

On the History of Hopi-Navajo Relations.

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2. Map prepared by Dr. Whiteley depicting the tutskwa boundary and places discussed in his reports.
- 7a. One version of the map prepared by Don Bernardo de Miera y Pacheco, cartographer to the Dominguez-Escalante expedition to Utah and Northern Arizona in 1775-76, dated 1778, from Herbert E. Bolton, Pageant in the Wilderness (1972).
- 7b. Another version of the map prepared by Don Bernardo de Miera y Pacheco, cartographer to the Dominguez-Escalante expedition to Utah and northern Arizona, 1775-76, from Ruth M. Underhill, The Navajos, facing p. 48 (1971).
8. Map drafted by Baron F.W. von Egloffstein, topographer to the Ives Colorado River expedition, dated 1858, from Lt. J.C. Ives, Report Upon the Colorado River of the West, Explored in 1857 and 1858 (1861 edition reprinted in 1969).
9. Map drafted by Lt. W.D. Whipple, topographer to the "Navajoe Expedition," dated 1858, from Carl Wheat, Mapping the Transmississippi West, 1540-1861, Vol. IV, p. 100 (1960).

On the History of Hopi-Navajo Relations.

I. INTRODUCTION

Hopi interest in maintenance of use and occupancy rights in the reservation established by the Act of June 14, 1934 ("1934 area") cannot be understood without a historical perspective on Hopi-Navajo relations. Hopis consider that age-old land rights have been forcibly usurped by Navajos in recent times, and that this occurred with government negligence in failing to protect guaranteed Hopi rights, in spite of repeated Hopi protestations to U.S. representatives since 1850. Background for this view requires an examination of 1) the history of Navajo movement and territorial expansion into the area; 2) the nature of relations between the two peoples, involving patterns of cultural difference and historic Navajo expropriation of Hopi resources; and 3) Navajo population expansion historically.

II. Navajo History and Historical Movements to the Early 1900's¹

All sources agree that the Navajo, with other Apacheans, moved to the Southwest from the sub-Arctic region of Canada shortly before the arrival of Euro-Americans into the Southwest in 1540. Exactly when the move began, how long it took, how many bands it comprised, which route was taken -- the Plains, or the eastern escarpment of the Rocky Mountains are thought the most likely -- are all matters for debate. That it occurred fairly recently is evidenced by the linguistic closeness between some northern Athapaskan languages and Navajo and Apache, and among all Apachean languages. Indeed, Athapaskan linguist Harry Hoijer maintains that Navajo, Western Apache, Chiricahua, Mescalero, Jicarilla and Lipan are not separate languages but "closely related dialects of a single language" (Opler 1983:368). Apachean specialist Morris Opler (1983:382) has suggested that entry into the Southwest occurred around 1400 A.D.

The proto-Navajo were hunter-gatherers, subsisting largely on big game, a practice maintained from their northern origins:

[I]t is not too daring to speculate that prior to about 1550 the Southern Athapaskans were, for the most part, scattered along the western Plains. They were predominantly hunters of bison, although some Athapaskan groups -- the proto-Navajo in particular -- might well have gained some sustenance from horticulture. The proto-Navajos moved into some unoccupied niches and contested for other niches

¹ For this section I rely, in part, on my earlier work on Navajo history, published in Kelley (1982), currently being republished as Kelley and Whiteley (in press).

with Pueblos, hunting large game (deer) as well as small (rabbits and prairie dogs), collecting plants, and, where there was sufficient water on alluvial plains, washes, or near springs, also farming (Jorgensen 1983:687).

Initial contacts with the Pueblo Indians of the Rio Grande and Rio Pecos likely involved trade, with major commodities being buffalo meat from the Athapaskans and corn from the Pueblos. It is unlikely that the proto-Navajo yet had matrilineal clans (not a kinship system of hunter-gatherers). Their religious system probably involved a focus on shamanic curing, and a game-propitiating "hunter tradition"; it is most unlikely their world-view involved a bounded landscape or a conception of sacred mountains as boundary markers, or a mythology of emergence from within the earth (Luckert 1975).

First mention of "Apaches del Nabaju" (Navajo Apaches) in the documentary record occurs in 1626 (Reeve 1956:299). "Apache" was a term the Spanish adopted from Zuni, meaning simply "enemies" (Reeve 1957:36). "Nabaju" is a Tewa term, referring to an area of large agricultural fields. From this, it is assumed by some that the Navajo were the ones planting crops, although in fact it may have been a reference to Tewa farmers. Reeve makes it clear that, to the Spanish, this was a geographic designation rather than an ethnological observation:

The province of Navajo was without doubt the specific name for a particular geographic region, that of the great planted fields where a branch of the Apache lived (Reeve 1956:302).

Although Jorgensen (above at 2-3) speculates that the Navajo may have learned some horticulture from Plains peoples, the likelihood that they in fact learned from the Pueblos is strong. Planting came to distinguish "Navajos" from other Apaches. At this period, a distinct "Navajo" ethnicity, however, is unlikely, given the language identity (cf. Opler 1983:381). The area occupied at this time was "Dinetah," Navajo country:

That wooded mesa-and-canyon country lies along the San Juan River and its southern tributaries, Largo and Gobernador drainages, in what is now northwestern New Mexico (Kelley 1986:16).

During the seventeenth century, Navajos subsisted by growing corn and other crops, hunting and gathering, and raiding for Spanish-introduced livestock (*ibid.*). During the last two decades of the seventeenth century, the Navajo population absorbed some Pueblo refugees, following the Pueblo Revolt of 1680 and the Spanish Reconquest of the 1690's. Significant changes may have been occurring in Navajo culture since their first occupation of Dinetah (perhaps in the sixteenth century), but such changes received a major impetus from these Pueblo refugees. Changes include the acquisition of: matrilineal clans, an emergence mythology, four-directional gods (and hence an orientation towards sacred mountains), sand-painting, kachina-style masked-god impersonation, weaving, and animal husbandry.

[R]egardless of possible earlier cultural contacts during the dinetah phase, the greater cultural synthesis and the Puebloization of the Navajo may have taken place with the actual mingling of people.

* * *

[A]t this time the Pueblo refugee farmers brought along their domestic animals, and most Apachean nomadic hunters turned from the chase to the herding of animals. In this fashion, the economic basis for a cultural compromise or synthesis -- between the sedentary life of agriculturalists and that of nomadic hunters -- was given. The emerging Puebloized Navajo-Apacheans became seminomadic herders (Luckert 1975:14).

Acquisition of horses, by raiding, greatly facilitated Navajo movement and military capability. Ute and Comanche acquisition of horses and firearms, probably from the French (Sjoberg 1953), created pressure on the Navajos from the north, especially from ca. 1710 to the 1760's. Combined with Spanish pressure from the southeast, this forced Navajo abandonment of Dinetah. Navajos began moving southward to the Cebolleta Mountains and southwestward to the Chuskas, and possibly westward to the Canyon de Chelly. Owing in part to continuing hostilities with the Ute and Comanche, Navajos remained at peace with the Spanish and the Pueblos between the 1720's and the early 1770's (Reeve 1959).

In the 1760's pressure from Spanish settlers in the Mount Taylor region began to force some Navajos farther west. It is in this period that accounts of Navajos raiding the Hopi villages commence. In 1776, Father Dominguez reported: "The Navajos and Yutas have killed, captured, and robbed the Moquis, and they are now at war with them" (Adams and Chavez 1956:289, Hopi Exhibit 4:10). In 1780, the chief of Oraibi complained to Governor de Anza of "the continuous war made upon them by the Utes and Navajos" (Thomas 1932:28). But Navajo residential sites were still far to the east of the Hopi villages.

At this time [1749] it seems that the main body of the Navajos lived in the region north of Mt. Taylor. In 1786, the Commander General of the Interior Provinces of New Spain, reported that the Navajo nation had five divisions: San Mateo (northwest of Mt. Taylor), Cebolleta (southeast of Mt. Taylor), Chusca Mountains, Ojo del Oso (Bear Spring, the present Fort Wingate), and Canyon de Chelly (Bartlett 1932:31).

