



## Diversity and Conflict

One of the most deplorable aspects of the history of California has been the persistence of discrimination directed against the state's diverse ethnic and racial groups. During the twentieth century, progress was made in overcoming the burden of past discrimination, but the legacy of hostility remained. This chapter traces the story of diversity and conflict roughly through the first three-quarters of the century. More recent developments are covered in Chapter 36.

### California Indians

All the nonwhite minorities in American California suffered from various kinds of discrimination, but the mistreatment of the Indians began earliest and was by far the worst. In California, as in other parts of the United States, the history of American treatment of the Indians in the nineteenth century was too often a sickening record of racist murder and sanctimonious fraud.

The problems of the Indians in California were different from those of most other American Indian tribes in that only a minority of the California Indians were ever placed on reservations. The treaties of the early 1850s, providing for large reservations in California, were never ratified, and most of the attempts to provide small reservations were unsuccessful. The California Indians were left to survive as best they might on the fringes of white settlement; most of them did not survive. Of those who did, the majority became agricultural laborers.

Several idealistic individuals tried to improve the situation. New England author Helen Hunt Jackson published *Ramona* (1884), a novel she intended to be the *Uncle Tom's Cabin* of Indian reform. *Ramona* powerfully portrayed the destitution of the homeless Indians of southern California and also, quite unintentionally, created a collection of regional myths that stimulated the tourist trade. In 1901 journalist Charles F. Lummis organized the Sequoia League to lobby for better treatment of

the Indians. Its main accomplishment was an act of Congress that provided money to purchase a tract of land near Pala for the Cupeño Indians who were evicted from Warner's Ranch in San Diego County.

During World War I, a number of Indians served in the armed forces, and in 1924, partly in recognition of that service, Congress gave American Indians the rights of citizenship in the United States and in the states of their residence. Congress also recognized that an injustice had been done to the California Indians, in particular, by the failure to ratify the reservation treaties of the early 1850s, which had promised them more than 7 million acres of land. In 1928 Congress authorized the attorney general of California to bring suit against the United States on behalf of the California Indians to determine what financial compensation should be made to them. A special census provided by the act of 1928 enumerated 23,585 persons as living descendants of nineteenth-century California Indians, and thus entitled to compensation. But the case dragged on until 1944, and when the federal court of claims finally made its award, it was only for a little more than \$5 million, or about \$200 per person.

In the special case of the survivors of the Cahuilla tribe, also known as the Palm Springs Indians, the results of litigation were startlingly different. In the 1870s the federal government had granted the odd-numbered sections of desert land in the Palm Springs area to the Southern Pacific Railroad and the even-numbered sections, checkerboard-fashion, to the Cahuilla Indians. When Palm Springs became a booming resort town in the 1920s, the surviving Cahuilla, numbering about 100, tried to persuade the federal government to permit the leasing of some of their lands to the eager hotel promoters, but the government refused. Lee Arenas, one of the Cahuilla, managed to interest a former justice of the California Supreme Court, John W. Preston, in taking the case to the Supreme Court of the United States. In 1944 the Court ruled that each of the Cahuilla should receive the rental from \$350,000 worth of individually allotted tribal land, as well as a share of the income from 30,000 acres of communal tribal land.

The contrast between the ridiculously inadequate award by the federal court of claims to the California Indians in 1944 and the lucrative award by the Supreme Court to the Palm Springs Indians in the same year was so striking that it helped persuade Congress to pass the Indian Claims Commission Act of 1946. This law entitled Native Americans to payments from the federal government equivalent to the original value of the lands their ancestors had once occupied. The determination of the amounts was a fantastically complex matter, but in 1965, after many years of hearings, the descendants of the nineteenth-century California Indians finally received and voted to accept an award of a little more than \$29 million. This was about 45 cents an acre for 64 million acres of land, nearly two-thirds the total area of California.

During the 1950s, the Native Americans who remained on reservations were subjected to a new federal policy known as *termination*. The policy had many parts, but essentially it was a withdrawal by the federal government from all its relations with the Indian tribes. Federal trust protection of Indian lands was to be removed and the lands sold. As Native American historian Donald Fixico has concluded, "termination essentially implied the ultimate destruction of tribal cultures and native lifestyles, as withdrawal of federal services was intended to desegregate Indian communities and to integrate them with the rest of society." In 1958 Congress passed the rancheria