

Genocide and American Indian History

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Summary

The issue of genocide and American Indian history has been contentious. Many writers see the massive depopulation of the indigenous population of the Americas after 1492 as a clear-cut case of the genocide. Other writers, however, contend that European and U.S. actions toward Indians were deplorable but were rarely if ever genocidal. To a significant extent, disagreements about the pervasiveness of genocide in the history of the post-Columbian Western Hemisphere, in general, and U.S. history, in particular, pivot on definitions of genocide. Conservative definitions emphasize intentional actions and policies of governments that result in very large population losses, usually from direct killing. More liberal definitions call for less stringent criteria for intent, focusing more on outcomes. They do not necessarily require direct sanction by state authorities; rather, they identify societal forces and actors. They also allow for several intersecting forces of destruction, including dispossession and disease. Because debates about genocide easily devolve into quarrels about definitions, an open-ended approach to the question of genocide that explores several phases and events provides the possibility of moving beyond the present stalemate. However one resolves the question of genocide in American Indian history, it is important to recognize that European and U.S. settler colonial projects unleashed massively destructive forces on Native peoples and communities. These include violence resulting directly from settler expansion, intertribal violence (frequently aggravated by colonial intrusions), enslavement, disease, alcohol, loss of land and resources, forced removals, and assaults on tribal religion, culture, and language. The configuration and impact of these forces varied considerably in different times and places according to the goals of particular colonial projects and the capacities of colonial societies and institutions to pursue them. The capacity of Native people and communities to directly resist, blunt, or evade colonial invasions proved equally important.

Keywords: [genocide](#), [Native Americans](#), [American Indians](#), [epidemics](#), [smallpox](#), [disease](#), [colonialism](#), [imperialism](#), [massacre](#), [Indian removal](#), [ethnic cleansing](#), [Indian reservations](#), [assimilation](#)

The title of this essay, by suggesting that genocide is a part of American Indian history, is likely to evoke diametrically opposed responses. Did the actions and policies of Europeans and U.S. Americans toward Indians qualify as genocide or not? Academics, students, citizens, in short, almost everyone has an opinion on the subject. Some are certain that the answer to the question is yes, that the massive depopulation of indigenous America after 1492 was a clear-cut case of genocide. Others, however, are equally certain that the answer is no, namely that European and U.S. American actions and policies toward Indians were (at least sometimes) deplorable but cannot be labeled as genocidal.

This essay begins with the premise that the issue of genocide in American Indian history is far too complex to yield a simple yes-or-no answer. The relevant history, after all, is a long one (more than five hundred years) involving hundreds of indigenous nations and several European and neo-European empires and imperial nation-states. While it would be absurd to reduce this history to any single category, genocide included, it would be reasonable to predict that genocide was a part of this history. With this in mind, the essay invites readers to resist a tendency toward a quick or easy resolution of the question of genocide in American Indian history and to engage in an open-ended exploration. The object is not a definitive answer but a clarification of the issues.

More than many debates, those about genocide often center on definitions. Because of this fact, readers might expect an essay on genocide to begin by discussing various definitions of the term (and related terms such as ethnic cleansing and cultural genocide) and proceed either to argue for one definition as authoritative or to propose a new one. This approach, however, would work against my objective of facilitating an open-ended exploration of the issue, and so a formal discussion of definitions will be deferred to the historiographical section at the end of this essay, though, as the essay develops, it will

pause periodically to consider how specific events or phases might or might not be regarded as genocidal depending on definitions that have been or could be applied to them. As will become apparent, debates about whether or not specific cases and phases qualify as genocide typically center on these issues: the intentions of historical actors (including but not limited to governments), the extent of depopulation of particular groups, and the causes of their depopulation.

Virgin Soil Epidemics and Native Depopulation

Discussions about genocide in the Americas often begin with the moment of initial contact between Europeans and Native people and emphasize the catastrophic impact of European diseases (especially smallpox and measles) for which Indians had no acquired immunity. Until the 1960s, scholars lacked an appreciation for the massive loss of life from what Alfred Crosby termed “virgin soil epidemics,” and so they drastically understated the size of the pre-Columbian Western Hemisphere population. A standard estimate was 8 million for the entire hemisphere and 1 million north of the Rio Grande. In the 1960s, however, the anthropologist Henry Dobyns took account of disease to provide much higher estimates of 75 million for the hemisphere and 10–12 million north of Mexico. Although Dobyns’s estimates have been hotly debated, even advocates of much lower figures acknowledge the impact of devastating epidemics.¹

Advocates of the “yes it was genocide” position have generally accepted high estimates for the pre-Columbian population and a correspondingly very high figure for initial depopulation. If 75 million people lived in the Western Hemisphere in 1491 and the death toll from epidemic disease was 70, 80, or even 90 percent (as was sometimes the case), the sheer numbers (50–60 million) are overwhelming and compel recognition as genocide when measured against the numbers for commonly accepted cases of genocide in the twentieth century.²

Ironically, however, an emphasis on a very high number for initial depopulation can provide an opening for a counter position. Since Europeans who brought pathogens to the Western Hemisphere did not do so with the intention of killing indigenous people and since under many definitions intentionality is a crucial criterion for genocide, a high number can be used to support a “no it was not genocide” position on the grounds that the vast majority of deaths do not qualify.³ To counter this position, some writers have provided examples of Europeans intentionally inflicting Indians with disease (usually through blankets inflected with smallpox) and argued for their typicality.⁴ But the evidence marshaled thus far has failed to dislodge a scholarly consensus that the intentional infliction of disease was rare. To the extent, then, that the question of genocide and American Indian history centers or depends heavily on the question of the size and intentionality of disease-caused depopulation, the “no it was not genocide” position remains credible.

