California Indian Land Claims Activism and Urban Indian Place-Making

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ABSTRACT Peoplehood and cultural belonging have long been primordialized through reference to land and place. The de-territorialization of identity may be a critical hallmark of the 21st century, but ancestral territories and homelands continue to be implicated in a host of cultural conditions and sociopolitical statuses—perhaps especially those that reference being out of, or without, place—whether as immigrant, refugee, alien or expat. This was certainly the case for the Federated Indians of California who mobilized, in the late 1940s, in order to pursue land claims against the federal government for expropriation of their ancestral territory. One unanticipated outcome of their political activism was California Indian place-making and cultural revivification among urban, landless Indians in the greater Sacramento region. [Keywords: colonization, place, homelands, urban, Indians]

Stories involving California Indians, land, and "place" often make headlines in the state and local press. The same held true a century ago, but the value of "place" now carries new weight in this enduring equation of newsworthiness. During the first half of the 20th century, when California Indians began to seek compensation for their ancestral lands, neither the press nor its non-Native readers demonstrated any appreciable understanding of the concept of place, its connection to—nor distinction from-land. Times have changed. Stories about California Indians and land now grab headlines precisely because the public has come to recognize at least one contemporary connection between native land and place. Many members of the public can even recite the narrative formula that shapes these media accounts—though rarely the supporting historical facts. A typical account goes something like this: California Native group seeks federal acknowledgment, which will enable acquisition of a collective land base (i.e. tribal lands to be held in trust by the federal government), thereby allowing them to pursue a politically-contentious form of place-making known in vernacular parlance as "building a casino." While the public has come to conflate "Native gaming facility" with "California Indian place," tribes choosing to exploit this form of economic development make no such mistake. In fact, most work hard to undermine this popular fallacy through a variety of public relation strategies. These often include very small and politically-benign exhibits, housed within the gaming facilities themselves, which highlight their aboriginal homelands and traditional means of subsistence. It was the loss of this ancestral territory and subsistence base—and the ensuing placelessness—that inspired early 20th century headlines and debates about how best to ameliorate the social disintegration, homelessness, and poverty suffered by California Native peoples as an ongoing consequence of conquest, colonization, and statehood.

During the first half of the 20th century, two pieces of federal legislation offered California Indians reason to believe they might be compensated for loss of their aboriginal homelands. Neither was designed to restore any expropriated lands, and in the final analysis, neither offered any meaningful economic relief to California Indians. In fact, it might be argued that the direct and indirect costs associated with filing suit against the federal government further drained the meager financial resources of many California Native people (Castaneda 2006). Nevertheless, both pieces of legislation fostered significant political mobilization on the part of California Indian peoples. In some cases, this activism translated into cultural revivification and a variety of place-making that serves to highlight some of the meaningful distinctions between California Indian "land" and "place." I highlight one of these instances in the discussion that follows. I begin with a brief introduction to California Indian treaty history, explain the origins and political mission of the land claims organization known as the Federated Indians of California, and close with a discussion the place-making activities it fostered in the Sacramento region among urban, landless Indians.

STATEHOOD AND TREATIES

When California joined the Union in 1850, President Fillmore sent representatives to negotiate treaties with California Native people. This was in keeping with US policy of treating with American Indian nations, but the process was especially haphazard in California due, in part, to the territory's unparalleled cultural and linguistic diversity, and to the decentralized nature of much of the aboriginal population. Nonetheless, between 1851 and 1852, 18 treaties were negotiated that would have set aside 8,619,000 acres for reservation lands. Unfortunately, when the treaties were referred to the Senate on

July 8, 1852, and considered in Executive Session, they were rejected (Johnson 1966). Instead of being ratified, they were classified and filed away in the Senate archives, clearing the way for settlers to continue appropriating aboriginal lands, including those explicitly promised to them in exchange for ceding to the US large swaths of their ancestral territory. To reduce the ongoing conflict and violence between settler and California Indian communities, the federal government then established a handful of executive order, military-style reservations (Phillips 1997). Not surprisingly, Indians fled these confines in large numbers. In some cases, they were encouraged to do so by farmers, for whom they served as a critical labor force. In other instances, they returned 'home,' only to discover their territory freshly invaded by homesteaders (Hurtado 1988, Phillips 1997). In the late 19th century, as California Indian homeless and poverty became increasingly visible, the federal government began purchasing some small parcels of land, or rancherias, for groups of landless Indians identified, and advocated for, by local settler communities and the Office of Indian Affairs. Some Native groups even pooled their collective resources to recover a portion of their ancestral lands through purchase (Schneider 2006). Even so, many California Native peoples remained homeless and without means to earn a decent living well into the 20th century (Rawls 1984).

