obfuscate their distinct Native identities as villages were abandoned and their names forgotten and replaced by Hispanic designations.¹⁸ Native identities were predicated on place names and their relationship to the land. Ascribed Spanish names and classifications that established the Native place in the colonial order (*indio*) further obscured these identities by alienating Native peoples from their land and language.¹⁹ This, in turn, led to the new native identity congealing and centering on the missions and intermarriage with other Muwekma Ohlone and Bay Miwok.²⁰

Spanish repossession and domination of the land through the mission system employed an apparatus of control to operate the land, which cooperated with their repressive religious and cultural assimilation process that was designed to remove the previous societal structure and set of customs.²¹ The mission land regime permuted both the psychological and sociopolitical structure of the Muwekma Ohlone and Bay Miwok, a process repeated throughout Alta California following contact. The connections between the Alta California missions unified and strengthened the mission system's repressive colonial regime as they shared resources destructive to native environments, information about Native peoples, and paternalistic mentalities about Native peoples. The links between the missions spurred the transformation of the land as tools of colonialism were exchanged.

An *informe*, or report, on the founding and beginnings of Mission Santa Cruz, written by Father Baldomero Lopez in 1791, details the interconnections of the mission system. His depiction of the exchange of cows, oxen, bulls, steers, horses, and mules corroborates the collaboration of the missions throughout the San Francisco Bay Area in converting Native land and peoples according to the emerging colonial order.²² Interchanging

¹⁸ Milliken, *Time of Little Choice*, 223-224.

¹⁹ Hackel, *Children of Coyote*, 12.

²⁰ Lightfoot, *Indians, Missionaries, and Merchants*, 198-202.

²¹ Field, "Mapping Erasure," 293.

²² Lopez, *Collection of California Missions Inventories, Reports, and Other Material, 1791-1854*, University of Southern California Libraries, Special Collections.

livestock was part and parcel of the colonial land regime as cattle contributed to the overall decline of Native societies by modifying land through its destruction of the environment's previous homeostasis.

Furthermore, the cultural and religious assimilation of the colonial land regime, in turn, abetted nominative cartography in erasing the individual and collective Native identities, indelibly removing their names from themselves and their maps. For instance, following the inception of the mission, Native peoples were baptized to become neophytes and married with other indigenous parties.²³ On the mission property, a house was constructed, yards were laid out for the cattle, sheep, and horses, water was conducted to the mission, and the garden was fenced in.²⁴ Pastoral techniques of fences, permanent houses, gardens, and irrigation contrasted those of Native peoples and similarly contributed to their erasure.

The Legal Fictions of Native Land "Cessions"

Following 1821 Mexican independence and the 1834 secularization of the missions, the degradation and erasure of the Bay Miwok and Muwekma Ohlone from their ancestral lands ensued under the rancho system. Secularizing the missions fragmented and distributed the enormous tracts of land that missions formerly possessed to Mexican citizens in large pieces of land. These sections of land were organized into ranchos that replicated the land regime and colonial order of the missions, but in smaller properties managed individually by elite landowners. Mission San José's land was divided between the Mexican families of Pacheco, Soto, Bernal, Higuera, Moraga, and Sunol beginning in 1837.²⁵ The land, mission cattle herds, tools, and outstation buildings were transferred to the Hispanic families.²⁶ Pacheco is of particular interest as the eventual landowner of

²³ Lopez, Collection of California Missions Inventories, Reports, and Other Material, 1791-1854, University of Southern California Libraries, Special Collections.

²⁴ Lopez, Collection of California Missions Inventories, Reports, and Other Material, 1791-1854, University of Southern California Libraries, Special Collections.

²⁵ Milliken, Native Americans at Mission San Jose, 74.

²⁶ Milliken, Native Americans at Mission San Jose, 74.

Monte del Diablo, a rancho with a convoluted history behind its name that contributed to nominative cartography and mentalities of inferiority directed toward Native peoples.

Mount Diablo is a looming and lone mountain in the East Bay that has a unique role as a witness and victim to nominative cartography. Mount Diablo's name is a provocative one and with a history behind it that speaks to indigenous sovereignty, nominative cartography, and land regimes. Originally, the mountain was revered by many different Native peoples as the "home of spirits" and a religiously significant site where they could perform ceremonial activities.²⁷ One of the indigenous place names for the sacred land was "Dog Mountain," simply because it was the place where Native peoples caught dogs.²⁸ The conflation of the mountain with occultness resulted in its distinctive name but is primarily due to circulating misconceptions and myths about Native peoples. These myths and illusions were similar to previous orientalist romanticizations of Native peoples and their lands but departed from favorable perceptions. None of the numerous indigenous names for the mountain signified an evil spirit or devil and neither did the few early non-native names. Instead, it is attributed to one significant event.²⁹

"Monte del Diablo" first appeared following an 1805 encounter between the Spanish and a Chupcan village in a willow thicket bordering the north side of the mountain.³⁰ Spanish soldiers under the command of Luis Arguello encountered the Chupcan people—a tribelet of the Bay Miwok resisting missionization—who were able to escape during the night.³¹ Therefore, the Spanish named the thicket "Monte del Diablo" due to the evasiveness of the Chupcan. The Spanish "monte" was mistranslated by Americans to mean "mount" as in mountain. This name cloaked any previous Native place name or significance and forever doomed the mountain to satanic or evil perceptions.

²⁷ Ortiz, "Mount Diablo as Myth and Reality", 459.

²⁸ Ortiz, "Mount Diablo as Myth and Reality", 459.

²⁹ Ortiz, "Mount Diablo as Myth and Reality", 459.

³⁰ Ortiz, "Mount Diablo as Myth and Reality", 460.

³¹ Ortiz, "Mount Diablo as Myth and Reality", 460.

Mount Diablo's story continued to be fictionalized and romanticized with embellishments by successive colonial regimes. This occult association of Native religious sites originated in the Spanish conflation of Moors and Native peoples that superimposed the fears and prejudices of the "sinister and occult" of Islam upon the Native.³² It supplanted a gaze of inferiority and evil upon Native peoples and their lands which was used as a rationalization and justification for Spanish, Mexican, and U.S. colonial orders of subjugation. Similarly, the name "Costanoan" was applied to the Muwekma Ohlone by the Spanish from the word "costa" (meaning coast). This name then became appropriated throughout the region to refer to that tribe. A trail in Shell Ridge Regional Park in Walnut Creek named "Costanoan" is one of the few remnants of place names left behind, but it is an erroneous legacy because of the imposition of the Spanish language upon the name.

Since Mexican independence in 1821, the Monte del Diablo property had developed under a new colonial order within the autonomous Mexican government. Despite a major political shift in power, land regimes continued to exploit and dispossess Native peoples through a series of laws. The General Colonization Law of 1824 and the Property Law of 1813 redistributed and awarded Mexican citizens and Indian neophytes patent to the land they inhabited and cultivated by removing all claim to "vacant" land.³³ In turn, it erased any perceived Native claim to their ancestral lands.

Mexican land policies placed a guise of secularity over the rancho system which utilized an emerging private property system to perpetuate forced assimilation processes that the mission system had engendered. These laws evidence the cultural and social conversion of Native peoples to the unyielding paradigms of European culture and society. Although underneath a new colonial regime of ranchos, policies persisted in their disregard for Native people through their explicit preference given to predominantly white colonists. A colonial racial system that the Spanish introduced was then reinforced under Mexican ranchos that similarly

³² Gruzinski, *What Time is it There?*, 142.

³³ Menchaca, *Recovering History*, 181.

destroyed Native people and land. It is not until the land was captured by the United States that a formal cession of the land was made by the Muwekma Ohlone and Bay Miwok and this formality does not promise an honorable or mutual agreement.

Filing claims to land took place before and following the Mexican American War and the Treaty of Guadalupe Hidalgo in 1848 and the granting of state status to California on September 9, 1850. At this time, the state explicitly endorsed a genocidal environment as historians Benjamin Madley and Jack Norton have written extensively about.³⁴ It was one in which the first U.S. governor of California Peter Burnett asserted that “the war of extermination will continue to be waged ... until the Indian race becomes extinct.”³⁵ On May 30, 1851, the Bay Miwok in the San Francisco Bay Area “ceded” their land to the U.S. government. The transaction is listed in an extensive book containing all of the land cessions of Native peoples in the United States.³⁶ The layout of the document is of special importance and distinction as there is only a narrow space on the page that records the name of the tribe which is then fragmented into hyphenated segments of the entire name. It is of particular interest because the margins given to the date and the description of the land are larger than those accorded to the names of the people. The lack of reverence for Native names, illustrated through the small space allotted to their presence on the page, speaks to the stripping of the name of its importance through these legalistic transactions that became common under the U.S. regime.

The concession of their claim to the land is expressed in the concise phrases of “reserve a tract on the Stanislaus River” and “cede all claim to territory outside of reserve.”³⁷ Bay Miwok and Muwekma Ohlone cessions in 1851 were part of a series of treaties signed with California Native

³⁴ Madley, Benjamin, “California’s Yuki Indians: Defining Genocide in Native American History,” *Western Historical Quarterly* Vol. 39 (Autumn 2008): 309.

Norton, Jack, *Genocide in Northwestern California: When Our Worlds Cried*, Anza: Indian Historian Press, 1997.