The Dominguez-Escalante exploration of Utah and northern Arizona in 1775-76 located the Navajo to the east of the "Province of Moqui"; they included a detailed map. See Maps 7a and 7b. Escalante described the distribution of peoples around the Hopi as follows:

This province is bounded on the east by the Navajos, on the west and northwest by the Cosninas [Havasupais], on the north by the Utes, on the south by the Gila Apaches and on the southwest with others whom they call here Mescaleros and in Moqui, Yochies, and Tassabuess (Thomas 1932:151, Hopi Exhibit 3:11).

By the early nineteenth century, Canyon de Chelly became a major Navajo stronghold of resistance to Spanish military expeditions (Bartlett 1932:31). A record of the first Navajo settlement near the Hopi villages occurs in 1819, when a party of Hopis journeyed to Santa Fe to request protection against them (Montgomery, Smith, and Brew 1949:40); the cause of this Navajo move is cited as military pressure from the Spanish. It appears, however, to have been only temporary, and the Navajos shortly withdrew to the east (Bartlett 1932:31). In 1823, during his expedition against the Navajo, Governor Vizcarra's various parties thoroughly scoured the area from Oraibi to Moencopi, from Moencopi to White Mesa, and thence northeast following Oljato Creek towards its confluence with the San Juan River. Throughout the

vast majority of this area he found no signs whatever of Navajo presence. He had found a few traces of Navajos in the vicinity of Big Mountain, and he caught up with a band on Skeleton Mesa, north of Marsh Pass, but, even in flight, this seems to have been the westernmost limit of those escaping his campaign (Brugge 1964:234-39).

Hostilities were maintained between the Navajo and the Mexicans throughout the Mexican regime (1822-46) (Reeve 1971). The lack of significant military force in the struggling frontier province of Nuevo Mexico enabled the resumption of Navajo raids and the return to areas formerly occupied further east. On an 1830 exploring expedition to California across modern northern New Mexico and Arizona, Antonio Armijo encountered no Navajos west of a point two days east of the Canyon de Chelly (Bureau of Indian Affairs 1987:98).

Extensive Navajo mobility is marked by the broad expanses through which raiding was conducted, from Hopi in the west to east of the Rio Grande, including as far south as Socorro:

During this time, the officials in Santa Fe, Chihuahua, and Mexico City considered themselves at continuous war with the Navajos and if not in actual conflict or conducting expeditions, they expected raids at any moment and on any frontier, east or west of the Rio Grande River . . . (Jenkins and Minge 1974:95).

Bartlett summarizes Hopi experience with the Navajo as follows:

From the Hopi point of view, the years from 1823 to 1870 were marked by increasing frequency of raids by the swiftly moving, warring Navajos. The raids did not altogether end in 1863, but gradually declined in intensity (Bartlett 1936:37).

In addition to an overall state of enmities between Navajos, on the one hand, and the Spanish and Pueblos, on the other, internal economic and sociopolitical forces were conducive to Navajo raiding:

[S]mall groups of malcontents mounted some raids for livestock and, sometimes, slaves, but large groups evidently also raided the colonials

* * *

By the early nineteenth century, great differences in wealth divided Navajo families and forced the poor to raid. Since early times, Navajos seem to have been organized economically and politically into self-sufficient local groups, each made up of perhaps a few dozen families. Every group had a "headman," who probably settled disputes within the group and acted as its spokesperson to outsiders such as colonial authorities, missionaries, and the like. . . . Evidence that these headmen were also wealthy was lacking until the late eighteenth century

* * *

Unlike earlier documents, those of the nineteenth century portray many headmen as owners of large herds of livestock These ricos may have controlled the best range at the expense of their poorer neighbors, pobres or pelados, who could either become semidependent retainers of the ricos or colonize new land and enlarge their herds through raiding.

* * *

The growing herds of ricos like Narbona perhaps forced not only pobres, but also the ambitious children of ricos, to colonize new land, most of which was to the west (Kelley 1986:18-19).

After American assumption of control in 1846, there are numerous records of expeditions to or through Navajo country, both exploratory and military. Several treaties between the

Navajo and the United States were signed from 1846 onward, the principal U.S. concern being prevention of Navajo raiding on New Mexican settlements (Commissioner of Indian Affairs 1858:188-92).

The western limit of Navajo occupation throughout the 1850's seems to have been considerably to the east of the Hopi villages. Exploratory expeditions under Sitgreaves, down the Zuni and Little Colorado Rivers in 1852-53, met no Navajos at all, although meetings with other Indians are all recorded (Reeve 1974:63). Likewise, expeditions through the same general vicinity by Whipple in 1854 recorded a meeting only with two transient Navajo hunters from Canyon de Chelly, and the Beale survey in 1857 recorded no Navajo presence beyond Zuni to the Little Colorado River (ibid.:63-64).

In 1855, the Treaty of Laguna Negra was negotiated by Governor Meriwether. Historian Frank McNitt has emphasized its importance:

[U]ntil now the Navaho treaty of July, 1855, has remained in obscurity, forgotten or overlooked in written accounts or records of the territory. The treaty, nevertheless, though never ratified in Congress, was of far greater importance to the Navahos and their white neighbors than the treaties of Colonel Washington and Colonel Doniphan -- more important because, for the first time, tribal boundaries were proposed and agreed to; because, through [Navajo Agent] Henry Dodge's insistence, specific promises were made by the government to reward the Navahos with needed tools; and because this was the first Navaho treaty signed by truly representative leaders of the tribe in an atmosphere entirely clear of military coercion (Simpson 1964:195, my emphasis).

Two thousand Navajos and all the headmen, with the exception of Sandoval of the Dine Ana'aii ("enemy Navajos" from around Mount Taylor), were present; the headmen all signed the treaty. Manuelito, who during these negotiations took over from Zarcillos Largos as overall "chief" (a position created by the government), initially objected that the proposed boundary did not go far east enough or far south enough, but was evidently satisfied with the western boundary (Simpson 1964:198-99). Further, according to Navajo Agent Henry Dodge, who had great experience with the Navajo (he was married to a niece of Zarcillos Largos (Kelley 1986:20)):

The country included in the boundary assigned them by the commissioner is amply sufficient for their purposes of stock raising and farming and is larger than they anticipated, which caused them to return to their homes very much delighted with the liberal treatment (Simpson 1964:200).

The boundaries agreed upon were as follows:

The United States agree to set apart and withhold from sale for the use of the Navajos for their permanent homes and hereby guarantees to them the possession and enjoyment of a tract of Country within that portion of the Territory of New Mexico, now claimed by them and bounded as follows -- viz -- Beginning on the south bank of the San Juan river at the mouth of the Rio de Chelly thence up the San Juan to the mouth of the Canado del Amarillo thence up the Amarillo to the top of the dividing ridge between the waters of the Collirado [sic] and Rio Grande thence southwesterly along said dividing ridge to the head of the main bank of the Zuni River thence down the north side thereof to its mouth or entrance into the Collarado [sic] Chiquito, thence north to the beginning, excluding the lands owned by the Pueblos of Zuni and Mogui and reserving to them all their rights and priveleges [sic] . . . (McNitt 1972:437, my emphasis).

This includes the S.E. portion of the C.P.R.

The north-south line on the west, the so-called Meriwether line, passes a little to the west of Ganado and seems to be a genuine reflection of the actual limit of Navajo occupation and use at the time. The Ives Colorado River exploring expedition of 1857-58, which traveled eastward from Hopi to Fort Defiance, encountered the first sparsely populated settlements of Navajos around Steamboat Canyon, and only entered "one of the most thickly populated sections of the Navajo territory" on the Pueblo Colorado Wash (Ives 1861:128) -- a factor reflected in perhaps the best map of the period, which depicts tribal locations, drawn by Ives' topographer, Baron F.W. von Egloffstein (*ibid.*:Map No. 2). See Map 8. A military exploration of the same year also produced a "Sketch of the Navajoe Country" (see Wheat 1960, vol. IV:100) by W.D. Whipple, topographer to this "Navajoe Expedition." See Map 9. Among other features it depicts all the boundaries of the Laguna Negra Treaty:

[I]t is an excellent map, so far as it goes. It shows in the west the Moqui (Hopi) towns, and the "Grazing Ground of the Navajoes" is outside (just west of) the "Boundary line of the Navajoe Country as fixed by the Meriwether Treaty" (Wheat 1960, vol. IV:101).

