



The Modoc War: A Story of Genocide at the Dawn of America's Gilded Age

by Robert Aquinas McNally.

Lincoln: Univ. of Nebraska Press, 2017. Pp. xiii, 409. ISBN 978-1-4962-0179-9.

Review by Dwight S. Mears, Portland, OR (dwightmears@hotmail.com).

“The ropes jerked taut, and the Modocs snapped hard against the nooses” (332). Thus ended the seven-month conflict (1872–73) between the Modoc Tribe and the US government along the border of California and Oregon. After a trial by a military commission, most tribe members were exiled from their homeland. In *The Modoc War*, the prolific freelance writer Robert McNally presents a chronological narrative of these events, delving deep into the lives, motivations, and biases of their participants. He makes a compelling argument that removing the Modocs “by gunshot, starvation, disease, or cultural destruction ... amounted to genocide” (35). In reaction to earlier accounts, he seeks to restore the Modocs’ historical agency despite the near-total absence of firsthand Native testimony.

McNally recounts the history of the Modocs in their ancestral lands, as well as of the settlers who eventually displaced them. He reassesses historical sources to correct for the racist doctrines of “discovery” and “manifest destiny.” For example, he exposes frontiersman Ben Wright, originally lauded as a “knight of the frontier [who] ... labored in the cause of humanity” (45) as a murderous drunkard and sexual predator. Wright’s story was meant to further the narrative of colonization and maintain that Native Americans’ “bodies, lives, and land belonged to the American invaders” (48). Period media coverage of the Modoc War, McNally shows, cast Native Americans as alternatively victims of broken promises and mistreatment or “obstacles to the future” (135).

The author traces the origins of the Modoc War to the Council Grove Treaty that relocated these Natives to a reservation. The US government made unilateral changes to the treaty and failed to make good on its promises: reservation land was improperly surveyed (to the Natives’ disfavor), promised structures went unbuilt, and food was scarce. Not surprisingly, many Modocs, convinced they had signed “a fool’s agreement” (54), refused to live on the reservation. In November 1872, a cavalry troop from nearby Fort Klamath precipitated an ill-advised skirmish that killed several Modocs, including an infant. Eight Natives seeking revenge attacked nearby settlers, launching a cycle of reprisals and bloodier hostilities. The Modocs sought refuge in Lava Beds, specifically, on a plateau known as “the Stronghold” (107). While white settlers considered this terrain to be “uninhabitable pedregal” (14), the Modocs knew that it offered shelter from the elements, water, a natural corral for cattle, and a defensible fortification against advancing soldiers.

The force arrayed against the Modocs in the First Battle of the Stronghold (Jan. 1873) comprised some three hundred men, including two companies of infantry, a cavalry troop, militia companies from Oregon and California, and Indian scouts. The paucity of the Modocs’ forces—only ca. fifty men—led to overconfidence among their attackers. McNally has done his homework properly, having personally walked the terrain and observed that the path to Stronghold featured so “many pits, holes, ditches, gullies, rifts, ravines, and rills in the lava substrate” as to make any advance along it “a perfect nightmare” (97), especially under enemy fire. The Modocs killed at

least ten soldiers and wounded another twenty-two, while sustaining no losses of their own. The disaster was partly the fault of the Army's field commander, a lieutenant colonel who ordered the assault in spite of having had "no close-up look at the battleground" (97).

After this debacle, reinforcements swelled the government forces' ranks to nearly six hundred soldiers. A cease-fire was instated while a peace commission attempted to negotiate the Modocs' surrender. Brig. Gen. Edward Canby, a member of the commission and commander of the engaged forces opined that the Modocs "suspect treachery in everything," being inherently "treacherous themselves" (174). Yet he nonetheless agreed to lead a contingent to meet with supposedly unarmed Modocs even after he received a warning that they planned to kill them. Canby paid a steep price for this miscalculation: he and another commissioner were shot and killed, and a third was badly maimed. Canby had gambled that the Modocs would eschew perfidy as "not to their interest" (196). This overlooked the fact that many Natives, expecting to be executed upon surrender, preferred an honorable death to the gallows.

Canby's murder ensured another assault on the Stronghold (Apr. 1873). The Government's plan of attack was essentially unchanged, except that the regular Army troops had been tripled and supplied with mortars. While the Modocs again halted the offensive, the Army succeeded in killing two of the Natives and cutting off their water source. This triggered a "crisis of faith" (235) in the Natives' ranks: they lost confidence in a shaman who had promised them invincibility. The Modocs evaded the Army at the Stronghold and scored further victories against a supply train and a sizable patrol.

McNally again demonstrates the value of walking the relevant ground: while rattlesnakes did not pose a significant problem, the same was not true of the inept officer who chose to camp in a hollow dominated on three sides by the surrounding terrain; he posted no guards, and the hollow became a "death zone" (252), as the soldiers were forced to retreat along a trail where they could be picked off for nearly a quarter-mile. Many of the enlisted men turned tail rather than fight—an act of "conspicuous cowardice" (259) according to Canby's replacement.

The Modocs' repeated victories belied the true fighting condition of a tribe suffering from months of exposure to the elements and shortages of food and water. In short, they were "hitting bottom" (260) and had little appetite for further conflict even in the face of their existential crisis. The tribe's integrity was fractured: when half of the Modocs surrendered to military forces, observers were surprised by their "filthy" and "ragged" appearance and horses looking like "mere skeletons" (273). The rest of the Modocs soon capitulated as well.

Since military commissions were rarely used in conflicts with Native Americans, legal scholars will appreciate the book's chapters on the trial of the Modocs and the subsequent appeals for clemency. McNally argues convincingly that the commission meant "to brush a thin varnish of law over the conquest, dispossession, and extermination of a Native people" (310). He stresses, too, the conflict of interest in having both a convening authority and panel members who had been directly involved in the Modoc campaign, which he correctly calls "unabashedly biased" (296). Shockingly, defendants were charged en masse with crimes committed by individuals and then denied legal representation. The trial's outcome was predetermined, with no pretense of due process. McNally observes that the application of customary laws of war to Native Americans ignored the fact that European and US armies adhered to "customs and rules that differed markedly from the way Indians gave battle" (309).

After four Modocs were executed and two sentenced to life imprisonment at Alcatraz, the remainder of the Natives were shipped into exile on the Quapaw Reservation in Oklahoma. McNally closes his narrative by documenting a curious scheme by a former Oregon Indian superintendent,

who enlisted several Modocs to reenact their conflict on a “lecture tour” (341) incorporating romanticized elements of the Pocahontas story and Buffalo Bill’s Wild West Show! The Modocs, given new names and bedecked with the inaccurate dress and war paint of Plains Indians, even performed feats of archery for public amusement. Sadly, this shameful ending typified much of the early historical and media coverage of the Modoc War.

The book suffers from some misleading terminology. McNally describes the military commission as possessing jurisdiction over violations of “the common, unwritten law of war” (293), but the rules in question had been promulgated in 1863 as General Orders No. 100: The Lieber Code. The anachronistic characterization of the captive Modocs’ trial stockade as a “concentration camp” (291, 336) seems designed to bolster the author’s contention that they were victims of genocide.

These minor flaws aside, *The Modoc War* is a beautifully written and exhaustively researched study that amplifies the voices of the Modocs themselves, often via helpful biographical vignettes that lend context to their lives. Its author’s assiduous treks over battle grounds and encampments minimize source bias and clarify key tactical challenges. In short, Robert McNally’s fresh perspective on the Modoc War will engage and inform both scholars and interested general readers.