³⁵ Madley, Benjamin, “California’s Yuki Indians: Defining Genocide in Native American History,” *Western Historical Quarterly* Vol. 39 (Autumn 2008): 309.

³⁶ *Indian Land Cessions in the United States*, 780-781.

³⁷ *Indian Land Cessions in the United States*, 780-781.

peoples that were designed by Congress in 1850 to settle Native peoples' claims to land.³⁸ Of the treaties supposedly signed by the Bay Miwok and Muwekma Ohlone, no members of the coast range tribes that were close Mission San José were invited to sign.³⁹ Thus, members of the tribes further inland surrendered the land of the coastal peoples to the U.S. government. Land regimes grouped land cessions and muddled Native identities which diffused indigenous autonomy and tribal distinction.

Lack of tribal identity or autonomy then allowed an abrupt "cession" of an extensive tract of land to occur without approval from all Native tribes. In addition, there is an absence of Native protest or resistance in the document as it attempts to silence Native peoples' agency in "surrendering" their land. There is even evidence that the treaties did not have legal standing after U.S. senators repudiated the legitimacy of these treaties while under pressure from Anglo-Californians.⁴⁰ As a result, California Native peoples were excluded from the minimal federal protections allotted under federal wardship, including legal recognition, a protected reservation, or land title.⁴¹

The specific territory that the treaty references stretches west from the Central Valley to the East Bay and north from the South Bay to the San Pablo Bay. This is an expansive section of land that belonged to the "Ionhumne, Wechilla, Sucaah, Cotoplanenee, Chappahsim, and Sagewomnee" tribelets of the Miwok and neighboring tribes, and the tribelets were quarantined within a reservation at the perimeter of the territory following the cession.⁴² On March 19, 1851, the Muwekma Ohlone ceded their land to the U.S. government. The document reporting this cession corroborates the callous disregard for the land and the name originally assigned to it. The order to "cede claim to all other country"⁴³ is particularly significant because of the vague language that seemingly bars

³⁸ Milliken, *Native Americans at Mission San Jose*, 87.

³⁹ Milliken, *Native Americans at Mission San Jose*, 87.

⁴⁰ Madley, Benjamin, "California's Yuki Indians," 310.

⁴¹ *Ibid.*

⁴² *Indian Land Cessions in the United States*, 780-781.

⁴³ *Indian Land Cessions in the United States*, 780-781.

Native people from ever claiming ownership to the land in the cession or other lands. Language like this enforces the colonial order of removing Native claims or sovereignty to the land by perpetuating mentalities of inferiority about Native peoples. Hispanic colonial land regimes were enforced by the destruction of nominative cartography that erased indigenous presence in the land and supplanted Hispanic and American domination. Interestingly, the United States chose to remove Native claim to land through specific parcels of land ceded whereas the Mexican colonial order had accomplished the same goal by passing legislation.

The cession of the land of the Bay Miwok seems typical, except another claim to the land was made by Salvio Pacheco beginning in 1844, which precedes the formal land cession in 1851. From 1833 to 1835, Governor of Alta California José Figueroa granted hundreds of land cessions throughout Alta California which Monte del Diablo was included in. Was there actual credence given to Native claim to the land since these proceedings followed the “cession” of the land? Most likely not since U.S. courts were not meant to receive or give credence to Native forms of knowledge or claims to land. Governor Figueroa first transferred the land to Pacheco around 1837 and Salvio Pacheco subsequently laid a legal claim to the land in 1844. However, there was an appeal dismissed for the property on November 24th, 1856.⁴⁴

There is little detail, which poses numerous questions about who appealed the case and for what reasons. And what of the 1851 Stanislaus River cession made by Central California tribes? By the time the U.S. Land Commission was set up to settle land claims in 1853, the Native peoples who had tried to secure land claims in areas surrounding the former mission had their claims to ranchos rejected.⁴⁵ In addition, Native peoples were barred from testifying against white colonists.⁴⁶ This may explain the appeal made for the property that was dismissed, but this remains speculation. The flurry of contradictory claims made to Monte del Diablo

⁴⁴ *U.S. v. Salvio Pacheco*. 76, 20. N.D., 64, (1855).

⁴⁵ Milliken, *Native Americans at Mission San Jose*, 88.

⁴⁶ Madley, “California’s Yuki Indians,” 312.

and its surrounding lands evidences the clashing convergence of centuries of colonial regimes and their legal apparatuses in the land. Nominative cartography similarly exhibits these legal contradictions but in a physical manner.

The map of the *diseño*, or design of the property, made by Salvio Pacheco that appeared in the records of the United States District Court, depicts straight lines that oddly oppose the natural curvature of the terrain surrounding Mount Diablo and the surrounding area. In the process of a land claim, the *diseño* or map would set the boundaries forth for the proposed land claim. Salvio Pacheco's visual representation of the tract of land denotes the imposition of strict measurements and mapping on the unyielding land.⁴⁷ It additionally illustrates the numerous bordering ranchos of other property owners that paints with a broader brush the organization of the land into ranchos and therefore the persistence of the rancho land regime that succeeded the mission system.

The legal proceedings of Pacheco in the U.S. District Court for Northern California District indicate the importance ascribed to the land in dominating the region and its means of production through ownership and nominative cartography. As do the bordering ranchos of "Rancho Arroyo de las Nueces y Bolbones," "Rancho de Martinez," and "Rancho de Señor Castro," which reflect the wider Hispanicization of the region. For instance, the name "Bolbones" in "Rancho Arroyo de las Nueces y Bolbones" is a Spanish spelling of the name Volvon, a tribelet of the Bay Miwok that lived on and around Mount Diablo.⁴⁸ Marked geographical features on the maps signify the priorities of elite property owners who noted an "arroyo seco" or dry creek in Rancho Monte del Diablo.⁴⁹ These legal documents of land cessions and *diseños* of proposed properties circulated in the Mexican and U.S. legal systems. Throughout the processing of the claims made to the land, the Native petitions for ownership of their land were denied and

⁴⁷ Diseño de Monte del Diablo, University of Southern California Libraries, Special Collections.

⁴⁸ Milliken, *Time of Little Choice*, 59.

⁴⁹ Diseño de Monte del Diablo, University of Southern California Libraries, Special Collections.

dismissed as Salvio Pacheco evidenced in his claim that preceded the legal cession of the land.

Salvio Pacheco, the owner of Monte del Diablo, inherited it from his wealthy Hispanic family who purchased the parcel beginning in 1837 following the secularization of the missions and the distribution of Mexican land grants, but he did not file for federal ownership until 1844. Spanish-speaking settlers on the coastal strip of Alta California or Californios like the Pachecos pursued a pastoral rather than a horticultural economy on their land.⁵⁰ The pastoralization of the land introduced destructive and foreign species that wreaked havoc on Native environments. Muwekma Ohlone and Bay Miwok peoples who had been dispossessed by Mission San José sought employment at the new privately-owned ranchos that multiplied at the expense of mission property.⁵¹ Therefore, the Native peoples of the region were tied to the land and continued to labor on the ranchos because of the domineering authority of land regimes that necessitated their economic and physical dependence that spurred the erasure of Native identities and names through nominative cartography.

Dr. John Theophil Strenzel, a Polish immigrant to California in 1849, curiously parallels Salvio Pacheco. John Strenzel arrived in the Alhambra Valley, a basin near Monte del Diablo, and purchased a parcel of a former Mexican land grant.⁵² His arrival coincided with the prodigious 1849 California Gold Rush that brought a rapid influx of foreigners into the newly-acquired territory of the United States.⁵³ With the wave of immigration following the California Gold Rush and the establishment of a new colonial order under the United States, settlers appropriated the old Spanish place names and made the named places their own.⁵⁴ As a result, they remythologized the region by reintroducing the notion of California as a mythical land. This myth originated in Garci Rodríguez de Montalvo's

⁵⁰ Farmer, *Trees in Paradise*, xxiii.

⁵¹ Milliken, *Native Americans at Mission San Jose*, 76.

⁵² Farmer, *Trees in Paradise*, xxxiv.

⁵³ Milliken, *Native Americans at Mission San Jose*, 83.

⁵⁴ Farmer, *Trees in Paradise*, xii.

Western romance of an island of California that was ruled over by a Black queen named Calafia.⁵⁵ Interestingly, John Strenzel's property would eventually become that of renowned naturalist John Muir, but it would remain related to Monte del Diablo as it characterizes the pastoral techniques employed under the rancho land regime to work the land with the expropriated labor of local Native peoples. The pastoral practices that perpetrated this had existed underneath the different land regimes.

For instance, at Monte del Diablo, a "band of 40 or 50 Indians living on mound in 1850 ... worked for Galindo and Salvio Pacheco, two Spaniards who settled around it."⁵⁶ Sparse Native populations then enfeebled claims to land in a legal system that failed to recognize their sovereignty. By this time, Native presence had not disappeared entirely, but the methods that landowners like John Strenzel and Salvio Pacheco enlisted contributed to their rapid removal and elimination. U.S. colonial practices adopted and perpetuated these colonizing practices on ranchos like Monte del Diablo and as a result "there was an epidemic in 1853" and an eye-witness "saw about nine dead there at one time ... most of the band died off at one time."

