

# **SOCIAL COST OF STRUCTURAL VIOLENCE: ONE NATIVE CALIFORNIA FAMILY'S EXPERIENCE**

**By**

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## **Abstract**

Structural violence embedded in the colonial experience of Native Californians effectively changed the way Indigenous people thought about themselves, while their identity and allegiance to each other remained constant. This study presents the effects of structural violence one family experienced using ethnographic tools and oral history. It is an example of preservation, endurance and resilience to re-establish Indigenous public agency and engage in public policy. The goal for themselves is re-education about Ohlone culture; the goal for the general public is re-education of continued Ohlone presence in the Bay Area and their connections to ancestral spaces.

A borderless place of “available light” that Clifford Geertz (2001) evokes is a theoretical space, somewhere between philosophy and anthropology, where culture can be understood in multiple perspectives. This “land of light” is a non-judgmental place where we propose one can illuminate effects of violence impacting people’s lives for generations. It is well known that Native Californians experienced many types of violence starting with the arrival of the Spanish colonialists in 1542 C.E., intensified during the Spanish-Mexican entrada into Alta California (1775-1846 CE) and into the American period (1846 CE forward) until U.S Congressional recognition of Native Americans as American citizens occurred in 1924. Oppression and trauma took many forms between these years. The purpose of this research is to investigate potential consequences of long-term trauma embedded in descendant communities. Experiences construct opinion and choice through dynamic relationships between people and society (Bordieu 2013[1972]:78). Some Native choices focused on resistance and reaffirmation

of Native identity now emerging in the San Francisco Bay Area that would not have been possible without early support from Native American organizations such as the American Indian Movement (AIM) and more recently by Confederated Villages of Lisjan, Oakland, CA. Local public support followed from Coyote Hills Regional Park, community colleges, San Jose and East Bay State Universities, and University of California at Berkeley. In this research, Native California experience is expanded thanks to J. P. Harrington's (1921- 1937) ethnographic narratives, reflecting Chochenyo social memory during the 1920s and 1930s, and is added to Orta family memory.

Orta family history covers a little more than half of the years between 1775 and 1924 with much of the reliable data being more recent. However, the family is rooted in the historic and prehistoric past of the area now known as Sunol, Niles, Niles Canyon, Mission San Jose, Pleasanton, the East Bay of the San Francisco as well as possibly farther east toward the Sacramento Delta (Figure 1).

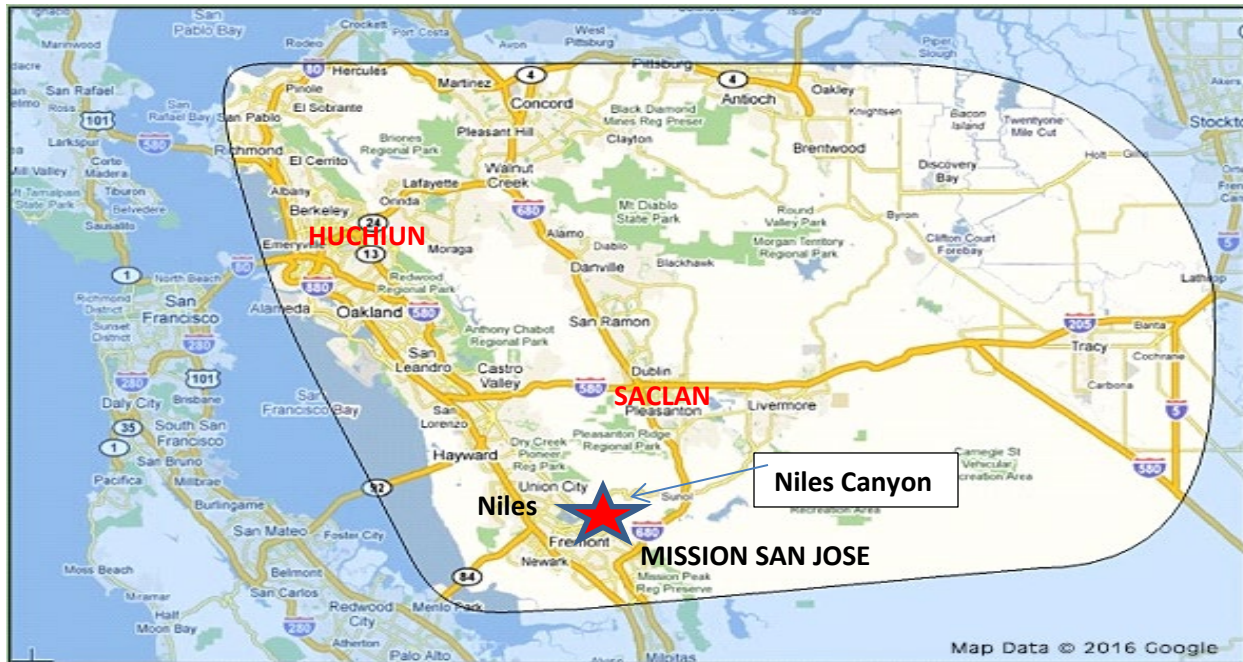


Figure 1 Map of the East Bay in the San Francisco Bay Area relative to Mission San Jose and Mission lands that were converted into Ranchos. Now bundled together, the Huchiun and Saclan villages are represented now by the Confederated Villages of Lisjan.

To understand how traumas experienced between 1775 – 1924 affected choices made by past and current family members, the Orta family history must be connected to the larger historical narrative of California Natives. Gaps of information complicate the linkage. Gaps due to academic constraints between history and prehistory, cited by Lightfoot (1995, 2000), Panich (2013:106), Schneider (2015a:511, 2015b:696) Silliman (2005:55) break continuity from present to prehistory while elitist gaps in the

ethnographic record created by Kroeber (1925), Gifford (1915), and others early in the 20<sup>th</sup> century focused attention on tribal cultures outside of urban “contamination” (Bauer 2016:4, Lightfoot 2005:33). Social gaps emerge as well. Spanish-Mexican military and Franciscan priests separated Indigenous people from their tribal lands and economy beginning 1775-1776 in Alta California. This separation from ancestral lands which were their source of oral history, culture, religion and economy, relegated Natives to the economic bottom of Hispanic society’s “systema de castas” (Bauer 2016:55, Lightfoot 2005:188, Milliken 2008:165, Sandos 2004:2, Street 2004:xxii, Voss 2005:463). But currently, some Native California voices in the East Bay belong to tax-paying, baseball-loving, beach-going middle-class citizens (which is not representative of many Native Californians). How did recipients of such extreme structural violence emerge as proactive citizens two and a half centuries later? Computerization of mission records by Milliken (1991) and Huntington Library’s Early California Population Project (ECPP 2006) provide seminal demographic information about cultural identities and the distribution of early neophyte groups ending in 1850. However, when digitized data after 1850 are searched for family members or relatives’ information, gaps continue.

In spite of these gaps, it is important to explore how decades of trauma stemming from structural violence emerge now as ethnogenesis, persistence, or something else? The Authors recognize that using the oral history of one family is limiting, especially given that other branches of the same family express their Indigenous heritage differently (Galvan 1968; Field, Leventhal, Sanchez and Cambra 1992; Leventhal, Field, Alvarez, and Cambra 1994). However given the size of the Orta family, there are enough members to gather a representative sample of views and opinions for this study.

Archaeological studies of colonialism tend to focus on mission and/or rancho sites ending in 1834 when Mexico secularized missions in Alta California or in 1850 when California acquired statehood (e.g. Arkush 2011; Cordero 2015; Huntington Library ECPP 2006; Jackson 1994, 1983; Jackson and Castillo 1995; Milliken 1995, 2008; Peelo 2010; Phillips 1993; Sillman 2001, 2006; Voss 2005, 2015). Fewer studies exist for the colonized areas of the East Bay with the exception of Kelsey (1906), Milliken (1995, 2008) and J.P. Harrington’s collection of linguistic information from Alaska to Southern California in the early decades of the 20<sup>th</sup> century. Other authors who write about northern California such as (Akin & Bauer Jr. 2021; Bauer Jr. 2016; Lightfoot 2005, 2006; Schneider 2015a and b; Voss 2015), or about labor issues covering large sections of time and space in California (Phillips 2010; Street 2004), mention events in and around Mission San Jose, providing a larger picture of the social, political and economic climate of the times in which the mission belongs. This family history study adds East Bay Native experience to the larger ethnographic account.

Our research has four main objectives. First, we use the “available light” of anthropology by combining an overview of California’s historical past framed in a structural violence paradigm, focusing on membership of the “bottom rung of society” (Farmer 2004:602). Second, we combine Orta family history with oral history from social networks of Indigenous people who lived in the same community as Ruth Orta’s grandmother and grandfather in Niles ( J.P. Harrington 1921-1937), and with the social memory of Chochoyeno speakers in Monterey during the 1920s and 30s. These combined data, when matched with California’s history framed in structural violence, reflect similar patterns of events that become costs rendered by one family of Native Californians. We do not claim this is representative of all California Natives, rather, we ponder what the total cost must be, if this is one family’s experience.

Third, life choices are also made in terms of social-economic contexts of the times. Two vectors of influence are important: industry/capitalism and social construction of ethnic differences. As members of the laboring class who continued to provide farms and ranches with the means to get food to market, Ruth’s family participated in that evolving economy (1860’s to 1914). Notions of labor as practice –“bodily experiences and thus particular outlooks on the world” (Silliman 2001:383) make it feasible to include Gilded Age capitalism as an additional influence on Indigenous constraints or choices since Ruth’s grandmother, grandfather, mother, uncles and aunts came of age between 1860 and 1914 when Gilded Age economy set working conditions. Those Gilded Age conditions offered limited choices to family members making it equally imperative to follow labor contexts which acted as the nexus in which the family worked, grew, and changed their fortune.

Finally, when consequences of the above goals are combined, family interest in activism presents itself as a natural outcome. This research weaves together Orta family experience relative to the Civil Rights movement such that we address whether current activism by members of the family constitute ethnogenesis, cultural persistence, or cultural maintenance. As members of a tribe-like community without federal recognition, do the generational experiences of colonialism and neo-colonialism during statehood push descendant generations to organize politically and to revitalize culturally? The language, as remembered by relatives, ancestral skills and traditional ecological knowledge learned from archaeological data contribute to regaining lost culture. Or does the desire to be part of an Indigenous organization come from some deeper source reaching back into the past to access the spiritual community as a source of solidarity to resist negative policies embedded in national and local public consciousness?.

## The Paradigm

This research applies Farmer's (2003, 2004) structural violence paradigm to frame the hardships and trauma Indigenous people of California experienced by applying Farmer's "triage" questions to facts from the past, organizing them in a new "light." Structural violence was first delineated by Galtung (1969) who while researching paths toward peace wrote that "Violence is the cause of difference between the potential and the actual, between what could have been and what is. Violence is that which impedes the decrease of this distance" (1969:168). Galtung used tuberculosis as an example to explain his theory. If a person died of tuberculosis in the 18<sup>th</sup> century that is not violence but rather, due to lack of medical knowledge, it is a natural outcome. However, if a person dies of tuberculosis in the 21<sup>st</sup> century that is violence because there is some form of neglect in place in the social structure prohibiting a cure from being applied, causing death (Galtung 1969:168). The concept was adopted by Farmer (2003, 2004) as an explanation for the lack of health equity in Haiti and other places, and why there are enormous gaps in wealth, health, and access to economic opportunity in some countries. Farmer defines structural violence as "violence exerted systematically – that is indirectly – by everyone who belongs to a certain social order: hence the discomfort these ideas provoke in a moral economy still geared to pinning praise or blame on individual actors. In short, the concept of structural violence is intended to inform the study of the machinery of oppression." (Farmer 2004:307)

Poverty, he points out, is economic and is not accidental (Farmer 2003:loc849). Vulnerability to poverty lies in varied intersections of gender, class, and ethnic "axes" (Farmer 2003:loc778), depending on the mix of political and economic regimes in place in a region or country. Pursuing this notion further, Farmer states [it is] "a kind of violence that enables the system to continue as set up with those (people) at the bottom picking up the pieces that were discarded by a stratified economic hierarchy" (Farmer 2003). When any economic system is disrupted, as was the case in colonial California, the disruption forces migration to other places where one has to take conditions as one finds them, including "unfreedoms" (Deloria 2021; Resendez 2016).

Hegemony produces a number of "unfreedoms" such as poverty, tyranny, poor economic opportunities, systematic social deprivations, intolerance and violations of civil rights (Deloria 2021). These "unfreedoms" would be conditions encountered by Indigenous people dislocated by a mission system. Farmer specifies that consequences of "former abuses (i.e. violations of social and economic rights), continually permit civil and political rights to be violated" (Farmer 2003:308) or vanish. If this idea is applied to colonized California, once Franciscans convinced local Indigenous people living in sedentary villages and following a hunting-gathering way of life to move to a mission, to

be baptized, to help them build missions and learn to farm, Indigenous dignity, culture, and agency were at risk for further manipulation by those in power.

