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Si no t'agrada el que veus al mirall, el mes fàcil és llençar el mirall.
“If you don't like what you see in the mirror,
it's easiest to throw away the mirror.”

Paul Fine, Chair
Building Name Review Committee
University of California, Berkeley

Dear Prof. Fine and colleagues:

I write in response to a proposal that UC Berkeley unname Kroeber Hall.¹ To summarize: We should rename the building without exaggerating our critique of A. L. Kroeber. The Proposal to Un-Name Kroeber Hall (hereafter, the Proposal) highlights the pain arising from limitations in Kroeber's view of “culture” and his unreflecting Euro-American discursive positionality. But it elides his writing against racism, his work to support Indian land claims and the documentation of Native oral histories, his collaborations with Native coauthors, and above all his unique, enduring contributions to Indigenous cultural and linguistic revival. Focusing on Kroeber also distracts us from honest self-examination, suggesting that our problem lies with a single villain rather than being what it is — foundational and systemic.

I Introduction

This conversation involves trying to understand the agency, experiences, and values of people a century ago, so it is respectful for me to describe my origins. I am non-Indigenous; my ancestors came to Canada and the US from England, Ireland, Norway, and Russia between 1620 and 1913, and I moved to Ohlone land in 1994. Professionally, I am a linguist whose training and early work were on ancient and medieval languages of Eurasia. Since 2000, my work has mostly focused on Indigenous languages of northern California (especially Karuk and Yurok), first using the extensive body of archival materials held in Berkeley repositories to learn about languages, then collaborating with elder speakers and their families on language documentation. The six Yurok elders and three of the Karuk elders I worked with have passed away; my current projects involve making documentation created between 1901 and 2015 accessible to language learners and teachers, and supporting local language projects.

Material that Indigenous people created with Kroeber to benefit their descendants is the basis of my work almost every day. In the Department of Linguistics, I direct a research unit, the Survey of California and Other Indian Languages, which maintains California's major language archive and supports language revitalization projects by Indigenous activists, learners, and teachers. In working with Native communities I have made many mistakes, some of which I have learned to see as consequences of prioritizing my own assumptions, goals, and sensibilities at the expense of others' interests; I have also had the joy of watching linguistic research make a difference for language learning and use. In writing here

¹ The word *dename* is campus parlance (Building Naming Project Task Force 2017), our Orwellian contribution to the future of the English language; its variant *unname* could be a sly allusion to Ursula K. Le Guin's “She unnames them” (1985). After first submitting this letter on July 17, I made some revisions in response to discussions and other letters I have seen. I am grateful to student and faculty colleagues for comments; they may not agree with me, but their generosity has improved my writing.

about Kroeber and his legacy, I aim to respect the perspectives of all participants, hoping to treat with empathy those who lived a century ago as well as those who now live and work in their wake.

2 Summary of the Proposal

The Proposal's unnamed authors call Kroeber's research practices "reprehensible," explaining with presentist bravado that his work "had fundamentally flawed assumptions and was astonishingly detached from ethical standards." Our campus unnamming process involves a moral judgment — a finding that a building eponym's "legacy" disaccords with Berkeley's values.² The Proposal asserts that Kroeber did not live up to our values in three specific respects: (1) "Kroeber and his colleagues engaged in collection of the remains of Native American ancestors;" (2) Kroeber "pronounced the Ohlone to be culturally extinct;" and (3) his treatment of Ishi "was cruel, degrading, and racist." I write at length here because the Proposal omits and simplifies important points, and includes conspicuous inaccuracies.³

3 Memory ethnography in California

Several features of the human and intellectual landscape around Kroeber help us understand his work. One is California itself. Our state has more linguistic diversity than any comparable area in the western hemisphere, with over 90 Indigenous languages belonging to 21 unrelated language families (Golla 2011); see Figure 1. Its cultural complexity is similarly profound (Lightfoot and Parrish 2009). When Kroeber first came to California in 1900, its diversity was known to researchers, but not the linguistic details.⁴ At the time, language relationships were understood as a proxy for relationships of human populations; Kroeber worked to describe languages (Kroeber 1904, 1907c,d, 1910, 1911a,b, 1916) and elucidate linguistic genealogies (Dixon and Kroeber 1903, Kroeber 1907b, Dixon and Kroeber 1913, 1919). He explained the work as follows to the Commonwealth Club of California (Kroeber 1909:436):

Nowhere in the world are there so many different forms of speech per square mile of territory. A day's journey on foot usually suffices to bring one into a district where the Indian language is different. There are points at which one can stand and draw a circle of forty miles radius which will include within it more distinct families of languages than are spoken in the whole of Europe. . . . The cause of this unexampled multiplicity of languages is the greatest problem that confronts the student of the California Indian, for its solution will do more than anything else to throw light on his origin and that part of his history which is now veiled in obscurity.

Most California languages were spoken by fewer than two or three thousand people before the Spanish and American invasions. By 1900, after decades of dispossession, killing, disease, and disruption, there were languages that were rarely used in public and even some that lived only in elderly memories.

Such transformations affected Indigenous people throughout North America. What is now (since Gruber 1970) often called "salvage" ethnography was initiated with acceptance of cultural change, framed as loss and assimilation. As Boas wrote in 1889 (quoted by Gruber), Kwakwaka'wakw people's "ethnographic characteristics will in a very short time fall victim to the influence of the Europeans." Changes due to this influence were not of scientific interest. Boas clearly stated his taste for the *unchanged* in an 1899

² See <https://chancellor.berkeley.edu/building-name-review-committee/principles>: "The legacy of a building's [eponym] should be in alignment with the values and mission of the university." In other words, decisions about the names of campus buildings are not about the actual people they are named after, but what they evoke for us today — their "legacies."

³ These in turn invite more egregious misstatements, like the assertion in a *Daily Cal* editorial that Kroeber "devoted his life to acts or advocacy of racial oppression and subjugation — desecrating and violating Indigenous lands and lives" (Bassett 2020).

⁴ Kroeber worked for the California Academy of Sciences in 1900 before returning to New York to finish his PhD. He came to the University of California in 1901.



Figure 1: Indigenous California languages. Note that Yokuts, drawn as one entity, is 10-12 distinct languages; Kumiiai (“Kumeyaay”) is six languages. Map by Hannah Haynie and Maziar Toosarvandani, 2011, colored by an anonymous Wikipedia user.

letter to Kroeber: “I would much rather have a good old specimen, no matter how dirty and dilapidated it may look, than something new that is not so characteristic of the life and mode of thought of the Indian” (Jacknis 2002:523). The goal was to appreciate a culture’s essential “life and mode of thought.” As capitalist and national forces were extinguishing local and indigenous cultural traditions around the world, such work echoed the 19th-century Romanticism whose manifestations included folklore collection by Afanasyev in Russia, Asbjørnsen and Moe in Norway, and the Grimms in Germany; Child’s English and Scottish ballads; the music of Dvořák and Grieg; and Lönnrot’s *Kalevala*, built out of Finnish folk traditions. In early 20th-century America, compare the documentation by John Lomax of Texas folk music (from 1907) and by Boas’s student Zora Neale Hurston of African-American folklore (beginning in the 1920s). In some such projects, and for Boas (Silverstein 2015), there was also a sense that cultures are best understood through their texts and related productions.

So, in the early 20th century, A. L. Kroeber had a research practice oriented toward documentation of Indigenous languages, stories, songs, and other cultural practices based on “memory ethnography.”⁵ That means that rather than observing contemporary sociocultural practices or focusing on the present experiences of Indian people, the anthropologist would ask people (typically, elderly people) how life used to be. As Kroeber explained in the introduction to his book *Handbook of the Indians of California* (1925:v), he sought “to reconstruct and present the scheme within which [California Indians] in ancient and more recent times lived their lives.” Revealingly, his verb is *lived*, not *live*. His goals were diachronic and comparative — to explain how California’s many Indigenous civilizations had changed over millennia (typically, in his view, through increasing complexity in material culture, technology, and social systems) and to understand patterns of interrelation among them.⁶

The memory ethnography paradigm has widely-discussed flaws that underlie some of the pain evoked today by Kroeber’s choices a century ago. One was inattention to the recent and current experiences of living people. Kroeber was better positioned than any scholar to document the California genocide, but chose not to do so. He did not even call out the crime, as some predecessors and contemporaries did (Platt 2011:50-51). Most of them were outside academia; maybe Kroeber was pursuing “the ideal of objective science” (Le Guin 2004:12). Perhaps he thought it would be pointless to speak out, or maybe we should give weight to his comment that he “could not stand all the tears” in memories of suffering (Buckley 1989:440). Platt (2011:52, 2020) goes too far when he calls Kroeber’s reticence “moral cowardice” without giving evidence that he knew what he should do and was afraid to do it. But whatever its causes and whatever we call it, it was an important failure.

A related flaw is that Kroeber’s view of culture led to blinkered expectations of diachrony. As Clifford (1988:338) writes, “the culture idea, tied as it is to assumptions about natural growth and life, does not tolerate radical breaks in historical continuity.” Kroeber’s blind spot had small-scale effects (suppressing structured Rumsen-Spanish code-switching in an oral narrative in favor of “pure” Rumsen) and broader ramifications, such as the belief that cultures transformed through hybridization and similar processes are gone, or “extinct.” Anthropologists working in this style, Lightfoot (2005:211) explains, “had difficulties working with native peoples whose original polities had fragmented, and whose daily lives by the early 1900s centered around nontraditional social forms and new kinds of Indian identities.”

Some critics see a mutually constitutive relationship between memory ethnography and assimilationist ideologies (the “myth of the vanishing Indian,” as the Proposal puts it). Briggs and Bauman (1999:519) write that “Boas’s construction of tradition as unconscious, affective, and inevitably disappearing in the

5 This is an older term (than “salvage ethnography”); cf. Lightfoot’s (2005:30-48) discussion of “memory culture.”

6 “Civilization” is his usual term; for example, Hupa, Karuk, and Yurok people “[speak] diverse languages but [follow] the same remarkable civilization” (Kroeber 1925:1). For his diachronic conclusions, see chapter 12 of *Anthropology* (Kroeber 1923:293-325).

face of science, conscious reasoning, and modernity rendered him complicit in naturalizing white control of Native American communities and the ideology of ‘assimilation.’” Kahnawake Mohawk anthropologist Audra Simpson (2018:167) is blunter:

The presumed inevitability of Indigenous decline and disappearance is present throughout Boas’s thinking. This declensionist narrative — a story about Indigenous culture loss and demographic weakness necessitating Boas’s salvage of those whose displacement he pretends is inevitable — seems rather remarkable, coming as it does from an ethnographer and linguist who spent considerable time with Native people, living and dead. Such a view is thus far from a break with the past. Boas, like his anthropological predecessor [Lewis Henry] Morgan, worked in concert with a settler state that sought to disappear Indian life and land in order to possess that land and absorb that difference into a normative sociopolitical order.

Boas and Kroeber were working within the broader colonial system described by Simpson; the University of California was part of that system. They wrote as if the “displacement” and “absorption” she mentions were inevitable. Whether they “pretended” this (or were mistaken) and worked “in concert” with settler-state dispossession is another matter. Kroeber did not resist or contradict a prevailing cultural narrative, but his role in creating it and determining its effects is less certain. Buckley (1999:202) is surely right that many non-anthropologists in California also contributed to the narrative, including “Spanish, Mexican, and Russian as well as Anglo, churchmen, traders, soldiers, explorers, settlers, and a variety of capitalists.” Today, many people with privilege see that “white silence is violence.” I am unsure what judgment to pass on those who, a century ago, did not understand this.

4 Work with Indigenous people

The Proposal omits discussion of Kroeber’s work with Native Americans other than Ishi, and its legacy today. The knowledge, histories, perspectives, and status of Native people were uplifted in that work, as I will discuss under three rubrics.