⁵⁷

Concurrent to this was the 1850 "Act for the Government and Protection of Indians" that legalized white custody of Indian minors and Indian prisoner leasing that fostered the abduction, indentured servitude, and slave raiding of Native peoples.⁵⁸ California courts were even permitted to deny the testimony of Native peoples against white people.⁵⁹ Not only was credence not given to Native legal claims to land, but also legislation was passed to spur the "war of extinction" that Anglo-Californian settlers created to claim ownership of the land. Near the mid-nineteenth century, the Bay Miwok and Muwekma Ohlone peoples had been severely reduced. The names ascribed to the land had a significant cultural and psychological effect in this colonization process. However, that does not deny their

⁵⁵ Farmer, *Trees in Paradise*, xiii.

⁵⁶ Milliken, *Native Americans at Mission San Jose*, 85-86.

⁵⁷ Milliken, *Native Americans at Mission San Jose*, 86.

⁵⁸ Madley, "California's Yuki Indians," 312-313.

⁵⁹ Madley, "California's Yuki Indians," 312.

continued persistence and survivance to today against the genocide of settler colonialism that the California government explicitly endorsed. In addition, there lies a problem in the existing source material and how it paints Muwekma Ohlone and Bay Miwok peoples since they largely originate in white male anthropological studies of California Indians that serve a narrative of extinction.

Conclusion

The strict, unyielding, and oppressive castes that the colonizing forces transplanted upon Native peoples were opposed so severely to the previous sociopolitical organization that they contributed to Native erasure from the land, maps, and the settler's conscience. The rigidity of the Western Christian gaze contradicted that of the Native Americans in terms of the way that they perceived the land. Pastoral techniques and the utter contempt for the indigenous people and native species employed by the colonizing forces of the Spanish, Mexicans, and the U.S. negated that of the Muwekma Ohlone and Bay Miwok. Native peoples viewed the land as sacred and inextricably interwoven with their social, economic, and cultural ways of life. This contradiction created contention and conflict between the colonizer and the Native that attempted to eradicate indigenous presence because of its extreme opposition to the "justness" of the colonial occupation and regime.

Monte del Diablo's steep ravines, arroyos secos, and looming solitude in the East Bay evoke its history as a natural and physical archive and witness of the history.⁶⁰ Cartographical names and features are language and reflect the changes enacted upon the land and the mentalities about its importance. Native place names exercise ownership and sovereignty and the denial of these by Spanish, Mexican, and U.S. colonial regimes undermines indigenous existence and persistence. Salvio Pacheco and Rancho Monte del Diablo, a microcosm of the larger colonization process at

⁶⁰ Farmer, *Trees in Paradise*, xxxix.

play, intersected with regional and national trends of indigenous erasure through nominative cartography. Monte del Diablo's diseños, land cessions, and land claims are the relics of a colonially-constructed legal truth that eliminated Native peoples' sovereignty and history through nominative cartography that displaced the Native and implanted a Hispanicized realm. Land regimes were integral to the excision of the names and therefore the cartographical and physical presence of the Muwekma Ohlone and Bay Miwok from their Native lands.

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Streetcars as Seeds of Change

How Los Angeles Women's Rights Began to Develop as a Result of
Urbanization

By: Lily Weible, '23

The Absence of Women's Perspective in California History

Joan Scott writes in "Gender: A Useful Category of Historical Analysis" that studying women's history "will provide new perspectives on old questions... redefine the old questions in new terms... make women visible as active participants, and create analytic distance between the seemingly fixed language of the past and our terminology."¹ As the incorporation of diverse historical perspectives increases, we must explore where holes in the narrative still exist. Much of early California history tells stories of rancheros, missionaries, and Native Americans. Left out of this narrative are the voices of the California woman who are lost amongst the various political and land grant documents which characterize the prominent primary sources available to us today. Without the voice of the California woman, we lose out on half of the historical perspective. Discovering this principle voice by analyzing new primary sources is critical in viewing the clearest picture of Californian society at the time. This paper aims to bring to light these women's stories through analysis of first-hand accounts from the women of early Los Angeles, mainly of the Sepulveda family.

Many scholars credit twentieth-century watershed events such as the aftermath of both World Wars as causation for greater women's rights in both the household and society in the United States.² Contrary to these claims, these documents from the Sepulveda women, suggest that the women of Los Angeles may have gained increased access to education and job opportunities as early as the mid-nineteenth century. Over the nineteenth century, Los Angeles's economic and technological gains such as the growth of infrastructure downtown, the extension of the railroad, and implementation of the streetcar, directly parallel the development of women's empowerment in the household, corporate, and educational realms. This paper seeks to prove how the women of Los Angeles began to

¹ Joan Wallach. Scott, *Gender: a Useful Category of Historical Analysis* (Washington: American Historical Association, 1986). pp. 50.

²Patricia Fara, *Women, Science and Suffrage in World War I* (London, Eng., 2015).

make significant strides in their educational and occupational goals throughout the latter half of the nineteenth century and the first decade of the twentieth century as a result of urbanization and technological innovation.

Californio Ranchero Society and Old Spanish Law: 1790- 1840

By 1781, Spain's development of Alta California was well underway. Four types of settlement existed in this period: the missions, presidios, pueblos, and the famous ranchos which carved out the untamed California landscape. These ranchos served as the birthplace for Spanish American social and economic development during this stage of California history. Ranchos were composed of the hacienda where the Californio family resided, sprawling acres of vineyards and land designated for cattle ranching. Ranchos consisted of a strong patriarchal tradition, when describing the rancheros through his "History of California" the historian, Charles Edouard Chapman, wrote: "On his ranch, the owner was like a little king, with many Indian dependents."³ In this era, the economic base mainly composed of financial aid from Spain and Baja California and law and order were rare. Education was generally comprised of reading and writing with some catechism studies but as a whole, Californios were mostly illiterate. Californio ranchos and even settlements such as the missions and presidios were relatively secluded from the rest of the world. The landscape consisted of no public transportation, cities or much infrastructure. Because transportation was limited, it could take months to get information from one end of the territory to the other.

At the beginning of Los Angeles history, Spanish American society was altogether not much different from the rest of these California settlements. Traditional Spanish principles and jurisdiction held true in the new world of Alta California. Wealthy Spanish ranchero landowners and governors dominated the landscape of the city. A handful of families held

³ Charles Edouard Chapman, *A History of California: the Spanish Period* (New York: Macmillan, 1921). pp. 391.

land claims in the region and they utilized marriage as a means to unite their family with others in order to expand their property. Women had little say in these matters and the patriarchy had a strong grip on society. As a whole, women had little rights within their family structure and did not have much access to higher education or occupations outside of the home. In her analysis of gender roles throughout Alta California of New Spain, the sociologist Casteñada states:

Woman's reproductive capacity, as the vehicle for the production of legitimate heirs and the transference of private property, was defined as the single most important source of her value. Spanish law defined women as sexual beings and delineated their sexual lives through the institution of indissoluble, monogamous marriage. And although canon law upheld the principle that marriage required the consent of both parties, that principle was not always adhered to.⁴

This excerpt illustrates how women at this time were confined to the household and any other interests were frowned upon. Their primary responsibility was in household work: to care for children, cook, and clean. Despite these traditional roles, some women did, however, revolt against patriarchal authority. In the area that is now San Diego, one woman, Apolinaria Lorenzana, defied social norms by never marrying. She said: "I refused his offer . . . because I was not particularly inclined toward that state [of matrimony] even though I knew the merits of that sacred institution."⁵ Lorenzana then was able to remain independent of a man. "She maintained her independence, earned her livelihood by working for the Catholic Church...devoted her life to the "civilizing mission" the state assigned to mestiza colonists"⁶ Even though Lorenzana was able to gain independence from a marital union, she was not free from the grasp of a patriarchal institution. As missions and monasteries dotted the landscape of California during this era as well, nuns were also granted the same

⁴A. I. Castaneda, "Engendering the History of Alta California, 1769-1848: Gender, Sexuality, and the Family," *California History* 76, no. 2-3 (January 1997): pp. 230-259.

⁵ Ibid, pp. 249.

⁶ Ibid, pp. 249.

opportunity: more independence but still constricted by a patriarchal society. During this early part of the nineteenth century, the church was truly the only way to avoid matrimony and women's roles in the church were not all that different from those in the household. Traditional tasks in the missions included cooking and cleaning.⁷

The Sepulveda family, after whom the major street Sepulveda Boulevard is named after, were wealthy landowners throughout the eighteenth and nineteenth centuries. The patriarch of the family, Francisco Xavier, moved his family to Alta California in the last part of the eighteenth century in search of greater opportunity.⁸ Two of his sons, Juan Jose and Francisco, developed two succeeding lines of heirs to the California fortune that he would create. Their descendants each grew to be wealthy and prominent landowners in the greater Los Angeles region.

For the Sepulveda family at the beginning of the nineteenth century, evidence supports that traditional roles were upheld. Using marriage as a strategy to increase their land claims in the Los Angeles area, the family's power grew even greater. Between Francisco and his brother Juan Jose, "The two men's holdings embraced approximately 80,000 acres of California's land. Through their children, the family was allied with such influential families as the Verdugos, the Avilas, the Lugos, and the de la Guerras".⁹ Records show that the Avila and Sepulveda families were united through the marriage of Francisco's oldest son, José Antonio Andrés Sepúlveda and María Francisca de Paula Ávila.¹⁰ Sources allude to the fact that this marriage was perhaps arranged. One says: "Even before Jose and Francisca's marriage in 1825, the Sepulveda and Avila families were well acquainted."¹¹ Despite being less common, there is evidence that these purposeful connections were still being made well into the next two

⁷ A. I. Castaneda, "Engendering the History of Alta California, 1769-1848: Gender, Sexuality, and the Family," *California History* 76, no. 2-3 (January 1997): pp. 230-259.