Farmer is writing in an era when civil rights or political rights are acknowledged values by our courts of law (e.g. Civil Rights Act 1968). Certainly, when Western European powers were sailing around the newly confirmed globe accessing exotic goods to make lives in chilly, cloudy northern Europe easier, civil and social rights were recognized only from the top down. Social life in Europe was based on monarchy. By birth, those at the top of the hierarchy were permitted the greatest number of social and civil freedoms, while those at the bottom had fewest. Those in between were slowly gaining rights to own land and possessions based on investment of physical labor (Locke 1689[2016]). We impose structural violence virtually onto an historical past that did not recognize the same values we do today. It is instructive to do this, however, since results begin to throw light on aspects of a past that have gotten lost. By revisiting the past in this new light, we gain robust answers about the present and discover that effects of structural violence have been elided and through elision, social costs of it linger, in spite of a new social consciousness.

“The concept of structural violence is intended to inform the study of the social machinery of oppression. Oppression is a result of many conditions, not the least of which resides in consciousness. ...roles played by the erasure of historical memory and other forms of desocialization as enabling conditions of structures that are both “sinful” and ostensibly “nobody’s fault.” (Farmer 2004:307)

Farmer wants to understand the social mechanisms that produce suffering; how policies created at one level of society become sources of actual suffering at another level. Social mechanisms of peonage introduced in the lives of missionized Natives during Spanish-Mexican (or *California*) culture, for example, and continued under American capitalism, rest on a single economic foundation – labor, as opposed to work (Silliman 2001:380). Citing Marx’s definition of work as “energy expended by individuals or groups to acquire materials and convert them into tools, food, shelter, items that people require to live” (Marx in Silliman 2001:380), Silliman points to the difference between meanings of ‘work’ and ‘labor’<sup>1</sup>. “Labor, for anthropology of power and social relations, is its ability to be appropriated and enforced” (Silliman 2001:380). Labor, done at someone else’s bidding, is an embedded mechanism in colonial relationships with Indigenous people (Lightfoot 2005; Resendez 2016; Sunseri 2020). This embedded mechanism carried all conditions necessary for commodification to continue under capitalism when America assumed control of power (1846) and California gained statehood in 1850 (Street 2004:109, 121).

Colonial policies produced two social mechanisms: labor relative to house and farm, and relationships between laborers and priests<sup>2</sup> that divided neophytes by gender and age; each gender subject to disciplinary measures regarding labor done. Contemporary scholarship (Bauer Jr 2016.; Castillo 1978, 1994; Jackson 1994; Jackson and Castillo 1995; Lightfoot 2005; Madley 2016; Milliken 1995, 2008; Phillips 2010; Resendez 2016; Thornton 1993) demonstrates that these two mechanisms were often sources of suffering, physical and mental, for neophytes in varying degrees, depending on gender and priest. To gain a clearer understanding of how suffering embedded in structures of colonial society moved into stratified American society, we use Farmer's six "trriage" questions listed below as research guides.

- "1) Can we identify the worst assaults?
- 2) Who are those most at risk of great suffering?
- 3) Among the nonfatal, is it possible to identify those most at risk of sustaining permanent and disabling damage?
- 4) Are certain "event" assaults (e.g. torture, rape) more likely to lead to later sequels than sustained and insidious suffering: (e.g poverty or racism pain?)
- 5) Are certain forms of insidious discrimination demonstrably more noxious than others?
- 6) How are agencies constrained? How can individual experience and structural violence embedded in the larger social matrix be remedied?" (Farmer 2003:576).

Working in a chronological manner, we apply these questions to colonized California to learn the distribution and depth of suffering experienced by Native populations between the years 1775 and 1849, then to Americanized years 1850-1924. Second, beginning in 1863 we take up the earliest known generation of family to compare members' experiences against the larger picture of Native experience during these years. Tracing through the next generation we add ethnographic information from Niles, California where descendant members and friends, recalled in Orta memory, resided during the late 19th and early 20<sup>th</sup> centuries (Harrington 1921). Social networks with Monterey, California Chochenyo speakers, provides additional social memory from these years (Harrington 1937). Third, the evident social cohesiveness instructs our investigation of Gilded Age policies regarding industrial labor and blatant discrimination, illuminating negotiations Ruth's mother Trina made with her circumstances that enabled

the family to gain middle class status. By delineating the upheaval in the above sections, we find mirrored patterns where family trauma integrates with the larger Native history. Hopefully the reader will gain understanding that an individual response to difficult circumstances reflects community sentiments regarding survival. Additionally, we find choices made by individuals altered the social trajectory of future generations. Fourth, based on results compiled, we explore current family commitment to activism in public organizations to investigate ideas of ethnogenesis, persistence, maintenance or other putative significances of Native agency that are now possible to assert since the Civil Rights movement created a social space for that purpose.

### **Data Collection: Methods and Dilemmas**

This is not the usual record of anthropological research because this project had no time constraints. The people involved did not all live in one geographic location or at the same time, although everyone had emotional ties to family in Pleasanton, Niles, Niles Canyon, or Newark, CA. On-going proprietary sentiments held by Mission San Jose archives creates challenges to access family records. Collecting family information follows the advice given to Olsen by Dr. Alfonso Ortiz at the University of New Mexico. For interviews he suggested “let it (the conversation) flow. If it goes off track, that’s ok, the topic is important to the person talking” (A. Ortiz, personal communication, 1995). Like one long, flowing conversation, the authors talked and traveled to inspect sites of heritage as well as archaeology. Collecting information flowed around authors’ lives, taking care of families and working full time (Orta) and part time (Olsen). In spite of obstacles, the authors have now amassed more memories than there is space to share.

#### Collecting Family Oral History.

Ruth Orta and Nancy Olsen became acquainted in 1981 during early days of the Muwekma organization (Olsen 1986). Rosemary Cambra asked Olsen for help to research Rosemary’s Indigenous family tree in 1981. Several trips to Mission San Jose uncovered baptismal, marriage and death registers of the family curated by Rev. William N. Abeloe, archivist, in the Mission offices. He copied Ruth’s grandmother’s (Rosemary’s great grandmother) birth record and other records important for the Sanchez-Franco-Cambra family. Baptismal records of all offspring of Ruth’s grandmother and grandfather were found and copied. The search links the Galvan family, the Orta family, Sanchez-Franco-Cambra family, the Muñoz family, and the Arellano family together as descendants of one couple, Avelina Cornates and Raphael Marine.

Ruth came to organizational meetings held at San Jose State University where Alan Leventhal, archaeological lab technician, provided an empty classroom on weekends to



plan a “tribal council.” (Olsen 1986). About a year later Ruth organized a family gathering at her mother’s (Trina Marine Ruano) house in Newark that Cambra and Olsen attended. Over time, organizational meetings became difficult due to conflicting opinions about organizational priorities held by attending family and Monterey representatives. Olsen began research at the Bancroft Library at UC Berkeley finding more microfilm of Mission Dolores and Mission San Jose baptismal, marriage, and death registers. Those records produced information for the Sanchez-Franco family and some interesting links with early Mission Dolores neophytes. Randall Milliken assisted the record research by sharing translations of Spanish and Latin phrases he had accumulated in his own work with mission records. U.S. Census records in San Bruno produced more evidence of family members or people remembered by the Orta family living in Niles. Stanford University Library has a Pacific Slope Collection of early northern California local history. An early (1890’s) Stanford historian Mary S. Barnes interviewed remaining Spanish colonial descendants as well as a descendant of Mission Dolores, Pedro Evencio, whom she photographed with his two sons living in Redwood City (Barnes 1894). He is probably the uncle of Jose Avencho (also Evencio) (Harrington Reel 36:p20:Frame 4) who became known as Jose Guzman (Merriam 1967:368) prominent in Harrington’s and other ethnographic records. Family interviews were conducted with Lawrence and Virginia Nichols (December 1986), with Enos Sanchez (April 1984), Dolores Sanchez- Franco (April 1983), and two interviews with Ruth Orta and her mother Trina and husband Joe Ruano (December 1984 and February 1986). Trina died in May 1986 causing Ruth to put off further family research while the family mourned her passing.

Research resumed in 1998. Ruth applied to the Bureau of Indian Affairs for copies of her family’s applications to the California Indian Rolls created in 1928. 2002 to 2010 the authors worked on building the family tree and traveled to Pleasanton, Sunol and Niles, mentally marking the locations of the old Rancheria, the roundhouse, and the spot where the Orta family picnicked in Niles Canyon as children to honor their Indigenous heritage. The authors visited St. Mary of the Palms Convent for Trina’s records as well as mortuaries and graveyards to locate places where Ruth’s mother had lived as a child and where she is buried.

In 2015 Olsen approached Marjorie Rhodes-Ousley, associate director of C. E. Smith Museum of Anthropology, California State University, East Bay, Hayward to elicit interest in a grant application to the California Council for the Humanities. The goal, to research and mount an exhibit of the family’s history and heritage in the C.E Smith Museum was approved by Ms Rhodes-Ousley who then enlisted the help of Beverly Ortiz as a Humanities authority and Dr Henry Gilbert, museum director. Smith Museum was awarded the grant beginning 2016.<sup>3</sup> The grant enabled researchers and students

to design an exhibit and hold interviews with 20+ members of Ruth's immediate family to learn how individual members, in all age brackets, felt about their heritage, recollections of their grandmother Trina, and how her knowledge of being a California Native empowered their own self-identity.

Covid-19 restrictions presented a unique opportunity for Olsen to access J. P. Harrington's *Chochenyo Notes* (1921-1937) which are digitized and available online from the Smithsonian National Archive. Harrington's "Chochenyo Notes" was an effort to collect information about dialects spoken by Ohlones living in the Bay Area and Monterey in 1921. In the course of asking questions regarding how certain phrases should be said in Chochenyo, respondents spontaneously digressed to tell Harrington about their lives in Niles, Livermore Valley, and Monterey-Carmel, California. Harrington recorded everything said by hand, in half-Spanish, half-English. The number of times that respondents spontaneously recalled accidents, incidents, personal tragedies and relationship difficulties, suggested our focus on structural violence.

### Mission Register Records.

Native voices, first heard in any quantity by Franciscan priests, were understood through the cultural lens of the Spanish language; what Natives said was spelled out using Roman alphabet letter combinations of sound. Although baptismal, marriage and death records were consistently kept by all priests at all missions, no consistency exists within missions or between priests regarding the spelling of people's names or places where they lived. Each priest adhered to his own system of spelling every time sounds in Miwok, Chochenyo, Mutsun, Rumsen, Esselen, or Yokut were heard ( see Milliken 1995:Appendix 1). Natives' Indigenous names are transported into Roman Catholic names in the registers of baptism, while place names attached to people's names became the only documented ethnic identity specific for many.<sup>4</sup> However, general ethnic identity is distinguished consistently in baptismal, marriage, and death records within and between missions according to the established custom; fixing *Indios* in a permanent separate social category. It should be noted, however, that under Mexican law, Natives were considered citizens and as human beings, eligible to receive sacraments from the Church.

For research purposes, the *Indios* designation is helpful now since all entries in church records have, or were given, Spanish language names. Additionally, priests recycled Spanish baptismal names among neophytes, making positive identification of a particular individual difficult. (see Sandos and Sandos 2014:597-598). Franciscan priests added marital status of the parents to baptismal records— whether it was

legitimate (in the Church) or not. For Church members, this notation could be legal documentation for inheritance of parents' estates, for example. For Natives, who had their own marriage customs and adhered to them, the lack of formal marriage in the church was a constant frustration.<sup>5</sup> For this research only two family marriages appear in the registers while baptisms abound, indicating adherence to Native marriage customs continued into the 20<sup>th</sup> century.

Other notations made by priests identify Native social status; particularly significant are: *alcaldes* (captain/mayor) and *regidores* (councilmen) for secular interaction, witnesses and godparents identified for religious contexts (Milliken 1995). Early in the religious logs, witnesses and godparent were chosen by the priests (Sandos 2004:42); by the 1880's and 1890's when Avelina and Rafael Marine baptized their offspring, godparents were immediate family.

### **Framing California History In “Triage” Questions Arising From Structural Violence.**

In Mission-Rancho period (1769-1848) as well as during early American statehood (1850- 1924), Farmer's first three questions are easy to answer because not only are these years well documented by the “Do-ers”, but also well researched by historians, ethnologists, and more recently historical archaeology. In light of present records (Arrigoni 2021; Akin and Bauer, Jr 2021; Arkush 2011, Bauer Jr, 2016; Bean 1994; Bean and Blackburn 1976; Castillo 1994; Cordero 2015; Hull and Douglass 2018; Hurtado 1988; Jackson 1994; Jackson and Castillo 1995, Lightfoot 2005; Lightfoot, Cuthrell, Striplen and Hylkema 2013; Milliken 1995, 2009, 2008; Nelson 2021; Peelo, Panich, Spellman, Ellison and D'Oro 2018; Phillips 1993, 2010; Sandos 2004; Sandos and Sandos 2014; Silliman 2001, 2005, 2009; Schneider 2015a and 2015b; Skowronek 1998; Sunseri 2020; Voss 2005, 2012, 2015), it is apparent that although Indigenous cultures were attempting to maintain customary social and religious practices while living at missions, albeit homogenized cultures (Lightfoot 2005:27), all Indigenous people were expected to conform to an alien, demanding culture where social, political, and human rights privileges were extended sparingly (the “unfreedoms”) (Deloria 2021, Lightfoot 2005:25). Based on priests' communications with superiors, in reports and the *Interrogatorio* of 1811 (Kroeber 1908b), consisting of questions sent by the Spanish *viceregal* of the Mexican government to missions in Alta California regarding customs and wellbeing of their Native neophytes, it is clear that priests were aware that they were engaged in types of violence locally as well as mission-wide, but always resolved this conundrum of Native reality vs. Franciscan beliefs with more Church doctrine (Street 2004:47); an elision in itself.

