

SUMMARY OF OPINIONS AND CONCLUSIONS
REGARDING THE HISTORY OF
HOPI-NAVAJO RELATIONS

by

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Hopi Ex. 711

Appendix 28

Summary of Opinions and Conclusions of
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Regarding the History of Hopi-Navajo Relations

This statement summarizes my report, On the History of Hopi-Navajo Relations (October 1988) ("Report"), which I prepared for this lawsuit at the request of the Hopi Tribe. My background and qualifications are set forth in the summary of another report I prepared for this case, entitled Hopitutskwa: An Historical and Cultural Interpretation of the Hopi Traditional Land Claim (October 1988). That report, which describes Hopi interest in land from the Hopi perspective, cannot be fully understood without also understanding the history of Hopi-Navajo relations. Hopis consider that their land rights have been forcibly usurped and interfered with by Navajos in recent historic times. In order to substantiate these views, my report examines: (1) the history of Navajo movement into the 1934 area; (2) the nature of relations between the two peoples; and (3) Navajo population expansion.

I. Navajo History and Historical Movements to the Early 1900s

The Navajo migrated to the Southwest as part of a larger migration of Athapaskan-speaking peoples from

Canada. They arrived probably around 1400 A.D. At this point the Navajo were not ethnically distinct from any other Apachean people. They were hunter-gatherers, probably subsisting principally on bison, which were replaced by other large game as they moved into the Rio Grande and Rio Pecos areas from the Plains. As hunter-gatherers, it is extremely unlikely that they had matrilineal clans, or that their world view included the idea of a delimited landscape with boundaries marked by sacred mountains, or an emergence mythology.

The first documentary mention of the Navajos (1626) as a distinct group of Apaches indicates their territory as that section of the San Juan River and its southern tributaries, the Gobernador and Largo drainages, in Northwestern New Mexico. At some point, Navajos acquired techniques of agriculture, probably from Rio Grande Pueblo Indians with whom they were in contact. The addition of agriculture made for a somewhat more sedentary life-style in this area of "Dinetah" (Navajo land).

Major changes occurred in Navajo society and culture as a result of borrowing from Pueblo peoples. In particular, following the Pueblo Revolt of 1680, it is likely that the Navajo acquired the following specific features from Pueblo refugees: matrilineal clans, an emergence mythology, four-directional gods (and hence

a concern with sacred mountains), sand-painting, kachina-style masked-god impersonation, weaving, and animal husbandry. The addition of horses, acquired by raiding, greatly improved Navajo mobility and military capability.

Military pressure from Utes and Comanches from the north, and from the Spanish in the southeast, forced abandonment of Dinetah. In the eighteenth century Navajos moved first to the Cebolleta Mountains near Mount Taylor, and then after 1750 to the Chuskas, and then to the Canyon de Chelly.

In the 1760s, Spanish pressure around Mount Taylor forced Navajos to move west. The first reports of Navajos raiding Hopi villages begin in the 1770s, but Navajo residential sites were still far to the east. Contemporary records are cited to indicate tribal distribution.

The first record of Navajo settlement near the Hopi villages, at Black Mesa, occurs in 1819. This appears to have been temporary, however, and the 1820s saw Navajo withdrawal to the east. Governor Vizcarra's campaign of 1823 found nothing to indicate any Navajo presence farther west than Big Mountain or Skeleton Mesa (north of Marsh Pass). Even in flight from his troops, this was the farthest west any Navajos had ever penetrated.

Navajo raids on the Hopi (and other Pueblo peoples) were very serious throughout the Mexican period (1822-46). Navajo mobility seems to have been very high, judging by the expanse of territory through which they moved in order to raid. It is likely that changes in Navajo economy in the nineteenth century, involving the emergence of rich headmen (ricos) who owned vast herds that were tended by poorer individuals (pobres or pelados), contributed to the impetus for raiding.

After federal assumption of control in 1846, numerous expeditions, both military and exploratory, were launched throughout the environs of Hopi and Navajo country. Several treaties were signed with a view to preventing Navajo raiding on Pueblo, Spanish, and Anglo settlements. Expeditions in the 1850s recorded the western extent of Navajo presence as a point considerably east of the Hopi villages in the vicinity of Ganado. The Treaty of Laguna Negra in 1855 which, though never ratified by Congress, is regarded as the most significant record of Navajo use and occupancy areas at that time, recorded a north-south line a little to the west of Ganado as a true reflection of the Navajo western boundary. This was assented to by the largest, most representative gathering of Navajo leaders to that date, whose names appear on the Treaty. Although objections were made to the southern and eastern boundaries,

Navajos were evidently satisfied by this western boundary (the so-called Meriwether line). A contemporary map of this area is included in my report. Moreover, in assigning Navajo land boundaries, the treaty made explicit provision for the prior rights of the Hopi and Zuni. The Meriwether line is further supported as reflecting the Navajo western boundary by the records of U.S. government and Mormon exploring expeditions in the late 1850s, and by a firmly established Hopi tradition of agreement with the Navajos of a boundary between the two peoples near modern Ganado.