4.1 *Ethnography and linguistics*

Kroeber’s most enduring legacy is a direct consequence of his essentialist, organic theory of culture, and memory-ethnography emphasis on pre-European social practices. In documenting them, he built a unique corpus of notes and recordings of a wide range of traditional narratives, ceremonial and medicine texts, accounts of geography and land use, songs, and information about Indigenous languages of California and elsewhere. He personally made over 1,000 sound recordings with speakers of 28 North American languages (Keeling 1991):

California languages: Atsugewi, Esselen, Huchnom, Karuk, Maidu, Mattole, Modoc, Mojave, Nomlaki, Northern Paiute, Northern Sierra Miwok, Purismeño, Rumsen, Shoshone, Tachi, Tolowa, Wailaki, Whilkut, Wiyot, Yahi, Yawdanchi, Yowlumne, Yuki, Yurok

Other languages: Chinook Wawa, Hopi, Nlaka’pamux (Thompson River Salish), Sioux

These are the earliest recordings of each language, including the only recordings of four. Kroeber’s notes on dozens of languages are also available in the Bancroft Library and widely distributed to Native stakeholders. The scope is immense, greater than almost any other US researcher’s. A few examples:

1. Karuk is an isolate of northern California. Kroeber recorded several Karuk songs. Ten of his field notebooks preserve linguistic and cultural documentation from 1901, 1902, and 1923, including ten Karuk-language traditional narratives that are only now being prepared for publication (Bennett

et al. 2021); see Figure 2. In 1904, he hired Karuk speaker Jeannette Horne to create a notebook of vocabulary and sentences in her own hand, perhaps the oldest surviving example of an Indigenous Californian writing in their own language.

2. Mojave is a Yuman language of southeastern California and neighboring Arizona and Nevada. Kroeber recorded over 550 Mojave songs and narrative texts and filled 19 notebooks with linguistic and cultural information and transcribed texts; for an example see Figure 3. On Mojave language revitalization, partly based on material documented by Kroeber, see Weinberg and Penfield (2000).
3. Yuki is a Yukian language of the Eel River drainage in Mendocino County. Between 1901 and 1911, Kroeber made sound recordings of the language and transcribed oral texts and other linguistic material that are the basis for a recent grammar (Balodis 2016). This Yuki material is now in turn used for language revitalization at Berkeley's Breath of Life Archival Institute (Hinton 2018:455).
4. Yurok is an Algic language of northwestern California. Kroeber made over 200 recordings of traditional narratives, historical and legal texts, and songs between 1901 and 1909, and from 1901 to 1941 he filled 36 notebooks with information about Yurok language and culture from dozens of Yurok men and women of many generations. This material is actively used for language pedagogy (Garrett 2014) and cultural revitalization (see Baldy 2018:73-99 for both Yurok and Hupa).

In short, throughout California, the documentation Kroeber himself created is critical for linguistic and cultural reclamation today. Just as importantly, he trained students and younger colleagues to do similar work. Today, as a result, there are substantial collections of linguistic, textual, and cultural knowledge for communities throughout California, including the following (a rather selective list):

1. Pliny Goddard (PhD 1904, faculty 1901-1909): Hupa, Kato, Mattole, Nongatl, Tolowa, Wailaki
2. Samuel A. Barrett (PhD 1908): Coast Miwok, Pomoan languages
3. T. T. Waterman (BA 1907, faculty 1910-1921, Figure 9): Kumiai, Yahi, and Yurok
4. Juan Dolores (§4.3 below): Tohono O'odham
5. L. S. (Nancy) Freeland (entered PhD program 1916): Eastern Pomo, Karuk, Shasta, Sierra Miwok
6. Grace Dangberg (BA ca. 1919): Washo
7. Paul-Louis Faye (PhD 1930): Cupeño, Maidu
8. Cora Du Bois (PhD 1932): Tututni
9. Isabel Kelly (PhD 1932): Coast Miwok
10. Charles Voegelin (PhD 1932) and Ermenie Wheeler-Voegelin (MA 1931): Tubatulabal
11. Abraham Halpern (entered PhD program 1935): Quechan (Yuma), Pomoan languages
12. William Hohenthal (PhD 1951): Tipai

Kroeber also published significant English-language collections of traditional narratives and other texts for Arapaho (Dorsey and Kroeber 1903), Gros Ventre (Kroeber 1907a), Karuk (Kroeber and Gifford 1980), Mojave (Kroeber 1948, 1951), Wiyot (Kroeber 1905), Yuki Kroeber (1932), and Yurok (Kroeber 1976).

Finally, in retirement in the 1950s, Kroeber was also an effective campus advocate for the creation of the Survey of California Indian Languages within a new department of linguistics, where the tradition of language documentation that he brought to Berkeley in 1901 continues today.

Rumsien Ohlone artist and scholar Linda Yamane (2001) has written movingly about her use of Kroeber's notes in re-learning her language, partly at Berkeley's biennial Breath of Life Archival Institute in 1997. I myself recall a Breath of Life participant a few years later, in tears, after she had found a recording that

Karuk K 17

Sept 23. Mrs. Martha Horn

Karuk varēna	gān xac	kurīc
He went up river	right there	sat down
xāc u/hā'eri	maruku tak pits	yuruku tak pits
he smoked	he went NW	he went down
karukutakpits	carukutakpits	xāc crūm
he went up river	he went SE	rock in

Figure 2: Transcript of the beginning of a Karuk story told by Martha Horne to A. L. Kroeber, Sept. 23, 1901; the protagonist is *apsunmúnukich*, the western yellow-bellied racer snake. A. L. Kroeber Papers, 1869-1972, BANC MSS C-B 925, Carton 12, Folder 11, Notebook 10, Bancroft Library.

Mojave. Mastamho Myth, by Jo Nelson 1903, Recorded Oct. 1903, in San Francisco, on cylinders 56-60, parts of which were transcribed as text in notebooks 55 and 62, from dictation by Jack Jones, June 19-21, 1906

Cylinder 56, not transcribed

Cylinder 57, herewith, in two parts: 5503-09, 5511-17

The English by Jack Jones is very poor. The Mojave phonetics (by ALK) are fair. The Mojave content is accurate by dictation.

viv'antek	Ḍar'aveyo	lailouheth	viv'antek	viv'antek
stove	coyote	look about noddy	stove	stove
ki mi'ēumantek	vā'kiemk	uv'a'tka	vā'kiemk	uv'a'tk
brushing hair back from face	stroke and stroke	die this	"	"
ivesk	lain't lain'tek	ma he'tmathak	vek'iemtek	hive'sk
man	trod (w. char steps)	at word	stove	man
lain't lain'tek	hetkavéik	vā'kiemk	uv'a'tka	vo'vā'tem'a
trod	at sound	stove	die this	doing hot

Figure 3: A. L. Kroeber's transcript of Jo Nelson's recording of a Mojave creation narrative ("Mastamho Myth," cylinder 1 of 7), October 1903 (#14-57, Phoebe A. Hearst Museum of Anthropology). The recording is available on request in the California Language Archive (<http://cla.berkeley.edu/item/12699>); on the narrative see Kroeber (1906). Kroeber.002, Survey of California and Other Indian Languages (<http://dx.doi.org/doi:10.7297/X2707ZDB>).

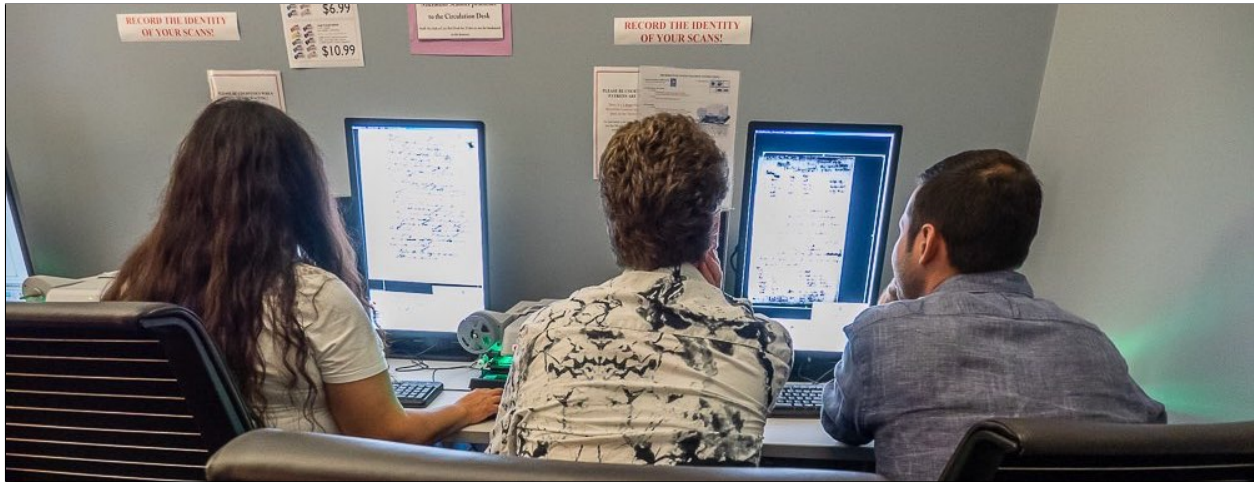


Figure 4: At Berkeley’s 2018 Breath of Life Archival Institute (co-sponsored by the Advocates for Indigenous California Language Survival), language activists, learners, and teachers studied field notes and other material held in campus archives to reclaim information about their languages. Photo © Scott Braley.

her great-grandmother made with Kroeber, and learned to understand and use her great-grandmother’s words on that recording. Yurok cultural activist Joy Sundberg assessed matters as follows (Platt 2011:46): “I don’t put Kroeber or any of those anthropologists down, because there’s lots of things that would not have been documented if it hadn’t been for him to come up and interview these people.” And in 2020, referring to Berkeley’s documentary collections initiated by Kroeber, an Indigenous language activist at the Breath of Life Archival Institute said: “We’re gathering our words so we can take them home and use them with our families.” See Figure 4.

4.2 *Oral history*

In 1935, Kroeber and his graduate student Frank Essene directed an oral history project funded by the State Emergency Relief Administration. Through this project, Native people in eastern and northern California were hired to interview elders in their communities. What resulted are 90 notebooks (now in the Bancroft Library) with about 4,500 pages describing not just traditional cultural practices and language but experiences of life in the late 1800s and early 1900s, ranging from the quotidian to the traumatic (surviving genocide, abuse, and discrimination). These and other oral histories recorded under Kroeber’s supervision in the 1930s inform published accounts of Indigenous history (Goldschmidt et al. 1939, Essene 1942, Bauer 2009, 2016) and have been used by Native communities repatriating knowledge, for example, about land usage (Steenland 2015).

4.3 *Collaboration*

A third significant aspect of Kroeber’s work is his support and public acknowledgement of younger Indigenous collaborators, notably Juan Dolores, Gilbert Natches, and Robert Spott.

Juan Dolores (Tohono O’odham) worked for the Museum of Anthropology off and on from 1912 to 1936, including as a Research Fellow in 1918-1919, and then permanently as a preparator from 1937 until he retired in 1948 (Kroeber 1949). His publications include papers on Tohono O’odham linguistics prepared in collaboration with Kroeber and published under Dolores’s name (Dolores 1913, 1923), a contribution to Kroeber’s *Festschrift* (Dolores 1936), and a methodologically innovative analysis of color terms (O’Neale and Dolores 1943). Indigenous authorship was far from common in the early 20th century; more often, a white outsider would claim authorship. Dolores also created a substantial unpublished documentary

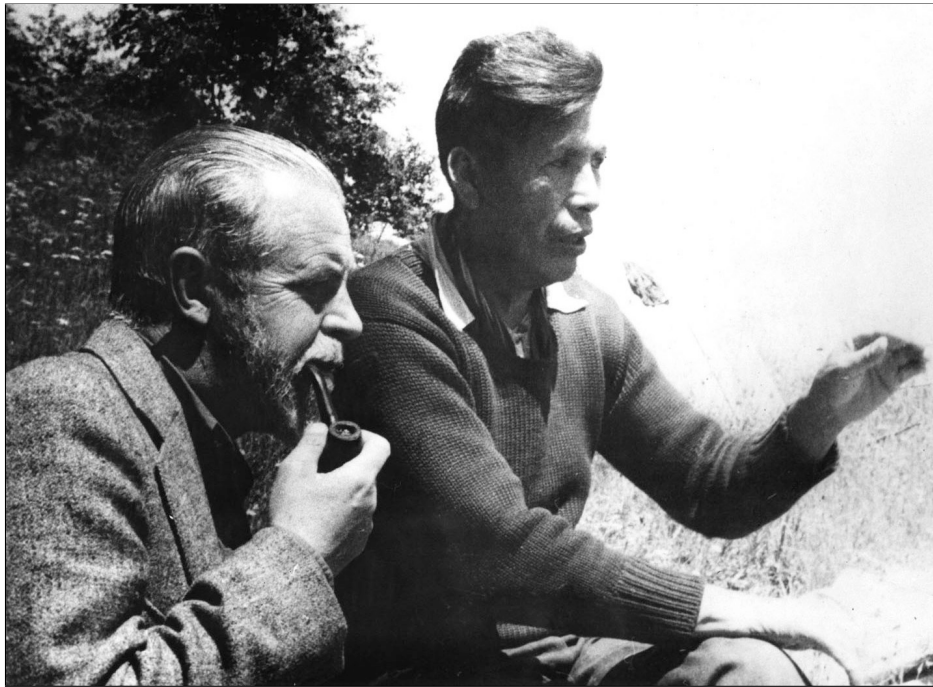


Figure 5: A. L. Kroeber and Robert Spott, Napa Valley, ca. 1939. #15-19477, Phoebe A. Hearst Museum of Anthropology.