#### Question 1. Can we identify the worst assaults?

a). Western European perceptions of entitlement and superiority set in motion the worst assaults targeting California Natives. Control of the population through missionization by priests was the ultimate goal locally (Madley 2016:29); control of the western edge of North America was Spain/Mexico's goal internationally (Jackson and Castillo 1995:107; Lightfoot 2005:19; Street 2004:6). Massing people together in order to have a population to perform the work may have been grounded in a feudal notion of lord-peasant relationship where the peasant contributes work that supports the lord and family, in return for protection, in this case, theoretically, spiritual protection of which only one side understood the notion. On the Native side, California missionization functioned as a form of ethnocide (Akins and Bauer Jr 2021:138; Bauer 2016:56; see Phillips 2010:18-19) since missions needed the physical people to do the work while Native systems adapted for over 2000 years to benefit inhabitants of a Mediterranean environment (Voss 2015:111), were completely devalued. Egalitarian notions of cooperation and stewardship of the earth might seem to be compatible with Franciscan views but in Hispanic California, cultural ideas of superiority and a top down only communication system that missions adhered to, created much misunderstanding on both sides. For Natives, loss of life was only half of the issue. According to Native scholars (Bauer Jr. 2016; Akins and Bauer Jr 2021), loss of religious knowledge also changed Indigenous belief systems permanently since all of the knowledge and practices engaged in by elders existed orally and were normally passed on person-to-person. The death of many created unbridgeable gaps in oral traditions and new resistant beliefs and revitalization practices such as the Kuksui ( a form of the Ghost Dance) and Bole Maru (dreamers who prophesied the future) replaced older religious forms (Bauer 2016:54). Inability to live in their ancestral space created generations of Native offspring born in mission environments who were not familiar with the sacred places called out by their oral traditions (Akins and Bauer Jr 2021:67). Americans were predisposed to undervalue Indigenous people and their cultures, continuing Spanish-Mexican colonialization that fixed California Natives at the social and economic bottom of Hispanic society and created a ready work force for a stratified American industrial complex. Further, Natives killed cattle, stole horses and were considered to be less than civilized (Brewer 1966; Fremont 2019[1887]). To right these perceived wrongs, California's first Governor Burnett advocated vigilantism. Over the course of early American occupation, vigilantism evolved into full blown genocide (Bauer Jr. 2021:138; Madley 2016). Listed below are assaults.

(1). During the early contact period, when exposure to European diseases tested Native lack of immunity, hundreds of neophytes' and/or infant's/children's deaths are recorded and Native population plummeted (Bauer2016:3; Cook 1976, Jackson and Castillo 1995, Madley 2016, Milliken 1995, 2008; Phillips 1993).

These authors show the frequency of epidemics and endemics that made birth rates unable to overtake death rates, causing population collapse.

(2). The entire Indigenous population was permanently fixed in a socio-economic level of servitude that encouraged physical punishments for mission infractions (Lightfoot 2005:19; Phillips 1993:157; Street 2004:41). The harshness of the punishments seemed to increase as priests' frustrations increased over time due to Native noncompliance with mission goals and way of life. Punishment for cattle raiding and horse stealing took the form of military retaliations inland (Phillips 1993:116) where massacres of whole villages occurred (Madeley 2016). Arkush (2011:83) suggests resistance to mission work was ever present among Indigenous labor as a means to control some part of their lives. Jackson and Castillo (1995) elaborate on mission-wide resistances by all Indigenous people who encountered Spanish intrusions.

(3) Native labor, scholars now agree, enabled Franciscan and secular projects to succeed (Akins & Bauer Jr. 2021; Hurtado 1988; Lightfoot 2005, 2018; Phillips 1993; Resendez 2016; Thornton 1987) but at enormous cost of Native physical and mental health. If Milliken (1995:112) and Jackson and Castillo (1995:51) are correct in their summations of psychological effects of living a mission life, trauma stemming from a strict daily schedule, marked by bells, constant threat of punishment, produced monotony (Street 2004:42). We do not suggest that Natives forgot all cultural knowledge as current archaeology demonstrates clearly that many aspects of local cultures continued to be used (Curry 2022; Hull and Douglas 2018; Schneider 2015; Voss 2015). However, missions homogenized cultures which set in motion a pooling of cultural knowledge as well as competition of one language predominance over another such as Plains Miwok over Yokut at Mission San Jose in 1826 (Milliken 2008:65). During early American statehood, second-class citizenship deteriorated into stereotyped stigmas of "wild" or "tame" Indians (Brewer 1966). "Wild" – interior Natives, "tame" – missionized Natives and therefore tolerable as domestic servants and field laborers.

b). Elision of violence by Franciscans set a Church-centric style of speaking about mission life – (the conflicts, punishments, and loss of life) - among Church officials in their correspondence with each other and the Mexican government created another mental gap about the past (see Beebe and Senkewicz eds. 2001). The Church's custom of elision migrated into academic circles of history and anthropology and remained until Civil Rights Movements in the 1960s -1980s initiated new research paradigms such as Natives speaking for themselves singly or collectively about this experience (Alonzo 2009; Arkush 2011; Akins and Bauer 2021; Bauer 2016; Crozier-Hogle and Wilson

1997; Nelson 2021; Schneider 2015a, 2015b; Wilson 1998, 2017). Few historians addressed traumas until historical archaeology re-addressed colonialism in the new millennium.

c). Conversion of the Bay Area environment to support agriculture gradually destroyed Indigenous economy and sociopolitical networks that relied on it (Bauer Jr. 2016:57; Lightfoot 2005:44; Thornton 1987:51; Voss 2015:128), putting Native Californians at permanent risk of hunger. For example, if Lightfoot and Parish's thesis is correct (2009:136), that pyro-diversity practices of California Natives helped to sustain a rich and diverse environment prior to arrival of agricultural Europeans, putting the Native population in missions severed that stewardship with the environment. Domesticated animals such as pigs, uprooted caches of food stored by Natives (Bauer Jr. 2016:57). Hunting ducks and quail, fishing for salmon, sturgeon, catfish, salamanders, and gathering bulbs/herbs/ quail eggs, and grubs in Niles Canyon, however, continued right into the 1930's as supplemental to daily wage work according to Harrington respondents (Harrington Reels 36, 37, 51, 71-80, 1921-1937). Akins and Bauer note Nissenans lived on "mixed wage labor and traditional subsistence," (2021: 123), as did many others around the state. In order to combat hunger risk, Native men raided rancho and mission herds for meat, preferring horses to bovines because they could be used as transportation until they were needed for food (Lightfoot 2005; Madley 2016:184; Milliken 1995; Phillips 1993:104-105). Fremont (1887[2019]) notes in 1846 that missionized Natives were known as "horse-thieving tribes" among the Rancho culture in the Bay Area. Poaching livestock by one or two men however, put whole Native villages at risk of retaliation by Spanish-Mexican military, by American vigilante possess, and ultimately by the American military (Madley 2016).

## Q2. Who were most at risk of suffering?

The entire Indigenous population was at risk, but for different reasons.

(a). While disease does not distinguish, and took life from many people of all ages and genders, children and babies were most at risk during the mission period through close confinement in unhealthy conditions (Jackson 1983:53; Jackson and Castillo 1995:48). Jackson (1978) cites the custom of locking Natives inside their accommodations at night, especially women and girls who were locked in around the clock, to protect them from "assaults." Jackson states that custom, intended to secure women and children from harm, actually exposed them not only to a variety of diseases resulting in endemics of dysentery, tuberculosis, pneumonia and influenza, but also unsavory advances by priests (Jackson 1978: 102-104; Jackson 1983:38).

Among adults in mission populations, nourishment changed from the broad, rich diet breadth to a narrow one of atole (wheat/corn mush, Beebe and Senkewicz 2001:485) and posole (cornmeal, beans, hominy, marrow bones and scraps, Beebe and Senkewicz 2001:487) that occasionally contained meat (Jackson 1983:39). Jackson posits that this steady diet did not have enough nutrients to sustain health, making neophytes more susceptible to disease (Castillo and Jackson 1995:45).

Close contact with Europeans and crowded living conditions in mission villages acted like a petri dish for Western European contagious diseases. Milliken (1995:79, 173-200) enumerates epidemics in 1777, 1785, 1802, 1806 (measles), and 1810-1811 (small pox); years where hundreds of neophytes died from infectious diseases including measles, small pox, pneumonia, syphilis and malaria. Infections such as diphtheria, typhus, or scarlet fever stemming from neglected sanitation, caused healthy neophytes to flee the threat of sickness or death (Lightfoot 2005:78; Jackson 1983:38; Thornton 1987:85). A passage in Fr Francis McCarthy, historian of Mission San Jose, quotes Father Nicasio Duran "400 neophytes left Mission San Jose all at once May 15, 1827 making [Fr Duran] disconsolate" (1958:187). Neither Fathers Duran nor McCarthy, writing 131 years later, make the connection between a measles epidemic on-going at Mission San Jose beginning in January 1827 that killed over 100 adults and children by mid-April (Valle 1973), and abandonment in May 1827.

(b). Women of child bearing age were next at risk; often not living long after delivery thereby reducing ability of the whole population to retain reproductive vigor (Brady et al 1984:142; Castillo 1994; Castillo and Jackson 1995:57; Jackson 1983:41; Thornton 1987:84). As populations diminished, missions sent out raiding parties to re-supply missions with additional Indigenous people to take the place of earlier populations (Lightfoot 2005; Milliken 1995, 2008).<sup>6</sup> Mission populations became plural settlements of several subcultures (Peelo et al 2018:184). Women used marriage outside of a home subculture as a way to create networks through which they could move (Peelo, Panich, Spellman, Ellison, and D'Orol 2018:227). Life expectancy, however, in mission communities was low compared to Hispanic communities who lived away from the missions (Castillo and Jackson 1995:58). Jackson argues that going to a mission was a death sentence for much of the Native population (1983:53).

(c). Men were at risk defending their villages and families. During the 1820s, 1830s, and 1840s, official reports among Hispanic military and civilians enumerate raids performed on native villages, bluntly describing how many people were killed or taken prisoner, how many horses retrieved, how few Indigenous souls got away (see Beebe and Senkewicz 2001; Milliken 1995). Indigenous men were defenders of home villages and were always at risk of death in these raids by the Spanish-Mexican military (Milliken 1995). The Hispanic military was the legal arm of the colonial system and delegated to

have authority even over the missions (Sandos 2004). Missions, therefore, used the military to search out neophytes who had gone home but not returned to their mission and duties. The legal system brought up from Mexico by colonizers seems to be countered, according to Phillips (1993) and Thornton (1987), by Natives engaged in trying to survive this unfamiliar system; asserting agency. While soldiers assumed that taking prisoners, and/or killing Indigenous men, women and children was necessary and deserved (e.g. Beebe and Senkewicz 2001:367), Natives, who had no commitment to that legal system, were learning (Millikem 1995: 72-74, 279-280.,2008:37, 67) and retaliated heavily starting mid 1840s and into 1860s (Phillips 1993:135).

Madley (2016:50) interjects that although raids and deaths occurred, the amount of killing of Indigenous people during Mission/Rancho period was fairly contained because Indigenous people were also the laborers who supported the economy. After American statehood, direct and indirect forms of killing took on a greater dimension of importance (Madley 2016:11). Madley (2016) demonstrates the development of a punishing policy toward Native Californians that supported kidnapping children to be sold into an unwritten bondage and massacres of whole villages by vigilantes, then by California militia, then by the U S Army. The covert motive was land acquisition (e.g. Madley 2016:184). Is it coincidental that as additional labor sources, immigrants, from Meso- and South America, Asia and Europe increased, that factor may have relaxed constraints on killing?

Question 3. Among the non-fatal is it possible to identify those most at risk of sustaining permanent and disabling damage?

a). Native women were always at risk of assault by soldiers and priests (e.g. Jayme 2001) and sustained a variety of permanent, disabling damages such as venereal diseases that Indigenous cures could not remedy. Assaults by soldiers and priests also carried the potential of pregnancy which Native women dealt with through abortion or infanticide (Castillo 1978:102-104 in Thornton (1987:85). Castillo notes that “white babies were not welcome in missions at all” (Thornton 1987:85). The “permanent damage” that resulted from these attacks, however was not necessarily lives ruined for decades, but rather lives shortened through infection at childbirth, abortion or infanticide. Others adapted their lives to immediate contingencies, learning to be “invisible” (Brady et al 1984). Assaults of every kind affirmed stories passed by word of mouth and reinforced a determination to resist at all costs (Brady et al 1984:141).

b). The social distance which Hispanic society maintained with Natives resulted in homogenizing Native cultures and contributed to the etic view that devalued Natives’ identity and enabled hegemony. Separation between emic and etic understanding of Native identity gained ascendancy in American society leading to a general



dehumanizing of Indigenous people by outsiders while empowering resistant Native oral traditions of remembering where on the landscape one originated (Gifford 1926). While that custom lasted long enough for Gifford to document it, among homogenized Natives, Harrington (1929, 1937) records Native identity having Spanish names affiliated with a specific mission and/or language. This divide became more entrenched with every generation to the extent that now non-federally recognized California Natives struggle for public awareness and recognition.

