

THE RIGHT THING TO DO: RETURNING LAND TO THE WIYOT TRIBE

by

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ABSTRACT

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In 2004, the Eureka City Council legally returned forty acres of Indian Island to the Wiyot tribe. This return occurred one hundred and forty four years after the Indian Island massacre. This research explores the returning of sacred tribal land in the context of collective apologies and reconciliations after generations of Native genocide.

The significance of this case study includes a detailed narration of how the land transfer occurred and more importantly why it was labeled “the right thing to do” by Eureka City Council members and staff.

This case study was examined with a grounded theory methodology. Using no hypotheses, the research and the research methodology unfolded in a non-linear process, letting the research speak for itself. Detailed interviews and a review of documents were used to qualify and quantify this unique community based social act.

The results of this case study include how and why the Eureka City Council returned forty acres of Indian Island to the Wiyot people. The phrase “the right thing to do” was the frequent patterned statement made by Eureka City Council members and staff and is their explanation to why the land transfer happened. I have dissected this statement and have identified two main themes which include recognition and

acknowledgement and historical features and importance. These two themes are then connected to the research on collective apologies and reconciliations.

My recommendations for continuing my unique case study are included as well as suggestions for more broad based collective apology and reconciliation processes. In conclusion, it is still my hope and desire that all of Indian Island will be returned to the Wiyot tribe as soon as possible. As my research shows, it is “the right thing to do”, and I hope actions are made to facilitate that process sooner than later.

DEDICATIONS

First and foremost this thesis is devoted to my father. He is the only other Nelson family member to receive a Master's degree and it is an honor to join him with this accomplishment. Although he has passed on, my father continues to motivate and inspire my life daily. His spirit reminds me where I come from and more importantly, who I can become and what I can achieve.

This thesis is also dedicated to the Wiyot tribe. It was my intention with this thesis to share one story of Wiyot people; the returning of sacred land. Although my thesis is an academic product, I feel more like a historian, a raconteur, and an ongoing learner than I do a researcher. I would like to thank the Wiyot tribe for the lessons they have taught me and the personal growth I have made throughout my thesis journey. Exploring my case study has been an honor and a blessing; this thesis has changed my perspective on life and has humbled me in many ways. It is my hope in the future that all Indian Island land is returned to the Wiyot tribe because it is the right thing to do.

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I would also like to thank all my friends who have supported me through out my thesis journey. To all my friends collectively: thank you for always being there when I

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REFLECTIVE STATEMENT

The basis for this thesis began a long time ago when I was an undergraduate at Humboldt State University. After taking a course entitled “Altruism and Compassion”, I became captivated by people helping other people, (sometimes complete strangers) with remarkable, compassionate and empathetic behavior. I was inquisitive as to why people help others, and how people heal and progress after social conflicts.

This curiosity led me to conduct my senior project on a local apology and reconciliation process that involved the Wiyot Tribe, Arcata Baptist Church (ABC) and The Humboldt Evangelical Alliance (HEAL). In 2001, ABC and HEAL publicly acknowledged and recognized the churches lack of response and their lack of compassion in the Indian Island massacre of 1860. The churches apologized for their lack of response after the massacre transpired, in which churches stood by idly after the massacre, not condoning or condemning the atrocities and social inequities which occurred. The churches also apologized for not making any comment or apology until 2001, noting 141 years of silence regarding the massacre.

As a graduate student I decided to expand this research topic. In the summer of 2004 the City of Eureka transferred forty acres of Indian Island to the Wiyot tribe for free. This land transfer occurred one hundred and forty-four years after the Indian Island Massacre. I wanted to know why the City of Eureka transferred the land for free, what motivated and influenced the council to transfer the land, how and when the whole process began and how it evolved and changed. Taken as a whole I felt I had come

across a topic that would drive my interest and curiosity and I had access to the research. “Such access becomes the starting point for meaningful naturalistic research only when it is accompanied by some degree of interest or concern” (Lofland & Lofland, 1995: 11).

In an attempt to understand this complex collective behavior I studied the “who, what, why and when” of the case study. By and large the case study has evolved, changed and molded itself into the exploration of why transferring the land was “the right thing to do,” why the Eureka City Council claimed this social action was “the right thing to do” and why this collective apology and reconciliation process was performed.

My main theoretical and conceptual interests in this project are racial and ethnic social inequalities in conjunction with collective apology and reconciliation processes after large social conflicts. This local community case study examines the after affects of Native American genocide in Humboldt County. I as a researcher recognize and acknowledge the rarity of this rural case study, and appreciate the ability to study a portion of our unique population make up.

Social conflict will always exist in our social world. As a social scientist I believe there are ways to restore the past into a livable future without continuing the conflict. I also believe some of the answers may include restorative justice methods such as apology and reconciliation processes.

From an academic viewpoint the significance of this empirical research is to explore what it means to do the right thing in unison with collective community apology and reconciliation processes. The field of community or local level collective apology and reconciliation processes is not well researched and the knowledge and information

available is somewhat scant. To date very few scholarly studies exist which explore the specific dynamics that occurred in this Humboldt County community case. This local example is unique because the City of Eureka did not perpetrate the massacre of 1860 against the Wiyot tribe nor did the City of Eureka conduct this act because of state or national pressure. It is a community apology and reconciliation process unlike many apologies and reconciliation processes that occur because of retributive actions and/or guilt.

The possible benefits of the research include expanding the knowledge of collective community apology and reconciliation processes to the social sciences, especially sociology. Another benefit of this research is the concrete understandings of the local case that may help the community understand why such events happened.

The results of this project will provide the answers to the main research questions, specifically what it means to do the right thing in the context of collective community apology and reconciliation processes.

In conclusion, unraveling what it means to do the right thing in the context of collective community apology and reconciliation processes has been an amazing journey. I hope that this project provides insight to the city's action and that restorative processes will be sought more often by our global community in the future.

INTRODUCTION

In the summer of 2004 the Eureka City Council, without compulsion, returned forty acres of Indian Island to the Wiyot Tribe. The land transfer occurred 144 years after the Indian Island massacre of 1860 in which hundreds of Wiyot people were slaughtered. Even though the contemporary Eureka City Council was not responsible in any way for the massacre of 1860 they freely returned land to the tribe. My research explores how the land transfer occurred and why freely transferring over forty acres of Indian Island was “the right thing to do.” Eureka City Council members consistently describe the returning of land as “the right thing to do” and I unravel the meanings behind this complexly simply statement.

Chapter one provides a brief examination of United States, California and Humboldt County Native American histories to situate the historical context of this unique case study. History provides insight to the genocidal treatment of Native peoples in Humboldt County and a detailed picture of the social, cultural, political and economic changes tribal people experienced. This chapter also discusses the history of the Wiyot people and the Indian Island Massacre of 1860 in depth. Background details prior to the land transfer are also provided giving a comprehensive overview of my case study.

Chapter two highlights the first collective apology and reconciliation process the Wiyot tribe entered into with the Arcata Baptist Church (ABC) and the Humboldt Evangelical Alliance (HEAL) in 2001. This apology, made at an evangelical conference was the first restorative gesture given to the Wiyot tribe in relation to Indian Island and

the Massacre of 1860. Three years later the Eureka City Council returned forty acres of Indian Island claiming it was the right thing to do. The history of the land transfer process, the land transfer voting meeting and ceremony are also discussed in this chapter.

Chapter three provides background information on the study of collective apologies and reconciliations. An overview of collective apology and reconciliation (CAR) processes as a field of study is explored to denote this broad and diverse subject area. Collective reconciliations and collective apologies are explored separately to note the different types and levels applicable to CAR processes. Commonalties are also investigated noting elements that are integral to CAR processes. Differences and discrepancies within the field are also investigated noting the diverse dimensions of CAR processes. Finally, topic areas not fully connected within the study of CAR processes are examined showing the unique cultural variables that have an effect on my case study. Overall this chapter provides insight into collective restorative methods and key elements within these processes that relate to my community based case study.

Chapter four notes the methodologies used to investigate this case study. I utilized a triangulated grounded theory approach to produce a holistic interpretation of the case study. My methodology included in-depth semi-structured interviews, a radio interview, and a review of historical and recent documents such as newspaper articles and official land transfer documents. A detailed account of how I conducted my research and my analysis are also included.

Chapter five explicates the results from analyzing my data. This chapter includes an overview of my interview sample, a detailed analysis of what “the right thing to do”

means and the connections between “the right thing to do” and CAR processes. “The right thing to do” is divided into two themes- recognition and acknowledgment, and historical features and importance. These two themes denote why transferring the land was “the right thing to do” and what outcomes were produced from the perspective of interviewed Eureka City Council members and staff. Commentary from newspaper articles and local and historical documents are interwoven throughout the chapter to provide background and support for my analysis claims. Overall “the right thing to do” is pulled and teased apart to explain why the land transfer happened and what outcomes were produced from the viewpoint of Eureka City Council members and staff.

Chapter six highlights the theoretical implications of why the land transfer may have occurred and why transferring forty acres of Indian Island was “the right thing to do” in the eyes of Eureka City Council members. Three different sociological theories are explored and a synthesis of these theories is provided.

Chapter seven includes my recommendations for the case study and for the field of collective apology and reconciliations at large. Suggestions for future research are offered for others who are interested in continuing my case study research. Key factors that should be considered for the field at large are also included noting my contribution(s) to the study of collective apology and reconciliations.

CHAPTER 1: THE CONTEXT

History

Reviewing the histories of the United States, California, and specifically Humboldt County provides background for understanding the exploitation and extermination of Native peoples and specifically the Wiyot tribe. These histories help situate and explain why the Indian Island Massacre of 1860 occurred and facilitate the understanding and meaning for the land transfer that would take place 144 years later. Assessing the history and details surrounding the Indian Island Massacre of 1860 allows for a detailed understanding of the meaning and significance of the island to the Wiyot people. This chapter also provides details of the Wiyot tribe before and after the Massacre of 1860 providing an understanding of the tribe, their culture and their history.

United States history

To grasp the totality of this case study it is imperative to look into the past and examine what events lead up to the Massacre of 1860. One pattern that helps explain the brutal mistreatment of the Wiyots is the extermination and exploitation of all Native peoples from the time of North American discovery by Europeans. The Indian Removal Act of 1830, the Great Removal of the 1830's (the Trail of Tears), the Gold Rush, and countless broken treaties are just a few examples of the United States tactics to take land and resources from Native peoples for profit.

To obtain land and natural resources English explorers, settlers and colonists quickly made judgments and assumptions about Native people in the new found world labeling them as different, inferior and uncivilized. Even Christopher Columbus in his first visits noted these features of Native peoples in North America.

Indians seemed to lack everything the English considered civilized- Christianity, cities, letters, clothing and swords. 'They do not bear arms or know them, for I showed to them swords and they took them by the blade and cut themselves through ignorance,' wrote Columbus in his journal. (Takaki; 1993:31)

From the beginning, the European judgments of right and wrong, civilized and uncivilized, and proper and improper were applied to Native peoples. It was assumed that these groups of people must be mentally and socially inferior to the civilized European. "The Native people of America were viewed as the 'other'. Labeling Native people as the 'other' was an exploitative tactic that displays the ill treatment of Native peoples. European culture was delineating the border, the hierarchal division between civilization and wilderness" (Takaki, 1993:31). The concept of "other" gave the Europeans a way to separate themselves from Native peoples and a tool to exploit and manipulate a whole group of people.

Many white settlers did document Native peoples organized and civilized ways of life although these depictions of Native ways of life were disregarded for other, more dominant, white views. Takaki's use of racialized theory helps simplify the exploitation of Native people; newfound land was conquered by white settlers and all inhabitants prior to "discovery" were not white. The marker of race was an easy distinction to exploit and created an easy scapegoat to attach false stereotypes to. Social constructions of race also

were used to create a racialized 'other', which allowed a multi-levelled approach to exploitation and extermination of Native people.

Many colonists in New England disregarded this reality [that Native peoples led organized and civilized lives] and invented their own representations of Indians. What emerged to justify dispossessing them was the racialization of Indian "savagery." Indian heathenism and alleged laziness came to be viewed as inborn group traits that rendered them naturally incapable of civilization. This process of Indian dehumanization developed a peculiarly New England dimension as the colonists associated Indians with the Devil. Indian identity became a matter of "descent": their racial markers indicated ineradicable qualities of savagery. (Takaki, 1993:38)

These first encounters of differences and diversity had long term effects on the ways in which non white people would be treated in what was becoming the US. As noted by Takaki, "the encounters between Indians and whites not only shaped the course of race relations, but also influenced the very culture and identity of the general society" (1993:10). Overall, the social constructions of Native peoples by white people provided justification for extermination of a whole group of people, or what is known today as genocide.

California history

At the end of the Mexican American War of 1848, the United States signed the Treaty of Guadalupe Hidalgo and gained large tracts of land in the west. With the articulation of the policy Manifest Destiny and the goal of acquiring land and spreading democracy and freedom over North America, the United States had the opportunity to extend the process of white domination and land transformation.

The white population of California in 1848 when the United States acquired this territory was roughly 10,000, not including Native or Mexican peoples. With the discovery of gold in the following year, the population of California boomed and the white population multiplied by ten in 1850, reaching approximately 100,000 whites. Two years later the population had more than doubled again, reaching 250,000 in 1852. With the boom in white population from the discovery of gold and later commerce, California bypassed the idea of creating a United States territory and applied directly for statehood. California became a legal free non-slaveholding state on September 9, 1850 which created much turmoil in the Union, unbalancing the numbers of free and non-free states. Prior to California's statehood, California was a place full of greed, consumption and violence due to the previous years of mining gold. One main form of violence was the brutality against Native populations. Native populations were being pushed out of their traditional lands by the large influx of white settlers and in 1850 Native populations were deemed a state problem (Norton, 1979). Over the next ten years the federal government paid the state large sums of money to exterminate Native peoples and to settle California.

It has been estimated that the United States Government reimbursed the State of California \$924,259.00 for this sort of semipro Indian killing between 1850-1859, exclusive of the expenses of the United States Army activities in policing California Indian Country and suppressing uprisings. (Norton, 1979: 76)

Reviewing the Native population numbers reinforces the genocidal nature of these killings. In 1849 the Native population was estimated to be between 100,000 up to a million with fifteen political/religious autonomous tribal communities/entities. Fifty one

years later in the year 1900, the population was only 17,000 with only five political/religious autonomous tribal communities/entities remaining (Norton, 1979). Native peoples in California were quickly exterminated so whites could claim tracts of land, search for gold and take other natural resources, a common fate of Native peoples of North America.

Overall, the mistreatment of Native peoples in California has been noted as the most brutal and sadistic in all of North America (Norton, 1979). White settlers had over two hundred and fifty years of practice manipulating, murdering and rationalizing the extermination of Native peoples in this newfound land known as the United States. From the time whites entered California through when it later became a state, many white settlers did not recognize Natives as humans and killing Native peoples was viewed as sport hunting. The lack of compassion for human life was institutionalized. By the time white settlers breached the Redwood Curtain known as Humboldt County the bloodshed of Native peoples was normalized.

This ordered universe held secure for thousands of years, until suddenly, without warning, it was shattered by an alien, destructive society. White immigrant intruders shot Indians on sight, as the Indians were gathering food or fish, or trying to protect their women and daughters from rape and kidnap. Hundreds of Indian homes were burned, and the human occupants trapped by surrounding gunfire. Babies were roasted, or their heads smashed against trees and rocks...The terror and decadence of this era has seldom been portrayed accurately and in most cases California has been lauded as a model of virtue, particularly by politicians. 'But', according to Robert Hiezer and Alan Almquist, 'history tells us no more sorry record exists in the Union of inhuman and uncivil treatment toward minority groups than in California.' (Norton, 1979: 32-33)

In conclusion, the history of the United States and California in relation to Native peoples helps explain the cruelty and disregard for all Native people generally, and Wiyot people specifically. The extermination of Native people was legitimated through racial constructs, economic gain and political perspectives. The history helps situate the context and background for the history of Humboldt County and the Indian Island Massacre of 1860. Overall, US and California history aids in the understanding of exploitation and extermination of the Wiyot people.

Humboldt County history

Prior to the 1500's, Humboldt County was home to many Native American tribes including the Wiyot, Yurok, Hupa, Karuk, and Klamath tribes. The populations of these tribes remained relatively high and stable until explorers arrived in the following centuries, exterminating whole tribes from disease, lack of sanitation and later starvation. However many of the local tribes survived the first wave of explorers and remained in the local area relatively undisturbed until the late 1840's.

Humboldt County was mainly unsettled by whites until 1848, when the population changed with the rise of gold mining, railroad building and logging.

The American settlers were late arrivals in Northern California; their intrusion can be clearly observed as they moved against a stable background. These aggressive invaders of the 1850s saw the valleys and forests as obstructions to their goal of Manifest Destiny. They were instructed by scripture, they said, reinforced by success, and driven by rank individualistic will, to believe they were destined to be the civilizers of the earth. (Norton, 1979: 3)

The Wiyot Tribe population declined rapidly during the 1850's due to the influx of white settlers (Stanton, 1991). Some scholars like Norton (1979) believe that the

genocide against Native people in areas such as Humboldt County was the worst in Northern California due to Humboldt's isolated location.

Northern California shuddered and, in some cases, broke under the plundering horde that raped her in the 1850s. The white intruders not only had years of practice, but had also developed an attitude that rationalized and projected their savagery upon others. Exhilarated by the success of their heady bluff of England, fresh from the East victory of the Mexican war, the trickery and lying excused as the Benethenian bargain of capitalism over the Indians of the Plains, the worst of American immigrant society was loosed upon Northern California. (Norton, 1979: 37-38)

New white settlers harbored racist and prejudiced feelings towards the Native population and their land claims. Betzholtz (1992) noted how white people viewed Humboldt County as "discovered by white people" and they wanted the "subhuman" Native population to reside outside of Humboldt County. White settlers felt they had discovered Humboldt County because they considered it undeveloped or unused, but Stanton (1991) noted archeological proof of the Wiyots in Humboldt County dating back to 800 BC. Although documentation of Native people presence was known it did not stop settlers from encroaching on Native land and claiming it was rightfully theirs based on superiority of race and land utility.

This social construction of race occurred within the economic context of competition over land. The colonists argued that entitlement to land required its utilization. Native men, they claimed, pursued 'no kind of labour but hunting, fishing and fowling.' Indians were not producers. (Takaki, 1993:39)

As the white population settled, they slowly drove the Natives out of the immediate Humboldt Bay area and began to create white towns. By 1850, four white towns were established: Union, Eureka, Bucksport and Humboldt City (Benson, 1977).

From the 1850's to the 1860's, many fights, encounters, and raids occurred back and forth between newly arrived white settlers and the Native populations. These were commonly known locally as the Indian Wars in Humboldt County. Betzholtz (1992) noted that many relations between local Natives and white settlers were negative, hostile, and violent.

Many of the common Native American stereotypes such as “diggers” [a subhuman who digs in the ground for food] or “savages” were present in Humboldt County during white settlement in the 1850's (Benson, 1977). These stereotypes and attitudes most likely fueled the Massacre of 1860, along with feuding over land rights, resources and minerals. As noted earlier, the racialization of Native people helped settlers justify their behavior and the taking of land and natural resources. As Takaki (1993) notes, these stereotypes had been developed in the east and had spread west with the new white settlers.

Racism and prejudice against indigenous peoples are the major factors that lead to the massacre on the morning of February 26, 1860 in Humboldt County. Some local residents till this day call the Indian Island Massacre of 1860 the largest and most violent blemish on Humboldt County. Faulk (2003 b: 1) has noted, “Today, 143 years ago to the date, we can say the massacre should never have happened. It's a permanent stain on this region's history.”

Indian Island Massacre

The overriding motives that triggered the violent slaying of Wiyots on the early morning of February 26, 1860 were racism, prejudice and greed for land and natural resources. The Native people and the new white settlers had been feuding with minor fights, brawls and “wars” over resource use, land use and the kidnapping, stealing and raping of Native peoples. Norton agrees with my claim that the only motive white settlers had for the massacre was racism, greed and possibly extermination of Native peoples.

The Indian Island Massacre of 1860 has been correctly identified by local historians as ‘one of the foulest records that blot the history of Humboldt’. In this context, it is usually treated as an aberration or an ‘incident’ totally at variance with the true motives of the general settler populace. It is represented as being condemned by all, except for that small faction of riffraff and malcontents who lived on the borders of settlement. Upon closer scrutiny, however, the fact that ‘persons responsible were shielded by persons of position and authority’ indicates the complicity of citizenry. Also, the rationalization of the massacre presented by the editor of the *Humboldt Times*, (March 10, 1860) who ‘laid blame on the troops of Fort Humboldt because they had not given complete protection to the settlers, and the settlers were left no course except to take matters into their own hands’, is a further indictment upon the entire community. (Norton, 1979: 65-66)

Tuluwat Village or what whites call Indian Island is a holy and sacred site to the Wiyot peoples. This site had been used for thousands of years for ceremonies, hunting and fishing, daily activities such as food preparation and as residences for some Wiyots (Wiyot Tribe, 2003). One of the main functions of Tuluwat Village was the annual World Renewal Ceremony in which the Wiyots would bless the new year and ask for peace and harmony in the universe. Tuluwat Village is also the center of the Wiyot’s

spiritual and religious world: their creation stories revolve around the island and the surrounding land. As Cheryl Seidner, the Wiyot Tribe council leader has noted, “the island is sacred not for its village site, not [because of] the massacre- but because this is the center of our world.”(Doran & McVicker, 2004: 10)

When the massacre occurred the Wiyot Indians had just finished their week long World Renewal Ceremony in Tuluwat Village in which they danced, celebrated, performed rituals and gathered for a large feast. Participants also included members of other local tribes such as Yurok, Hupa and Karuk people. All of the ceremony participants were exhausted from the seven to ten day ceremony which left the Wiyots ill prepared for a raid. According to the history and culture section of The Wiyot Tribe website, many of the tribal men were collecting food off the island when the massacre occurred leaving the remaining women, children and elders on the island unarmed and vulnerable (Wiyot Tribe, 2003). It was disheartening that the massacre occurred on the final day of the ceremony- the new year was blessed with bloodshed and sadness. Since the 1860 Massacre, the World Renewal Ceremony has not been performed and many view the last 146 years as tainted and unblessed.

After evaluating many historical documents regarding the Massacre of 1860, many of the general facts of the massacre are presented similarly, but many of the minute details surrounding the massacre differ. For example, many sources note that the massacre did occur on February 26, 1860 in the early morning hours and white male settlers were the perpetrators of the intentional attack (Baca 2003a, 2003b, Betzholtz 1992, Benson 1977, Faulk 2002, 2003a, 2003b, 2003c, Norton 1979, Riley 1860, Wiyot

Tribe 2003). The authors also noted how the island massacre was one of three raids that morning; two other raids occurred on the Eel River and on the South Spit or South Jetty. These authors also assert that the massacres were intentional and many have suggested that the raids were planned and orchestrated because all three raids happened on the same morning. Riley (1860) commented on the local event five days after in the local paper, *The Humboldt Times*, claiming it was “a violent surprise attack” in which the Wiyot Indians were slaughtered with hatchets, axes and knives. He also noted that there were multiple raids that day in which many Wiyots were slain. Norton (1979) claims all of the attacks were planned and were linked together. Norton counted a total of four raids [Norton counts two separate raids on the South Spit or South Jetty whereas other scholars count this raid as one] on February 26, 1860. “The brutal attack had been carefully planned. That night three other massacres took place simultaneously; two at the south spit of Humboldt Bay and the other at the mouth of the Eel River.” (Norton, 1979: 82)

On the other hand, many minuscule details are not agreed upon by these sources. These authors, and others, differ in their claims as to exactly how many Wiyots were slain on the island, how many Wiyots died in all of the raids combined and how many white settlers were involved in the massacre. More recent sources claim the total number of Wiyots slain on Indian Island was approximately 60-70 (Baca 2003a, 2003b Faulk 2003c). The Wiyot Tribe (2003) states on their website that an estimated 200 people were killed in all the raids and Faulk (2003b) claimed, “It was hundreds” for all the raids combined. Betzholtz claimed a total of 200-300 Wiyots were slain and Riley (1860) noted 150 Indian people were killed. Betzholtz (1992) declared six to seven men paddled

out to attack Indian Island and in all the raids combined over fifty white settlers were involved. Although these numbers appear small, the total number of Wiyots in this region at this time varied from 100-300; thus the overall effect on the Wiyot population as a whole was devastating; no Wiyots survived the island raid except for one small child (Four Directions Institute, 2003). The closest any scholar has come to identifying who was involved in the massacre was Jack Norton. He searched archives of militias and volunteer brigades who were paid to kill Native peoples and he found evidence that linked certain men to this massacre.

It was common knowledge that Seaman Wright of Hydesville was angered at the Governor's refusal to sanction his murderous volunteers. A week before the Indian Island Massacre, the Humboldt Times had reported that Captain Wright, instead of awaiting the Governor's approval, had taken the field. The article states that, 'the Volunteer Company of Dragoons, under Captain Wright, are still in the field and the last we heard were on the Van Duzen's Fork of the Eel River. Also the citizens of Hydesville had raised \$1,000 to equip and supply the volunteers, at the same time hoping the State would reimburse them in their cause.'(Norton, 1979: 85)

Over twenty years later the Wiyot tribe conducted research on who was involved in the Massacre of 1860. The Wiyot tribe also has a list of men who were possibly involved in the massacre.

Volunteers in the "California Battalion of Mountaineers" were behind the atrocities that occurred at Indian Island, the South Spit and the Eel River in February 26, 1860. This Battalion, which was officially mustered into the service of the United States on April 20, 1861, consisted of 45 regulars who received pay donated from merchants and ranchers in Eureka. Sergeant Charles A.D. Huestis, Corporal Henry "Hank" P. Larrabee, Privates Wallace M. Hagan and George W. Huestis all took part in the murder of women and children at Indian Island. Feared by Indians and non-Indians alike, James D. Henry Brown was a known Indian murderer and was thought to be involved. (Wiyot Tribe, 2003)

Overall it is apparent that the massacres were intentionally planned without mercy for Native people. The whole massacre was extremely violent and painful, especially when placed in its historical context. With so many negative stereotypes about Native people in the mid-1800s, it was interesting that some white settlers helped clean up the massacre (Benson, 1977). It is difficult to imagine what it must have been like to paddle over to the island to clean up slain bodies, scalped Natives and material damage to the island. Norton (1979) also notes how some white settlers spoke out against the ill treatment of Native people such as famous writer Bret Harte who was run out of town for writing in defense of Native people. However as Norton (1979) notes their claims did not have an impact and did not change the social norms of the time.

There were very few individuals who did speak out, who reacted against the savagery of the white-man in Northern California. They were ineffective. They were summarily pushed aside, their humanity negated by a ruthless system. They fell victim to an attitude that was fostered by the public media and by the materialistic success of the ranchers, businessmen and industrialists. The institutionalized propaganda perpetuated the myth that the American settler was the chosen civilizer of the earth. (Norton: 1979: 57)

Riley (1860) also reported the massacre in support of the Wiyot people six days after the attack. For example Riley (1860: 1) noted, “We say this in all kindness and sincerely hope that such an indiscriminate slaughter may never occur again in this county.” However, prejudice and racist stereotypes and misconceptions about Native people were reported in local newspapers using discriminatory language such as “squaws” and “bucks.” Riley (1860) framed his commentary from a “white settler versus

Natives” context and noted the attacking white settlers were forced to respond to increasing buck raids.

The perpetrators of the attack on Indian Island and the other raids were never identified, captured or punished. These orchestrated murders were never investigated or researched in depth, giving the impression that it did not matter to the white settlers who killed the Native people in Humboldt County.

The infamy of this massacre was not only that it was the first openly acknowledged slaughter of Indians, but even more reprehensible, that the conspirators were never caught. The Humboldt County Grand Jury, charged with investigating the crime, reported that ‘after a strict examination of all witnesses, nothing was elicited to enlighten us as to the perpetrators.’ This seems ironic, because a large number of persons were undoubtedly involved in order to execute these simultaneous attacks, separated by an average of ten miles. (Norton, 1979: 85)

As noted by Norton, the justice system in place in Humboldt County during the 1860’s was closely connected with the political system, creating possible deceit, lying and secrecy. For many white settlers, these murders were just another day of killing Natives who were encroaching on white territory and it can be assumed that most did not care who killed these Native people.