corpus consisting of about 100 sound recordings of Tohono O’odham songs and speech from 1909, 1919, and 1932, both in his own voice and in the voices of elders he recorded.⁷

Gilbert Natches (Kuyuidokado Paiute) was a Nevada landscape painter (Bandurraga 1990) who worked with Kroeber (and other researchers) intermittently over many years. His 1923 paper on Northern Paiute verbs was prepared with Kroeber, but with Natches as sole author. Also partly in collaboration with Kroeber, Natches created extensive unpublished documentation of Northern Paiute language, speech, and song, including 69 recordings, an important notebook with texts and linguistic material, and other materials now archived at Berkeley.⁸

Finally, Kroeber’s collaborator Robert Spott (Yurok) worked with him for many years, coauthored a remarkable monograph whose structure and texture are unique in California (Spott and Kroeber 1942), and left behind a wealth of documentation (in the form of notebooks full of linguistic, cultural, and historical information copied down by Kroeber, now in the Bancroft Library). Friendly with Kroeber’s family, Spott is vividly recalled as follows by Kroeber’s daughter Ursula K. Le Guin (2004:19):

Robert was grave, serious; we took no liberties with him. . . . I can still blush when I remember myself rather unusually holding the table, chattering away breakneck, telling some event of the day, and being abruptly silenced by Robert. I had far exceeded the conversational limit proper to a well-bred Yurok girl, which I imagine may be a word or two. Robert laid down his fork and swallowed, and when I paused for breath, he spoke to the adults on a subject of interest to adults.

. . . There is a photograph of my father and Robert [Figure 5], one listening, the other telling, with lifted hand and faraway gaze. . . . Robert and Alfred talked together sometimes in English sometimes in Yurok. It was perhaps unusual for the daughter of a first-generation German immigrant from New

⁷ See <https://cla.berkeley.edu/list.php?plid=11122>.

⁸ For material collected by Natches see <https://cla.berkeley.edu/list.php?plid=371>.

York to hear him talking Yurok, but I didn't know that. I didn't know anything. I thought everybody spoke Yurok.

5 Native Americans in early 20th-century California

In contextualizing §§6-8 below, it is helpful to appreciate how deplorable the US treatment of Native Americans remained in the 1910s and 1920s, a period when the legal theory was that Indians living on reservations and rancherias were government wards. Even progressive attitudes were very paternalistic, but some groups did advocate for resources and self-governance for Indian people. For example, at a 1926 Commonwealth Club of California meeting on "Indians in California," a series of speakers condemned various aspects of US Indian policy and practice, including education, health, land, and legal rights. From the State Board of Health, Glaser (1926:127-128) described the unhealthy living situations that Indian people had been forced into:

Among the California Indians, tuberculosis is a leading disease and cause of death. Quoting, — "a number of middle aged and old couples told us their children were all dead or only one or two living out of a family of 10, 12, or 14, the rest having been killed by tuberculosis during childhood or adolescence." "He sick long time, he cough lots, he get very weak and he died" was a common story.

It has been estimated that fully one-third of the Indians in California have trachoma. . . . In Northern California many of the older Indians are blind or nearly so from trachoma. . . . The communicable diseases find the Indians easy prey and outbreaks of smallpox and diphtheria are not uncommon. Universal among them is malnutrition. . . .

Now the present status of medical service for the Indians of California is, aside from the humanitarian impulse, a reproach upon every one concerned: a reproach to the state as well as the Federal Government because the Indians are now considered legal citizens of the state. It is a discredit to each and every one of us and a blot upon what preventive and curative medicine should be accomplishing.

I wish it were possible to add that Native Americans today have equitable access to health care. Robert Spott (§4.3, also a war veteran) spoke in a broader vein at the same event (Spott 1926:135):

I would like to know today if we will ever get our country back, I hope that you, my friends here, will help me to win my country back, because I am not looking out for myself only. I am looking out for the rest of the tribe, and I want these Indian children to be put in good physical condition. I am looking out for four or five years hence, and I want the rest of the tribe and the little children to grow up to be men, so that if there is any war declared I want my Indians to step out, as I did, to have good sound lungs, and pass an examination so they can fight for this country.

6 Native bodies

The most important charge in the Proposal is that Kroeber exploited Native bodies: a living Indigenous person, Ishi (§6.1); and the remains of Native ancestors buried over many centuries (§6.2).

6.1 Ishi

The Yahi man we call Ishi lived in the Bay Area from August 1911 until his death in March 1916; he was in his 50s, Kroeber in his 30s. Ishi had lived outside white communities for his entire life, hiding from white people and sometimes hunted by them, and had been alone for several years before he walked into Oroville, California, in 1911 (Figure 7). In San Francisco he mostly lived in the University of California Museum of Anthropology, and for a summer in anthropologist T. T. Waterman's house on Cherry St. in Berkeley. Two caretakers also lived in the museum; Indian visitors sometimes stayed there. Ishi's work

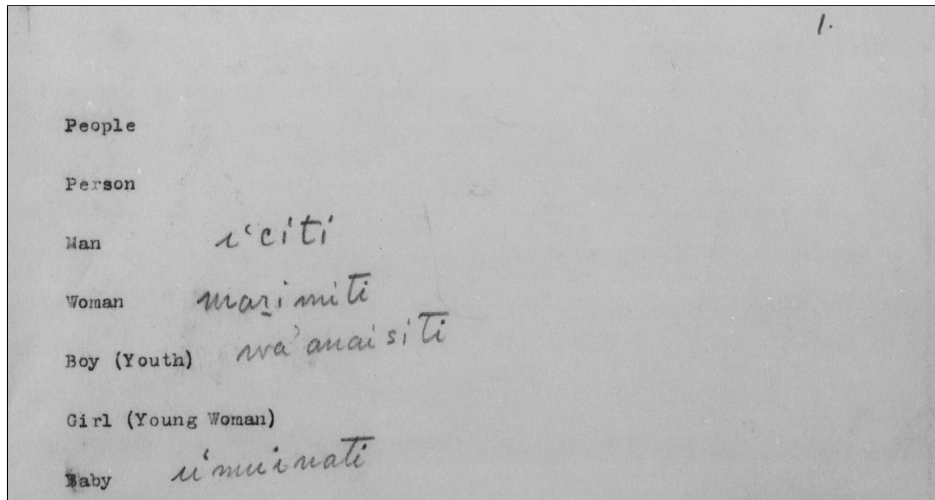


Figure 6: Yana word list filled out by T. T. Waterman with Ishi in Oroville, Calif., September 1911. The word *ishi* “man” is spelled phonetically (*i'ci*, with a suffix *-ti*). Ethnological Documents of the Department and Museum of Anthropology, University of California, Berkeley, 1875-1958, BANC FILM 2216, Folder 36.4, Bancroft Library.



Figure 7: T. T. Waterman, Ishi, and Sam Batwi, Oroville, Calif., September 4, 1911. In Oroville, Waterman urged publicly and repeatedly that the US and Ishi should enter into a treaty relationship (Burrill 2004:258); Ishi was the owner of lands his people had never ceded. Photo by Florence Danforth Boyle (Burrill 2004:306).

included Sunday cultural demonstrations for museum visitors, some hours a week as a janitor, and Yana linguistic and cultural documentation. The Proposal calls Ishi's treatment "cruel, degrading, and racist."⁹ Field (2005:83) poses the key questions:

Was Ishi treated as a living exhibit of primitive culture, the last example of a vanquished Indian world, on display at the museum for both a voyeuristic public and a data-hungry anthropological community? Or was Ishi instead a willing, conscious participant in co-creating a new life for himself in San Francisco, a life that afforded him comfort, dignity, friendship, and personal satisfaction?

Perhaps the answer to both questions is "yes." In his first weeks in San Francisco, Ishi was asked by a Bureau of Indian Affairs official if he wanted to live on a reservation. Through the interpreter Sam Batwi, he answered, "I want to stay where I am. I will grow old here, and die in this house [the museum]."¹⁰ Waterman (1918:68), who had worked with him extensively (Figure 6), wrote that Ishi "never wished to go back to the wilds He had however, to be reassured repeatedly that we had no intention of sending him back." This suggests that Ishi felt he lacked agency and that those around him believed they were honoring his choices.¹¹ It is easy to imagine that both are true. As Clifford (2013:107) speculates, Ishi may have been "a prisoner of drastically limited options, a narrowed freedom created by colonial violence, with an inability to imagine alternatives."

Kroeber could be extractive and paternalistic despite his strong personal attachment to Ishi.¹² He wrote about Ishi with terms like "wild" (Golla 1984:62) that seem dehumanizing today.¹³ His letters to Edward Sapir (Golla 1984) show that he prioritized research in a way that disturbs us. In December 1912, before Ishi could communicate well in English, he asked Sapir (who had worked with Yana), "Is there any chance of your taking hold of him to work with, and if so under what conditions? I am afraid that at present shipping him to Ottawa would not be quite feasible, but in time it might be possible." Even in April 1915, when Kroeber was closer to Ishi, he wrote (after Ishi was briefly ill) that "the moral is to get from him what we can while he is well instead of trusting that he will last indefinitely." On the other hand, when

9 The last charge apparently refers to this: reframing Pope's (1920:188) description of Ishi's English as cited by Starn (2004:43), the Proposal asserts that Ishi's "white benefactors taught Ishi racial slurs as a way to refer to Black and Chinese people with his approximate 300-word English vocabulary, a sad testament to the culture." Pope lists English words Ishi knew, emphasizing Ishi's interest in words for people, but there is no reason to think he learned these words from Kroeber or other "benefactors." In fact, Theodora Kroeber (1961:163) writes that Juan Dolores (Tohono O'odham) "probably increased Ishi's English vocabulary considerably, but if so, it happened by way of whatever they were doing together. He knew San Francisco, its restaurants, cinemas, parks, and entertainment places, and he had many friends and acquaintances — Indians of different tribes, Mexicans, and Caucasians. He took Ishi with him to places and occasions which he thought Ishi might enjoy and of which he was sure Kroeber would approve." Ishi also spent considerable time with the surgeon and archery enthusiast Saxton Pope.

10 As the Anishinaabe scholar Gerald Vizenor (2008:5) puts it, quoting this answer, "Ishi was a native of survivance." The anecdote is from Kroeber (1912:306), an interested party who was writing for the public, but its specificity makes invention unlikely. Batwi (Yana) was the only person who could converse with Ishi until Ishi learned English; by all accounts the two did not get along.

11 If he had not gone to San Francisco, he would probably have been sent to the Round Valley Reservation in Mendocino County (Burrill 2004:145), where disease was widespread and nobody spoke his language.

12 On the personal attachment: Kroeber (1970), Scheper-Hughes (2003), and Le Guin (2004:13) describe a deep depression that overtook Kroeber after Ishi's death, his period of psychoanalysis, and his temporary move away from university work to set up a therapeutic practice himself. He did not fully reengage with academia for several years.

13 On this word Le Guin (2004:29) writes compellingly: "I admire [my mother's] book as deeply as I admire its subject, but have always regretted the subtitle, *A Biography of the Last Wild Indian in North America*, for it contradicts the sense and spirit of the story she tells. Ishi was not wild. He did not come out of the wilderness, but out of a culture and tradition far more deeply rooted and soundly established than that of the frontiersmen who slaughtered his people to get their land. He did not live in a wilderness but in a dearly familiar world he and his people knew hill by hill, river by river, stone by stone. Who made those golden hills a wilderness of blood and mourning and ignorance?" See also Starn (2003) and Jacknis (2008:69) for refutations of Ishi's alleged lack of interaction with white society.

