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Alfred Kroeber's *Handbook* and Land Claims: Anthros, Agents, and Federal (Un)Acknowledgment in Native California

Nicholas Barron
Mission College
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Cet article fait partie d'une série de six communications présentées le 19 novembre 2021, lors d'une session intitulée "Alfred L. Kroeber : The Man, His Work and His Legacy", organisée pendant la réunion annuelle de l'American Anthropological Association (AAA). Le 27 janvier 2021, l'Université de Berkeley (Californie) a débaptisé le "Kroeber Hall" qui abrite le département et le musée d'anthropologie - institutions fondées par Kroeber. Il nous a semblé intéressant d'offrir en lecture dans Bérose ces six contributions discutées en novembre. Sans prétendre à l'exhaustivité, elle offrent des éclairages complémentaires sur l'oeuvre d'une figure majeure de l'histoire de l'anthropologie états-unienne. Participaient à cette session : Herbert S. Lewis (organisateur, Université du Wisconsin-Madison), Stanley Brandes (Université de Californie, Berkeley), James Stanlaw (président, Illinois State University), Jack Glazier (Oberlin College), Nicholas Barron (Mission College), et Nancy Scheper-Hughes (Université de Californie, Berkeley).

Introduction

In January of 2021, the University of California, Berkeley announced that it would un-name Kroeber Hall, the facility that houses the school's Department of Anthropology, a critical source of social scientific scholarship since its founding in 1901. According to the university's Building Name Review Committee, the final decisions to remove the seminal figure's name from the building was predicated on his status as "a public symbol of the discrimination against and disdain for Native Americans" (BNRC 2020). [1] This characterization of Kroeber, the committee argued, was supported in part by "Kroeber's claim that the Ohlone people were culturally extinct," which "*contributed* to the decision by the Federal Government to delist the Ohlone from the national register of Native peoples, leading to the Muwekma

Ohlone tribe having no land and no political power" (BNRC 2020, emphasis added).

While this essay is not about Kroeber Hall per se, I take the committee's decision and rational as something of jumping off point from which to reconsider Kroeber's influence on the political status of some of the unacknowledged tribes of California. I seek to enhance the current conversation by highlighting the underappreciated role of the Office of Indian Affairs during the 1920s. With this approach, I argue that the narrative that has been articulated in the Kroeber Hall discussion, while not without relevance, ultimately simplifies the relationship between anthropology, the state, and Indigenous peoples, thereby absolving government functionaries and institutions of their own culpability. Though this paper has its impetus in the contemporary moment (i.e., the un-naming of Kroeber Hall), its central concerns are of a piece with longstanding attempts to understand anthropology's relationship with colonialism.

Anthropology, Colonialism, and Federal Indian Policy

While critical assessments of anthropology's complicity with the management and domination of colonial subjects are legion, I continue to find Talal Asad's foundational, 1973-assessment of the discipline to be an instructive point of reference. [2] Asad wrote specifically of social anthropology and its relationship with British imperialism; nevertheless, his treatment is indicative of a critical ambivalence that runs through the anthropology–colonialism debate. Anthropologists, he tells us, have "contributed, sometimes indirectly, towards maintaining the structure of power represented by the colonial system" (1973, 17). It is a bold statement, and one that continues to resonate in introductory courses and textbooks. However, it is easy to forget how Asad quickly qualifies this claim by conceding that "such contributions were not in the final reckoning crucial for the vast empire" and that ultimately "the structure of power…affected the theoretical choice and treatment of what [anthropology] objectified" (1973, 17). Asad, it would appear, is more certain of how anthropology bears the imprint of colonialism than how colonialism bears the imprint of anthropology.

