



MUWEKMA OHLONE INDIAN TRIBE
OF THE SAN FRANCISCO BAY AREA REGION
'Innu Huššišťak Makiš Mak-Muwekma "The Road To The Future For Our People"

**Justice demands we correct historical untruths, fictions, and myths with
“truth.” But without facts and evidence from primary and independent
historical documents, who’s truth do we acknowledge?**

By: Charlene Nijmeh, Chairwoman
Muwekma Ohlone Tribe of the SF Bay Area

During a recent article in the Los Gatan, titled “**Town’s effort to acknowledge earliest residents fraught with challenges**” journalist Drew Penner, was attempting to shed light on the efforts of the City of Los Gatos to acknowledge the City’s less-than-inclusive telling of their own history and their attempt to correct that error with an acknowledgment of the first peoples of the region, the Ohlone tribes encountered by the expanding Euro-Hispanic empire during the late-18th century.

Part of the attempt to correct that error included mentioning the “original inhabitants” in a ceremonial land acknowledgment. But what seemed like a simple and just action on the part of Los Gatos City administration became convoluted with questions of tribal legitimacy and territorial claims by various “groups.”

I felt compelled to write a response to the myriad of conflicting issues presented in the article. Mr. Penner opines that there is disagreement over who should be acknowledged as the original inhabitants of the area. He noted that questions about the Tamien claiming to be “the original ones” was raised by Mayor Rob Rennie, and Town Manager Laurel Prevetti, unwilling to offend any group, stated “We want to approach this with utmost respect for all parties.”

These statements illustrate the *confusion* confronting Bay Area municipalities about **what constitutes a historic Native American tribe and what does not**. Councilmember Marico Sayoc thinks the City should let “...each tribe speak for itself, versus us trying to peel apart the various layers of this very complicated issue.”

The problem with that position is that the City removes itself from any responsibility to determine tribal legitimacy. Based upon the evidentiary record elected representatives can make an objective determination on **tribal history, heritage and legitimacy**.

Many municipalities choose to ignore the basic questions of tribal legitimacy by simply accepting the hearsay of individuals who “look the part” and make claims that they are a “tribe.” These public agencies fear of being labeled as “non-inclusive” or accused of “silencing indigenous voices” is evidenced by comments made by city officials in Los Gatos.

Rather than allow for the thorough investigation of the facts and claims, entertain discussions with renown scholars with experience in Federal Indian law, review historical documentation, genealogical records, and external governmental identification, the City of Los Gatos seems to be frozen in fear of any potential negative publicity. As a result, they are willing to allow any individual Indian descendent who recently started their own “Indian tribe,” claim aboriginal territory and start demanding respect and compensation.

This lack of accountability to the truth is the reason we are here today attempting to correct and clarify our Tribe's past by presenting our recorded documentation and history. Correcting the "*historical lies*" and misinformation is the only path towards Justice. Creating new myths will only serve to continue the Injustice.

Allow me to take this opportunity to state emphatically for the record that I believe that all indigenous voices are needed and welcomed in Indian Country. We are all together in the battle to correct injustice, to preserve and revitalize our cultural traditions. Federally recognized and unrecognized tribes, individual descendants, newly formed organizations, non-profits or groups of indigenous activists must all work together in the protection of our ancestral remains, our sacred sites, and our fight for environmental, social and historical justice. This was taught to me by my grandmother who was born on the Sunol Rancheria in 1911, and by my mother who served as Chairwoman of our tribe since 1980, as well as from tribal elders who all enrolled with the BIA during the 1928 California Indian Jurisdictional Act and were members of a previously federally recognized tribe that was never terminated by any Act of Congress.

We all value their contributions and respect their voices; however, it is important that our city elected officials make a distinction between Native American Tribes that can demonstrate historic continuity since the 19th century versus other recently created entities such as Native American groups, organizations, or non-profits. The article never addressed this basic question of what defines a legitimate historic tribe versus individual descendants attempting to organize to form their own tribes.

Let's be clear, Tamien Nation never existed prior to December 2020 and was organized by Ms. Quirina Luna Geary after resigning from her role as councilmember of the Amah Mutsun Tribal Band from Mission San Juan Bautista. This is a fact that she acknowledges in the article. That fact is important to note because Indian tribes (federally recognized or not) are sovereign Tribal nations that predated America. Ms. Geary's newly formed Tamien Nation does not have a connection to any historical tribe in or around the South Bay.

If any individual with an Indian ancestor removed by multiple generations were permitted to organize and start an Indian tribe of their own whenever they felt like it, there would be potentially thousands of "newly formed tribes" popping up demanding attention from cities and institutions.

Tribal legitimacy is at the center of all the confusion, but Mr. Penner unfortunately missed the mark when he accepted Tamien Nation's self-proclaimed tribal status. He quotes Stanford Spanish lecturer Alice Milano who claims, "members of the Tamien Nation were taken from the Santa Clara Valley" based upon what evidence? Furthermore, there exists no such record of a *specific* historic "Tamien Nation" whose descendants make up this newly formed (2020) organization.

Tamien, (correctly spelled in the original notation Thámien based upon the founding of La Misión Santa Clara de Thámien by padres Thomas de la Peña and Joseph Antonio Murguiá on January 12,1777) is actually a place name, which father Pena wrote to Padre Presidente Junipero Serra

The site of the Mission, which in the language of the natives is call Thámien, is a plain stretching more than three leagues in every direction, pleasant to behold, with much land for irrigation of crops, and extensive areas for raising cattle. There is abundance of Ash, Alders. White Poplar, and Red, Willow, Laurel, black and live Oaks.

