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Can Manifest Destiny Justify the Ruckus on the Klamath River Basin? A Detailed Study of Settler Colonialism on Klamath Tribes

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Abstract- The headlines of contemporary news articles render the following “Fish Blood in their veins, fewer Salmon in their river,” “Removal of Klamath Dams would be the largest River Restoration in U S History, ”, and “Will the Klamath River Salmon survive after the dams are gone?”. A closer look into these heated discussions helps us understand that all is not well on the Klamath River Basin. Although dams and low salmon runs feature among the current debates, water allocation remains the crux of the issue. These issues make us question the why and how of water distribution among the populace that sustains on the Klamath Basin and how power plays an important role in water allocation. The Klamath River, the life blood of indigenous communities is virtually connected to their identity, culture, spirituality and thereby sovereignty. This research paper probes into this issue on the Klamath Basin over land and water resources and help us define how changing patterns of Settler Colonialism has invaded Tribal Sovereignty in the twentieth century.

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Abstract- The headlines of contemporary news articles render the following "Fish Blood in their veins, fewer Salmon in their river," "Removal of Klamath Dams would be the largest River Restoration in U S History," and "Will the Klamath River Salmon survive after the dams are gone?". A closer look into these heated discussions helps us understand that all is not well on the Klamath River Basin. Although dams and low salmon runs feature among the current debates, water allocation remains the crux of the issue. These issues make us question the why and how of water distribution among the populace that sustains on the Klamath Basin and how power plays an important role in water allocation. The Klamath River, the life blood of indigenous communities is virtually connected to their identity, culture, spirituality and thereby sovereignty. This research paper probes into this issue on the Klamath Basin over land and water resources and help us define how changing patterns of Settler Colonialism has invaded Tribal Sovereignty in the twentieth century.

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I. INTRODUCTION

Gazing at the Klamath river basin, where the river meets the ocean, one cannot fathom the ruckus that has changed the face of the river. As the river merges into the ocean one feels the balance of life, although temporarily as the headlines of contemporary news articles have a different story to render. "Fish Blood in their veins, fewer Salmon in their river," "Removal of Klamath Dams would be the largest River Restoration in U S History," (KQED news), and "Will the Klamath River Salmon survive after the dams are gone?" (KQED archive). These present-day discourse about the violence and injustices on the Klamath River elicits that the balance is a fragment of imagination. Perhaps a century of westward expansion and maneuvering of resources in the name of progress has decimated the Klamath River- the epicenter of tribes living on the Klamath watershed. While Manifest Destiny and Capitalism have paved destructive ways to the Klamath, the tribes are trying to resist this incursion on their land something that is not just a part of their ecosystem, but also inevitable to their spirituality and culture. This act of revitalizing their land and water

resources is resistance to settler invasion on the one hand and a way to assert their inherent sovereignty on the other.

A closer look into these heated debates helps us understand that although dams and low salmon runs feature among the current discussions, water allocation remains the crux of the issue. The building of dams and resultant lower salmon counts makes us question the why and how of water distribution among the populace that sustain on the Klamath Basin and how power plays a major role in water allocation. For the tribes, the Klamath Basin conflict characterizes something beyond water and salmon, "perhaps more than any other issue, fishing rights disputes epitomize the tribes' struggle to revive traditional culture, treaty rights, and sovereignty" (Wilkinson 153). The Klamath River is virtually connected to their identity, culture, spirituality and thereby dominance. Thus, probing into this issue on the Klamath Basin over land and water resources help us define how changing patterns of Settler Colonialism has invaded Tribal Sovereignty in the twentieth century.

The third largest watershed in the western United States, the Klamath River originates in eastern Oregon, defies boundaries and runs through five counties thus giving life to four federally recognized tribes. Eight tributaries of the Klamath feed the "wild lands and human enterprise" (May,1). While the Upper Klamath is the traditional homeland of Klamath, Modoc and Yahoo skin peoples, the mid and lower Klamath serves as an ancestral land of the Karuk, Hupa and Yurok people respectively (May, 1-3). Over the years, the vast marshlands and mountains shapes human life on the basin is shaped and in the words of Stephen Most, "In the Klamath Basin, geography is destiny" (ix). But the nineteenth century saw the arrival of white settlers who saw these as potential farmlands and this altered the indigenous lives and natural processes. These colonizers who came with a spear to own this land reshaped nature itself and Klamath eventually became a product of westward expansion and American colonialism.