Ishi was dying, Kroeber famously wrote from New York to urge against an autopsy (Heizer and Kroeber 1979:240): “If there is any talk of the interests of science, then say for me that science can go to hell.”¹⁴

Ishi had an eclectic set of friends he spent time with in San Francisco, Berkeley, and the countryside, including university and other white middle-class people, his colleague Juan Dolores (Tohono O’odham), and people he met in places he visited. The most textured memoir of personal encounters with Ishi is that of Zumwalt (2003 [1962]), recalling childhood experiences like the following¹⁵:

... I would wait for him on the corner of 11th Avenue and Lake Streets so that I could look down 11th Avenue and see him get off the street car. Usually he would see me and start waving while still a block away — once across the street he would pick me up like a sack of potatoes and carry me into the garage where he would remove his shoes, casually give me a present, and greet Jerry, my King Charles Spaniel and Billy, my pet chipmunk. Billy would immediately run up his arm as soon as he opened the cage and dive into Ishi’s shirt where he rode around all day — when it came time for Ishi to put him back in his cage Billy was usually sound asleep in a pocket somewhere. Jerry adored him too but was not permitted to go on our walks since he was too noisy and would frighten birds. Our walk would then begin by a trip to the kitchen for a handout of cookies, bar chocolate and jerky. ... Our next point of call was the garden where Ishi examined the progress of slips that he brought from time to time. One of the gardeners in Golden Gate Park gave him slips of roses and fuchias which he brought to my mother and were planted. He was always pleased to see his gifts growing.

... I can recall one afternoon when we both lay nose to the ground smelling the earth from different places around the lake so that I would learn how to tell one place from another by scent alone. Then Ishi drew an outline of the lake and marked from where each sample came.

Concerning Ishi’s own sense of his living situation, even in a single source a complex picture emerges. Pope (1920:178-186) depicts a friend whose visits to the sick in the university hospital were a source of pleasure:

The Museum is near the Hospital, and since Ishi had been made a more or less privileged character in the hospital wards, he often came into the surgical department. Here he quietly helped the nurses clean instruments, or amused the internes and nurses by singing his Indian songs, or carried on primitive conversation by means of a very complex mixture of gesture, Yana dialect, and the few scraps of English he had acquired in his contact with us. ... He visited the sick in the wards with a gentle and sympathetic look which spoke more clearly than words. He came to the women’s wards quite regularly, and with his hands folded before him, he would go from bed to bed like a visiting physician, looking at each patient with quiet concern or with a fleeting smile that was very kindly received and understood.

Pope describes Ishi as someone who locked his door in the museum at night because of mummies, other human remains, and their possessions; who nevertheless preferred to sleep there rather than in a canvas house outside; and who “was very thrifty and saving, and looked forward to the day when he could buy a horse and wagon.”¹⁶

14 The Proposal mentions the *post mortem* disposition of Ishi’s brain. For this, Scheper-Hughes (2003:122) reports, Kroeber was “forgiven” at the Summit Lake celebration of the reburial of Ishi’s remains. I am uncomfortable gainsaying that choice.

15 The Proposal gives no sign of having consulted first-hand accounts of Ishi’s San Francisco life. The fullest are by Kroeber (1912), Pope (1920:178-189), Waterman (1918:64-68), and Zumwalt (2003); Theodora Kroeber’s (1961) book is also crucial.

16 The authors of the Proposal afford Ishi less agency in writing that his “white benefactors” gave him “a janitorial position to earn pocket money.”

Each person who assesses Ishi, hoping to discern his wishes from the penumbra of stories from his orbit, supplements a profound lacuna with presupposition.¹⁷ Ishi is a mirror of our expectations, “a simulation,” as Vizenor (1994:126) put it. “He posed at the borders of the camera, the circles of photographers and spectators, in the best backlit pictures of the time.” How we choose to see him depends on how we assemble the individual pieces in the dossier of his friends’ memories, to judge what he himself wanted in the last years of his life.

6.2 Excavation

If ambiguities surround Ishi’s situation, the archaeological facts seem clearer.¹⁸ The Proposal states that “Kroeber personally engaged in excavating grave sites, directed the work of others in this regard, and built a repository for human remains exhumed by academic researchers and government agencies.” It is undeniable that Berkeley’s anthropology museum contains a substantial collection of human remains, including many acquired in the years Kroeber was in charge (1909-1946). The failure to repatriate them is a source of pain in Native communities.¹⁹

Kroeber did not excavate in the US (Rowe 1962, Steward 1973:38-43) and is said to have discouraged California archaeological research (Baumhoff 1980:843). Still, he was engaged with California excavations, especially at shellmounds (seen as critical in the face of urban development), and he excavated in Latin America. After he retired in 1946, Berkeley researchers resumed intensive excavation projects that involved collection of California Indigenous remains; the same period saw active Native resistance to grave excavations and a nascent repatriation movement. In writing about Kroeber and human remains, I will describe (A) a global context, followed by examples of work (B) in the early 1900s by Kroeber’s senior colleagues, (C) at Bay Area sites, (D) by his students and junior colleagues, and (E) by Kroeber himself.

(A) The *fin de siècle* featured explosive growth in archaeological projects around the world, conducted very much in the public eye. Schliemann had begun excavating at Hisarlık (Troy) in Turkey in 1870, and at Mycenae and Tiryns in Greece in 1876 and 1884. Evans began his work at Knossos on Crete in 1900. The Oseberg ship burial was excavated near Tønsberg, Vestfold, Norway in 1904-1905. In 1906, excavation began at Boğazköy, Turkey (ancient Hattuşa, the Hittite capital), leading to the discovery of the Hittite language and a rich archive of 2nd-millennium historical, religious, and literary documents. In Egypt, in the century following the Napoleonic invasion and the discovery of the Rosetta Stone, a virtual horde of archaeologists came to excavate ancient graves, temples, pyramids, and other monuments; Mariette’s Egyptian Antiquities Service began exploring the Valley of the Kings in 1883. These enterprises involved grave excavation and the collection of (often extraordinarily dramatic) mortuary artifacts.

(B) In the 1890s and 1900s, UC patron and regent Phoebe Hearst (Figure 8) planned and funded many archaeological projects and sought a museum for her collections. Some projects were featured in a 1905 overview of the anthropology department (Putnam 1905). Beside California work like Philip Mills Jones’s Central Valley and Channel Islands excavations and Bay Area shellmound excavations by paleontologist J. C. Merriam and archaeologists Nels C. Nelson (Figure 9) and Max Uhle, all of which included graves,

17 As Jacknis (2008:90) writes, “All these interpretations [of the Ishi story] do not replace one another; instead they are superimposed in a complex layering of challenge and response. Ishi . . . must always been seen according to multiple — and valenced — points of view: native as well as non-native; in the past, present, and future.”

18 In revising this section after July 17, I have greatly benefited from Prof. Kent Lightfoot’s letter in response to the Proposal and from a very helpful exchange with Tony Platt.

19 According to the museum’s catalog, before it stopped accepting human remains in the 1980s, it acquired 20,785 items identified as such from US locations; 3,720 (18%) have been repatriated. The 17,064 for which a collection year is recorded were collected in these decades: 1870s (29), 1880s (9), 1890s (114), 1900s (1,768), 1910s (1,056), 1920s (3,059), 1930s (2,595), 1940s (2,584), 1950s (4,470), 1960s (1,131), 1970s (178), 1980s (91). Note that items sometimes came to the museum years after they were collected.



Figure 8: Phoebe Hearst (back row, center, on a camel) visiting the Sphinx and the Great Pyramid of Giza, Egypt, January 1899. #15-18884, Phoebe A. Hearst Museum of Anthropology.

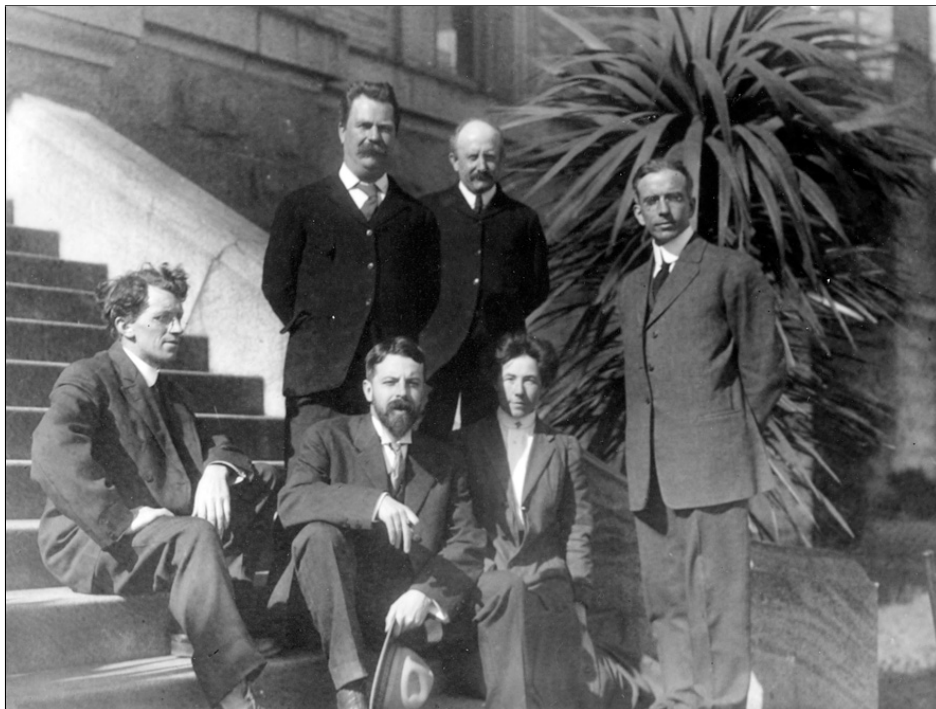


Figure 9: Staff of the UC Museum of Anthropology, San Francisco, 1911. From left to right, standing: Arthur Poyser, Arthur Warburton, T. T. Waterman. Seated: Nels C. Nelson, A. L. Kroeber, Ethelyn Field. Poyser was the head janitor, Warburton the head preparator; Ishi assisted both. Field was the museum stenographer; she and Nelson married in December 1911. Phoebe A. Hearst Museum of Anthropology (Farrell and Hull 2001).

the university sponsored excavations of burial sites around the world:

1. Exemplifying an American “mania for collecting Egyptian antiquities” (Redman 2016:17), Hearst’s Egyptian excavations included a cemetery of the 18th-19th dynasties at Deir-el-Ballas (near Luxor), a predynastic cemetery and one of the late New Empire at El-Ahaiwah, a cemetery “of the middle and late predynastic periods” at Ballas, and eleven cemeteries at Naga-ed-Der ranging from the predynastic to the Coptic periods, from which “the bodies in part of the prehistoric cemetery were wonderfully well preserved.” See Figure 10.
2. Collections from Italy included “the contents of seventeen Etruscan and Graeco-Etruscan tombs” from several sites in southern Etruria, a “group of ten stone sarcophagi . . . from the neighborhood of Musarna [an Etruscan settlement near Viterbo],” and a “large collection from the [ancient] cemeteries of Orvieto.”
3. In Peru, Uhle’s excavations included an Early Chimú cemetery (before 700 CE), “rich tombs of the Inca period” (Rowe 1954:8), and cemeteries and burial caves from different periods around Cusco, among other excavation contexts. Uhle’s detailed reports from Cusco to Hearst in 1901 and 1902 have been edited by Protzen and Harris (2005).

Human remains from Egypt and Peru are still here, with the Native American remains mentioned above. Another major Berkeley collection that is partly derived from graves is the Bancroft Library’s Tebtunis papyrus collection, whose sources include mummy cartonnage made from discarded documents.²⁰ This yields historically and culturally significant material, including new texts of Pindar, Sappho, and other ancient authors. A historical document from Berkeley’s collection is in Figure 11.