Significantly, these indications of western Navajo extent are similar to the Hopi conception of their boundary-line with the Navajo just west of Ganado, made around 1850 and guaranteed with the exchange of a tiiponi, or sacred emblem (see, e.g., Nequatewa 1967:52-59; MacGregor 8-6-1938, Hopi Exhibit 205), which in recent years has been produced before a Senate hearing (for another public presentation, see Page and Page 1982:209).

In 1859, reconnaissances by Captains O.L. Shepherd to the west and southwest of Navajo country and J.D. Walker to the northwest confirmed the Meriwether line's depiction of western Navajo extent. Reeve (1974:67-69) gives the details of Shepherd's route, which went west from Fort Defiance to the Hopi villages, and then circled southward and eastward back to Fort Defiance. Over the whole journey of some 265 miles they encountered no Navajos except on the Pueblo Colorado Wash (Reeve 1974:69). Walker kept a log of his march from Fort Defiance to the confluence of the San Juan and Colorado Rivers led by a Navajo guide. Walker records no sign of Navajo inhabitation except in the extreme eastern area (Bureau of Indian Affairs 1987:16).

Owing to continued Navajo raiding, several campaigns were launched by the U.S. Army from 1858 on. The campaigns may have caused some Navajo movement further west. Numerous parties led by Jacob Hamblin to Hopi encountered no Navajos between the Crossing of the Fathers, on the Colorado River, and Oraibi the first four times they traversed this area in 1858 and 1859 (Flake 1965:26). In 1860, a party of hostile Navajos "from the eastern section of the Navaho country" (*ibid.*) confronted Hamblin's expedition several days south of the Colorado -- 30 to 40 miles west of Oraibi (Reeve 1974:71) -- and killed one of them. This is the first occasion on which the diaries of several members of the Hamblin parties record the presence of Navajos anywhere west or northwest of Oraibi to the Colorado River. Reeve (1974:78-79) notes an 1860 reference by Colonel Canby to Navajo presence in

the vicinity of the San Francisco Mountains, but calls it "vague," citing two explorations of that region in 1862 and 1863 by Jacob Hamblin which encountered no Navajos, but did encounter Paiutes and Walapais.

The principal cause of Navajo movement west of the Meriwether line was Kit Carson's Navajo round-up of 1863. To confirm this, Reeve states

[T]he western range of the Navajos was attested by "An old Navajo, now living at Tuba City, [who] said that when the Carson campaign began [1863] his family lived near Keams Canyon, and they were the farthest west of the Navajo" (Reeve 1974:79).

Flight from Carson's campaign led escaping Navajos north, south, and west of the Hopi villages as far as Cataract Canyon, where they encountered the Havasupai for the first time (e.g., Reeve 1974:79-84). Hopi participation in the round-up, along with other Pueblo Indians and Utes, attests to their desire for relief from Navajo raiding and encroachment onto their traditional territory (see below at 21-26, and my Hopitutskwa report at 9).

Frank Reeve summarizes the western extent of Navajo occupation between 1848 and 1868:

Westward from the Chuska Range, the Navajos did not live much beyond the Pueblo Colorado Wash and Steamboat Canyon. They grazed their sheep to some extent on Black Mesa, but their cornfields lay in the Wash and in Black Creek Canyon with a spill over into the Puerco Valley of the West near the junction of the Creek and the Puerco River. They might have grazed their stock farther southwestward along the Puerco, and perhaps even south of that river for some distance toward the Little Colorado River; but the extent is not known and probably was not significant.

Under military pressure from the American army in the 1860's, they did flee far to the west of the Hopi villages; but that region was not their customary homesite, nor was it needed (Reeve 1974:3).

Thus, the beginning of Navajo occupation of the vast majority of the 1934 area is coincident with severe military pressure from the U.S. Army in 1863 and following years. Prior to that time, Navajo presence in the 1934 area, which was being used and occupied almost solely by Hopis (with some Paiute presence to the northwest), was very sporadic and very limited. Even after 1863, occupancy of the 1934 area by Navajos was very sparse indeed; estimates of those not captured in the round-up are from "several hundred" to a high of about three thousand (Johnston 1966:77,138).

The Navajo majority returned from Fort Sumner in 1868, and the government made a distribution of sheep to them at Fort Defiance. With these new flocks, some Navajos began to drift westward beyond their reservation boundary and the government made no serious attempt to prevent them, in spite of the Treaty of 1868, in which:

the tribes who are parties to this agreement hereby stipulate that they will relinquish all right to occupy any territory outside their reservation, as herein defined

* * *

The tribe herein named, by their representatives, parties to this treaty, agree to make the reservation herein described their permanent home, and they will not as a tribe make any permanent settlement elsewhere . . . (Treaty with the Navajo Indians, June 1, 1868, Hopi Exhibit 10:4-5).

Between 1870 and 1900, Navajo westward movement increased greatly:

A rapid and major expansion of Navajo population west of Black Mesa after 1870 is indicated by most sources. Henderson . . . , referring only to the Kaibeto Plateau proper, noted about a five-fold increase from 1870-1900. This was driven by the rapid expansion of Navajo population after Fort Sumner, from an estimated 8000 held there (plus two or three thousand who escaped internment) to 26,000 in 1910 Henderson . . . suggests the expansion of herding into the new territory of the west created a demand for labor and therefore "recruitment" of Navajos from the east by the wealthy stockmen who became established in the late 1860's (Bureau of Indian Affairs 1987:96).

After Fort Sumner (1864-68), the Navajo economy changed significantly. The presence of trading-posts, especially following the arrival of the railroad in 1881-82, brought Navajos into the cash economy in a major way (Kelley 1986:24-32). The "flood of traders" (*ibid.*) after 1881 purchased Navajo wool, woven blankets, and silver jewelry. Kelley's analysis of these economic changes is worth quoting at length, for the light it sheds on Navajo movement into Hopi territory:

During the railroad era [1881-1930] . . . the opening of the Navajo country to national markets drew non-Navajo traders and homesteaders and created a class of rich Navajo stock owners The federal government and merchant capital also stamped out the vestiges of the old Navajo self-sufficient economy. The process had begun with Kit Carson's destruction of the herds. It continued as agents and traders undermined the political authority and economic responsibility of the rich headmen that had previously bound Navajo families into interdependent, self-supporting communities. The virtual autonomy of Navajo families as units of production . . . also kept such communities from reviving. The many livestock-poor households therefore turned for help in hard times to trading-post credit rather

than to their wealthier neighbors, and their consequent indebtedness forced them to produce partly for the market. The rich also turned to market production so that they could get all sorts of mass-produced goods and even make profits.

* * *

The individual Navajo household was therefore under almost constant pressure both to increase and to diversify its production, particularly during the early railroad era, after wool prices fell.

The effects of this pressure on each aspect of land use . . . were as follows. The pressure to pay their trading-post debts . . . induced families to raise more stock. If that was not enough, they also produced rugs and jewelry for trade.

* * *

The pressure on families to increase market production also allowed them to survive on marginal range and to colonize more of it, because they no longer needed to farm. Grazing, however, altered the natural environment. As both human and animal populations grew, people colonized more and more land until finally the range was filled. But population growth did not stop, and families continued to depend on livestock or even expand it, because neither the merchants nor the government offered a nonland-based alternative (wage work), and the demand for handicrafts was too low to support most families. The land consequently became overgrazed and erosion set in.

The pressure on households to produce for the market may have even quickened population growth. Couples may have wanted many children to help them with the diverse productive and domestic tasks that scattered household members from the home to the stock range, the cornfield, the fuelwood grove, and the watering place.