⁸ Mary Joanne Wittenburg, "Three Generations of the Sepulveda Family in Southern California," *Southern California Quarterly* 73, no. 3 (1991), pp. 197.

⁹ *Ibid*, pp. 243.

¹⁰ "Sepulveda/Mott Collection." Online Archive of California. Accessed December 15, 2019.

¹¹ Mary Joanne Wittenburg, "Three Generations of the Sepulveda Family in Southern California," pp. 221.

generations because the Sepulveda and Lugo families were linked through the marriage of one of Juan Jose's great-grandsons, Jose Dolores Sepulveda, and his wife Maria Antonio Lugo in 1862.¹² Through these unions, families increased their land area and property including animals and crops, hence becoming more powerful within the region. These arrangements succeeded in fulfilling one of the most basic goals of marriage: increasing the power and status of each family.

Railroads and Rights 1840-1890

Key to the development of Californian society in the mid-19th century was the American inquisition of California post the Mexican American War and subsequently, California's immediate statehood. This transition played a large role in the influx of Americans to the region and increased the population tremendously. As the population of Los Angeles grew and urbanization began to take place, though the romanticized Californio traditions still held a grip on society, restrictions on women began to loosen. Initially, the California gold rush of 1849 allowed for a new immigrant population in the cities and: "By 1850, as a result of the gold rush, Los Angeles was on the brink of becoming a boom town".¹³ Many changes in the landscape of California began to take place as the population grew exponentially. Specifically, small farmers began to take advantage of the fertile California soil and these smaller farms took over the sprawling ranchos in the area during the 1860s and 1870s. As these many farmers began to dominate Southern California, other industries and infrastructure were necessary to support the new population: "The rapidly increasing number of American financiers and politicians gradually created a society in southern California..."¹⁴ This new society and population created a new

¹² "Antonio Maria Lugo (1778-1860) - Find A Grave...", Find A Grave, accessed December 17, 2019.

¹³ Mary Joanne Wittenburg, "Three Generations of the Sepulveda Family in Southern California," pp. 220.

¹⁴ Ibid, pp. 243.

changing culture in California and the earlier stiff social structure of the ranchos gradually disintegrated and became more modernized.

Railroads increased the ability to migrate from one place to another throughout California and the greater United States. This new technology propelled westward expansion and many families began to move to California for greater opportunity in various industries.¹⁵ After thousands of miles of railroad track had been laid, a masterplan to create a transcontinental railroad was birthed. "Californians enthusiastically supported the project and made heroes, if but temporarily, out of the men who masterminded the progress of the rails."¹⁶ When the transcontinental railroad was finally completed in 1869, California finally became united socially, economically, and politically with the rest of the country and would be forevermore intertwined. As the speed of travel within the greater United States increased, so did the spread of liberal ideas. Contemporary concepts of women's rights from early suffragists in the Northeast were able to trickle over to California society rapidly and take root there.

During this era, ranchero families of the west were desperately trying to fight modification and keep a stronghold on their culture and tradition. Wittenberg's analysis of women's lives in: "A California Girlhood" supports this idea. She writes:

*On one hand, a give-and-take atmosphere flourished in the financial and political world which the Americans dominated as the ranchos were subdivided and railroads linked California with the rest of the United States. On the other hand, the Spanish and Mexican traditions of earlier periods were still evident especially in the lifestyle and social customs of the times.*¹⁷

¹⁵ Stelter, Gilbert. "The City and Westward Expansion: A Western Case Study." *The Western Historical Quarterly* 4, no. 2 (1973): 187-202. doi:10.2307/967171. Pp.187.

¹⁶ Deverell, William Francis. *Railroad Crossing: Californians and the Railroad, 1850-1910*. Berkeley: University of California Press, 1996. pp. 2.

¹⁷ Mary Ste. Therese Wittenburg, "A California Girlhood: Reminiscences of Ascension Sepulveda y Avila," *Southern California Quarterly* 64, no. 2 (1982): pp. 133.

These families remained tied to traditions but were completely powerless against the forces of social change that emerged from this new technology and urbanization of the Southern part of California.

Jose Dolores Sepulveda's cousin Francisca S. Ascension (b. 1844), the daughter of José Antonio Andrés Sepúlveda and María Francisca de Paula Ávila, later recalled much of her story to her granddaughter, which is now available in the archives of the Sepulveda and Mott Collections in The Natural History Museum of Los Angeles. Ascension recalled that when she was just a child, she went away to school at the Convent of Notre Dame in San Jose where she was instructed in classes such as English, French, sewing, and music.¹⁸ This illustrates a monumental step in the shift of women's mobility in the educational realm during this period. Previously, wealthy women were granted education in the household through tutors or family members and lower-class women were often offered no education at all. Here, Ascension was sent away to school rather than taught by a tutor or family member demonstrating new mobility within the educational realm of Californio society. Still, this education consisted of subjects that would have been considered "proper" for a woman of high society in this era such as English and sewing rather than mathematics or politics.

A prime example of Ascension truly defying social norms is depicted in her courtship and eventual marriage of Thomas Dillingham Mott, a New York native, fifteen years older than she. "He called on her parents, expressed his desire to marry their daughter and asked permission to court her. In spite of the difference in their ages... the Sepulvedas allowed him to call on her."¹⁹ Ascension describes her courtship with Mott in her journal as follows:

Whenever Mr. Mott called to take me riding I was always accompanied by some of my female relations, one of whom sat in the front seat with him. [Once], just as my sister Francisca was about to occupy the front seat as usual, my kind cousin Josefa

¹⁸ Mary Ste. Therese Wittenburg, "A California Girlhood: Reminiscences of Ascension Sepulveda y Avila," *Southern California Quarterly* 64, no. 2 (1982): pp. 135.

¹⁹ 1 Maria Ascension Papers, in the possession of Mrs. Gerald Earle, Los Angeles, California.

*pulled her back and insisted on my being permitted to sit with Mr. Mott. I was forbidden, however, to speak any English as they could not understand it, and as Mr. Mott spoke little Spanish it can readily be imagined that the conversation lagged somewhat.*²⁰

Though the pressure for Ascension to marry a landowner's son at a young age became less evident, rigid traditional courtship took place and she was courted with her family's presence. Nonetheless, Ascension later turned down his marriage proposal as she felt she was too young to be wed. Eventually, she married him when she was a couple of years older and was mentally developed to make the decision. This is especially significant because it is around the time when women were finally getting to have a true say in their marriage. This family did not feel the need to use their daughter's marriage as a means of expanding their financial grasp. Wittenberg adds that "Marriage to Thomas D. Mott, however, would quickly draw her into the less rigid society created by the American financiers and politicians who were already making their presence felt in Los Angeles." These 'modern politicians and financiers' set the winds of social change in motion by neglecting the traditional *ranchero* culture. This provides context that Los Angeles in the latter part of the nineteenth century was making significant strides to dissolve social norms and barriers which had once preserved such a rigid and traditional Spanish society.

A similar instance is described between Ascension and her father when he was making his will. Wittenberg's analysis of his will documents finds that: "some time before 1868, he deeded the latter property to his daughter, Ascensión Mott de Sepúlveda, although he continued to live there possibly until a fire destroyed part of the buildings in March 1871"²¹ This demonstrates an extreme turning point in the development of women's rights. Ascension was not only a daughter but she was not even the first-born daughter in the family. Nonetheless, her father felt that she was

²⁰ Ibid.

²¹ Mary Joanne Wittenburg, "Three Generations of the Sepulveda Family in Southern California," pp. 242.

the most deserving of his property and primary possession. This scenario would have been almost unheard of only twenty years prior.

Streetcars and Women in the Workforce 1890-1910

Not only did the incorporation of a Transcontinental Railroad increase the spread of ideas across the nation, but the two direct rail links from the east coast to California also propelled a mass migration of people.

²² As a result, the Los Angeles population almost multiplied by ten and by 1900 the population was already at one hundred thousand residents. “Although neither heavy industry nor manufacturing came to Los Angeles until well into the twentieth century, considerable diversification of the economic base occurred between 1880 and 1900.”²³ This urban growth led to drastic changes in the landscape of Southern California. In the span of a few decades, the region morphed from rolling farmland and ranchos to a bustling urban center. Additionally, in the last decade of the nineteenth century, the development of streetcars began to connect these urban neighborhoods of Los Angeles. “A big step in improving local public transportation was the introduction of cable-powered cars with the October 1, 1885 opening of the Second Street Railway company.”²⁴ This newly interconnected Los Angeles allowed people to travel much more quickly throughout the county and increased the movement within the city itself. With the addition of streetcars, women were able to independently travel from place to place more easily as well. This travel opened doors to industries such as entertainment and education for upper-class women and chances to immerse themselves in the shifting culture of the city rather than the confinement of the home.