Such critical ambivalence is reflected in the context of North America where the historical intersections of anthropology and colonialism are impossible to deny, but causality can be difficult to discern. George Castile makes this point in his treatment of anthropology's relationship with federal Indian policy in the United States (2007). His argument allows for Asad's emphasis on the critical role of colonialism in making Indigenous peoples potential objects of analysis. However, he indirectly troubles Asad's assertion that anthropology *contributed* to the perpetuation of colonial power structures. It is not that Castile sees anthropology as an anti-colonial discipline challenging the forces of settler coloniality in the US. Rather, he sees it as a poor competitor in "the policy market place" (2007, 268). Despite the occasional effort to make their works relevant to policy makers, the insights of anthropologists, Castile asserts, have fallen on deaf ears in governmental bureaucracies. He is particularly suspicious of the impact of "the first generation [of] Boas-trained students,"

who were largely oriented toward the reconstruction of pre-colonial life ways as opposed to the documentation of the present trials and tribulations of Indigenous peoples (2007, 271-272). Such research has often been glossed somewhat derogatorily as salvage anthropology, which I will return to later in this essay. [3] Castile's thesis finds surprising resonance in the writings of Vine Deloria Jr, whose primary issue with North American anthropology was its supposed orientation to a form of "pure research" that is "devoid of useful application and incapable of meaningful digestion" because of its myopic pursuit of the reconstruction of a pre-colonial, "mythical super-Indian' (Deloria 1969, 80-82). [4] In what follows, I contend that much of Castile's and Deloria's respective assessments resonate in illuminating ways with Kroeber's impact on the political status of Indigenous peoples in California.

The Muwekma and Salvage Anthropology

One cannot understand the contemporary depiction of Kroeber and the decision to strip his name from the Berkeley campus without engaging the colonial history of California and its impact on Indigenous peoples and their descendants. California's history stands apart from much of the Union when it comes to the political status of First Peoples. Most notably, few treaties were forged between the many Indigenous groups of the region and the US government after statehood was solidified in 1851. [5] As a result, reservations became few and far between, and "by the late nineteenth century, California featured large populations of so-called homeless Indians" (Field 2003, 85). In an effort to address this issue, the Office of Indian Affairs (now the Bureau of Indian Affairs) worked to establish small homesteads called "rancherias" titled to Indian groups between 1906 and 1928. While this might seem like an incidental bit of history, it would have substantial implications for the long-term political status of these groups as "the establishment of a rancheria for a named Indian group signified official recognition of Indian identity by the federal government" (Field 2003, 86). Importantly, many groups were left out of these efforts including the Ohlone peoples of the greater San Francisco Bay Area.

The term *Ohlone* "refers to a native group with a postcontact history shaped mainly by demographic collapse caused by [Spanish] missionization and the subsequent regrouping during the Mexican period" (Field 2003, 86). In the contemporary Bay Area, one is most likely to hear about the Muwekma, the descendants of a community of Ohlones known to the federal government as the Verona Band in the early 1900s (Field et al. 1996; Ramirez 2007, 104). The Verona Band was one of 135 Indigenous communities not recommended for rancherias in 1927, which effectively ended their relationship with the US as a semi-sovereign political entity. However, as Renya Ramirez notes, inspired by the Civil Rights and associated Red Power Movements, the descendants of the Verona Band "began a cultural revival" in the 1960s under the name "Muwekma" (2007, 105). [6] Such efforts were spurred by the desire to protect ancestral sites from urban and rural development, which began to intensify in the 1970s (Leventhal et al. 1992). However, the Muwekma carried out such work as a landless community without the official recognition of the federal government. In the

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late 1980s, the Muwekma began their ongoing efforts to remedy this situation and restore their political status as an American Indian Tribe through the notoriously slow and frustrating federal acknowledgement process.