The first measure of relief sought for dispossessed California Native peoples came in the form of the California Indians Jurisdictional Act (CIJA). known as the Act of 1928, CIJA was inspired by what is often referred to as "rediscovery" of the non-ratified treaties. In 1905, as the dire straits of California Native peoples came increasingly to the forefront of public consciousness, the treaty documents, sometimes remembered and mentioned to white advocates by elderly Indians who had, themselves or their parents, been present at the signing, were finally ferreted out of the Senate Archives and declassified. News of the treaties and their rejection fifty years prior was met with public outrage by many philanthropic, religious and political organizations already working for the betterment of California Indian conditions. Evidence that the federal government had failed to uphold its responsibility toward California Native people was clear, but the terms of appropriate legal remedy were not. After more than a decade of writing, rewriting, debate, and amendment, CIJA was passed in 1928. The Act allowed the State of California to bring suit against the Federal Government in the US Court of Claims on behalf of all California Indians (Flushman and Barbieri 1985, Johnson 1966). Yet well before the Court of Claims rendered its findings, another bill was wending its way through Congress. Designed to create a venue in which to hear and settle any and all grievances against the federal government by all American Indian nations, the Indian Claims Commission Act (ICCA), became law in 1946 (Lurie 1957). This latter piece of legislation was national in scope, but dovetailed with CIJA in important ways. First, the scope of compensation allowed under CIJA was limited by the value of land, goods, and services promised in the 18 treaties. Second, when the ICCA was passed in 1946, California Indians had yet to reap any financial award under CIJA, which had taken almost two decades, from original filing to final hearings—to result in any findings by the US Court of There was also widespread disappointment, Claims. among both California Indians and their white advocates in the meager nature of the award, which amounted to only \$150 per capita when it was finally distributed (Stewart 1978). Furthermore, all the flaws associated with the Act of 1928 had been found, analyzed and argued about for more than two decades. Some were well known before the Act was passed, while others came to light over the intervening years. In short, California Indians were anxious and poised to take advantage of the possibilities represented by the Indian Claims Commission Act.

By the time this new opportunity presented itself, the landscape of California Indian land claims activism had changed in significant ways. First, Native people were now more informed about their own treaty history and land rights. The ICCA would enable them to sue for the taking of all ancestral lands encompassed by the state of California—minus the treaty-acreage (already covered under CIJA), and any rancheria or executive order reservation lands. That figure was estimated to be 64,500,000 acres. Second, California Native people had long-standing formal alliances in place with attorneys and other consultants, who held specialized knowledge of Indian affairs and California treaty history. And they had leaders from within their own ranks who had emerged to become spokespersons and delegates for various California Indian nations and land claims coalitions, many of them traveling to Washington to testify before the federal Court of Claims. California Indians had also accumulated a range of experiences, both positive and negative. with their attorneys and consultants; and while some of these alliances continued under ICCA, others were severed out of frustration at the low return on their emotional and financial investment in the first claims case. The Act of 1928 had named the State of California as the official plaintiff on behalf of the Indians of California. Legal representation was to be provided by the California Attorney General, with five million dollars having been appropriated from the California Legislature for this very purpose when the Act was passed. But the progress of the CIJA case was slow from the beginning. Some advocates and representatives for the Indians blamed the State for this, hired private attorneys, and worked to amend the Act so that these lawyers (presumably more motivated

than the Attorney General to get the job done in a timely manner) could replace him as counsel for the Indians of California. Others blamed those same private attorneys and consultants for what they viewed as profit-motivated legislative interference and interminable delay in the Court of Claims process.