Towards the end of the century, women’s rights developed even further as women were incorporated into higher education institutions and

²² “The Boom of the Eighties in Southern California. By Glenn S. Dumke. (San Marino: Huntington Library. 1944. Pp. Xi, 313. \$3.75.).” *The American Historical Review*, 1945, pp. 2.

²³ Ibid.

²⁴ Walker, Jim. *Los Angeles Railway Yellow Cars*. Charleston, SC: Arcadia Pub., 2007, pp. 7.

these new various occupations. Sara Dolores Sepulveda, the daughter of Jose Dolores de Jesus Sepulveda and Maria Antonio Lugo, married a wealthy lawyer, W.I. Foley. From their union, four children were born in the last decade of the nineteenth century. Sara Dolores's obituary provides significant historical context for the technological changes at the time. Because her death was initiated by a streetcar accident it gives an inside look into the popularity of the rise of public transportation: "She was a passenger on a San Pedro car when it collided with a University car at Forty-sixth Street and Vermont Avenue."²⁵ Judging from accounts from women which mention their use of streetcars in Los Angeles, one can infer that public transportation was both available and popular for both women and men in this era. This shift in technology allowed women to physically move around the city and gain more rights culturally as well.

The eldest daughter, Zoraya Filema Foley left behind a journal from her adolescent years that truly depicts this newfound freedom of girls at the turn of the century. She states in one of her entries at the age of fourteen: "Friday I went downtown in the morning and in the afternoon went to school for the remainder of the day. I spent the evening at a friend's house."²⁶ This anecdote reflects the decreasing rigidity of Los Angeles society. Zoraya was able to attend school and move around the downtown area of the city independently, without a male escort. Many of Zoraya's other entries feature her taking the streetcar downtown and speaking with her neighbors and friends, as well as her schooling and hopes for working in some realm of the theater industry. She describes a play she is helping her neighborhood friends produce: "Saturday I was busy teaching the little children their parts which they are going to act in the play."²⁷ This illustrates her aspiration to follow her passion for theater from a young age which she was subsequently able to pursue in her experience with higher education. Therefore, it became more acceptable in society and her family was supportive of her endeavors.

²⁵ Box 1 USC Special Collections: Sepulveda Family Papers

²⁶ Box 1 USC Special Collections: Zoraya Filema Foley Journal

²⁷ Ibid.

A collection of letters from Zoraya to her youngest sister Viola is also included in the USC Special Collections.²⁸ In the letter addressed from the Hotel Saint James in San Jose, Zoraya writes: “I don’t think I am going to Santa Barbara. Papa said he was going to arrange for me to stay two or three weeks in San Francisco.” In a second letter to Viola, addressed from the Hotel Saint Francis in San Francisco she says: “Dear Viola, at last in San Francisco where I was longing for the other day, and at the Saint Francis my old stopping point.” These letters show how much more widespread and efficient transportation had become across California. With the addition of railroads across the state, transportation between major California cities was more accessible and women were able to travel more, rather than before where women were confined to the household and their every move was supervised by their husbands or fathers. It is especially evident that the ability to travel and expand one’s horizons beyond the household and the addition of new technology parallel each other.

Zoraya’s life was tragically cut short when she became sick at the age of eighteen. Her obituary provides clues as to how the remaining few years of her life were spent: “As a child she attended the Westlake School for Girls; later she went to the Cumnock School and from there to the Dobinson School. Latterly also had studied at the Egan Dramatic School. She was fond of music and showed talent, her voice being sweet and musical.”²⁹ This directly supports the theme that Zoraya was able to take charge of her own life and pursue educational and occupational aspirations by attending education past the elementary level, fine-tuning her interests, and pursuing them as passions.

Zoraya’s sister Zelinda who was two years younger similarly followed her goals and aspirations to become a well-renowned singer on the radio. A newspaper clipping included in the Sepulveda collection describes Zelinda’s accomplishments: “Appearing under long term contracts at various radio stations in Los Angeles. To many radio fans she is known as the little girl with the big voice,” and, “Recently she was under contract to sing at

²⁸ Box 1 USC Special Collections: Sepulveda Family Papers

²⁹ Ibid.

Carnegie Hall in New York City, and but a short time ago, completed a contract with the Los Angeles Steamship Company in which she appeared at the Royal Hawaiian Hotel in Honolulu.” Zelinda was not only able to pursue her dreams but was able to travel around the United States and other parts of the world through her job because of new technological innovation, directly illustrating greater social mobility. This information is especially key in understanding the shifting boundaries that were present at the turn of the century. In the first decade of the 20th century, upper-class Los Angeles women were making significant efforts to truly pursue their goals as seen through the lives of these two young sisters.

The movement of women’s rights in the household, educational, and occupational sectors was a gradual and slow process that sped up towards the second half of the nineteenth century by the spark of urbanization and technological innovation. In early Spanish American Californio culture, women’s educational and occupational opportunities were limited to the home sector and they were viewed as the lesser gender in the eyes of men. Inventions such as the railroad and streetcar system allowed for greater infrastructure development within cities such as schools, hospitals, and offices at the turn of the century. This environment greatly contrasted the sprawling rancho landscape of early California. These urban centers allowed women to become more involved by independently traveling, eventually leading to women’s movement out of the household and into schools and jobs throughout the region. The development of women’s rights and technological innovation in the nineteenth century did not occur parallel to one another, instead, the evolution of transportation directly contributed to women’s greater independence in Los Angeles.

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Finding Obscured Voices

An Analysis of Cherokee Cultural Resistance to Genocide

By: Elijah Miller, '20

Introduction

Signed “on December 29, 1835, at the [capital of the Cherokee Nation] in Georgia, [between] United States Indian Agents” and a delegation of Cherokee representing the Treaty Party, the Treaty of New Echota ceded Cherokee lands east of the Mississippi.¹ This diplomatic action between a collective of Cherokee individuals, chiefly John Ridge and Elias Boudinot, and the United States government gave the latter legal justification for the forceful removal of the Cherokee population from Georgia, Tennessee, and North Carolina.² Later-dubbed the Trail of Tears, this forceful removal of Cherokee tribes west to the Indian Territory has remained a focal point in contemporary dialogue of the Cherokee-American relationship.³ With roughly twenty-five percent of Cherokee migrants dying over the course of traveling it, the Trail of Tears has been used in contemporary literature as evidence of a failure by the Cherokee Nation to resist American cultural hegemony and their subsequent genocide.⁴ This narrative of minute resistance to cultural genocide is prominent throughout contemporary literature studying Native American history. In particular, the Cherokee have been excluded from the study of resistance to cultural genocide, as the discourse focuses more on violent resistances of western nations, such as the Sioux. As a result of this gap in discourse, this paper hopes to expand the discussion of resistance to cultural genocide in order to elucidate Cherokee examples.

This research is dynamic, and, thus, further research is needed to include a greater breadth of individual Cherokee voices regarding their Nation’s resistance. However, the research undertaken to produce this paper has found that the Cherokee were active resisters to cultural

¹ Smithers, Gregory D. *The Cherokee Diaspora: An Indigenous History of Migration, Resettlement, and Identity*. Yale University Press, 2015, p. 107.

² See Appendix, Image A.

³ Today, the Indian Territory constitutes the eastern half of the present-day state of Oklahoma.

⁴ Smithers, Gregory D. *The Cherokee Diaspora: An Indigenous History of Migration, Resettlement, and Identity*. Yale University Press, 2015, p. 113.

genocide. While Cherokee actors did use violent forms of resistance to subvert the United States cultural genocide of their nation, their resistance was unique in its emphasis on the use of the written word. Following the creation of a written syllabary for their native language, Tsalagi, the Cherokee resisted cultural genocide through both the language of their people and that of the genocide's perpetrators, English.⁵ This written-word approach to nonviolent resistance to American cultural hegemony offered the Cherokee an avenue to maintain their cultural autonomy and self-identity.

This paper will explore this ongoing Cherokee cultural resistance chronologically, after a brief overview of cultural genocide and non-violent resistance that will establish its intellectual context. Firstly, analysis of primary documents produced by and about Sequoyah will explore the foundation and uniqueness of the Cherokee Nation's resistance to American hegemony. Analysis of subsequent primary documents produced by the ruling elites of the Cherokee Nation and the United States regarding their international diplomacy will follow. These mid-nineteenth century documents largely involve the Trail of Tears and elucidate the evolution of Cherokee self-identity across the Diaspora. Finally, this paper will conclude with a more contemporary discourse, as nonviolent written resistance remains prevalent in the Cherokee Nation today.

On Cultural Genocide

When one thinks of the implications of genocide on a group of people, one automatically directs attention to the systematic mass murdering of this group in order to eradicate it. Often, this line of thinking applies to the Native American Genocide that ravaged the Western Hemisphere, arguably from 1492 to the present. As noted by Davidson, when one imagines the history of indigenous groups in the United States, there is a "picture in [one's] head...against the backdrop of colonial domination of the land and

⁵ Gubele, Rose. "Utalotsa Woni - 'Talking Leaves: A Re-Examination of the Cherokee Syllabary and Sequoyah.'" *Studies in American Indian Literatures*, vol. 24, no. 4, 2012, p. 66.