* * *

The market orientation of individual households, together with its corollary, the decay of the self-sufficient community, also almost eliminated communal land tenure, the pre-Fort Sumner form. The dominant form of land tenure instead became that of

households, singly or in small groups, through original claim or inheritance. A vestige of communal tenure survived, however, in the outfit, as land competition, drought, and range erosion forced many households to seek new land . . . (Kelley 1986:30-32, my emphasis).

Kelley's fine-grained analysis of the causes of Navajo economic change and its reflexive effects upon population growth and territorial expansion -- principally to the west -- tells the story of Navajo movement onto Hopi land as well as that of others. I will return to population expansion below, but it is worth noting here that Navajo usurpation of Hopi land had definite historical causes, some of which involved forces stemming from the national society. The Hopi conception of the white man's collusion in Navajo encroachment and, therefore, his obligation to solve it (see my report on Hopitutskwa) seems ever more reasonable.

Creation of the 1882 Executive Order Moqui [Hopi] Reservation had as a clear aim to protect most Hopis from Navajo encroachment (e.g., Fleming 12-4-1882), as Expert Special Agent Thomas Donaldson recognized:

The definition of their [the Hopis'] reservation by the President December 16, 1882, was for the purpose of drawing the line over which the Navajos were not to cross. This was also done in the case of the Zunis.

* * *

The United States has never had a treaty with the Moquis. . . . It has, however, agreed, through the agents, to keep the Navajos from murdering and robbing them (Donaldson 1893:43).

Movement towards the area comprised by the later Western Navajo Reservation seems to have begun largely in the 1880's. In the mid-1870's, evidently very few Navajos were present. James S. Brown's journal of the Mormon settlement at Moencopi in 1876 "does not mention numbers or tribal designations of the local 'Indians' he describes, but does say that there was a Navajo camp -- Chief Hustelo's -- about twenty-five miles east of Moencopi" (Bureau of Indian Affairs 1987:25). This camp would have been inside the 1882 Moqui Reservation. From his visit to Hopi in 1881, and presumably drawing upon his visit of 1874 also, soldier-ethnologist John G. Bourke records predominant contemporary tribal distribution:

[T]he Cohoninos or Ava-Supais [are] on the west, the Navajoes to the N.E. and S.E., the Apaches and Zunis to the south, the Pi-Utes to the north . . . (Bourke 1884:254-55, my emphasis).

The year 1888 marks the first mention on record of Navajos present in the Moencopi/Tuba City area in equal numbers with Hopis and Paiutes:

On my recent visit to the Oraibi Moen Copie Settlement, I found Oraibis, Pi-Utes and Navajoes in about equal numbers. But while the two former inclined to settle down and work the lands, the Navajoes had sheep, goats and horses, and were roveing in search of feed thereof. Except some 20 or 30 who are settled in the Moen Copie wash some 12 miles above Moen Copie . . . I met with these Navajoes telling them they must return to their Reserve to take lands in severalty (Welton 6-17-1888, quoted in Bureau of Indian Affairs 1987:28).

It appears that Navajos in the area in 1889 were living twelve to eighteen miles up the Moencopi Wash, i.e., still inside the 1882

Executive Order area (ibid.). In 1892, Hopi population of Moencopi was noted to number "from fifty to a hundred during the summer months" (Mitchie 1892, quoted in ibid.:29). A few years later Navajo presence predominated:

By the late 1890's, Navajos had come to dominate the demography of the Tuba City area, though Paiute and Hopi presence was still visible. Those who were given responsibility to ascertain the needs of the Indian residents of the area were still quite cognizant of the Paiute and Hopi settlements there (ibid.:30).

The 1900 U.S. national census recorded eighty-five Hopis resident at Moencopi (U.S. Government 1900). But the rapid Navajo population increase, from both in-migration and increased fertility/mortality ratios, was beginning to affect outside perceptions of Indian occupancy and use of the area: "Cognizance of the Navajo presence in the area was clearly on the ascendancy, paralleling the increase in actual Navajo population" (Bureau of Indian Affairs 1987:31). Twenty years later, in 1924, remarkable Navajo population increase magnified these effects still further:

[T]he general public perception concerning aboriginal usage of the area was that the Navajo -- probably due to sheer numbers -- were the original inhabitants, pushed out by Hopi and Paiute alike. The further problem was that, once this erroneous perception became accepted as reality or fact, it was perpetuated, so that subsequent generations came to believe that Navajos were in the area first and were driven out by other tribes.

* * *

The actual history of the area dating from around 1880 appeared to have been entirely forgotten What had once been almost exclusively

Hopi and Paiute territory, historically demonstrable, had come to be viewed as "immemorially" Navajo . . . (ibid.:47,67).

In sum, Navajo entry into the entire 1934 area has occurred within recent historic times. Prior to 1863, while there was raiding of Hopi villages and some trade, and perhaps some sporadic, seasonal occupation of parts of Black Mesa, Navajo residency was considerably to the east of the Hopi villages, beyond the Meriwether line, which was evidently accepted by many Navajo leaders in 1855 as a true reflection of their western boundary. Predominant Navajo immigration to most of the 1934 area only began in the 1880's. Outside perceptions, conditioned by the extraordinary rate of Navajo population increase, and to westward migration for economic reasons beginning in the 1880's, of Navajos as aboriginal inhabitants of the 1934 area are simply incorrect. Compared to the documented length of Hopi usage and occupancy of the area (see my report on Hopitutskwa; Adams 1987; Euler 1988; Godfrey 1988a, 1988b), Navajos are very recent arrivals indeed.

III. Hopi-Navajo Relations

The Navajo economy from the 1600's through the latter nineteenth century depended for considerable resources on raiding. Raiding of the Spanish (later Mexican and American) settlements, and the Pueblo Indians including the Hopi, was standard practice. Father Berard Haile, long-time resident with the Navajo, fluent speaker of the language, and renowned authority on Navajo culture, notes:

Historical evidence is fairly unanimous in its verdict on the raiding propensities of the Navaho which, according to F.W. Hodge "made their name dreaded, especially by the sedentary Indians of the Rio Grande, for more than two and a half centuries." "Raiding parties were usually formed of small bands, as this method insured larger dividends to the members of the party." Slaves, livestock and other property obtained in raids were distinctly individual property.

* * *

In recent years . . . [s]tealing from tribesmen and foreigners is not uncommon and cheating by sanding or moistening wool, baling immature or bleached hay, are practices for which the local traders must be prepared (Haile 1954 [originally 1929]:48-49).

Incidents of raiding the Hopi villages since the 1770's have been mentioned above at 5-7. For the nineteenth century, Katherine Bartlett suggests that the Hopi:

were compelled to become fighters and to be constantly on the watch for Navajos who plundered their fields, stole their stock, and carried off their women and children into slavery (Bartlett 1936:33).

In 1850, a Hopi delegation journeyed to Santa Fe to visit Special Agent James Calhoun, to "complain bitterly of Navajo depredations" (*ibid.*:34). In 1861, Agent John Ward, after a visit to Hopi reported that they had been "repeatedly attacked and robbed by Navajos" (*ibid.*). Regarding Hopi participation in the Navajo round-up, Bartlett states:

[Carson] found them [the Hopis] to be of considerable service and desirous of helping him in every way. Carson did not appreciate that the Hopis had suffered as much, if not more, from Navajo raiders as the Rio Grande settlements and were anxious to see them subdued (*ibid.*:35).

Some Navajo raiding continued after 1868 (*ibid.*:36). Nineteenth century anthropologist Cosmos Mindeleff characterizes Navajo raiding as more than economic in motivation, but fundamentally part of Navajo culture:

[S]o late as ten or twelve years ago the Hopi or Tusayan villages were under the old conditions and were subjected to periodical forays from their immediate neighbors, the Navaho. Young warriors of the latter tribe ravaged the fields of the Hopi, more perhaps for the pleasure it afforded them and on account of the old traditions than from any real necessity for food as they destroyed more than they took away. If they found anyone in the fields, they would beat him, or perhaps kill him, merely for the amusement it seemed to afford. It was the Navaho method of "sowing wild oats" (Mindeleff 1900:642-43).