Good reason exists, however, to challenge the premise that the extent and intentionality of initial depopulation from disease is crucial to the question of genocide and American Indian history. Let us assume, for the sake of argument, that European and European American actions toward the Indians of eastern North America during the eighteenth century (long after the first epidemics) were consistently genocidal according to the most conservative definition of the successful execution of a societal or governmental intention to physically kill all Indians. An arithmetic approach assigning the majority of total deaths to disease would argue against regarding the last phase in depopulation as genocide, yet why should the number of Indians in that region who had died earlier from disease have any bearing on an assessment of whether the annihilation of the survivors would qualify as genocide or not? Whether the annihilated survivors were 10, 30, or 50 percent of a pre-Columbian population would be irrelevant.

For a discussion of genocide, then, the issue is not so much the impact of initial epidemics but the effects of direct actions Europeans and European Americans took toward Indians through wars of conquest, enslavement, forced dispossession and removal, and destruction of material resources. In this context, disease is relevant as part of an assessment of the consequence of colonizers’ actions. War, for example, can result in displacement, impoverishment, and social stress, thus increasing vulnerability to pathogens.

Often, in fact, epidemic disease did not appear at the moment of initial contact but instead emerged at a later stage when processes of colonization were well underway.

Disease and Other Forces of Destruction

To make these observations more concrete, let us look at what happened in the place where Columbus first landed, the Caribbean. Given the common narrative of Europeans bringing destructive microbes, it is perhaps surprising that Columbus's first voyage did not result in the transmission of epidemic disease to Caribbean Indians, but, of course, groups of Europeans who encountered Indians did not always include people who were sick and contagious. The situation was different on Columbus's second voyage (1493–1496). Soon after landing, some of the crew became ill, probably from influenza, and infected the Native populations of Hispaniola, Cuba, and Jamaica. The severity of the epidemic was probably related to the prior lack of exposure of Indians to the pathogens in question, though the epidemic cannot be separated from other forces of destruction. The expedition's goal was not to kill Indians, but as its leaders and men pursued their main objective—acquiring gold—they did exactly that. To obtain gold, Spaniards needed Indians' knowledge and labor and so enslaved them, using violence to secure Native peoples and keep them in chains. Some accounts, such as one by Bartolomé de Las Casas of Spaniards making bets “as to who would slit a man in two, or cut off his head at one blow” or tearing “babes from their mother's breast by their feet, and dash[ing] their heads against the rocks,” suggest a genocidal mentality, though such accounts may imply that these actions were the product of particularly depraved men and unrelated to the purposes of the expedition. In fact, however, the expedition's leaders saw violence as essential for achieving their goals. To create and maintain slavery and to suppress real and imagined insurrections, the Spanish regularly maimed, murdered, and waged war against Native people. The purpose was not to kill every single Indian (some were needed to work) but to terrorize them into submission. Rape, evidently common, did not simply reveal individual or group pathologies, it functioned as a tool of terror. Violence, then, was central to Spanish colonization in the Caribbean, although far more Indians died from disease, malnutrition, and starvation.⁵

Little evidence is available for the death toll for the first few years of Spanish colonization. It is clear, however, that as the Spanish colonizing project expanded in the early sixteenth century, its destructive impacts escalated. Violence continued to be a factor (in 1502, Nicolás de Ovando, the Spanish governor of Hispaniola, massacred some six to seven hundred Indians from the chiefdom of Higüey who had rebelled in protest of the Spanish use of attack dogs) as did malnutrition and disease (dysentery, typhus, etc.) under conditions of coerced labor and economic disruptions. Another major epidemic—smallpox—swept through the islands in 1518–1519. By this time, however, the indigenous population of the major islands had been greatly reduced. On Hispaniola only twenty to thirty thousand adult Tainos remained alive, far fewer than the pre-Columbian population of at least several hundred thousand and by some estimates as high as 8 million. In this instance, then, smallpox, so often appearing as an initial destroyer, arrived with a horrific catastrophe well underway. By 1542, the Native population of Hispaniola was only two thousand. Enslaved Africans were now the main source of labor.⁶ Only a small percentage of Caribbean Indians died from virgin soil epidemics in the commonly understood sense of epidemics arriving just in advance of, or at the moment of, initial contact, though disease was undoubtedly the largest killer, flourishing under conditions the Spanish created as they colonized the islands. Some analysts might apply a strict interpretation of intent and conclude that the Spanish did not commit genocide, since they did not establish a formal plan to exterminate all Indians. Other analysts, however, might observe that the large majority of Indians who died during these fifty years did so under conditions that the Spanish created as they pursued their objectives and contend that this should be considered genocide under a looser interpretation of intent.

The timing of disease and its intersection with other forces of destruction varied from region to region within the Americas. In what became the southeastern United States, as historian Paul Kelton has shown, Ponce de León's 1513 expedition and subsequent Spanish explorations did not introduce new diseases into the region, though disruptions from these expeditions created conditions for already existing pathogens like syphilis and yaws to spread. It was not until the late seventeenth century that the classic

killer smallpox appeared. When it did its spread was closely connected to the British colonial project of exploiting existing indigenous practices of captive taking to create markets both for slaves outside Indian country and for European goods (manufacturers, alcohol, clothing) within it. The slave trade directly contributed to the depopulation of many Indian communities, but its most damaging consequence was the creation of conditions for the transmission of epidemic disease. When smallpox broke out in Virginia in 1696 it spread rapidly along networks of human contact that had been shaped by violence, deracination, and deprivation, destroying Indian communities from the Carolinas to the Gulf Coast and up the Mississippi River to Illinois. It was only now, two hundred years after the first European set foot in the Southeast, that Native populations experienced the catastrophic population declines usually associated with initial contact epidemics. As in the Caribbean, when smallpox struck, it was a consequence of European economic pursuits.⁷

In one of the last regions affected by the European invasion, the Pacific Northwest, the story is closer to the usual one of devastating initial contact epidemics. It was not until almost three hundred years after Columbus that Europeans began exploring the coast of what is now Oregon, Washington, and British Columbia. Smallpox first appeared in the region in the mid-1770s, probably transmitted by Spanish expeditions landing along the coast. Over the next fifty years, smallpox epidemics continued to devastate Native communities, though in contrast to expectations of a linear population decline, northwestern Indians were able to recover a good part of their post-contact losses. Indians had time to recover between epidemics, and these epidemics became less severe over time as surviving populations acquired immunities to a greater range of disease.⁸ During these decades, Indians in this region were not subject to other massively destructive forces. The main European colonial project in the Northwest was the fur trade. The exchange of furs for European goods occasionally led to disputes that sometimes became violent. Over time, the trade encouraged consumption of alcohol, prostitution, and destruction of game, all forces that damaged Indian health and community well-being. Compared to many other colonial enterprises, however, the fur trade was relatively benign and had positive short-term consequences for individuals and communities who were positioned to improve their material well-being and advance strategic objectives.