Indian resistance.”⁶ In other words, the concept of genocide, within public discourse, is innately tied to the location it occurred. If there is no mass atrocity committed in a specific location, then one might assume that it is not concretely an example of genocide. This perception is evidenced in the popularity of mentioning Indian Boarding Schools when discussing the topic of indigenous cultural genocide. The fixed location of the boarding school provides third-party observers the ability to relate atrocities committed to a substantive institution. In particular, the policy proposed by Captain Richard H. Pratt of the United States Army laid out the following regarding his propagation of the Indian boarding school system:

*A great general has said that the only good Indian is a dead one, and that high sanction of his destruction has been an enormous factor in promoting Indian massacres. In a sense, I agree with the sentiment, but only in this: that all the Indian there is in the race should be dead. Kill the Indian in him, and save the man.*⁷

In this quote, Pratt observes that there is a significant difference between the genocide of life and the genocide of culture. Rather than calling upon the United States to eradicate the indigenous populations from the country, Pratt believes that a systematic effort to destroy the cultural aspects of these groups will result in the ‘genocide of Indianness, thus, preventing the unnecessary loss of life.

This paper hopes to elucidate this cultural genocide of the Cherokee, in particular, and how they reacted to such efforts. By deviating from the popular discourse of massacres, raids, and death marches, this paper will expand the narrative to place greater emphasis on researching the cultural aspect of the Cherokee Genocide. This deviation will allow for a greater understanding of the full story, rather than focusing on the elements of homicidal genocide and violent resistance, which have historically dictated how the general public perceives Native American history.⁸

⁶ Davidson, Lawrence. “Cultural Genocide and the Native Americans,” in *Cultural Genocide*. Rutgers University Press, 2012: p. 21.

⁷ Pratt, Richard H. *Official Report of the Nineteenth Annual Conference of Charities and Correction*. 1892.

⁸ Deloria, Philip J. *Playing Indian*. Yale University Press, 1998: 9.

On Nonviolent Resistance

Nonviolent resistance should be clearly defined, as it relates to this paper, in order to fully expand the narrative outside of traditional perceptions. This paper will use James C. Scott's explanation of the types of resistance, *de jure* and *de facto*. *De jure* resistance consists of methods that bring about a formal recognition from the perpetrator,⁹ such as the aforementioned example of the armed and highly organized raids of the Sioux under Crazy Horse. These violent acts of resistance warrant immediate responses from the ruling group. The examples of Cherokee resistance explored in this paper, by contrast, will fall under the categorization of *de facto* resistance. *De facto* resistance is characterized by Scott as being "everyday" resistance.¹⁰ These everyday forms of resistance are those that undermine the perpetrator's efforts without drastically or immediately altering either the circumstances of the situation or the dynamics of the relationship between the perpetrators of genocide and the victims of such efforts. This is not to suggest that these nonviolent forms of resistance never elicit reactions from the perpetrators but rather that the goal of such efforts is to not force a recognition of agency or guilt from the perpetrators. *De facto* resistance aims to protect those experiencing genocide by providing an often-communal network of resources or information.

Sequoyah's Legacy: A Uniquely Cherokee Approach to Nonviolent Resistance

In their discourse on colonial expansionism, Eurocentric thinkers generally agreed upon the notion that the various peoples inhabiting the Americas were devoid of civilization, in large part due to the absence of a written language in a plurality of these societies. Throughout the territorial

⁹ Scott, James C. "Everyday Forms of Resistance." *Copenhagen Papers*, April 1989: p. 34.

¹⁰ Scott, James C. "Everyday Forms of Resistance." *Copenhagen Papers*, April 1989: p. 34.

claims of the British Empire in North America, in particular, these indigenous peoples were entirely without written forms of communication. Coupled with an apparent lack of entrenched social institutions, these orally-based societies were characterized as devoid of culture, something that the English colonizers were eager to capitalize upon. Rather than trying to introduce European cultural influences into these indigenous societies as the Spanish had done to the south, the English kept strict boundaries to separate their burgeoning colonies from the various indigenous nations. This differentiation of an Anglo-American society from what they dubbed as a rather singular Indian society set the stage for the conflict of culture that would soon erupt between the two entities.¹¹

With the recent formation of the United States came a heightened tension between this young nation, eager to legitimize its existence, and its indigenous neighbors. Having newly-formed ties to indigenous nations further inland during the French and Indian War of the mid-eighteenth century, the United States saw the lands just west of the Appalachian Mountains as inherently part of its sphere of influence. Seeing this sentiment of ‘proto-Manifest Destiny forming within the American psyche, indigenous individuals attempted to leverage their peoples’ claims of their respective lands against those forming in American politics.¹² The Cherokee Nation found its greatest leverage through Sequoyah’s unique efforts in developing a written syllabary for Tsalagi: the language of the Cherokee Nation.

Sequoyah recognized the “magic” that the written word offered to “those who could read and write.”¹³ The ability for individuals located miles apart from one another to communicate through exact and direct prose was present in the English-speaking colonies to the east but not in the Cherokee Nation. This absence of a written form of communication in the Cherokee

¹¹ Sturm, Circe. *Blood Politics: Race, Culture, and Identity in the Cherokee Nation of Oklahoma*. University of California Press, 2002, p. 15.

¹² Saunt, Claudio. “Telling Stories: The Political Uses of Myth and History in the Cherokee and Creek Nations.” *The Journal of American History*, vol. 93, no. 3, 2006, p. 682.

¹³ Gubele, Rose. “Utalotsa Woni - ‘Talking Leaves: A Re-Examination of the Cherokee Syllabary and Sequoyah.” *Studies in American Indian Literatures*, vol. 24, no. 4, 2012, p. 51.

Nation not only limited their networks but also provided the United States with an exhibit of what it believed to be evidence of indigenous backwardness. In order to strengthen his Nation's homogeneity and to compete with the United States' burgeoning power, Sequoyah developed a syllabary in the first decades of the nineteenth century. This syllabary overcame an aspect of Cherokee society that the United States had used as justification for their assumption over territorial claims in northern Georgia, western North Carolina, and eastern Tennessee. Sequoyah produced formal copies of the syllabary with direct comparison to the Latin Alphabet, inherently defying American presuppositions of uncivilized Indianness (See Image B).¹⁴ The decorated margins of the document and its clear, eloquent font served as legitimizing components of a resistance to American cultural hegemony.¹⁵ Through the use of the criteria for civilization set by the United States, Sequoyah sought to bring the Cherokee Nation to a position that warranted more sophisticated relations between the two cultural powers. Sequoyah's diplomatic efforts were successful in garnering greater American attention to the case of the Cherokee as a unique, individual nation. Despite a continuation of an overarching Indian label still given to them, this Cherokee individual demonstrated that nonviolent, written resistance was a legitimate measure of cultural preservation. This unique creation of a new syllabary attracted a peculiar viewpoint from the United States. Rather than condemning this Cherokee individual for subverting aims to remove the Nation from the United States, the American public seemingly celebrated this figure, suggesting a successful, non-violent, written resistance to cultural genocide.

Sequoyah's Perception in the United States

The American veneration of Sequoyah was in many ways an appropriation of him as a symbol in response to his written language

¹⁴ Sequoyah, 1770?-1843. *Cherokee Alphabet*. [New Echota, GA: publisher not identified, 1834.] Retrieved from the Library of Congress.

¹⁵ See Appendix, Image B.

Cherokee resistance. The elevation of Sequoyah as an ‘enlightened savage’ lifted him to a unique status in the American psyche, immediately after which speculation arose about his ethnic origins. Allegations claimed Sequoyah to have had a white father of possibly Scottish, German, or Dutch origins while others claimed that “Nathaniel Gist...a friend of George Washington” was Sequoyah’s father.¹⁶ However, these claims had little to no supporting evidence. This American ethnic appropriation of the Cherokee Nation was met with vocal resistance; there is a general consensus among the Cherokee that Sequoyah was flood-blood Cherokee.¹⁷ The wide-ranging American attempts to lay claims on the ethnicity of Sequoyah in themselves demonstrate his power as a cultural symbol, and as a practitioner of written-word resistance against the United States. The reaction of the United States to Sequoyah’s syllabary demonstrated the effectiveness of his resistance to American cultural hegemony. Seeing this Cherokee individual as a prime example of a ‘civilized Indian,’ American media produced images of Sequoyah that positively propagandized his relation to the written word, and as a result depicted the Cherokee in a good light.

One such representation of Sequoyah as a beacon of reason and enlightenment to the Cherokee features prominently in the architecture of the American capital. Sequoyah is depicted as a relief on the Library of Congress’ John Adams Building in Washington, D.C. opposite of the Celtic god Ogma. The United States has immortalized Sequoyah in sculpture, and importantly, his image is located in a place of literacy, an indication of Americans’ respect for his linguistic achievement.¹⁸ This is further underscored by the implicit connection of Sequoyah to Ogma, the mythological creator of written Irish Gaelic. Sequoyah’s relief sculpture

¹⁶ Gubele, Rose. “Utalotsa Woni - ‘Talking Leaves: A Re-Examination of the Cherokee Syllabary and Sequoyah.” *Studies in American Indian Literatures*, vol. 24, no. 4, 2012, p. 53.

¹⁷ Ibid, p. 54.

¹⁸ Highsmith, Carol M, photographer. *Exterior view. Door detail, east entrance. Ogma and Sequoyah, sculpted bronze figures by Lee Lawrie. Library of Congress John Adams Building, Washington, D.C.* Photograph.

thus demonstrates the American recognition that Sequoyah's resistance to their cultural hegemony was effective and successful.