(C) Two Bay Area excavation projects seem characteristic:

4. In 1907, workers digging a construction trench on the south side of Strawberry Creek near the Faculty Club “cut through a deposit of clay mixed with sea shells, bones and charcoal”; Berkeley paleontologist J. C. Merriam then excavated a buried adult and child as well as shells, a charmstone, and other artifacts.²¹ The “shell bed was from one to two feet in thickness and extended for a known distance of nearly two hundred feet along the bank of Strawberry Creek.” More human remains and artifacts were uncovered during Faculty Club construction projects in 1914 and 1925. Kroeber suggested in 1914 that the Strawberry Creek site was inhabited 500-1,000 years ago, while his colleague T. T. Waterman wrote in 1915 that the Faculty Club “has been built over an ancient Indian cemetery.” Neither the campus nor the Faculty Club has a public memorial; the Faculty Club restaurant instead features a set of murals depicting how California food culture has evolved from an Indigenous past through the Mexican era to modern home cooking and *haute cuisine*.
5. In 1902, Merriam and Uhle had excavated at the Emeryville Shellmound by the mouth of Temescal Creek with Hearst’s “ample financial support” (Uhle 1907:2). Twenty-two years later, in difficult

²⁰ Berkeley’s Center for the Tebtunis Papyri gives a description: “on 3 December 1899, . . . Bernard P. Grenfell and Arthur S. Hunt arrived at the remains of what would soon prove to be Tebtunis. They had been hired by George A. Reisner to excavate for the University of California with funds generously provided by Phoebe Apperson Hearst. . . . In early January 1900, Grenfell and Hunt moved to the huge necropolis in the desert south of Tebtunis. Here they sought human mummies, in particular the cartonnage covering these mummies. A few years earlier, this cartonnage had been proven to be a possible source of texts, when Sir Flinders Petrie discovered that discarded papyri were sometimes employed in its manufacture Grenfell and Hunt successfully unearthed more than fifty mummies in whose cartonnage discarded papyri had been used.” See <https://www.lib.berkeley.edu/libraries/bancroft-library/tebtunis-papyri/history-of-tebtunis-papyri-collection>.

²¹ See Buckley et al. (2008:48-53) for the information in this paragraph, including quotations from Merriam, who is honored in two campus websites (<https://ucmp.berkeley.edu/about-ucmp/history-of-ucmp/john-c-merriam/>, <http://eps.berkeley.edu/content/john-c-merriam>) that do not mention his excavations of Indigenous graves.



Figure 10: Mummy case with body enclosed. Carved wooden head on coffin, painted, Naga-ed-Der, Upper Egypt, date uncertain. Inventory #6-19913+a, Phoebe A. Hearst Museum of Anthropology.

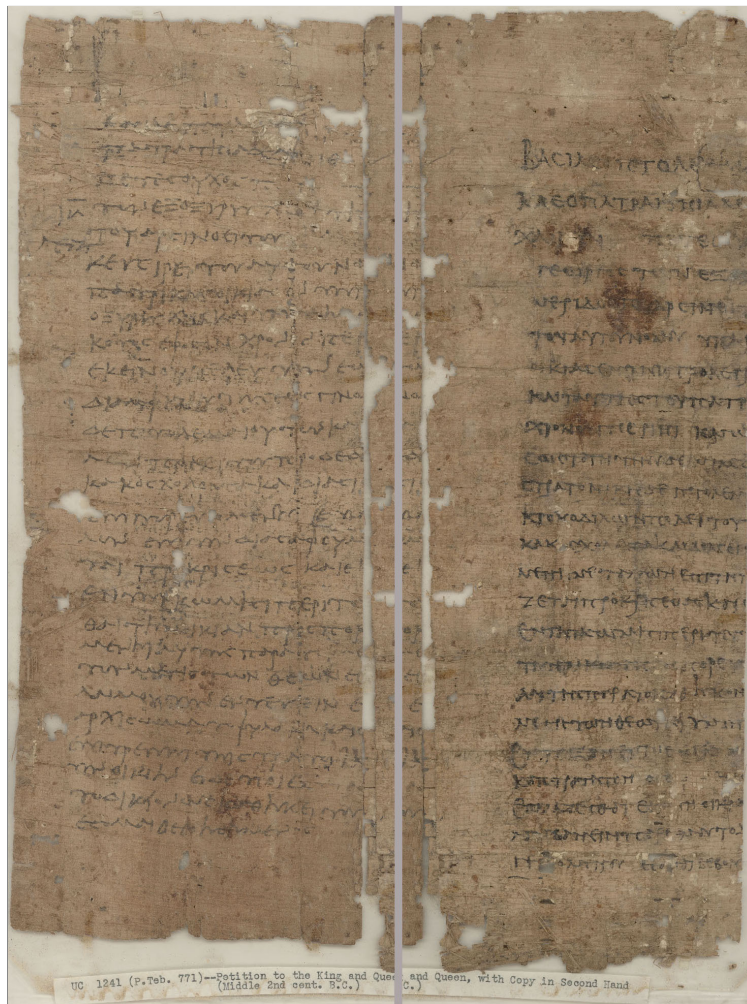


Figure 11: Petition “to King Ptolemy and Queen Kleopatra, his sister,” 2nd century BCE, surviving as mummy cartonnage (wrapping a buried human body). P. Tebt. 771, The Bancroft Library.

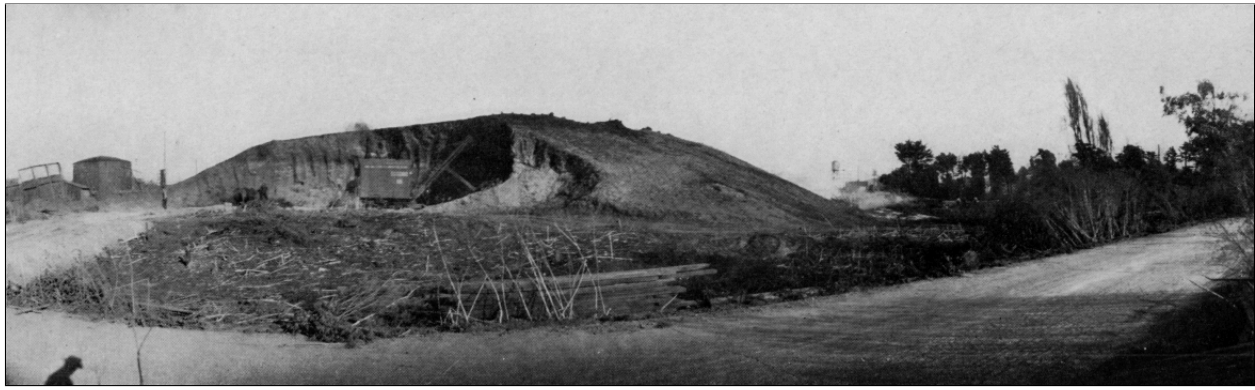


Figure 12: The Emeryville Shellmound in October 1924 (Schenck 1926: Plate 35). The mound was finally leveled by the industrial steam shovel on December 1, 1924.

circumstances (Figure 12), further work was undertaken (Broughton 1999:27):

On October 17, 1924, the Pacific States Construction Company arrived at the Emeryville Shellmound with the task of leveling it. The property had recently been leased to the Sherwin-Williams Paint Company whose sulfur plant had for some time encroached on the northern extreme of the mound. . . . U.C. Berkeley archaeologist W. Egbert Schenck had the dubious task of conducting the salvage effort at the site.

The property owner let a Berkeley team sort through material “placed in trucks by steam shovels, hauled a short distance where it was dumped and spread by means of a Fresno scraper” (Schenck 1926:165). Numerous artifacts and adult skeletal remains were found; smaller objects and infant remains are thought to have been destroyed by the industrial process (Schenck 1926:166).²² An interested analyst of the 1902 findings, Kroeber was also thanked for his support of the later work.

(D) In the 1900s and 1910s, Kroeber played a supervisory role in work done by his first graduate student, Samuel A. Barrett (PhD 1908), and by museum employee L. L. Loud. Three episodes are revealing:

6. One episode is described by Redman (2016:79) based on Barrett’s 1905 excavation notes:

[A]long the Putah Creek [near Winters in Yolo County, Barrett] came across a burial ground. After examining the site, he wrote, “owing to the more recent relic hunters’ visits to this site, there is at present evidently very little to be found in the way of scientific materials.” . . . Nevertheless, Barrett noted, “Little or no attention has ever been paid by anyone evidently to the taking of skeletons or parts of the skeletons, although there are reported two or three skulls now in the possession of white people of the vicinity.” He concluded, “Usually, however, the bones have either been cast aside on the surface or have been thrown back promiscuously into the pits as dug.” Barrett . . . sent three cases of human bones to the museum at the University of California.

According to museum notes (Figure 13), the burial site was near a village site on the south bank of Putah Creek. The village location was further described by Barrett (1908:299-300):

At a point about two miles and a half southwest of Winters and on the property of Mrs. M. A. H. Wolfskill is the site of still another old village. There are at present practically no visible signs of this village owing to the fact that the field in which it was situated has been cultivated for many

²² In early 1925, the Berkeley team was allowed to dig several trenches for systematic excavation on the same site, below the level of the former mound. A smaller number of artifacts and human remains were carefully removed in a more controlled context.

Museum No.	12-1608	Orig. No.	1	Acc. No.	194	No. Pieces
Description	Portion of a brain case					
Location	Winters, Calif. Site III, Pit 1, ca. 2 ft. d. Burial ground near old village site on S. bank of Putah creek on property of Mrs. M. A. H. Wolfskill near Winters, Four pits were dug here. <i>Yolo Co</i>					
Collector	Samuel A. Barrett					
Date Coll.	1905					
Donor	Mrs. Phoebe A. Hearst					
Photo						
Published						
Remarks						
Catalogue entry-	4185					

Figure 13: Museum catalog card for part of a skull collected by Samuel A. Barrett in 1905 near Winters, Calif. Phoebe Hearst funded the work. #12-1608, Phoebe A. Hearst Museum of Anthropology.

years. Old residents say, however, that there were formerly a number of dance-house pits and various other evidences of an old village here.

Most inhabitants of such villages were probably taken to the Franciscan mission in Sonoma in the early 19th century, driven off their land, or forced by disease or other disruptions to relocate.

7. A second episode involving Barrett, in 1906, has been described by Platt (2012/13):

Barrett sent Alfred Kroeber a six-page letter from Ukiah, providing details about the location of forty to fifty Indian burial sites The owner of the land agreed to the excavation of the graves so long as he was reimbursed for any damage and the loss of his corn crop. . . .

Kroeber agreed to the project and sent three students to help Barrett with the excavation. They . . . dug up several sets of human remains — maybe as many as eight — including Captain Dick Ruddick’s mother and sister.

The Yokayo Rancheria hired attorneys, who wrote to the university. In response, perhaps taking responsibility for his student, Kroeber wrote, “If we . . . have infringed upon anyone’s rights, full restitution will of course be made. I am entirely responsible in the matter.” The attorney for the rancheria replied, “This graveyard is guarded very jealously by the Indian tribe and the tribe is in a dangerous mood [and] is not in a mood to be tampered with.” The remains were returned.

8. In 1913, Kroeber sent Loud to do geographic and archaeological research near Humboldt Bay and Mad River in northwest California, and to record place names.²³ Three points emerge from their disputatious correspondence (Heizer 1970). First, Kroeber wanted Loud to excavate a habitation site (“mound”), which would be expected to contain house traces, domestic artifacts and food waste, and perhaps human remains and mortuary artifacts.²⁴ Second, Loud excavated human remains and gave details to Kroeber. And third, both Kroeber and Loud were concerned to have per-

²³ These sound recordings are available in the California Language Archive (<http://cla.berkeley.edu/collection/11054>).

²⁴ Platt (2011:90) pushes a critique of Kroeber too far when he writes that “Kroeber wanted Loud to devote all his time on Indian



Figure 14: Pleistocene horse (*Equus* sp.) right metatarsal, Hawver Cave, 1907. #19971, photo © 2013 University of California Museum of Paleontology.

mission from the land owner, but neither seem aware of other kinds of owner or cultural-heritage stakeholder.

These three examples show clearly that Kroeber had no objection to collecting human remains during archaeological work, and that he felt an obligation to have what he regarded as appropriate permissions. The first and third examples involve sites that Barrett and Loud evidently saw as disconnected from any contemporary family stakeholders. Needless to say, the disconnection did not just happen; it was a direct consequence of Spanish and American colonization.