After Effects

After the massacre, whites forced many Native people to relocate to reservations for safety. White settlers and Natives were constantly feuding, raiding and stealing from one another, some as acts of revenge and hatred and others as a means of survival. During this time, the government’s solution to the problem was to relocate Natives to

reservations such as Fort Humboldt. Benson (1977) and the Wiyot Tribe (2003) have noted that many Wiyots moved back to Humboldt County after relocation to the Klamath reservation. Many Wiyots could not leave their sacred land but it became increasingly difficult for them to practice traditional ways of life. For example, by 1860 the Wiyot Tribe had lost the ability to use Tuluwat Village because of increasing encroachment of the white settlers and white laws and rights regarding land and land use.

Complicating the context of the massacre includes the supposed purchasing and selling of the island prior to the massacre. It was noted that Captain John Moore discovered the island in 1858 and sold it to Robert Gunther supposedly three days prior to the massacre (Faulk, 2003b). To many locals, the island was known as Gunther Island not Indian Island as it is known today. Faulk (2003b) noted the island's history after Gunther bought it. In 1866, the first redwood mill opened and three years later, a shingle mill opened. In 1874 a ship servicing zone was built and years later a marine industry which was in operation until the 1980's. All of these activities polluted the island and the Wiyots had no power or control to stop the destruction.

During this period, the Wiyots were scattered across Humboldt County, many wandering, homeless, and many residing on reservations. The Wiyots were outnumbered by encroaching white settlers, and lost the resources in Humboldt County and territory they once considered their homeland.

In some ways, it is shocking that the Wiyots survived at all considering only one infant survived the massacre and approximately only 300 registered Wiyots as of 2002

(Faulk, 2002). It took many years for the Wiyots to regain their footing in the hostile, foreign environment that had been created by whites.

After the massacre, the Wiyots and other local tribes had to reestablish land holdings and transform their ways of life to abide by American laws. For example, it was no longer legal to hunt and fish anywhere, private property and land rights were established- an aspect of white culture Native people did not understand. The Wiyots, among many other Native tribes, do not feel they own land; they feel they are stewards of the land or intertwined with the land. Land is not an object to be bought or sold, it is precious inter-relationship with the ecosystems that sustain life.

After decades of temporary residences and makeshift living units, the Wiyot tribe finally settled south of Eureka during the late 1800's. Although they did not have land rights for the section of land they lived on, they claimed it as their own. They resided on that piece of land for many years as the physical landscape around them transformed after remaining untouched for thousands of years. The Wiyots were devastated as a tribal unit and stood by unable to control the alterations made to Humboldt County over the next few decades; their land was changed without their rights, values or opinions being acknowledged. The traditional land they used to know had been completely absorbed into a white dominated world.

A new century

In 1908 the tribe received twenty acres in a loan from an unnamed local church (Faulk 2003b, Wiyot Tribe 2003). This loaned land was near their present reservation location as noted by Faulk (2003b). As soon as the Wiyots could regain land of their

own, they would relocate from their loaned land although the churches considered it a donation. Cheryl Seidner noted that if the church had not provided the land, the tribe would not have a community home and may not have accomplished what they did in years to come (Faulk, 2003b). The tribe was still affected by state determined tribal termination (as many tribes were). The Wiyot tribe was officially terminated in 1961 under the California Rancheria Act eliminating reservation rights and sovereignty.

In 1964 Indian Island was named a National Historical Site; as such the island could not be developed or used for commercial or residential purposes (Betzholtz, 1992). This special status provided by the state allowed the site to be remembered as a physical place of the Wiyot tribe and documented by archaeological excavations of the Wiyot shell midden (burial ground). This status also allowed the island to remain mainly intact and untouched as a historic Native site and as a National Wildlife Refuge site (Indian Island does have residential homes but building restrictions were applied after the naming of the site as historic). No notice, clarification or documentation is visible on Indian Island or on nearby Woodley Island, nor does the site note the Indian Island Massacre of 1860. Even today few citizens know of this historical site status.

Six years later, in 1970 the local government bought ninety percent of Indian Island from private land owners to construct Samoa Bridge (Faulk, 2003b). In a sense their sacred land was desecrated by a large bridge used for white transportation. Cheryl Seidner notes how many Wiyots along with neighboring tribes and some local residents protested Samoa Bridge being built with no success. The removal, desecration and

reconstruction of island soil, and thus portions of the shell midden, Samoa Bridge was a massacre in and of itself, 110 years after the original massacre.

Tribal change

Over the next ten years, from 1970-1980, the tribe was diligent in reconstructing their lives and their tribal community. The tribe began the difficult task of attempting to reclaim their culture, history, traditions and ancestral past.

The tribe was also able to use resources; however tainted they were, produced by white researchers during the first half of the twentieth century. During the time period of 1900-1950 many white anthropologists, archeologists and cultural linguists were interested in Native history, culture, languages, religions and ways of life. Jenne [Year unknown but in the 1940's] did an extensive cross-cultural examination of Wiyot, Yurok and Hupa material culture. Teeter (1964) also conducted an elaborate recording of Wiyot language, examining the meanings, construction and use of the Algonquian communication. Even though documentation of these tribal groups was conducted, it was framed from a dominant white ideology and still written from the mentality of an "us versus them" mind frame, continuing the hierarchal social constructions of race.

The information and data provided by many scholars and researchers gave the Wiyots' a huge resource for claims to their tribal past. White citizens and academicians had chronologically logged their daily lives, culture and language, noting how their ancestors had lived and the stories, songs and dances they performed. Although unrecognized until years later, the resources of their past would benefit them later in

attempts to relearn their culture. This information would help provide crucial points of history for the Wiyots in attempting to fight for land claims in court.

In 1981 the Wiyot Tribe succeeded in winning a federal court claim for tribal recognition (Wiyot Tribe, 2003). Their suit allowed for a reservation to be set-aside for the Wiyot tribe and the building of homes on the reservation (Faulk, 2003b). The Wiyot Tribe was awarded an 88-acre plot of land on Table Bluff, approximately sixteen miles south of Eureka.

In 1975, the Tribe filed suit against the Federal Government for unlawful termination, and in 1981, in *Table Bluff Band of Indians v. Lujan (United States)*, it was determined the Tribe's termination was unlawful and trust status was reinstated. In 1991, during another lawsuit regarding drinking water contamination and other sanitation issues on the old Reservation, the court mandated new land be purchased and the Tribe moved to another location. This location was approximately 1 mile away up on the bluff, and serves as the present Table Bluff Reservation. The original 20 acres were put into fee simple under the individual families, but deemed to be under the Tribe's jurisdiction as long as held in Indian hands. (Wiyot Tribe, 2003)

This was a huge success for the Wiyot people; they now had federally recognized land rights and began to construct a present day tribal community in which tribal sovereignty had to function within the confines of a white dominated world.

In 1992 the Wiyot tribe held its first Candle Light Vigil for the Indian Island Massacre of 1860. The event was to include all members of the community, to heal and forgive the past atrocities that occurred to Native people. As noted by the Wiyot Tribe (2003), the vigil is meant to "remember those who lost their lives in the massacre, and to help heal the whole community." This annual evening event is held on Woodley Island,

right next to Indian Island (Indian Island is inaccessible by car or foot), the site of the brutal massacre.

The event includes songs, prayers and remembrance for the people who were lost. The event also incorporates healing and praying for peace in the new year. The Wiyots believe that every year the problems and evils of the world must be flushed out and cleansed to start off fresh in the new year. This is the foundation for the World Renewal Ceremony (Wiyot Tribe, 2003). The Wiyots do not perform the World Renewal Ceremony during the Candle Light Vigil because the tribe feels it cannot dance and rejoice again until the Wiyots heal from the massacre. The Wiyot Tribe has a long way to go to heal, but performing a ritual in February is traditional for the beginning and blessing of a new year. Tribal Administrator Maura Eastman noted the essence of what the vigil represents.

Part of what we're talking about is the healing between all the people in Eureka, and the county. Knowledge certainly goes a long way in bringing that about. The more people know about the tribe, and understand about the tribe and the culture, the better it'll be. (Faulk, 2002)

Over the next decade the tribe worked hard raising money for future goals. One of the tribe's main goals was to obtain Indian Island. The tribe wanted to reclaim the island as Wiyot land, and began collecting money for the event. Baca (2003a, 2003b) notes how the tribe sold sweatshirts and fry bread to raise money to buy back the island, including solicitations from other local tribes. In March 2000, the Wiyots raised enough money to buy back a portion of Indian Island. The Wiyots purchased 1.5 acres of land on the northern tip of the island from the Kay family for \$106,500. This was a major turning

point for the Wiyots; finally after 140 years of being legally separated from their island, they now lawfully owned a portion of it. Cheryl Seidner notes that purchasing the land with present day property rights regulations was extremely important; she notes she could never steal land from someone like land was stolen from the tribe.

The Wiyots' successes have continued over the years as they work to recreate their past and plan for the future. In the fall of 2000, the Wiyots, along with other local tribes, received a grant from the Institute of Museum and Library Services (Tressler, 2000). The Wiyots were awarded "\$133,213 for a two year project to document and preserve the tribe's language, culture, and history through a website." (Tressler, 2000:1) In 2001 the Wiyots created their own website with resource links and created the Wiyot Sacred Site Fund to continually raise funds to reclaim and clean up their portion of Indian Island (Wiyot Tribe, 2003). The Wiyots also have continued their annual Candle Light Vigil and the amount and variety of people keep increasing as the years go by. The Wiyots are now in the fifteenth year of their Candlelight Vigil.

The Wiyots were also working in unison with the city of Eureka to possibly buy back other portions of the island, although these proposals were still in the beginning negotiation stages in 2001 (Baca, 2003a, 2003b). These preliminary negotiations marked the beginning of the land transfer process, in which the Wiyot tribe approached the Eureka council to obtain portions of the island. The year of 2001 also denoted the beginning of other events in the tribe's lives such as apologies from a consortium of churches and community events that would set the land transfer process in motion.

In conclusion, exploring the genocidal history of Native people and the history of the Wiyot tribe helps contextualize the importance of the land transfer and provide insight to the meanings behind the phrase “the right thing to do”.

CHAPTER 2: THE ABC AND HEAL APOLOGY AND THE LAND TRANSFER

DETAILS

Introduction

Prior to the land transfer, the tribe received an apology from a consortium of churches known as the Arcata Baptist Church (ABC) and Humboldt Evangelical Alliance (HEAL). A detailed account of this process is discussed to familiarize the reader with the first apology and reconciliation process the Wiyot Tribe entered into. This apology and reconciliation process notes the tribe's willingness to be involved in such endeavors.

A detailed review of the land transfer history is also included in this chapter. The land transfer process and its history are crucial to understanding the apology and reconciliation process between the Eureka City Council and the Wiyot tribe. An account of the Eureka City Council land transfer approval meeting and the land transfer ceremony are also included.

ABC Apology

There are many events that led up to the Indian Island land transfer. One of the most significant events was an apology made to the Wiyot tribe from a consortium of local Evangelical churches. In 2001, a group of fifteen local churches apologized to the Wiyot Tribe for not recognizing or validating the Indian Island Massacre of 1860 (Faulk 2002, Baca 2003a, 2003b). These churches were not the perpetrators of the slaughter of

innocent Wiyot people nor did they take part in the events that occurred elsewhere that day in two other raid locations. The local churches also donated \$1000 to help contribute to cleaning up and reclaiming portions of the island, a goal of the Wiyot Tribe, not the churches. Why these local churches went to so much effort to reconcile their differences with the Wiyot tribe is intriguing. Researchers have shown the motive for the apology was to recognize the “churches’ silence of the massacre and the ongoing oppression of the Wiyots” (Oliner, 2002:2). Beyond Oliner’s (2002) mention of the church apology, no other scholarly articles or newspaper and/or press discuss this event.

To learn more about the event I informally interviewed Pastor Clay Ford of the Arcata First Baptist Church (ABC), because he was the integral person who initiated the apology and reconciliation conference. Pastor Ford provided a copy of the official apology document, which was paramount in understanding the language use and motivations for the apology to the Wiyot people.

The Apology and Reconciliation Conference

In a weekend conference on May 4-6, 2001, ABC hosted the “Many Nations, One Voice” Conference in the ABC church and gym. The conference was an inter-group apology and reconciliation between local Christian churches, Native American Christian churches, and Native tribes. Over fifteen Native American churches and tribes attended and over fifteen Christian churches were present, totaling more than 700 people. The main focus of the conference was to apologize to the Wiyot tribe for the atrocities of the Massacre of 1860 and for the ongoing oppression of the Wiyot tribe. Clay believed in the

Christian ideal of healing and forgiveness and felt a sense of responsibility to respond by apologizing and reconciling with the Wiyot tribe. He felt by inviting all members of the community, they could heal together, as one. Clay even invited the Arcata City Council members and corresponded with HSU, although no one responded or attended.

The motivation for the ABC apology

In 1999 Clay Ford heard about a man named John Dawson who is a speaker and advocate for the International Reconciliation Coalition (IRC). John Dawson is an advocate of acknowledging the atrocities perpetrated against Native people, African Americans and other indigenous groups. Dawson's main focus is healing the land where these atrocities occurred and uniting people through blessing the land, thus cleansing it from the past. Dawson argues that after the land healing process, inter-group apologizing, reconciling and healing between different groups can occur. Clay heard about this process and was interested. He expressed to me that he felt "a sense of responsibility to the Wiyots along with other Native tribes in Humboldt County." He claimed he "felt the need to respond" because no one had apologized to the Wiyots. Nor had anyone validated the atrocities which occurred to the tribe in the past or their present oppression, including him.

After learning about Dawson's healing process, Clay was increasingly interested in the Wiyots unrecognized grief and he felt the need to respond. Clay had shared these details with other church members and they were interested as well, especially the ABC's youth group.

The youth group retreat

After learning about the past wrongs committed against the Wiyot tribe in church, the ABC youth group attended a retreat at the Hoopa Reservation in 2000. Twenty-five youth chaperoned by Clay's son, Billy Ford, spent a weekend out on the Hoopa Reservation learning and remembering what happened to Native people. These youth prayed, fasted and looked for answers to set right the wrongs of the past which resulted in a repentance song and performance. The youth group constructed a banner and performed a ceremony acting out sixteen sins committed against Native American peoples. Each repentance was read one by one. After each repentance the youth group asked God for forgiveness and healing, making a powerful symbolic statement to the Native Americans present. After the youth group experienced the weekend retreat and had a positive impact with the Native American elders present, Clay knew he had to do something, he felt "a responsibility to respond".

Organizing the event

After Clay was dedicated to the cause, he began to put the project into action. He began contacting a variety of Native American tribes and local churches to discuss the idea of an apology conference. Many groups were open and welcomed the idea, including Cheryl Seidner, the Wiyot Tribal Council Leader.

After a variety of meetings and prayer ceremonies with many church and tribal leaders, Clay decided to officially plan a conference. The apology and reconciliation

conference was initially planned and hosted by Clay Ford and ABC; although many other church groups got involved such as Humboldt Evangelical Alliance (HEAL).

HEAL is a collaborative organization that works on uniting the congregations and communities in which they work. One of the recent goals of HEAL was apologizing to many groups for the past atrocities not recognized or validated by the churches in the past or in the present. According to Clay Ford, the apology to the Wiyot Tribe was one of many apologies HEAL made to other groups. The churches' goal was to set history right, to reconcile the differences of the past, so hopefully collaboration and cooperation between groups could occur in the future.

The ABC conference details

Over the course of the three-day conference, many emotional and inspirational events occurred. As Clay was describing the event to me, he would cry, reminisce, and smile, happily thinking about the whole process. The whole event and reconciliation process is still forefront in his heart and his work, and he is one of the main dedicated supporters of the ongoing reconciliation with the Wiyot Tribe.

On the first day of the conference an official apology was read to Cheryl Seidner and other tribal members in which church members acknowledged the Massacre of 1860 and the ongoing oppression of the Wiyot Tribe. Clay Ford hosted the event as the key speaker and many prominent church members from a variety of churches were present. It was a very emotional and welcoming evening in which “the beginning of a sense of healing occurred.” By the end of the apology many guests were weeping. Many Native

guests expressed that they were honored and grateful to receive an apology and \$1000 to clean up and buy back portions of Indian Island. Cheryl was especially thankful, having the event addressed to her and her tribe.

The second evening of the conference was more emotional than the first. On this night a variety of dances, songs, performances and poems were dedicated to the reconciliation of the groups. The last group to perform was the ABC youth group and they performed the repentance song they created at the Hoopa Reservation. At the end of the performance the whole audience was weeping and Clay noted how “not one person spoke after the performance, the whole gym was silent.” Clay felt “the spirit of God” had entered the gym at that point and the people present were being forgiven for the past atrocities for which they asked for repentance. After the silence, people began hugging and rejoicing as the sound of Native American drum beats filled the air. Clay described the event as “a jubilee that lasted over two and half hours.” Clay commented, through tears, how the conference “was a beautiful sight to see, the intermixing of Native American and Christian cultural and religious backgrounds, uniting to reach the same goal, social healing.” That night moved Clay in more ways than he could ever express, and it remains vivid in his memory and in his heart.

After the youth group’s performance Clay was supposed to speak, but he felt after what had happened there was no need to speak. He explained to the people, “I have no need to speak, God has spoken.” The celebration ended with a sense of accomplishment, joy and appreciation, and many looked forward to future collaborative actions.

The third day of the ceremony was a small closing ceremony in which Clay Ford with ABC announced their dedication to the cause of reconciling and helping the Wiyots with their tribal goals.

Why Apologize?

Prior to the apology, the Wiyots were working hard to get the community to receive knowledge about Wiyot history and culture. The main losses of the massacre were Wiyot lives and culture. Many of the traditional ways of life have been lost, for example, none of the 300 registered Wiyots speak the Algonquian language, Algonquian, a cultural artifact that may never be fully replaced. The churches recognized the Wiyots' desire to share cultural and historical information within the community and that is one reason why they apologized to the tribe. One of the tribe's goals is to have the community be more knowledgeable about the massacre and the oppression of the Wiyots and the churches wanted the same. The goal of educating others is to bring about a sense of community, a sense of understanding and a sense of healing, something both groups wanted.

Another reason the churches decided to apologize to the Wiyots is because the Wiyots invited all community members of Humboldt County to heal the county together for past wrongs. When the Wiyots invited everyone to heal with them, they opened the channels of communication and interaction and the churches followed up the offer and reciprocated. It has been noted that by working together and collaborating, bonds, trust, and reciprocity can be created (Oliner & Oliner, 1995). These groups are still in

contact and communication with one another because of their initial dialogue, and have made the community aware of their actions, one of the original goals of both groups.

After the apology conference Clay Ford and his church kept in contact with the Wiyot tribe. Clay noted that over 95% of all funds donated to the tribe from local churches over the years came from ABC totaling more than \$4300 in 2003. Clay is also actively involved in Wiyot events such as the Candlelight Vigils, Sacred Site Benefits and tribal gatherings. Clay noted that he feels personally responsible to help the Wiyots until their Indian Island goals are reached. Clay Ford and Cheryl Seidner are still in contact with one another and Clay considers Cheryl a true and genuine friend.

The ABC apology also sparked the community and the tribe to be more involved in the process of healing from the Massacre of 1860. It appears a snowball effect was created in which community members and tribal members continued the process of healing in positive directions.

Continued efforts

In 2002, the first Sacred Site Fund Benefit Concert was held to raise money for the Wiyots to reclaim more land and clean up Indian Island. The overarching goal of this fund is to buy back portions of Indian Island and to rebuild Tuluwat Village, the traditional village that stood on Indian Island prior to the massacre. Organizer Sandy Jensen, working in unison with other organizers, started this event after she heard about the local inter-group apology between local churches and the Wiyot Tribe (Faulk, 2003). Faulk (2003:1) notes she found the apology “inspiring, and she began to do what she

could to help the tribe get its sacred site back and restored.” Many other local citizens have been inspired by the apology as well and are now more conscious and aware of the Wiyot people and their ancestral land. As one woman noted at the 2003 Candle Light Vigil, “I can’t think of anything but the horrid Massacre every time I drive over 255. I get this chill down my back and it makes me tense. I am just thankful I am trying to set it right” (Candlelight Vigil, 2003).

The Wiyot tribe still continues a variety of fundraisers and annual community events to raise money for the Sacred Site Fund. These fundraisers include: the annual Sacred Site concert, auctions, art and music events, poetry readings, fry bread sales and continuously selling merchandise such as sweatshirts, posters and buttons through their website. The tribe will continue to raise money until their goal of rebuilding Tuluwat Village is complete.

Overall the apology between the Wiyot Tribe, the local churches and the local community has been successful and encouraging. It appears that the apology had a positive collective affect in which many local citizens feel connected to the tribe and local churches and feel the need to help when they can. For example many local citizens commented on the need to attend the Candle Light Vigil every year. At the 2003 Vigil, I ran into many twelve-year veterans and it is nice to see the Wiyots are considered part of their community and part of their life perspective.

Around the same time the tribe was reconciling with the consortium of churches, the tribe was also pushing forward to reclaim portions of the island by themselves. With

the community more aware of the tribe's intentions of reclaiming Indian Island, the tribe felt it was time to approach the city of Eureka in regaining a piece of their history, culture and spirituality. Quotations from Eureka City Council members and staff are included throughout the remaining portions of this chapter to provide comprehensive knowledge of these events.

Humble Beginnings for the Land Transfer

In the very beginning of land transfer process, the intentions of the Wiyots were to gain a simple lot line adjustment in the years 2000-2001. The Wiyots had found out that the land they had purchased was half under water. This was a problem since no US citizen is allowed to own land underneath water. The Wiyots simply approached the council to have the lot adjusted or to transfer lots. It was known at this time in the community that the tribe had intentions of rebuilding their cultural center on the island and they were in the process of raising money to make this a reality. The tribal community had produced public information in the form of brochures and documents noting these intentions. It was known to the Eureka City Council and the community that one day the tribe would like to own the entire island, but the tribe would purchase this private property just as any other citizen would. These were the beginning stages of the land transfer process, but these facts were also intertwined with many other situational circumstances.

When the Wiyot tribe first approached the city in regards to exploring the lot line issue, the city was unable to work with the tribe for a variety of reasons, such as the

political climate of the City Council, the mayor who oversaw the council and the timing of the exploration. These variables played into the on and off cycle of the lot line adjustment. The lot line followed a cycle of being pushed forward and being dealt with, then denied and laying dormant for a period of time and then taken up again.

One of the first problems holding up the land transfer process was the prior mayor for eight years, Nancy Flemming. This has consistently been cited in conversations with council members as a major factor of why the land transfer did not happen sooner than it did. Flemming was opposed to the lot line adjustment for an assortment of reasons. One reason is Flemming lives on Indian Island and considers the island her home. Some council members thought she felt threatened when she heard that portions of the island had been sold to the tribe; she feared that one day the tribe would want the whole island back. Second, she has been quoted in newspapers commenting that the massacre is just one portion of Indian Island history, and all history should be recognized (Faulk, 2003b). Thus when the idea of conducting a lot line adjustment was raised during her tenure, she rejected it immediately. Some City Council members noted that Flemming verbally expressed these sentiments.

This topic was the only subject matter where interviewees desired to be unidentified and not quoted by name. Pseudonyms are provided to participants on this matter of the research only. As *One* notes, the topic of the lot line adjustment and land transfer was brought up by the Wiyots in the beginning and killed by council because of the old mayor.

One: The old council was there when the first discussions- when the Wiyot tribe was contacting the city. We sort of entered into those discussions. I think there was a little hesitation on staff's part not wanting to because I think they knew, council would probably kill the idea or something.

Researcher: So, ... the Wiyots brought it up and then it was sort of let-

One: It was sort of let, ... I think we knew at the time having the former mayor. Knowing she was term limited out and she did live on the island and that was a very touchy. I mean, I remember, that was one of the first conversations I had with her after being elected, she was on top of me about this.

Researcher: Oh about the Wiyot land stuff.

One: Yeah, you know, Nancy said they [the tribe] just want to eventually take the entire island, and what a bad move it would be to return land. I knew the staff felt this [discussing a land transfer with the tribe] was not an acceptable idea. So once the new council came on I think there was a willingness to begin looking at it again.

As *One's* comments show, members of the council and the public believed that the mayor was opposed to this happening during her term, as she attempted to impress this upon certain council members. It appears that the mayor had influential power even though mayors are unable to vote on council decisions. Two other council members, *Two* and *Three*, noted the same sentiments as *One*. *Two* notes the old mayor's sensitivity to the island because she lives on it, her influence and the pressure she applied to council members.

Two: I think that the mayor was very influential and she lives on Indian Island, the Wiyot Indians voiced an interest in having the whole island back, she was nervous about that, and was feeling, protective of it, feeling protective, and I think because of her influence on the council, even though she is not a voting member, she kind of kept it from being dealt with while she was mayor, so it never went any place.

Three's comment also verifies that it was recognized by the previous council and that council members were not willing to challenge her on the issue.

Three: It was a couple years ago, there was also another go around but as long as, and the tricky thing was that Nancy was on the council all back during that time and I just think no one really wanted to push it during Nancy's tenure.

It is evident from the interviewees' comments that the idea of reformatting the lot line and dealing with the broader issue of the land transfer would not occur on the old council with Flemming as mayor and that is was a very sensitive topic to bring forward during her tenure.

However, the city manager David Tyson did conduct some work with the Wiyots during this time. During the time period of 2000-2002 Tyson attempted to deal with as many issues as possible in hopes that the land transfer issue would be brought up when the time was right. At this point Tyson was aware of what the tribe's intentions were regarding land use and why it was important to the tribe. During his interview Tyson noted the initial conversations when the idea of transferring land was discussed and noted the problems associated with it.

Well initially politically it was going to be difficult for us to transfer even a portion of the island, and so while we started that discussion, we advised them, with them, let's just keep it, somewhat low key at this point, and, at a point in time, we'll do a lot of work on the city side with the City Council to advise them with what were attempting to do and at the appropriate time, we'll bring it forward, so they're well rehearsed and well vested in this process, and so they understand it.

Tyson's comments show how the process was kept "low key" in the beginning stages because he knew the idea would not be well received by the council. It appears

Tyson seemed invested in this project from the very beginning, willing to do the initial work on the project until the time came when the council would receive the idea in a positive manner. It has been noted by many participants that Tyson was a key player in making the land transfer happen, that he was “motivated by principal” to make sure it happened. It was also noted that he had “a real association over a number of years with this issue,” thus many council members recognized the importance of Tyson to the ultimate success of the land transfer.

The Land Transfer with a New City Council

With new council members and Peter LaVallee being elected as the new mayor in 2002, the political climate changed for the city of Eureka. This change allowed the lot line adjustment to be brought to the table and to be discussed with the Wiyot tribe. The idea to take a look at the land transfer was initially brought up by Peter LaVallee. It was noted by two participants that Cheryl Seidner and Peter LaVallee had developed a relationship over the years by attending Cascadia training together hosted by the Humboldt Area Foundation. Through these trainings, Seidner and LaVallee had opportunities to discuss the land transfer, the tribe’s intentions of using the island and to develop an understanding of each other’s point of view. From these modest beginnings, LaVallee, in unison with city staff members brought the process of transferring the land back to the agenda of the council.

Chris Kerrigan noted how during the very first meeting of the new council the idea was brought back to the table and how a relationship between the tribe and the council began to blossom.

Peter, when he first came to the council, the very first meeting he brought Cheryl Seidner to do a prayer before the meetings, which I am sort of opposed to. The previous two years it had been all Christian and Peter brought Cheryl to one of the first meetings, and I think that began setting a tone of understanding. It was a growth thing; we began to establish a relationship that I think probably was not there.

Others also noted how the idea was slowly brought back to the council by LaVallee and how the city manager and the property manager could have killed the idea. Jeff Leonard notes the power and influence these two positions have with council and the decision-making process of the council.