THE FEDERATED INDIANS OF CALIFORNIA

Among those who held this latter perspective were the founding officers of the Federated Indians of California (FIC), who organized in direct response to the ICCA becoming law and in vocal opposition to an older land claims group and its leader, Frederic G. Collett (Castaneda 2006). Collett was a white missionary and front-runner in the campaign to allow private attorneys into the Court of Claims case. He had also raised considerable sums of money from California Indian people by convincing them that they must be dues-paying members of his organization in order to share in any CIJA award handed down by the Court of Claims. Eventually convicted of mail fraud charges, he remains a controversial figure in California Indian history, deserving of credit for valuable and noteworthy activism during the early part of his career, despite later losing his ethical footing and way. Many members of the FIC had been members of his organization, the Indian Board of Co-operation, during much of the CIJA claims case. They now hoped to discredit and derail his efforts to represent and speak for California Indians before the Indian Claims Commission. They were only partially successful in their effort, but this is not the side of their history that I aim to illuminate. Rather, I want to draw attention to the relationship between their political mobilization on behalf of land claims and the development of California Indian places by landless, urban Indians in the greater Sacramento region.

URBAN, CALIFORNIA-INDIAN PLACE-MAKING

In 1946, when the ICCA became law, Sacramento had no recognized urban Indian community, although other metropolitan centers—San Diego, Los Angeles, Oakland, and San Francisco—were home to pan and inter-tribal Indian communities with varying degrees of social and political organization (Lobo 2002, Nagel 1997, Ramirez 2007). In 1928, when the Meriam Commission published its landmark report, *Problems in Indian Administration* (Brookings Institution), a lengthy chapter was dedicated to "migrated" Indian communities. The Commission had this to say about Sacramento:

Probably a dozen Indian families live in Sacramento, but several were absent from home, and in some cases, the addresses were so indefinite that the families could not be located....Only one home suggested an Indian origin. This family had been in the carnival business, and its

several members still made and sold beadwork, arrows, and war bonnets, and occasionally joined Indian shows and carnivals. In all cases these Sacramento families participate in the social and civic life generally available to others in their own economic group....The few Indians visited said they knew of no Indian associations or clubs in or near Sacramento. [Brookings Institution 1928:724-725]

The report goes on to state that while these individuals expressed an interest in Indian rights, they were neither socially nor politically organized. They handled their dealings with the federal government by independently seeking out and employing attorneys as necessary, most specifically with regard to property rights "denied by Indian agents" (p. 725).

Urban Indian demographics changed substantially all over the U.S. during the mid-20th century. During WWII, shipbuilding and other war-related industries fueled urban migration. After the war, returning veterans were encouraged to relocate from reservations to cities, where it was believed that newly acquired skills would allow them employment and a standard of living not possible in their home communities (Ablon 1964, Nagel 1997, Ramirez 2007). Sacramento would become home to some of these relocated Indians who had tribal affiliations and origins in other states. But they tended to have far fewer political stakes in the outcome of California Indians land claims, except where intermarriage with California Natives occurred. Nonetheless, their social and symbolic presence would help facilitate and enliven the sociopolitical landscape upon which the FIC would build its presence during the post-war years.

In her conceptualization of many urban-dwelling Indians as "transnationals," Ramirez (2007) recognizes that migrated members of American Indian, reservationbased, communities hold citizenship and a diasporic sense of belonging that ties them socially and politically to two polities and territories: that of their native nation and that of the US. Whether or not they regularly migrate between their urban residence and reservation community, citizenship in their native nation firmly anchors them to ancestral heritage, homelands, kin and to the right to participate in the governance of their tribe. Framed this way, for California Indians, the loss of ancestral territory was about much more than the loss of their traditional homelands and subsistence base. It was also about the loss of place, and the cascading series of experiences and conditions that derived from having been forcibly unmoored from the site of social reproduction and collective cultural belonging as it was enacted on an everyday basis, in events both large and small, and in contexts both ceremonial and commonplace. Even California Native groups who had a partial land base restored through the creation of executive order reservations or

the purchase of rancheria lands suffered social trauma from colonization, displacement, settler violence and federal policies of assimilation that sought to destroy American Indian identities and languages. This assimilationist policy took many forms, including the dismantling of collective land holdings, schooling of children in on and off-reservation boarding schools, and federal encouragement of missionary work meant to undermine traditional beliefs and ceremonial practices. Social disintegration of collective identities and polities was not limited to landless California Indians, but these individuals were often the least prepared to assert their rights with regard to land claims. Given these circumstances, the FIC offered an important venue in which to hear about and exercise their right to compensation under the ICCA.