(E) Finally, I describe two instances in which Kroeber himself collected human remains:

9. Kroeber sometimes visited archaeological sites. On October 2, 1910, he collected human skeletal remains at Hawver Cave (El Dorado County), site of numerous Pleistocene animal fossils (Stock 1918); see Figure 14. Merriam (1909) writes that J. C. Hawver was doing paleontological research there, “partially at the instance of the University of California . . . [In] 1908, while attempting to open . . . an ancient passageway . . ., a number of human bones were found at a depth of twenty feet below the surface . . .” Wallace and Lathrap (1952) mention artifacts “distinct from those manufactured by the historic Indians of the region,” and report that Kroeber “spent a day at the cavern” and “collected several [human] bone samples and made a sketch of the grotto,” depositing the remains in our anthropology museum. “Entombment in limestone grottos seems to have been a widespread prehistoric practice in the Sierra Nevada foothills,” and Wallace and Lathrap conclude that these individuals and artifacts were “dropped down the vertical shaft” over 4,000 years ago.
10. Kroeber himself excavated in Mexico and Peru in the 1920s. He had analyzed Peruvian pottery for several years when, in 1925, he made his first Peruvian field trip (supported by the Field Museum in Chicago). His work in that year was partly done in collaboration with Julio C. Tello, director of the Museo Nacional de Arqueología, at sites in the vicinity of Lima (Rowe 1962:402-403). In 1926, Kroeber returned to Peru and excavated at Nasca Culture sites (ca. 100 BCE–700 CE); a detailed report was published in 1998 (Kroeber and Collier 1998). Key participants included Kroeber’s Berkeley colleague W. Egbert Schenck and three Indigenous (probably Quechua) people from Huarochirí, Pedro Macavilca, Pablo Torres, and Pablo Pomajulcu, the core members of the work crew. Many

Island to purely archaeological matters” and implies that Kroeber wanted Loud not to document the 1860 Indian Island massacre. In fact Kroeber had simply told Loud to do “exploration of at least one mound” (July 12) or to “excavate one or two of the most promising mounds” (Aug. 30) anywhere along the shores of Humboldt Bay. He was responding to Loud’s Aug. 24 report that he was “getting something of value from the [white] pioneers” when he wrote on Aug. 30 that “I know of no reason why you should be operating as far away from Humboldt Bay as Little river, nor why you should be planning to work up a historical paper, or any kind of a paper, except along the lines of work specified in your instructions.” There is no evidence that Kroeber knew or imagined that Loud’s work could develop as it did, namely, to the highly original and damning ethnohistorical study included in his 1918 monograph. For example, Kroeber wrote on Sept. 16 that “I have not yet been able to get from your letters a clear idea of what you have been doing, or even of what you have been trying to do.”



Figure 15: Clay vessel with salamanders, Majoro Chico A, Grave 8, Nazca Valley, Peru. See Kroeber and Collier (1998:216-217) for discussion. #170475, Field Museum, Chicago.

excavations were of graves, including skeletal remains and extensive mortuary goods. Collections resulting from this work are today in Chicago; a striking ceramic artifact is shown in Figure 15.

The Proposal asserts that “collection of the remains of Native American ancestors . . . has always been morally wrong.” No contextualization or further discussion is given, so it is unclear if the moral principle is meant to apply only to Native American contexts or world-wide, for example in Egyptian or Etruscan excavations. A principle limited to one country is probably not one of morals, but if it applies as stated world-wide, then a range of activities merit censure and many collections will require pruning.²⁵

A less universalizing view is that archaeological projects should include collaboration with descendants, families, and living communities, and that these stakeholders have the right to delimit work involving ancestral remains. My impression is that this is today’s ethical standard in the field. Around the world, collaborative projects include the excavation of skeletal remains for purposes approved by local communities. An East African example is a study of burial practices by Lake Turkana, Kenya, *ca.* 5,000 years ago, undertaken with permission from “the people of Turkana County” (Sawchuk et al. 2019:6240); Spriggs and Reich (2020:2) describe skeletal DNA analysis from a Lapita Culture cemetery in Vanuatu undertaken with “the full support of the traditional Eratap village landowners and chiefs.” Even in California today, tribally-supported scientific analysis of human remains has been described for a Napa County site where “163 human interments . . . were excavated . . . and analyzed in cooperation with representatives of the Mishewal Wappo Tribe of Alexander Valley” (Schneider et al. 2014:195). It is hard to avoid concluding that the Proposal’s moralizing assertion is too strong.

If our conversation is about professional ethics, not timeless moral rules, it is plain that ethical standards in archaeology in 1900 and 1925 were very different from those today. What has changed is the ethics of consultation. From the examples described above, I infer that Kroeber had a conception of archaeological ethics, one that required the approval of a contemporary property owner (or government

²⁵ Berkeley’s Tebtunis papyri are still largely unpublished. Their contents will be lost if they are reburied in Egypt.

authority) and required that an excavated burial site not be actively used, maintained, or “guarded” by a contemporary communities or families.

It is fair to observe that such a standard would be convenient; the Spanish and American invasions had driven people from their villages, making archaeological excavations possible in their wake. But it is also worth recalling that Kroeber supposed that Native Americans were losing their cultures and doomed to assimilation. In this essentialist framework, California sites like the Berkeley Faculty Club (#4), the Emeryville Shellmound (#5), Putah Creek (#6), Hawver Cave (#9), and even precolonial Indian Island mounds (#8) had no present-day cultural stewards, any more than ancient Egyptian or Etruscan sites. Kroeber did not realize that Indigenous people (not yet organized as sovereign Tribes) are owners and should be stewards of their precolonial cultural heritage.²⁶ His perception was that American violence had detached them from that heritage, so that archaeological research was the only way to learn about it. Calling that research “reprehensible” and “astonishingly detached from ethical standards” seems facile.

7 Race and culture

Two major books that Kroeber published in the 1920s are mentioned in the Proposal and cast relevant light on his views.

7.1 *Anthropology* (1923)

The Proposal notes that this book was influential, but does not discuss its content. The following early excerpt (pp. 5-6) sets the stage:

It is commonly considered useful for a man to know that Napoleon was a Corsican and was defeated at Waterloo in 1815, but a rather pedantic piece of knowledge that Shi Hwang-ti was born in north-western China and unified the rule of China in 221 B.C. From a theoretical or general point of view, however, one of these facts is presumably as important as the other, for if we wish to know the principles that go into the shaping of human social life or civilization, China counts for as much as France, and the ancient past for as much as the nearby present.

The language is old-fashioned. The positionality is also unreflectingly Euro-American, as throughout Kroeber’s writings, whose implied audience rarely if ever includes the people under discussion.

But in its content, *Anthropology* is a sustained, scientific assault on racism, published a year before Native Americans were granted US citizenship, three decades before *Brown v. Board of Education*, and at a time when eugenics was accepted even in progressive circles and segregation was a norm. The subsequent year saw the Immigration Act of 1924, which banned Asian immigration to the US and restricted immigration from southern and eastern Europe. Supported by the Ku Klux Klan and other advocates of “Nordicism”, the Immigration Act’s racist goals are plainly shown by Carl Vinson’s remarks in the House of Representatives (April 11, 1924, quoted in Committee on the Judiciary 1950:64):

Were the immigrants now flooding our shores possessed of the same traits, characteristics, and blood of our forefathers, I would have no concern upon this problem confronting us, because, in the main,

²⁶ In most cases, it is hard to know what he should have done if he had thought an “abandoned” site should have a cultural heritage steward. For example, the Emeryville and Faculty Club shellmound burials are plainly in Ohlone territory. Kroeber knew that speakers of the Chochenyo Ohlone language lived near Pleasanton (the Verona Band, predecessor of the Muwekma Ohlone Tribe); he had worked with some of them. But he could not have appreciated that they had custodial rights over the Emeryville Shellmound 30 miles away, or the site of our Faculty Club: even if he had recognized a responsibility to consult Verona Band members about archaeological projects, he knew only that they had been associated with Mission San José in Fremont, not that some of their families had previously come from what are now Berkeley and Emeryville. Kroeber (1910:239) had written that “[n]othing has been published regarding the dialects of northern Alameda or Contra Costa counties.”

they belonged to the same branch of the Aryan race. Americans and their forebears, the English, Irish, Scotch, and Welsh, are the same people. . . . But it is the “new” immigrant who is restricted in emigrating to this country. The emigrants affected by this bill are those from Italy, Greece, Russia, Poland, Bulgaria, Armenia, Czechoslovakia, Yugoslavia, and Turkey. . . . [P]eople from these countries do not yield their national characteristics, but retain them practically unimpaired by contact with others.

The climate of the 1920s is characterized by Bashkow (2020:4):

The President of the United States was saying “America must be kept American,” emboldening white supremacists to blame darker-skinned immigrants for causing crime and taking working-class jobs. . . . [T]he US was erecting barriers against immigration, with severe effects on those who were poor or classed as non-white. White patricians, feeling under threat from those who spoke foreign languages and clustered in tenements, rallied around a confident, energetic, mustachioed ideologue named Madison Grant [He] implausibly suggested that America had once been racially homogeneous but was becoming degraded by immigration — plunged into a chaotic, impoverished “racial abyss.” “Teutonics” or “Nordics” like him were being “replaced,” he warned, by “lower” races and would soon be “extinct.”

The fourth chapter of Kroeber’s *Anthropology* is in effect an argument marshaling evidence from anatomy, physiology, and psychology against the belief that some races are innately superior in any cognitive, evolutionary, or intellectual way.²⁷ It concludes (p. 85) that “[m]ost of the alleged evidence [for intrinsic racial disparities] is likely to be worthless.” Significantly, too, in developing his overall argument throughout the book, he uses the cultural patterns of Indigenous North America to introduce concepts and explanatory models, and applies them secondarily to the cultures of Eurasia.

At the end of the book (p. 506), Kroeber compares dossiers of “culture elements” world-wide and writes, archly, that “the Nordic branch looms insignificant. Up to a thousand years ago the Nordic peoples had . . . contributed . . . scarcely a single new culture element, certainly not a new element of importance and permanence.” Summing up five hundred pages of argument, he concludes:

[A]ny fears of the arrest and decay of human progress if a particular race should lose in fertility or become absorbed in others, are unfounded. Such alarms may be attributed to egocentric imagination. They resemble the regrets of an individual at the loss which the world will suffer when he dies; what he really fears is his own death. When we . . . allow our minds to range over the whole of the labors and gradual achievements of humanity, irrespective of millennium or continent, the result is an imperturbed equanimity as to the slight and temporary predominance of this or that racial strain and as to the stability or future of culture. To contribute to this larger tolerance and balance of mind is one of the functions of anthropology.

Anthropologists no longer write in this style, tending instead to problematize their potential contributions to society, but Kroeber’s point was relevant for the US in 1923 and remains sadly relevant today.

7.2 *Handbook of the Indians of California (1925)*

Kroeber’s *Handbook* was completed in 1919 and published in 1925. It is an account of what its author had learned and could reconstruct about languages, social practices, and material culture in precolonial California. Especially important is what the Proposal stresses: Kroeber described over twenty California

²⁷ It is therefore an argument against both contemporary racism of the 1920s and earlier academic racism such as advocated by Louis Agassiz and the Berkeley naturalist Joseph LeConte.

tribal groups as (“culturally,” “ethnologically,” or “for all practical purposes”) “extinct” or “perished.”²⁸ The Ohlone around and to the south of San Francisco Bay are a famous example (Kroeber 1925:464):

The [Ohlone] group is extinct as far as all practical purposes are concerned. A few scattered individuals survive, whose parents are attached to the missions of San Jose, San Juan Bautista, and San Carlos; but they are of mixed tribal ancestry and live almost lost among other Indians or obscure Mexicans. At best some knowledge of the ancestral speech remains among them. The old habits of life have long since been abandoned.

Two things may be said about such comments. One is that they are hurtful. It is as if the University of California declared some Indigenous people dead. Esselen writer Deborah Miranda (2013:136) has said, “it breaks my heart. My identity as ‘Indian’ stares right into the mouth of extinction.” Kroeber’s words “lost” and “abandoned” emphasize a deficit framing of radical change and underscore his inability to apprehend the real possibilities of cultural transformation.

A second thing to say about Kroeber’s pronouncements of “extinction” is that he described what he meant in 1954 (Kroeber and Heizer 1970:2-3; see also Ray 2006:260):

[T]here is a widespread belief that many Indian groups . . . have now become extinct. . . . Anthropologists sometimes have gone a step farther, and when they can no longer learn from 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.

Kroeber rarely if ever reflected in print on why consultants chose to share information with him, and it is probable that they sometimes kept their actual knowledge of “the aboriginal language and culture” to themselves. As Milliken et al. (2009:211-216) have described, early 20th-century Indigenous responses to discrimination included “remain[ing] quiet about one’s Indianness” and “passing as non-Indian.” Rum-sien Ohlone artist and scholar Linda Yamane (2001:429) writes similarly about the 19th and early 20th centuries:

[N]ative peoples began to scatter and intermarry. Finding themselves at the bottom of the social structure, with little future but to do other peoples’ dirty work, it was not easy to feel proud of who they were. . . . Traditions went underground — so deeply that most (or at least many) were lost. Our families learned to blend in so well that we eventually “disappeared” to the outside world, and the anthropologists declared us extinct.