### **Indigenous Experiences in the “Light” of Anglo Culture 1850-1940**

After California statehood, violence, as initiated by policies of missionization and administered by priests as structured order and punishment for lack of conformity, was replaced by blatant racism of Anglo-Americans based on a federal policy that expected California Natives to die or be annihilated (Madley 2016:185; Resendez 2016:262-263; Sunseri 2020:xix). At the same time, we 21<sup>st</sup> Millennii need to remember that at the time of statehood, the Civil War was still 11 years away and in that time frame, people of color both African Americans and Native Americans were socially constricted based on general (and faulty) assumptions of racial inferiority; and by public forms of bondage and unfreedoms in the South and West (Resendez 2016). The last three “trriage” questions are answered best by addressing the social and political changes taking place in California, due to change of political power and increasing population diversity along with gold rush fever.

#### Q.4. Are certain “event” assaults (e.g. torture/rape) more likely to lead to later sequels than sustained and insidious suffering (e.g. poverty pain or racism pain?)

a). While “event assaults” could be counted as rape of Native women by both priests and soldiers, or torture in the form of punishment of neophytes for their perceived misbehavior by priests in Mission period, scholars of California history find types of assaults and torture expanding after statehood due to rapidly expanding immigration of Americans seeking wealth in the gold fields or immigrants from Europe and Asia seeking work, freedom, and wealth. First, immediately after statehood was ratified, California State Legislature passed the “Vagabond Act” that made it possible to acquire Native Californians as laborers with no rights (Hurtado 1988:5; Madley 2016:157; Resendez 2016:564-265). Second, that Act was used as an excuse to kidnap Native children and transport them to farming communities to be raised as servants in a household (Brady et al 1984:144; Madley 2016:162; Resendez 2016:265, and see Harrington 1929, Reel 36:45). According to Heizer (1974b) California State Legislature passed the “Act for the Government and Protection of Indians” during its first legislative session 1850. The overt intent was to prevent harm coming to Indigenous people; but covertly the purpose was to gain workers at little cost. The Act was repealed in 1863

when federal emancipation laws were enacted. Heizer notes that between 1850 and 1863 about 10,000 Indigenous children were indentured or sold (1974:219).

Considering that the law was repealed in 1863 it is alarming that Brewer writes in 1863 “It has for years been a regular business to steal Indian children and bring them down to the civilized parts of the state, even to San Francisco, and sell them – not as slaves, but as servants to be kept as long as possible” (1966:493) as though there was no end in sight for the practice. Through various accounts we learn children were sold to families as servants and that John Sutter as well as M. G. Vallejo and other Hispanic rancho families in the Bay Area were active in promoting these arrangements (Madley 2016:175, 293). Madley (2016) maintains that raids and killings which began as random acts of violence (or event assaults) between local whites and Natives grew into systematized massacres of whole groups of Native people by official federal troops and State troopers. Ishi’s report to Alfred Kroeber provides an insider’s experience (Kroeber 1961; and see Madley 2016). As a point of resistance, Native reaction to these assaults generated an exigency “to pass” as a different culture or hide (Bradey et al 1984; R. Orta, personal communication 2021).

b). Indigenous women were always at risk for ‘event assaults’ from Western European men, no matter what period is studied. Hiding, running away, or remaining invisible was the remedy for self - preservation. Brady et al (1984) discussing Native California women’s difficulties with American policy noted that “The years of indiscriminate massacres and rounding up had produced an intense Indian distrust of whites. Women learned that their personal survival and the survival of their family and their community depended, in part, on their ability to keep a low profile and to teach their children to hide” (1984:146). Marrying outside Indigenous cultures provided women with kinship links to cultures with public agency and civic participation as well as “safe cover” for one’s Native identity (Castillo 1978; Lightfoot 2005:89; Thornton:1987:85). Madley (2016:162) points out that through all of these incidents, since California Indians were not considered official citizens of the United States until 1924, they had no recourse to justice in the court system, thus negating Native agency of individuals and groups.

Q 5. Are certain forms of insidious discrimination demonstrably more noxious than others?

a). Native loss of autonomy over life and land through widespread discrimination towards a hunting-gathering way of life (Bauer 2016; Lightfoot 2005) affected generations of California Natives due to perceptions first by Spanish-Mexican culture that Natives were not intelligent and were treated like children (Bauer 2016: 55-56; Sunol 1895). John C. Fremont writing in 1846 from the San Jose area notes that .. ”In this region the condition of the Indian is nearly akin to that of the lower animals. Here

they are really wild men” (2019:loc:9637 [1887] . People dependent on domesticated plants and animals found it difficult to comprehend a lack of agriculture, especially in such a rich ecology as the Bay Area. This perception by Anglo Americans reinforced the term “Digger Indian” (e.g. Brewer 1966) which became a stigma applied to any California Native by outsiders. Etic perceptions of blurred cultural identities due to cultural mixing in the missions, made it more difficult to demonstrate Native identity or sovereignty in the land claims law suit brought against the U. S. government in 1927 (Bauer 2016:25). Lacking formal citizenship until 1924 (Bauer 2016:105), Indigenous people remained in political limbo without recourse to courts or justice to remedy the many wrongs done to them individually or culturally. Lacking sovereignty Natives had approximately the same status as new immigrants in the US (Sunseri 2020:xix).

b). Due to the Franciscan/*Californio* legacy of economic and social peonage, California Natives, as an ethnic group, remained at the bottom of an economic edifice of labor that industry grew as wealth in California was put to work. Poverty, for Indigenous people, was continuous right through the 19<sup>th</sup> and 20<sup>th</sup> centuries and still exists for some. Farmers expected Natives to continue supplying labor, since one of the “unfreedoms” was that a Native’s labor transferred by word of mouth with the sale of property to a new owner (Cherington 1920). Embedded in that legacy, the right to punish and the right to exploit conjoined purposes of the new ruling class of Euro-Americans (Buck 2019:16) to become wealthy farmers and landowners in the new state of California.

However, the land Natives lived on was not secure. For example, the Pleasanton Rancheria between Sunol and Pleasanton was part of a tract of land purchased by the Spring Valley Water Company (1874), as a water source for San Francisco. Occupants of the Rancheria may have lived in that location since prehistoric times as Native presence there was documented in 1868 by official survey of Rancho Arroyo de la Alameda (Vioget 1868).<sup>7</sup> The Bernal brothers, Augustin and Jose-Juan Pablo, Antonio Maria Pico, and Antonio Sunol acquired pasture land from Mission San Jose after secularization (Rancho Valle de San Jose) (Hoover, Rensch and Rensch 1966:18-19). Documentation by archaeology has demonstrated that Marine family DNA is linked to this area through DNA matches from a large site (Brown 2022, Curry 2022; Estes, Alonso, Lentz, Buckley, Wheelis, Young and Fino 2016; Price, Strother, Brown, Estes, Summerlin, Wells, Pilloud, Allen and Self 2002, Sanchez 1984) mitigated near I-680.<sup>8</sup>

Rancheria occupants were forced to abandon their home when the Spring Valley Water began building a reservoir (Calaveras Reservoir) in 1911(Sanchez 1984). Where did Natives go? Some were able to homestead on farms where they worked, (e.g. the Parks’ ranch on Calaveras Road) but others just lived under the trees and in the farm fields (Sanchez 1984). Some moved to Niles where J. P. Harrington conducted

interviews 1921-1937. Native sovereignty was never a topic through all these legal transactions.

c). Loss of cultural identity and sovereignty was part of a federal plan begun during the Grant administration (1862) to resolve “the Indian Problem.” Popularly termed “Grant’s Peace Pact” it was actually an active ethnic cleansing project (Kim, Bauer, Montgomery 2019). The goal of Indian schools established by the federal government was designed to remove Native culture and replace it with American basic education, while preparing growing children for a life of service in American culture (Federis and Kim 2021). Native California parents told their children through the 1950s to “say you’re Mexican,” in order to avoid being sold for labor or inducted into Indian Schools (R. Orta, personal communication 2021). One noxious affect that Indian schools had on children who survived the experience to graduate, was a lack of self- identity (Federis and Kim 2021, Madley 2016:176). Recently the new Secretary of the Interior Haalan has reopened investigations and new discussions about the Indian School experience (Federis and Kim 2021).

Q. 6) How are agencies constrained? How can individual experience and structural violence embedded in the larger social matrix be remedied?” (Farmer 2003:576).

a). “When you are poor, nobody listens to you, not even the (local) school board!” (R. Orta, personal communication 2020). Poverty, according to Farmer (2003) is not accidental rather it is the outcome of embedded mechanisms of oppression functioning through generations. Phillips’s (2010:164) example in 1834 “...the secularization of the missions did not free the neophytes but placed them under different management. Title to land was denied them. True ownership of the animals and equipment placed in their care was also denied. In effect, property was to be collectively, not individually, transferred,” speaks to the homogenized social status Natives were perceived by Rancho society – as a group, not as individuals. Hispanics first coerced an ethnic group of people into conditions of servitude and second, Euro- Americans, bringing a more complex political economy, kept Native Californians in this status because the labor pool was convenient, particularly for California’s emerging agricultural industry (Street 2004:135). Social distance between land owners, predominantly of Anglo or Western European descent, and laborers who remained primarily Native American, (Phillips 2010:290) and impoverished, expanded into stigmatization of all field workers as “the lowest of the low, a segregated nonunion labor force composed of immigrants, social misfits, Native Americans and other dispossessed people” (Street 2004:xviii).. Asians and Mexicans added cultural complexity to the field work force as industry expanded and willing hands were needed for building railroads, flour mills, and lumber camps. From an outsider’s view, field workers’ agency during the last half of the 19<sup>th</sup> century was nonexistent during the Gilded Age, while from a Native’s view agency was more

negotiable through forms of resistance to discrimination (Sunseri 2020:7). Natives, women as well as men, applied their agency, to working their immediate situation to advantageous ends to survive (Brady et al 1984:149).

b). Blatant racism of the 19<sup>th</sup> century, “Gilded Age” industry constrained Indigenous agency by segregating ethnic groups’ housing and jobs (Sunseri 2021:6). Social distance disintegrates understanding while encouraging language groups to maintain separate status. Language barriers kept laborers from discussing conditions between groups. New industrial towns purposefully sectioned off ethnicities as a way to continue an authoritarian control over labor. Pods of ethnicities made up company towns (Sunseri 2020).. Jobs were allocated by skill which was predetermined by ethnicity and chance opportunity. Natives were assumed to be unskilled and lacking education remained as farm labor or “day laborer” according to 1870 and 1880 U.S. Census records in Murray/Washington Township. Additionally, violence created by vigilante massacres and military attacks on Natives drove Indigenous agency “underground” until the Civil Rights Movement in the 1960’s.

This condition of invisibility is a direct result of many event assaults on California Natives. The need to survive meant remaining “below the radar” of public officials,’ socially “passing” as Mexican and blending, intentionally, with the Latinx communities of San Jose and the East Bay, gaining social alliances through kinship and work. That was the immediate remedy to this violence that many Ohlone women adopted (R. Orta, personal communication 2021). By far, a majority of Natives preferred to hide, to remain invisible; not to be counted by U.S. Census takers (Brady 1984:146, R. Orta personal communication 2020). By not attracting public attention, one could survive. This “secretive mode” of living far below the radar of public notice or participation was a strategy for cultural survival that had a darker side. It led to isolation not only from civic life but also bestowed very little power, outside of traditional Native skills, to help local members when accidents and calamities had life- threatening consequences (Harrington 1921-1937) .

c) It follows that “invisibility” evolved into public ignorance that California Natives continue to live in places that hold heritage memory in the East Bay area. That ignorance, conversely, constrained Indigenous agency. In the 1970’s, San Jose city managers were reluctant to give contracts for work in land development to people they considered ethnically Mexican but who claimed to be Native. Archaeologists whose expertise is the study of human cultures had greater understanding hired descendants as monitors, particularly after a 1974 state law was passed, requiring developers to salvage all cultural information from an area before building foundations could be put in place (Archaeological and Historical Preservation Act of 1974).

To date, the most positive remedy has been education of the general public. For example, activist Native organizations such as The Confederated Villages of Lisjan lead by Tribal Chair Corina E. Gould sponsors Shell Mound Walks to educate the public about remaining shell mounds around San Francisco Bay that were once occupied by Ohlone ancestors. East Bay Regional Park, Coyote Hills sponsored a yearly Ohlone Gathering event where many Ohlone descendants came together to dance, renew old connections, and demonstrate Indigenous skills for the education of the general public. Ramona Garibay, Ruth Orta's oldest daughter and family are active in local archaeology, representing the closest descendants of ancestral sites in the East Bay. They monitor development sites for local CRM archaeologists.