Peter went out and had a meeting with Cheryl, and they talked about how now is a good time to bring this back forward. I'm sure he sat down with David and said I want to take another look at this. Before any of that happened, it had already gelled with a good number of people in a positive way. And if it hadn't- if Tranberg had already made a decision that this is wrong, or if Tyson would have made a decision- I don't want to do this; when Peter brought it forward, I'm sure there would have been a much different result. They're [Tranberg and Tyson] very good at putting things together in a way that really puts some weight on [council issues]. If you got an idea that Tyson doesn't want, you got to first go to his office and convince him, that it's the thing to do, you got to convince him to get on board or you'll have a hard time getting it through council without his support.

As Leonard's expressions show LaValle made the initial moves to get the idea back on the agenda of council. It has also been noted by participants that this issue appeared to be extremely important to Tyson.

All participants noted that after the initial idea was brought back to the table, that the idea of transferring the land was more of a “routine” contractual issue versus a council consideration to be supported or denied. After the basic discussions were accepted and approved by council, the city began to look at deeding over land to the tribe, not simply conducting a lot line adjustment. The idea was presented by David Tyson and well received by council; participants then felt it was not a question of yes or no, but “what is the best way to do it.”

One portion of the land transfer is still unclear and missing. Participants speak of the idea being brought forward by LaVallee and Tyson, then Tyson making presentations to the council regarding basic educational and cultural information regarding the tribe and why they wanted to use the land. However there is no discussion of what prompted the change from a lot line adjustment to a land deed transfer. With the information available to the researchers it appears that the lot line adjustment quickly morphed into the idea of a land transfer. This may be because the island has no asset value, is environmentally polluted and the participants had knowledge of the cultural and tribal importance of the island to the Wiyots. These assumptions are supported by comments shared with researchers by interviewees. Leonard notes how the proposed plans to transfer the land were broad and included the Wiyots project to rebuild their cultural center.

Closed session is always brought forward by either Tyson or Tranberg, staff always runs it. It was pretty clear that Peter had some meetings with staff to kind of jump start it again, the initial presentation we got from Tyson. It was conceptual, here’s the basic idea, we [the council] had brochures from the Sacred Site Project. So here’s a part we can play in getting this project off the ground, here’s the basic property, what does this group think. So okay this is what we think, here’s our concerns and

here's why we think it's a great idea and this is why we'd do it, so that happened and then maybe might have been two other meetings after that where we came back with specific little pieces of it and got through both of those pieces. I'm not going to claim to have played a real leadership role in making it happen. I guess we could have all sat there and pursued it and killed it, I mean we certainly have that power, but we do, time to time, kill ideas that come to us from staff, but I don't think anyone on council was really in that position.

As Leonard's comments note, it appears the land deed transfer proposal was on the table from the beginning of the new council's discussions. The only other remarks the researchers have noting the change from lot line adjustment to deeding the land are comments from David Tyson. His comments reveal that after discussions with community members and tribal members, it was clear to him that the Wiyots really were interested in obtaining land.

I'm thinking it was later in the year 2000, because I know I was approached after going to the County Fair. So we started down the path of it just being a plain vanilla lot line adjustment. Then from there I was approached by Jan Compolion. He had done some work for KEET TV, for a series of videos, on the Wiyot, it may have been on the other tribes in the area, just talking and interviewing those tribes. He found through that how important this island was to them, and he approached me at that point, and wanted to meet with me and some of the elders of the tribe were brought into those discussions at that point. But about doing this land transfer, and even at that point it was, oh- the tribe desires this, let's help facilitate it.

Clearly, getting the issue on the table, in front of the Eureka City Council was a major first step in the governmental process of transferring land to the Wiyot tribe. What follows are the details in making the land transfer successful.

Land Transfer Details

Once the land transfer process was in motion many details surrounding the contract had to be negotiated between the city of Eureka and the Wiyot tribe. Each side had their own group of consultants that included attorneys, employees and a variety of managers to work out the particulars of the land deed, including how the land would be used, what the boundaries of the land deed would be and if complete control of land would be transferred.

The first crucial issue that arose was how the Wiyot's would use the land. It was noted by many participants that the Wiyot's intentions and "their motivations were very pure, they want to build their cultural center." However the issue of casinos arose. It was believed by the council that other government bodies that transferred land to tribal peoples had negative results with the issue of land use. Entities such as Sonoma County and the State of Oregon have had problems with government bodies deeding over land to be used for a specific economic activity, which fell through for reasons unknown, and with casinos ultimately being built by tribal peoples. Thus the "ugly c word, the casino word" was a very genuine concern for the city of Eureka. They wanted to make sure that the tribe would use the land for their cultural dance house, not for casinos. All interviewees discussed the casino issue and how it was a key concern in the decision making process. After many educational and informational meetings the tribes intent to use the land was made clear but the city still wanted that specification noted in the land

deed. David Tyson spoke of how the casino issue was addressed in the land deed without specifically using the word casino.

Cheryl and I had a discussion one day in a meeting. One of the many meetings we had on this, and, I was discussing this ugly “c” word, the casino word and talking about how we needed to develop language in the grant deed that addressed that issue. Not because we believed that is what they wanted to do, but because we needed to. To overcome that issue with the people that the council was going to hear from and those are the folks that potentially could have undone this, this very worthwhile effort that we were making. That’s why I wanted, some language that we were developing, some way to address the casino [issue] because we didn’t want it to be a negative thing, we just wanted it to always be positive.

In the official document entitled Resolution No. 2004-22, Section 4

building on the island is limited.

The City Council hereby finds and determines, pursuant to Government Code Section 37351, that said property to be conveyed to the Wiyot Tribe is not suitable nor necessary for use as a public beach or park, in as much as it is currently zoned for open spaces.

It should be noted that the council felt it should control the land until the land is transformed more fully. While the city used vague language to control for the casino issue it should be noted that members of the tribe found the issue of control offensive. The language implies the Wiyots wouldn’t make sound choices and non-Indians should continue to have control over Indian Island land.

Another sub issue that arose was giving full rights and control of the island land to the tribe. Many council members felt unsure about this process because of the structures the city and state had to maintain freeway roads. Again more language had to be inserted into the land deed contract to ensure the city could have some control over the land and its proposed development. As noted earlier, the intentions of the tribe were

made evidently clear on a variety of occasions but the city still wanted some control of land use in writing. A few participants noted the city wanted “the ability to sort of control future construction on that space down the road” or that the city needed to have “a little more control, that will protect the city of Eureka and the citizens of Eureka.” In the end the city of Eureka kept a fifteen foot border surrounding the land to control its use. Many of these control contingencies seem legitimate from a business or governmental protection perspective but it is also disappointing and insulting to the Wiyots. It appears because of this control issue genuine trust and rapport were undermined and relations could be unstable in the future because of these actions; a down side to the process that could have long-term negative affects.

After all of the details and legalities of the land transfer were negotiated, it was time to actually vote on the item in council. The Wiyot tribe had waited so long to reclaim portions of Indian Island legally and it finally happened on May 18th, 2004.

The May 18th City Council meeting

On May 18, 2004, the Eureka City Council meeting began as most City Council meetings do: items on the agenda, issues to be discussed, decisions to be made, and items to be voted on. But this City Council meeting was different in one respect; there were items on the agenda of significant importance, the land transfer of forty acres of Indian Island to the Wiyot Tribe. Most council members note that the day was business as usual until the subject came up in the agenda items to be voted upon. City manager Tyson describes it in the following way.

I know the night of the land transfer the staff gets caught up in just the business of doing the city's work. That night, I was caught up in the business of getting this done. That night we had a very long meeting. I remember we had taken a break, and as we came off break I turned to the media, and I said are you ready. I'm probably going to tear up now, but are you ready, for this historic event, and they [the media]- and it dawned on me just at that moment in time how important this was. They all kind of looked at me like what are you talking about. At the end I don't think there was a dry eye in the house, including my own, I mean we all just recognized how important it was.

Before the vote was taken community members had the opportunity to provide input on the issue, a standard common occurrence at council meetings. Community members such as tribal members and Eureka citizens spoke of how this act by the City Council was important, valuable and a positive step in the right direction. Not one community member spoke against this item to be voted on which is somewhat unusual; usually there are two sides to every issue but no one spoke out against the land transfer. Council members also commented how it was important to actually vote on this item, some considering it a special moment in their political career. Councilmember Wolford notes both the special event of approving the item and how community members commented on the event.

It was clear that the entire City Council was behind this. Chris made the motion, I seconded the motion, and we all voted. Cheryl and several other people had come forward in the comment portion of the meeting to indicate they were very supportive of this, urging us to vote on this. Maybe ten speakers or twelve or fifteen and nobody who came forward were against the motion. Then the vote was taken and we were very emotional, the deepest of feelings came out and so it was a very tearful moment. When it was done, I thought, it was just like I expected it. When the meeting was over and in front of the audience many people came in their tribal attire and there was a lot of hugging. A lot of photographing, quite a bit of media coverage! They all wanted us to get the council and all the tribal leaders in the picture and put our arms around each other and

there was just tremendous emotion. I came home that night and I thought, this is going to be the highlight of my whole council service and how great it was that I was able to be one of the five council members.

Other council members expressed how the significance of their actions and their vote did not hit them until that night. Many of the council members forgot that this item would have a long standing impact on the Wiyot tribe, the city of Eureka and the community at large; and all of these issues did not resonate within them until the item was being discussed. Kerrigan expressed how this vote was special in comparison to other common day votes made by council. Kerrigan acknowledged and recognized the land transfer was not crystallized in the minds of the council members until the item was being commented on and later voted in.

I never acknowledged that we would be one of the very first cities, or jurisdictions to do something that. The historic-ness of it never really hit until that night, we did that. That's why I think it was so emotional for everybody. For me it did not hit until that night, what a truly wonderful historic thing we were doing. I can only speak for myself but I can imagine how other council members might have the same feelings as I. I never considered the historical significance of what we were doing, and the mayor said this shows there is a just side to history. I think seeing the Wiyot tribe there and how important it was to them. I think once we acknowledged that massacre and how...I think there was talk that night about it, how it became very clear to the council sitting up there- truly how historical this was. You go through a lot of crap with the job and I have never seen the council more... I've never had a more satisfying meeting. I've just never felt better than that meeting, out of anything. I mean it was just truly unique and it was really special. I was on cloud nine and I think the entire staff was. After that meeting- it's worth the crap in the world that you have to go through sometimes, being a political, elected official. To have an experience, it truly is something I will never, ever forget.

Many council members spoke of the emotional aspects of the events historical nature. Leonard's comments note the nonchalant business as usual attitude of the council

and how the council's feelings changed as the emotional aspects of their actions came to self awareness.

Well I think one of the reasons it was so emotional is because none of us had thought about it from that historical point of view, that perspective and that importance. Then suddenly we're sitting there, getting ready to make a vote that in our minds is a routine vote. I mean from our point of view we had already voted on it, we had approved it, we had already signed it. I think we all went into it with that sort of feeling that finally, it's on open session, and we get a real chance to approve this. Then suddenly we're getting these approvals from the community, and I don't just mean members of the tribe coming up but from the community, coming out and talking about what an important historical thing. All of us sat there for at least a half hours worth of testimony, and what do you think about during that half hour? You think about wow, I really am in a situation that is bigger than me, it's bigger than me sitting in a room with other council people and saying okay, let's do that. It's bigger than an agreement, more than pieces of paper. You see that come out and I felt lucky me, you never wake up in the morning and expect that something's going to happen to you that will have a historical effect on other people, even if you're an elected official. I mean, sure you do a lot of stuff right now in the moment that's very important and it has long term consequences, but this is the sort of thing that all of a sudden will appear in history books.

This emotional aspect was noted by other council members such as Jones who was unable to attend the May 18th meeting due to health issues. The vote was so important to Jones he text messaged his vote in with his cell phone as he watched on television however the council did not understand his text gesture. Jones' comments note different emotional and historical angles, one of altering history and feeling sentiment for the Wiyots as they reconnect spiritually with Indian Island.

Well, it's hard to have [white] empathy for that particular piece of history. There's a spirit that rested itself in that room that you can't deny, when you feel it. It's overwhelming to think you're standing in the same room with people that were so closely linked in terms of generations to the island and it's not that many generations back. Injustice; and then feeling

that injustice- I'm not a writer, I wish I could describe it better, but I'm sure it had to do with that spiritual feeling, it was bam in your face. Just the whole eminence of everyone just feeling that same spirit that was in that room that night. Even as I felt it in my living room watching it on TV. Wasn't like it was just in that room, that room was in the hearts and the minds of the people and is just going to grow. I understand it's a process.

It is interesting that so many people who attended that May 18th council meeting were so emotional and tribal members who were receiving the island were not. Cheryl Seidner and her sister, Leona Wilkenson showed little or no emotion but just listened after the vote had been approved by the council. Seidner was quoted that this action was "long overdue" in the North Coast Journal two weeks after the historic night. Seidner was quite stunned by the emotions others expressed that day. The Journal suggested that community members recognized the importance of such an action and how it meant so much to tribal members to reclaim something that had been taken away for so long. Seidner notes her sentiments regarding the May 18th council meeting as follows,

I honestly think because of how they felt, they were more emotional at the May 18th meeting than I would have ever guessed. Cause we weren't that emotional. At least, my sister and I weren't that emotional about it. I think what was really interesting is that the people, the council people, were probably more taken with what was going on and the possibilities spiritual. Now I'm reading into it, I don't know what's in their heart or mind. But their actions and what they said and the visual affect that I saw, that they were all crying. They were choked up and that shows me that they were looking at it and seeing that an atrocity had happened and now they had an opportunity to rectify it. Rectifying it was to give back our center of our world in hopes of maybe more reconciliation.

Overall the May 18th council meeting set a US precedent in a city giving back land freely to a tribal community. This council meeting also set the tone for the official land transfer ceremony to happen a month later in which the council would publicly

honor the Wiyot Tribe and the land transfer. So much time, energy and effort from both sides had been expended to make this transfer a reality. Both political bodies wanted to share this special event with their communities and the Humboldt County community collectively.

The Official Land Transfer Ceremony: June 25th 2004

It was an honor for me to be in town to experience the land transfer ceremony first hand and to be a part of the celebration. When I arrived at the ceremony I was early but not premature enough because I missed part of the special arrival of Cheryl Seidner by traditional redwood dugout canoes from Humboldt Bay. Culturally significant canoes from neighboring tribes had been borrowed to transport Seidner across the bay; it was a noble entrance for the Tribal Chair to arrive in traditional style, privileged like royalty. I saw the tail end of her arriving by canoe across the bay and landing at the dock of the Adorni Center. She was greeted by Tolowa dancers in traditional regalia and the mayor of Eureka, Peter LaVallee. Community members and spectators cheered and clapped as she arrived welcoming her to Eureka and to begin this special ceremony. After small words and warm wishes were shared everyone made their way inside to begin the ceremony.

Over three hundred people attended the land transfer ceremony from all walks of life; white community members, neighboring tribes, tribal members from out of the state and country, as well as Assemblyperson Patti Berg. Everyone was there for the same

reason though, to watch the public ritual of the Wiyot Tribe getting back portions of the center of their universe.

The ceremony began with opening remarks and introductions from Eureka Mayor Peter LaVallee and then carried into blessings and remarks by Cheryl Seidner. Both of these commentaries were amusing, LaVallee commenting on the special occasion with laughter and joy and Seidner gleaming with happiness and joking how she hoped the City of Eureka had not changed their mind. Following these introductory remarks was a dance by Tolowa women dancers in traditional regalia. The young women ranging in age displayed the art and beauty of shell dancing. Their costumes were made of shells and with each movement the sound of clattering filled the Adorni center, something truly special to admire.

After the Tolowa dancers performed, Assemblyperson Patti Berg spoke noting the State of California had set a precedent in this action of returning land and was glad to be a part of the process as a special speaker. After Berg's comments Seidner and LaVallee officially signed the land deed. In my opinion the exchange of gifts between Eureka City Council members and Cheryl Seidner was the most heart felt and sentimental portion of the ceremony.

LaVallee had traveled out to Indian Island and had bottled a portion of the land in a jar for Seidner and presented it to her in hopes of regaining cultural and spiritual tribal peace in the future. Seidner also had gifts for the City Council members such as cured salmon, blessed tobacco, medicine bags, shells and acorns; each item signifying a special cultural aspect of Wiyot life and spiritual beliefs. After gifts were exchanged Seidner

closed the ceremony with a “Coming Home Song”, a song to reconnect Wiyots to the island once again. After her song the ceremony ended, and people mingled, talked and shared refreshments.

After the ceremony I overheard many people commenting on the historical nature of the action and why it was important to them. Many noted that “it was about time” and “how glad they were to be here to share in the tribe’s momentous occasion.” It appears many community members had backed this action for a long time and were glad to see it finally happen.

When I reflect back on that special day it is hard to clearly think about the events because the emotion of the day overtook my memory. My notes, documents and quotes from the event were written in chicken scratch, reminding me of the frantic data recording I did. In my mind all of the pieces of that day appear like a blur until the signing had taken place, I was almost fearful something would happen to stop it. After the signing did take place I felt I could let go of the uneasy feeling inside of me and I could finally rejoice and celebrate with others. I sensed a feeling of release in the room after the signing. It was gratifying to be in a room with others who valued and respected the same prosocial behavior as myself and to share that feeling collectively.

Many other community members shared the same feelings. Maggie Herbalin, the host of “Through the Eyes of Women” noted the same feelings I experienced. She reflected on the ceremony and how she felt about the Wiyots regaining portions of Indian Island. Herbalin conducted a radio interview with Virginia Bas-Jackson, Mary Beth Wolford and Cheryl Seidner on August 9, 2004 discussing the land transfer. She

specifically notes the exchange of two different communities uniting under a common goal, returning portions of Indian Island and how powerful this social act was for all involved.

Well I was there the day of the ceremony and felt very honored to have had a special invitation to come to it. I know it was also open for everybody but I felt very honored to be specifically invited to come to that ceremony. It was an amazingly powerful day and I think that being a part of something like that, watching the exchange that went on between people and seeing the joy in the room, just the sense of going the right direction was really a powerful thing.

Virginia Bass-Jackson, a council woman for the city of Eureka expressed how the powerful social act touched her and how she was pleased that she could help make it happen. Bass-Jackson took the powerful notion of returning portions of Indian Island a step further when she reflectively commented on the crucial element of healing for the Wiyot people.

What I was feeling that day was more on an internal heartfelt level. That day in specific I was thinking about how most of us have a strong desire to right the wrongs whether we had anything to do with them or not. I can only imagine how it would feel like if someone took what I considered to be the center of my universe. That's why this transfer of land was so important, that it was something that would allow the healing to begin. You know it says that we're sorry for the heartache that was caused by the senseless actions so long ago of people that none of us knew. But while we're not personally responsible for the deeds, I think we were recognizing that we do have an ability to help in the healing process. And what better way to facilitate the healing could there be than to return this piece of land. How powerful is that to the healing process. When I think about it, I get a tight feeling in my chest and I did that day also. This is the center of someone's universe. How could we not return it is the main thought that was going through my mind, it was the right thing to do.

For so long so many community members like myself were concerned solely with the land being returned and did not look into the future of the healing effects of this

prosocial action. As Bass-Jackson notes, this act gives the Wiyots a stepping stone towards the healing process of reclaiming what was lost not so long ago.

After the Adorni center ceremony many newspaper articles reported the special event and highlights were also broadcasted on local television news. But what comes after for these two groups-the Eureka City Council and the Wiyot Tribal council is unknown. The seeds for a working relationship between these sovereign bodies have been planted but no one can speculate future outcomes, for councils rotate and opinions change. These two governing bodies will have to work together as Tuluwat Village is rebuilt and hopefully the positive relationships that have been created will remain. As for the community at large, hopefully the people will continue to support the Wiyots and their goals.

Conclusion

This chapter explored the details of the ABC apology and the land transfer inclusively. But what motivated and fueled the Eureka City Council to return land to the Wiyot tribe in the first place? This was exactly my research question, why did this land transfer occur? After interviewing and exploring documentary research, the Eureka City Council claimed they returned portions of Indian Island because it was “the right thing to do.” What follows is my methods, methodology and results of what it means to “do the right thing” through the eyes of Eureka City Council members, staff and one Wiyot tribal member.

CHAPTER 3: COLLECTIVE APOLOGIES AND RECONCILIATIONS

Conflict is inevitable in our modern world, but how we as members of a global world deal with the aftermath of social inequities, massive conflicts, massacres and genocides is still a choice. Peaceful resolutions such as collective apologies and reconciliations may be a viable and productive way to resolve social conflict in the twenty first century.

Collective apologies and reconciliations (CAR) is a vague phrase used to describe a large body of diverse post conflict processes. Apologies imply recognition of an offense from one person and requesting for the offense to be absolved by another. In the case of collectives, this would entail an apology from many and a request to be absolved by many. Reconciliations imply restoring relationships or resolving past conflicts, problems or issues. Again in the case of collectives, this would involve restoring relationships and resolving past conflicts from many different people not merely a twosome.

CAR Case Studies

There are many cases in which restorative methods such as CAR processes have been used to manage the aftermath of social conflict such as South Africa, Guatemala, Zimbabwe, Cambodia, Northern Ireland, Rwanda, Argentina and Chile. While exploring a community collective apology and reconciliation case study I found very little research on local or community based apology and reconciliations. I had to use the only resource

available, global CAR processes and some small community collective apologies and reconciliations. These global or nation state social conflicts include case studies of the above mentioned nations. The small-scale community apologies include Oliner's 2002 work on the topic and include church apologies and community apologies to different racial and ethnic groups for racist and discriminatory actions in the past. I had to settle for cases that are larger in scale but still relate to community apology and reconciliation processes.

The major events that have been studied in regards to CAR processes include the Truth & Reconciliation Commissions of South Africa and the war crimes and reconciliation efforts Germany undertook to amend the atrocities of the Holocaust. The Holocaust has been studied from the viewpoint of war crimes, genocide, and how Germany had to reconcile with many countries for the relentless massacre of millions of people. The German government and the international community utilized the official process of retributive justice in the form of war crimes and trials to reconcile the Holocaust. On the other end of the justice spectrum, the Truth Commissions as a method of restorative justice and reconciliation have been studied in-depth to examine how a nation coped with the fall of Apartheid in South Africa. The government's choice to utilize the truth commissions as a restorative method of reconciliation was in the best interest of a nation that was trying to rebuild itself. Amnesty was provided for some who came forward unlike the war crimes of the Holocaust.

Some of the key ideas that have been studied in these cases include necessary components that make up reconciliation processes, actions that are productive among

reconciliation efforts, goals of reconciliation efforts and motivations for reconciliation efforts. Overall these two major cases have been studied from a nation-to-nation level, focusing on rebuilding nations, the politics and economies of these nations, and attempting to provide healing for their citizens. What follows are the main themes that have been explored by researchers regarding CAR processes and the power they may have in resolving social conflict.

Varying Views of CAR Processes

As noted previously, “collective apologies and reconciliations” is a diverse and dynamic phrase used to describe a wide array of post conflict actions. Many scholars disagree about the definitions of CAR processes, what concepts should be used to describe these actions, and what these processes include and exclude. However, this field has expanded and has the ability to broaden justice techniques for a non-united global community.

The topic of interpersonal apology and forgiveness has been studied for a number of years. There are, however, few studies dealing with intergroup apology and forgiveness and their consequences for both the transgressor and the victim. There have been approximately 100 intergroup apologies made in the wider world. These apologies have been given by political, religious, business, and other leaders and have been much-publicized. We know that apology and forgiveness are forms of caring and putting the welfare of another group or nation alongside one’s own. I would like to suggest that the results of researching and attempting to understand the consequences of apology and forgiveness may be one of the antidotes to a divided and hurt world. (Oliner, 2005:5)

One thing many researchers with different perspectives hold in common is acknowledging that social conflict is an evitable form of interaction that transpires amongst human groups.

All human communities- whether families, groups, associations, nations, or the international community itself- involve human cooperation and human conflict. Because people frequently seek their own self-interest in disregard for, or at the expense of others, tensions, disputes, and conflicts are an inevitable by-product of all social and political relationships. (Amstutz, 2005: 41)

Historically our social world has reached a point of conflict escalation, which should incline us to review alternative methods of nation to nation conflict or abate international conflict altogether. As clearly stated by Bono, “It seems we have reached a point in history in which we are beginning to recognize that societal stability may be achieved only through tolerance and cooperation within social systems that balance both individual and common good” (2005: 83). Overall, I feel it is positive at this point within the field, for researchers to have different conceptualizations and definitions of CAR processes. It will allow the field to be approached from different perspectives and diverse angles and will hopefully yield nuanced knowledge for the field as a whole. Overall the emphasis within CAR processes is reconciliation with the proposal of apologies as an optional method to reach reconciliation. What follows is a review of collective reconciliations.

Reconciliations

Collective reconciliation is a popular term utilized in the literature of conflict management, conflict resolution, mediation, peace building, post conflict building, nation

reconstruction and transitional justice. Even though this term is discussed throughout the above mentioned bodies of literature, there appears to be a lack of consensus on the concept's meaning and what processes it includes and excludes. In addition, there also appears to be no unified theory regarding reconciliations making it a situationally based method (Pankhurst, 1999).

On a basic level reconciliations can be divided into four groups- interpersonal, community, national and international (Oduro, 2007). Most of the literature exploring collective reconciliations is based in transitional justice. Transitional justice entails a nation's methods of absolving past human rights abuses, conflict and violence. This includes "actions and policies which are judicial and non-judicial and are not limited to trials, truth seeking processes, reparations, reforming democratic and governmental institutions, memorialization and community based and/or traditional/religious initiatives" (Oduro, 2007:2). Most of the transitional justice literature focuses on the national group and can be subdivided further. The subdivisions can include reconciliations to individuals, political parties, ethnic/cultural/religious communities, national communities and the nation as a whole (Oduro, 2007). Overall the goals of transitional justice combine the terms reconciliation and justice. These two terms are interconnected as the goals of transitional justice even though which focus should be more important varies by nation.

As mentioned previously, researchers have noted there are no clear definitions when discussing collective reconciliations (Irani & Funk 1998, McRae 1996, Pankhurst 1999, Phillips 2001, Ryan 1990). The purpose, usage, size and meaning of the

reconciliations should be explored by both groups or nations before endeavors are acted upon. For example Pankhurst (1999) comments on the processes of reconciliation and justice in Africa after “complex political emergencies.”

There is no common understanding of the political conditions under which efforts at reconciliation should be minimal in relation to a focus on justice in order to achieve the ‘best’ peace, or of those where the pursuit of justice should become paramount. There is also not even a common language of what justice and reconciliation mean in the context of post-conflict peace-building. (Pankhurst, 1999:239)

Pankhurst (1999) argues when political or government institutions are involved in reconciliations, the definitions and functions of these processes vary and can be manipulated by the governments themselves. Without the proper terms, definitions and knowledge of the process, groups or nations will have difficulty attempting to discuss or work out their differences especially within the presence of larger social institutions.

Phillips (2001) also demonstrated the problem with unclear definitions in reconciliation process. He showed the term reconciliation had a variety of meanings depending on its application based on his analysis of West Germany’s reconciliation process with East-Central Europe. He noted a basic definition, a state definition and a government definition. He identifies these multiple definitions to make clear that diverse meanings and definitions were applied to and by different states, governments, and groups of people. He also classified two subtypes of reconciliation; one focused on the commonalities and cooperation between groups and the other centered on sympathy and empathy. These factors varied as West Germany reconciled with Poland, Hungary and Czechoslovakia. Phillips (2001) also illustrates that when the process of reconciliation

involves institutions and social structures, the processes also have unclear or varied meanings or definitions.

Other key factors that play a large role in productive reconciliation processes are the groups' key leaders and the previous history of the two groups. Key leaders have the ability to encourage or kill reconciliation processes due to influence. Previous history can also have a huge impact on a group's ability to accept guilt or responsibility or to enter into negotiations with another group. Finding ways to build rapport and trust will be paramount in cases where groups have a painful, violent history or mistrust based upon their past relations.