The Klamath Basin is fragmented into layers of contested history. With abundant resources and native people on the basin, the white settlers felt the need to conquer both. Confining the Yurok and other tribes onto the Klamath Indian Reservation in 1855 was the solution

to the “Indian Problem” (Huntsinger 169). The late 1800s was the beginning of settler colonialism that threatened the sovereignty of the tribes. In the words of Whyte, the indigenous community of Klamath was “standing in the way of their achievement of aspiration” (158), and the reservation marked the inception of systematic infliction incurred by the white settlers on the tribes. The new reservation system cut off access sites for gathering and spiritual practice and greatly reduced access to wild game and fish (Huntsinger 167). A Hoopa Valley Reservation was formed in 1864, and President Harrison ordered the incorporation of a twenty mile stretch between the reservations to form the Hoopa Valley Reservation Extension (Huntsinger 169). A Dawes General Allotment Act sprung up with the failure of reservation to assimilate natives into mainstream society. It authorized the allotment of Original Klamath River Indian Reservation in 1892 to break up the kinship system of indigenous peoples and give them individual land bases. While “all unallotted properties would be returned to the public domain and disposed of to settlers” (Huntsinger 170). This General Allotment Act led to land and resource dispossession from native hands to that of settlers. This pattern of land grabbing and exploitation of resources formed the microcosm of the larger story of Settler Colonialism.

According to Kyle Whyte’s definition

“Settler colonialism refers to the complex process in which at least one society seeks to move permanently on to the terrestrial, aquatic and aerial places lived by one or more societies which already derive economic vitality, cultural flourishing and political determination from the relationships they have established with plants, animals, physical entities, and ecosystems of those places” (158).

The story of Klamath Basin complies with Whyte’s definition of Settler Colonialism accurately. The white settlers slowly encroached into native lands, gradually eliminating the indigenous peoples and their ecosystem through various degrees of making policies. With the Dawes Allotment Act, a considerable amount of land shifted from native hands into that of the white settlers. But, the indigenous stewardship of land was in constant danger with the changing policies of the United States Federal Government, who “sought to capitalize on the region’s rich farmlands and abundant timber” (May, 3). With the advent of the twentieth century, this greed to build capital out of land and resources manifested itself in the selling of federally owned lands to farmers for agricultural and construction of several dams across the Klamath River to provide irrigation for farmers. The 1902 Reclamation Act, managed by the Bureau of Reclamation built several dams for the benefit of farmers, ignoring the native’s sustenance and spiritual needs. “The original plan of the Reclamation Act was simple. Federally owned land to be irrigated by the

project were sold to farmers, the proceeds deposited in a trust fund dedicated to financing the initial irrigation works and later the reclamation of additional lands” (Doremus 48).

By 1960, under the Klamath Project, four deadly dams were built on the river that diverted over “1.3 acre-feet of water to irrigate a quarter million acres in both Oregon and California” (Doremus 50). These dams not only narrowed the flow of water, but it also destroyed the cycle of salmon prohibiting its free movement. In the years that followed, war veterans received priority for new homesteads, and hydrological development for agriculture increased. The Termination Act of 1953, a federal policy that supposedly solved the “Indian problem” culminated with the decimation of tribal governance of remaining land and water resources. Thus, the ecology of Klamath basin and autonomy of the Klamath people was in a continuous mode of exigency (May 3). The effects of American expansion in terms of excessive mining, logging, and agriculture by the mid-1990s saw its aftermath when the Klamath Coho salmon featured in the list of Endangered Species Act. This onward colonial expansion was further precipitated by 2001 drought in eastern Oregon which drew large gallons of water from the Klamath for irrigation and years of expansion, exploitation, and misuse of resource led to the historic fish kills of 2002, which left thousands of salmon corpses floating on the riverbanks.

American exploitation fragmented the Klamath river basin, and a closer look at it helps us understand the pattern of Settler colonialism that has invaded native space and autonomy. Klamath Basin has witnessed a clash of cultures over time, as Gordon Bettles’ writes in the foreword of *Salmon is Everything: Community Based Theatre in the Klamath Watershed*. The variegated perspective of the white settlers and that of the Indigenous population of Klamath goes back to their creation stories. Bettles writes, “Transposed onto the New World, the newcomer’s creation story unleashed a harmful dynamic between people and land, and one that was very different from the story that had sustained the tribes for thousands of years” (xiii). The newcomer’s worldview informed that the land was a “resource, a commodity harnessed for the good of mankind, the newcomers fell into a pattern of exploitation without self-regulation.” (xiii). The tribes of the watershed, on the other hand, believe that the Creator has provided these resources to use them in a sustainable manner.