At what point does the Muwekma Ohlone Tribe's complex history intersect with Kroeber's so much so that he becomes a key contributing factor in their current unacknowledged status? Once again, I refer to the Building Name Review Committee's statement, which cites "Kroeber's claim that the Ohlone people were culturally extinct." This claim of extinction can be found in Kroeber's magnum opus, *Handbook of the Indians of California*. Published in 1925, this nearly 1,000-page tome offers "a series of tribal descriptions" designed "to reconstruct and present the scheme within which these people in ancient and more recent times lived their lives" (v). Following the format of the other chapters, Kroeber's 11-page treatment of the Ohlone, referred to as "Costanoans," offers an overview of the groups' cultural elements which range from "shell mounds" to "mythology" (1925, 462–473). However, it is the first sentence under the subheading of "population" that is most relevant to this paper. "The Costanoan group is extinct so far as all practical purposes are concerned" (1925, 464). As he goes on to elaborate, "[t]he larger part of a century has passed since the missions were abolished, and nearly a century and a half since they commenced to be founded. These periods have sufficed to efface even traditional recollections of the forefathers' habits, except for occasional fragments of knowledge" (1925, 464). Thus, Kroeber distinguished between living Ohlone peoples who were still very much present in the Bay Area and the pre-contact cultural lifeways that he was ultimately most interested in documenting.

Ominous statements about the demise of groups may say more about the salvage anthropological paradigm and Kroeber's own conception of culture and history than they do about the past and present experiences of groups featured in the *Handbook*. There is no denying that the Native peoples of California experienced significant population loss due to multiple waves of colonization (Almaguer 1994; Cook 1943; Hurtado 1988). However, Kroeber did not address these factors in any in-depth manner in his many writings. As he vaguely asserted in the introduction to the *Handbook*, he did not feel that he was "in a position to treat…adequately" recent histories of conquest and settlement (1925, vi). This might explain the *Handbook*'s limited engagement with colonial archives. At least in the Costanoan chapter, Kroeber relies heavily on the secondary writings of historians such as Hubert Howe Bancroft and Herbert Eugene Bolton. [7] While there are various primary sources listed in the book's bibliography, most go back no further than the 1840s. Additionally, a lack of footnotes makes it difficult to discern how or if Kroeber was using these sources to inform his tribal descriptions—a pattern that can be found in other instantiations of the salvage paradigm (Dinwoodie 2015).

While Kroeber often spoke of his approach to anthropology as a kind of "history," he understood both disciplines in fairly particular terms. Done properly, history and cultural anthropology were, for Kroeber, matters of classification and pattern description (or what he called "descriptive integration" [1935])—not causal explanation. And though he rightly

critiqued historians such as Arnold Toynbee and Oswald Spengler who thought historical descriptions reveal universal and predictive laws, Kroeber appears to have embraced their suspicion of the individual. In his often-referenced article "The Eighteen Professions," Kroeber asserted that while "the actions of conspicuous historical personages" might offer "valuable material," "the personal or individual has no historical value save as illustration" (1915, 131). Those familiar with Kroeber's theoretical writings will recognize this as being resonant with his "superorganic" view of culture (1917) in which the individual is "an agent of culturological forces" (Harris 1968, 327). When combined with his own inability (or unwillingness) to examine the ramifications of what his colleague T.T. Waterman referred to as "the white invasion" (1920, 203, 255), Kroeber's superorganic approach to history and culture renders his extinction statements somewhat abstract. [8]

There are other reasons to qualify Kroeber's extinction statements. Owing to his training under Franz Boas, Kroeber preached the importance of empirically-driven fieldwork, and much of the *Handbook* is reflective of this. However, territorial disputes with the linguist and Bureau of American Ethnology researcher John Peabody Harrington may have discouraged Kroeber and his students from working more closely with Costanoan/Ohlone communities (Heizer 1975, 234; Laird 1975, 102). As suggested by Robert F. Heizer, one of Kroeber's graduate students and research assistants, "Kroeber…was reluctant to send ethnographers to search out and interview the surviving Costanoan…because Harrington had long preempted them as 'his'" (Heizer, 1975: 234). [9] This is not to say that Kroeber never conducted fieldwork amongst "Harrington's people." For instance, he carried out brief linguistic research amongst Ohlone/Costanoan descendants in the East Bay in the winter of 1901–1902 (Kroeber 1903; Kroeber 1904; Leventhal et al. 2017). While this does not categorically invalidate the *Handbook*, it does suggest that the Costanoan chapter was far more conjectural than even Kroeber would have liked.