The FIC membership consisted of three basic groups: federally acknowledged reservation or rancheria-based Indians, non-federally acknowledged rural Indian communities, and urban landless Indians. Membership across all three groups hailed primarily from Central and Northern California, but the landless, urban membership quickly became the most vested in the political capital and social opportunities fostered by the organization. Unlike the other two groups, who had a communal land base—ancestral or not, federally-recognized or not—the landless urban members were not only disenfranchised from homelands, but altogether without an "Indian-community."

Two California Indians, both from communities with tribal land holdings, spearheaded the FIC's founding with help from well-placed white allies and a cohort of Native people who decided to abandon the leadership of Collett. William Fuller (Central Sierra Me-wuk) was the hereditary leader of the Tuolumne Reservation, located just north of Yosemite, and Bertha Stewart (Tolowa) was enrolled at Smith River Rancheria in Del Norte County, but living in San Francisco. Neither of these individuals had ever resided in Sacramento, but they were frequent visitors in the 1940s, as CIJA was winding to a close. Thereafter, they spent considerably more time in the city, as it was soon to become the official headquarters of the FIC. The decision to locate there was a product of several factors. First, it is California's capital city, and given the role of the state and attorney general in the 1928 Court of Claims case, it was well understood by Native land claimants to be a critical locus for lobbying and legislative activity. Second, Sacramento was home to the largest office of the Bureau of Indian Affairs in Northern California. While the FIC marketed itself as-and indeed, was-an all-Indian organization, they enjoyed significant political support from within the BIA and state Attorney General's office. In both instances this support relates, in part, to a shared agenda of removing Collett from the wide sphere of Indian influence he had developed during the CIJA era

(Castaneda 2006). Of equal importance to Fuller and Stewart were three Mountain Maidu women who lived in Sacramento. Pansy Marine and Kitty Flores, along with their mother, Marie Potts, had become early members of the FIC, and by 1947, they were serving on its executive committee. Marine offered to rent the organization a room for \$6.00 per month, thereby providing it with clerical space and an official mailing address. Heretofore, Bertha Stewart had been handling much of the administrative work from her home in San Francisco. When the FIC accepted Marine's offer, the stage was largely set for urban, California Indian place-making to unfold in Sacramento, although this could hardly have been foreseen in the late 1940s, when these three landless, Maidu women decided to join the Federated Indians of California.

The most immediate and pressing need of the FIC involved convincing California Indians that they should join them in bringing a common claim before the Indian Claims Commission (ICC). For reasons too complex to enumerate here, but which ultimately resulted from the federal government's failure to properly treat with and otherwise recognize California Native communities as autonomous political units, the terms by which California Indians were forced to bring suit against the federal government were far more complicated and opaque than those accruing to federally-recognized American Indian communities in most other states. The Act of 1928, or CIJA, had created a precedent whereby the US Court of Claims had recognized a single plaintiff. "the Indians of California," as if the state's aboriginal population was comprised of native peoples who had all benefited or suffered equally, as if all or none been awarded treaty or trust land and other federal goods and services. Nothing could have been farther from the truth, so when the ICCA was passed in 1946, California Indian people and their allies were in disagreement about how best to proceed. Some federally-recognized California Indian communities were poised to bring individual tribal petitions before the ICC. Meanwhile, attorneys and consultants, who had been involved in amending and pursuing maximum outcomes under CIJA, were anxious to continue working with their clientele, which included federally acknowledged entities, as well as individuals and communities with no recognized status. Collett was among this group of consultants. He had created a new organization in anticipation of the ICCA becoming law and hoped to retain most of the membership he had built during CIJA, under the auspices of "The Indian Board of Co-operation." A third organization was also very much on the FIC's radar. This group was led by an attorney named Reginald Foster and bank-rolled by out-of-state investors, all of whom stood to profit if they could bring a successful suit before the ICC (Castaneda 2006). The FIC hoped to persuade California Indians to join their

ranks instead, but competition to generate membership in such pan-California Indian entities—each of which aimed to comprise what the ICCA termed "an identifiable Indian group"—was fierce and highly politicized. The FIC approached this task by highlighting two important attributes. The first was its "all-Indian" leadership. This distinguished the group from both its primary competitors, since executive leadership in those groups was controlled by white board members, advisors, and attorneys. Second, membership in the FIC was free; no costs were involved in placing one's name on the membership roster that would be presented to the ICC. This latter policy stood in stark contrast to Collett's past practices. But unless the FIC could make its presence known to the Indians of California, they had no hope of recruiting a substantial membership.