It is this variegated perspective of the settler that invaded the sovereignty of tribes from enclosing Klamath peoples to reservations, capitalizing lands through allotment policies, building deadly dams on the river for irrigating agricultural lands and thereby destroying the food of Klamath peoples - the Salmons. Salmon is the largest martyrs of Settler Colonialism. The historic fish kills of 2002 was a tragedy

that decimated the lives of Klamath people. The Salmon kills was not just an environmental disaster, but a cultural and spiritual disaster for the indigenous peoples of Klamath. Salmon is the epicenter of their existence - subsistence and spiritual. Indeed, "salmon is the totemic spirit of the region and key to its history" (Most 69). Sue Masten, former tribal chair of the Yurok Tribe and president of the National Congress of American Indians at the turn of the 21st century declared: "We are salmon people. We couldn't let anyone take that from us" (Wilkinson 150). A concise version of the creation story from Stephen Most's *River of Renewal: Myth and History in the Klamath Basin* rendered by Geneva Mattz goes as follows,

At the beginning of time, the Creator came to the mouth of the Klamath. He stood on the beach and thought: "This is a great river. I want to leave my children here. But there's nothing for them to eat." So, the Creator called to the spirit of the river, Pulekukwerek.... Pulekukwerek answered, "I can feed them. I can send fish" ... Greatest of all, Nepewo entered the river each fall, leading the salmon people. Then the river spirit made human people. (69).

These origin stories help us understand how fundamental salmon to the existence and identity of the Klamath peoples is. Western ideologies can never comprehend the intrinsic connection between salmon and the indigenous communities. For the white settlers, water in general and salmon, in particular is nothing more than modes of capitalization, but for the Klamath peoples, the salmon connects every facet of their lives. For them,

Catching the first salmon of the season had significance beyond the return of a chief food source. Traditional Yuroks understood that salmon are somehow responsible for the renewal of life on land as well as in the river. Salmon bring nitrogen from the ocean to the forest floor via the intestines of mammals that eat them. But for Yuroks, it was and remains a spiritual reality that their ceremonies are part of the annual cycle of life within their world. (Most, 2006: 73)

Therefore, salmon suggests a balance between human beings and nature and this balance disrupts with the incursion of settler expansion. The settlers, ignorant of the traditional way of living designed indigenous lives according to their growing needs, condemning their sovereignty that predates even the formation of the United States.

In the Klamath River Basin, the biggest question is who holds authority over resource and its allocation, the reasons for discourse on sovereignty. To understand the United States' definition of tribal sovereignty, one must look into the Marshall Trilogy, a Supreme Court case (1823- 31). In one of three lawsuits: *Cherokee vs. Georgia*, Marshall defined natives as "domestic dependent nations." He offered an analogy to this relationship as that of "a ward to its Guardian" (Fixico

382). But on the Klamath, the guardian has always played the role of a "conqueror" as mostly the solution to Indian problem resulted in the violation of their inherent sovereignty.

Despite this, the Klamath peoples have always opposed this invasion by exercising self-autonomy. The fish wars of 1978 remain a crucial moment of Tribal Sovereignty. During the 1960s, with dipping salmon runs, the sports fishermen and offshore commercial fishing joined hands together to put a restraint on the native people, even though the former was at fault. New regulation in BIA set time for indigenous people, irrespective of tides and federal coast guards were put to watch the native fishermen. Thus, from the late 1960s, "a miniature naval battle" on the estuary of the Klamath River prevailed where Indians tried to fight back the federal invasion using unusual gill nets or no gill nets at all. Raymond Mattz, a Yurok fisherman, was a prominent figure during protest fishing, when one day he was "tired of being chased all the time" and decided to go to jail. Stephen Most jot down the incident as a turning point of exercising sovereignty on Klamath.

On September 24, 1969, Raymond and a group of friends had spent a typical day fishing. Raymond recalls:

It was before dark ,and we were sitting around the fire. We went up to look for our nets and it [sic] was gone. And I said "Well, I thought I saw the game wardens go up earlier. I'm going to ride up the river and see if they're up there." And they were up around the corner from where we were at, you know? I went and asked everybody, "Who wants to claim their nets?" Because you could go to jail, and we didn't want to go to jail. So, Raymond claimed all five nets. This time he went to the prison and the courthouse. (Most 106)

Instead of paying a fine of one dollar, Raymond proclaimed that he wanted his fishing rights back. This incident turned to Supreme Court Case *Mattz vs. Arnett* which ruled in favor of the Yurok fishing rights. Thus, "Salmon wars were an act within the larger drama" (Most 110-121). The Supreme Court verdict marked the beginning of native activism in Klamath directed towards Tribal Sovereignty with the Self Determination Act of 1975 passed.