Thus, when anthropologists and linguists were classifying perceived dialects that were recorded from Indians who were baptized as the Bay Area missions, Tamyen was selected as the name of the language spoken at Mission Santa Clara. The Mission Santa Clara Indians referred to themselves as Clareños, and not as Tamyen or Tamien. Therefore, Tamien historically is not the name of a "tribal nation."

Indian Nations like all Nations may have members from various language groups as was the case of the outreach to neighboring tribes during the missionization period from 1776 to 1836 (secularization). Our Muwekma Ohlone Tribe is a perfect example.

There is no real difference between a documented Indian tribe and a documented Indian nation. And although the Federal government has established various criteria to be recognized as an Indian Tribe, **Federal recognition** does not create tribes. It only recognizes social/political communities **that existed before** the creation of the United States.

Groups recently formed and having no historic continuity or existence cannot legally self-designate themselves as Indian Tribes. Muwekma on the other hand can, as a landless tribal community that was included in the Federal Indian censuses of 1900 and 1910, and the Special Indian Census of 1905-06 conducted by Special Indian Agent Charles E. Kelsey of San Jose, was placed under the direct jurisdiction of Special California Indian Agents and later the Reno and Sacramento Superintendencies. Furthermore, previously, it was Phoebe Apperson Hearst and her husband, U.S. Senator George Hearst who purchased our Alisal Rancheria in the 1880s. Later, she funded the Anthropology department at Cal Berkeley, and invited renown anthropologist Alfred L. Kroeber and his colleagues to interview the Muwekma Elders still living there. In 1910 he published the vocabulary taken from our Elders and included the term “*Muwekma*” which means “the People.” Smithsonian Institution’s Bureau of American Ethnology’s anthropological linguist, John Peabody Harrington, also interviewed our Elders from 1925 to 1930 and he also recorded our linguistic term “*Muwekma*” from Maria de los Angeles Colos (Angela) whose Indian parents were married at Mission Santa Clara in 1838, and she was born on the Bernal Rancho in the Santa Teresa Hills in 1839. Angela was later married to a Clareño Indian named Raymundo Bernal/Sunol in 1873, and she informed Harrington that “the Clareños were much intermarried with the Chocheños [Indians from Mission San Jose]. The dialects were similar.”

After over 40 years of independent research and scrutiny by the federal government and federal courts, **only one** Indian tribe (Muwekma) of the SF Bay Area was identified and formally determined by the BIA as being “a previously unambiguous federally recognized Indian tribe”. The record is clear on that point. There were no other tribes identified in the historic record for the SF Bay Area.

The United States Federal District Court of the District of Columbia recognized in *Muwekma Tribe v. Kempthorn et al.* (Sept. 21, 2006) by stating that “**The following-facts are not in dispute. Muwekma is a group of American Indians indigenous to the San Francisco Bay area, the members of which are direct descendants of the historical Mission San Jose Tribe, also known as the Pleasanton or Verona Band of Alameda County ("the Verona Band"). From 1914 to 1927, the Verona Band was recognized by the federal government as an Indian tribe. Neither Congress nor any executive agency ever formally withdrew federal recognition of the Verona Band.**”

Muwekma has been more transparent and open about publishing its evidence, documentation, and genealogy than any other group or organization. Journalist, academics, and public agencies have access to all that documentation and are free to do their due diligence before publishing specious arguments against Muwekma’s legitimacy.

In that article, Mr. Penner interviews Aptos History Museum curator, John Hibble who doesn’t address any real issue of tribal legitimacy and seeks to perpetuate the “myth” that all Indians want is to build a casino. Shame on you Mr. Hibble and Mr. Penner for attempting to sensationalize this story rather than address a serious question of tribal legitimacy. Furthermore, Mr. Hibble has no knowledge about the lineages comprising our Tribe, which includes direct descendants’ families who are from the **Alson Thámien Ohlone**-speaking tribal group from the Alviso/Milpitas/Guadalupe River area and who were some of the first converts into **Mission Santa Clara** and later Mission San Jose.

Mr. Hibble claims “The Ohlone people are not a recognized tribe, they’re all interested in getting recognition...” To whom does he refer? When he refers to, they, he insinuates there are many Ohlone Indian tribes who can feasibly meet the criteria for federal recognition. Of course, individual descendants who can trace themselves genealogically to ancestors from Ohlone speaking villages survived. However, many have only recently been informed that they had an Ohlone ancestor but were never engaged in a documented tribal community.

Mr. Penner also quotes from the Bureau of Indian Affairs’ (BIA) published preliminary **Proposed Finding** and not from the **Final Determination**, without a deep dive into the specifics of those statements. He did not attempt to speak with me before writing and printing this article. I would have pointed out that he took statements out of context and only chose statements that questioned Muwekma’s tribal status, rather than print statements from the BIA and the courts that “recognized” Muwekma as a previously federally recognized Indian tribe, that our status was never terminated by Congress or any administrative action, and that our members are 100% directly descendant from the historic tribe.

Muwekma has been purposefully attacked and marginalized for decades as part of the dominant society’s attempt at “Politics of Erasure” within the greater SF Bay Area. Forgetting and ignoring that our tribe came together to save our Ohlone Indian Cemetery with over 4000 ancestral burials during the early 1960s which was supported by Congressman Don Edwards, American Indian Historical Society, and others.

It is time to ask the same scrutiny of evidence and documentation of other groups claiming to be a “tribe,”(that Muwekma has freely shared on line and in many publications), as a result, I call upon all these groups (including Ms. Geary) to present the type of documentation and evidence required to show legitimate and historic continuity demonstrating their Tribal status.

Charlene Nijmeh, Tribal Chairwoman
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