As the Orta family learns about their ancestral past, they gain knowledge about environmental resources and skills ancestral Ohlones developed to turn natural materials into tools or household items. Some invest time to re-learn the Chochenyo language. Ruth Orta consults with local museums and colleges along with other Ohlone activists to re-educate the general public (Yamane and Kehl 2012). Ohlone efforts to educate the public about their presence has become more and more successful in part due to the cooperation between CRM archaeologists and Native people and in part due to the outreach efforts by California Natives at conferences, with local historical societies and their sponsored museums, community colleges, and in self-sponsored interpretation projects (e.g. Sayers 2005, 2020).

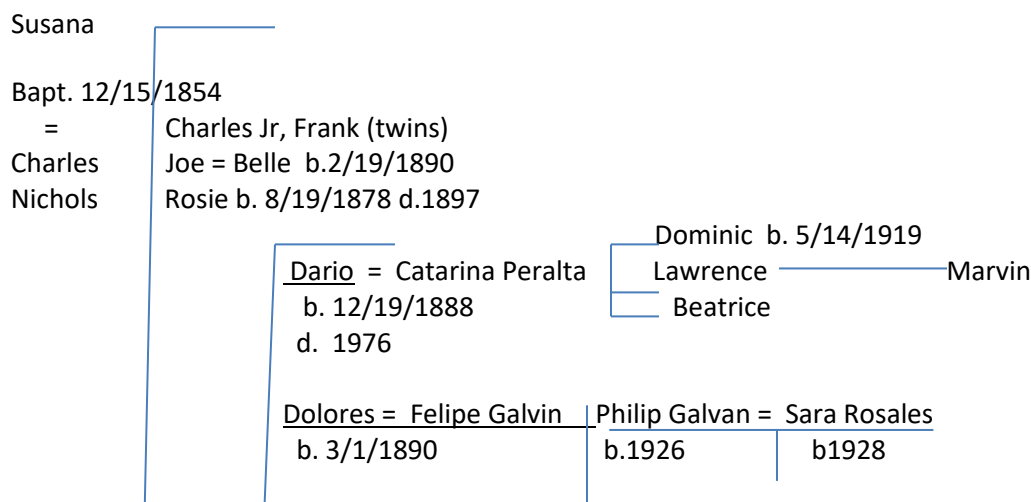
Reviewing results of Farmer's "triage" questions regarding structural violence applied to California's past leaves no doubt as to why it has been so difficult for local Native Californians to regain social recognition and agency. For example, as recently as 2018, an application for federal recognition of Tribal status was turned down because the people "no longer existed" (Eigen-Vasquez 2018:11). Considering the multiple ways in which dominant cultures worked to assimilate, homogenize, or eradicate Indigenous cultures, is it any wonder that a Federal decision was made, based on assumed or very outdated information? Strategic invisibility enabled "disappearing" Natives to survive many forms of discrimination, but stood the chance of quickly becoming invisible and overwhelmed in the work force by immigrants from Mexico and Asia, anxious to make a living (Street 2004:157). Americans continued and expanded racist policies initiated first by Franciscans, then Spanish-Mexican military, and *Californios*, in their agricultural industrial economy. Ranchers, farmers, and vineyards who all required land, removed Indigenous villages and acquired traditional hunting/collecting space by force or by attrition. Natives endured around the edges or faded into the boarding houses of mixed ethnicities in Niles, San Jose, or other agricultural communities around the Bay..

Harrington’s record of Natives living in Niles is corroborated by more recent historical archaeological investigations of colonial California (Bauer 2016; Cordero 2015; Lightfoot 2005; Peelo 2010; Schneider 2015b; Voss 2008,2015) that document Indigenous cultures continuing to function within mission and post-mission society. Trauma and sizeable death counts appear to have blotted out many specific cultural details, but knowledge of Native identity never wavered. Ruth and her family have always known they are part of the Indigenous landscape through Trina Marine Ruano, Ruth’s mother who never tired of telling her family “you are Indian, be proud of it!” The fact that Natives continued to maintain their own identity, songs, dances, stories and languages is a monumental tribute to tenacity. In spite of population reduction Natives became the backbone of labor for California.

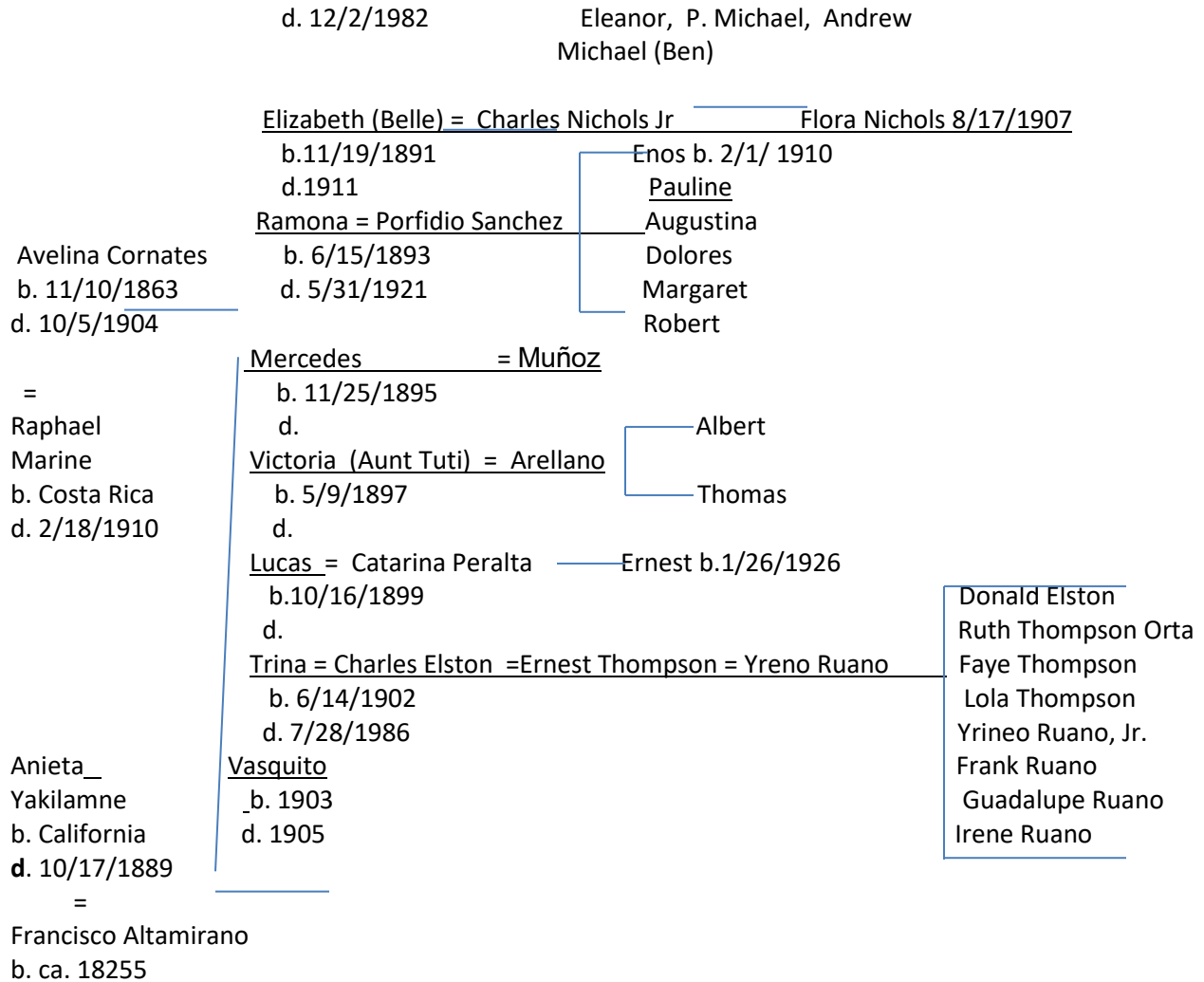
### Orta Family Links to California History and Ethnography.

Initial contact with CRM development projects in a rapidly changing Bay Area, gave family members an opportunity to learn about their ancestral past not only by monitoring the removal of human remains from development sites, but also by learning about the artifacts retrieved. Impressive methods of weaving mats and baskets, drilling shell beads, and knapping projectile points, for example, refute biases that Native Californians were not intelligent and confirmed to Ruth and family that their ancestors were thinking humans who lived in intelligent ways. As the family’s cultural knowledge increases, so does their sovereignty and agency in local politics. How did this activism develop? By chance, Ruth’s mother’s and grandmother’s lives intersected with people and institutional policies that both women absorbed and by asserting their own agencies, negotiated beneficial results for themselves and their growing families.

#### Family Tree of Raphael Marine and Avalina Cornates



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**Figure 2 Family Relationships Plotted Out From Mission San Jose Records**

Ruth Orta’s family is linked to the Pleasanton Rancheria by Ruth’s grandmother Avelina who was born there in 1863 (Mission San Jose Baptism #3 No. 312). (Figure 2). She grew, married, produced nine children, and died in Pleasanton in 1904. All baptisms and some death records of family members are documented by priests in Mission San

Jose registers but only two marriage records have been located. Avelina’s baptismal record identifies her putative father Pamphilo ( Yakilamne<sup>9</sup>) whom Milliken (1995, 2008:57, 67, 89-90, 94-95) speculates was brought as a child, one of a Miwok group from Plains Miwok territory north of the Sacramento River Delta and relocated to Mission San Jose in 1835. At this point in the research, he is designated as putative since the father is identified in the baptismal register by only his first name. A name that



has been recycled by priests for years. For these reasons, we cannot be certain that this Pamphilo is accurate but is the more likely.

Avelina's mother is only identified as "Maria," also an ubiquitous name, making her true identification now, difficult. Susana (Nichols) and Annieta (Yakilamne) (Milliken 2008:94) are designated by family oral tradition as Avelina's other siblings. According to family stories, these three girls were residents in Captain Jose Antonio and wife Jacoba's household (no dates given, see Milliken 2008:94-95 Harrington Reel 36:12, Frame 6).

It is not clear when or for how long the girls remained in the household of the Pleasanton Rancheria's Captain but Ruth remembers, as a child, visiting "Tia Susana's" son Joe Nichols and wife Belle in Niles Canyon on a regular basis with Trina, signifying a long term family bond between Avelina and Susana that Trina honored and continued (Orta 1984, 1986). Trina was also born in the Rancheria and could point out the location for Ruth to remember. Ruth recalls Trina saying that Avelina was born "in a house right by the *nopales* hill with a stream running by just behind it" (Orta 1984). Trina remembered "pow-wows" as a small child that went into the night. She remembered bonfires on hill tops and lots of noise that was frightening (Orta 1984). Harrington's respondents remembered the *temescal* was just "up the road" (from Niles) (1927:Reel 36:17, Frame 6). "People would come from far away to see their song" (Kuksui dance)(Harrington Reel 36:47; Frame 4a).

We reason that the relationship between the girls and adults was more complicated than a simple nuclear family. First, Milliken (2008:94) notes Jose Antonio and Jacoba had two children in 1863 and 1865, known through Mission San Jose baptisms. Second, Olsen interviews with Susana's grandson and wife, Lawrence and Virginia Nichols (Nichols 12/7/1986), confirm that Susana was an Indigenous child who was kidnapped. Searching through Mission San Jose's baptismal records, the only 'Susana' baptized at the San Jose Mission during that time period, is a child perhaps 6 years old, given the name Maria Susana Bernal, baptized in December 1854 (SJM Baptism #5674). The godparents named were Presentation Bernal and Fermina Selaya (his wife). No parents are identified. Susana told her grandson, Lawrence, she had been kidnapped as a child and she is Indian. Lawrence remembered she always wore her hair in one long braid down her back which was, for her, Native identity. Lawrence also recalled that anger lingered with Susana her entire life about being kidnapped. Lawrence further recalled she could make flour tortillas without using a rolling pin (a Hispanic skill, R. Orta, personal communication 2021). Theoretically, if this case of kidnapping followed the same pattern as all the others, then Susana became part of the Bernal household to work, probably in the kitchen. J.P. Harrington identified the language Susana spoke was Rumsen (Monterey-Carmel Ohlone).

In his interview with Susana (Harrington 1937, Reel 71:42, Frame 9 and 10; Harrington 1937, Reel 37:70, Frame 4), Harrington learned that she married early but the man she married was alcoholic. A female relative told her to leave this marriage. Subsequently, she married Charles Nichols who died 11 years prior to the Harrington interview. They had 4 children, twins Charles Jr. and Frank, Joe, and Rosie (Holmes and Singleton 2004:22). Harrington comments that he read a Bee-Wasp story to Susana told to him by Jose Guzman. Susana did not remember it. She told Harrington that since the death of her daughter (Rosie, age 19) she was “bereft of memory.” Harrington completes his commentary saying “now only her sons maintain her” (Harrington 1937 Reel 71:42, Frames 9, 10).

Susana’s report to her grandson Lawrence that she was kidnapped makes her fictive rather than biological kin to Avelina and Anieta. It is not clear that Avelina and Anieta are related by blood outside the fact that both have a father named Pamphilo which is a recycled neophyte name. Harrington records siblings in a household called each other “brother” (or sister), even when related by one parent (Harrington 1927: Roll 36:486), making the designation of sisterhood between all three girls, Susana, Avelina, and Anieta, more likely a bond of experience rather than a literal biological link. If the baptismal records correctly identify the Susana of this narrative, she would have been approximately fifteen years older than Avelina and would explain why “Susana Flores” and “Susana Nichols” appear in five baptismal records as a godparent for Avelina’s children. . According to Rancho custom, girls who had been kidnapped and worked for Hispanic families were released from their bond at 15 (Arrigoni 2021:4). The age gap between Susana and Avelina raises additional research questions which we do not have the space to explore here.