However, in the 1830s malaria—a new disease—repeatedly struck Chinooks and Kalapuyas along the lower Columbia and Willamette Rivers. According to anthropologist Robert Boyd, between 1830 and 1841, the Native population in this area declined by as much as 90 percent. Unlike the 1696 smallpox epidemic in the Southeast, the 1830s malaria epidemics in the Northwest were only indirectly related to colonialism. Europeans, of course, introduced malaria (probably by way of Pacific trade networks), but the disease spread in an environment that European colonial projects had not yet disrupted.⁹ More than many epidemics, then, this one fits the standard story of a massively devastating inadvertent virgin soil epidemic. As suggested earlier, however, an “unintended” population collapse may be irrelevant to an assessment of genocide. The crucial question is what happened next. One thing that happened is that Native populations did not recover or, to put it another way, were never allowed to recover. The reason was the advent of a new phase in the region’s colonization: the coming of American missionaries and settlers with an intention to remake Indian country in their own image. Although missionaries offered Christian conversion, as historian Gray Whaley has argued, they saw colonization as a progressive development that might allow for the salvation of a few individual Indians but would otherwise result in their general dispossession and extermination. Once settlers arrived, they forced Indians off their land, often squatting on Native land in advance of treaties, which eventually legalized dispossession. Indians sometimes forced treaty negotiators to make concessions and thereby gained certain advantages, but this does not mean that Indians “voluntarily” ceded their land. Instead, the on-the-ground facts of squatter occupation combined with severe material deprivation and the threat and actual use of violence constituted powerful means of coercion. Violence was especially pronounced in southwestern Oregon in the early 1850s when gold rush settlers waged a war of extermination against Indians, a clear-cut case of genocidal intent. For some, though, even this case might not qualify as genocide, since the federal government did not directly sanction settler actions (even though it did underwrite expansion into the region). In the same decade, settlers in the Puget Sound area went to war to subdue a Native resistance movement led by the Nisqually chief Leschi. In this situation, however, war did not escalate into one of

total elimination, as a relatively small settler population lacked the inclination, impetus, and power to eliminate Indians.¹⁰

New England and the Pequot War

If discussions of genocide in the Americas are initially hemispheric and give some attention to Spanish imperialism in the Caribbean and Mesoamerica, they usually soon look north to English colonial settlements in Virginia and New England. The actions of the Pilgrims and Puritans toward Indians, especially, are seen as constitutive and emblematic of a subsequent colonial and U.S. national history.

In 1616, just prior to the arrival of the Pilgrims, an epidemic (variously identified as typhus, yellow fever, and leptospirosis) struck New England coastal Indian communities and raged for three years. Current estimates are that the epidemic killed up to 90 percent of the Native population in the Massachusetts Bay area. When the Pilgrims arrived in 1620, they saw evidence of massive depopulation and attributed it to the “good hand of God . . . that he might make room for us there.” Another epidemic—this time smallpox—hit in 1633–1634.¹¹ Discussions about genocide in New England have focused less on these epidemics than on the 1637 Pequot War when Puritan leaders authorized military action to punish Pequots for killing English traders. Supported by Naragansett and Mohegan allies, a colonial force set fire to a village of several hundred Pequots on the Mystic River and killed most of those who tried to escape. The colonists hunted down surviving Pequots, killing some and selling others into slavery, and then imposed a treaty that abolished the Pequot nation.¹²

Scholars who hold that colonial actions against the Pequots do not constitute genocide argue that Pequot raiding genuinely threatened the colonists and so they were acting in self-defense; that the colonists’ actions at Mystic River were spontaneous; that the colonists’ enslavement of some Pequots shows that they did not intend to kill them all; and that the colonists did not intend to kill all Indians, as evidenced by their alliance with Naragansetts and Mohegans. Those who argue for the Pequot War as a case of genocide respond that the war’s ultimate cause was colonial expansion; that although colonists may have genuinely seen themselves as threatened, this was objectively untrue and ultimately an aspect of a worldview that assumed their cultural superiority over savage Indians; that although the colonists’ cultural chauvinism was not necessarily genocidal toward all Indians, in the case of Indians acting against colonial interests (like the Pequots), it could lead to a genocidal mentality; and that even though colonists did not kill all Pequots, their killing of a substantial number, including noncombatants, and their legal declaration of national extinction constitute genocide by many definitions.¹³

To some extent, this debate involves reiteration of older arguments about whether colonists’ actions were legitimate or deplorable.¹⁴ In the end, though, the debate about genocide and the Pequot War hinges on definitions. Under a narrow definition of genocide as requiring an intention to physically eliminate every single individual of an ethnic or racial group (even if the relevant group is limited to the Pequots and is not construed as all Indians), the Pequot War does not qualify. If, however, the definition is loosened to include cases of an intention to destroy a group by physically eliminating a substantial portion of its numbers, it probably does, since evidence is abundant of an exterminatory disposition prior to the Mystic River massacre. On the spectrum of available definitions of genocide, some of which assess impact, not intention, and some of which require only cultural destruction, this one is still fairly conservative since it retains the necessity for intent and massive killing.