By reviewing the literature it has become evident that when larger social institutions are involved (such as nation and/or states) the goal of reconciliation becomes more complicated and convoluted. Amstutz (2005) has noted these factors in his book *The Healing of Nations: The Promise and Limits of Political Forgiveness*. His book focuses on the varieties of ways and means in which nations can resolve national conflict. Within his book Amstutz highlights four case studies - South Africa, Argentina, Chile, and North Ireland. He shows the unique situational variables that affected CAR processes within these nations and whether the nations were successful in reaching reconciliation.

Amstutz is an avid supporter of political reconciliations through political forgiveness. Political forgiveness can be defined as "a process that fosters healing of individuals and the restoration of communal relationships" and that it is an "interactive

process with five elements: consensus of truth, remorse and repentance, renunciation of vengeance, empathy, and mitigation of punishment” (Amstutz, 2005).

He also skillfully categorizes seven ways in which nations can respond to social conflicts, genocide, or war; *amnesia*-forgetting and/or denial, *amnesty*-acknowledging but no punishment, *truth telling*- acknowledging what happened, *forgiveness*- letting go of the conflict, *reparations*- financially, economically or personally through therapeutic means, *purges*- removing people from political office and *trials*- legal prosecution. Depending on the nation, the social conflict, the economic and political resources available, nations will act in different ways to deal with the aftermath of social conflict.

Although Amstutz (2005) promotes political forgiveness he understands the conflicting and unique variables that intersect and lead countries to make certain decisions. Nations must decide what principals are the most important to uphold: the reconciliation, notions of justice and equality, following the law, restoring the nation, healing its people, or restoring democracy.

Overall nations must decide what form of justice will be used to resolve the social conflict. For example, the first three terms listed in his gradation model, *amnesia*, *amnesty* and *truth telling* are restorative justice forms of responses to the aftermath of social conflict. These restorative methods focus on restoring the prior relationships instead of seeking justice through the law. On the other end of the gradation spectrum, *reparations*, *purges* and *trials* are forms of retributive forms of justice which solely focus on seeking reconciliation through forms of punishment deemed appropriate through law and order. Right in the middle is *forgiveness*, which combines the ideals of

“acknowledgement of wrongdoing, the expression of remorse through apology or repentance, the renunciation of vengeance and the expression of empathy” (2005: 40). Nations will have to decide, based on the nature of the conflict, the nation’s climate, its people, and other nation-state variables such as economy, state resources and government control, what the proper solution to reconciling the differences which fueled the social conflict might be. Nations will also have to decide what approach to take in moving towards reconciliation—a retributive or restorative method.

Oduro (2007) is another scholar who has researched reconciliations in depth and has created different categories of reconciliations. Oduro has also reviewed a variety of case studies which include South Africa, Rwanda and other African nations such as Uganda, Kenya, Burundi and Liberia. A brief summary of Oduro’s work will be provided to demonstrate the varying views, definitions and meanings applied to collective reconciliations.

Oduro (2007) provided six categories in which collective reconciliation can be classified. These six categories include reconciliation by: *acknowledgement, truth, coexistence, justice, democratic governance and change and transformation* and identified some common themes between all of the categories. First, collective reconciliations are process oriented; these processes take a lot of time and include short and long term goals. Collective reconciliations are not a cut and dry process but a backward and forward looking process. Secondly, all reconciliations go through stages; these stages are conditional and should also be reached voluntarily to be productive. Thirdly, these processes will vary by levels or the attention applied; collective

reconciliations can be bottom up processes or top down processes and depending on their application different outcomes will be produced. Fourthly, the ideals of apology and forgiveness are scattered throughout research on collective reconciliations; it is yet to be ascertained whether these aspects must be included to produce a genuine reconciliation. Finally, the ideals of justice are inextricably intertwined with reconciliation efforts; again it is yet to be determined if a mixed methodology of retributive and restorative justice (and cultural models of reconciliation) are needed to produce effective and long term reconciliation.

Finally, The International Institute for Democracy and Electoral Assistance (IDEA) has researched and conceptualized reconciliation in their handbook entitled *Reconciliation After Violent Conflict: A Handbook* (2003). IDEA also evaluated a variety of case studies which include South Africa, Rwanda, Zimbabwe, Cambodia and North Ireland. A brief review of IDEA's work will be reviewed to show again varying views of collective reconciliations.

One debate within collective reconciliations is whether reconciliation is or should be viewed as a process or as an outcome. A variety of scholars (Irani & Funk 1998, McRae 1996, Pankhurst 1999, Phillips 2001, Ryan 1990) have noted the importance of having goals and outcomes within CAR processes, but these may be difficult to measure and may take focus away from reaching reconciliation. IDEA firmly believes reconciliation should be viewed as a process.

Reconciliation is an over-arching process which includes the search for truth, justice, forgiveness, healing and so on. At its simplest, it means finding a way to live alongside former enemies – not necessarily to love

them, or forgive them, or forget the past in any way, but to coexist with them, to develop the degree of cooperation necessary to share our society with them, so that we all have better lives together than we have had separately. Politics is a process to deal with the *issues* that have divided us in the past. Reconciliation is a parallel process that redesigns the *relationship* between us. (IDEA, 2003: 12)

IDEA expands on the idea of reconciliation by looking at it from the dimensions of both a process and a goal. This mixed definition acknowledges goals and outcomes for reconciliation but still indicates the process as its main focus.

Reconciliation is a complex term, and there is little agreement on its definition. This is mainly because reconciliation is both a *goal* - something to achieve - and a *process* - a means to achieve that goal. A great deal of controversy arises from confusing these two ideas. The goal of reconciliation is a future aspiration, something important to aim towards, perhaps even an ideal state to hope for. But the process is very much a present tense way of dealing with how things are - building a reconciliation process is the means to work, effectively and practically, towards that final goal - and is invaluable in itself. (IDEA, 2003: 12)

IDEA adequately shows that reconciliation processes are situationally based and need to be resolved on an individual nation basis. Each nation will have to review and explore what reconciliation process suits their needs as a nation. IDEA comments on the notions of no universal models in the following two points.

What is perhaps most important is to emphasize that no one has produced a perfect reconciliation method or model - indeed, of course, there is no such universally applicable thing - and therefore those who face the challenge of post-conflict peace-building should trust their own capacities to take what advice they can get from elsewhere but to be creative in developing their own original process. (IDEA, 2003: 17)

As our experience in South Africa has taught us, each society must discover its own route to reconciliation. Reconciliation cannot be imposed from outside, nor can someone else's map get us to our destination: it must be our own solution. This involves a very long and painful journey, addressing the pain and suffering of the victims, understanding the

motivations of offenders, bringing together estranged communities, trying to find a path to justice, truth and, ultimately, peace. Faced with each new instance of violent conflict, new solutions must be devised that are appropriate to the particular context, history and culture in question. (IDEA, 2003: forward)

Finally IDEA highlights many different approaches will be needed in reaching an effective reconciliation. There is no one right method to use, but a variety of tools, methods and processes should be used to maximize reconciliation efforts.

No single tool will solve the whole problem: neither truth-telling alone, nor healing, nor justice, nor forgiveness. In every new context, a new and multi-stranded individual process must be designed. But this is not a handicap by any means. On the contrary, it should give those faced with the challenge of designing their own process the confidence to realize that they are the experts on their own situation, to trust their own judgment about what will work and what will not in their context, and to use, adapt, alter or replace ideas from elsewhere. (IDEA, 2003: 167)

Overall the works of Amstutz (2005), IDEA (2003) and Oduro (2007) and other scholars (Irani & Funk 1998, McRae 1996, Pankhurst 1999, Phillips 2001, Ryan 1990), provide diverse insight to collective reconciliation by examining its different dimensions and components. The same review is useful when examining the other aspect of CAR processes- collective apologies.

Apologies

The types and forms of apologies vary dramatically just as there are different types and levels of reconciliations. “To date there have been at least 100 apologies made by politicians, religious leaders, and others to nations and groups around the world for

hurts they have caused, such as racism, slavery, genocidal massacres, concentration camps, and extermination camps” (Oliner, 2005: 9).

Apologies can be public, private, official, unofficial, documented, and undocumented. Apologies are also not mandatory and they do not produce forgiveness automatically (Pankhurst, 1999). Collective apologies should be sought out, desired and unforced; hopefully the victimized group will respond by forgiving the wrong or crime committed and the perpetrating group will change their behavior. Overall apologies are one method of disclosing the truth about past social conflicts and can assist with collective reconciliations.

The actual act of the apology as a process in exposing guilt, accepting responsibility and moving towards reconciliation is valuable; however this form of acknowledging the past and the truth does have an impact on the reconciliation

Apologies- the public expression of remorse or regret for moral wrongdoing- are a speech act in which offenders express sorrow or regret towards victims in the hope that such remorse will contribute to the restoration of relationships. Apologies can foster healing because the sorrow and contrition expressed by an offender can lead victims to respond with compassion and even forgiveness towards offenders. Although apologies, like forgiveness, are thought to apply primarily to the realm of interpersonal relations, they are also applicable to the behavior of collectives. (Amstutz, 2005: 29)

Sometimes apologies are not genuine, other times apologies are not welcomed and forgiveness is not given. Sometimes apologies are viewed as empty words within CAR processes and hinder reconciliations efforts. As discussed previously, scholars and politicians debate whether apologies are a necessary component of CAR processes.

Apologies are one tool in exposing the truth about past social conflicts but they intertwine with other concepts such as collective responsibility and collective guilt.

Since apologies are a means by which communities can publicly admit guilt, they allow a group or community to acknowledge responsibility and to express remorse for unjustly inflicted harm. Thus, if an apology is to contribute to the restoration of a fractured and alienated community, it must ‘acknowledge wrongdoing and thereby also acknowledge the human dignity and legitimate feelings of those wronged’. (Amstutz, 2005: 30)

Acknowledging wrongdoing, responsibility and guilt has consequences within collective reconciliations. These processes could affect restorative and retributive justice through immunity, amnesty and reparations.

Collective responsibility and collective guilt

The concepts of collective responsibility, guilt and shame are highly correlated with apologies and the role they play within the processes of reconciliation. “Some scholars have differentiated between collective guilt, which imputes blame without regard to actions of persons, and collective responsibility, which refers only to the liability resulting from group membership” (Amstutz, 2005: 68-69). To deny collective guilt and responsibility is impossible; no one is free of these burdens.

Collective guilt has become a hot topic worldwide; no national, ethnic or religious group finds itself free of substantial “moral debts” towards others...discussions on collective guilt or responsibility, especially for past wrongdoings, overtly or covertly pervade many inter-group relations. (Zylicz & Poleszak, 2005: 186)

Many social groups do not like admitting guilt or taking responsibility for social conflicts because it implies fault and possibly retribution. More importantly it admits wrongdoing, something not easily overlooked in reconciliation processes and

international relations. Zylicz & Poleszak (2005) identified the three most common reasons for not assuming collective guilt: groups feeling like they are the victim and not the perpetrator, fear of consequences and collective pride.

To some scholars, the concepts of collective guilt and collective responsibility of one group or nation are essential factors to expose to the other group or nation in attempting apology and reconciliation processes (Amstutz, 2005, Oliner 2005, Zylicz & Poleszak 2005). The purpose of telling the truth, exposing historical facts and admitting fault is to acknowledge and take responsibility for actions in hopes of altering the future by relinquishing and cleansing the past. Amstutz (2005) argues truth telling and acknowledging responsibility for social conflicts should be made publicly.

Although the discovery of truth is important, it is not a sufficient condition for effectively reckoning with the past. Rather, the truth about the government's complicity in human rights abuses must be officially acknowledged so that a society can effectively confront and overcome its collective guilt. The aim in truth telling is therefore not simply to disclose the historical facts, but to publicly acknowledge responsibility. (Amstutz, 2005: 29)

Radzik (2001) identified the importance of collective crimes and responsibility, in which every group member and civil society member should play a role in the reconciliation process because all share "metaphysical guilt." Metaphysical guilt captures how people who are not involved in the conflict still have a role to play in the reconciliation process. The term coined by Karl Jaspers and Larry May refers to being affiliated with or connected with a group identity that can create "a kind of responsibility and moral taint." (Radzik, 2001: 456) Metaphysical guilt is non-perpetrating guilt for the conflict or problem through simple affiliation to a group identity. Radzik notes

individuals can also be affiliated with the groups or the problem, indirectly, through omission, benefit, shared attitudes, hatred and assistance.

Radzik (2001) also addresses the issue of individual responsibility and control within CAR processes, without affecting the “separateness of persons.” She notes not all group members or civilians may be guilty or responsible for the incident, but all people have a personal responsibility to respond to the incident, and she captured this idea as “the duty to respond.” Radzik (2001) argues that every individual has self-control and free will to make their own choices, and thus the responsibility to respond to social events. This response could be verbal, non-verbal, public or private. But everyone has “a duty to respond.”

When we think of people who are most clearly responsible with respect to collective crimes—the people who directly cause harm—it does seem right to say that they owe some response to the victims. They should admit what they have done, apologize, express remorse, pay reparations, and accept other justly meted-out punishments. We can understand these obligations as ‘duties to respond’ to their victims. Someone who chooses not to stop the crimes has duties to respond as well, at least in the form of a disclosure of and apology for their omissions, and some attempt to care for the ones harmed. Non-perpetrating members of the group who nevertheless benefited from the crimes must respond attempting to repay their debt and by denouncing the crimes. All of these people, in all their varying degrees of connection to the collective crimes, should also respond by committing themselves to preventing such wrongs from happening again. (Radzik, 2001:464)

Radzik notes in group reconciliations, that every group, member or citizen will have a different amount of responsibility, guilt and shame in regards to the collective problem, conflict or event. This includes non-perpetrating parties and other affiliated

members to the perpetrating group. Overall all people have a “duty to respond” to social events in their communities and abroad.

Forgiveness

Researchers have commented on the importance of forgiveness in the processes of CAR processes (Dzur & Wertheimer 2002, Henderson 1998, Montiel 2002, Myers 2000, Pankhurst 1999). In conducting my research, I considered forgiveness to be a byproduct of CAR processes and did not focus my research on this subtopic. However many important factors surrounding forgiveness emerged, such as the connection of acknowledging the truth and collective responsibility for social conflicts in CAR processes as noted by Oliner. “Forgiveness does not mean that you forgive without some demand for acknowledgement of responsibility. People are responsible for their acts” (Oliner, 2005: 14).

Many scholars have commented how apologies and forgiveness involve the elements of thinking, feeling, and remembering but not forgetting (Dzur & Wertheimer 2002, Henderson 1998, Montiel 2002). These aspects of forgiveness are common but are also hard to detect, measure and arouse in others. Emotional or psychological aspects of collective forgiveness are complex and intricate, in which a variety of group members will have a different perspective of what forgiveness is, and when and how it will be provided. Auerbach (2005) notes that healing and forgiveness will be reached and given by different group members at different times, but overall reconciliation and forgiveness are positive alternative tools, more than just providing conflict resolution techniques such as acknowledging the problem.

The distinctions between forgiving and forgetting are exceptionally important. Amstutz (2005) states “forgiving is not forgetting”, rather forgiveness helps release the painful past and forgetting involves disregarding the past. These differences are crucial in understanding forgiveness in reconciliations; forgiveness helps let go of the past but the past is not forgotten.

Dzur & Wertheimer (2002) explored the performative function of apologies and the possible correlations with forgiveness. These researchers highlight the action or “performative” feature of apologies and forgiveness, in which one group acts upon another group, providing a performative function. These functions also have “behavioral consequences” in which “the performative actions serve to generate relevant feelings” (Dzur & Wertheimer, 2002:17). “Forgiveness should be tied to the ability to see real change in the behavior of the harm-doer” (Oliner, 2005: 15), such as the disappearance of revenge, hate and retaliation. If the receiving group is ready for the apology and is welcoming the reconciliation, it could stop the escalation of more conflicts.

In most of the literature, reconciliation is an important act and plays a major role in conflict resolution; reconciliation helps repair the relationship between people. Forgiveness is an act of reconciliation that the heart makes and is a way to ease our heart from the burden of hatred, resentment, and rage. (Oliner, 2005: 17)

Sometimes the attempted action of building a relationship is more important than reaching conclusive results or outcomes; the same is true for apologies and forgiveness. Researchers have shown, “the request for and acceptance of forgiveness has moral value even when it is not genuine” (Dzur & Wertheimer, 2002:17). The attempted action of an apology should be valued intrinsically for this reason; the action has an effect regardless

of whether the action was purely intentional. This process is shown in the example of South Africans talking about the notion of revenge.

I asked Siphon about revenge...I wanted to push him beyond the stock of ANC line on revenge. He told me quietly that God had exacted revenge on his behalf. Why, I asked; were his tormentors dead already? He laughed. The 'revenge' he spoke of was the ANC's victory in the election. 'We were fighting for Madiba, and today Madiba is free, we are all free.' And that, for Siphon, was the sweetest revenge of all. It was a matter of *ubuntu*, he said; in giving up power the white government had implicitly admitted that it was wrong. Free and fair elections were their apology for apartheid. 'And if people apologize, we Africans must accept their apology,' he carefully explained, aware that this philosophy was alien to my culture. 'That is *ubuntu*.' (Waldmeir, 1997: 277)

Performing an apology or granting forgiveness generates the emotional or psychological feelings which occur whether or not the processes are genuine and meaningful. This exact process has been identified by Waldmeir (1997) in the aftermath of Apartheid in South Africa in the form of *ubuntu*, one form of forgiveness,

The will to reconcile had to come from the victors, and black South Africa readily supported Mandela's project. Africans are not a vengeful people; the guiding principle of their traditional culture is *ubuntu*, a concept only roughly translatable into English, but one that embodies charity, forgiveness, generosity, and an essential humanity. Archbishop Desmond Tutu, a great proponent of *ubuntu*, once explained it to me like this: 'We say that a human being is a human being because he belongs to a community, and harmony is the essence of community. So *ubuntu* actually demands that you forgive, because resentment and anger and desire for revenge undermine harmony. In our understanding, when someone doesn't forgive, we say that person does not have *ubuntu*. That is to say, he is not really human.' (Waldmeir, 1997: 268)

Overall forgiveness should be taken into consideration within CAR processes.

The act of forgiveness expresses the desire to move forward and resolve the social conflict that occurred and may assist in reconciliation efforts.

After reviewing CAR processes at the level of definitions, and what these processes may include or exclude, I did find some consensus within the field. What follows are some common factors that are deemed as necessary components within CAR processes.

Exploring the Issues and Active Listening

One of the essential features detected by researchers in CAR processes is exploring the problem or acknowledging the issues (Amstutz 2005, Irani & Funk 1998, McRae 1996, Montiel 2002). All group members should engage in some form of a dialogue. Montiel (2002) found that when groups articulate various recollections of the past or present situation, they are allowed to explore and acknowledge their viewpoints of the events, and attempt to conclude with a joint historical analysis of the conflicting issues.

Active listening skills are another key factor in the process of reconciliation and coincide with exploring the issues. Groups need to actively listen to the other groups' concerns, opinions, and attitudes if the reconciliation process is to function well. Irani & Funk (1998) have noted how important listening skills are in relation to the reconciliation process,

A first step in the process of healing, then, is the mutual acknowledgment by all parties of their emotions, memories, viewpoints and needs. Thus, the first and most crucial skill which conflicting parties must develop is that of actively listening to each other. (Irani & Funk, 1998:56)

Irani & Funk (1998) recognize active listening skills as one tool to establish and produce mutual acknowledgments and common understandings.

Common Histories, Common Understandings and Acknowledgement

Another commonality among numerous reconciliation efforts is the desire to establish a common past or truth with the other group or to reach some sort of mutual understanding (Dixon 1999, Pankhurst 1999). These ideals are associated with exploring the problem and acknowledging the issues. To reconcile the differences between groups, an understanding must be established or conflicts and problems may resurge.

“Undoubtedly the most fundamental and widely accepted goal in confronting the offenses and injustices of a former regime is the development of a publicly acknowledged account of what happened” (Amstutz, 2005: 23). This process alone allows groups to work together to bring about a common goal, rewriting or clarifying their joint history.

Many reconciliation efforts have focused on constructing “a common historical interpretation of past conflicts. A joint acceptance of historical narratives helps prevent the eruption of future conflicts fueled by collective myths of victimization and societal rage” (Montiel, 2002:276). Although Montiel identifies this process as difficult and time consuming, the process allows for strengthened relationships between the groups and for a possible reduction of future problems. Acknowledging what happened through sharing the truth can go far in bringing about reconciliation. It has been noted in psychotherapy that one of the best ways to “come to terms” with the past is to review it and move past it; truth telling can have the same affects for reconciliation efforts.

Frequently, truth telling is regarded as a means to national reconciliation, peace and justice. According to this prevalent view, truth can help restore victims and their families and contribute to the reformation of social and political structures, leading ultimately to national peace and justice. (Amstutz, 2005: 24)

Although these results may occur, truth telling can be difficult for lack of objectivity and empirical data (Amstutz, 2005). Different social actors will have different interpretations of the events that unfolded and somehow groups will have to come to a consensus about the events that happened and “develop an acceptable shared memory” of the past.

Truth Commissions and Truth Councils (A Different Form of Truth Telling)

Amstutz (2005) identified two main types of truth telling. The first method involves opening files, disclosing important historical facts and permitting a more pluralistic, tolerant political culture that is conducive to the investigation and disclosure of past crimes. The other technique involves truth commissions which have the goal of describing the scope and character of past human rights violations through public record. Researchers have noticed the growing importance of truth commissions or truth councils (Dixon 1999, Henderson 1998, Montiel 2002, Pankhurst 1999, Summerfield 1997) as a successful method to explore truth telling in reconciliation processes publicly.

Truth commissions involve creating a sense of understanding among the parties and the opportunity for the ownership of truth. Although truth commissions provide an outlet for information, mutual understandings, grieving and social healing, there are downfalls and problems associated with the process. One problem associated with truth

commissions is the concerns over immunity or amnesty (Montiel 2002, Pankhurst 1999, Summerfield 1997). Summerfield raised the important issue of justice through truth commissions in regards to South Africa's Truth and Reconciliation Commission by questioning, "does the immunity from persecution granted perpetrators if they testify ignore the way that social cohesion depends on shared ideas about justice?" (Summerfield, 1997:1393). Unmet ideals of justice, fairness, and retribution may inhibit the process of the truth commission, as individuals are granted amnesty or immunity for their crimes.

In an examination of the fall of Apartheid in South Africa, Waldmeir (1997) even questions if all the truth will be exposed, noting again the importance of objective and empirical truth being shared on record. She also notes the importance of all key players sharing their truths even though amnesty is provided to some who come forward. This displays the possible downfall of this form of truth telling, not getting the whole truth.

The full picture, if it ever becomes clear, will do so only after the recently appointed truth and reconciliation commission has heard testimony from all those involved. But there seems little doubt even now that at least some right-wing members of the security forces did constitute a third force- though the original conspiracy theory, which blamed all political violence on the third force, has failed to hold water. And there appear to have been several third forces, not just one grand force of evil. (Waldmeir, 1997: 184)

Pankhurst (1999) discusses another element of truth commissions and truth councils, the decision of who may receive amnesty and immunity and who makes those decisions.

Perhaps the most common criticisms in South Africa of the TRC have been that victims are not given a choice about whether their former oppressors can have amnesty or not (it is the latter's right to seek it) and

where for instance, a notorious torturer is granted amnesty, and retains a privileged lifestyle, this in itself limits the extent of reconciliation, particularly in the long term. (Pankhurst, 1999:245)

Overall the disclosure of truth and the possible revictimization of individuals should be considered as a risk within truth commissions or any form of truth telling. These processes are supposed to reconcile and heal the past events, not to create new problems or revictimization.

Multiple Goals and Outcomes

Having multiple outcomes and goals was another common key element within CAR processes. McRae (1996) argues peace making and reconciliations should involve a variety of parts, not solely focusing on the number of settlements made.

For example, mediation may achieve abatement of a conflict, rather than a formal treaty-like settlement, or it may procure a cease-fire, or the gradual cessation of hostilities. Certain of its activities might be dedicated to nothing more ambitious than creating an opportunity for dialogue, with a view to reducing animosity and demonization at the community level. (McRae, 1996:27)

Kopelman & Olekalns (1999) argue reaching a mutual understanding or constructing a relationship could be more powerful than a peace contract or a settlement.

...whether satisfying [relationship improvement over task goals] may carry an important symbolic meaning within negotiations. Adopting a broader concept of negotiation outcomes would allow us to include both the social relationship between the parties at the table and the negotiable items on the table. Even when parties enter the negotiating situation as strangers, reaching a mutual understanding may be a more meaningful symbolic gain than realizing the full potential monetary gains on the table. (Kopelman & Olekalns, 1999:378)

Having expected goals and outcomes comprised of a variety of factors allows for flexibility and diversity because it does not standardize or prescribe certain scripts or events. Reconciling groups need the availability and opportunity to reach a variety of goals and outcomes because each collective conflict varies.

It is not sensible to judge an entire reconciliation process as a success or a failure. Each process consists of many small successes and failures. The work is not easy, and the challenges of the overall process can occasionally seem overwhelming. But it is important to see the progress and successes, small and large, where and when they appear. Every step forward is a success - indeed, as one practitioner commented, "every silence that is broken is a victory for reconciliation." A reconciliation process consists of a multitude of initiatives, steps and stages, where progress is an accumulation of small steps. Success happens at the individual level, as well as the collective level. Sensitive and appropriately designed, reconciliation will bring these small successes. And the small victories accumulate to form the bigger ones. (IDEA, 2003: 167)

Researchers have noted groups should attempt to focus on future oriented long-term goals in comparison to immediate short-term goals (Dzur & Wertheimer 2002, Irani & Funk 1998, Pankhurst 1999, Radzik 2001) within reconciliation processes. The magnitude, range and timing of reconciliation will vary and the goals within them will vary as well. Pankhurst (1999) noted how and what groups accomplish within short-term goals and time periods dramatically affects long-term goals. For example, some peace agreements and settlements are rushed and by mediators, affiliated group members, and the international community. Short and long term goals need to be evaluated simultaneously to ensure the conflict or problem does not resurge in the future or have negative effects for the reconciliation process as a whole. As Pankhurst (1999) has

shown, groups need to feel their outcomes and goals are being met if they will continue the process.

After reviewing commonalities within CAR processes I noticed a distinction made between various levels. These divisions included evaluating CAR processes through the levels of individuals, groups, communities and nations. An examination of collectives versus individuals is valuable in understanding CAR processes at all levels of analysis.

Collectives versus Individuals

Many scholars have identified the importance the role of self has with CAR processes. Some of these scholars have scrutinized western methods of CAR processes and the role the self has within them. Western methods of reconciliation efforts usually denote the individual as having an individual self which is important to the individual's identity as noted by Kim (2002).

The vast majority of theory and research in social science, including human communication- at least the studies performed by Western scholars and published in Western outlets- assumes that people have individualistic notions of self (i.e., independent self-construals). The model that underlies virtually all current social sciences (including human communication) views the self as an entity that (a) comprises a unique, bounded configuration on internal attributes (e.g. preferences, traits, abilities, motives, values, and rights) and (b) behaves primarily as a consequence of these internal attributes. (Kim, 2002: x)

Many non-western methods of reconciliation leave the individual out of the analysis because the group identity may be more prevalent than the individual identity.

Kim (2002) shows how the individualized self identity lacks importance using the term “interdependent construal” or interdependent self.

By contrast, in the interdependent construal, the self is connected to others; the principal components of the self are one’s relationships to others...behavior is more significantly regulated by a desire to maintain harmony and appropriateness in relationships. Within such a construal, the self becomes most meaningful and complete when it is cast in the appropriate social relationship. Therefore, one’s behavior in a given situation may be a function of more of the needs, wishes, or preferences of others than of one’s own needs, wishes, or preferences. (Kim, 2002: 17)

Group identity can also complicate constructing a common historical past in reconciliation efforts. As Amstutz (2005) notes, communities or collectives are not an integrated person, they do not have emotions, feelings, or respond to pain as an integrated person; thus communities are not moral actors. Collective identity to a group is defined differently by each of its members and should be considered and evaluated accordingly in reconciliation efforts.