The grandfather of Orta’s extended family and husband to Avelina was Rafael Marine, “a red-headed Spaniard from Costa Rica” (Orta 1984). Raphael worked with animals and with farm machinery, doing many jobs on nearby farms, but was not a vaquero. Trina remembered living in a house in Pleasanton before and after Avelina died at 41 years of age in 1904. The house was just below a cemetery on Pleasanton Blvd. Brother Lucas and Trina discovered it was fun sliding downhill on pieces of cardboard or wooden boards that gave her splinters. Trina remembered that “Aunt Tuti” (Victoria Marine) took care of them after her mother died, while Rafael was still alive.

Raphael Marine died in 1910, sending Lucas and Trina to Roman Catholic orphanages in 1911. Lucas went to the Albertinum in Ukiah where he learned agriculture; Trina went to St. Mary’s Boarding School for Girls, Mission San Jose orphanage (6/16/1911), which has since become St. Mary’s Sisters of the Palms Convent for Girls. Trina learned housekeeping, cooking and child care skills as well as her ABC’s. Trina was 7

years old when Dominican nuns picked her up and took her to day school. While other families paid tuition to St Mary's of the Palms, Trina's family did not because the Dominican nuns' purpose in the United States, as ordered by the Church, was helping Indigenous people (R. Orta, personal communication 2022). Ruth remembers Trina was 9 when she entered the orphanage and was 12 when she was released to work in the kitchen of the Lowry ranch. She was about 18 when she worked for the Holzhausen family in the East Bay as housekeeper, care taker and cook. Later she worked for the Liggett's in Pismo Beach where she met Charles Elston, a truck driver, whom she married at 28 to begin her own family.

Time spent with nuns at the convent taught Trina three things besides English, arithmetic, and home economics: First, she learned about racism first hand from the nuns; German nuns especially were severe while the Irish nuns were kind. Trina entered the orphanage speaking Spanish and learned English while she was there. Second, that experience of discrimination made Trina's awareness of her Native identity become a reaction of resistance that never diminished. Trina continued to be intensely proud of her Native identity all her life. She exhorted all of her children and grandchildren to acknowledge that identity proudly and never forget they are just as good as anyone else (Orta 1984, 1986). Third, she realized the value of education and was able to give all her children the advantage of a California public school education.

September 18, 1914 Lucas, 14, returned to the East Bay to drive tractors with older brother Dario Marine at the Lowry Ranch while Trina worked as domestic help for the Lowry's and Holzhausen's. Through the 1920's decade, Yrinea Ruano (1984) recalled Trina describing how Dario made and sold bootleg liquor during the 1920's. Inevitably, Dario went to prison for the felony. When it was time for Dario to be released from prison, Trina was able to get a firm promise from Mr. Lowry to have work waiting in order to help Dario leave prison. From that time forward, Dario drove plows and other farm machinery until he retired. According to family oral history, Dario knew the language of the Rancheria and could speak it. Lawrence Nichols (1986) remembered that Lucas, Dario, and Catherine Peralta (ex-Rancheria Native and spouse to both brothers, serially) spoke Chochenyo..

Ruth recalls that Trina married her first husband Charles Elston in 1931. He drove trucks for a living. It was the depth of the Great Depression however that national calamity did not affect Trina or her family greatly since they worked the entire time as farm laborers. Charles Elston died in a car accident before their first child Donald was born in 1931. In 1933 she married George Ernest Thompson whose first wife, Magdalena, a Native, had just died. He worked for Wedgewood Stoves in Newark, and later maintained the drawbridge on the Dumbarton Bridge crossing the San Francisco

Bay. Thompson was an Army veteran of World War I who was sent to the Panama Canal where he contracted yellow fever. Ruth remembers that affliction impacted his health permanently and he died in 1939. Ernest Thompson was Ruth's father as well as her sisters Faye and Lola. Yrineo (Joe) Ruano, Trina's third husband, was acquainted with Dario and Lucas Marine for 4 years before they introduced him to Trina (Ruano 1984). Yrineo was part Native from Mexico and worked for Southern Pacific Railroad and West Baco Chemical Company in Newark until he retired at 65. He died in 2001. He was the father of Yrineo Jr., Frank, Lupe and Irene.

Thinking about her father(s), Ruth adds that while they all worked for industrial companies, her mother also worked intermittently as a farm hand for many farmers in Washington Township before industry changed the landscape during World War II. Ruth has vivid memories of walking "everywhere" with her mother and siblings to farmer's fields to work. For ten years they rented a house from Frank Perry at his apricot ranch and worked every season picking and drying apricots. Apricots, cherries, vegetables, were all harvested by the family especially during the summer when school was not in session. Bushel baskets filled by the kids were recorded and parents received credit for their children's' work (Ruano 1984).

Ruth recalls living in 4 different places growing up in Newark and continued there after she married husband Raymond Orta, who was also born in Niles and whose Mexican American relatives grew up working in the same farm fields (Figure 3). Ruth and siblings went to Centerville Elementary School and Washington Union High School beginning in 1949. She met Raymond Orta in high school and they married in 1950. Raymond Orta's dream was to play baseball. In Ruth's generation, girls often did not complete high school, but rather began their families while they were in their mid-teens, as was the custom among Native families. Ruth's children's generation is the first generation to graduate from high school, boys and girls; some continued to get further professional training in nursing, business, and office management. To a person, Ruth and elders agree that after high school, they all continued to learn on their own, teaching themselves Spanish and understanding how complicated domestic machines



Figure 3. Orta family and friends harvesting tomatoes and peppers in a farm field that is close to what is now Hesperian Blvd in Hayward. Ray Orta is far left.

work by taking them apart and putting them back together. Trina set the example by renovating a washing machine, an iron, and converted a wood burning stove into a gas stove by learning how every part fit together, its purpose, and how it attached to a larger component, Yrineo Ruano recalled (1986). Trina sewed their clothes, canned their food from a vegetable garden of corn, tomatoes, mint and aloe that she kept and did her own butchering of chickens, rabbits and goats. Ruth remembers she was always busy.

Roberta Orta Lacey recalls her grandmother's (Trina) kindness not only to her own grandchildren, but also to hobos who came by the house. "She gave them whiskey bottles filled with water, and if they chopped wood for her, she would give them a meal as well." Roberta recalled her meals were always delicious and that her grandmother smelled like spices. Yrineo and Trina were able to buy a home on Cedar Street, Newark in 1962. Roberta remembered that Trina moved to Cedar Street just before her Uncle Ydie accidentally drowned while fishing at Alameda Creek. Trina saw Ydie's ghost in the Cedar St. house just once and it was gone.

Robin Orta Morales remembers Sunday automobile trips to Half Moon Bay to go to the beach with great fondness. Events that brought Ruth's family together were birthdays, 4<sup>th</sup> of July barbeques, Thanksgiving and Christmas. The last two are still annual events every year, first at Ruth's and Ray's house, and now usually someone's place that has room for everybody! Christmas Eve and Day at their grandmother's house is remembered by all 7 generations of family very fondly; a special time for visiting with cousins, aunts, and uncles; seeing the whole family together.

Ruth recalls driving Trina around the Bay Area to visit relatives because her mother did not drive. Enos Sanchez remembered Trina visiting his mother, Ramona Marine Sanchez, an older sister. Lawrence Nichols also remembers Trina visiting his family. Dario and Lucas visited Trina often. Dario's visits happened later in life, when he was retired. Lucas dropped by often because he and Trina were always close and visited constantly. Michelle, a granddaughter of Ruth's recalls with much joy riding with her grandmother, Ruth, "everywhere" to visit cousins indicating that the custom of visiting relatives has not stopped.

Regarding Native identity, Trina's words to all her family were "You are Indian, don't ever forget it! And don't let anyone tell you that's not good. Be proud to be a Native." (Orta 1984, 1986). Trina's determination to hold on to her Native identity was as strong as her commitment to resist formal Catholicism. Ruth states "Mom was a Catholic to the day she died. Mom didn't change religions, rather she never believed in confessing sins. Mom redefined Catholicism for herself. She followed the New Testament version of Christianity. Mom said, "I believe in a Creator, God, he made all people equal. If I want to talk to God, I can go outside - I don't need a church to do it for me. The way one lives one's life is one's own business" (Ruano 1984, 1986) Ruth thinks Trina believed in a spirituality that Native Americans often remark on (Ahtone 2018) linking individual responsibility with the land. Once just after Uncle Lucas left the house from a visit, it was getting to be dusk, Ruth, siblings and Trina heard a jingling (like coins) and someone speaking in a foreign language coming from under the floor boards of their house. Trina assured them that it was OK, "that's just spirits, they won't hurt you" she said. Trina thought if one encountered a ghost, that it would "just pass right through you" doing no harm (Rauno 1984, 1986). Trina's encounters with ghosts suggests this responsibility of giving the land a voice.

In 2017 East Bay California State University interviews with Ruth's family, all participants identified themselves as Ohlone, men and women, young and old. Everyone is interested in their heritage and supports Ruth's efforts to increase knowledge of Ohlone practice as well as presence and respect in the general public. There is still room for improvement in public perceptions. Until Covid-19 put Olsen's

classes online, Ruth and daughter Ramona came to De Anza cultural anthropology classes to talk about their heritage. Invariably students would remark at the end of class that they had no idea California Natives were still in the area.

While Susana was successful in as much as she married an Anglo man who could buy property and farm the land and have her children in the local school (Holms and Singleton 2004:22), the earlier kidnap experience appears to have affected her for the rest of her life in a PTSD-like manner. Lawrence Nichols reported she was always angry. Her memory did not work well. She had difficulty remembering all of her Rumsen language when interviewed by Harrington, for example, and when daughter Rosie died at age 19, she told Harrington her memory no longer worked, a symptom that occurs with PTSD (Mayo Clinic 2022).

Death of both parents introduced Trina and Lucas to society's remedy for orphanhood in the first decade of the 20<sup>th</sup> century. According to Harrington's respondents (1921-1937), other family members usually took in children who had lost both parents. In some cases, god-parents or neighbors in the community provided shelter. For example, Jacoba and Jose Antonio provided a home for several Native children (Harrington 1921-1937, Washington Township Census 1900). Joe Guzman, was able to give Harrington many Indigenous songs because his godparent, Santiago Piña (Harrington 1921-927, Reel 36:47), took the responsibility of raising Jose after his father Avencio Guzman died (Harrington 1921-1927 Reel 36:19, Frame 1). Since Trina and Lucas no longer lived in the Rancheria community and the community itself was dissolving (1911), Trina and Lucas were eligible to go into Roman Catholic orphanages where they were safe and had a place to grow and learn. Their move to the orphanages has advantages and disadvantages simultaneously. Both will be covered in the following section regarding work/labor.

Trina spent the rest of her life working tirelessly to combat the poverty that she inherited as a descendent of missionized Natives, vestiges of colonialism. Marrying an American truck driver, Charles Elston, then an American worker, Ernest Thompson, and upon his death, Yrineo Ruano, enabled her family to at last, live in a home they owned. Further Trina never stopped learning about the society she lived and worked in and excelled through her dedication. Ruth adds that education never stopped. When she and her siblings got home from school, education continued at home about everything that school did not cover (R. Orta personal communication 2022). Since all husbands had permanent jobs in new industries coming to Newark, Trina and her children had advantages of living in an officially incorporated community with fire/hazard emergency help, police, grocery stores, public schools and churches instead of living in a rural

neighborhood where school was five miles away that one had to walk every day to be a student (Sanchez 1984).

Further, similar to earlier generations of Ohlone women marrying outside one's immediate culture to gain social freedom and balance, Trina maintained kinship links with the Anglo and Hispanic communities around her as well as with her extended family which widened her network of alliances and safety. In 1928 Trina pushed her family to put their names on the California Indian Rolls, to be federally recognized Native Californians. Ruth recalls that Trina never relinquished her identity as anything other than Native Californian. Through mission mixing of cultures, loss of original language, and decades of loss of local knowledge, Ruth says "We didn't know who we were. You hear the term "Digger" and think you're one of them." (Orta 1984)

### **Gilded Age Influence on Choices,**

Labor as practice in this paper has two voices: that of experience (Orta) and that of anthropology (Olsen), following Bordieu (2013 [1972]) to give perspective to the oral history of a family whose personal experiences give authority to this narrative. Their experience reflects many Native families' experience at the bottom of a stratified society during the last quarter of the 19<sup>th</sup> century and into the 20<sup>th</sup> century before World War I changed power dynamics in the Western world. Harrington's linguist-eye view ("Chochenyo Notes") adds experiences of Native speakers in Niles and Monterey remembering their lives in the 1920's and 1930's.