The unprecedeted fish kills of 2002 rang the urgent need to condemn the conquest of settle state. Years of perseverance of tribal and fishing organizations led to the signing of two agreements on February 10th 2010 which heralded the removal of four major dams. Although the stakeholders have signed the Klamath Basin Restoration Agreement and Klamath Hydroelectric Settlement Agreement, the dam removals are bound only by 2020 as it requires federal funding to take them down. While this accounts as a considerable milestone of Tribal Sovereignty, some still argue that the removal does not "guarantee adequate water for salmon during droughts" (May 10). Dam removal is just one side of



mending and poor water quality due to excessive mining and logging is still an issue that the tribes face as a result of which salmons don't thrive. Klamath people are still struggling with low annual return of salmons and have to pay for the deeds of the colonizers. The Yurok has spent the last two decades restoring the fish and wildlife habitat on the Klamath Basin. Yurok is governing these issues with Fisheries, Watershed Restoration and Environmental Protection, thereby exercising their sovereign powers against the invasion of settler colonialism.

But, water allocation under federal control is a supreme challenge to the sovereignty of the tribes. Even though the federal government has reached a consensus about dismantling the dams, water allocation is a recurrent contention. According to Cordalis, a tribal member, "The problem is they don't manage the river for fish. They manage it for agriculture" (Bland). The allocation of water has always been a biased practice. The contemporary counterparts of settlers, the farmers and ranchers' concerns weigh more than any natives. Dam construction was the beginning, but with the drought in 2001 agriculture demanded more water from the river. As the farmers revolted for more water through a movement called Bucket Brigade otherwise known as the farmer's civil disobedience movement, water allocation for irrigation purposes reached maximum. The federal government decided to favor the farmers even though scientific research had shown low water levels would result in salmon kills. This move by the government was an attempt to win the elections at that point in time (May, ix). As we delve deeper into the issue, water allocation is power-laden and political and infringes tribal sovereignty, the tribe's ability to govern their resources.

However, adding up to the conflict of exercising sovereignty is the contemporary illegal cultivation of marijuana on the Basin that demands the diversion of large gallons of water. Barely recovering from the fish kills of 2002, another challenge before the Klamath people is the draining water from the streams for marijuana cultivation and contamination of resources through chemical releases from abandoned sites. Marijuana cultivation on the basin is another form of Indian removal, as it deprives them from the resources that sustain them. Now, Klamath people are fighting against this form of invasion. More recently, The New York Times published a news article on March 8, 2018, titled "The Next Standing Rock? A Pipeline Battle Looms in Oregon" which talks about a proposed 229 miles long pipeline which is to pass underneath the Klamath River. The pipeline proposal poses more risks than the dams and will put its watershed, forests, cultures, bay, homes, climate and future in danger. For the pipeline to get built the Federal Energy Regulatory Commission must decide in public interest, and it has already turned down twice. But with the Trump administration speeding up

permission of natural gas pipeline, things are worrisome for the Klamath people, contrary to the trustee responsibilities of the federal government to the tribes.

These power-laden decisions of resource allocation and policies are understood better with Iris Marion Young's concept in "Communication and the Other: Beyond Deliberative Democracy" which she calls as "deliberative democracy" where only majority voices are taken into considerations to achieve a common ground of decision making. In the Klamath Basin as well, federal government works in favor of the farmers in comparison to that of natives simply because the former constitutes the descendants of American pioneers, hence a majority voice. Thus, Klamath Basin remains an analogy of the mechanism of exclusion that settler colonialism has played throughout.

These issues in the Klamath River Basin is a product of settler colonialism, where the "singular goal of the settler state relative to Indigenous peoples is the elimination of the Native to gain access to land" (Ortiz 48). The arguments laid out above helps us understand that settler colonialism is ongoing in the everyday lives of the tribes and transgresses sovereignty at every point. Voices from the Klamath River basin form a powerful form of resistance to centuries of injustice and violence. It stands as a microcosm of indigenous struggle against the Euro American ideas of capitalism. The story of the Klamath basin privileges the marginalized voices and stands as an example of Iris Marion Young's "communicative democracy," where every opinion matters. Such stories when pushed into the contemporary discourse helps in asserting tribal sovereignty that would heal the historical trauma of sufferings. More than terms like tribal sovereignty or settler colonialism, we are left with questions about humanity like why do decimate the very force that feeds us, the Klamath River?

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