For those critical of the Puritans, the Pequot War has the status of a national original sin, and so it is understandable that it would become the focus of intense debate about genocide. What decision is reached about this particular case, however, may not be of more than limited utility in resolving the broader question of genocide in American history. The definition chosen for evaluating the Pequot War, of course, would guide considerations of other instances of massive violence, but it would still be necessary to identify patterns of violence over time, locate them within a broader context of European Americans’ ideologies, policies, and actions, and relate them to other forces of destruction. Ultimately, this involves taking into account complex histories spanning at least three centuries. If conceived of as genocide, the

Pequot War may nonetheless be an outlier; if the war is categorized as nongenocidal, it may still be true that colonizers' subsequent actions were genocidal.

The United States and the Question of Genocide¹⁵

Discussions of genocide in American history generally highlight a few other episodes that occurred prior to 1776, such as King Philip's War (1675–1678), the effort of British general Jeffrey Amherst to dispense smallpox-infected items to rebellious Indians in western Pennsylvania in 1763, and the Paxton Boys' slaughter of peaceful Conestogas that same year. But these events are generally treated as precursors to a more extended consideration of genocide in the history of the United States.

Writers who indict the United States and its citizens for genocide cite depopulation from disease, sometimes alleging its intentional infliction. The most frequent charge is that the army or fur traders distributed smallpox blankets to Indians on the upper Missouri River in 1837.¹⁶ Though scholars have generally accepted evidence of an intention to engage in biological warfare for the Amherst case, they have not for the outbreak of smallpox on the upper Missouri. Overall, though, arguments for genocide tend to place more emphasis on massacres and forced removals than disease. Unlike the debate on the Pequot War, in which antagonists have staked out clear positions, there has been no point-by-point response to arguments that the United States systematically committed genocide. This is not because there is a consensus behind the "pro-genocide" position. In fact, although few scholars in the fields of American Indian and western U.S. history have systematically addressed the question of genocide, for many, perhaps most, scholars in these fields, an overarching indictment of genocide seems too extreme. Some might label specific events and cases, such as the Sand Creek massacre of 1864 or widespread settler violence against Indians during the California Gold Rush, as genocidal, but they would not see U.S. policies and settler actions as consistently so. Others would resist arguments for even limited genocide in U.S. history, citing definitions of genocide that would appear to require a federal government policy to physically destroy all (or most) Indians and observing that federal policies were intended to prevent physical disappearance by promoting assimilation. Some scholars would propose ethnic cleansing as an appropriate alternative to genocide.¹⁷ Others might consider assimilation to be a form of cultural genocide but would insist on a strong distinction between this policy and physical elimination.

It is true enough that U.S. policymakers regularly expressed a preference for assimilation, but this does not mean that they rejected physical elimination under all circumstances. To fully comprehend U.S. policy toward Indians it is important to realize that policy was grounded in the nation's fundamental commitment to territorial expansion. This commitment arose not just from the aggregation of individual settlers' and speculators' pursuit of wealth, but also from the premise—central to Americans' republican political philosophy—that liberty depended on widespread ownership of private property. To build what Thomas Jefferson described as an "empire for liberty," then, mandated obtaining Indian lands. How would this be done? Policymakers envisioned an ideal scenario in which Indians would willingly sign treaties ceding their lands in exchange for assistance in becoming civilized. But what if Indians refused to cede their lands? What if they rejected the "gift" of civilization? At that point, U.S. policymakers consistently stated, Indians would be subject to war—not the limited warfare that European legal theorists had agreed was acceptable between civilized nations but a war of extermination. In 1790 Secretary of War Henry Knox sanctioned such a war when he ordered the U.S. Army to "extirpate, utterly, if possible" a confederacy of Indians centered in Ohio that had rejected U.S. demands for a land cession. Facing similar opposition seventeen years later, President Jefferson sent word to Indians near Detroit that "if ever we are constrained to lift the hatchet against any tribe, we will never lay it down till that tribe is exterminated, or driven beyond the Mississippi," adding that should Indians go to war, "they will kill some of us; we shall destroy all of them." Genocidal war, then, was not just an option, it was necessary in situations of Native resistance.¹⁸

War, 1776–1815

Because a significant number of Indians consistently rebuffed demands that they cede their lands and because Americans were determined to acquire them anyway, the United States constantly pursued war against Indians. Indeed, America was born fighting Indians. In the early phases of the Revolutionary War most Indian nations allied with Great Britain in large measure because they saw a new settler nation as an unprecedented threat to their lands. In 1779 the United States declared war on the Haudenosaunee (Iroquois) to punish them for raids they had undertaken to roll back colonial settlement. The object, in George Washington's words, was "the total destruction and devastation of their settlements." When the Continental Army invaded, the Haudenosaunee decided not to risk the loss of life that would result from defending their towns and instead evacuated them. This allowed U.S. troops to burn dwellings and crops, but as Chief Old Smoke later explained, "we lost our Country it is true, but this was to secure our Women & Children."¹⁹ The number of Haudenosaunee directly killed by the American army was around two hundred (including some women and children), though as many as a thousand died from disease (primarily dysentery but also smallpox) and starvation in refugee camps. Out of a population of 9,000, the death toll from all causes was probably around 15 percent. Had the Haudenosaunee decided to defend their towns, it would almost certainly have been higher.

Many U.S. military operations against Indians had similar dynamics. In some instances, Indians were able to take advantage of their knowledge of terrain and the vulnerability of U.S. forces to achieve resounding victories. In 1791 a force of Miamis, Shawnees, Kickapoos, Weas, Delawares, Potawatomis, and others launched a surprise attack on an invading U.S. expedition and killed six hundred troops (over twice the number killed in the far better known Battle of the Little Bighorn). For the most part, though, Indians were unwilling to risk massive casualties (they were especially concerned to protect women and children) and so generally evacuated their towns, knowing they would be torched. All told, from the late 1770s through 1815, U.S. forces (including state militias) burned hundreds of Indian towns in New York, western Pennsylvania, Ohio, Indiana, Illinois, Tennessee, western Virginia, the western Carolinas, Georgia, Alabama, and western Florida. In most instances, Indians' intelligence-gathering systems alerted them to impending attacks and so U.S. forces found towns emptied of most inhabitants. Sometimes, however, U.S. forces managed to achieve surprise. When they did, they demonstrated little restraint. In an attack on the Indian town of Ouiatenon on the Wabash River in Indiana in 1791, for example, a Kentucky militia fired on Indians in five canoes who were trying to escape. The official report stated that militiamen "destroyed all the savages with which five canoes were crowded," without stating the sex or age of the Indians. Almost certainly, many were noncombatants. In another instance in 1782 a Pennsylvania militia surprised a group of about one hundred Christian Indians at Gnadenhütten in eastern Ohio. In a chilling example of what sociologist Michael Mann has termed the "dark side of democracy," the militiamen voted on whether or not to kill their captives. When the majority vote was tallied, the militiamen proceeded to slaughter men, women, and children alike.²⁰