Even after the cessation of formal raiding, reports of Navajo murder, theft and harassment of Hopis have been continuous into the present. In 1899, for example, Hopi Superintendent Charles Burton reported the murder of a Hopi man near Oraibi by a Navajo, and received an Oraibi complaint that "the Navajos going

and returning to the [Oraibi] store rob melon and pumpkin patches, allow their burros and ponies to eat and otherwise destroy their corn Their complaints about the Navajos are perfectly true" (Burton 10-19-1900:3, quoted in Whiteley 1988:102). Burton made additional protests:

Mr. Commissioner, something must be done for the relief and protection of these people. The Navajos have imposed upon them for so long and treated them so cruelly that the Hopi will not defend himself and I will not stand it much longer, and I am sure that blood will be spilled and lives lost if assistance is not given us (Burton 9-10-1900:2, quoted in Whiteley 1988:102).

Several sources, using the oral history of both tribes, have documented accounts of repeated Navajo raids, major attacks on and battles with Hopi villages (e.g., Bourke 1884:278; Voth 1905:passim; Hill 1936:passim; Stephen 1936:passim; Nequatewa 1967:51; Dyk 1938:passim). The very meaning of the Navajo term for the ancestors of the Pueblo Indians, including the Hopi -- "Anasazi", which means "enemy old ones" or "enemy ancestors" (e.g., Young and Morgan 1987:114) -- reveals the Navajo view of their general relationship to Puebloan people.

In view of this, Gary Witherspoon's assertion (1988:__) that "neither tribe has tried to conquer the other or tried to take over the other's homes and fields' misapplies nation-state concepts of warfare, conquest and subjugation. Such conflict would only exist between nation states, like Rome and Carthage, Prussia and France, or America and Japan -- not village-based polities and nomadic bands. Repeated Navajo theft of goods,

crops, stock, and persons certainly constituted an irregular form of forcible tribute. While Navajo have not broadly united in an attempt to take over the Hopis' villages, individual and groups of Navajo have dispossessed them of the use of territory outside the villages used for residence, farming, grazing, and other purposes. More specifically, Berard Haile's survey of Navajo property concepts concludes: '[T]wo criteria seem to furnish a safe guide for arriving at their idea of land ownership, namely, conquest and trade relations' (Haile 1954:51, my emphasis)."

Witherspoon's assertion also flies in the face not only of documented Navajo territorial expansion since the seventeenth century, but also of repeated explicit statements by Hopis and others to the contrary. In 1918, Hopi Superintendent Leo Crane, a seven-year veteran of the Agency, gave his views on the prevention of Navajo encroachment on the Hopi:

It is idle to consider the rearranging of a map, if one cannot compel the Navajo to respect the map.

* * *

So long as an unruly element of a community is permitted to offend and defy justice, in matters of drunkenness, assault, gambling, stock killing and stealing, illicit sales of livestock, etc. etc., how effective will be an ORDER to keep off the grass?

These Navajo Indians are located, most of them, 150 miles from a town, 40 to 75 miles from the Agency, 150 miles from a telegraph, AND THEY KNOW IT. They have never respected but one thing -- the uniform of the United States Cavalry.

It will make no difference how many producing wells are drilled in the Navajo locations, or how many signs erected in characters that the Navajo cannot read, trespass upon the small area remaining to the Hopi will continue just so long as the Navajo is not made to respect his Agent and the orders of the Agency (Crane 3-12-1918:6-7, also quoted in Euler 1988:14 and Hopi Exhibit 55:6-7).

In 1924, a Hopi petition against Navajo encroachment cited a 1921 report by the Board of Indian Commissioners to the Secretary of the Interior:

"The Navajo are aggressive and independent. There is no doubt that the majority of these on the Moqui Reservation have come in from all sides with a deliberate purpose of taking the grazing land which rightfully belongs to the Hopi. When a Navajo sees a Hopi with anything he wants he takes it, and there is no recourse. If a Hopi is using grazing land which the Navajo wants he will drive the Hopi off, scatter his stock, and force him to draw back to the narrow area adjacent to the Hopi villages. The Hopi declare that the Navajo steal their stock and run them off to other parts of the country and sell them."

This fact embodied in the report of the Board of Indian Commissioners substantiates our complaints against the Navajo (Adams et al. 6-1-1924).

The formal Hopi Traditional Chiefs' position on 1974 Congressional legislation noted: "It is absolutely clear from many historical documents and from our traditions that we, the Hopi people, were at war with the Navajo people prior to 1882 . . ." (Johnson 1-19-1974).

In light of such representative statements, any notion that "neither tribe has tried to conquer the other" is pure sophistry, borne of an inappropriate

application of concepts of warfare and conquest pertaining to
nation-state societies.

IV. Navajo Nomadism, Mobility, and Relationships to the Land.

Fundamental orientations of traditional Hopi and Navajo cultures are significantly different. In the seventeenth century, Hopi added some stock raising to a basically sedentary, agricultural economy supplemented by hunting and gathering, and this pattern persisted into the present century. By the nineteenth century, the Navajo were primarily pastoral nomads dependent on sheep, with a little agriculture, hunting and gathering (on Navajo historical economy see, e.g., Downs 1972, Kelley 1986). Navajo settlement patterns:

were scattered, i.e., not concentrated in villages, with flexible kinship groupings handling the work of herding. Settlement was usually transhumant, i.e., moving once or several times a year between different but well-established areas to take advantage of water, grazing and climatic conditions Raiding for livestock and slaves was an important element of the culture and economy until the 1860's (Bureau of Indian Affairs 1987:95).

Transhumance and nomadism contributed to a principal emphasis in Navajo culture on the value of movement:

The migrations of the Navajos and their pastoral pursuits are withal of paramount importance in controlling their mores, their housing and diet, and the outward indications of progress.

The movements of the Navajos may be classified thus:

1. Moves between summer and winter pastures
2. Seasonal moves controlled by temperature conditions
3. Temporary moves for summer farming
4. Winter moves to convenient fuel

5. Moves after showers for pasture in the drier parts
6. Moves in search of water for domestic purposes and for animals
7. Autumn moves for pinon nuts and for peaches
8. Moves for social reasons

(Hoover 1931:432).

Gary Witherspoon regards the value of movement as central in Navajo world-view:

[T]he principal verb in the Navajo language is the verb "to go" and not the verb "to be" This seems to indicate a cosmos composed of processes and events, as opposed to a cosmos composed of facts and things.

* * *

Movement and life seem to be inseparably related, if not equivalent. Movement is the basis of life, and life is exemplified by movement.

* * *

[T]he essence of the Navajo conception of life is movement or motion . . . (Witherspoon 1977:49,53,154).

In my Hopitutskwa report, some general differences between Hopi and Navajo religious foci were noted. Navajo religious action is fundamentally individual-centered and contingent on particular occurrences of illness or misfortune, Hopi religion is community-centered and directed to seasonal-environmental concerns. As Gladys Reichard puts it:

The Navaho have more rituals to cure or restore the individual than they have for the common good The Navaho individual is the reason for the coordination of universal phenomena; he therefore directs his ritual from the individual outward The Pueblo, on the other hand, considers world harmony as paramount, and he directs his major effort toward attaining it. If then the

individual benefits, so much the better, for his health depends primarily upon the condition of the whole group (Reichard 1945:206).

The combination of this contingency and individual basis of Navajo religious action with the central emphasis in Navajo world-view on movement creates fundamentally different relationships to the landscape and its resources than those of the Hopi. The former (Navajo) may be characterized as more flexible and expedient, the latter (Hopi) more fixed and entrenched. Hopi awareness of these differences is revealed in the following comments:

[T]o the Navajos there is really no place he can call his home. He is a nomad. . . . He recognizes that people from Chin Lee, from that district, then come clear over here to Leupp district in the winter, abandoning all of their locality there.

* * *

[I]t comes to the effect that the Government conceded that these lands that we occupy now and have lived on for centuries, that by the rights belong to us, they recognize that. But the Navajo, wherever he spends the night, that is considered his home. A Navajo comes over and makes up his mind to camp and that is his home. It is the roving habit makes him owner of the whole thing [i.e., the speaker is attributing this view to the government] (Boundary Hearings, Navajo-Hopi Indian Reservation 1932:60, Hopi Exhibit 143:62).