Labor weaves together an inherited colonial past with an indifferent industrial present through the institution of farming. Franciscans incorporated agriculture into the mission economy which supported priests, neophytes, and often the presidios when Mexico withdrew help. From that time forward, agriculture became an institutionalized endeavor with stratified ranks of power to punish or reward laborers. While religious orders ultimately gave way to the Rancho economy, the ultimate power acquired by priests over laborers transferred to landowners. Landowners in turn exercised economic power over laborers by providing housing and meals. Sutter, for example, paid his Native employees with housing and cooked potatoes for meals (Harrington 1921, Reel 36:13, Frame 5). Although the change in statehood changed political power dynamics when California joined the United States of America, the economic power of landowners over workers remained institutionalized through wages given that did not ever completely cover living requirements (Street 2004). This institutionalizing of agriculture was established by accumulation of labor customs that supported a mission over time, along with punishments for perceived noncompliance and Native resistance. By the time that Orta family members contributed their years of labor, the agricultural institution had become the medium which linked Native lives together across the landscape from Niles



to Monterey and San Francisco to San Juan Bautista. Trina turned her family's trajectory away from these inherited and predictable poverty cycles toward a laboring middle class future.

Labor conditions of the 1890's and 1900's are quite different from the present since unions and unionizing in the 1930's and 40's pushed Congress to legislate for safer jobs that were less exhausting, with a fairer wage structure (Roosevelt. 1938 Fair Labor Standards Act). Further, Civil Rights legislation endeavored to leveled work opportunities, giving agency to an individual's choice of work. Now in America, open access to education, the internet, and computers offer chances to change one's life that were not available during the Gilded Age. In the Gilded Age Dario and Lucas Marine were never able to leave farm work while farmers were becoming wealthy in California. Field workers did not share in that wealth. The agricultural institution predetermined Dario's and Lucas's lives by their birth as male Native Californians and as Native Californians they supplemented their income with indigenous traditions of fishing and gathering in Niles Canyon. Anglo-American standards controlled manual, specialized, and mechanized labor in California.

The 'Gilded Age' expresses the materiality at the end of the 19<sup>th</sup> century when individuals amassed immense wealth in industries such as railroads, mining, banking, and manufacturing based on a capitalist regime of maximizing profits retained by the managerial class. As Sunseri (2020:2) indicates the glitter of industrial successes and progressive achievements such as electrical inventions, gloss over social and economic inequalities, a solid amount of racism, political corruption and the fact that the working class was locked into long and/or hazardous working conditions for low wages (Sunseri 2020:2). In California, railroads, mining and lumber industries extracted raw materials that relied on men's daily investment of physical energy. Workers' wages barely housed and fed families (Street 2004 xxii) while farms and ranches fed growing populations in cities, towns, and sites of resource extraction in the Sierras starting with the Gold Rush in 1849. Due to customs set by mission labor and great distances from east coast resources, mechanization came later to California wheat fields than to other parts of the country. Native labor produced the grains, flour, wines and oil well into the 1870's before railroads were available to bring eastern inventions to California. Dario and Lucas Marine became part of that long tradition of Native labor without asking or being asked to do so.

Richard Street (2004:xvii) describes farm work as "unrelenting manual labor" especially in the days before machines were added . He notes that women and children became part of the labor scene in the 20<sup>th</sup> century although women and children did varieties of farm work at the missions as well (2004:32). Primarily, institutionalized

agriculture became industrialized and was a male domain with all of the attendant competition for statuses, relationships with overseers and bosses, and fellow workers. Street (2004:xviii) proposes that the seasonality of the work gradually created constant migration of workers between farms growing wheat to farms growing fruit, vegetables, or vineyards. Because migration was required for year-round employment, Street (2004) thinks that movement lead to marginalization of workers from mainstream society. Marginalization lead to stigmatization of people who were constantly on the move and did not seem to have a home base, generally speaking. Field workers created their own cultural customs based on one's ability to work from sun up to sun down and beyond, and to drink just as hard on weekends (Street 2004:171). However, farm workers did not have many choices to escape due to their lack of other skills, making them more vulnerable to exploitation (Street 2004:157).

Contrasting Street's description of Western European farm workers (1870's into 20<sup>th</sup> century) with Harrington's discussions with Native Californians about their languages and lives in Niles and Monterey, some interesting differences stand out. Most striking is the stability that Ohlones displayed as a community in spite of the farm work that occupied them. As in Rancho days, Indigenous workers continued to live in communities close to jobs rather than constantly traveling between jobs. The community lived in or near Niles, California, originally created as a company town by Central Pacific Railroad in the 1860's (Ruiz 2022). Nearby Vallejo's mill ground wheat Vallejo grew on his Rancho Arroyo de la Alameda (Holmes and Singleton 2004.10) just outside of Niles. The rancho's southern boundary was the canyon now called Niles Canyon which creates a passage for Alameda Creek through rugged terrain from Sunol to San Francisco Bay (Vioget 1868). Niles is on the Bay side of the hills, at the entrance of the canyon. Although Harrington's research focus was on language, the jobs people did emerged as respondents talked about themselves and others. For example, Joe Binoco worked for "the Frenchman" (Lané) in Sunol who had a winery (Harrington 1921, Reel 36:12, Frame 6), Reyes worked on the roads, others worked for the Bernal brothers or later the Hearst's, and other local farmers between Pleasanton and Sunol. Natives continued to fish for salmon and catfish in Alameda Creek (R. Orta, personal communication 2021) and to gather quail eggs or net quail in Niles Canyon (Harrington 1921, Reel 37:65,Frame 7), demonstrating that the community continued to maintain some of their hunting-gathering diet breadth into the 1930's, along with labor performed for wages.

Consistent with social divisions of the Gilded Age (Sunserii 2021:5), Natives in both Niles and Monterey lived in marginal areas; in Monterey, on ranches, in Niles, at the edge of town near railroad tracks and highways (per map Jose Guzman drew for Harrington (Reel 36:11 Frame 5). In Monterey Harrington talked to Isabelle Meadows

whose mother, Loretta and grandmother Omesia were Chochenyo speakers, to compare Niles' language with Monterey. Isabelle was Harrington's authority for Monterey. Isabelle's grandfather James Meadows purchased 4,592 acres in 1866 (Survey Report 1884-1886) and married her grandmother, a Native Californian. Isabelle continued to live on the farm and with help, gained a livelihood. Many members of the Indigenous community visited Isabelle and Loretta enabling Harrington to record much local information. In Niles and Monterey a steadfast communal solidarity of indigeneity continued but stories of calamity, some consistent with Street's descriptions of farm workers' accidents due to fatigue, some consistent with the period e.g. accidental death or maiming on jobs or at home from alcohol, while others (or all) may be traces of trauma continuing within the community in a PTSD-like manner. For example, Omesia's son, in his late teen years, was lynched in downtown Monterey in 1934 (Harrington 1937, Reel 36:22, Frame 6). This shock from blatant racism produced a reaction in Omesia of cutting herself; a custom used by some northern California shamans for healing (Wilson 2007:B1). Near Niles, the house Catarina Peralta was living in, probably one of the last houses of the Rancheria, was burnt down by a Southern Pacific crew clearing weeds from the tracks (Alonso 2010:25). Because the community was out of sight of public safety, assassins from Santa Cruz (Indigenous "bear doctors") took up residence in Niles and performed their deeds before moving on (Harrington Reel 36:14).

Although Natives did not have much choice regarding labor, they did have an advantage over Euro-American farm workers because they supplemented their labor with traditional fishing-gathering strategies. Continuing local knowledge about the flora and fauna gave them some independence and also allowed for more distance from the mainstream local economy than their counterparts while remaining "invisible" to society.

Trina's education in the orphanage gave her an advantage that folks in Niles did not have. Although her jobs all revolved around domestic help, she developed personal relationships with her superiors whom she strived to please. Warm personal relationships she developed with farmers and later employers gave her greater job security. Other advantages for Lucas and Trina going to orphanages were (a). the Albertinum and Sisters of the Palms followed their established custom of teaching Lucas and Trina English, respectively, gave them an elementary education, as well as skills to earn a living that were appropriate for their class, ethnicity, and gender in society of the early 20<sup>th</sup> century. The Gilded Age (1880 – 1914) set new parameters for domesticity in the home emphasizing civility, morality, knowledge and social rules which wealthy homes attempted to reflect (Sunseri 2020:5). Surrounded by these parameters of employment, Trina absorbed them and applied them in her own life. Because Trina knew the unspoken social rules and honored them, her value as a domestic employee increased. Employers valued that trust which enabled her to continue in domestic

employment in wealthy circles until she chose to marry and begin her own family, asserting agency over her own life. Trina was privy to all the niceties as well as the strict division between employer/employee and Western European/Native ethnicity that was also inherent in Gilded Age social structure (Sunseri 2020:3).

Disadvantages of being in these Roman Catholic institutions were (a). preparing children to spend life as a servant, is a vestige of the mission system as well as a silent support of the segregated social hierarchy held by the dominant society in early 1900's. Domestic work was the only way Indigenous women could be gainfully employed or for men, work in agriculture. (b) Within child labor circles, generally speaking, children who went to work at 12 years of age (or less) and were no longer in school, potentially stopped learning and could spend the rest of their lives in a limbo of dependency on others to make decisions for them (US Department of Labor accessed 8/27/22). (c) Trina went to work for the Lowry's two years before Congress addressed child labor outside of mining and industry (1916 Owen-Keating Act). However, in spite of all legislation that Congress passed, even into 1938 FLSA legislation, children helping parents on their farms was discounted. Whether a child was a legitimate offspring or not on a farm fell into a grey area that no one pursued. Hence, Lucas and Trina joined the legion of child laborers already consumed by industry because children, managers perceived, were more manageable, less likely to strike, and could be paid lower wages. In 1914 Lucas would have been 14 and Trina was 12 when they both went to work, earning room and board through field work or cleaning, cooking and caring for white people's children.

Unlike Dario's choice to make bootleg liquor as an alternative to working in agriculture, Trina's marriages to men who worked in Newark's new industries, gave her and her children access to a community with public schools, as well as employment opportunities unavailable to Trina's generation. Shielded by affiliation with Anglo and/or Mexican heritage, Trina's children could be visible, could associate with others in a plural community and could become part of larger world with extended work opportunities. Becoming home owners in Newark in 1962, Trina and Yrineo established a foundation in the capitalist system that had exploited earlier generations. In a word, Trina, through work and persistence extracted her family from the traces of structural violence and through choices open to her, constructed a life of greater equality than earlier family members could achieve. Other Indigenous communities caught in farm work cycles, remained in the seasonal rounds of agriculture into the 1980's and beyond. Trina's Native identity formed a shield of resistance which she maintained during her lifetime and passed on to her children. By the 1960's American politics had agreed that a Civil Rights law was a fair way to create greater equality among citizens living and

working in a highly stratified society, giving Trina's resistance public respect and dignity for the first time..

. Following Farmer's (2004) mechanisms of oppression, we find two mechanisms for suffering. First, farm labor remains the mechanism for suffering since long hours, physically exhausting work and low wages held farm workers in poverty until Cesar Chavez organized strikes in 1968. The second mechanism is the continued social construction of farm workers inherited from the institutionalized power of missions, passed on to Ranchos and ultimately farmers growing wealthy by feeding a growing cities and towns. Marked by low wages farmers expected to pay, education cut short by harvest schedules, inadequate housing conditions, and exposure to pesticides that affected field workers' health, farm laborers' difficulties were compounded by the social distance between them and the rest of society. By the 1970's society had to be reminded who actually put food on the table. Low wages maintained control of farm workers lives by limiting life opportunities to advance into jobs with more responsibility and higher wages. Workers remained unskilled and less educated, thus less able to break out of poverty in a "catch 22" situation. These two noxious effects of structural violence extend over decades. In the late 1970s, into the 1980s Olsen taught in the Intercultural Studies Division at De Anza College where a large effort was underway among Chicano instructors to address lack of education among the next generation of farming families.

A timely opportunity emerged for Natives to be involved in San Jose city affairs during the 1970s-80s when city center renewal projects funded construction to update the appearance of downtown blocks. Managers of these projects were completely dumbfounded to discover first that these projects uncovered Indigenous villages in downtown San Jose (Winter 1978, Hylkema 1994) and second, that local Indigenous people felt they had a tie with ancestral people and lobbied to be representatives for mitigation projects (Winter 1978, Hildebrandt 1983, Hylkema 2002). Natives maintained their Indigenous identity and, while harboring feelings of resistance regarding local bureaucracy, were willing to try to take up a very old and contested question of sovereignty regarding their relation with the land. The opportunity to take responsibility for ancestral remains for reburial after CRM mitigation projects (in the 1970s through to 2023), is an existential inroad into local politics, enabling Natives to address sovereignty actively while simultaneously advancing city planning issues (see Winter 1978, Hildebrandt 1983).

Advocacy of ancestral rights has been a consuming interest of the families in the East Bay, as developers plan more construction in open spaces once occupied by people to whom the family is linked through DNA testing (Brown 2002, Curry 2022), What all the ramifications of Native heritage means for each member of the family is individually

chosen. One member expresses heritage through art, another through right action while all do not hesitate to correct authorities that “Ohlones are not extinct” (a product of structural violence) but have always been “right here.” Currently the family joins Corina E. Gould’s organization Confederated Villages of Lisjan to lend support for mutual goals. Corina and Ruth are related through marriage with Joe Guzman’s family in Niles.