Ultimately, I am less concerned with the validity of Kroeber's scholarly treatment of the Ohlone (which is not to say that this is unimportant) than I am with the degree to which it "contributed to the decision by the Federal Government to delist the Ohlone," thereby rendering the contemporary Muwekma politically disempowered. If we engage the literature on the political struggles of the Muwekma, we arrive at a more complicated view of their unacknowledged status.

Dorrington's Report

For the committee's conclusion to be historically sound, we would need to be able to trace the social life of Kroeber's *Handbook* and its entwinement with the Office of Indian Affairs (OIA). As noted above, it was the decision of the OIA to not secure rancheria land for the Verona Band in the 1920s that effectively ended their political relationship with the US. That is to say, this is the origin of the Muwekma's unrecognized status. This action was largely shaped by the special Indian agent, Lafayette A. Dorrington. At the behest of the assistant commissioner of Indian affairs, Edgar B. Merritt, Dorrington was tasked with conducting an

analysis of landless Indians in need of rancherias. While the Verona Band appeared in his report, Dorrington wrote, "There is one band in Alameda County commonly known as the Verona Band, which consists of about thirty individuals… It does not appear at the present time that there is need for the purchase of land for the establishment of their homes" (Dorrington 1927).

Is it *possible* that Dorrington's dismissal of the material needs of the Ohlone was on some level shaped by Kroeber's parallel dismissal of their cultural persistence? Certainly. But is it *probable*? This is hard to say. While the *Handbook* was submitted to the Bureau of American Ethnology (BAE) as an official report, others have observed that BAE studies rarely gained currency in the federal government and the Indian service in particular (Castile 2007; Lewis 2007, 781, 2014, 78). Even anthropologists who have noted the symmetry between Dorrington's report and Kroeber's *Handbook* have stopped short of declaring a clear-cut causal relationship. Les Field, a professor of anthropology at the University of New Mexico who has worked with the Muwekma for nearly 30 years in their pursuit of federal acknowledgement, offers an example of this qualification:

> "I have always assumed that the relationship between Kroeber's authoritative statement and Dorrington's decision was more than coincidental. Certainly, the attempts by the Verona Band's descendants to rectify his oversight have been thwarted by the potent functioning of official anthropology and its use of anthropological knowledge produced by authoritative sources such as Kroeber" (Field 2003, 87-88).

Perhaps it is telling that while Field supported the idea of *re-naming* (not un-naming) Kroeber Hall, he instructed the committee in his public comment, co-authored with Alan Leventhal and Orin Starn, that "[i]t is not possible to substantively link Dr. Kroeber's extinction sentence to the federal government's decision to drop the Muwekma Ohlone ancestors from the list of recognized tribes in 1927" (2020).

Ignoring this qualification places one in a very difficult situation intellectually and politically. When we portray Kroeber as a contributing factor, we neglect to consider that Dorrington, whose name is but a footnote in history, was a career bureaucrat that came to the OIA during a period of rampant detribalization and assimilation, which had been in effect since the 1880s (Prucha 1984). The fact that he delisted 135 groups suggests that this was indicative of a more diffuse settler colonial mindset that pre-dates Kroeber, salvage anthropology, and disciplinary anthropology more generally (Castile 2007). Moreover, before entering the Indian Service, Dorrington worked for the General Land Office in Nebraska and the Bureau of Prisons in US-occupied Philippines (Allen 1997; Army, Navey Journal 1900)—both of which facilitated different forms of US empire (Goldstein 2018; Mallari 2012). With this in mind, did someone like Dorrington need to read a dense anthropological text to decide that the landless Indigenous peoples of California were, in his mind, unworthy of governmental aid?