An exception to the general pattern of the reluctance of Indians to risk high casualties was in Alabama, where in the early 1810s the Red Stick Creeks mobilized against American expansion and Creeks they regarded as collaborating with it. When U.S. forces moved against them, Red Sticks repeatedly chose to defend their villages and newly established fortified positions, while at the same time attacking the Americans when they could. Over the course of several months, the Red Sticks sustained massive casualties, culminating in the loss of at least eight hundred in 1814 when Andrew Jackson, "determining to exterminate them," as he later put it, breached their fortifications at Horseshoe Bend on the Tallapoosa River. This event, usually termed a battle, had some characteristics of a massacre. Though most of the Red Sticks killed were combatants, between two and three hundred were shot down while trying to escape by swimming across the Tallapoosa River. Official reports fail to identify them, observing only that "the river ran red with blood," but undoubtedly many were women and children.²¹

Taking stock of the period from 1776 to 1815, it is clear that the United States never intended to put to death all Indians in the territory it claimed. If that is the standard for genocide, then the term does not apply. On the other hand, U.S. officials consistently demonstrated a willingness to use overwhelming violence against Indian nations it judged to be acting contrary to American interests (self-defined to be just). Most military operations did not result in wholesale slaughter, but this was less a measure of

restraint than limited U.S. capacity, on the one hand, and strong Native capacity, on the other. As a general rule, U.S. military operations against Indian communities carried an inherent potential for wholesale violence against combatants and noncombatants or, in the language commonly used at the time, extermination. Military operations often did not result in massacre, sometimes because of their own weakness (inadequate supplies, poor intelligence, failure to avoid detection), more often because of the ability of Indians to avoid being slaughtered, sometimes by fighting back, sometimes by eluding U.S. forces. Over time, what made U.S. military operations effective was their relentlessness. Indians might repulse a single invasion of their country or, if that was impossible, abandon their towns and rebuild, but because the United States had a large and growing population, a high capacity to continuously mobilize young men to fight, and an unwavering commitment to expansion, the nation was able to wage endless war. Faced with the very real possibility that their people would eventually be destroyed utterly, leaders of Indian resistance eventually agreed to U.S. treaties requiring land cessions. The threat of genocide in this very strong sense of the term played a crucial role in allowing the United States to achieve its primary goal of taking Indian lands.

Removal, 1815–1840

After 1815, the United States intensified its efforts to expand. To do so, it adopted a policy, formally institutionalized through the Indian Removal Act of 1830, of moving all Indians living east of the Mississippi River to Indian Territory (the modern states of Kansas and Oklahoma). As measured by lives lost, Indian removal was far more destructive than the earlier period of war. Consider the three largest Indian nations east of the Mississippi, the Choctaws, Creeks, and Cherokees, each with approximately 20,000 people. During the removal process in the 1830s, approximately 2,000 Choctaws, 4,500 Creeks, and 5,000 Cherokees perished, mostly from intersecting factors of disease, starvation, exposure, and demoralization. Many hundreds died during the journey west, though the “trail of tears” metaphor obscures the fact that the majority of deaths occurred in internment camps while awaiting transportation west and in the first few years after relocation. The death toll for all three nations—close to 20 percent—is equivalent to 60 million for the current U.S. population. Smaller nations north of the Ohio also suffered significant losses through removal. A reported forty-three Potawatomis in a group of eight hundred died as they traveled from Indiana to Kansas, while sixty Wyandots, mostly young children, in a group of seven hundred died from disease shortly after their arrival in the West.

To secure Indians’ compliance to relocate, the federal government depended on threats. One was the withdrawal of federal protection, thus making Indians subject to state legal regimes that would leave them vulnerable to settler encroachment and eventual dispossession. U.S. officials also routinely informed Indians that the government would employ violence if they refused to emigrate, a threat that invoked an earlier history of war. When Indians did refuse, officials made good on their word, authorizing war against Sauks and Foxes in the Black Hawk War (1832) and Seminoles in the Second Seminole War (1836–1842). In the first instance, an American army had the opportunity to employ unrestrained violence when troops, assisted by Ho Chunk auxiliaries, intercepted Black Hawk’s band as they attempted to cross the Mississippi River from southern Wisconsin. The Americans fired indiscriminately, killing well over two hundred Indians, including noncombatants. In Florida, where the terrain and climate were unfavorable for military operations, the army had a much more difficult time finding, let alone surprising, Seminole settlements and so resorted to tactics such as seizing Seminoles during peace negotiations and sending them to prisons. Although no major massacre occurred during the Second Seminole War, military officers frequently called for the extermination of Seminoles, and so the absence of massacre was not due to a lack of disposition but to the absence of opportunity. Like other Indians in similar circumstances, Seminoles were often able to evade U.S. troops and occasionally inflict casualties on them.

Scholars have begun referring to Indian removal as ethnic cleansing, a term whose aptness seems incontestable.²² But was it genocide? One response would be that since the United States did not intend to kill Indians (and presented removal as a humane alternative to extinction) and since the deaths that resulted from removal, insufficient to constitute genocide anyway, were the unintended consequence of unforeseen circumstances (bad weather, unanticipated epidemics), genocide does not apply. Another

response would be that although removal was not intended to kill, the fact that it had that effect constitutes a limited genocide, especially since government officials had ample cause to know that forcing tens of thousands of people from their homes was likely to result in substantial loss of life, knowledge made more concrete over time as the actual process of removal regularly had this effect. At the very least, it could be said, genocide was present in the removal process in the sense that the policy's implementation depended on the government's threats to use unrestrained violence to secure compliance even though officials generally did not have to employ it.