Scholars have observed it is difficult to focus on the individual and the collective at the same time in reconciliation efforts. However, the application of reconciliation efforts should attempt to focus on all levels including individuals, groups and collectives however complicated it may be. Overall the worldview and social frames of the individuals, groups and collectives involved should be taken into account to achieve maximum outcomes in CAR processes.

Levels of analysis: level of group members

Another important aspect of CAR processes are the desired objectives, outcomes and goals of these processes from the viewpoint of groups and how they view the

national or state level processes. As discussed previously, there is no short, simple or precise way to reach a result. Evaluating the need for time was a main factor in reaching outcomes or goals, and many reconciliation processes are still occurring today, such as South Africa's peace process, the Guatemalan peace process, a variety of Native American and African American reconciliations in several states and the Christians repentance for the Crusades. Thus timing is a crucial variable in understanding and reaching abatement of social conflict through restorative processes individually and collectively as groups.

Another aspect of goals, outcomes and objectives is the specificity of needs in each reconciliation case. Groups need different elements to heal and reach their reconciliation outcomes. For example, in trying to explain what Black Australians need to heal and overcome years of colonization, young Black Australians wrote,

Healing will entail establishing truth and reconciliation commissions, healing and trauma recovery centres for Black Australia, and truth and healing circles for whites, including general education and awareness. By 'basic equality of outcomes' we do not mean equality of treatment, because equality does not mean sameness. More spending per capita on Indigenous affairs is required to achieve equality of outcomes given two centuries of colonization. (Phillips, Goodwin, Coates, More and Yettica-Paulson, 2003: 111)

Another example of the case by case aspect of healing comes from a Native American man who worked on healing communities from the social inequalities of reservations and their byproducts such as gambling, drinking, and drug addictions. Although he speaks of healing from a different form of social conflict, Native American

genocide, the key importance is not on the social conflict, but the form of healing at the community level,

Philosophies of healing vary from community to community, and indeed, from individual to individual- yet, at the same time, largely encompass beliefs that: the journey of healing towards wellness is a spiritual journey; that revival of culture and ceremony is critical to that journey; that by being responsible for your own healing and sharing your journey with others, a 'healing community' may be re-created (for mutual support and after-care outside one's own family); and that the helpers must themselves be well in order to be able to help the ill. (Phillips, 2003: 142)

As acknowledged earlier, the self is truly a conglomeration of others, the self learns to be who it is in relation to others and healing is not any different; healing must involve community if it is to have an impact on long term change.

Individual quality of life and right to life

Many researchers noted the importance of an individual's right to life and a humane quality of life as an important aspect of CAR processes (Kopelman & Olekalns 1999, Pankhurst 1999, Powers 1996, Ryan 1990, Vernon 1999). These scholars examine the aspects of reconciliations from an individual level of analysis not from a group or national level of analysis. It appears natural after conflicts, wars or genocides for the demands of human needs and security to be met, regardless of guilt or responsibility. All humans deserve the right to life and a decent quality of life.

Most group's human rights or needs are based on economics, politics and power or control of resources, complicating many CAR processes and destroying some as well. Sometimes the parties involved do not have the power or control to change these circumstances, depleting the processes all together. Overall, human rights and needs

should be considered before groups attempt to settle their differences, to see if the groups themselves can resolve the issues of rights and needs, or if these factors are out of the groups' control.

Many researchers have identified the importance of contact in collective apologies and reconciliations (Dixon 1999, Dzur & Wertheimer 2002, Hubbard 1999, Kopelman & Olekalns 1999, Montiel 2002, Radzik 2001, Ryan 1990). Bringing groups together to work on a common past or to find a mutual understanding involves contact. The simple desire for one group to meet with the other group is important and should be recognized and validated. By working together groups can reduce social distance and create a positive environment for change (Dzur & Wertheimer 2002, Kopelman & Olekalns 1999, Radzik 2001).

Cultural Variables

While exploring the field of CAR processes I found many pertinent issues not connected with the body of literature. These underreported or unconnected features stood out as I tried to relate and situate my community case study to the larger body of literature. My case study involved two different cultural groups with two very different world views. All of the following topics I discuss are portions of CAR processes not connected within the mainstream CAR literature. Many scholars I quote explored aspects of this area of study but never discuss CAR processes in unison with their research. Thus I feel people are talking about apology and reconciliation aspects, factors and so forth,

but they do not attach these connections to their research topics. What follows are factors I think should be explored in relation to collective apology and reconciliation efforts.

Cultural differences in reconciliation processes

Many of the cultural reconciling groups I examined had common factors of family/kinship and/or community rituals to stop conflicts, resolve problems and to reconcile with others (Abbink 2000, Calder 2001, Hubbard 1999, Irani & Funk 1998, Powers 1996). These sub topics are important when dealing with culturally dissimilar reconciling groups as in my local case study example.

These “cultural” methods varied from many of the western mediation-style reconciliations I reviewed, leading me to believe that non-western approaches are not used in reconciliation processes where alternative methods are traditionally used. (In the literature non-western methods of reconciliation are labeled as “cultural” reconciliations) Many western styles of reconciliation use logic and linear processes to resolve social conflict, and many “cultural” reconciliations use non-linear and culturally traditional methods to resolve conflict. It appears logical to include or combine different styles or methods of reconciliation to reach a common goal or outcome when non-European and non-western groups are involved.

Different cultural approaches have different results and effects (Abbink 2000, Hubbard 1999). Although this may be true, an evaluation or comparison of the variety of cultural methods has never been completed, neither proving nor disproving the importance of “cultural” or hybrid forms of reconciliation methods. Utilizing communal

conflict resolution or family oriented reconciliations rituals in unison with other methods may increase the outcomes of cultural intergroup conflicts and problems.

Hubbard (1999) explored how culture must be evaluated when examining collective conflict. Her examination of Middle-Eastern reconciliation methods such as sulh (settlement) and musalaha (reconciliation) show these vast differences between cultures. Cultural differences exist in methods, communication styles, dialogue, reconciliations, expectations and goals. Without examining these cultural variables, a reconciliation process could not function optimally or could fail completely.

Researchers have also noted the importance of the symbolic meaning of culturally defined rituals and communicative behavior (Abbink 2000, Irani & Funk 1998). Scholars' identified how these processes can bring about social and communal harmony, fix solidarity issues, provide social healing and help in the construction of shared interpretations and meanings of social rituals. Irani & Funk (1998) commented on the use of sulh and musalaha, in which these rituals functioned as a form of reconciliation.

In such Middle Eastern societies as Lebanon, Jordan and Palestine, rituals are used in "private" or unofficial processes of conflict control, reduction and resolution. These unofficial, informal processes are not controlled by the state. Instead, customary, traditional steps are taken to restore justice and social harmony. Sometimes, both unofficial and official justice are invoked simultaneously in fostering social peace and reconciliation. (Irani & Funk, 1998:61)

Abbink (2000) also noted many values and norms surrounding the process of reconciling rituals between the Ethiopian Suri and Dizi tribes. These vastly different cultural groups had a rain agreement ritual to settle disputes between the tribes. These rituals included mediation, sacrifices and a mending of social relationships between the

groups. Abbink (2000) commented on how the rain ritual kept the differences and violence between the Suri and the Dizi at a minimum.

A rain agreement ritual was inaugurated between the two groups, whereby the Suri ritual leaders periodically came to the compound of the three most important Dizi chiefs to sacrifice jointly a black bull and a black goat, say prayers to the Sky God, and ritually apply part of the blood and intestines to their bodies. This ritual appears to be an act of submission or at least alliance between the two groups, and was meant to forge a bond between the two different communities and to seal their mutual dependence on rain and on each other in their precarious environment. (Abbink, 2000:534)

Abbink (2000) found the rain agreement ritual brought about norms and values regarding the ritual as “shared, accepted procedures” between the groups. These rituals were a form of reconciliation for these groups in which their differences were resolved, but the ritual itself functioned as a reconciling element as well. In many intergroup conflicts, the reconciliation ritual was intrinsically important in and of itself, regardless of future outcomes or results.

To maximize or improve the reconciliation process, groups need to function within their own cultural contexts and combine their meanings and contexts with the other group. Without a hybridized form of reconciliation between two different cultural groups, common understanding and hence reconciliation between the groups may not be reached.

Some scholars argue equal status between groups should be established and maintained for reconciliations to be effective (Abbink 2000, Hubbard 1999). Hubbard noted in her discussion of cultural and status differences in collective conflict resolutions. “that equal status is necessary for effective prejudice reduction and aids in conflict

resolution” (Hubbard, 1999:305). Many scholars have conceptualized equality very differently, measuring it through a variety of means such as occupation, close friendships, social class, literacy abilities and power relations. Hubbard (1999) argues cultural differences and expectations should be acknowledged for groups to establish and maintain equal status, which can promote a shared frame or perspective. A few of the cases I reviewed involved cultural variables and statuses, such as race, ethnicity, nationality, religion, traditions, customs or norms. These either enhanced or inhibited the process.

Researchers have identified the importance of cultural expectations, attributions and experiences in apologies and reconciliations. Collective participants can have different perspectives on the meaning of the process, the process as a whole, of the other group participants, and the context in which the processes are communicated (Hubbard 1999, Kopelman & Olekalns 1999). It has also been noted that the context in which communication is given and received affects these processes; “cultures are known to differ in whether their communication is normatively high-context or low-context” (Kopelman & Olekalns, 1999:376). These researchers suggested that if different forms of communication styles, mediums and outlets were used in collective apologies and reconciliations, the process may increase the mutual understanding and rapport between the groups.

Hubbard (1999) expands this idea in her examination of cultural attributions and expectations of Middle Eastern groups. She discovered high context cultural groups negotiate indirectly, using more non-verbal cues in the situation, while low context

cultural groups use direct verbal cues. She noted, “high context cultures emphasize the individual’s position as a member of a group and, as such, he or she is most concerned not only about saving his or her own face but also about saving face for the other party in the negotiation”(Hubbard, 1999:306). Overall the more information and mutual understanding the two groups establish, the more likely the collective apology or reconciliation will function in reaching a result or outcome.

Risks of CAR Processes

Before I began this thesis, I naively never questioned the possible problems associated with CAR processes, but while doing this work I discovered that indeed multiple obstacles exist. The following examples identify some risks within CAR processes. First, reconciliation at the collective level is a large endeavor simply due to size. Trying to reconcile the needs of two people is difficult enough, but when that number reaches hundreds, thousands, or millions, effectively reaching each person becomes improbable. The same problem can arise with collective apologies. Apologies at the national or state level may not be as genuine as collective apologies between small local entities simply due to size and lack of personal connection. The symbolic importance and meaning can be spread too thin when large groups of people are involved. Another problem associated with collective apologies, reconciliations and forgiveness is the value applied to these processes. Group members may not value the apology or reconciliation thus not producing a genuine reconciliation or providing forgiveness to the other group or group members.

The possibilities of lighter sentences, amnesty or immunity are examples of other setbacks associated with collective apologies, reconciliations and forgiveness. Sometimes groups desire full punishment and justice for the guilty parties and victims have no control of the process. Apologies and forgiveness can also resurface past wounds or painful memories, recreating the terrible conflict for victims, group members, and civil society. Last, consideration and compassion should be well thought-out in collective apologies and reconciliations when dealing with severe casualties, massive loss or destruction. The totalities of violence and war can inhibit or damage CAR processes; sometimes talking and discussing the past make people relive the past and opens old wounds all over again.

Overall all aspects of CAR processes should be well thought out including potential risks. There were many case studies I reviewed in which scholars identified why CAR processes did not produce effective reconciliation. A quick review of the following examples notes their faults and mistakes within their CAR processes. Chile's CAR processes faltered due to excessive amnesty. Zimbabwe did not reach effective reconciliation due to excessive impunity and their methodology; amnesia. Cambodia did not succeed due to truth through extensive trials, excessive amnesty and continued conflict from religious backgrounds. Argentina was ineffective due to lack of consensus on retributive and restorative justice; there was no balance between trials and truth commissions. Finally North Ireland was unsuccessful due to a focus on democracy and religious and political identity tensions. Although this rapid review of a few examples is

arbitrary and brief, it notes that there are risks and downfalls to CAR processes and they should be seriously considered and evaluated before enactment.

Conclusion

Overall my literature review on CAR processes found some of the common issues, components and concerns within the field. Again, it must be noted that no academic reviews have been conducted on small scale community based apologies and reconciliation efforts which made reviewing and relating my case study to the larger body of literature difficult. Taken as a whole, a review of CAR processes will help explain the dynamics of the land transfer, why it occurred and what it means for the parties involved.

CHAPTER 4: METHODS

Methods

The methods used to conduct this research included a grounded theory triangulated approach. Briefly stated, grounded theory is a methodological approach to research in which the data continuously drives the research and the results are theory derived from the data. Triangulation of research involves using different methods to verify the research results or theory. I combined qualitative research and documentary research and compared and contrasted my results to provide a holistic picture. This chapter explores my methodology for my case study.

The first portion of my methodology utilized in-depth semi-structured interviews with Eureka City Council members, staff and one Wiyot tribal member. The second portion of my methodology included a radio interview with Eureka City Council members and the Wiyot tribal chair. The third section of my methodology included an examination of newspaper articles and a review of local historical and recent documents.

The timeline of this research project began in the spring of 2005 with an analysis of four interviews. The following semester more data was collected. This included two more interviews, the radio interview, historical documents, recent local documents and newspaper articles. Finally in spring 2006 the mayor of Eureka was interviewed. The project started with only qualitative interviews and a radio interview, then ended with quantitatively evaluated data such as historical and recent documents, and newspaper

articles. This approach was used to obtain a well rounded view of the social processes under study.

Data Collection

The types of data collected varied. The interviews were collected by Professor Eichstedt and were primary data sources; however I did not conduct the interviews and only transcribed and analyzed them. The radio show was taped off of the KHSU radio station program called “Through the Eyes of Women” discussing the land transfer and is considered a primary data source as well. I collected the final primary data sources which include newspaper articles, recent and historical documents and the ABC apology announcement.

The collection of data happened in different pieces over time. Professor Eichstedt conducted the interviews in the fall of 2004, spring of 2005 and spring of 2006. The radio show was conducted in fall 2004 by Maggie Herbalin and included Cheryl Seidner, Mary Beth Wolford and Virginia Bass Jackson and was collected in spring 2005 by Professor Eichstedt. I collected the historical and recent documents in fall 2003 from the Humboldt Room. I conducted an informal interview with Clay Ford from ABC in 2003 and Clay Ford provided me with a copy of the ABC/HEAL apology announcement. I also conducted informal interviews with Candlelight Vigil attendants in February 2003, 2004, and 3005. In the summer 2004 during the land transfer ceremony more documents were procured which included three pamphlets and a poem. Finally I collected the

newspaper articles- historical and recent in fall 2005 through web archival newspaper searches.

Interviews

All participants were contacted by phone. Each subject was interviewed in person for an hour to four hours at a location of the subjects choosing.

The researcher abided by the ethics and standards of research, including no harm to subjects, confidentiality, informed consent, and protection of the data.

The interviews presented a unique insight into the local events that occurred in our county, providing a detailed understanding from key members involved in these processes. The participants were asked a variety of questions during their interviews. Examples of the questions include: their personal background, their political service, information regarding the community, history of the land transfer, details of the land transfer, particulars regarding the vote on the land transfer, the land transfer ceremony, after thoughts of the land transfer, pros and cons of the land transfer process and collective apology and reconciliation efforts in general.

The researchers have interviewed and analyzed seven research participants. All research participants have consented to having their names and identities known throughout the process and in the writing of research results. Five Eureka council members, the mayor, the city manager and the Wiyot tribal chairperson have been interviewed; these people include: Chris Kerrigan, Jeff Leonard, Mike Jones, Mary Beth Wolford, Peter LaValle, David Tyson and Cheryl Seidner.

Historical documents and newspaper articles

Local, archival and recent documents and newspaper articles were reviewed to provide background, context and diversity to my case study. This helps the reader to understand the local history, the historical climate of Humboldt County and specifically the importance of Indian Island to the Wiyot Tribe. An examination of the local documents (brochures, pamphlets and the official land deed document for the land transfer) were examined to note the similarities and differences between how authors framed the events juxtaposed against how research subjects framed and discussed the events.

Methodological Theory

Grounded theory was used to constantly inform and revise the research process and the research instruments. “Grounded theory methods consist of guidelines that aid the researcher (a) to study social and social psychological processes, (b) to direct data collection, (c) to manage data analysis and (d) to develop an abstract theoretical framework that explains the studied process” (Gubrium and Holstein, 2002: 675). This method allows the researcher to constantly explore and refine the research topics and instruments to produce a more adequate and realistic picture of the social processes being studied. In essence grounded theory allows the data to speak for itself, which guided my research process and my results. For example, themes and patterns that emerged from the data enhanced the interview questions and probes as I shared my findings with Professor Eichstedt. Although I did not conduct the interviews, I noticed this process unfold as

Professor Eichstedt conducted each interview. She stopped asking some questions and other questions became paramount with her probing for further information as each interview was conducted. Another example of grounded theory fitting well with in-depth interviews includes the close connection of synchronizing the data gathering and data analysis, “Grounded theory researchers collect data and analyze it simultaneously from the initial phases of research” (Gubrium and Holstein, 2002: 675).

After transcribing and analyzing each interview I noticed myself looking for different sources to support my research findings which led me to assess historical and recent newspaper articles. Finally the connections between in-depth interviewing and grounded theory tend to produce quality analyses; “the combination of flexibility and control inherent in in-depth interviewing techniques fit grounded theory strategies for increasing the analytic inclusiveness of the resultant analysis” (Gubrium and Holstein, 2002: 677). I enjoyed the ability to have the data speak for itself, to let the data inform and transform my research and to not be limited to proving or disproving a research hypothesis. Overall grounded theory allows the research project and its progress to unfold in a natural process.

Methodological constraints

To date, the researchers have conducted and transcribed seven interviews and have transcribed one radio interview. However, my methodology displays some constraints due to lack of participation from all key players. Time and the disclosure of personal information appear to be serious issues associated with this type of in-depth interview research. Gubrium and Holstein note, “A researcher who uses in-depth

interviewing commonly seeks ‘deep’ information. This information usually concerns personal matters, such as an individual’s self, lived experience, values and decisions, occupational ideology, cultural knowledge or perspective” (2002: 104). The nature of this research is both factual and emotional. Many facts surrounding the land transfer are unknown to the general public and have been an emotional process for those interviewees who have consented to being interviewed.

Another problem associated with obtaining interviewees is the lack of rapport and relationships with the Wiyot Tribal community. The Wiyots have strict rules regarding interviews and research on the tribe and have their own consent forms and interview restrictions to assess the purpose, goals and results of research projects. The researchers also note a common insider-outsider problem in which the researchers have not gained full insider acceptance by the Wiyot Tribal community and this is recognized by scholars as a common problem, “In many ways, the insider-outsider problem is generic to all forms of interviewing conducted under the auspices of cultural differences, whether ethnicity or culture writ large mediates the relation between interviewer and interviewee” (Gubrium and Holstein, 2002: 336).

I have learned a great deal about attempting to obtain information from Native people throughout this process even though I was not the interviewer. Talking to Native people is a delicate balance of listening and respect and securing interviews has been difficult for Professor Eichstedt. To date only one Native person has been willing to share her thoughts, ideas and feelings surrounding the topic. Establishing a working relationship with tribal members beyond the tribal chairperson is an ongoing process for

Eichstedt. For example, it is considered rude and pretentious to ask direct questions in traditional Wiyot culture; this creates a difficulty since dominant culture interviewing techniques are based upon asking direct questions.

In conclusion, the results of this project must be considered incomplete due to the lack of Wiyot members interviewed. In total, five out of the six council members and the mayor have been interviewed which provides a pretty clear picture of how the council felt about the project. The sixth council member spoke about the issue in a radio segment with another council member and the Wiyot Tribal Chair, thus providing some of her views regarding the topic. Taken as a whole these informants provide the clearest picture of how the City Council of Eureka feels regarding the land transfer to the Wiyot Tribe. Overall the researcher's are unsure how other Wiyot members feel about the land transfer and Cheryl Seidner's comments cannot be generalized to the whole tribal population.

Data Analysis Methodology

All interviews and the radio segment were transcribed by the researchers. The empirical data from this project was examined using NVivo, a qualitative data analysis software program to search for themes, patterns, similarities and differences. Inter-coder reliability was conducted on regular intervals to ensure consistency and reliability by the researchers. The historical local documents were examined to search for themes and patterns in regards to how issues were framed and discussed by different authors. The recent local documents were also scanned to search for common themes and patterns in regards to language use and framing of the issues.

Data Analysis

As noted earlier, the interview data was analyzed using a grounded theory approach. In 2004 I initially began analyzing data using an open coding scheme; I was trying to let the data speak for itself during this preliminary data analysis process. Open coding involves “coding the data in every possible way...for as many categories that might fit” (Glaser, 1978: 56) and includes “the process of breaking down, examining, comparing, conceptualizing and categorizing data” (Straus & Corbin, 1990: 61).

After examining a few interviews and finding open codes within the interviews from different data sources I moved to a selective style of coding; only searching the common codes I had found. Selective coding is noted as the process of “delimiting ‘coding’ to only those variables that relate to the ‘core’ variable that forms the heart of the emerging theory” (Glaser, 1978: 57-61). After finding common selective codes, I moved into theoretical codes. Theoretical coding entails molding selective codes into theoretical codes that connect the selective codes together.

Then I began to conceptualize and mold the common theoretical codes into a core variable, attempting to understand the relationships between the theoretical codes and how they made up the core category.

During the spring 2005 semester I stopped open and selective coding and continued to work with only theoretical codes. I created two categories: acknowledgement and recognition, and historical features and importance. These two categories comprise my core category, or my dissection of what “the right thing to do”

means from the viewpoint of Eureka City Council members and staff. The core categories help provide depth and breadth while still producing a quality theory of the data or what it means to “do the right thing” As Dey notes, “the use of core categories is intended to both maximize parsimony and scope while ensuring that the emerging theory is dense and saturated”(1999, 110).

During the fall 2005 semester I began analyzing all data forms from a core category paradigm. The interviews were examined from the themes noted above and the newspaper articles, historical and recent documents were also examined from this core category paradigm. More specifically, the use of explicit language or particular phrases and words was examined to ascertain how journalists wrote and spoke of the massacre, the land transfer and the present situation of the Wiyot Tribe and Eureka City Council. After I analyzed all the data sources separately I utilized a triangulated approach in which I compared and contrasted the data sources for similarities and differences.

The main theme that emerged from the interview data includes why transferring the land was “the right thing to do.” Using a phrase employed over and over again by Eureka City Council members, I have coined “the right thing to do” as the core category, which explains why the land transfer occurred and what this term means from the participants’ viewpoint. This core category holistically encompasses all the other variables associated with it such as acknowledgment and recognition, and historical features and importance.

All of these themes were conceptually created directly through interview questions and commentary; participants were asked what each of these themes meant to

them through different lines of questioning. Professor Eichstedt asked participants what it meant “to do the right thing” after they commented on it (this was not a question, participants just used this specific language).

In an attempt to reinforce my findings I examined twenty five different newspaper articles, five old and twenty recent articles regarding the topics of the Indian Island Massacre, the land transfer process, the annual candlelight vigils, the Adorni land transfer ceremony and after-thought interviews following the land transfer. Each article was coded and categorized by author type, author voice and tone and most importantly the language used to describe the events. These findings were then juxtaposed against the interview results to examine similarities and differences. Again these results will be woven throughout the results chapter.

In conclusion, the methodology for my research was based in grounded theory. My approach allows for a more holistic view of this case study and helps explain more thoroughly why transferring the land was “the right thing to do” and what it means from the viewpoint of the participants.

CHAPTER 5: UNDERSTANDING THE RIGHT THING TO DO

Introduction

After analyzing and comparing all of my data sources I feel I have a complete picture of what motivated the Eureka City Council to transfer over forty acres of Indian Island to the Wiyot Tribe and claim it was “the right thing to do.” This chapter is a thorough consideration of the council members’ demographics and backgrounds, the themes that were important to them surrounding the land transfer, and most centrally how they keep explaining their actions of transferring land by claiming it was “the right thing to do.”

In an effort to understand how and why this land transfer occurred I dissected the participant’s interviews to unravel why the council members felt it was “the right thing to do.” This analysis includes comments and viewpoints of Eureka City Council members and one Wiyot tribal member in regards to the land transfer. More clearly stated, participants were asked a variety of questions regarding the land transfer, such as: how did it start, who was involved, why it was done, what it meant for them, what were the benefits and fears of the project and so on and so forth. What surfaced from these questions was that council members kept using the language of this action as being “the right thing to do.” It must be noted that explaining or asking about the “right thing to do” was never an interview guide question, nor was it something that the researchers forced out of the interviewees. The “right thing to do” was a phrase that was used by council

members to describe why the land transfer occurred. Once the council members used this language the researchers would then probe what this meant and why they used this phrase. Overall a majority of council members used this phrase or similar phrases to describe and explain their actions in regards to the land transfer. My analysis dissects council members' comments regarding this action in an attempt to better understand how and why the land transfer occurred and what it means when they say this action was "the right thing to do."

Also included in this chapter is a brief summary of the interview sample as well as some demographic data regarding the interview participants to provide characterization. Background information is provided for all seven interviewed participants.

As noted previously, I analyzed "the right thing to do" as a core variable within my research in an attempt to understand why the land transfer occurred and what it means to do the right thing. Thus "the right thing to do" has two main themes I have named: "recognition and acknowledgement", and "historical features and importance". These two main themes speak to why the land transfer occurred and outcomes of the land transfer in the context of doing the right thing. The analysis of "the right thing to do" also connects to collective apology and reconciliation (CAR) processes. The phrase "the right thing to do" is parallel to the language utilized in collective apologies and reconciliations and these dimensions will also be explored.

Analyzing this social phenomenon from a different viewpoint (in an attempt to see if dissimilar viewpoints and ideas were publicly discussed), I triangulated my

interview findings by comparing the interview data to newspaper articles and relevant land transfer documents. These comments will be woven throughout the chapter to add support to my claims.

The Sample

I have analyzed interview commentary from seven research participants. As noted previously, all research participants have consented to having their names and identities known through out the process and in the writing of research results. Four council members, the city manager, the former mayor of Eureka and the Wiyot tribal chairperson have been interviewed. This includes all council members except Virginia Bass-Jackson the current Eureka Mayor.

The Eureka City Council has five wards, with a council member representing each ward. Chris Kerrigan is the youngest council member and to date has served on council for more than five years. In 2004, at the young age of twenty-four, Chris had the unique perspective of sitting on more than two councils with different members and different mayors. His perspective helps fill in the factual and conceptual gaps of the land transfer process. Born and raised in Eureka, California, Chris is a young white male who labels himself politically progressive and whose only job is sitting on council. Chris is also one of the most politically aware and active members on council in regards to national and international politics. Chris represented Ward Four and continues to serve this ward presently.

Jeff Leonard is also a local to Humboldt County, specifically Eureka, after moving here during his kindergarten years. Although Jeff was mainly raised in Humboldt County he left for ten to fifteen years to pursue other job offers until he moved back to Humboldt County with his wife. Jeff has sat on council for more than three years and this position is his only job. He also is a family man and takes care of his young daughter. Jeff is a white male and approximately forty years of age. Jeff would describe himself as a Democrat but did acknowledge he is fed up with the divisions in politics of Republicans and Democrats. Jeff has also been involved in a variety of parties such as the Independent and Green Parties. Jeff served on Ward Three and continues to serve this ward presently.

Mary Beth Wolford is not a local of Humboldt County but moved here ten years ago. Mary Beth has been involved in a variety of occupational fields and careers and has been very active in all of the communities she has lived in. After hearing the council was bipartisan she decided to run and was on council for two years. In 2004 Mary Beth was seventy-two years old and would describe herself as a white woman and a Democrat who is fiscally conservative. Mary Beth is divorced, has children who are grown and takes care of one mentally disabled child. Mary Beth also works currently as an administrative director for a non-profit to supplement her income from her monthly council stipend. Mary Beth served for Ward One and presently she no longer holds a City Council position.