Additionally, when we place Kroeber at the root of contemporary Muwekma struggles for

recognition, we unwittingly play into what Elizabeth Povinelli has characterized as "the cunning of recognition"—the tendency of liberal states to make Indigenous sovereignty contingent upon the ability of Native peoples to conform to a colonially-constituted conception of authentic Indianness (2002; see also Coulthard 2014; Simpson 2014). While Povinelli originally spoke of the case of Australia, this dynamic has been explored in the North American context in the works of Audra Simpson (2014), Joanne Barker (2008), Glen Coulthard (2014), and many others who attend to the inherently compromised and compromising nature of acknowledgment in liberal democracies. The political sovereignty of groups such as the Muwekma fails to be recognized, at least in part, because they (i.e., the Muwekma) do not conform to the settler colonial conception of a "tribe," which is itself a somewhat vacuous category emptied of history (Barker 2007; Field 2008; Laverty 2010; Lightfoot 2005). While anthropology is most certainly bound up in the politics of recognition (Barron 2019; Castile 2002: Clifford 1988; Dinwoodie 2010; Field 1999; Miller 2004), it is not necessarily a causal force.

Ethnographic Debris

Though the impact of his extinction statements vis-à-vis the federal (un)acknowledgment of the Muwekma is difficult to discern, I do not want to suggest that the spirit of the Kroeber Hall debate is unwarranted. There are well-documented cases in which Kroeber and his extant work have had an identifiable impact on the tribes of California. Importantly, this impact has been a mixed bag. On a positive note, Kroeber's corpus has been incorporated into contemporary cultural revitalization initiatives in the state. For instances, descendants of the Yana have used wax cylinder recordings made by Kroeber and the man known as Ishi to learn traditional songs (Buckley 1996, 293). More can be said of Kroeber's often underappreciated participation in the Indian Claims Commission (ICC), the body charged with adjudicating extant claims made by Indigenous groups against the US government. Serving as an expert witness during the 1950s, Kroeber argued that precolonial Californian Indian communities could be best understood as "smaller nationalities" or "miniature sovereign states" with a clear sense of land "ownership" and "private property" prior to the arrival of Europeans (1974, 5; 1955, 303). In articulating this view, Kroeber drew historical analogies between these Indigenous entities and European principalities such as Italy and his ancestral Germany prior to national unification. The inhabitants of these internally diverse provinces, Kroeber contended, "undoubtedly constituted a nationality" characterized by a distinct "common speech, culture, and ideology" (1955, 303). [10] Even in California, where Indigenous groups were multiple, diverse, and intersecting in terms of kinship, language, and economic exchange, he surmised that "the most constant features of the [Californian Indian] unit probably was their unity and solidarity of spirit; the sense that they were one people with common fortunes" (Kroeber 1974, 20). Through these appeals to European nation-state formations, land ownership, and shared socio-cultural traits, Kroeber offered an image of pre-conquest California populated by private-property-holding, subnational, Indigenous polities. Despite opposition from government-aligned

anthropologists including his former student Julian Steward (1955), [11] Kroeber's testimony proved convincing, and the ICC ultimately sided with the Indian claimants against the Department of Justice. Though Kroeber's approach to land claims is not beyond critique, one can see how Arthur Ray, a noted historian and expert witness for other land claims cases, has written about this period in Kroeber' career with relative admiration (2006; 2016).

On a less positive note, Alan Leventhal et al. have argued convincingly that the extinction statements in the *Handbook* have indeed shaped subsequent anthropological and ethnohistorical assessments of the Bay Area as well as the actions of cultural resource management firms, which continue to parrot the idea that the Ohlone went extinct, often citing Kroeber in the process (1992, 311-319). As local politicians and business interests push for housing growth in densely-populated, urban sectors, the findings of cultural resource management companies become ever more politicized and consequential in city centers. However, this is not the only context in which salvage anthropology and Kroeber's work in particular has appeared in recent years.