Kitty Flores, sister of Pansy Marine, was the organization's first publicity director. Familiar with the power of the print media based on both her boarding school experiences and her BIA employment, Flores organized two press conferences. The first would announce the FIC's formation and take place in the offices of Earl Warren, California's Attorney General. Choice of this venue was especially strategic. Under CIJA, the State had acted in the capacity of plaintiff on behalf of California's Indians, and by demonstrating their association with Warren and the legal apparatus of the State, the FIC sought to publicly flex some political muscle before other land claims competitors. A second press opportunity was organized for later the same day, and included a call for all California Indians to gather. The FIC's selection of a location for this event—the grounds of the State Indian Museum—and Flores' request that they dress in traditional California Indian clothing so the public could learn of their presence and numbers, reveals how otherwise bereft the city was of an organized Indian community and meeting place. Until this time, the grounds of the State Indian Museum had largely been devoid of any live Indian presence. But FIC leaders realized this was the local venue that the public had come to associate with California Indians—people who had made and used the artifacts exhibited inside, but who were otherwise thought to be physically and temporally remote. The notion that they were alive and living in mid-20th century Sacramento was very much outside the public's grasp. Newspapers up and down the state captured the event in text and pictorial form. In the decades that followed, contemporary Native people became increasingly involved in the museum as craft demonstrators, cultural consultants, and docents. In the early 1970s, the Museum began hosting an "honored elder" celebration in partnership with the California Native community. A portrait of each year's honoree was exhibited throughout the year, helping to reinforce in the minds of visitors, the lively presence of contemporary California Native people.

Today, exhibits featuring California Indian contemporary artists, weavers, and writers draw Native and non-Native patrons, alike; and the grounds of the museum, where the FIC first announced its formation and invited California Native people to unify in pursuit of a single land claim, has become one of many urban, California-Indian places—as evidenced each fall on California State Indian Museum Acorn Day and at spring celebrations of Honored Elders' Day.

The FIC's formation coincided with California Centennial celebrations of gold discovery, the gold rush, and statehood, all events that had contributed significantly to the social and material traumas suffered by California Indians. The FIC was able to capitalize on these celebrations in important ways. Their costumed appearance at the State Indian Museum resulted in many invitations to participate in regional Centennial celebrations, including both parades and historically themed fairs intended to draw attention to the State's early history. The FIC used these parades to advertise their land claims organization by developing floats that featured Native basketry, costumed riders, and large banners reading "Federated Indians of California." Although onlookers may have entertained romantic ideas about California Indians as emblematic of the pioneer west, the irony of the FIC's presence at these Centennial events was not entirely lost on journalists. The FIC won several prizes and awards for their floats and other cultural demonstrations, and by 1950, had secured a booth at the California State Fair, where they would continue to gather for more than two decades.

In the early years of their State Fair appearances, the FIC recruited new members and handed out fliers recounting the history of the federal government's treaty promises and failures. This served to educate both Native people and the wider public about the basis for California Indian land claims. But this political agenda slowly gave way to more cultural pursuits and award-winning exhibits. It is easy to imagine the attraction that the "All California Indian" exhibits held for white urbanites of the 1950s and 60s who were largely unaware that California Indians were still around, much less living in their urban midst. But for California Native people, the Fair was more than a place to exhibit and perform their aboriginal identities. Marie Potts, who organized and curated these state fair exhibits, maintained annual guest logs, as well as school-specific guest registers for alumni from Greenville, Chemawa, Sherman, Carlisle, and Stewart Indian Schools. These were the Indian boarding schools that Potts, her daughters, and other FIC leaders, such as Bertha Stewart, attended. The registers enabled Potts and the FIC to expand their sociopolitical networks, but the comments left on the pages of these artfully-crafted books clearly document the meaning of place that the "All California Indian" State Fair booth and exhibit,

however seasonally-occurring, held for the Native visitors who looked forward to the sense of home and belonging it fostered.