### **Ethnogenesis or Re-emergence of Agency?**

If ethnogenesis is transformation of one group of people into another, such as Spanish-Mexicans into Californios (Voss 2015:656), then one might argue that California Natives in the East Bay chose to join missions to become more like Hispanics (per Milliken 1995) and later assimilated into American culture, under duress of Spanish-Mexican and American hegemony. It might be argued that physical displacement, gradual loss of language by many speakers, gradual obscuring of sacred places through construction, destruction of *temescals*, loss of memory about cultural beliefs and practices replaced by American English, Western economy, and Christianity, demonstrates assimilation. If on the other hand, ethnogenesis is thought of as Native Californians whose self-identity persevered, never wavered (as in Akin and Bauer Jr.2021, Bauer 2016, Galvan 1968, Hill 1996, Nelson 2021) and is a matter of nation whose social agency has expressed itself in public places, particularly pertaining to land and ancestral remains, only since the Civil Rights Movement, then something more obtains than transformation.

Separation from ancestral places, becoming neophytes , strictly ordered and monitored labor, hunger, diseases, threat of punishment, cooperation and resistance braided together form the complex mechanism through which California Natives gave up their old lives (willingly or not) and embraced new ones, in mission life and beyond. Ironically, like African Americans in bondage on southern plantations, Resendez points out that by Natives joining the Spanish-Mexican system, they were joining a very old mechanism designed to enslave, in spite of the laws decreed by Spain and others outlawing slavery (2017:319-320). Indeed early incorporation into a foreign culture’s economic system created an on-going marginalized status that only grew deeper as time and industry doubled down on labor.

From Bauer Jr (2016)., Akins and Bauer Jr. (2021), Schnieder (2015b), and other historical archaeologists it is apparent that Native identity persisted, but, with death creating knowledge gaps (per Bauer Jr. 2016), new Native communities entered missions, mixed with surviving souls and identity changed slowly from being tethered to specific places on the traditional landscape to a Spanish name, a general direction and a group name (e.g. Yak/Yaku – south, Ilamne - Plains Miwok, Barret 1908:366) . Homogenizing Indigenous cultures at mission villages and estancias initiated sharing of customs, knowledge, experiences, and forms of resistance. Indigenous languages

continue into the present while Natives have added on Spanish and English, the languages of the dominant cultures;

The communities that Harrington visited and recorded appear to be refuge communities (Lightfoot 2005:27) made up of individuals who traveled from San Rafael, Napa, Sonoma, San Francisco, Hayward and San Leandro, Stockton, Modesto, Sunol, Alviso, and Mission Santa Clara in an attempt to continue an indigenous culture that members knew existed. Harrington's collection of individuals appears to be a group frozen in time, but in reality, individuals move about from refuge to refuge, perhaps job related, perhaps life-related. They do not perform the seasonal round of jobs described by Street (2004). Cultural continuity is expressed by everyone in the Niles community with personal knowledge of all other members, and usually beyond to San Juan Bautista and/or Monterey. The binding link between people in these communities is Native identity. People in the past are remembered and included in this oral history as a memory of who's who; who they're related to by blood, marriage, what language they spoke, and the important accomplishments and traumas in their lives.

Through mixing of cultures, Native identity appears to have bifurcated into an insider's identity and an outside identity; changed from a specific place on the landscape (per Bauer Jr 2016) to a more general direction of mission identity and next, for whom one worked, when speaking to outsiders. It is apparent in Harrington that between Natives, communication often continued in their respective languages or Spanish and socialized more closely with others of similar heritage or kin. Kidnapping mixed up Indigenous people further, like Susana, who remembered just enough of her original culture and language to become part of the Pleasanton Rancheria yet she also functioned in mainstream culture as mother of four children. Currently, Indigenous identity is based on membership by birth and is passed on to offspring through either mother's or father's link to Indigenous heritage. In Ruth's family there are more matrilineal links. All members learn their Indigenous heritage through shared kinship with cousins, uncles, aunts and grandparents. If assimilation is loss of original identity to adopt identity of the mainstream, then many Natives of California have never lost their identity and have never assimilated into mainstream society, They have adapted to the point that outsiders can't tell the difference between Natives and the rest of society while for insiders, languages have to be re-learned, but original ethnic identity was never forgotten as a point of resistance.

When the Civil Rights Movement began to provide opportunities for family members to actively put their heritage identity forward, agency began to emerge from invisibility. One section of the family emerged with backing of the Catholic church, another section of the family emerged with some self-determination as Muwekma (Olsen 1986). The Orta family section advocates education for themselves and for the general public. The

family wants to re-learn their heritage in more detail; how the culture was adapted before *Entrada* to the East Bay changed the environment, and to know more about ancestors identified in the oral history. Concerning identity, Orta prefers the term “Native” to “Indian” since even that word infers colonial roots - the mistaken identity Columbus and others assigned to Indigenous people of the Americas, thinking they had reached India.

## Conclusion

By the “available light” of Farmer’s structural violence, it is clear that the social cost for Natives was extreme with ripples of effect still present. Hispanic ignorance of Native cultures (Bauer 2016:23) mixed cultures, some of whom were unaccustomed to mixing with hereditary enemies in missions. Mixing also presented new identities that were compatible with mission goals and homogenized through divisions of labor by gender and age. Old identities such as “captain” persisted complete with traditional hair styles and/or nose pierce reserved for leaders (Harrington Reel 36:44, frame 2, Reel 36:46, frame 4) while new statuses such as work bosses established within mission-Rancho society kept everyone working. From an etic view, Native status sank to mainstream society’s lowest ranks while individuals achieved higher status by marrying into Hispanic society. Inside refuge cultures, statuses developed through continued participation in ceremonial events. If one could sing well or dance well, that was remembered. Remembering stories told in Spanish or original languages added status.(per Harrington Reels 36, 37, 51) One’s place of origin was important as that is one’s connection with the land (Wilson, personal communication 2007) where additional stories of origin (e.g. Fonseca 1991, LaPena 1987, 2004) present unique knowledge regarding those who came before.

To resist external forces, Natives sought refuge in invisibility to survive the many changes compounded by solidifying attitudes of racism that continue in various forms into present. Death by disease activated raids into the California interior to replenish the labor pool. By the Rancho period, Natives’ life trajectories were predetermined and did not change under capitalist labor. The labor divide continued by gender, work appropriate for men or women according to the Gilded Age standards. Women’s labor revolved around domestic environments, cooking, laundry, cleaning, child care while men chose farming by default, but could also hire themselves out as “handy men” (per 1900 and 1910 U. S. Census records). During the Gilded Age labor was so exploited that “subcultures of opposition” (Sunseri 2020:9) formed that create inklings of future union opposition. Thanks to union organizing, fair labor laws during the Roosevelt administration, and Feminism during Civil Rights, labor now is more diversified regarding gender, and the Orta family has many more work options and educational opportunities .to shape their lives. Through the “available light” of Bourdieu, (2013



(1977), Silliman (2001), and Sunseri (2020), labor experience becomes the currency that connects past with present both in terms of choices Natives had as well as differences with which they identify themselves to each other and to outsiders.

Remnants of structural violence and elemental racism kept the presence of the Indigenous communities in the Bay Area out of public awareness until the Civil Rights Movement made it illegal to discriminate against ethnicities in housing, job opportunities, college acceptance and any other business dealings. Self-determination motivated ethnic studies departments in colleges and universities to engage students in alternate views of that social construction. When it became safe for Indigenous people to announce in public spheres their true identities without fear of lynching, or other forms of racial retaliation, it emerged, but not without public push back. A member of the extended family once (circa 1978) called a local San Jose radio talk show and said “Hello, my name is Jorge Alvarado (name changed for privacy) and I’m an Ohlone Indian.” The radio host was not about to be fooled, and replied “How can you be an Ohlone Indian with a Spanish name???” Public education has improved somewhat but California public school 4<sup>th</sup> grade social science projects continue to begin California history with missionization.

Voss (2015:95) explains the intended meaning of the word “ethnogenesis” as signifying change in a group of people held together by “rhizotic” roots of experience and kinship, not as a process but rather as outcomes of chance; people’s lives intersecting with choices made, based on circumstances and cultural contexts. Hill (1996) approaches ethnogenesis more as a question of nation-building within the state. Inability to re-establish formal tribal status with the Department of the Interior is another cost of past structural violence. As Eigen-Vasquez reports on the effort to re-establish a nation within a nation (“to recognize we exist” 2018:11) establishes the point that Native efforts to be a nation-within-a nation is not regarded seriously by the federal government. Further costs occur when younger generations experience gaps of information from the past regarding an event of which there is no recollection, or an Indigenous person denies their heritage (Eigen-Vasquez 2018:9). Eigen-Vasquez finds some knowledge of violence was lost because elders remained silent about disturbing experiences (Eigen-Vasquez 2018:9). To the Orta family, remembrance of an elder’s words, stories, thoughts and feelings is as important now as it was in the past. However, silence and time create confusion in the present, regarding how to react to this gap. For example, one elder blatantly denied her Native heritage causing Trina to reprimand this elder, “You little jackass!, You know you’re not Mexican! You are my sister and you know our mother was Indian, she was an American Indian, what’s wrong with you?!” (Ruano 1986:41-42). Susana’s early life and kidnapping was an unknown fact for members of the family. Did Lawrence Nichols make it up during his interview? Given the amount of

violence perpetrated on Indigenous people of California, it is more likely true than false. It is likely Susana chose not to add such a painful part of her life to family memory. These chosen elisions remain vestigial consequences of structural violence from earlier generations.

Joining an organization made up of fellow Natives who share goals to find space for a cultural center with means to educate the general public about their continued presence in the East Bay asserts collective agency and establishes positive action for the family who have always known their heritage and link to the land. Hill remarks that “To successfully resist ongoing systems of domination, racial or ethnic stereotyping, and cultural hegemony, the first necessity of disempowered peoples or of marginalized subcultural groups within a national society, is that of constructing a shared understanding of the historical past that enables them to understand their present conditions as a result of their own ways of making history” (Hill 191996:17). “As tribes from other regions were forced, through removal and relocation, to transit the area in the nineteenth century, the landscape began to shift, with the founding of new cities and new forms of community. Those movements of Native people across the land have also been rendered invisible, but they too are a part of the place and its life. Though the stories are often lost to human memory, the land remembers, and it is through Native artists that the land is given voice.” (Ahtone 2018:20). Perhaps ethnogenesis is as much a function of mainstream society gradually loosening its grip on marginality to become more inclusive, as has been the case since the 1964 Civil Rights Act, as it is the educational goal of the organization Consolidated Villages of Lisjan. On the other hand, Persistence and Maintenance have always been a function of Indigenous knowledge that will continue to give links with the land a voice.

## Endnotes

- 1.. Pg 5 In his investigation of the Chochenyo language spoken by Native Californians in the East Bay and Monterey areas, J. P. Harrington noted that there was no word for “work” in the language. (Reel 37:p. 48, Frame 6).
- 2.. Pg.5 Although priests recorded local ethnicities as part of a neophyte’s identity, priests were oblivious of Native cultural differences ( Bauer 2016:23).
- 3 .Pg. 8 This 2.5-year project included EBCSU anthropology students who planned and mounted an exhibit themed “Against All Odds: Native Californian Stories of Endurance and Continuance” that emphasized the fact that the family had never left their ancestral lands and presently their bearing on these lands continues.

4. .Pg. 8 Inconsistent spelling of Native names and place names was not a problem at the time, but for contemporary scholarship, these inconsistencies create ambiguity which Milliken tries to resolve using his preferred spelling for all entries in his data base (Milliken 1991, Appendix I ).
5. .Pg. 9 See Kroeber 1908b:25 for an early 20<sup>th</sup> century interpretation of Ohlone marriage customs. Native polygamy were elided by priests (Beebe and Senkewcz 2001, King 1994),
6. .Pg. 13 Authors' opinions, "fresh" groups brought into a mission mask mission population reduction on paper since priests could continue to report X number of baptisms that countered death tallies, deepening the elision.
7. Pg 16 Report of the Survey General to the State of California 8/1/1884  
. Rancho Valle de San Jose, Alameda County, confirmed to Antonio Sunol, Augustin Bernal, Juan Bernal and Antonio Maria Pico 1839 (Hoover, Rensch and Rensch 1966:18-19) Survey map completed 1868, on file at Bancroft Library  
<http://www.oac.cdlib.org/ark:/13030/hb9s20090/?orders=1> accessed 8/6/2022
8. Pp. 16 Rancho Arroyo de la Alameda granted to Jose de Jesus Vallejo in 1842.(Hoover, Rensch and Rensch 1966:18-19) Southern boundary is Niles Canyon. Survey map made by Jean Jacques Vioget in 1868 shows "Indiens" (sic) occupying the eastern side of the drainage near Pleasanton's present location and on the shore of the East Bay approximately where Hayward is located today. On file at Bancroft Library,  
<http://www.oac.cdlib.org/ark:/13030/hb9s20090/?orders=1> accessed 8/6/2022.
9. .Pg.20. Yak-Ilamne, in Miwok – Barret's (1908:366) listing of Miwok vocabularies shows the Plains Miwok word for 'south' as 'yaku-wit'. The root of the word being 'yak' with suffixes. Additionally, Gifford describes Miwok men's self-identity as a male lineage attached to an ancestral home (1926:389). If a Gualacomne, Ponfilo's ancestral home would be south of the Ilamnes making the name Yakilamne consistent with this traditional male identification.

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