As of this moment (January 2022), a parallel case is developing on the southern fringes of the Bay Area. Largely known for ties to the agricultural industry, the town of Gilroy also falls within the territories of the Amah Mutsun Tribal Band, a federally unacknowledged tribe whose ancestral lands include parts of what is now Santa Clara County and San Benito County (Hart 2003). In 2015, an organization called the Sargent Ranch Management Company petitioned Santa Clara County for a mining permit. If approved, the permit will allow the company to construct a 317-acre sand and gravel mine just south of Gilroy on what is now known as Sargent Ranch. The proposed mine has raised concerns from local environmentalists as well as the Amah Mutsun. As a federally unacknowledged tribe, the Amah Mutsun, much like the Muwekma, have long struggled to access, manage, and preserve their ancestral territory. According to the tribe, the proposed mine falls within the bounds of Juristac, a cultural and spiritual center of Amah Mutsun territory (Lopez 2018). Understandably, the tribe has been working to convince the county to deny the permit. However, in an effort to undermine the claims of the Amah Mutsun, the Sargent Ranch Management Company has deployed the writings of 20th-century anthropologists including Kroeber and his now infamous *Handbook*. As detailed on the company's website, "Kroeber placed Juristac south of the Pajaro River and east of the San Benito River, right near the present day Betabel RV Park. Kroeber did not know if the villages listed on his map were permanent towns, suburbs or summer camps and stated that they could only be 'vaguely located' (Kroeber, *Handbook of Indians in California*, 1925, p. 465)" (Sargent Quarry n.d.). [12] According to the company, Kroeber's uncertainty about the permanency of these villages renders the tribe's claim that what is now Sargent Ranch is actually part of their cultural heritage suspect. "The claims made by the Amah Mutsun are from what little is known about the Ohlone people of the larger region. Nothing specific can be placed on the Sargent Ranch lands other than the existence of the tar seep" (Sargent Quarry n.d.). Much to the dismay of the tribe and their allies, the company along with their lobbyists have already garnered enthusiastic support from some county supervisors who see the mine as a potential job

creator and a “local source of aggregate for concrete to fuel the region’s surging construction” (Raymond 2019).

Here we have a very concrete (pardon the pun) example of how a private entity is *attempting* to use Kroeber’s work to obstruct the sovereign claims of an unacknowledged group in the greater Bay Area. While only time will tell how successful private industries are when it comes to operationalizing anthropology in this manner, it is certainly a point of concern. This situation gives empirical weight to those who might argue that the ethnographic debris of Kroeber’s corpus has been put to less than liberatory ends in the present. However, I hesitate to overemphasize the power and influence of a long-deceased academic. Doing so unwittingly alibies more impactful forces—namely, contemporary business interests and their allies in local government who have little regard for the concerns of groups such as the Amah Mutsun (not to mention local environmental organizations and activists who are also staunchly opposed to the mine). Once again, we see that while anthropology is certainly implicated in struggles over recognition and Indigenous self-determination, it is not a motivating component. A cog in the machine most certainly, but not the owner of the factory in which the machine resides. [13]

Conclusion

Without a doubt, Kroeber’s salvage anthropology and the assimilatory actions of the OIA during the 1920s that rendered the Muwekma landless and unacknowledged occupied the same “colonial situation” (Stocking 1993). Or to paraphrase Faye Harrison, we might say that Kroeber’s “professional [life was] situated within a settler society…” (2021). However, to suggest that the former “contributed” to or directly caused the latter is somewhat inexact. Such an interpretation ignores how the momentum for detribalization developed before the rise of the Boasian variant of the salvage paradigm. That is to say, it limits the scope of critical analysis. This is not to say that salvage anthropology and Kroeber’s work is beyond reproach. To be sure, it offers useful information that can and has been used by tribes for the purposes of cultural and political revitalization (as evidenced by the Yana) and legal claims (as evidenced by the ICC). However, there is a paradoxical dimension to this kind of anthropology that is likely to leave some contemporary readers wanting. While such research appears to have been motivated by the humanistic impulse to preserve for posterity that which Euro-American empire had destroyed (or was in the process of destroying) (Gruber 1970), it is itself ahistorical in so much as Kroeber did not address the colonial context in which salvaged depictions of precolonial life were constituted (Buckley 1996). Though the impact of his extinction statements vis-à-vis federal acknowledgment are difficult to discern, cases such as the proposed Sargent Ranch Mine suggest that Kroeber’s texts can be used to obstruct tribal claims in the greater Bay Area. One might argue such uses of Kroeber’s extant writings by cultural resource management firms and groups like the Sargent Ranch Mining Company are reason enough to remove Kroeber’s name from the UC campus. However, such a critique of salvage anthropology and Kroeber in particular does not necessarily support the assertion that his work is responsible for the unacknowledged