California Gold Rush

The threat of massive violence was realized more readily in Gold Rush California. Even in this case, though, it was not presented as a first option. In 1851 California governor John McDougal warned Indians that if they did not submit to treaties on U.S. terms California would "make war . . . which must of necessity be one of extermination to many of the tribes." Officials said much the same thing during the period of removal. The difference in California was that settlers and officials were much quicker to sanction massive violence, in part because impulses for extermination were stronger, in part because settlers pressured California Indians to take actions that fueled these impulses. During the 1850s, settlers enslaved California Indians (especially children), overran their lands, and formed militias to hunt them down. In northern California starving Yukis, deprived of game by settler activities, began killing settlers' livestock. In one instance, a farmer who lost twenty hogs went to a nearby Yuki *ranchería*, where he and his comrades killed three on the spot and captured five others whom they hanged after a "trial." Such actions led Yukis to attack settlers, and in turn, settlers escalated their violence. In 1859 militiamen calling themselves the Eel River Rangers went on a killing spree, targeting as many Indians as they could regardless of sex or age, several hundred in all. Although California state officials tried to distance themselves from the Eel River Rangers, as historian Benjamin Madley has demonstrated, California governor John B. Weller was aware of the militia's activities and provided official support for it. As well, the state legislature and U.S. Congress appropriated money to support this and other militia campaigns, in some instances with knowledge of militia actions.²³

The American takeover of California caused an indigenous population decline that was sharper than in any other time or place in U.S. history. In 1848 the California Indian population was probably about 150,000. By 1860, it was only 30,000. Direct killing was a significant factor and may have explained the majority of deaths for some nations, such as the Yukis and Yanas, but overall more people died from disease and malnutrition as they were subjected to coerced labor, land loss, destruction of game, and reservation confinement.²⁴ During this period, it seems that it was more the constant presence of multiple diseases than the sudden appearance of a single epidemic that devastated Indian communities, since communities were unable to rebuild their populations (as they were sometimes able to do after a single epidemic). Although settlers and the public officials they elected did not devise schemes for collecting pathogens and introducing them into Indians' bodies, to describe deaths from disease during the California Gold Rush as inadvertent seems narrowly legalistic in that disease was so clearly linked to a colonial project that resulted in multiple forces of destruction consistently interacting over many years.

Because the Indian population of California fell so precipitously and because extreme violence was integral to the process, many scholars not inclined to see genocide as pervasive in U.S. history have said that what happened in California is exceptional and does qualify.²⁵ Even in this case, however, there is some dissent. One argument is that genocide does not apply since disease was the primary factor in the depopulation of California Indians; another is that mass violence was undertaken primarily by settlers and that the state and federal governments did not establish a policy of physically killing all Indians.²⁶ As with other situations, differences of opinion rest on disagreements about definitions. Under a strict definition requiring a federal or state government intention to kill all California Indians and an outcome in which the majority of deaths were from direct killing, genocide does not seem applicable. Under a less strict, though still fairly conservative, definition requiring only settler intention to destroy a substantial portion of California Indians using a variety of means ranging from dispossession to systematic killing, genocide seems apt, especially since the demographic outcome in California was so catastrophic. The fact that the

state government promoted aggressive settlement, undermined Indian land rights, and supported Indian-hunting militias strengthens the case. The role of the federal government is more complicated. On the one hand, federal officials, including army personnel, sometimes took action to protect Indian lands and prevent extreme settler violence. On the other hand, the army did engage in punitive massacre in 1850 when it slaughtered sixty or more Pomos in the Bloody Island Massacre. Congress failed to ratify treaties that might have provided Indians with a buffer against destructive settler actions; Congress also funded militia activity.

The Indian Wars

Any discussion of genocide must, of course, eventually consider the so-called Indian Wars, the term commonly used for U.S. Army campaigns to subjugate Indian nations of the American West beginning in the 1860s. In an older historiography, key events in this history were narrated as battles. It is now more common for scholars to refer to these events as massacres. This is especially so of a Colorado territorial militia's slaughter of Cheyennes at Sand Creek (1864) and the army's slaughter of Shoshones at Bear River (1863), Blackfeet on the Marias River (1870), and Lakotas at Wounded Knee (1890). Some scholars have begun referring to these events as "genocidal massacres," defined as the annihilation of a portion of a larger group, sometimes to provide a lesson to the larger group.²⁷

As they had done in earlier periods in U.S. history, after the Civil War federal officials expressed a preference for Indians to cede their lands in exchange for assistance toward eventual assimilation. Policymakers presented assimilation as a benevolent alternative to physical extinction, in this way providing a way for later historians to acquit them of genocidal intentions. But what if Indians rejected the gift of Western civilization? Or what if they attacked or raided settlers who trespassed on their land and damaged its resources? In that case, both civilian and military officials agreed, Indians would be legitimately subject to aggressive warfare.

U.S. military operations against Indians did not intend to kill every single person in their path, though they did intend to inflict massive, catastrophic violence to secure compliance. Since they usually targeted communities rather than armies, these operations inherently carried the potential for massacre. In many instances, U.S. forces were unable to achieve their objectives, in large measure because of indigenous capabilities. Indian fighting forces were highly skilled and, in some cases, most famously at the Little Big Horn (1876), were able to inflict massive damage on invaders. Indians relied on intelligence-gathering systems to prevent surprise attacks and on established procedures for the evacuation and protection of noncombatants. In this way, they avoided many potential massacres. In some cases, however, troops were able to achieve surprise or break through Indian defenses, and, when they did, they showed little restraint, killing women, children, and older men. In some instances, troops or militiamen attacked Indians who had not actually engaged in resistance or raiding, as in the Sand Creek and the Marias massacres, thus revealing a disposition to regard all Indians as deserving of extermination. Army officers, too, sometimes expressed genocidal sentiments, most famously in Phil Sheridan's statement, "the only good Indians I ever saw were dead."²⁸ Although historians have often treated such statements as isolated expressions, they revealed a discourse of extermination that was in continual circulation among settlers, military personnel, and political leaders and that was periodically activated in what might be described as "genocidal moments."²⁹