The most famous of American visual presentations of Sequoyah, the most recreated image of the syllabary's inventor, is Sequoyah, inventor of the Cherokee alphabet.¹⁹ With his posture open to the viewer, the figure of Sequoyah points to lines of his syllabary, as if instructing the viewer. This romanticized perception of the Cherokee inventor conveyed the American notion that this well-dressed Sequoyah was a distinguished instructor of an academic field. This depiction alluded to prior romanticized past people, such as the ancient Greek philosophers. An appropriated image of the already-appropriated figure of Sequoyah depicts the man in the exact same position as the original image, except pointing to a tobacco advertisement (See image C).²⁰ By using the exalted image of Sequoyah as an instructor and a highly-civilized individual, Gravely's best flue cured Virginia smoking tobacco hoped to connote the product's 'civilizing powers' that are also associated with writing.²¹ Not only does this satirical appropriation continue to project American notions of Native American backwardness, such as addictions to earthly vices, but this image also demonstrates the Cherokees' ongoing resistance to American cultural hegemony. The preservation of both the original image of Sequoyah demonstrating his syllabary and this satirical business advertisement succinctly encapsulates the American reaction to his written-word resistance.

Reaction of the Elites: An Examination of Written Documents

As aforementioned, Sequoyah's syllabary was a unique and profound form of nonviolent resistance that was not possible before its existence. Large swaths of the Cherokee population embraced the newly-formulated

¹⁹ *Sequoyah, inventor of the Cherokee alphabet*. [No Date Recorded on Caption Card] Photograph.

²⁰ Herline & Hensel. *Gravely's best flue cured Prepared by C. R. Sisson: Virginia smoking tobacco*. Philadelphia: Herline & Hensel, Lith. Photograph. Retrieved from the Library of Congress.

²¹ See Appendix, Image C.

Tsalagi syllabary, as various constituents within these respective tribes believed that this tool was, for lack of a better word, a godsend.²² The extent of the Nation's embracement of the syllabary is evidenced in the preferred use of Tsalagi by Christian missionaries in their clerical work amongst the Cherokee.²³ Why would the American missionaries go through the painstaking task of learning and, subsequently, transcribing English documents into Tsalagi if there was not a large constituent of literate Tsalagi readers present in the Cherokee Nation? The rapid embracement of the syllabary indicates that the Cherokee used this tool of nonviolent resistance and viewed it as a valid resource. This was unique to the Cherokee and helps to explain the unusually written nature of the American-Cherokee relationship.

It should be noted that the Cherokee Nation's acceptance of the syllabary was not uniform. The tribes that would come to constitute the Eastern Band of Cherokee received the syllabary much more openly than did those of the Western Bands.²⁴ As a result, the Eastern Band of Cherokee was able to produce more detailed and varied forms of written literature that altered the cultural expression of these tribes. The historic effects of the introduction of a written language to a previously oral people include the expansion of philosophical thought and the bureaucratic maintenance of a society. From this greater acceptance of the Tsalagi syllabary, the Eastern Band of Cherokee came to be characterized as an artsy, romantic subculture of the Cherokee Nation.²⁵ Having not personally experienced the trauma of the Trail of Tears, the Eastern Band of Cherokee did not perceive their genocide in a similar manner to that of the individuals who had made the journey. Whereas the Eastern Band wished to focus on the cultivation of

²² Gubele, Rose. "'Utalotsa Woni - 'Talking Leaves:' A Re-Examination of the Cherokee Syllabary and Sequoyah." *Studies in American Indian Literatures*, vol. 24, no. 4, 2012, p. 51.

²³ *Ibid*, p. 56.

²⁴ Here, 'Eastern Band refers to the tribes that evaded the Trail of Tears and were able to remain largely within their homeland. The 'Western Bands of the Cherokee were those that were forcibly relocated to Indian Territory, in modern-day Oklahoma.

²⁵ Finger, John R. *The Eastern Band of Cherokees, 1819-1900*. University of Tennessee Press, 1984, p. 6.

increasingly intricate forms of nonviolent written resistance, the Western Bands of the Cherokee placed a greater emphasis on the preservation of their new homeland to ensure that a violent event, such as the Trail of Tears, did not occur to their people again. As a result, the archival evidence of Cherokee nonviolent resistance to cultural genocide is disproportionately representative of Eastern Band voices. Historically, these two deviating cultural bands are most equally represented in documents produced before the Trail of Tears.

Following the creation of this syllabary, the respective Cherokee chiefs of the various tribes that constituted the Nation had to react to the United States' response of an increased acknowledgment of their people. The Tsalagi syllabary was unlike any other nonviolent form of resistance that the United States had experienced. Representatives of the United States government emphasized the written nature of correspondence to the Cherokee Nation as a unique phenomenon. Correspondence could provide an opportunity for individual elite Cherokee's agency. For example, a letter from John Ridge, a prominent member of the Cherokee Treaty Party, to the Governor of Georgia urged that the latter use his power to force his fellow constituent, John Ross, into the Treaty of New Echota.²⁶ While the majority of the Cherokee Nation was not in agreement with Ridge or his subsequent choice to sign the treaty that forced large swaths of Cherokee communities westward, Ridge exercised agency in using written communication to realize what he perceived as cultural protection from encroaching American hegemony.

Cherokee Chiefs in Tennessee also used written communication as a resistance to their forcible removal. Serving as a refusal to either choose to become United States citizens or vacate their ancestral homeland, an 1818 letter to Tennessee Governor Joseph McMinn demonstrates agency.²⁷ Rather than choosing between two undesirable and potentially devastating

²⁶ Ridge, John, Excerpt from "Letter, 1833 Sept. 22, Cassville, Georgia, [to] Wilson Lumpkin, Gov[ernor of Georgia]," Digital Public Library of America.

²⁷ *1818 Letter from Cherokee chiefs to Gov. McMinn*. Retrieved from the Digital Public Library of America, <http://cdm15138.contentdm.oclc.org/cdm/ref/collection/tfd/id/616>.

options for their people, this collection of Cherokee Chiefs provided explanatory clauses as to why they could not accept either offer. The Cherokee Chiefs of Tennessee were able to self-identify their needs in a permanent written record and, in turn, situate those necessities within the context of American hegemony.

Finally, in Georgia, Chief John Ross produced a protest letter in 1836 aimed at addressing the informal Treaty of New Echota in 1835.²⁸ Through this letter, Chief Ross outlined the legal overreaches that the state of Georgia had performed in order to produce a treaty signed by Cherokee individuals that the Nation had not endorsed to speak upon their behalf. His choice of words in distinguishing the Cherokee Nation from the Cherokee-proclaimed illegitimate Treaty Party regarding American relations reveals that Chief Ross is using his written word to legitimize the Cherokee Nation's political position. His exclusion of the Treaty Party from the term 'Cherokee Nation' reveals that his perception of the Treaty Party is that of purposeful distance. The actions of the Treaty Party, according to Chief Ross, did not reflect the cultural needs of the Cherokee Nation. Crucially, the production of written correspondence reduced the ability of the perpetrator to act against the Cherokee without acknowledging their nonviolent resistance and dignifying them with a response.

Conclusion

In his unique endeavor to provide the Cherokee Nation with a written form of their peoples' language, Sequoyah invented a syllabary that quickly spread among the Cherokee and, thus, altered the international relationship between the Nation and the United States. As a novelty, the Tsalagi syllabary received differing reactions from the ruling elites of both political entities, yet both unanimously acknowledged its legitimacy and altered their actions to further its spread. This spread of both English and Tsalagi literature throughout the Cherokee tribes fostered written

²⁸ Ross, John. Excerpt from "Letter from John Ross, principal Chief of the Cherokee Nation of Indians," Retrieved from Digital Public Library of America.

nonviolent forms of resistance. Sequoyah earned a place and representation in American culture, from the learned halls of the Library of Congress to commonplace tobacco ads. His linguistic achievement enabled Cherokee elites to exercise agency in written correspondence. These legacies of written resistance demonstrate its power in opposition to cultural genocide and underscore the success of Tsalagi in combating the United States' efforts of cultural extermination.

Epilogue

Today, over 819,000 individuals identified as either being part- or full-blood Cherokee according to the 2010 US census; Cherokee self-identity is as expansive as this immense diaspora that still exists.²⁹ Continuing attempts to exert American cultural hegemony over the Cherokee Nation have been met by oral testimonies and cultural literature that aim to preserve self-identity among the Cherokee, continuing in the tradition that Sequoyah's syllabic innovation began. One such example is the 2018 book *Cherokee Nation: A History of Survival, Self Determination, and Identity* represents a recent effort by the Cherokee Nation to research and maintain their autonomy over their history and self-identity. Written in both Tsalagi and English, this written history continues the tradition of written nonviolent resistance that the Cherokee have used in the preservation of their Nation.³⁰ While this achievement further elucidates Cherokee voices involving their experiences, this field of study remains under-researched. As the United States has attempted to silence Cherokee voices in its ongoing cultural genocide of indigenous populations, many of their voices languish throughout American archives.

With the gradual distancing of the United States from its history of active persecution of Native American groups, public awareness has reduced due to a lack of apparent violence being committed on these

²⁹ U.S. Census Bureau. *The American Indian and Alaska Native Population: 2010*, 2012.