Mike Jones considers himself a local of Humboldt County; he moved to Eureka with his family when he was ten years old. Mike, who describes himself as a white male,

is approximately sixty years old and has a wife and three children. Mike was raised in a Lutheran household and presently is an active church member of the Mormon faith with his family. Mike depicts himself as a moderate conservative, but claims to have an open mind to liberal ideas in regards to City Council business. Mike was the only council member not present during the May 2004 council meeting, although he did watch the whole meeting on television and text messaged his vote into council. Mike served for Ward Five and continues to serve this ward.

Virginia Bass-Jackson was the only City Council member who was not interviewed. Virginia did serve Ward Two until she stepped up to obtain the Eureka city mayor position. However, as noted earlier, she made comments on a radio segment with Cheryl Seidner and Mary Beth Wolford discussing the land transfer process. Even though the researchers lack Virginia Bass-Jackson's interview, I have a pretty accurate picture of how the Eureka City Council feels regarding the land transfer process.

David Tyson is a local of Humboldt County and has served as the city manager of Eureka for the last seven years after serving as assistant city manager for five years. David is a white male, approximately fifty years old, who labels himself politically as a conservative Republican but claims many of his friends would call him a conservative Democrat. David is married with two children and has lived in Humboldt County almost all of his life. David graduated from HSU with a degree in business administration with an emphasis in accounting. David's only job is his position as city manager, which pays much more than the small City Council stipend, which is interesting because he works for the Council and the Mayor.

Peter LaVallee moved to Humboldt County in 1970 and does not consider himself a local even though he has resided in this area for more than thirty-seven years. In this self-definition he follows local rural definitions that posit- if you were not born and raised here, you are not considered a local. Peter was raised in a semi-religious household, where he attended church until the age of thirteen. He does not presently consider himself a religious person. Peter describes himself as a conservative democrat; being very “left of center and radical at times on certain issues” and being rather conservative on fiscal matters. Peter classifies himself as a white male although he states this label has no saliency in his life. Peter is one of the only council members who had contact with Native Americans prior to the land transfer. Peter is no longer the mayor of Eureka after losing in the 2006 election to Virginia Bass-Jackson.

Cheryl Seidner is the tribal chairperson of the Wiyot Tribe. In 2005 at the age of fifty-five, Cheryl had been tribal chairperson for nine years and is staying in this position until someone else in the tribe is willing to take her place. Cheryl is one of many tribal members who approached the council in asking the city of Eureka to review the lot line adjustment that helped fuel the whole land transfer in the beginning. Cheryl was an active member throughout the whole process. Cheryl was born and raised locally and has five siblings. Cheryl describes herself as a Wiyot Native American and a Native American Christian. Cheryl is also the only tribal person the researchers were able to interview.

Demographic Characteristics

The researchers asked a variety of background questions to gather demographic information about the City Council members.

All interviewed council members classified themselves as white or Caucasian and did not find that racial identity important or salient in their daily actions or in many experiences through out their lives.

Five out of the seven participants are not currently religious people. Five out of seven participants spoke of being involved in church when they were young but it faded as they got older. Others noted never being exposed to religion through their families. Three of the participants also noted that they were very spiritual, but not religious, making a distinction between the two terms.

When questioned about their community service, community involvement or volunteer work, all noted it was a value and an important part of giving back to the community. Five out of seven participants noted that these ideals became apparent to them when they exited high school or entered college. All were involved in community service or community service groups and got involved to make a difference in the communities in which they lived. Overall participants got involved in service and claimed providing service to others is important, but only two of seven participants were involved in service work serving other racial/ethnic communities besides their own.

When probed about how much involvement council members have had with other racial groups (including Native Peoples specifically) prior to the land transfer a majority

said “none”, and “probably very little.” Only three out of six council members had worked with other groups outside their racial group. Council members were even questioned if they had social relations with other racial groups prior to the land transfer and again four out of six council members said no, or only work/occupational relations, not fuller social relationships such as friendships or significant others.

In many ways these variables make the transfer of land seem more significant and profound. Four out of six council members had not been exposed to Native groups nor did they explicitly consider them part of their community.

Over half of the council members were unaware of the history of Humboldt County. All except for two council members were born and raised locally, making the lack of history even more intense. Only half (three of the six) council members were aware of the massacre prior to the land transfer. Chris Kerrigan learned of the massacre when he was a junior in high school and was shocked by the information.

I didn't learn about the massacre in 1860 until I was a junior in high school, and I felt very ashamed that I could grow up that long and not know. It was actually in the high school civics' bulletin, I distinctly remember, feeling so ashamed but also just so weird that my parents or that somebody, I mean it had just never been talked about.

This background information notes the lack of understanding the council members had regarding the tribe and also helps explain how the city dealt with being approached by the Wiyots regarding the lot line adjustment in the very beginning of the whole land transfer process. Over half of the council members did not recognize the Wiyots within their definition of community, had never worked with them on community

projects or in community service and did not know the local area's history, thus they did not know the history of Native genocide, the Wiyot tribe or the Indian Island Massacre.

Morals/Ethics/Values

The value systems that participants noted were very similar in the terms they used to describe themselves and their beliefs. Honesty, hard work/strong work ethic and service to community were attributes many had in common. Others noted integrity, passion, loyalty, taking responsibility, the value of family, being open and upfront, living an ethical life, being faithful and moral and being successful. Almost all noted how their value system directly affected their service to the city, and were directly conscious of how their value systems played into their work, decisions and actions for the city.

Overall, all were cognizant of their values and how they wanted to uphold and live out those values, morals and beliefs. Jeff Leonard discusses these values and how they play out in his individual life and on council.

As a City Council member I think my personal values are more important now than they have ever been in my entire life. One, everyone sees them and if they're not values I want people to see I get myself into big trouble. I've always had a really strong feeling about the important role that government plays in helping everyone and society, to get along together. I think the role doesn't get played by accident. It takes people with real strong convictions on a number of levels to make that a reality, so I would say the value system that my parents taught me, which included honesty is really important.

Jeff Leonard's comment shows how the value of honesty plays out in personal and professional life and how it can be difficult to uphold his values and morals. Peter

LaVallee also notes how “standing up for what you believe” is an important value in his life.

Probably the most important thing to me is integrity. Integrity is highest my value and it means standing by what you believe in. Passion is a big value to me too, and I don't know where I got it, because I grew up in a family that had virtually no emotion on issues. But boy, I got it somewhere.

Examining the participants' personal heroes or role models was also an effective way to probe for characteristics or qualities they strived to emulate. Many valued the same qualities such as hard work/strong work ethic, honesty and community service in their personal heroes or role models. Some claimed to have the same role models in adulthood as they did when they were young, mainly parents, family and coaches. Much attention is given to parents and how council members parents directly affected their lives by the morals, values and beliefs their parents displayed. Thus many participants imitated these characteristics in hopes to replicate and mimic people they regarded in high esteem. As David Tyson shows, he still tries to live up to his parents' and coaches' value systems.

My chosen athletic career was swimming, so you spend five to six hours a day with your coach and I think primarily the work ethic and loyalties they would show and demonstrate. As far as my parents, they were hard working people. If you were to ask anyone in the community, they were the salt of the earth type that knew what their responsibilities were to family and community and followed through with those. They were very loyal to one another, and that was important to me as well. My father gave a lot to his community and back to the city through various organizations like Rotary and Boy Scouts and other organizations.

Tyson's comments are an example of how participants characterized the importance of making your service to the city worthwhile and living up to your value system.

Exploring the Right Thing to Do

“The right thing to do” was a phrase used frequently by council members and was discussed by them from all angles and through out the whole process. For example, “the right thing to do” was noted in the initial stages of the land transfer, during the intermediate stages of the land transfer and in the after stages of the land transfer. These three stages will be discussed briefly to familiarize the reader with the dimensions of the “right thing to do.”

In the beginning stages of getting the land transfer proposal to council, David Tyson characterized this action as “the right thing to do.” David was remembered by council members as saying “here is why this is the right thing to do, here is why it’s going to work for the city of Eureka,” thus from the beginning stages of the process it was clearly stated this was “the right thing to do.” Others expressed that Tyson “had a very strong principal, talking to him, he definitely thinks it was the right thing to do.” David has been identified as a key player *in principle* for supporting the land transfer and framing the action as “the right thing to do.” David did not comment on the *in principle* aspect in his interview but by analyzing additional comments made by him and other participants it is evident he was a guiding force and played a strong leadership role in making the land transfer happen. The *in principle* idea is very important to the researchers’ analysis of understanding the moral implications of why this process was initiated. I feel without Tyson’s motivation and values this land transfer would not have happened.

Once Council accepted the initial idea, some participants spoke of the event as simple, “like a no-brainer.” Chris Kerrigan commented, “I think, and I got a sense from the Council, it was just the right thing to do and I mean there just never any real question about that, it was how, what is the best way to do it.” Thus once the idea was introduced, in the intermediate stage, it appears all council members supported the land transfer, without questions or doubts.

In the final stages of the land transfer process participants stated it was “the right thing to do” because it “would help a group renew their culture” and “this would be a first step in allowing them to do it.” Others spoke of the injustice from the massacre “but hopefully this [the land transfer] was the right thing to do.”

Many participants spoke of “the right thing to do” in reflection upon the processes and events that occurred. David Tyson claimed “the right thing to do” was intertwined with recognizing and acknowledging the historical aspects of the transfer. Tyson’s comments note how these variables are closely related and he expresses how this was “the right thing to do” as follows,

Culturally it’s so important to them. We all believe that the massacre on Indian Island was a horrible blemish on our community and this isn’t going to fix that. That happened then and we can’t fix it now, but I think it is a way to recognize that it occurred. In the history books it was almost swept under the rug by white people, there was no prosecution, there were never any inquiries. So this may be an official way of acknowledging it occurred, be it a hundred and sixty years later, or a hundred and forty years later. It’s the right thing because the Wiyots have a desire to bring back something that was very important to them that has been dormant for a hundred and forty years.

David's comments show that even though so many years have passed after the massacre, the land transfer was still seen as a restorative act in response to the massacre.

Yet others spoke reflexively of the "right thing to do" in simple terms of objectives. The tribe's desire to reclaim island land is one main goal in the eyes of many Eureka City Council members. "The goals have been defined by the tribe and they've indicated uses for the land they received and are going to restore their culture." Yet others had different reflexive views, claiming, "the goal was really showing that there is a moral side to history, and taking responsibility." This council member noted the goal was to change or transform the past injustices against the tribe and to take responsibility for the past.

Overall the phrase "the right thing to do" was used to describe the land transfer in all three stages: prior, during and after. "The right thing to do" is a multi-faceted phrase, one that can be dissected from many dimensions. My dissection of this phrase is as follows.

I have broken the analysis of "the right thing to do" into two main themes, recognition and acknowledgment and historical features and importance. The subcategories of these two themes will be discussed in italics throughout this chapter to help the reader comprehend these two main themes and the relationships between them. The phrase "the right thing to do" also makes connections to the CAR literature. Although the "official" language of apology or reconciliation common in CAR processes was not precisely used by council members, this relationship will also be examined in this chapter.

Recognition and Acknowledgement

Recognition and acknowledgment is a theme that was intertwined with many other variables throughout the process of the land transfer. Recognition and acknowledgment was something that was made to the tribe, about the tribe and the history surrounding this social action. Overall recognition and acknowledgment can be characterized as outcomes of the land transfer and included the following six elements.

First the council recognized and acknowledged the past injustices that occurred against Wiyot people, specifically the Indian Island Massacre of 1860. Second, the council recognized and acknowledged the historical exploitation of Native peoples living in Humboldt County as well as how this process affected tribal people throughout history. Third, the council became more aware of the Wiyots as tribal people through educational awareness. The educational information council members received assisted in making the land transfer occur but also provided understanding into the Wiyots social, cultural and spiritual ways of life. Fourth, through the land transfer process relationships were built. These relationships were also viewed as avenues to develop mutual understandings between the council and the tribe. Fifth, the council acknowledged the tribe as a sovereign political body, “an official recognition of them as an independent, organized, self-governing body.” Prior to the land transfer the Wiyot tribe was not acknowledged or recognized in a political manner. Finally, the council recognized how their views of Wiyot people had changed or altered after the land transfer process. These changed or altered views reflect the positive experience council members had from the land transfer

process. These six points will be discussed separately in detail to show different aspects of recognition and acknowledgement of ‘the right thing to do.’

The first example of recognition and acknowledgment is *responsibility*. Council members spoke of taking *responsibility* in connection with the land transfer in the following ways. Phrases such as “taking *responsibility*” or “a code of *responsibility*”, in which some felt “a sense of *responsibility*” in regards to the land transfer were used to describe “the right thing to do.” David Tyson clearly noted a sense of *responsibility* and how it relates to morality in acknowledging what happened in the past- specifically the Indian Island Massacre of 1860. He spoke of these concepts in the context of his great grandparents who lived here and himself presently as a resident in Humboldt County.

It’s a sense of responsibility, going back to my family, to right or wrong. I’m sure they would have thought it was really wrong, that this happened, so I’m given an opportunity to participate, maybe not righting the wrong but, but at least acknowledging it.

All council members noted that the Indian Island Massacre of 1860 and the historical injustices against Native people were atrocious. Some council members even went as far as to say that the land transfer will help undo what has been done, which David alluded to but did not overtly express.

Peter LaVallee also noted how he doesn’t feel personally responsible for Native extermination but still notes the actions were wrong and should be acknowledged and recognized as wrong.

I always had an interest historically in expansion to the West. I had a strong personal and emotional investment in this issue. When I say ‘we’ the people, who immigrated to this country and moved West and decimated an entire [group of people]. Not only did they decimate them

[Indians] they decimated the land and everything. It's very frustrating, because the "we" is, I could be part of that "we" but I don't feel that responsibility because personally I wasn't there. It recognized, or acknowledged, that's not healthy, and it's not healthy. I was pleased, that we the council were able to help [by transferring land to the tribe].

Overall the word *responsibility* is utilized by council members to acknowledge and recognize the history and genocide of Native peoples, the Indian Island Massacre of 1860 and taking *responsibility* by returning portions of Indian Island because it was "the right thing to do." It is my opinion that the phrase "the right thing to do" is a moral and cognitive comment, one which takes a strong value system and a principled motivation to make it happen. I feel council members felt a *responsibility* to return portions of Indian Island because of their morals and ethics as people. Peter LaVallee notes the moral aspects of the land transfer as follows,

First, and foremost, to me it was recognition of [the tribe]. It was a moral thing, and I'm supporting the tribe as I can as mayor. It's a chance for the tribe to restore [their culture]. It was about doing what was right, about helping to restore their culture. For the tribe it has just so much more meaning, because we [white people] can't even begin, I mean I can appreciate that, but I can't understand that, because I'm not part of that [the tribe].

Finally, Cheryl Seidner comments on the topic of *responsibility* and how important it is to have people acknowledge the past injustices committed against Native people. She comments in a local paper a week after the Eureka City Council voting meeting stating, "We don't hold people today accountable for the actions of the past, but we can hold them accountable for not recognizing past injustices" (Vogel, 2004c). Recognizing the historical injustices against Native people was also noted in the newspaper articles and public documents I reviewed. Of the forty articles and documents

I examined, twenty-nine note the Indian Island Massacre as a horrific, horrendous event, recognizing the social injustices against Native people. Overall, acknowledging this sad portion of history and taking responsibility for it by returning the land is one step in healing and righting a wrong that occurred not so long ago.

Another example of recognition and acknowledgment in the eyes of council members includes *educational awareness*. Many council members, such as Chris Kerrigan, noted that through this process they received a lot of information about the Wiyot tribe and their culture, religion and values.

Certainly, I learned a great deal about Wiyot culture and established some wonderful relationships that I value very much with the tribe. I think it will stick with me and I will get to learn from the experience, it became such a monumental thing, for the council, and for myself.

One participant specifically spoke of “gaining an understanding, on both sides” noting that both parties had to become knowledgeable of the other sides point of view or world view; both sides had to understand their position and engage in taking the role of the other.

Others spoke of learning detailed information and gaining familiarity with Wiyot culture. Again understanding the position of the other group was important to both groups. Still others spoke of knowing nothing of the Wiyots prior to the information provided by the tribe. The education they received was very important to making the land transfer process happen.

Again, twenty-nine of the forty newspaper articles and land transfer documents I reviewed provided cultural information about the Wiyot Tribe to the public. Writing

about the tribe and their history gives the community the opportunity to become familiar and knowledgeable about the tribe. As noted in previous chapters, it is educational awareness that helps community members get involved in the healing process, such as the annual Candlelight Vigil and other Sacred Site Fundraisers.

A majority of council members spoke of *relationship building* and *relationships* being essential to the land transfer process. Some spoke of relationships in general, such as friendly relations as noted by Chris Kerrigan on two separate occasions.

I think there were some incredible relationships developed from this and the openness of those relations for the future- to continue talking and continuing these discussions and these types of ideas.

The relationships that have been established, I think will allow us to understand. I think the future will be about mutual understandings. Understanding each other view and that's why the relationships that we're developing from this are probably the most important.

Chris' remarks not only discuss the idea of building relationships but also noting the understandings that were created among the groups. Mutual understandings have been noted as a vital step that must occur in CAR processes for long lasting results to occur. Chris' comments illustrate how these processes were created through building relationships. Jeff Leonard also notes the city of Eureka could have done more to establish relations right after the land transfer with the tribe in the form of friendships and bonds. However, Jeff notes it is not too late to try to construct those bonds with the Wiyots.

But I still feel we haven't sealed that bond of friendship in a way that I would have liked to. It's also a special time and an opportunity. Event though we haven't got something done yet doesn't mean that it can't be done later on.

Although it is not too late to try to construct these bonds and friendships, the critical moment in which the meaning and value would have been strongest has passed, and Jeff recognized this factor.

Overall, the exploration of Wiyot culture through dialogue and education helped the participants understand the Wiyots worldview and helped produce the relationships that were seen as important results by some participants.

Some spoke of the relationship of *government bodies to other government bodies*, in which the Wiyots were recognized as a legitimate governing body. Jeff Leonard expressed “how valuable it is to try to develop that relationship, and bring them into this group of local governments.” This comment also illustrates that the Wiyot tribe was not fully recognized by the city of Eureka as a governing body prior to the land transfer. David Tyson specifically illustrated how the views of the Wiyots as a governing tribal body have been transformed.

I have more respect for them because I’ve had a chance to work with them. How professional, organized and business like they are, unfortunately that was not my impression before. I had no reason for that other than things I’ve read and what have you.

David’s comments display he had biased views prior to the land transfer and the process allowed him to respect, understand and take the other’s views into consideration.

The last example of recognition and acknowledgment is *altered or changed views* of the Wiyot people in the minds of Eureka City Council members. Some participants commented on the topic noting, “I don’t know if they have changed, so much as I

learned more” and “they [my views] deepened” or “so I would probably just go down as saying, they’ve acquired an identity in my mind that I didn’t get when I was growing up.”

Peter LaVallee comments on how his views of the Wiyot people have not changed but increased in the following way.

I don’t know if it’s changed, I didn’t really know much about them. I had never gone up to their site, at table bluff. And now I’ve been out there several times, even though I had driven by. It’s good to have an expanded understanding, but I don’t know if it’s changed.

These comments convey the relative invisibility of the tribe in the minds of many participants. All participants expressed they had altered their views of the Wiyots, which only happens with extensive dialogue, communication, and exchanges of factual and emotional information.

After the land transfer ceremony many newspaper articles were written about the topic. Again, exposure to the tribe, their history and the land transfer help increase community awareness of the tribe and hopefully has provided the community with positive views of Wiyot people and Native people in general.

In summary, the previous six recognitions and acknowledgments denote the outcomes and results of the land transfer.

Historical Features and Importance

The other dimension of understanding “the right thing to do” is the historical features and importance of the land transfer. This dimension of “the right thing to do” explores why the land transfer occurred.

Historical features and importance is a theme that contains many elements and was discussed in five different ways by council members. Foremost, the council noted the historical significance of their action by voting for the land transfer. Second, the council bypassed laws and rules regarding the transferring of city land by expediting their deed without land “appraisal, competitive auction and bidding requirements.” Third, the land transfer reunited tribal people with a portion of their culture, spirituality and tribal history. Fourth, the transfer was a historical “place holder”, memorializing and acknowledging the past extermination of Native peoples and their lives presently. The council members’ awareness of the land transfer’s importance (to the tribe and themselves) was not cognitively recognized until the land transfer meeting and later in the signing ceremony. And finally, the land transfer may help right a historical wrong that was committed against Native peoples. All council members noted the emotional aspects of land transfer. These emotions arose from doing the right thing (returning sacred land) and the impact it has for Wiyot people. These subcategories will be discussed in what follows.

Although it is yet to be officially proven, this may be the first time in US history in which a US city has returned land to Native people without reparation contingencies. This means the Eureka City Council was not responsible for the Indian Island Massacre of 1860 nor were they ordered through legal obligations to return the land to the tribe. The Eureka City Council returned the land because they felt it was “the right thing to do.” Maggie Herbalin and Cheryl Seidner discussed the historical importance of the land transfer in a 2004 radio interview in the following dialogue.

Maggie: So this was a very, very monumental happening in the history of the United States. I think it's the first time, if I've been correctly told, that a city has returned land to an indigenous tribe.

Cheryl: That's what I understand. I also understand that someone is contacting the Native Rights Fund in DC. They have their attorney clerks looking through that to see if anything like this has happened, not just in California but throughout the United States. So they are making it a national search.

The Eureka City Council also bypassed city laws in selling or deeding city land during this land transfer. In the official Resolution No. 2004-22 it is noted.

The City Council hereby determines that this transfer is based solely on social and cultural factors, and that there exists significant public interest in this transfer, and thus hereby waives the requirements of the City's policy and procedure memorandum file no. 2.01 (regarding sale of City-owned real property), including waiver of appraisal, competitive auction and bidding requirements.

It is apparent that the Eureka City Council felt the land transfer was 'the right thing to do' if they decided to bypass city laws, rules and regulations regarding the selling and transferring of land. The council did not want any private party except the Wiyot tribe to have this land.

Yet again, twenty-nine of the forty newspaper articles and land transfer documents I reviewed noted the historical injustices committed against the Wiyot people. Words such as slaughtered, genocide, butchering, attacked, raided, brutality, extermination, and others were used to describe the Indian Island Massacre of 1860. Phrases such as a permanent stain, a festering wound, a spiritual curse, a black mark, a dark chapter, a dark stain and others were used to describe the effects the massacre had on Humboldt County and its communities. These word choices clearly indicate the

historical events that occurred were viewed in a negative way by the authors. These word choices also note Humboldt County's lack of response to the massacre and the affect it has had on the county and its communities. Of the articles that discussed the land transfer process, all noted that this action was a positive way to respond to the historical injustices. Words such as healing, honoring, restarting, reclaiming, reconnecting, regaining, restoring, renewing and others were used to note the effects the land transfer could have for Wiyot people. Phrases such as righting a wrong, absolving grievous wrongs, a long overdue response and others were used to describe the historical importance this action had for Humboldt County and its communities in cleansing a historical taint that has lingered for so long. The land transfer is also historical in nature in many other ways.

The council mainly discussed the historical *significance* of the land transfer during the voting in of the land deed. Many participants noted how they did not recognize the importance, value or the magnitude of their actions until the vote was taken. All appeared to be so focused on business as usual that they couldn't take in the whole process as something unusual and significant. Chris Kerrigan clearly noted how the historical *significance* of the event hit him only during the voting process.

I never considered the historical significance of what we were doing, like the mayor said- this shows there is a just side to history. Seeing the Wiyot tribe there and how important it was to them, it became very clear to the council sitting up there, truly how historical this was. We go through a lot with the job and I have never seen the council have a more satisfying meeting. I've never felt better than that meeting, out of all meetings. It was truly unique and special, and the entire staff was after that meeting. You have to go through some crap sometimes being an

elected official. To have an experience like this one; it truly is something I will never, ever forget.

As Chris' sentiments clearly demonstrate the historical *significance* of the event was not cognitively recognized until the May 18th council meeting. Throughout the whole process many council members were focusing on the political or business aspects of their actions, not taking in the moral aspects of their historical actions. Jeff Leonard also noted how the routine business of the council overtook the process and made him unaware of the historical *significance* of the event.

None of us had thought about it from that historical point of view. We just never really thought about it from that perspective and that importance and then suddenly we're sitting there, really getting ready to make a vote that in our minds is a routine vote, because we already said would we wanted it.

Others also expressed these feelings regarding the historical aspects of the land transfer, in which it appeared as routine business until others interjected emotion and feeling into the events. Jeff Leonard noted how other people displaying emotion and feeling raised his *awareness*. Leonard articulated how many council members went into the meeting with a normal feeling of routine work. However, the meeting ended with a different feeling because of the historical aspects of what had been accomplished and how personal it was to other people.

We all went into it with that feeling of we get a real chance to approve this. Then suddenly we're getting these approvals from the community, not just members of the tribe coming up but from the community. They were all talking about what an important historical thing this was. I think all of us sat there for at least a half hours worth of testimony. It made me think I am in a situation that is bigger than me, it's bigger than me sitting in a room with four or five other people and saying okay let's do that. It's bigger than, just sort of an agreement, pieces of paper, and I felt wow,

lucky me. You never wake up in the morning and expect that something's going to happen to you that is going to have a historical effect on other people, even if you're an elected official. We do a lot of stuff right now in the moment that's very important and it has long term consequences but this is going to appear in history books someday.

Jeff's commentary shows how during the meeting his *awareness* of the council's actions had transformed. He noted how this was more than a legal agreement, but an agreement that had real valuable consequences to people's lives, culture and history.

All council members commented on the *emotional aspects* of the land transfer council meeting and the ceremony. The emotion appeared to arise in the same process as the historical importance of their actions; it did not hit participants until the night of the meeting and during the ceremony. The Brown Act may have affected the emotional aspects of the land transfer too. The Brown Act states that public officials cannot do the city's work in private, to protect against coercion, bribery and fraudulence. Thus the only opportunities participants had to discuss these processes were in closed council meetings, and as noted earlier these meetings mainly discussed the business and political aspects of the deed transfer.

It appears the cognitive and *emotional processes* did not reach consciousness until other members present at the meeting brought up these ideas. These details dramatically differ from other apology and reconciliation processes in which cognitive and emotional processes fuel and drive the process. These details also vary from the Evangelical Christian Churches' apology and reconciliation processes in which priests and church members sit around to discuss, and pray for forgiveness. Thus, in some regards, the

council members lacked emotion or cognitive awareness regarding the land transfer until the night of the meeting.

Other interviewees specifically related the *emotional aspects* of the transfer to the historic nature of their actions with comments such as “I got emotional, because of the historic value of what we were doing” and “it was so emotional, is because none of us had thought about it from that historical point of view.” It should also be noted that many council members cried during their interviews when they were questioned about the emotional aspects of the land transfer. It appears from their emotional displays that many council members were deeply affected by the land transfer process and the effects it has on Wiyot people.

Yet others related the emotional aspects of the meeting and transfer to doing the right thing. Mary Beth expresses how “the right thing to do” made the emotional aspect of the project come in to consciousness for her.

I think what caused it was doing the right thing; oh I'm getting emotional now. For me, it was a chance to be there in a moment in time and to participate in something that hopefully will be a first step. Hopefully other places in the country will note this and consider such actions. It's sort of like- if you had lost your child and found him or her again, how you would feel when that child returned to you.

Mary Beth also cried while she reflected on these aspects of the project, noting how truly emotional this process was for her and for the Wiyot people. In some aspects Mary Beth embraced the role of the other and to a degree understood the value, importance and magnitude of this transfer from the Wiyots point of view. Again gaining an

understanding of the parties involved and accepting the other parties' worldview is crucial to the development of successful CAR processes.

Overall the variables of *significance, awareness and emotional aspects* denote returning sacred land to the tribe had a huge impact on Wiyot people and the land transfer was much more than a legal agreement. Many council members had a hard time grasping the idea that Tuluwat Village (Indian Island) is the center of the Wiyot's universe, a place where their creation stories evolved and a sacred burial site where their ancestors reside. It is a living, breathing element of their culture; it is not a lifeless piece of land. This land transfer helps reunite the tribe with a lost aspect of their culture, helps the healing to begin from the Indian Massacre of 1860 and helps "right a historical wrong" that was committed against Native people.