BEROSE

status of the Muwekma (never mind the equally concerning plight of the Amah Mutsun). To suggest it does, obfuscates bigger issues, namely the inherent inequities in federal recognition and the role of the state in the construction of unrecognized tribes. Put differently, such a characterization defers critical engagement with the persistence of settler colonial legacies.

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[1] The review committee released its determination in October of 2020.

[2] Of course, this is not to say that Asad was the first to take note of the discipline's relationship with colonialism and imperialism. See Balandier 1952; Gough 1968; Hymes 1972.

[3] Recent defenses of salvage anthropology can be found in Morgan 2019 and Schwartz 2019.

[4] While Deloria speaks in general terms, his characterization of the discipline is most reflective of the salvage anthropological tradition.

[5] Federal officials arranged for (but never negotiated) 18 treaties with various individuals (Heizer 1972).

[6] Muwekma means "people" in the historical Tamien and Chochenyon languages (Ramirez 2007, 105).

[7] Kroeber and Bolton were contemporaries at UC Berkeley, and they would have had an interlocutor in the form of the geographer Carl Sauer (Williams 2014).

[8] Importantly, Kroeber would later qualify his own extinction statements. During the 1950s, he acted as an expert witness for the Indians of California in the California Indians Claims Commission (Ray 2006). In the process of developing exhibits for the Indians of California, Kroeber and Robert Heizer wrote,"...there is a widespread belief that many Indian groups, especially the smaller ones, have by now become extinct... Anthropologists sometimes have a gone a step farther and when they can no longer learn from the living informants the speech and modes of life of the ancestors of these informants, they talk of that tribe or group as being extinct—when they mean merely that knowledge of the aboriginal language and culture has become extinct among the survivors" (1970 [1955], 2-3).

[9] Why exactly Harrington was so suspicious of Kroeber is not entirely clear. Perhaps he simply viewed Kroeber as a regional competitor. Carobeth Laird, a linguist and Harrington's ex-wife, suggests more personal, paranoid, and prejudicial reasons: "Harrington envied [Kroeber's] status, his resources, the facility and regularity with which he published, and at the same time held his linguistic abilities in something like contempt, believing that his work in this link lacked thoroughness, that his Indian words were poorly heard and carelessly recorded. Besides, nothing could convince him that Kroeber was not a Jew" (Laird 1975, 32).

[10] Kroeber's characterization of pre-unified Germany disregards the great internal diversity and complexity of a region in which cultural and political loyalties were often as much "French" (more specifically Napoleonic) as they were "German" (Hobsbawm 1962, 168–169).

[11] Steward served as an expert witness for the Department of Justice. In the California case, this put him on the opposing side of his former mentor. Amongst other points, Steward took issue with the attempt to equate precolonial Indigenous conceptions of the land with Euro-American conceptions of private property. "It seems *a priori* unlikely, although it cannot be ruled out as impossible, that any Indian society claimed exclusive rights to territory as such" (1955, 294). The notion that "'property' is a universal category

of fixed meaning," Steward concluded, is more of an anthropological preconception that a feature of Indian epistemology and history (1955, 294).

[12] https://www.sargentquarry.net/amah-mutsun/

[13] Of course, that is not to say that the descendants of the cog (i.e., contemporary anthropologists) have no agency. What is to stop them from allying with a monkey wrench or two? In Gilroy, faculty at Gavilan College (myself included) have been working with the Amah Mutsun in various capacities to oppose the mine.