³⁰ Blackburn, Bob L., et al. *Cherokee Nation: A History of Survival, Self Determination, and Identity*. Cherokee Nation, 2018.

individuals. Rather than a continuation of land seizures and forced relocations, the various Native American groups of the United States experience cultural appropriation, today. Whether through grouping the Cherokee in with other Native American groups to form a singular 'Indian identity' or the sole use of English in reservation schools, the various Cherokee tribes of Oklahoma and the American Southeast have not experienced a lapse in culturally genocidal policies. Even within the Cherokee Nation, there exists a myriad collection of tribes with often differing experiences and perspectives regarding their cultural identity and self-image. While this paper attempted to include as many perspectives as possible with enough respect given to these phenomena, there still exists a large pool of written and oral sources detailing the Cherokees' nonviolent resistance to American hegemony. In this regard, Native American nonviolent resistance to cultural genocide remains an understudied topic warranting further academic investigation.

Appendix



Image A. Historic extent of the Cherokee Nation. Cherokee Claims Pre-Columbus, n. d., December 5, 2019.

<http://www.scgenweb.org/chokeee/somemaps.html>.

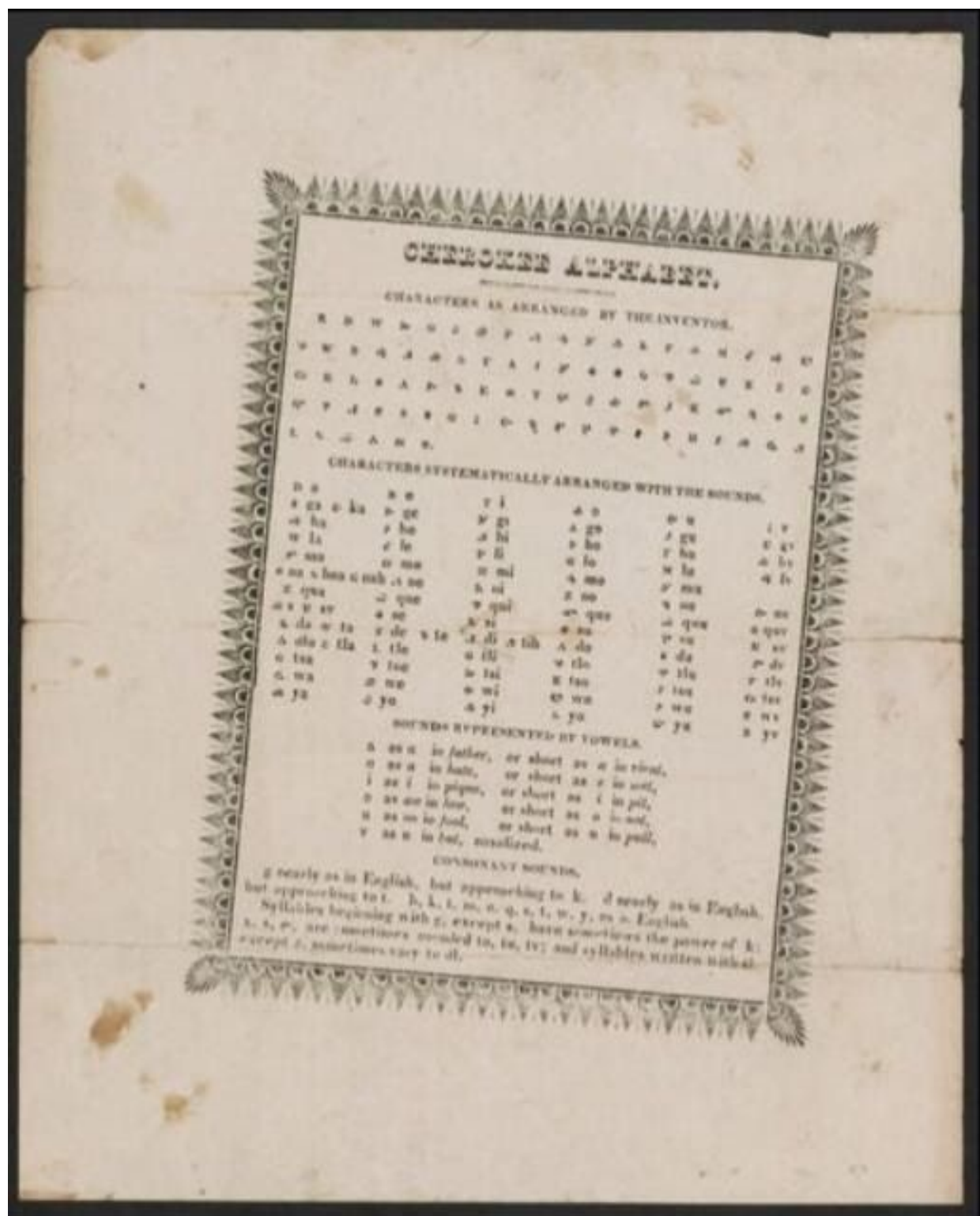


Image B. Sequoyah's syllabary. Sequoyah, 1770?-1843, Author. Cherokee Alphabet. [New Echota, GA: publisher not identified, 1834]. Retrieved from the Library of Congress.

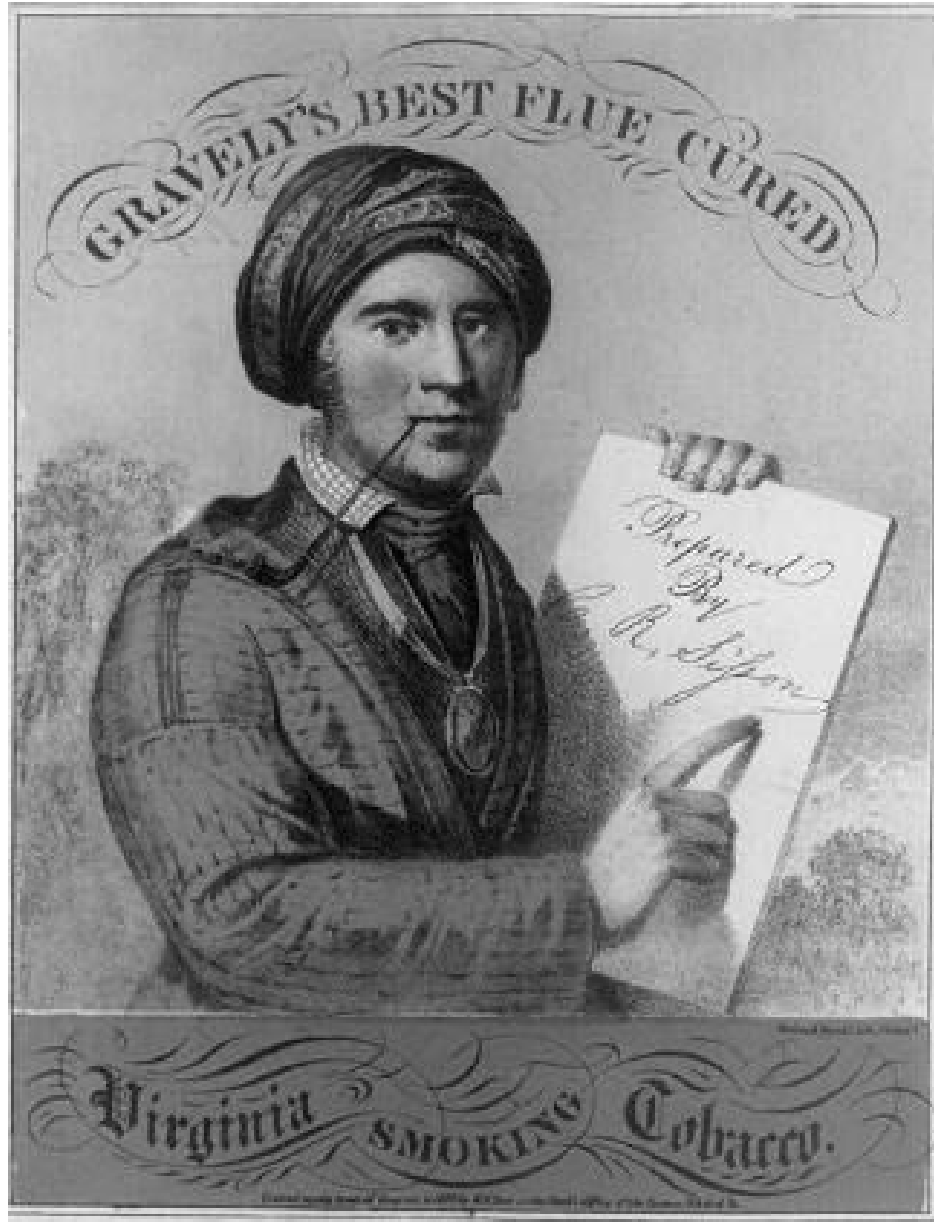


Image C. Advertisement for Gravely's best flue cured Virginia smoking tobacco, appropriating Sequoyah's image. Herline & Hensel. Gravely's best flue cured Prepared by C. R. Sisson: Virginia smoking tobacco. Philadelphia: Herline & Hensel, Lith. Photograph. Retrieved from the Library of Congress.

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Sequoyah, inventor of the Cherokee alphabet. [No Date Recorded on Caption Card] Photograph. Retrieved from the Library of Congress, www.loc.gov/item/2004672368.

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