All in all, the historical features and importance of this land transfer help explain why it occurred and why it was "the right thing to do."

Apology and Reconciliation Processes

The final set of questions revolved around the use of apology and reconciliation (A&R) language in the land transfer process, the actual land deed and in the Adorni ceremony signing. Questions asked of participants included: the language that was used throughout the process, if they were knowledgeable of other national or international A&R processes and if these efforts affected the transfer that occurred locally.

All were asked if the language of A&R was used in the official land deed and everyone responded "no." The official Resolution states the land transfer was "a healing

gesture” and the council would “continue to acknowledge and remember the intolerable historical injustices suffered by the Wiyot people on Tuluwat and elsewhere.” Despite the interviewees’ denial the phrase “a healing gesture” implies reconciliation efforts in regards to the historical injustices committed against the tribe.

Again, although all responded “no” to using A&R language, the language used by council members to describe the land transfer is very similar to or equates with the language of A&R processes. Chris Kerrigan noted how the “notion of apology” was never brought up, but reconciliation was.

No, no I don’t think so. [I don’t] recall it ever coming up, the idea, the notion of apology. I think it had to be instinctive, I think everyone was feeling this was [the land transfer] makes an effort towards reconciliation; I guess would be a better word.

Chris’s remarks are common amongst participants; they do not use explicit A&R language but their word choices allude to A&R language and relate to CAR processes. Over and over again participants made claims that their language use was not A&R language, although it is A&R language. There are several examples of council members’ failure to embrace A&R concepts and language use.

One council member spoke of apology in an indirect way, noting that the atrocities against the Native people of Humboldt County were horrible, which the land transfer helped mitigate by recognizing the tribe and the land transfer’s importance. Jeff Leonard shows these sentiments in detail.

I don’t recall going around and hearing from everyone a tone, a penance, a kind of an expression. I think it was more a broad based- indigenous peoples of Humboldt County are getting the raw end of the deal. So if we can in general help reverse that then good. There might have been some

kind of expression but not an, [apology]. Historically Eureka played this role and we need to atone for that role. I do think on the other hand, especially as this process has moved forward, you're hearing more and more conversation among the council regarding recognition and how important it is to recognize the tribe, as a self-governing body. How valuable it is to try to develop that sort of relationship.

Jeff's comments show how the council helped to undo some of the damage which had been done to Native people of Humboldt County, which relates to apology and reconciliation processes through reparations.

Another participant adamantly expressed how the language of apology was not used but she directly comments on it. Mary Beth discussed the land transfer and how the council did not apologize for the massacre but she used the word "sorry" to describe how the council felt about the massacre- which is an apology. It appears she is noting that the city never formally apologized but that the city did apologize in other ways.

I wouldn't frame it as an apology, it was the council being very sensitive to the request that the Native American's had. Seriously considering it, not letting it fall by the way side, and being able to take a stand to do it. I'd think any body feels badly about that portion of history. I guess it could be considered, the city of Eureka, saying we're so sorry it happened, none of us that are alive or living here had anything to do with it. But, it wasn't the right thing to do, but hopefully this was a right thing to do.

Certain comments made by participants do relate to the indirect use of reconciliation language or reconciliation in disguise through other words. For example, Jeff Leonard articulated he couldn't describe specifically what occurred with words, but his commentary implies reconciliation or reconciliation efforts when he was asked about what motivated the council to act on this land transfer.

You know for me it all comes down to the historical piece. The massacre that took place, and there has been a lot of conversation around

the toning of that massacre. Or a sort of make up [for the massacre], I don't know how you would want to describe it.

Jeff shows how “a sort of make up” for what happened is reconciling the past, changing what occurred for the better. Mary Beth also noted these same ideas when she was questioned why the land transfer was supported by council.

We've talked a lot about ethics and if you took the different pages out of the history book. If you could make it up, if you could do something to eradicate the things that were done to the Japanese that were interned in WWII, or to the blacks that were not allowed to vote, or to the Native Americans that were massacred. But it's not generally possible, that aren't too many instances you can go backwards and do that.

Mary Beth's comment also alludes to reconciliations and reparations that have been made with other groups to alter or change the past or make up for the wrongs that have been done. These were circumstances in which the perpetrators made reparations and reconciliation efforts to the afflicted groups. This makes the council's actions more meaningful and powerful because the council was not involved in the Indian Island Massacre of 1860 and was not obligated to provide reconciliation efforts or reparations to the tribe.

Peter LaVallee was the only participant to articulate the different dimensions of CAR processes by differentiating between the terms apology and reconciliation. The following conversation between the researcher and Peter LaValle capture his views regarding apologies.

Peter LaValle: I think we're past the point of saying that we're sorry for what happened. We ought to be at a point of working on healing. I'm not sure about how to make that distinction or define that. We can say we're sorry until the end of time, but at some point apologies become vacant. I mean how many times can you say you're sorry to your spouse, “oh, I'm

sorry for being late,” but you continue to be late. It doesn’t mean anything!

Researcher: So, what does healing require to you?

Peter LaValle: Healing to me requires building understanding and relationships, and being inclusive, that’s different from an apology. It’s about relationships, and for me that’s nice, to build a relationship with Cheryl and the tribe, not just as a people that have been oppressed.

Researcher: Is it because you see apology as being limited?

Peter LaValle: Yes, I think apology is limited. Although I know there are people in the “tribe” still have, there’s so much anger, and I don’t know what that’s [apology] going to accomplish. I don’t know that there’s anything wrong with apologizing, doesn’t it seem somewhat empty to apologize for something that happened in 1860? I wasn’t alive, wasn’t there, ownership of the apology to the deed by compacted condition. Unless I want to somehow think that I am so connected ancestrally to the people that, there’s some hereditary connection that I should be apologizing. It’s just a disconnect, that’s the problem.

Peter LaValle feels that apologies are not enough to reconcile differences in CAR processes. Like many theorists, LaValle argues changes in actions or behaviors are necessary in reconciliation efforts and that these changes are more meaningful than words (such as apologies).

As previously discussed, the council does not feel apology and reconciliation efforts were involved in the land transfer process. However, Mary Beth noted the land transfer process as very important, highlighting the details of the process, which relate to CAR processes. Mary Beth shows these details, citing many crucial CAR process requirements such as time, trust building, commitment and preparation in the following quote. (It is also interesting that Mary Beth provided the following comment in the after section of the interview, in which the researcher asked if she had anything else to add).

I would add this is a significant topic and it is not to be taken lightly. The land transfer is way down inside us, it's not anything you do to be a good doer, and you do it because you believe in it. It's not anything you can decide between two meetings. It takes a lot of preparation, trust building, considerable time and readiness. It also can't be one person's submission, there has to be a strong, cohesive group on both sides that want to do this. It wasn't just one person standing up and trying to take ownership of this, this is why it happened. It took building blocks to get to that place. I think it's a real strong commitment, because it was done right.

All and all it is very clear that all council members use the language of A&R processes, consciously and unconsciously to describe why the land transfer was "the right thing to do." It is clear that council members discussed the land transfer process and the language in the land deed as reconciliation language directly and indirectly. Although they do not attribute or relate their actions to the specific apology and reconciliation processes or movements, the aforementioned comments note how their actions correspond with A&R language.

Five out of seven interviewees noted that they did not know of other apology and reconciliation efforts nationally or internationally and all noted that these efforts did not motivate their decision to act on the land transfer. One council member was aware of other efforts but adamantly expressed that those efforts did not motivate the council to act; they unwaveringly noted that the current city of Eureka "did not strip the Wiyots of their land or massacre Wiyot people."

All in all, it can be noted that the council's language does conform to CAR processes and the language of apologies and reconciliations. However the council does

not attribute or relate their actions to A&R language, CAR processes or other CAR events happening internationally.

Conclusion

As previously discussed, the phrase ‘the right thing to do’ helps explain why the land transfer occurred from the viewpoint of Eureka City Council members and what outcomes this social action produced. “The right thing to do” acknowledges and recognizes the historical wrongs which were committed against Native people, specifically the Indian Island massacre of 1860. The Eureka City Council publicly acknowledged this wrong doing during the Adorni ceremony, and public acknowledgment is one step to productive reconciliations. Taking responsibility and returning sacred land to the Wiyots, the council also honored the tribe’s request to regain the center of their universe. This action also recognized the tribe as an ongoing tribe and a political body within the community.

The land transfer also produced a variety of outcomes for the council and hopefully for the Humboldt County community. The land transfer process increased the knowledge base of council members about Wiyot people and optimistically this will spread to the public. The process also helped develop relationships between council members individually and governmentally. Hopefully this process will trickle down to the community, and more community members will get involved in Wiyot Sacred Site events. Finally views of the Wiyot tribe have altered or changed in the minds of council members because of the experiences they shared. Overall the land transfer process

produced positive outcomes for the Wiyot tribe, the Eureka City Council and in anticipation, for the Humboldt County community.

The land transfer process also relates to CAR processes. In my opinion, the phrase “the right thing to do” and its two main themes, *recognition and acknowledgment* and *historical features and importance* identify elements of CAR processes. It is also my opinion that the language used by council members connect to A&R language even though the council was not motivated by CAR processes and/or CAR cases.

Taken as a whole, the phrase “the right thing to do” helps clarify why the land transfer occurred and what outcomes it produced. I hope the Eureka City Council will return all Wiyot land because it is “the right thing to do.”

CHAPTER 6: THEORY

Introduction

In an attempt to understand why transferring forty acres of Indian Island to the Wiyot Tribe was “the right thing to do” I utilize three theoretical perspectives. The first theoretical framework, white racial identity development, explores how whites come to understand their white identity through stages or phases. “There are two major developmental tasks in this process, the abandonment of individual racism and the recognition of and opposition to institutional and cultural racism” (Tatum, 1994: 94). This framework helps explain how the council came to better understand themselves, the Wiyot Tribe and the land transfer from a conflict theory perspective.

The second theoretical framework includes the psychology of altruism, prosocial and helping behavior. This perspective explores certain factors of why and when people will help others situationally. An analysis of helping characteristics and a helping taxonomy are explored to explicate why transferring the land was “the right thing to do.”

The final theoretical frame employed investigates theories of forgiveness. Amstutz (2005) synthesized three main theories of political forgiveness, which help explain why nations forgive and reconcile with other nations. Forgiveness helps “facilitate reconciliation, that is, the healing of broken relationships, the restoration of social harmony and communal solidarity” (Amstutz, 2005: 64). For my case study this forgiveness paradigm will allow the “right thing to do” to be investigated as a subtopic

within reconciliation. What follows is an examination of these three theoretical perspectives individually and how they synthesize to explain why transferring the land was “the right thing to do.”

White Racial Identity Development

Many white people in America today do not embrace a white identity. “There is a lot of silence about race in White communities, and as a consequence Whites tend to think of racial identity as something that other people have, not something that is salient for them”(Tatum, 1994: 94). In Humboldt County the population of whites exceeds eighty percent. I think the Eureka City Council came to understand their white identity more during the process of the land transfer and working with the Wiyot Tribe. What follows is an exploration of Helms’s model of white racial identity development model and how it may be applied to my case study.

Many scholars such as Hardiman (1982), Helms (1984), Rowe, Bennett, and Atkinson (1994) and Sue and Sue (1999) have developed theories regarding white racial identity development. All of these theories entail different stages or phases of white racial identity development accompanied with common characteristics within each stage. Janet Helms, in 1984, developed one of the most popular theories of white racial identity development (WRID). Helms’ WRID model has been used and modified by Rowe, Bennett, and Atkinson (1994) and Sue and Sue (1999). Sue and Sue note Helms’ credentials and influence in the field as follows:

Janet Helms's White racial identity model (WRID) (Helms, 1984, 1990, 1994b, 1995), developed independently of Hardiman's, is perhaps the most elaborate and sophisticated of those proposed. Helms is arguably the most influential White identity development theorist. Her work has not only led to the development of an assessment instrument to measure White racial identity; it has also been scrutinized empirically (Helms & Carter, 1990) and has generated much research and debate in the psychological literature. (Sue and Sue, 1999: 150)

Helms' theory utilizes six stages of white identity development and matches each stage accurately with "informational processing strategies" which have been used successfully in training and clinical strategies. The six stages include: contact, disintegration, reintegration, pseudo-independent, immersion/emersion and autonomy.

Due to the popularity and success of Helms' theory I will discuss her theoretical model but include critiques and differences of Helms' theory in relation to other theorists. Just as Helms' theory provides commentary, summaries of Eureka City Council members' experiences and comments taken from interviews are also included to provide examples of each stage.

In the first stage contact, "whites pay little attention to the significance of their white identity" (Tatum, 1994: 95) for many have been socialized into the biases and stereotypes of the dominant white culture and ideology. From this socialization into "ethnocentric monoculturalism" (Sue and Sue, 1999: 155) many whites do not acknowledge their own white privilege, their biases and prejudices towards non-whites. Many whites lack the knowledge and understanding of institutional racism and possess either a superior white ideology (such as white supremacy) or do not feel racial and cultural differences are important (such as assuming everyone has an equal opportunity in

America). In relation to my case study, many city council members noted their white identity not being a salient feature in their lives and their lack of involvement with non-white communities when they were young.

In stage two, disintegration, whites have a “growing awareness of racism and white privilege” (Tatum, 1994: 96) and its institutional nature. Whites begin to understand the direct impact race has on aspects of life through contrasts and differences. This stage may be experienced through recognizing social injustices such as redlining, racial profiling or questioning certain racialized comments, jokes, slurs or incidents. This new awareness is usually accompanied by “uncomfortable emotions of guilt, shame and anger” (Tatum, 1994: 97). At this stage whites are exposed to how prevalent the influence of race is in daily life and how it strongly affects the dynamics of American society. This stage of recognition causes friction for the individual as they confront new information and view experiences of race differently for the first time. Many council members spoke of experiences they had that made them recognize the institutional racism that surrounds their lives (such as being followed in a department store with a black friend or having black friends over and having neighbors giving them dirty looks). Other council people noted learning more about other racial groups and cultures after being involved with volunteer work and community service.

The third stage of development involves reintegration, a stage where many whites try to alter their changing identity back to a comfortable position of not recognizing and acknowledging the racialized society around them. These contradictory feelings stem from an awareness of both identities, the lack of knowledge of institutional racism and

the newfound understanding of institutional racism. “The previous feelings of guilt and denial may be transformed into fear and anger directed towards people of color” (Tatum, 1994: 101) as whites grapple with these two different perspectives. Many of the causes and consequences of a racialized society are externalized for the white individual at this awkward stage. These feelings may include “blaming the victim” (Tatum, 1994: 101), but overall leaving the white individual free from “the responsibility of social change” (Tatum, 1994: 101). Whites at this stage have not internalized their own position in relation to the newfound awareness of institutional racism and still grapple with “unlearning racism” (Tatum, 1994: 96).

Tatum (1994) also notes that part of the discomfort and anger may stem from white group membership and being part of the dominant and superior racial group. Attempting to differentiate individuality from group membership is a struggle for whites developing a new identity. Different status markers will affect whites in different ways such as gender, sexual identity and religious background, although these statuses are all grouped “white” from a racial perspective. Overall the struggle of the reintegration stage is based on temporary regression; due to the friction of old views and feelings of white ideology prior to contact and the “attempts to resolve the dissonance created by the previous process” (Sue and Sue, 1999: 151) of disintegration. In regards to my case study, one council member spoke of problems and crime within Hispanic communities, noting that the causes of the problems were based in “their” communities, external from the dominant white group. Another council member spoke of how being a white male

was difficult and carries a bad reputation, noting the white struggle of individual and group membership.

In the fourth stage of identity development, pseudo-independent stage, whites have come to terms with the institutionalized racism that surrounds their lives and this “deepening awareness usually leads to a commitment to unlearn one’s racism” (Tatum, 1994:106). Developing a non-racist white identity while shedding the old racist identity marks this stage with “an intellectual understanding of racism as a system of advantage” (Tatum, 1994:106). Many whites at this stage are usually ashamed and embarrassed by their racialized privilege but understand and accept the affects of institutional racism. “Whiteness is still experienced as a source of shame rather than a source of pride” (Tatum, 1994:107) and many whites have a difficult time embracing their new developing identity knowing they are privileged. This stage is also marked by intellectual changes but not direct actions. These feelings of unease usually lead whites into the next stage of development, immersion/emersion. Many council members were knowledgeable of racism, prejudice and discrimination, gave examples of what these concepts meant and personal examples of their experiences with these issues. Other council members spoke of working with different communities through their job as a councilperson and how working with different communities acted as resource for awareness and activism.

In this next stage of development whites try to find ways to cope and deal with their newfound identity. There are two main focuses of this stage, overcoming one’s own biases and prejudices and beginning to act on their newfound identity by “reliving or re-

experiencing previous emotions that were denied or distorted” (Sue and Sue, 1999: 152). Some find comfort with others going through the same processes and others who share their views. This can be accomplished through friends, workshops, and social activism groups as they work through their biases and prejudices and abandon “their feelings of shame and guilt” (Tatum, 1994:111). Others find comfort in sharing their feelings with those who are not white, getting involved in different communities of color and finally stepping out of their comfort zone to explore their new emerging identity. Many city council members noted that working with the Wiyot Tribe was their first working experience with Native people. Other council members noted once they found out about the Indian Island massacre, what Tuluwat Village meant to the tribe, and what their goals were in obtaining the land, they were in support of their actions. It took dialogue, communication and interaction with another social group to understand the Wiyots worldview regarding the island for white council members to support the land transfer. Others noted how transferring the land released a certain amount of guilt and moral taint that the city held by owning portions of Indian Island.

In the final stage, autonomy, “a person incorporates the newly defined view of Whiteness as part of a personal identity” (Tatum, 1994:112). This stage is marked by feeling comfortable “to confront racism and oppression in daily life” (Tatum, 1994:112) and a stronger “awareness of themselves” (Tatum, 1994:112). Tatum (1994) notes this stage may be viewed as “racial self-actualization,” one in which whites understand their privilege and position and are willing to change their attitudes and behaviors to uphold their new white identity. Although this may be true, Tatum (1994) also notes old feelings

may resurge and must be worked through at all stages, old habits die hard and developing a new identity takes time to become second nature.

In regards to the council members, it is difficult to ascertain where each member is in regards to the WRID model. However, many spoke of how this decision changed or deepened their views of the Wiyot people and how doing the right thing was a positive, memorable experience for them as council people. Other council members spoke of transferring the land as an educational opportunity in understanding another's culture. Overall transferring the land gave council members an opportunity to be involved in something larger than themselves with positive impacts on their ongoing white identity development.

Many other theorists such as Hardiman (1982), Rowe, Bennett, and Atkinson (1994) and Sue and Sue (1999) have developed similar WRID theories. These theories are very similar to Helms' theory and have the same features and qualities. Some of the main critiques of Helms' theory include her use of stages, in which the process is viewed as linear and fixed. Although this critique has been pointed out, Helms' does not view herself as a stage theorist and has personally altered her theory to use the term statuses in response to the reviews of her work. Others have critiqued her use of minority identity development as a basis for her theory, which may be dramatically different for whites because these theories are developed "in the face of stereotyping and oppression" (Sue and Sue, 1999: 153). Many feel this minority-based approach may be inapplicable to whites. Helms' has refuted this claim too, noting she correctly identified two separate

models for whites and non-whites, with the WRID model having “development of a positive white identity” (Sue and Sue, 1999: 153) as a central tenet.

Some scholars’ variations of Helm’s WRID theory that help explain the land transfer process more accurately include the use of “looping and recycling” as noted by Rowe, Bennett, and Atkinson (1994) in their WRID theory. These additions allow for flexibility throughout the statuses and also allow for “non achieved statuses” to occur in a fluid, nonlinear pattern. White people can move back and forth through the stages as they attempt to reach autonomy. This aspect allows for a more realistic picture in relation to the case study because it is difficult to identify where each member is regarding the WRID model.

Overall, the council did go through identity changes throughout the process of the land transfer. These identity changes may not be as permanent as the WRID model suggests (such as reaching autonomy). Nevertheless the experience did change the council members in a positive way and their changes can be explained using the six phases of Helms’ model. The council members’ comments can also be explained as “recycling or looping” statuses (in which members must continue to work through all the statuses), as the council members come to understand their own white identity and continue to confront the institutional racism that surrounds them. All in all, the council members did create social change in their community by returning the land to the Wiyot Tribe, an action that may be the first taken by a city council in the whole nation. It was an action motivated by doing the right thing and in the process benefited a whole community.

Altruism, Helping and Prosocial Behavior

The psychology of altruism, helping and prosocial behavior provides theoretical insight to why the city council transferred portions of Indian Island land to the Wiyot Tribe and why this action was “the right thing to do.” This body of literature, which explores why people help and assist others and the motivations for helping behavior, is very useful in relation to my case study.

The act of transferring the land in and of itself was prosocial behavior. Prosocial behavior is the label for a broad category of actions that are “defined by society as generally beneficial to other people and to the ongoing political system” (Piliavin, Dovidio, Gaertner and Clark, 1981: 4). Prosocial behavior is also “necessarily an interpersonal act” (Schroeder et al, 1995: 15). The land transfer provided benefits to the tribe and was conducted in an interpersonal relationship between two political bodies, fulfilling the requirements for prosocial behavior.

Another example of why this paradigm helps explain the land transfer includes the straightforwardness of helping behavior; plainly put, the city helped the tribe get back portions of Indian Island. Helping is defined as “an action that has the consequences of providing some benefit to or improving the well being of another person” (Schroeder et al, 1995: 16). Some may even consider the council’s helping act as altruistic because the city transferred the land without expectation of anything in return. Altruism is defined by cases in which “the benefactor provides aid to another without the anticipation of rewards from external sources for providing assistance” (Macaulay and Berkowitz, 1970) and is

directly correlated to helping behavior (Schroeder et al, 1995: 18). Although these prosocial, helping and altruistic descriptions are accurate in describing the land transfer, they do not explicate why the city performed prosocial behavior and why it was the “right thing to do.” This question will be explored using a taxonomy of helping, the bystander intervention model, and common helping characteristics.

Pearce and Amato’s (1980) situational helping taxonomy includes three elements of rating helping situations: (1) planned and formal versus spontaneous and informal, (2) serious versus non-serious and (3) direct versus indirect help. In regards to the land transfer, the act was formal and planned. The land transfer process took about one year from beginning to end once the new mayor and council supported the action. The land transfer was also serious; the council was returning the center of the Wiyot’s universe, something sacred, holy, cultural and spiritual to the tribe. Finally the act was direct, in which the two councils worked together to make the transfer occur. The process of transferring the land brought two social groups together to accomplish a goal. It also improved the relationships between these two groups politically and socially as well as strengthened the community ties that were absent or weak prior to the process. Overall Pearce and Amato’s (1980) situational helping taxonomy provides insight to the process of helping characteristics and behavior.

Another helping theory that helps explain the land transfer includes the bystander intervention model, which is summarized as follows.

Latané and Darley’s (1970) decision model of bystander intervention proposes that whether or not a person helps depends upon the outcomes of a series of prior decisions. Before a person initiates a helping response,

that person goes through five decision-making steps. The bystander must (1) notice that something is wrong, (2) define it as an emergency, (3) decide whether to take personal responsibility, (4) decide what kind of help to give, and (5) decide to implement the chosen course of action. The decision made at any one step has important implications for the bystander's ultimate response- a "no" response at any step means the victim will not be helped. (Schroeder et. al., 1995: 28-29)

Viewing the land transfer process from this academic model allows the decision-making processes of the council to be investigated. Exploring the land transfer from this theory, the council had to decide at each stage if they would help and why. For example, first the city was approached by the tribe and had to decide whether to explore the issue. As noted previously, the issue was brought forward to previous councils and was denied. Years later after the Wiyots purchased portions of the island themselves and found out it was submerged in water, the issue of a lot line adjustment was brought forward by the tribe to the council. It has been noted that key members such as Mr. Tyson helped the issue to be explored in the beginning stages. After Mayor LaVallee was elected, he helped this issue to be examined and supported as well, which resulted in the idea of a land transfer to be brought to the council's table.

Second, although it was not an emergency, the city decided to act by dedicating themselves to exploring the idea of returning portions of the island. This process included educational information about the tribe, the island's importance and the value it has for the Wiyot Tribe. Third the city decided to take personal responsibility for helping the tribe because the city owned the land and had the power to return it. This was a powerful step, one which acknowledges the city's control over the land and their willingness to help by returning portions of the island to the tribe. Fourth, through

negotiations with the tribe the council decided to transfer a portion of the island, which resulted in a preliminary forty acres. Thus the Eureka City Council and the Wiyot council came to an agreement regarding a land deed arrangement. Finally the city followed through with their decisions and transferred the land. This process was conducted in an open session of council and later was officially signed at the land transfer ceremony.

All in all, the city did not have to support this action. In addition the city did not receive any external benefits from this decision but still decided to act because it was “the right thing to do.” Overall, this model helps explicate further why people help and how their decision making processes inhibit or enhance the process of helping behavior.

Looking at some common characteristics of why people help may help explain why transferring land was “the right thing to do.” Schroeder et al (1995) have noted a variety of attributes which are common amongst helpers and divided them into two categories; demographics and personality. Demographic variables include “physical or social status such as sex, race, age, religion, or socioeconomic class” (1995: 158). Personality traits include “aspects of a person’s psychological makeup that influences his or her thoughts and actions” (1995: 159) such a sense of responsibility, other-oriented empathy and self-efficacy. Some of these demographic variables and personality traits offer insight to the motivations of the council’s actions.

The variables of age, race, religion and social status as council people played a role in why the council transferred the land from a demographic viewpoint. Schroeder et al (1995) have noted how older people are more likely to help than younger people and

all council members except one were older than forty. Religion played a role for one council member in which Native people are viewed as a lost tribe within the Mormon faith and deserve redemption for atrocities that have occurred against them. Finally the most important demographic variable is the council member's status as political officials; they were the only people who could help make this decision possible because the city of Eureka owned ninety percent of Indian Island.

The personality attributes of empathy played a role in why transferring the land was "the right thing to do." It has been noted "empathy plays a critical role in adult's decisions to offer or not to offer help" (Batson and Oleson, 1991). Empathy is identification with, and understanding of, another's situation, feelings and motives. Empathy permits one (or in relation to my case study 'many') "to show concern for others 'for its own sake'" (Grusec, 1982:142). Empathetic concern also allows for "emotional responses to another person's circumstances" and has "the ability to understand the thoughts and take the perspective of another person" (Davis, 1994) genuinely. More specifically, dispositional empathy is described as "a consistent tendency to respond emotionally to other people's emotional experiences and to understand their point of view" (Schroeder et. al., 1995: 176).

It is apparent that the city council was empathetic to the Wiyot's goals of wanting to restore Tuluwat village and repeatedly stating their actions in helping the tribe as "the right thing to do." Many council members expressed how this action helped right historical wrongs against the tribe. I feel this empathetic and genuine concern from the council helps explain the "right thing to do" from a moral and value oriented standpoint;

for without these ethical principles why would one group of people help another without external rewards?

Many of the council members spoke of social responsibility in their personal lives and through their work as council people. Having “a sense responsibility for the welfare of others is associated with prosocial behavior” and had an impact on the transferring of land (Schroeder et. al., 1995: 177). Council members had to do what was right for the city and the community as civic servants but also for themselves as individuals. As many council members noted, their sense of responsibility and positive social action is important to them as civic servants. These ethics were made apparent through their political work and working on the land transfer process. Other council members noted how actions such as the land transfer make the job worth while by giving their political responsibilities value and significance.

Self-efficacy is another variable that helps explain the “right thing to do.” Self-efficacy involves people who are self-assured and confident of their abilities to make successful prosocial changes in their lives and the lives of others. In essence, self-efficacy is feeling the need to help yourself and others and the belief that you can help. Key players such as David Tyson and Mayor LaVallee allowed the discussion of a land transfer to be brought to the council’s table with the desire to help and the belief that the land transfer could have positive and successful outcomes. Without key players pushing this process forward it probably would have fallen apart, resulting in no change. Having motivations of empathy, sympathy, a sense of responsibility and self–efficacy made these changes possible.