Berard Haile notes the following with regard to Navajo valuation of land:

The land as such possessed no tangible value, and it is perhaps significant that the language is equally vague in describing land values and habitat. Tribal territory was called dinet ah, Navaho country, nothing more (Haile 1954:1).

In relationship to these factors, and to the above record of Navajo expansion and movement into most of the 1934 area only since the late nineteenth century, the abundance of "sacred places" in Walter Vannette's report (1986) seems surprising. It suggests that Navajo sacred places are easily transportable from one landscape to another. As Florence Ellis, commenting on a comparable list of Navajo sacred places, notes:

The shrines number in the hundreds; some coincide with shrines revered by Pueblos, some reflect ideas borrowed with other religious concepts from the Pueblos. Shrines sometimes fall into disuse. A shrine definitely authenticated as Navaho does indicate that Navahos were in the area at one time or another, but -- considering the roving propensities of these people -- when? (Ellis 1974:123).

It also seems extremely unlikely that the vast majority of the sites Vannette records are shared with Navajos living elsewhere (especially, for example, those living at the Alamo or Canyoncito Reservations in New Mexico -- apparently outside the boundaries of the four sacred mountains themselves), who presumably have their own versions of such sacred places.

Even the four most important "tribal" shrines, the sacred directional mountains, have been questioned. The Athapaskan migrants from the sub-Arctic almost certainly acquired the concept of four sacred mountains from the Pueblos, probably after moving into Dinetah, some time in the sixteenth century. All the Rio Grande Pueblos have such concepts; they are perhaps best explained, for the Tewa Pueblos, by Alfonso Ortiz (1969). The resemblance between the general areas of Pueblo sacred mountains

(which overlap to some extent from one Pueblo people to another, see Ellis 1974:124) and those claimed by the Navajo is noteworthy:

[T]he Navahos claim among their sacred mountains the two mentioned . . . as sacred to a number of eastern pueblos (Mt. Pelado and Mt. Taylor), and the San Francisco Peaks sacred to the western pueblos of Hopi. We have no evidence that the concept of sacred mountains as such is native Athapascan. It definitely is a Pueblo concept and the presence of the concept among the Navajo . . . presumably is the result of borrowing from those Pueblos (Ellis 1974:125).

Authority on Navajo religion, Gladys Reichard (1950:20, 452-53), notes a lack of agreement among Navajos about the location of the eastern and northern mountains and Ellis (1974:126-34) has extensively documented such differing views. Ellis correlates patterns of Navajo migration with such disagreements:

Our explanation of the fact that various mountains have been given as sacred by anthropologists using various informants at various times is that as Navahos moved westward from the old home territory, they not only lost contact with certain areas but had to select some substitute mountains because materials for certain ceremonies must come from sacred mountains and the originals were too distant. Moreover, they had the word of the Pueblos, as they met them, that these other mountains were sacred and that supernaturals were associated with them (Ellis 1974:133-34).

The Navajo conception that these mountains form outlying boundary markers was, Ellis records (*ibid.*:125-26), specifically decided at Fort Wingate in 1868, in response to government inquiries about tribal boundaries. Ellis indicates that until that time, and afterwards for many Navajos, the mountains had never

signified boundary markers. In other words, the decision to consider these mountain shrines land boundaries was conditioned by political circumstances: it did not reflect intrinsic Navajo tradition. This contrasts markedly with Hopi conceptions of their tutskwa (see my Hopitutskwa report).

The probable transfer of the Navajo western mountain to the San Francisco Peaks coincided with movement to the west of Mount Taylor in the eighteenth and nineteenth centuries (cf. Ellis 1974:140). "Borrowing" of other Hopi sacred sites seems quite clear from Vannette's listing. Without undertaking an exhaustive comparison, a few selected sites most obviously include: Sunset Crater, Bill Williams Mountain, Gray Mountain, East and West Sunset Mountains, Howell Mesa, Echo Cliffs, Wildcat Peak, Black Mesa, Middle Mesa, White Mesa, Pasture Canyon, Elephant's Feet, Blue Canyon, confluence of the Colorado and Little Colorado Rivers, Little Colorado River Canyon, Moenave, Salt Cave, Navajo Mountain, White Rock at Salt Canyon, Grand Falls, Grand Canyon, Woodruff Butte (see also Ainsworth 1988: Appendix 3, Table 20). It is evident that Navajo conceptions of specific religious significance of some of these areas are very similar indeed to Hopi conceptions (e.g., Salt Cave, White Rock at Salt Canyon), suggesting that not only the sites have been borrowed from the Hopi, but the practices and beliefs associated with them too.

Regarding overall significance of Navajo sacred places in terms of territory, let me return to Florence Ellis:

What can one conclude about Navaho sacred spots? We can be fairly sure the Navaho borrowed the concept of sacred mountains, that the selection of such mountains was conditioned by Pueblo beliefs regarding which were sacred because supernaturals supposedly dwelt there, etc., and that some of the specific mountains revered probably changed as the tribe moved westward. . . . Later contact with the Hopi probably was responsible for the San Francisco Mountains being added to the sacred group, for these are the mountains of most importance to the Hopi: the katchinas live on top. . . . Numerous other mountains are shrines considered sacred by various pueblos, and probably were taken over by the Navahos as they moved (Ellis 1974:140).

Even more importantly, Ellis confirms that Hopi conceptions of sacred places are more thoroughly entrenched in the specific landscape than those of the mobile Navajo:

But the shrines and sacred mountains for a sedentary group obviously are within a relatively circumscribed area and are used over a period of generations. Items in the same categories for a tribe which has moved its habitat to some extent move with the tribe: part of the old cease to be of primary importance and new are added. The very idea of the sacred mountains being markers of the limits of actual Navaho territory, rather than merely cardinal points, is dubious. Each of their cardinal mountains is sacred to other tribes, as well. Location of the east mountain is very dubious. Other shrines which can be proved to be Navaho, only, certainly are evidence of Navahos having visited that area and probably not living far distant at one period or another (Ellis 1974:141).

The overall expediency of traditional Navajo economy, settlement patterns, and nomadic practices, would suggest a need for

a fairly expedient cosmology² capable of transfer from one geographic locale to another. Comparing Pueblo and Navajo cosmologies, anthropologist Louise Lamphere (whose primary work is with Navajo) states:

Thus, Pueblo cosmologies vary in form but, in comparison to the Navajo model of the universe, they are more structured. Ortiz . . . has summarized their characteristics as including the setting of careful limits or boundaries of the world; a well-elaborated conception of the middle or center of the cosmos; a dominant spatial orientation characterized as centripetal or "inward" . . . [etc.] (Lamphere 1983:755).

By implication, then, Navajo cosmology does not have these features, including a specific concern with land boundaries. On the malleability of Navajo cosmology, Gladys Reichard (1945:202) points out that Navajo religious conceptions entail "an amazingly comprehensive world view capable of including everything."

The historical record of the last one hundred years demonstrates continual Navajo expansion and movement into new areas. As early as 1893, Stephen recorded that "the constant increase of their flocks necessitates wider movements than formerly" (Stephen 1893:349). The remarkable growth of human and sheep populations, involving extensive appropriation of new land resources, again calls into question Navajo relationships to the land, by contrast with Hopi relationships. According to Gary Witherspoon (1986:24-25) conservation of resources is a basic Navajo value: "Overgrazing . . . thus indicated neglect of one's fundamental

² On the general congruence of cosmology and daily life in traditional cultures, see, e.g., C. Geertz 1966.

duties; care and nurturance of one's livestock and land as one's mother." But the pressures conducing to ever-increasing Navajo production and reproduction cited by Kelley (above at 15-17), and numerous observations of Navajo inattention to ecologically-sound grazing practices suggest a different reality.