Violence, of course, was not the only destructive force operating against Indian communities in the West. The U.S. colonization of the West led to land loss, the decimation of the bison and other game, and increased exposure to disease and alcohol. For many western Indian nations, population losses were severe. The Comanches, for example, had a population of perhaps 40,000 in the mid-1700s. In the 1780s, smallpox struck them for the first time and reduced their population to 20,000 to 30,000, where it stabilized into the 1840s. Over the next few decades Comanches were repeatedly hit by epidemics, but because of generally favorable economic conditions, they were able to recover. Sometime around the mid-1840s, however, as bison populations declined, leading to the collapse of the Comanche economy, so did the Comanche population. By 1870 the Comanches numbered between 4,000 and 5,000. A portion

of this decline can be explained by war with Texas militias and the U.S. Army, though Comanches also suffered losses in war with other Indian nations as they competed for increasingly scarce resources. But the main causes of depopulation were starvation and disease (aggravated by malnutrition). Between 1870 and 1875, the Comanche population fell even farther—to a mere 1,500. During these years, the army conducted military operations against Comanches to force them onto a reservation in western Oklahoma, killing a few hundred. By far the largest number of deaths during this period continued to be related to material deprivation and social stress.³⁰

An arithmetic approach to the question of genocide in the Comanche case might encourage a conclusion that the United States did not commit genocide against the Comanches since the bulk of the long-term decline from 40,000 to 1,500 occurred before American settler or governmental actions had much direct impact on the Comanches. By this logic, however, it would be impossible for genocide to occur after a certain level of depopulation was reached, no matter what happened after that point (even if it involved successfully rounding up every single member of the group and executing them all)—an absurd proposition. More plausibly, an arithmetic approach applied to the last phase of Comanche depopulation (1870–1874) might argue against genocide since the majority of deaths were not from direct killing. At this point, we face the familiar problem of deciding whether cases involving multiple, intersecting forces of destruction related to colonial action qualify as genocide or not. Some scholars, such as Jacki Thompson Rand, who in writing about the Kiowas, argues that the United States engaged in a “genocidal attack on Native institutions, cultures, and economies,” would say yes, though my sense is that most specialists who work on the history of western Indians in the late nineteenth century are likely to disagree.³¹

Beyond this is the larger question of the extent to which U.S. actions during the period of the Indian wars should be considered as consistently genocidal, partially genocidal, rarely genocidal, or never genocidal. As in many other times and places in the Americas, this is a challenging question, one that depends on a careful evaluation of the histories of multiple Indian nations. These histories varied considerably. Some western nations, such as the Poncas, decided not to resist U.S. expansion and did not face American violence, though they nonetheless lost their economic and political independence and were subject to forced removal and confinement, processes that resulted in significant population loss. Analyzing these multiple histories requires taking into account real differences but without losing sight of a common context of settler colonialism.

Reservations and the Twentieth Century

By the late nineteenth century, Indian nations were no longer pursuing policies involving militant resistance and instead were attempting to adjust to the challenges of living under U.S. authority on reservations. To assert authority over Indians on reservations, civilian officials developed Native police forces and relied on the presence of troops at western posts. Usually, arrests and the threat of violence were sufficient to allow officials to achieve minimal control. In the late 1880s, however, Indians on dozens of reservations participated in a religion-based political movement known as the Ghost Dance. Ghost Dancers hoped to achieve the reversal of colonialism not through violent resistance but through an apocalyptic event that would destroy or remove all or most European Americans from what had recently been Indian country. To suppress the Ghost Dance, the federal government authorized military force against the Lakotas, an action that led to the Wounded Knee massacre, sometimes regarded as the “last” event in the Indian wars, but more appropriately considered an instance of the violent suppression of an anti-colonial movement.³² Beyond this instance of massive violence and many instances of small-scale violence by settlers, poverty and disease constituted the greatest threat to Indians on reservations in the late nineteenth and early twentieth centuries. Data are unavailable for all reservations, but existing information indicates that the majority of Indian nations lost population in the late nineteenth century. The Crows, for example, had allied with the United States in the 1860s as a strategy for self-protection, and although they did not endure direct violence, they were nonetheless affected by other forces of destruction. By the 1880s, the Crows had been forced to cede much of their land and had lost access to game and other resources that had once provided economic independence. Their population, at least 3,000 in 1880, fell to 2,500 in 1887 and 1,900 in 1903, a decline of over a third in two decades. The Crow

population loss was probably greater than average, though the pattern was common enough to result in an overall decline of the Indian population within the United States to a low point (often referred to as “the nadir”) of about 250,000 sometime around 1900.³³

Since then, the population of American Indians has steadily increased. This trend is undoubtedly related to transitions in the needs of settler colonialism, but it is also due to the efforts of Native individuals, families, and nations to rebuild their communities.³⁴ Despite overall demographic growth, however, it remains possible to characterize at least some U.S. actions toward Indians during the twentieth century as genocidal. Some writers have argued that government policies to force Indians to assimilate fall under the categories of “cultural genocide” or “ethnocide.”³⁵ The explicit goal of off-reservation boarding schools, articulated in the infamous words of Carlisle Indian School founder Richard Henry Pratt—“to kill the Indian and save the man”³⁶—certainly supports these labels. Boarding schools have also been characterized as institutions of outright genocide on the grounds that the mortality rate (from disease) within boarding schools was very high and that boarding schools took children from Native groups and in this way prevented births within them.³⁷ While most scholars who have studied boarding schools regard them as oppressive institutions and would likely accept cultural genocide as an apt term for their objectives, they have been more interested in documenting students’ and parents’ perspectives and agency rather than in arguing that the institutions were designed to achieve physical genocide or that they (partially) accomplished it.³⁸ Other federal policies and societal actions have also been described as genocidal. They include, in particular, sexual violence against indigenous women, including forced sterilizations during the 1960s and 1970, as well as the mandating of “blood quantum” as a criterion for tribal membership, which, because of intermarriage between Indians and non-Indians over time, inevitably operates to achieve “statistical extermination.”³⁹