Between 1947 and the mid-50s, the FIC demonstrated their patriotism by participating in Flag and Labor Day parades sponsored by the City of Sacramento. This afforded them added visibility and yet another venue in which to socialize and celebrate their heritage. In later years, these gave way to annual FIC-sponsored fall and spring picnics in city parks—most particularly, McClatchy and Oak Park. These were occasions for softball games between men's and women's teams, for oldstyle gambling, and for enjoying traditional Indian foods like acorn biscuits and salmon. These events were widely advertised and drew FIC members from far and wide. Annual boarding school reunion picnics were also held at these parks. Hosted by landless, urban California Indians, these events attracted tribal communities and individuals from all over the state and sometimes well bevond (Castaneda 2006).

The financial cost associated with sending FIC delegates and attorneys to Washington, to lobby Congress and to testify before the ICC, was one of the organization's ongoing challenges. Some donations were collected from sympathetic whites at the Centennial Celebrations, and fees were occasionally charged for cultural demonstrations. But the FIC also sponsored fund-raising events designed for member participation. Among the most successful of these were social dances for which entrance fees were charged and raffle tickets sold. In the late 1940s, these events moved around town wherever a dance hall or ballroom could be afforded. But, they soon acquired a permanent home, when an "All-Indian Chapter" of the Veterans of Foreign Wars was formed in West Sacramento and Kesner Flores (Kitty's husband) and other FIC members were inducted (Anonymous 1950). Archived photographs of men and women, young and old, in street clothing, Hollywood Plains Indian-style costuming, and eventually, more traditional dance wear—replete with clapper sticks and flicker feather headbands—document cultural revivification and the social meaning of place for these urban Indians who gathered at VFW Post 9054 to raise funds for their land claims case, and to enjoy their shared pan-California Indian ancestry (Castaneda 2002).

Place-making also happened in another, somewhat unlikely, location. Given their statewide membership, the FIC needed a mechanism for disseminating information about the progress of the claims case. For this purpose, Kitty Flores created a newspaper called *The Smoke Signal*. When it folded in 1978, after 30 years of operation, it was the longest running, Indian-owned and published newspaper in the country. It was written, printed, and distributed out of the home of Marie Potts, who served as the paper's editor and the FIC's publicity

director following Kitty's untimely death, in 1951. The newspaper developed as a natural expansion of the publicity director's role and brought statewide attentionsocial, political, and academic—to the FIC, Sacramento, and the neighborhood of Oak Park, as libraries all over the country maintained subscriptions to this early manifestation of the American Indian Press. The home is long gone, but the lot on which it once rested is still considered to be one of the most important sites in the history of Sacramento's Indian and interethnic community. It was "home" not only to Potts, her daughter Pansy, and Pansy's children, but also to the countless California Native people who came to Sacramento to help with land claims issues, to perform dances and demonstrate basket weaving at the State Fair, and to help get the Smoke Signal printed and mailed. Located at 2727 Santa Clara Way, the house turned out to be much more than the clerical office and mailing address Pansy Marine first offered the FIC.

As their land claims case stretched over the ensuing decades, California Indian people who had first mobilized to make their presence known—often by performing and embodying stereotypical American Indian personas for a public that either imagined them to have completely disappeared or could only relate to them as fringed and beaded buckskin-wearing caricatures, slowly began to re-traditionalize their urban presence, reclaiming their own ancestral identities and practices—whether Miwok, Pomo, Maidu, or Wintun. Other sites and urban California-Indian places slowly began to emerge, as communities of old and young gathered to learn California Indian basket weaving at the State Indian Museum, to be taught the old ceremonial dances at Pacific Western Traders in nearby historic Folsom, and to learn and share indigenous languages and philosophies at D-Q University, California's only tribal college (Castaneda 2002). In the late 1960s and early 70s, when the Red Power Movement offered a common cause for Indians of all nations, much of the activism that took place in northern California benefitted from the social infrastructure and urban, California Indian place-making that developed under the auspices of FIC in the post-war years of the midtwentieth century.

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