Hopi religious and cultural emphasis on conservation of ecological resources has been emphasized in my Hopitutskwa report at 61, 77-81. Hopis clearly associate the depletion of their natural resource base, especially of hunting and grazing resources, with Navajo presence. Noting his former practice of hunting antelope on Coal Mine Mesa, Roger Honahni indicated: "If they [the Navajos] are here long time ago, antelope wouldn't be around here, at that time" (Honahni 7-1-1965:34). B.I.A. Range Rider for the Tuba City area in the 1930's, George Miller, noted:

In this Hopi area where the Hopis run their livestock, Navajos would come in once in a while and try to infringe on the Hopis with their sheep, horses, and some cattle. . . . I think over the six year period that I was in the area, there was, oh, probably 20, 30, 40 different families moved in and specially when we had rains and better feed in the Hopi area. The feed was always better in the Hopi area than it was in most of the Navajo areas. The Hopis would keep their livestock cut down to where feed would grow of a summer time and be good (Miller 11-23-1965, my emphasis).

Hopi livestock-cropping was noted as early as 1894 by Allotting Agent Mayhugh, regarding cattle: "The number of Beeves slaughtered I am informed by Chief Lo lo lo my is equal to the annual increase" (Mayhugh 2-19-1894:8, quoted in Whiteley

1988:144). In 1943, Otto Lomavitu of Oraibi referred to a tradition that, after an early period of over-grazing, "the land burned up" and the leaders consciously reduced livestock numbers: "[W]e were forewarned that the time will come when, should cattle and sheep over-multiply on Hopi soil, we would experience the same consequence again" (Lomavitu 11-16-1943:2). As Dr. Ainsworth puts it in his report:

Certain rules established by Hopi culture dictated when and how scarce resources could be collected, how range could be used for grazing, and how agricultural lands could be set aside for growing crops. The simple fact of being Hopi did not, in and of itself, permit the indiscriminate use of resources. All Hopis had to follow prescribed cultural practices for using the land. . . . [T]he land was to be used in ways reflecting Hopi cultural values of conservancy and respect (Ainsworth 1988:3).

In contrast, for the Navajo, anthropologists Clyde Kluckhohn and Dorothea Leighton note:

On the whole, Navaho livestock enterprise is uneconomic. . . . Indeed, probably half of the total carrying capacity of the range has been used by non-productive stock: excess horses, old cows and steers, and goats (Kluckhohn and Leighton 1947:31).

Herd size maximization reflected Navajo desire for wealth. Wealth and prestige were attained by increasing livestock ownership, as the rico system described by Kelley (above at 8) indicates. James Downs, an authority on Navajo animal husbandry, notes:

The basis of all wealth is livestock.

* * *

Because of this attitude, the Navajo tended to collect great herds of horses, often composed

largely of undesirable and unusable animals, but the owning of such a herd conferred too much prestige to ever permit culling it. Similar attitudes toward the mere size of sheep and cattle herds affected the quality of Navajo livestock (Downs 1972:114-15).

Remarking on both ecologically unsound herd composition and unsound grazing practices, in 1930 government range expert William Zeh noted:

An even more important factor directly responsible for the poor condition of the range is the large number of old weathers [sic] and nondescript goats found in practically every herd.

* * *

The Navajo always keeps his flocks in a corral over night to which they are also returned during the middle of the day. Very often flocks are seen penned up in the corral as late as 10 o'clock in the morning. This practice means that the flock can not be grazed very much more than one or one and a half miles from the hogan and corral (Zeh 12-23-1930:7-8).

Witherspoon's report states: "Community members judge the character and qualities of those within the residence group on the basis of size and appearance of their sheep herd. . . . Traditionally an individual's identity and social position are closely linked to his sheep, and to a lesser extent to the ownership of cattle and horses" (1988:___). His view of the importance of herd size parallels that of the authorities cited above, but his assertion that Navajos are also judged on the basis of the appearance of their animals appears contrary to their views. Herd size maximization is inconsistent with a conservative approach to land.

That the contrast between Navajo and Hopi conservation of range still applies in the 1980's is attested by Page and Page

(1982:211), during a fly-over comparison of Navajo and Hopi grazing areas.

In sum, while Navajo economic and religious practices reveal genuine attachments to the land, there is very little in traditional Navajo culture that suggests an entrenched attachment to a specific landscape and territory. Historical patterns of expansion, continuing seminomadism and transhumance, a contingent and individual-centered ritual system, and generally expedient economic practices, all suggest that Navajos have continuously adapted to particular landscapes in flexible ways, transporting their cosmological and mythological concepts and their ritual activities with them as they expanded into new areas in recent historic times. Sacred places and their references to mythological events or cultural practices seem eminently mobile and not intrinsically attached to specific landscapes. Documented Navajo grazing practices, and values of wealth in livestock, suggest that conservation of a specific landscape's resources (which might indicate such an attachment) was not a principal concern in Navajo culture.

V. Hopi Conceptions of their Relationships with Navajos.

An essential element of Hopi-Navajo relations concerns how Hopis perceive Navajos, how these perceptions reflect historical experience, and how they condition present and past interactions. In general Hopis regard themselves as non-aggressive, reserved, personally modest, and as keeping to themselves unless harassed:

The Hopi have always sought to live peacefully. We are a frugal people, conserving all our resources. It seems to us that because of these recognized virtues, we have been discriminated against. The less thrifty, less provident tribes [i.e., meaning the Navajo] have been given considerable more consideration in a material way than the Hopi has ever received (B. Adams 1939:13, part of Hopi Exhibit 399).

General Hopi views of Navajos include characterizations as aggressive, overbearing, mendacious, and thieving -- which, while stereotypical, are all characteristics conforming to historically documented Hopi experience. Such characterizations are revealed in Hopi conversations about specific instances of Navajo actions, and in generalizations about Navajo propensities. They also appear in numerous forms in Hopi public ritual: when, for example, Hopi ritual clowns burlesque perceived Navajo behavior, a common feature of the clown ceremony, or in Social Dances where Hopis impersonate Navajos, poking fun at perceived Navajo self-images of pride in personal appearance and machismo (features contrary to Hopi values). Hopi characterizations also confirm recent Navajo movement into the area and raiding against Hopis.

According to a recent account translated from Hopi:

The elders tell of the Navajo as having arrived only relatively recently in the Hopi area. They say that long ago Navajos used to live farther east but they started migrating in this direction. Moreover, the Hopi claim that Navajos are such thieves that they are certain to pilfer something from one's field on their way home. When we were children our mothers and fathers warned us that if we behaved badly they would trade us to the Navajo. They also said that Navajos would kidnap people. So it is small wonder a Navajo is feared when he comes into the village. Ever since the Navajos arrived in this area the Hopi and Navajo have been enemies. As a result more than one Hopi has lost his life to them. It has only been in more recent times that the Hopi and Navajo have become friendly toward each other (Malotki and Lomatuway'ma 1987:305).

Of course, Hopi fear of Navajos did not prevent retaliatory attacks (see, e.g., Voth 1905:258-67; Nequatewa 1967:51). But in general Hopis were, and some, in my own experience, remain, frankly afraid of acts of Navajo aggression. As Alexander Stephen pointed out in 1893:

[T]races of an earlier hostile period still survive. They [the Hopi] persist in clinging to their secluded habitations on mesa points of difficult access; they nightly shut up their flocks in little pens on cliff ledges close to their houses; and although the Navajo are constantly trafficking at their villages, it is rare for a Hopi to venture far among them, nor do the scornful insults of the Navajo ever provoke a Hopi to retaliate (Stephen 1893:345).

Several authors have noted generally contemptuous treatment of Hopis by Navajos:

During our stay [in Oraibi] there were not less than thirty Navajoes in the town, who, in spite of finding a ready market for saddles, fine blankets, and silver necklaces, looked down with undisguised contempt upon the purchasers, much as the Norman

pirates were wont to despise the Saxon hind (Bourke 1884:334).