Navajo raids persisted. U.S. military retaliation beginning in 1858 forced the Navajos farther west and farther north. This movement became really marked during General Carleton's Navajo round-up of 1863-64. Hopis and other Indians participated in the round-up on the understanding that they would be free of Navajo raiders and would resume control over their territory. At this time some Navajos fled to the west of the Hopi villages. My report summarizes:

"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." Report at p. 14.

After the Navajo majority returned from incarceration at Fort Sumner in 1868, a treaty was signed creating the first Navajo reservation. The treaty expressly required the Navajo people to remain within the 1868 treaty reservation. But movement west of this area began immediately, as a result of dramatically changed economic conditions with the introduction of trading-posts and the market economy. Navajo population began to expand rapidly and to colonize areas to the west of their reservation, as the size of their herds also expanded, filled the available range, and serious overgrazing and erosion problems began. A vicious economic cycle was generated that resulted in Navajo movement onto Hopi land.

To protect the Hopi from such encroachment, the 1882 Executive Order Moqui Reservation was created. Navajo movement to the area comprised by the modern Western Navajo Reservation did not begin until the 1880s; in 1888 a record indicates equal numbers of Hopis, Paiutes and Navajos (the latter for the first time) in the Tuba City/Moencopi area. Rapid Navajo movement into the area and ongoing population increase began to create the outside perception in the 1890s and later that Navajos had always been present in this area, and that only recently had Hopis and Paiutes arrived.

This was the direct opposite of what had actually taken place.

II. Hopi-Navajo Relations

Historically, raiding was a significant feature of Navajo relations with sedentary communities of Pueblo Indians and Hispanic New Mexicans. Raiding of Hopi villages was particularly acute in the nineteenth century; Navajos plundered Hopi agricultural produce and livestock and kidnapped women and children to serve and sell as slaves. A Hopi delegation visited Special Agent James Calhoun in Santa Fe in 1850 -- two years after official annexation of the territory by the U.S. government and long before any official visit by a U.S. representative to Hopi. One of their central concerns was to seek protection against the ravages of Navajo raiding. Navajo raiding continued after 1868, however, and even after raids diminished, acts of aggression -- including murder and frequent theft -- have been continuous into the present. These are not just Hopi perceptions, but are well documented in government correspondence and ethnological reports.

Navajo expropriation of Hopi property and territory proceeded by systematic aggression that amounts to territorial expansion through conquest. In that it repeatedly failed to supply protection which was often

requested by the Hopi and recommended by Indian Agents and others, the U.S. government has colluded in Navajo expropriation of Hopi territory. It is this author's opinion that mediating agents in both the nineteenth and twentieth centuries seem to have been intimidated by Navajo pressure into recommending or adopting policies prejudicial to Hopi interests -- specifically, for example, in the 1920s the grazing decisions of Superintendent Walker in the Moencopi area, in the early 1930s Navajo-Hopi Boundary investigations, and in the late 1930s confinement of Hopis to Grazing District Six.

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

Navajo and Hopi use and occupancy of land reflect different patterns owing to different economies historically. The Hopi have been sedentary agriculturalists for more than a millennium. Navajos have been nomadic hunter-gatherers and then nomadic or semi-nomadic herders (with the addition of some agriculture and maintenance of some hunting-gathering) since their entry into the Southwest. Navajo movement takes a variety of forms which are presented in the report. More than an economic necessity, movement is an essential value and theme in Navajo culture -- as anthropologist Gary Witherspoon has emphasized.

Navajo religious practices focus on individual health and well-being, in contrast to the Hopi and other Pueblos where the principal concern is environmental harmony. Emphasis on movement in Navajo culture and on individual afflictions that occur contingently (in contrast to Hopi emphasis on seasonally dictated ritual needs) result in a markedly different relationship with the landscape. Navajo use and occupancy of the land has tended to be more mobile and expedient; Hopi use and occupancy more fixed and entrenched.

Documented Hopi complaints that the government has attributed ownership and use rights to Navajos in some areas on the basis of temporary presence and nomadic movement throughout those areas reflect these sociocultural differences. Ethnological accounts support the high incidence of systematic transience in Navajo relationships to the land.