The point is that what Kroeber saw as loss of knowledge was sometimes an unwillingness to share it with outsiders.²⁹ In any case Laverty’s (2010:225-226) critique is appropriate:

When his informants did not provide him with the “memory culture” his “salvage” anthropology required to reconstruct preconquest cultures he categorized their tribe as “extinct.” Kroeber’s fixation with an ethnographic present situated just before the arrival of Europeans seems a case of imperialist

28 They include at least Chimariko (p. 109), Lile’ek Wappo (p. 221), Southern Yana and Yahi (p. 339), Salinan (p. 368), Delta Yokuts (p. 442), Ohlone (p. 464), Tuholi Yokuts (p. 478), Toltichi Yokuts (p. 481), Koyeti Yokuts (p. 482), Apiachi Yokuts (p. 484), Fresno Valley Yokuts (p. 489), Esselen (p. 544), Toloim (p. 610), Tataviam (p. 611), Vanyume (p. 614), Alakwisa (p. 797), New River Shasta, Konomihu, and Okwanuchu (p. 889), and Gabrielino (p. 910), in addition to “the societies of southwestern Oregon” (p. 4).

29 Field et al. (1992:415) offer a perspective from the Muwekma Ohlone Tribe: “The result of missionization’s devastation of the ancestral Muwekma was so traumatic that it is understandable that an anthropologist as eminent as Alfred Kroeber could surmise the extinction of this people with such assurance.”

nostalgia: a longing for that which “progress” has destroyed which simultaneously masks the current and historical power relations between the colonizer and the colonized. Kroeber’s essentialist, and here bounded and static, conception of culture allowed him to deem extinct those indigenous peoples who did not display sufficient amounts of pure, “primitive,” precontact culture . . .

The first and last points accurately restate Kroeber’s description. As for a “fixation with” and “longing for” a bygone time — Rosaldo’s (1989) “imperialist nostalgia” — Kroeber’s (1923:6) warning is relevant:

It is probably true that many researches into early and savage [*sic*] history have sprung from an emotional predilection for the forgotten or neglected, the obscure and strange, the unwonted and mysterious. But such occasional personal æsthetic trends can not delimit the range of a science or determine its aims and methods.

As I see it, the language used in the *Handbook* is another manifestation of Kroeber’s Euro-American discursive positionality; Indian people remained the “other” despite his anti-racism and humanistic goals.

8 The dispossessed

In 1906, Kroeber wrote to the California commissioner for Indian affairs to press him to let Indians in Yosemite Valley continue their traditional hunting practices (Sackman 2010:84). A few years later, in a public lecture, Kroeber (1909:437) stated a view of what California Indian people should have:

Not money, not food, not advice, not even education, is what [the California Indian] primarily needs, but land — property which he can call his own, and by which he can at least partially subsist and thereby be independent. . . . Land of course means land that is good for something, not a quarter section on a granite hillside barely able to furnish pasture for a single cow.

The Proposal repeats a claim that Kroeber’s writing led to California Indian people being denied land and tribal recognition. This is inaccurate, according to the available evidence (§8.1), while the Proposal silently passes over well-known evidence that shows Kroeber’s support for Indian land rights (§8.2).

8.1 Terminations

It has been said that the language of “extinction” in Kroeber’s *Handbook* contributed to US government decisions that effectively terminated or failed to recognize Indian tribes. The Proposal states:

Kroeber wrote erroneously in 1925 that for all practical purposes this tribe [the Muwekma Ohlone Tribe] was culturally extinct, and based on Kroeber’s statement the federal government removed the tribe’s recognized status and forced the surviving members of the band to vacate land protected for Native Americans.

Many writers have repeated the assertion that government decisions were based on Kroeber’s statement. The Proposal is therefore not to blame for repeating this in turn, but there is no evidence for it — *as even some who have asserted it admit* — and there is clear evidence to the contrary. I have relied on the studies of Field et al. (1992), Field (1999, 2003), Lightfoot (2005:229-233), Milliken et al. (2009), Laverty (2010), and Arellano et al. (2014), as well as the central government document.³⁰

The main exhibit is a 27-page memorandum written in 1927 by L. A. Dorrington, a government agent in Sacramento, identifying California Indian communities for whose benefit land should be purchased. As

³⁰ The Proposal’s statement that Muwekma Ohlone people were “forced . . . to vacate land protected for Native Americans” is a significant misunderstanding. The actual point is that protected land was never purchased for the Verona Band.

Arellano et al. (2014:53) recount, he was instructed “to list by county all of the tribes and bands under his jurisdiction that had yet to obtain a land base for their ‘home sites.’”³¹

In numerous cases, and with devastating long-term effects, Dorrington advised against land purchases. The Alisal or Verona Band (descendants of Mission San José, continued today by the Muwekma Ohlone Tribe) was denied the prospect of government-purchased land with a brief dismissal (Dorrington 1927:1):

Estimated Indian population of Alameda County is 125, but all of this number, with the exception mentioned below, reside in the cities of Alameda County, where they have gone to procure employment. There is one band in Alameda County commonly known as the Verona Band, which consists of about thirty individuals, located near the town of Verona; these Indians were formerly those that resided in close proximity of the Mission San Jose.

It does not appear at the present time that there is need for the purchase of land for the establishment of homes.

In cases such as this, the US purchased no land, leading eventually to *de facto* termination as there was no federally established rancheria. Dorrington’s recommendations effectively “‘terminated’ the existence and needs of approximately 135 tribes and bands throughout northern California” (Arellano et al. 2014:53).

Dorrington was apparently disinclined to support Indian people, but there is no evidence that his judgments relied in any way on cultural continuity, knowledge of language or social practices, or the opinions of anthropologists.³² Instead, he evidently based his decisions on two factors: whether a set of Indians were a “band” (for example, living as a community apart from white people), and whether in his opinion they “needed” land or already had it. In the case of the Verona Band, Dorrington accepted its status as a band in *contradiction* to Kroeber’s view that the Ohlone group was “extinct” for “all practical purposes,” but concluded that no land was needed. Several additional cases illustrate his logic:

1. Around Chico (p. 3), “approximately 86 Indians . . . are living the same as white citizens, are of the laboring class, and consequently no land is required.” This amounts to a decision that these 86 people do not form a “band.” But he made a revealing special case for some Indians near Chico:

The Bidwell band also resides in the vicinity of Chico on land set aside for them There are two houses located on this property that when constructed cost over \$3,000 each, which are occupied by Indians. . . . [who] are responsible for the taxes It may be necessary at some future date, to protect these Indians and to prevent them from becoming homeless, to acquire tracts that become delinquent on account of taxes and set same aside as a rancheria.

In other words, his view was that private land ownership within a band meant that no government land purchase was required.

2. In Monterey County (p. 14), Dorrington recommended against land for three Salinan groups, writing in one case: “The Pleyto band have provided their own homes and are not in need of any home site.” Kroeber (1925:368) called the Salinan “extinct for all practical purposes,” but Dorrington used the term “band” and based his decision on home ownership, not cultural status. In Tuolumne

³¹ In the terminology of the time, “bands” were recognized “social, political, and cultural groupings” (Field 1999:197).

³² Field (1999:198) writes that “the manner in which the published materials of academic anthropologists coincided with the disempowerment of these bands and their destiny as unacknowledged tribes is pertinent.” Correlation is not causation, however; despite having studied the evidence carefully, Field (2003:88) can only add, “I have always assumed that the relationship between Kroeber’s authoritative statement and Dorrington’s decision was more than coincidental.” See also Lavery (2010:354): “It is not within the scope of this dissertation to take up this question [whether there was a causal link between what Kroeber wrote and what Dorrington decided].”

County (p. 23), too, the “Indians of Groveland band are making satisfactory progress, many of them having their own homes, consequently it will not be necessary to purchase land for this band.”

3. Dorrington wrote patronizingly about Mutsun people (p. 16): “the San Juan Baptista band . . . have been well cared for by the Catholic priests and no land is required.” But his point is that they do not “require” land, not that they are not a band — even though, as an Ohlone group, they fall under Kroeber’s “extinct” verdict.
4. The largest group for which Dorrington recommended that land probably *should* be purchased was in Marin County (p. 12):

We have one band of Indians in Marin County consisting of approximately 150 persons, which are located at a point known as Tomales Bay. The advisability of procu[r]ing a home site for these Indians has been under consideration but we have as yet been unable to arrive at any definite plan as to what would be to their best interests. It should, however, be kept in mind that land will probably be required for their benefit.

This is significant because the land by Tomales Bay is Coast Miwok territory. Kroeber (1925:272-278) made it clear that he considered Coast Miwok culture gone: “little has been recorded,” he says, in a chapter largely devoted to whether Francis Drake landed in Coast Miwok territory in 1579 and, if so, what his reports reveal. If Dorrington had relied on Kroeber’s view of cultural persistence, he would not have supported the Indians of Tomales Bay.

In short, Dorrington’s recommendations were not based on cultural status as “extinct” or not, but on home ownership and a perception of current social organization (“band” status) that sometimes contradicted Kroeber. This is not to excuse patronizing and ultimately destructive government actions, but to show that the anthropologist’s words did not have the real-world influence others have supposed.

8.2 *Land claims*

In contrast, it is well documented that Kroeber contributed in the 1950s to a determination *against* the US government, *in favor of* tribal interests. This was in a case brought to the Indian Land Claims Commission by the “Indians of California”, who sued to establish that they occupied and used the entire state of California before Europeans invaded (Stewart 1961, 1978, Ray 2006). The US government position was that only areas with permanent habitations and especially frequent land use had been taken from Indigenous people. Seven anthropologists, all of them Kroeber’s former students, testified for the government. For the plaintiffs, Kroeber and three Berkeley colleagues presented evidence recorded early in the 20th century that all areas were traditionally used.

In June and July 1954, at the age of 78, Kroeber testified and was cross-examined before the commission for ten days, three hours a day.³³ He also testified in 1955 in rebuttal of the government case. Asked if the US should “pay the Indian for . . . the loss of his native culture,” Kroeber responded, “We ought to pay him for his native possessory rights which he felt he had and which were violated from his point of view,” and went on to specify that this included spiritual and emotional rights as well as mere subsistence (Ray 2006:267-268). He was described as the plaintiffs’ primary witness, compelling to the commissioners, who accepted his perspective in their eventual 1959 decision (Stewart 1961:190):

[Indians] lived and had their permanent abodes in places best suited to their economic life and which they exploited as the primary sources of their subsistence and at the same time, or at least in connec-

³³ After Kroeber’s last day of testimony, according to the *Oakland Tribune* (“Papal bulls” 1954), “many of the California Indians seated in the audience arose to shake hands with the well-known Indian authority. Many said they remembered the college professor when they were children and he would visit their parents to ask questions on early California Indian life.”

tion therewith, they exploited the available resources in the less productive territory surrounding or in the vicinity of their settlements. The Commission therefore concludes that the Indians have proven aboriginal Indian title to all of said lands

As summarized in an *Oakland Tribune* article, “Dr. Kroeber and his students demonstrated in elegant and lucid terms [that] the Indians not only possessed all of the lands, but had so for some 10,000 years” (Riley 1959). Interviewed for that article, Kroeber said this:

[I]f as recent[ly] as 25 years ago I had been asked what the chances would be to obtain recompense for the Indians and their heirs who lost lands to the whites, I would have said they were very slim. I’m amazed and delighted with the decision last Tuesday.

Perhaps he was putting a good face on what he saw as a difficult situation.³⁴ Theodora Kroeber (1970:222-223) recalled her (retired) husband’s involvement as follows:

His participation in the case was altogether an aberrant and unsatisfactory experience for Kroeber and an expensive one in that it cut across and interfered with his writing and research for five crucial years, from January 1952 to June 1956 [when the US called its witnesses]. Moreover, he considered the act by which the hearings came into being less than adequate or forward-looking or unambiguous. Conceived in guilt, it sought by arbitrary money payment to appease a bad conscience arising from conquest and seizure of a people and their land: scarcely an acceptable solution in the socially aware twentieth century.

To me, in any case, it seems that Kroeber in his testimony was conveying to a US court of law what Yurok elder Domingo had told him about Yurok law in 1907:

Nueme skuy’ soo nee megetohlkwee’ k’ee hlkehl. Kelew poy ’ee ma ’ap sonowow’. Nee yegolue’ kwelekw neeme ho megetohlkwee’. K’ee reek’ew tue’ neeke ko’see megetohl. Neeke chyue ’ok’w ’wewolek’. . . . Weet soo ho megetohl.

This land is cared for very well. You [white people] got to be in charge. You said it wasn’t owned. But along this [the Klamath] river every place is cared for. Everything has a name. [Specific legal rules related to land rights are enumerated.] That’s how it was owned / cared for.