In a revealing account, Lt. J.C. Ives, guided by Hopis east into Navajo country, noted:

Hundreds [of Navajos] have come into camp

* * *

The chief [of the Navajos] said that we must have just left the country of the Apaches, who had lately stolen the Moquis horses, of which act the Navajoes had been wrongfully accused; that the Apaches had plundered them also, and that, as our animals were safe, we must be friends to the Apaches, which proved that the Apaches, the Moquis, and the Americans were all leagued against "the poor little Navajoes," to use his own expression. The reasoning was logical, but the throng of saucy vagabonds that were listening to the speech with grins that they took no pains to conceal were not calculated to enlist much sympathy, and we concluded that the pitiful harangue was intended for the benefit of the Moquis, to disarm them of their suspicions in regard to the perpetrators of the late theft. I perceived, however, that the Moquis were as unconvinced as ourselves by the plausible reasoning (Ives 1861:129).

During a public meeting with Commissioner Collier in 1938, Byron Adams from First Mesa stated:

The Navajo and Hopi are two distinct people. It is in the Navajo nature to steal and make trouble. He must steal to live. . . . We cannot exaggerate [sic] any statement with regard to the character of the Navajo . . . (Collier 7-14-1938:18-19).

In 1932, in other public hearings, Otto Lomavitu from Oraibi phrased a view of Navajos as follows:

Up till this day no Hopi who has attempted to farm or graze his cattle and sheep amongst this people has yet succeeded in reaping a full harvest due to depredations upon his property by the neighboring Navajos. He is molested, insulted, and otherwise ill-treated by his neighboring Navajos who

seem to joy in making it unbearable for him to remain and this in such a way as to present an innocent front before the law. It is more than we can bear to have these indolent and lazy people come prowling and congregating around our choice fields when we of miniature stature have stood the brunt of sandstorms, cutworms, drought, and burning sun with aching and blistered backs to nurse one stalk of corn to maturity in this desert waste while these tall and muscular people have spent their time in visiting hogans, their groups of wives (for the Government does not seem to mind that these people live in polygamy), and gambling while feasting at their host's expense having forced their infant children no sooner out of cradle to tend their sheep and cattle while their women weave rugs to support men. . . . How long shall these self-supporting, peaceful, and industrious Hopis suffer these injustices? (Boundary Hearings, Navajo-Hopi Reservation 12-7-1932:58, Hopi Exhibit 143:60).

Lomavitu's views are representative of many Hopi characterizations of Navajos in my own experience.

Other Hopi views include that of Traditionalist leader Dan Katchongva in 1955:

We were told in our tradition that there will be two men among us too who will steal things from us. There will be a white man with white skin and another man of your own people -- today we call them Navajos. They will be the ones that bring all these troubles upon you and eventually lead you to disrupt your life (Hopi Hearings 1955:25).

And, drawing together a number of threads we have been pursuing, in 1978, Albert Yava, from First Mesa, put it this way:

The Hopis suffered from the Navajos a long time, beginning back when the Navajos began floating in here from the north. . . . [T]he Navajos were basically migrators who moved around a lot until the Government drew a line around them and made them stay in one place. Before that, they didn't stay fixed on the land anywhere. They followed the game. If they ran out of corn and didn't have any reserve supplies, they attacked a village or raided a cornfield to get something to eat.

From the Hopi point of view, the Navajos were not good neighbors because they were aggressive and warlike whenever they needed something. They not only took food in their raids, but women and children too. You can say that they believed aggressive action was the way to survive, in contrast to the Hopi concept of hard work and restrained behavior. Even after the Navajos were more or less settled in their reservation, they still had that aggressiveness in them. They stopped being a wandering people, but we Hopis were outsiders to them and fair game if they needed something we had. Horses, for example (Yava 1978:117-18).

The consistent Hopi rejection of governmental suggestions that they negotiate directly with the Navajos over land use and occupancy rights reflects these historically based Hopi views of Navajos. In general, Hopis believe it is absurd to expect that those who have behaved toward them in such ways in the past will negotiate in good faith. It is rather like asking the prey, that has already had its supportive resource-base substantially usurped, to negotiate with the predator.

VI. Population.

A major cause -- indeed perhaps the major cause -- of Navajo territorial expansion over the last one hundred years has been sustained, rapid, and exceptional population growth. D.F. Johnston (1966) has provided a very thorough analysis of Navajo population growth to the 1960's. Approximately 8,000 Navajos returned from Fort Sumner in 1868. Johnston suggests allowing for another three thousand who were never captured in the roundup, yielding a total population of ca. 11,000 in 1870. Agency figures of 1910 recorded 26,624 (Johnston 1966:86). By 1930, population had increased to 40,858 (ibid.). Johnston takes up the story:

The outstanding feature of Navaho population since 1930 would appear to be its accelerated increase, from about 40,000 in 1930 to about 82,000 in 1957. This rise apparently results from relatively recent declines in mortality, accompanied by persistently high levels of fertility, and is therefore representative of the population increases presently occurring in several underdeveloped areas, notably Ceylon and Central America.

* * *

Assuming a population of 11,000 in 1870, the implied average annual rate of increase between 1870 and 1957 is 2.33 percent -- a truly remarkable rate to have been sustained over so long a period (Johnston 1966:139).

Noting that Navajo population growth was unique among American Indians at the time, a 1939 philanthropic report concluded:

[D]espite the ravages of disease and despite other conditions actually decreasing the numbers of other

Indian peoples throughout America, the Navajo population actually increased from about 10,000 in 1868 to approximately 45,000 at the present time. The full significance of this unusual fact is very difficult to interpret (Phelps Stokes Fund 1939:93).

Since Johnston's analysis was published in 1966, the rapidity of Navajo population increase has risen. Precise current figures are difficult to arrive at. Estimates of more than 200,000 Navajos (e.g., Hopis and Friends n.d.) may be correct, but, to this author's knowledge, lack exact statistical support. Robert Young (1983:397-98), citing the Navajo Tribal Census Office, records a 1981 total of 166,519. This would represent a doubling within about twenty years.

By contrast, Hopi population has increased at a much slower rate (see Kunitz 1974 for a comparison of Navajo and Hopi population growth differences). In 1890, total Hopi population was approximately 1,990 (McIntire 1968:46). By 1940, it had increased to 3,444 (*ibid.*). In 1962, it was registered at 5,176 (*ibid.*), and in 1983, according to a B.I.A record it was 8,755 (Stuart 1987:60).

These demographic statistics speak for themselves. Navajo population increase has been a major cause of territorial expansion and exhaustion of resources. Clearly this is a problem with implications far beyond the present case. The question here is whether Hopis should bear the major brunt of its effects with respect to land and resources they consider traditionally theirs and that were in their sole possession little more than one hundred years ago.

VII. Conclusion.

Any reasonable solution to the present litigation must take into account the historical and cultural dimensions of Hopi-Navajo relations. Although outsiders' categories lump Hopi and Navajo together as "Indians" (a European concept), differences in language, economy, religion, and historical presence, use and occupancy of the 1934 area are profound. The Hopi and Navajo languages, for example, are as far apart as English and Chinese, being in entirely different language families. Until recent times, the Navajo economy entailed extensive nomadism. The Hopi have been sedentary probably for a good fifteen hundred years.

Navajo religion focuses predominantly on curing individual afflictions and is therefore temporally contingent. Hopi religion is largely geared towards fertility and productivity of the environment, and is arranged seasonally on a community-wide basis, linking human society and natural life indissolubly in the particular landscape.

Navajo historical presence in, and use and occupancy of, the vast majority of the 1934 area have occurred since the latter nineteenth century, and derive from westward migration owing to U.S. military pressure, and to internal economic and population pressures.

Navajo relations with Hopis historically involved repeated raiding for Hopi livestock, crops, and people. Subsequent relations, Hopis maintain and the documentary record supports, have included continuing Navajo harassment and theft of resources.

Finally, "remarkable" rates of Navajo population increase since 1870 have placed great pressure on a limited resource-base -- a resource-base that until that time was predominantly under Hopi control.

With these cultural, historical, and demographic factors in mind, it is clearly seen that Navajo encroachment into the 1934 area over the last one hundred years, with government negligence, has proved enormously burdensome to the Hopi. On what reasonable grounds can the Hopi justifiably be asked to continue to shoulder this ever-increasing burden, and give up the land they have had sole use and occupancy of for countless generations?

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