In view of these facts, my report questions the nature of many Navajo sacred sites listed in the report of Walter Vannette. Multiplication and replication of such sites are apparent from the work of previous authors. Many such sites, including the four sacred mountains -- as well as the religious beliefs associated with them -- have been borrowed from Pueblo Indians. The San Francisco Peaks, for example, and many others

seem to have been taken over directly from their pre-existing status as sacred sites to the Hopi. Borrowing of Pueblo religious ideas and practices noted after the Pueblo Revolt has persisted into the present century. Moreover, as anthropologist Florence Ellis has documented (in a discussion reiterated in the report), the way the Navajo, as a mobile society, relate to such sacred sites is far less consistent and intensive than the ways in which the sedentary Pueblo Indians do. Several sacred sites (including the sacred mountains) have been "moved" as Navajos have migrated across the landscape. It is likely the San Francisco mountains did not become a Navajo sacred place until the nineteenth century.

In addition, the consideration of these four mountains as Navajo boundary markers was the result of a deliberate decision in discussion with government representatives in 1868. The idea does not seem to have been intrinsic to Navajo tradition, in contrast to the deep emphasis Hopis have always placed on the tutskwa as a bounded landscape. Cross-culturally, the expression of a bounded territory is generally far more coincident with sedentary patterns of settlement than with a semi-nomadic lifestyle.

The proliferation and replication of Navajo sacred places reflect a cosmology that is malleable and

adapted to changing environments that Navajos have moved through. This is supported by analyses of Navajo religion by renowned ethnologist of the Navajo Gladys Reichard, and again it reflects basic Navajo patterns of transhumance and the high value placed on movement.

Other factors in traditional Navajo culture, especially a strong emphasis on maximizing animal herd-size as a measure of wealth and prestige, contributed to practices not conducive to a stable relationship with the region's fragile ecological resources. Again this contrasts with Hopi practices of culling livestock to maintain range quality. Documented statements of range-specialists from the 1920s and 1930s, of Hopis, and of anthropologists who have examined Navajo animal husbandry in depth support this view and contradict some opinions of Gary Witherspoon set forth in his report for this case.

Let me here quote a summary passage from the report:

". . . 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 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 of Navajo culture." Report at 38.

IV. Hopi Conceptions of Their Relationships with Navajos

Historic patterns of Navajo raiding and encroachment against Hopis are reflected in Hopi characterizations of Navajos -- as aggressive, overbearing, mendacious, and thieving -- that emerge in conversation, in dramatized form in public ritual practices, and in a series of statements recorded in the documentary record. The observations of outsiders in contact with both peoples further support such Hopi characterizations. Hopis were, in the past -- and some, in my own experience, remain -- frankly afraid of Navajo aggression. An excerpt from a quotation of Tewa-Hopi Albert Yava's autobiography (1978) is representative:

"'From the Hopi point of view, the Navajos were not good neighbors because they were aggressive and warlike whenever they needed something 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.'" Report at 43.

V. Population

Perhaps the principal cause of Navajo territorial expansion has been extraordinary population growth. A series of statistics, deriving from the thorough analyses of anthropologist D.F. Johnston, shows a sustained growth rate since 1870 that Johnston compares to recent population explosions in Central America and the Third World. For example in 1870, Navajo population was 11,000; in 1910, 26,624; in 1930, 40,858, in 1957, 82,000. Rate of Navajo population expansion has increased since Johnston's report (1966). In 1981, an official figure was 166,519.

By contrast, Hopi population (less than 9,000 according to an official 1983 record) has grown at a far slower rate.

In short, Navajo population growth has been a major cause of territorial expansion and exhaustion of environmental resources. The implications go far beyond the present case. The question is whether Hopis should have to shoulder the burden of this remarkable Navajo increase, and attendant expropriation of Hopi territory.

VI. Conclusion

Hopis are long-term occupants of the 1934 area. Navajos are recent arrivals who, in the Hopi view, have usurped Hopi rights. Hopis and Navajos represent entirely different ethnic stocks -- their languages are as different as English and Chinese. Hopis are sedentary. Navajos have, until recently, been nomadic.

Another significant difference between these peoples is religious. Navajo religion is based on individual well-being. Hopi religion is based on maintenance of balanced ecological relations in a bounded landscape.

Navajo expropriation of Hopi land derives from U.S. military pressure, and from internal economic and population pressures.

Historically, Navajo relations with Hopis have been characterized by raiding and aggression by the former against the latter.

"Remarkable" rates of Navajo population increase since 1870 have produced great pressure on the region's resources, and are a direct cause of increasing incursion into Hopi territory and expropriation of Hopi resources throughout the latter nineteenth and twentieth centuries.

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