The same Yurok verb means “own” and “care for.” The Yurok leader Robert Spott (1926:133), Kroeber’s friend and collaborator, echoed Domingo at the Commonwealth Club event described in §5 above:

In the old time, away back, we had a place where we used to go and pick berries for our winter supply. Then, again, we had a hunting ground where we killed the game for our winter supply. And again, we had a place where we used to go to gather acorns for our winter supply. Then, again, we could go up along the [Klamath] river to where a fishing place was left to us. But today, when we go back to where we used to go for our berries, there is the sign “Keep out.” What are we going to do?

Then again we go to where we used to hunt. You see the sign again, “Keep out. No shooting allowed.” All right. We go away. Then again, we go down to where we used to fish. That is taken up by white men. What are we going to do? We cannot do anything.

There is a strip along the Klamath River which you have heard is an Indian reservation. It is a mile on each side of the river. Yes, it is. There are some good lands. Do you think that we own it? No. It is homesteaded by white men.

³⁴ The ultimate payment to individual California Indians in 1968 was minimal, “the sort of expensive-meaningless *dénouement* Kroeber had feared” (Kroeber 1970:223): “forty-five cents an acre” (Ray 2006:272).

9 A. L. Kroeber's legacies

I have come to see that our divergent understandings of Kroeber's legacy index competing narratives. In one narrative, anthropologists like Kroeber were part of the apparatus of state-sponsored dispossession and genocide. This is a story of the control and objectification of non-white bodies by invaders, killers, and their willing or unwitting scientific collaborators — scientists whose consignment of Indigenous people to the bin of “extinction” validated the theft of land, ancestral bodies, and cultural patrimony. If this narrative resonates, it is understandable that Kroeber's name evokes pain.

In a second narrative, academic and public discourse in the first decades of the 20th century included a virulent racism that Kroeber and others worked against. In this story, he sought to show that Native Americans, widely dehumanized as infantile or barbaric, have civilizations as complex and diverse as any, and languages and artistic and cultural traditions as worthy of appreciation and study as anyone's. Native people, traumatized by genocide and marginalized by oppression, seemed to him to be losing cultures and languages, so he spent a career recording knowledge he thought would perish. Kroeber did not know he was wrong; despite many transformations, Indigenous Californians have *not* lost their cultures. Nor could he have anticipated that the documentation he helped create would be essential for cultural and linguistic reclamation long after his death.

Each narrative privileges a campus repository. In the first narrative, to quote the Proposal, Kroeber “built a repository for human remains exhumed by academic researchers and government agencies,” though it predated him, he contributed little to it, and it was a professional norm (§6.2). In the second narrative, he built a repository for cultural and linguistic documentation. Created over decades as he and his students worked with Indigenous people, it is used throughout California for linguistic and cultural revival and scholarly research (§4). Such a repository was not a professional norm in 1901, and makes UC Berkeley distinctive among its peers. Perhaps the Proposal refers to documentation archived at Berkeley and its use by Native communities when it blandly writes that Kroeber “created knowledge that is still widely used today,” but that is faint praise if so (and Kroeber did not “create” the Indigenous knowledge that he documented).

What made Kroeber's work significant helps explain its flaws. Arguing against the evolutionary (eugenic) racism of their predecessors and many contemporaries, Boas and Kroeber held up Indigenous cultures as fully realized civilizations with complex, distinctive languages. Kroeber's specific conception of culture led him to document languages, stories, music, and practices that were being suppressed or forgotten in the aftermath of genocide. It also allowed him to neglect the social realities affecting Indian people, and to assume they had no stake in their precolonial cultural heritage. And his unreflective Euro-American discursive orientation can embarrass or pain us today, just as our myopias in turn will distress our 22nd-century successors.

At Berkeley, as I wrote in §2, unnamings is about a historical figure's “legacy” and our “values and mission.” It therefore raises fundamental questions about who we are. Do writing against racism and the advocacy of cultural diversity align with our mission? How does the University of California value the intangible cultural heritage of our state's Indigenous people that it now curates?

10 Naming the University of California

California is a settler-colonial state — founded by the seizure of Native land for grazing, agriculture, timber, and minerals like gold; and by the state-sponsored killing and removal of the Indigenous people who owned the land.³⁵ The University of California was established as a settler-colonial project (Gar-

³⁵ See Lindsay's *Murder state* (2012) and Madley's *An American genocide* (2016) among many other studies since Kroeber and Heizer

Honoring Berkeley's greatest benefactors

With the same daring and high hopes that brought adventurers, farmers, miners, and merchants to the American West, the University of California's earliest benefactors set out to create a great public university on the frontier.

Figure 16: The University of California as a settler-colonial project “on the frontier”: the “Builders of Berkeley” web page (<https://builders.berkeley.edu/>).

rett et al. 2019), and at Berkeley we still advertise ourselves as such (Figure 16).³⁶ The thousands upon thousands who came to make their livings, and their fortunes if they were lucky, naturally wanted to set up the kinds of cultural institutions they were used to. How did they pay for a new university? A campus website tells us that “the Morrill Land-Grant Act, a law on using land proceeds to establish new schools[,] forever changed Americans’ access to higher education and had a profound effect on our great university.”³⁷ Not mentioned is the following (Ahtone and Lee 2020; see also Lee and Ahtone 2020):

[T]he Morrill Act of 1862 . . . was a wealth transfer disguised as a donation. The government took land from Indigenous people that it had paid little or nothing for and turned that land into endowments for fledgling universities. . . . [T]he act redistributed nearly 11 million acres, which is almost the size of Denmark. The grants came from more than 160 violence-backed land cessions made by close to 250 tribal nations.

Subsequently, many people gave generously to build Berkeley. Great philanthropists and philanthropic families gained their wealth in the Gold Rush. Prominent figures who came to San Francisco and profited from the theft of Indigenous land and killing of Indigenous people include George Hearst (mining), Simon Koshland (wool), Peder Sather (banking), and Levi Strauss (dry goods); those who were not miners themselves outfitted miners and other participants in the system. For example, the “earliest retailer invoice” (Downey 2007:18) in the Levi Strauss Archives shows a large sale to a dealer in Benton, California, a mining town on Paiute land in the area of a series of massacres of Native people by miners and companies from the 2nd Regiment California Volunteer Cavalry in the 1860s (Key 1979). At UC Berkeley, we have Levi Strauss Scholarships, an endowed chair with Strauss’s name, the Hearst Memorial Mining Building, and of course the Sather Gate and Tower. These are campus treasures, but endowed with blood money (Brechin 2006).

Especially relevant is the philanthropy of Hearst’s widow Phoebe Apperson Hearst, after whom Hearst Memorial Gymnasium and the Phoebe A. Hearst Museum of Anthropology are named. A UC Regent working closely with UC President Wheeler (eponym of Wheeler Hall), she conceived and funded the project of collecting from Indigenous and other cultures for a new university museum, hired Kroeber to do the work, and made operational and financial decisions in the first decade of the twentieth century (Thoresen 1975, Jacknis 2000, Farrell and Hull 2001). It was the eclectic collector Hearst, not Kroeber, who exhibited the “imperialist nostalgia” (Rosaldo 1989) sometimes ascribed to early anthropologists.

(1968) first applied the term “genocide” to California (e.g., Norton 1979, Heizer 1993).

³⁶ The UC system, too, celebrates “the audacious idea that California should have a great public university — one that would serve equally the children of immigrants and settlers, landowners and industrial barons” (<https://www.universityofcalifornia.edu/news/university-california-born>). Not served, we see, are the children of those whose land was taken.

³⁷ See <https://150.berkeley.edu/story/cals-land-grant-roots>.

Indigenous and global cultural heritage material assembled by Hearst and her campus employees, and by her counterpart Hubert Howe Bancroft (a historian and collector of manuscripts and historical records), reside in landmark campus repositories named after them. Christen (2018:403) emphasizes the colonial context of such collections:

The origins of modern archives are intimately linked to colonial logics of vanishing races, imperial projects of collection, and colonial nation-making strategies. . . . The archive was simultaneously a physical place to store Indigenous materials and a political representation of policies of displacement and destruction of Indigenous cultural practices, languages, and ways of life.

It seems right — the minimal duty to those whose cultural heritage we curate (Lonetree 2012) — to work to make these collections visible and accessible, but that is not a campus priority. Individual repositories like the Bancroft Library, California Language Archive, and Phoebe A. Hearst Museum of Anthropology are committed to these needs, but without campus funding or support. Campus leaders have acted on none of the many practical recommendations offered over a year ago in a report they commissioned on this very question (Garrett et al. 2019), so it is hard to avoid the conclusion that UC Berkeley pays only lip service to the need to care for the cultural heritage materials in its collections. The Berkeley campus does, however, persist in mythologizing Indian people as vanished, even on its own home page.³⁸ It would be better to support and empower the actual Indigenous people who are our students and colleagues, on whose land we work, and whose knowledge has enriched us for so long.

If Kroeber Hall is unnamed, it is not for me to say what its new name should be. I hope Indigenous faculty, staff, and students will make that decision. But if the process leads to a Muwekma Hall, this will be suitable. The word *muwekma* is Chochenyo; a campus building should be named in the Indigenous language of this place. In that language *muwekma* means “people,” and a “Hall of People” is where we should find an anthropology department and museum. The choice would also honor Kroeber’s memory ethnography, since the word *muwekma* is documented through his and his colleagues’ work (Figure 17).

II Conclusion

Where does all this leave us? Kroeber Hall should be renamed. Its name brings pain to those we would welcome; a building with anthropological tenants should not have its eponym from the era of extractive, patronizing academic attitudes to Indigenous communities; and there is no need for a Victorian white man from New York to adorn a campus center celebrating world-wide cultural diversity. These reasons should suffice.

As for A. L. Kroeber himself, this was his daughter’s assessment (Le Guin 2004:29):

[A] white immigrant’s son learning Indian cultures and languages in the first half of the twentieth century, he tried to save meaning. To learn and tell the stories that might otherwise be lost. The only means he had to do so was by translating, recording in his foreign language: the language of science, the language of the conqueror. An act of imperialism. An act of human solidarity.

Tempted to point a finger at Kroeber, we may instead consider pointing at a mirror. Ours is a university built with the profits of genocide, as part of the US colonization of California. A hundred and twenty

³⁸ Those who vanish leave legends behind. In July 2020, the UC Berkeley home page featured an article, “The legend of Indian Rock” (Joseph 2020), mainly about bouldering and not including any legend, unless it is the reference to “the mortar rocks where, for thousands of years, the Ohlone ground acorns into mash.” The Ohlone people are gone, we are invited to infer, replaced by Cal athletes.

years ago, campus leaders decided to spend some of that wealth to collect cultural heritage from around the world. The benefactors and leaders are memorialized in stone throughout our campus, if we want to rename monuments. Or use the wealth to fund actions to make our cultural heritage collections accessible to those from whom we took them, including repatriation, and to benefit their communities in a university that truly serves all people of California.

Respectfully,

A handwritten signature in blue ink that reads "Andrew" followed by a stylized monogram "G" with a long horizontal stroke extending to the right.

Andrew Garrett

Professor of Linguistics

Nadine M. Tang and Bruce L. Smith Professor of Cross-Cultural Social Sciences

Director, Survey of California and Other Indian Languages

Recorded in 1914 Costanoan
194.2.

Angela, (San Lorenzo Costanoan.)

apa, father ✓	Mother = ✓ Father = Koryak
ana, mother ✓	
si, water	
cūmīkīs si, give me ✓	
inīc, son, it ✓	
cīsin, daughter, son ✓	
taka, older brother ✓	
tā-ūcīkis, younger brother ✓	
ḍanan, older sister ✓	
ḍale, younger sister ✓	
ete, father's brother, mother's brother. ✓	
pāpa, grandfather ✓	
tcōte ^u , grand father child ✓	
mēle, grandmother ✓	
*kauwak, wife ✓	
mābō, husband ✓	
ānci ānci , father's sister. ✓	
mūwēkma, gente	ōmūk bay. wārep, earth Tawāyo

Figure 17: Selection from E. W. Gifford's Chochenyo notes with Maria de los Angeles (Angela) Colos, 1914. She was one of the last fluent first-language speakers of Chochenyo; he was Kroeber's junior colleague. The word *muwekma* "people" is at the bottom left. Ethnological Documents of the Department and Museum of Anthropology, University of California, Berkeley, 1875-1958, BANC FILM 2216, Folder 194.2, Bancroft Library.

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