In conclusion, examining theories of helping behavior highlight the components that needed to be in place for the land transfer to occur and helped identify personality traits and orientations that made it the right thing to do in the eyes of the council. Ethically and morally the council felt these actions were a step in the right direction and actions that should be supported; without these prosocial principles the land transfer would not have happened.

Theories of Forgiveness

The last theoretical lens that helps explain why transferring forty acres was “the right thing to do” includes theories of forgiveness (which vary slightly from apology and reconciliation theories). The use of these forgiveness theories must be premised with some initial facts regarding this case study. First the city of Eureka did not commit the Indian Island massacre of 1860 against the Wiyots. From this base a direct apology or reparations for the massacre is illegitimate. However the city of Eureka did claim ninety percent of the island in the sixties to construct Samoa Bridge which directly ties them to the island and the island’s functions. Secondly, the Wiyots did not receive a formal or informal apology or reparations from the city council of Eureka during the land transfer and the tribe did not provide forgiveness to the city council.

However in the council’s official Resolution to the tribe for the land transfer, the language used is very similar to apology, reconciliation and forgiveness language studied within the field. The council claims transferring the land to the tribe was “the right thing to do” given the historical injustices the Wiyots suffered and “the right thing to do” and

the language from the Resolution correlate with elements of apology and forgiveness theory. Amstutz (2005) notes how key elements within forgiveness can produce reconciliation; thus one byproduct of forgiveness is reconciliation. Examining certain aspects of forgiveness theories may help explain the motivations for the Eureka City Council members' actions. What follows is an examination of three forgiveness theories highlighted by Amstutz (2005) and how they may apply to my case study.

The first theory of forgiveness noted by Amstutz (2005) is *classic* forgiveness. This theory, based in the religious roots of Christianity and Judaism, is an interactive and interpersonal process involving the victim and offender. This model views forgiveness as an objective act, one in which the offender voluntarily enters into this process with the victim. The *classic* model includes five phases of action through communication and mutual participation between the victim and the offender. The overall goal of the *classic* theory is repentance from the offender and forgiveness from the victim. Framed another way, the victim and offender create reconciliation as a byproduct of this process by confronting past wrongs and restoring the relationship between them. As the victim and offender negotiate these five phases of forgiveness, hopefully the end result and byproduct is reconciliation.

The first phase of *classic* theory involves a consensus of truth in which the victim and offender explore the problem, acknowledge the issues and agree upon a common past. The second phase requires repentance from the offender to the victim and usually leads to the third stage, renunciation of vengeance from the victim. The fourth phase includes empathy from both parties but weighs heavily on the victim, to treat the offender

as human, in which all humans deserve respect and dignity regardless of past actions. Finally in phase five, mitigation of punishment for the offender from the victim is established, an act in which the victim releases the anger and resentment and the desire to punish the offender. Overall this method allows an unequal amount of power to be placed in the hands of the offender, since the victim's forgiveness is dependent on the offender's repentance. The victim has already been inflicted with pain and suffering from the original offense and healing can be impeded by lack of remorse and repentance from the offender.

The second theory of forgiveness as noted by Amstutz (2005) includes the *therapeutic* model. This model is a subjective, personal and solitary act by the victim and does not include the offender. The victim must release their emotional burdens of anger and resentment towards the offender on their own terms. The overall goal of this model includes the victim taking personal responsibility for their healing. The victim forgives internally; releasing the past and memories of the offense and their own self inflicted emotional wounds from the social conflict. The victim must possess attitudes of empathy and compassion and relinquish justified revenge for the offender. The victim must find the humanity of the offender, surrender the justified feelings of revenge and revise their feelings for the offender. Overall this method allows the victim to heal independently from the offender and on their own terms.

The third theory of forgiveness noted by Amstutz (2005) is *moral craft*. This objective model views forgiveness as learning and cultivating the attitudes and behaviors of forgiveness through an ongoing moral process. This method is not situationally and

subjectively based allowing for fluidity, change and adaptation. Treating humans with dignity and respect are at the core of this method, regardless of participants' actions and behavior. Creating a forgiveness moral disposition involves learning a set of behaviors and attitudes, which include respect and dignity for all. This method also denotes that if you cannot forgive others, you cannot forgive yourself. The overall goal of this method is to restore relations with others, not healing the victim. Although, Amstutz (2005) notes that not all social conflicts can be forgiven, the goal of this method is to restore relations when possible through moral craft.

After discussing and analyzing each model, Amstutz (2005) synthesized the three models of forgiveness and extracted three essential elements from each theory. The first essential element includes constructive interaction. It is imperative for the parties to go through the five stages of classical forgiveness theory to forgo social conflict and to repair social relations. The second essential element involves attitude and behavior reformation. Overcoming anger and hate and then transforming these feelings and behaviors into empathy and compassion are paramount. Finally the third essential element includes moral virtue. The parties involved must find the power and courage to let go of the social conflict and free themselves from the pain and suffering from the social conflict. The power of this moral virtue is to forgive, not to forget; forgiveness does not imply forgetting the past, it involves forgiving the actions of others while remembering the social conflict of the past.

Overall Amstutz (2005) and his examination of forgiveness theories may provide insight to my case study as to why transferring forty acres of Indian Island was the right

thing to do. I think the three essential elements Amstutz (2005) identifies relate to why transferring the land was the right thing to do. First, the city council of Eureka and the Wiyot tribe constructively interacted to create the land transfer agreement. Through this constructive interaction they increased the potential for positive social relations between two culturally different political sovereign bodies. Secondly, for the land transfer to occur, both councils had to revise their attitudes and behaviors regarding the social conflict of the massacre and the use of Indian Island. In a sense, the councils began the healing process by conducting the land transfer process. Finally, both councils began to forgive themselves and one another for the past, regardless of blame, through a common understanding; but never to forget the past. As noted in earlier chapters, the Wiyots desire to heal as a community with the whole Humboldt County population. For example, this is why the tribe holds public Candlelight Vigils and invited the public to the land transfer ceremony. Hopefully healing and restorative justice have begun for the tribe from this land transfer.

Conclusion

After exploring three different theories I think key aspects from each one help explain why the land transfer occurred. I believe that no one theory can explain why the land transfer occurred and why it was the right thing to do. However, I think that certain portions of these three theories provide a more realistic description of why these events transpired.

First, the WRID theory helps explain the council's position and how they came to understand themselves in relation to the tribe. I think the council had to better understand their selves racially, socially and culturally before they could understand another's worldview such as the tribe's. Secondly, prosocial and helping theory helps explicate why the council decided to explore the issue, why they helped the tribe, the Humboldt County community and ultimately themselves. There was no direct benefit to the city council of Eureka for performing this altruistic act, although there was a sense of moral rightness that was produced. I think the morals and ethics of the Eureka council members are essential in explaining why the land transfer occurred and without these compassionate principles the land transfer would not have happened. Finally, forgiveness theory helps expose the nature of healing and why the council felt it was correct to return portions of Indian Island to its rightful owners. Again morals and ethics of "doing the right thing" and conducting such acts are at the heart of this land transfer. Without the vision and principles of a few key players, this social act of kindness would not have come to fruition. Both social groups had to start to heal and forgive themselves before they could enter into the land transfer process.

In conclusion, key aspects from three different theories help situate and explicate why such an act may have happened. Again I strongly think that one theory cannot fully explain the land transfer process and why it was coined the right thing to do by the Eureka City Council. A grounded theoretical lens utilizing many different theories is needed to explicate the totality of this unique community case study.

CHAPTER 7: RECOMMENDATIONS

After exploring my case study and analyzing my research, many questions remain unanswered regarding the land transfer. A majority of these questions involve how Native people (specifically Wiyot tribal members) feel about the land transfer process. Therefore, my first recommendation includes interviewing more Native people, specifically Wiyot tribal members and affiliates.

As noted in the methods chapter, one constraint of this research is the lack of interviews with Native people, specifically Wiyot tribal members. Obtaining Native interviews has been a difficult process for researchers for a variety of reasons. One reason may be the lack of established rapport and trust with the Native populace. Another reason may be the lack of existent relationships with tribal people. Gaining trust and building rapport with the Native population is essential to achieving interview access and prior relationships and connections make interview access less difficult. Presently, only one Wiyot member was willing to share their views regarding the land transfer process. This one interview can not be generalized to the Wiyot tribe as a whole nor can it be an accurate picture of how Native people in Humboldt County feel regarding the land transfer. More Wiyot tribal members and tribal affiliates need to be interviewed to gain a holistic understanding of the land transfer.

Taken as a whole my research only explores one side of the land transfer and interviewing Native people would provide insight to the other side. The “white” side of this project notes that council members feel this action was “the right thing to do”, but I

don't think Native people would frame the land transfer the same way. It is my opinion that Native people will have a different interpretation of land transfer process and what it means to them. This opinion is based on the only interview I obtained through this project. Cheryl Seidner's comments in her interview give insight to an alternative perspective on the land transfer. My second recommendation would consist of delving deeper into Seidner's interview. Some key aspects of her interview are reviewed as follows.

First it must be noted that Cheryl Seidner's interview was very different in comparison to the interviews of Eureka City Council members. First, Cheryl's interview did not follow the interview guide as much in comparison to Eureka City Council members. Second, the content varied by the format in which questions were asked and by the types of questions the researcher used. Finally, Cheryl Seidner's interview was the longest; it is estimated that the interview lasted four hours.

During her interview Seidner discussed a variety of topics such as her personal/family background and history, tribal history, the ABC apology, the land transfer process and her thoughts regarding CAR processes. Overall Seidner discussed the land transfer process very differently in comparison to Eureka council members.

Foremost it should be noted that regaining Indian Island is very important to Seidner. She has been working on reclaiming portions or all of Indian Island for the last thirty years. Seidner was a driving force in the purchase of the 1.5 acres in 2000 and works continuously through the Wiyot Sacred Site Fund. Seidner has dedicated an enormous amount of time and energy to this endeavor and feels it is important to the tribe

and their culture. However, over the years other tribal members have not felt the same way. Cheryl discussed this aspect in relation to raising money to buy the 1.5 acres the tribe purchased in 2000.

Cheryl: I remember a few years ago people wouldn't come to council because a couple people were really not kind. And now we have people who won't come because they think we don't do anything. We have a tribal member who said- talking about me, going out and raising \$100,000 and we could have put a basketball court in with that \$100,000. Well for one thing nobody's going to give you \$100,000 to put in a basketball court. I'm sorry, that's just not going to happen.

Jennifer: They don't cost that much.

Cheryl: No, they don't cost that much but what they were saying was we don't agree with this individual going out or this council going out and gathering money. We don't agree, there are much more things more necessary than your culture. That's what I got.

Jennifer: Do you think there's a generational difference on the tribe in terms of sort of response to this or awareness of it?

Cheryl: Yes. Some people don't care. Some people are right there, got your back. Some people say, I should have been doing it, why are you. I should have the glory, not you. I mean, we just got a telephone about that this Thursday. And I don't know if there's glory in it.

Jennifer: But if they weren't doing the work, they weren't doing the work.

Cheryl: They haven't done the work in 30 years. But, I understand where they were coming from but they didn't help, they only hindered. Every step of the way, I got criticized.

It is apparent from Seidner's comments that some Wiyot tribal members feel other tribal matters are more important than regaining a portion of their culture (Indian Island). It is also evident that Seidner experienced resistance from some tribal members over the years in reclaiming portions of Indian Island; some feel this endeavor is worth the time

and energy and others feel it is a waste. It would be interesting (if someone gained access to the tribe) to find out why some tribal members were resistant to reclaiming portions of the Island and why they feel regaining portions of their culture are not as important as other tribal issues.

Seidner's explanations on why the Eureka City Council returned portions of Indian Island are similar to the council members' comments in one way; she feels the Eureka City Council is trying to reconcile the Indian Island massacre of 1860.

What was really interesting is, the council people were probably more taken with what was going on [the land transfer] and spiritually. Now I'm reading into it, I don't know what's in their heart or mind. But their actions and what they said and the visual affect that I saw, that they were all crying, they were choked up. That shows me that they were looking at it and seeing that an atrocity had happened and now they had an opportunity to rectify it. Rectifying it was to give back our center of our world in hopes of more reconciliation.

It should be noted that Seidner never comments on the land transfer as "the right thing to do" in her interview and she only discusses why the council returned the land twice. It appears why the land was returned is not an important aspect of the land transfer to Seidner, and it is my opinion that she feels it should have been returned a long time ago.

Seidner has made it publicly known numerous times that the tribe wants all city owned Indian Island land, and she noted these sentiments during her interview in the context of the land transfer May 18th meeting. Seidner also discussed the possibility of regaining more land in the future.

Cheryl: I think they [the council] think it's the right time. I think they feel that something happened [the Indian Island massacre of 1860], obviously

that should not have happened and the only way they can reconcile with that is to give it back. Though it's not everything and when I approached the council on May 18th of this year, I said, there's 275 acres and 90% is owned by you, the city of Eureka. I want to put you [the council] on notice that we want all of what you own but tonight that's not what we're here for. Tonight, we're talking about the 40 acres and I want you to know that we're asking for the 40 acres.

Jennifer: And how do you think they feel about the whole 275 acres?

Cheryl: I think if we come again in a couple of years [the council may return more land].

Jennifer: You've been working on it a long time.

Cheryl: We've been working on it a long time, it's just, one of those things. I think we have a good shot if we take care of what we got. It always seems that we Native American people have to prove ourselves.

Jennifer: I think that's true for almost all communities of color that there's this expectation from a lot of white people, let's see what they do.

Cheryl: And they have no right to say that, but, we [the tribe] got to play the white man's game and so we have to.

Jennifer: Well a lot of time it's a set up. Right?

Cheryl: Yeah.

It is apparent Seidner wants more land, and jaded that the council has to "prove themselves" in the year 2004, an overt sign that dynamics of inequality still pervade our modern world. Seidner disapproves of having to prove the tribe worthy of regaining all city owned island land. It is my opinion that Seidner feels the transfer of forty acres of land is a probationary period, and if the tribe takes good care of the transferred land then maybe more land will be returned in the future. Before reading Cheryl's transcribed interview I was unaware the Eureka City Council may return land if the tribe uses the

land in ways the council sees fit. I think this is quite a loaded declaration. It is a racially charged statement that implies the council does not trust the tribe to make intelligent choices about the returned land, and if they do make wise decisions more land may be returned in the future. This is just one discriminatory example of how white people have treated Native people throughout American history. Traditionally white people have been raised in the dominant culture that teaches white people, through stereotypes and racist public policy that Native people are unable to make sensible decisions on their own and need guidance and assistance from white people. It also insinuates white people need to oversee Native people's actions and make sure they use their resources properly. All and all these views demonstrate the white centric views that still exist regarding Native people and how they affected relations between the Eureka city council and the Wiyot tribe.

The discussion of the tribe having to prove themselves also relates to the control issues that were inserted in the land deed document itself. As noted previously in chapter two, the Eureka City Council was concerned about having "some control" over construction that occurs on the transferred land. These control issues were framed in the context of casinos and many council members were concerned about the tribe building a casino on the island. However, it is my opinion the issue of control arose from the council wanting to have power over the tribe and the decisions they make. Again, these control statements imply that Wiyots will not make wise choices or the Eureka council still wants to have control over their actions. Again, I think these comments expose the white centric views of the council and the lack of confidence they have in the tribe.

It was also illustrated in chapter five that some council members had biased views of the Wiyot council prior to the land transfer. Some council members expressed how they were surprised the Wiyot tribe as a political sovereign body was “so organized, professional, and business like.” Again these comments made by council members demonstrate the lack of trust and confidence the council had in the tribe as a political body prior to the land transfer. It is my opinion that the biased views held by council members adequately show the prejudiced mind frame that existed prior to the land transfer.

Taken as a whole- evaluating the issues of returning more land under conditional usage, the use of control in the land deed and biased views of the Wiyot tribe as a political body- demonstrate the racism, prejudice, and discrimination that still affect relations between whites and Native people in the twenty-first century. Land transfer aspects such as these will continue to make building trust and equal relationships in the future between the Eureka City Council and the Wiyot tribe precarious. Overall, these aspects of the land transfer reveal how improving race relations is an ongoing process in a white dominated world and how elements of privilege and dominance still overtly function in our society. As Seidner noted, it is disheartening that the tribe must prove themselves to others, and that the council has no right to hold such views, but she will do what it takes to regain all portions of Indian Island. It would be interesting for future researchers to explore these negative aspects of the land transfer and the impacts they may have in the future. Overall it would be attention-grabbing if future researchers

explored the continuous ill treatment against Native people in the context of reconciliation efforts.

Other interesting portions of Seidner's interview included her views on apologies and reconciliations in general, in relation to the ABC apology and the land transfer process. Seidner described what apology and reconciliation means to her in the context of the ABC/HEAL apology and reconciliation process. Although she personally used the word "healing" to describe such actions, her definition of this term equates to the definitions of A&R language. In the following conversation Seidner clearly states an understanding of what white people mean when they use the terms apology and reconciliation.

Jennifer: So, a lot of white folks use the language of apology and reconciliation to describe these activities. Are those words that you would use or that you think the Wiyots would use?

Cheryl: Does it matter?

Jennifer: I think it matters to the extent that I think that when groups talk to each other, it's not as clear, that they know what each other means by the language.

Cheryl: If explained, I think that would be fine. Because we're [people in general] not so in the dark ages that we don't know what it is [apologies and reconciliations]. Well I think I've always used [the word] healing when I've talked about it [apologies and reconciliations] but then again, I understand where the white people are coming from, saying reconciliation and apology.

Jennifer: What do you think they mean by that?

Cheryl: I think there are some people and some churches that are really sad about what happened and that maybe their church was a part of it. And apology and reconciliation is what you are going to do with it. This is what I just learned recently. So you apologize, where does it go from

there? So that's why the church, [ABC and HEAL] they apologized, and you can't apologize for everybody but you can apologize for a church for not stepping up, but the reconciliation is we're going to give you money, when we can, to help you raise [money for tribal efforts], so their bit of reconciliation, or apology and reconciliation, they have gone that one step [providing reparations in the form of money].

From the above aforementioned comments it is apparent that Seidner feels reconciliation must include more than words; actions and/or changes in behavior must occur in conjunction with apologies. Seidner also discussed what reconciliation means to her in the context of the National Council of American Indians (NCAI) attempting to reconcile with the US nationally. Again, Seidner notes there must be a change in actions or behaviors in addition to an apology.

Cheryl: There is a national apology and reconciliation that in a way, Ben Nighthorse Campbell and a few other senators have gotten together to work on with the National Congress of American Indians. It was really interesting, because I thought that was a really good idea.

Jennifer: You're talking about the congressional hearing on it.

Cheryl: Yeah. Well, a Tribal Chairman, he gets up and says, so what if you apologize and you continue to do what you've been doing. And he says, that's what the United States is going to do. There are no teeth in this apology, an apology is an apology. Either you stop doing what you're doing or you reconcile and you get compensation. So what is the United States going to do? Nothing, because this stinks. I understand the sentiment of this document. I do not want to be a part of it. And my tribe will not be a part of it because I will go home and tell them not to accept it. And then another speaker got up and spoke to it in the same manner. He says, I am not criticizing NCAI for its work on this, I commend you, but my tribe will not support it. And I agree with that. And that's why I hope the HEAL project in Humboldt County, who has much higher standards, than the US Congress. Because they have put- not a price, but they have put something onto it. They apologized and we are not going to do it again, if this ever happens, we're going to stand next to you, we're going to stand side by side and we're going to be there for you. And here's \$1000, we want you to know that we want to help you rebuild. It's not a

lot; but the United States is not going to do that. And they're going to continue to do what they have been doing.

Jennifer: Absolutely, so, what I hear pretty clearly from you is that apology alone isn't enough, that you have to take active efforts both to change your behavior and in some way, recompense or try to actively alter what has happened. I mean I guess you can't alter what has happened.

Cheryl: You can alter the future. That it doesn't happen again.

Seidner adequately notes the ABC/HEAL apology and reconciliation as a genuine reconciliation because they changed their behavior and actions donated money to the tribe.

At the Arcata First Baptist Church apology, I didn't expect to see that many people there, there was ton of people. And they had made in their recon- [ciliation], in their apology, they apologized for what the white people did and said that they can't apologize, but we can apologize for our church for not stepping up to the bat and saying no, this is not going to happen. And, in that reconciliation, they brought forth a check for \$1000 to help build a dance facility on the island. And so, each year from that time, they have given us funds at the February event. With them, [ABC/HEAL] they didn't have to do too much to change their behavior. Because I think they've always thought what had happened was wrong. They just got the voice to say it. So I think they have always been there.

It also appears from Seidner's comments that there is consensus among many Native people that apologies are not enough to recognize the past genocidal atrocities. Native people feel reconciliation involves a change in behavior and actions in conjunction with some form of compensation or reparations. It would be interesting for future researchers to ascertain if this claim is true. Empirical evidence could be obtained by evaluating who supported and denied the congressional hearing on a national apology and reconciliation and by contacting the NCAI for further information.

After discussing the necessary components of reconciliation in the context of the ABC/HEAL apology, Seidner expressed changes in behavior and actions are necessary components for a genuine reconciliation to occur. Seidner was then asked what a genuine reconciliation would look like to her in relation to the land transfer process.

Seidner made it abundantly clear what is needed to make a genuine reconciliation happen with the Eureka City Council.

From the Eureka city council, giving us the rest of the land. Giving us, not waiting 2 years or 5 years or 20 years but to say we should have given it to you all in one time. You don't need to prove anything to us. That's what reconciliation would be. That would make me elated. And to have them give it all back, next week. And say, we made a mistake; we should have given it all to you. And I would say- you have come to Nirvana. You have got it together. But I know that's not going to happen because it is bureaucracy that keeps us from that at this time.

Seidner evidently feels that a genuine reconciliation has yet to occur between the Eureka City Council and the Wiyot tribe. Yet again, Seidner notes all the land should have been returned during the land transfer and the tribe should not have to prove themselves to the city of Eureka.

Overall interviewing more Native people and trying to understand Seidner's viewpoint in comparison to other native interviews would be beneficial. Without a Native perspective the holistic understanding of the land transfer is incomplete.

I also have other more general recommendations in conjunction with my research. These include second interviews, interviews with the general Humboldt County population and specific sub populations such as Indian Island land owners. These three

populations will be discussed briefly to note the benefits they may provide to adapting my research.

Conducting second interviews with all interview participants would be valuable in many ways. First, these interviews would provide clarification regarding the results and outcomes reached thus far from my research and would present solidification of participants' views. I would suggest researchers offer the context in which participant's comments were made, rereading their quotes and asking them if they still feel the same way. This process would hopefully produce the same results, which would further reinforce my research findings. Second, follow up interviews allows for updates and changes in participants views and social events. All participants were interviewed in a two year period between 2004 and 2005; three to four years ago. Many changes have occurred since then, such as a new mayor for the Eureka City Council, new council members and updates on the rebuilding of Tuluwat Village (Indian Island). Interviewees could be questioned about these changes and if the alterations have affected the land transfer process in any way. Interview participants were also questioned about their hopes, dreams, fears and worries regarding the land transfer. Researchers could inquire if the same views exist or if new issues and/or problems have occurred. Finally follow up interviews would provide researchers the opportunity to see if new developments have occurred between the Eureka City Council and the Wiyot tribe. Eureka City Council members noted building personal and political relationships as important outcomes of the land transfer. Researchers could investigate the relationships between individual participants and the relationship between these two political bodies- the Eureka City

Council and the Wiyot tribe. All in all second interviews with participants would be valuable to reviewing the land transfer process, obtaining new information regarding the changes which have occurred over the last four years and would provide an opportunity to ask new questions.

Randomly surveying or interviewing the Humboldt County community would also be useful to understanding the land transfer process. It would be interesting to learn how many community members are aware of the land transfer. Many newspaper articles and television segments covered the land transfer process which demonstrates information was available to the general public. Examples of possible questions could include: are members of the public aware of the Indian Island Massacre of 1860, are they aware the land transfer council meeting happened and if they attended, are they conscious of the land transfer ceremony and if they attended, are they knowledgeable of the land transfer process, do they know why the land transfer occurred and what outcomes were produced through the land transfer.

Conducting interviews with private land owners of Indian Island would be an interesting addition to my case study. It is known to the general public through newspaper articles, television segments and speeches made by Wiyot tribal members that the tribe is actively working on rebuilding Tuluwat Village. It is also known that the tribe desires to own the whole island one day. It would be fascinating to understand how these private land owners feel about this topic. Possible questions could include: how private land owners feel about the Indian Island massacre of 1860 and if it influenced their decision to buy land, how they feel about living on Indian Island in general, how

they feel about owning traditional Wiyot land, how they feel about Tuluwat Village being rebuilt, how they feel about Native use of Tuluwat Village and how it may impact their lives, if the tribe has approached these private land owners about purchasing land in the future and if they feel threatened by the tribe wanting to reclaim all portions of Indian Island. It would also be beneficial to ask them the same set of questions used for interviewing the general public to acquire a basic understanding of their knowledge surrounding the land transfer process. Overall this distinctive sub population would add a unique dynamic to the research. Gaining interview access to this sub population may be difficult but I feel it would be worth the effort in examining all aspects of this unique case study.

Exploring all aspects of Indian Island also made me wonder about the acreage that was returned. I am still curious as to why it was forty acres that was returned to the tribe and how the two councils negotiated the land amount. The city of Eureka did own roughly 247 acres prior to the land transfer [ninety percent of the island], and the council transferred approximately fifteen to twenty percent of city owned island land [forty acres]. It is claimed this is just a certain plot that has no importance but I wonder if this percentage had any significance to the land transfer and if it has any implications to future transfers. Overall, this discussion begs the question of why only forty acres were returned and if it has any impact in any way.

I have general recommendations in regards to collective apology and reconciliation (CAR) processes. For example, many questions arose for me in trying to understand CAR processes in relation to my case study. As previously discussed in

chapter three it is still debated amongst CAR scholars as to what constitutes a productive CAR process. I would advise other researchers to explore different measurement tools and evaluative techniques to assess effective and/or productive reconciliations. Many scholars have created outlines or rubrics to assess and evaluate reconciliations and it would be valuable to explore the varying techniques that exist within the field through a compare and contrast methodology.

I also have basic hypothesis questions in relation to CAR processes. These are also questions that are debated among CAR scholars such as: is it possible to have a productive reconciliation process without an apology, is it possible to have a productive reconciliation without reparations, is it possible to have a productive reconciliation without all key members' participation and is it possible to have a productive reconciliation without full community involvement. I would advise researchers to investigate CAR case studies and see how these case studies compare to these questions. Again, many scholars have evaluated the different approaches CAR case studies have utilized in reconciliation processes as noted in chapter three; researchers could use this information and compare these case studies against my questions.

Additionally, I have a set of questions that do not directly correlate with my research but still relate to CAR processes. Although my research did not focus on religious aspects, after exploring the field of CAR processes I noticed the positive impact religion and religious influences have had on reconciliation efforts. Many non-secular movements around the world have focused on reconciling and healing past conflicts with the motivation of doing God's work. These movements ask for forgiveness and attempt

to reconcile differences with spiritual motives. From my review of the ABC apology and reconciliation process with the Wiyot tribe, it is evident that the power of God and/or spiritual practices was a central principle in the reconciliation process. Many CAR case studies have religious aspects which affected the reconciliation process and I would advise future researchers to explore the similarities and differences within secular and non-secular CAR processes.

Finally I have a few additional questions concerning my case study. These questions are racially, environmentally, and culturally loaded. One, did the land transfer provide an example of political goodness, or was this act conducted with political benefits in mind from council members? What are the environmental laws regarding transferring polluted land, and is the tribe now lawfully responsible for toxic clean up? For all parties, what are the meanings of tainted and/or polluted sacred Indian land? And finally, when will the council respect the tribe enough and return the center of their universe?

In conclusion, I have provided a variety of recommendations for future researchers to expand and explore my specific case study. I have also offered future researchers different angles to explore within the weakly defined field of CAR processes. I wish all future researchers the best of luck; this research has given me insight and has humbled me. I have gained knowledge, personal growth and sensitivity from this research. Overall I have viewed exploring “the right thing to do” as a moral and ethical experience, and I hope others find the same lessons within it.

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