Discussion of the Literature

The term *genocide* was coined by the Polish jurist Raphael Lemkin in his 1944 book, *Axis Rule in Occupied Europe*. Lemkin’s definition was fairly broad:

[G]enocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. It is intended rather to signify a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves. The objectives of such a plan would be disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups.⁴⁰

Lemkin applied the term to a wide range of cases including many involving European colonial projects in Africa, New Zealand, Australia, and the Americas. A recent investigation of an unfinished manuscript for a global history of genocide Lemkin was writing in the late 1940s and early 1950s reveals an expansive view of what Lemkin termed a “Spanish colonial genocide.” He never began work on a projected chapter on “The Indians of North America,” though his notes indicate that he was researching Indian removal, treaties, the California gold rush, and the Plains wars.⁴¹

After coining the term, Lemkin worked tirelessly to persuade the United Nations (UN) to criminalize genocide. In 1948 the UN adopted the Convention on the Prevention and Punishment of the Crime of Genocide, which defines genocide as any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such:

1. **(a)** Killing members of the group;
2. **(b)** Causing serious bodily or mental harm to members of the group;
3. **(c)** Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
4. **(d)** Imposing measures intended to prevent births within the group;

5. (e) Forcibly transferring children of the group to another group.

In many ways, the UN convention definition is quite broad, identifying multiple forces of destruction and requiring only partial destruction of a group. The specification of “intent,” however, has sometimes had a restrictive effect, both in international jurisprudence and in historiography, especially if construed to be limited to state actors.

As the field of genocide studies developed in the 1970s and 1980s, scholars proposed multiple definitions for genocide. Some of these expand the term to include political groups; some place greater emphasis on mass killing than in the UN convention; some stipulate a threshold of at least a “substantial” loss of population; others loosen the criteria for intention with formulations such as “sustained purposeful action” that may have “indirect” consequences.⁴² More recently, genocide scholars working on indigenous people in settler colonial situations (especially in Australia) have argued for replacing an “intentionalist” with a “structuralist” approach, and they have proposed concepts such as “society-led” (instead of “state-led”) genocides, “relations of genocide,” and a “logic of elimination” inherent to settler colonialism.⁴³

As applied to indigenous people of North America, the term genocide was not used much, if at all, until the mid-1970s. During the classic period of modern Indian militancy from the occupation of Alcatraz in 1969 to Wounded Knee in 1973, activists sought to educate the American public about an ongoing history of U.S. oppression, but they did this by calling attention to massacres, broken treaties, and racism and rarely if ever invoked the language of genocide. An early use of genocide can be found in the 1974 “Declaration of Continuing Independence” produced by the First International Indian Treaty Council, which in addition to themes of sovereignty and broken treaties, noted that there is “only one color of Mankind in the world who are not represented in the United Nations; that is the indigenous Redman of the Western Hemisphere” and recognized that this absence “comes from the genocidal policies of the colonial power of the United States.”⁴⁴ Not long after, a few scholars began to use the term. Jack Norton’s *When Our Worlds Cried: Genocide in Northwestern California*, published in 1979, sought to expose “the genocide committed against the aboriginal peoples of Northwestern California” and noted that several tribes “were annihilated as a people and a culture in the ‘final solution’ to the Indian problem.”⁴⁵

More fully developed arguments for the pervasiveness of genocide emerged at the time of the Columbus quincentenary. Two works, David E. Stannard’s *American Holocaust: The Conquest of the New World* and Ward Churchill’s *A Little Matter of Genocide: Holocaust and Denial in the Americas, 1492 to the Present* made the case, as their titles indicate, by arguing for moral and analytical equivalences with the Holocaust, going so far as to accuse those who disagreed with them as deniers. For the most part, historians ignored these works and their arguments for genocide’s pervasiveness; when they did engage them, they proceeded from the assumption that the arguments were sufficiently flimsy to require only a few pages to dispatch.⁴⁶

In the two decades since the quincentenary, the concept of genocide has had only a modest impact on the writing of American Indian history. As an indication of the status of genocide in the academic field of American Indian history, it is noteworthy that the authoritative *Blackwell Companion to American Indian History*, a hefty volume containing twenty-five chapters, does not contain a chapter on genocide, nor are Stannard’s or Churchill’s books included in its bibliography, which with 487 entries can hardly be accused of not being comprehensive.⁴⁷

To some extent, the relative absence of genocide in much of the scholarship in American Indian history can be explained by the priority of other agendas, especially the often articulated importance of recovering the agency of Native people against an earlier historiography that supposedly portrayed them simply as victims. Indeed, some Native scholars have cautioned that writing indigenous histories as genocide risks reinforcing pernicious ideologies of Indians as vanishing and degraded.⁴⁸ That said, indications points to an increasing engagement with genocide and related issues by scholars of American Indian history. One sign is a growing number of studies that use the term *genocide*, most often in passing as descriptions of particular impulses, actions, or effects,⁴⁹ though sometimes as categories of analysis.⁵⁰ In addition, some specialists in American Indian history have undertaken work in genocide studies⁵¹ and settler colonial

studies, the latter a field with some overlap with genocide studies as it is concerned to elaborate settler colonialism's demand that indigenous people "go away" through removal, assimilation, or physical elimination.⁵² At the same time, scholars in genocide studies, most of whom do not specialize in American Indian history, are increasingly turning to North America as they expand the range of cases to be investigated and compared.⁵³ Taken together, these points of engagement suggest the possibility of a new, post-quincentenary approach to the question of genocide in the Americas. Such an approach would take the question seriously but without the necessity of providing a predetermined answer either to the general question or to the multitude of specific cases encompassed by it. Such an approach would also consider Native agency, including resistance and other survival strategies, as a crucial variable.

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