

Johnson, Rev. Caleb (as Spokesman for Traditional leaders), 1-19-1974, The Basic
Position of the Hopi Traditional Chiefs on H.R. 10337 and S. 2424. Oraibi.

This comes closest to representing the correct Hopi traditional position. It explains the conditions for allowing Navajos to remain on Hopi lands. General agreement among Hopis.

Office of the Minister

REV. CALEB H. JOHNSON

Oraibi, Arizona 86039

TO: Whom It May Concern:

19 January 1974

Subject: The basic position of the Hopi Traditional Chiefs on H.R. 10337 and S. 2424.

Introduction:

These two bills differ in the following: First, H.R. 10337 provides for the United States District Court in Arizona to divide the joint-use area within the 1882 Executive Hopi Indian Reservation, between the Hopi and Navajo Indian people based on several guidelines. One additional guideline in (g) is added. Second, H.R. 10337 provides for compensation to those Indians who will move. This is mentioned in Section 12; \$15,000.00 and \$20,000.00 depending on the number in the family. The Goldwater bill, S. 2424 leaves this out. Third, the Goldwater bill, S. 2424 provides that the Secretary of the Interior will divide the joint-use area between the Hopi and Navajo Indian Tribes.

Basic Position of the Hopi Traditional Chiefs:

1. We will not accept these solutions to the Hopi land problem. Our position is that we shall not delineate any boundary around what we consider the Hopi Traditional land area. We have never entered into a treaty with the United States Government and thus we have full rights to our whole Traditional land area. In fact, we believe that the United States Government has on record, exactly what our Traditional land area is. Therefore, if we should accept this solution proposed in H.R. 10337 or S. 2424, the United States Government will bring this document out and say to us: "You could have had this whole land area but you gave it up." Again, if we should accept these bills, and they are enacted by the United States Congress, we, the Hopi people, would, in effect, have entered into a treaty with the United States Government. Thus, we would lose forever any claim to any land beyond what the United States District Court in Arizona may give to us. We are not willing to agree to any such thing.

2. We unanimously reject these bills because they do not do justice to our cause. The Navajo Indian Tribe did enter into a treaty with the United States Government on 1 June 1868. Yet, the Government permitted them to move into our Traditional land area and then into an area set aside by President Arthur in 1882 for us. 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 1832 and it would make absolutely no sense for the President of the United States to place two enemies within one land area. Therefore, a great injustice will be made again by the United States Government if Congress should let the Navajo people get away with this simply because the Bureau of Indian Affairs was afraid in 1882 and after, to keep the Navajo people out of the 1882 Hopi Indian land area. Instead, we petition the Congress to correct this grave injustice by giving to the Hopi people, all the land area within the 1882 Executive Order Hopi reservation. This gracious act of Congress will make things right and do justice to the cause of the Hopi people. If the Navajo people within

"HOLDING FAST THE FAITHFUL WORD"

19 January 1974

the 1882 Executive Order Hopi reservation desire to remain there, this would be fine with us except that they must be under the jurisdiction of the Hopi people and in time, if they so desire, become a part of the Hopi people. If these Navajo people within the 1882 Executive Order Hopi reservation do not wish to do this, then they should be moved out at no expense to the United States Government because the Navajo people share the blame of the United States Government, by moving into a land area clearly established by the President of the United States, for the Hopi people. On the other hand, if the United States Government wish to compensate these Navajo people, that is up to the Government to do.

3. We shall continue to press for recognition of our Hopi Traditional land area which is beyond the 1882 Executive Order Hopi reservation. We propose that Congress grant us a simple form of recognition. We will not disturb the tranquility of those people who now live there, nor create any disturbance. In fact, it is our desire that they live there in peace and harmony with all people and with our mother earth. We only ask that this land area be recognized as being the Traditional Land Area of the Hopi People. Such a simple Act of Congress will enable us to freely visit our sacred religious shrines within the Hopi Traditional land area. We will be able to freely visit our Eagle Hunting Grounds and pray in the sacred mountains of Flagstaff, Arizona. We will be able to freely visit the salt mines within the area.

4. We will not accept the solution proposed in these bills which will carve out a small area for the Moencopi Hopi people from the 1934 Act of the United States Congress. If we accept this proposal in these bills, it will terminate any Hopi claim for any additional land outside of this proposed area as described in these two bills. Our traditions state that the Moencopi Hopi people live well within our Hopi Traditional Land Area. In any event, the Moencopi Hopi people have a basic right to more, much more land, than what is proposed in these bills. As we have said, the Navajo Indian people, have entered already into a treaty with the United States Government on 1 June 1868 wherein they have said under Article 13 and we quote:

"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."

This is a sacred agreement entered into by the Government of the United States and the Navajo people and yet, Congress in 1934 granted them a land area within our Hopi Traditional Land Area. This was a great injustice to the Hopi people and now, Congress has the opportunity to correct this.

Conclusion:

In conclusion, it is our unanimous opinion, made in council, that we, the Hopi Traditional Chiefs and religious leaders, will be making a very bad mistake if we accept these two bills now proposed in Congress.

Instead, we propose that Congress reject these two bills and then grant the Hopi people all of the land within the 1882 Executive Hopi reservation. We propose that Congress grant a simple recognition of the Hopi Traditional Land Area and grant a much greater land area to the Moencopi Hopi people in agreement with us, the leaders of the Hopi people. These proposals seem reasonable to us, a people who have lived within this Country for generations and generations and possibly before the time of Christ.