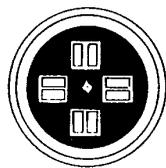


THE  
NAVAJO-HOPI LAND DISPUTE

*An American Tragedy*



DAVID M. BRUCE



UNIVERSITY OF NEW MEXICO PRESS  
ALBUQUERQUE

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was reported to be furious, and to have accused the Navajos of being lured to vote by offers of beer, a charge I knew to be ridiculous. My greatest resentment, however, was that none of the senators who had worked so hard to help the Navajos had voted against partition that one last time. Passage of the bill without opposition seemed to doom all hope for any future modification in the sentence of exile which had been pronounced, albeit in roundabout and evasive language, in the final bill.

## FINAL THOUGHTS

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THE PREDICTIONS of certain partition as a result of the new law were as accurate as they were gloomy. Negotiations led nowhere and a line was soon drawn. Once the required court order set the new boundary, a three-person relocation commission headquartered in Flagstaff began the process by planning methods to be followed. Despite delays as a result of a penurious Congress, bureaucratic red tape, Anglo opposition to Navajo land selections, and Navajo resistance, relocation has proceeded rather steadily. Even so, the Hopis have continued to harass even those law-abiding Navajos who registered for relocation and patiently awaited their turn for the commission's attention. The Hopi council denied almost every request by the commission for leniency to make life under the freeze more endurable and even lobbied for more punitive measures and for less aid to those who bowed to the move. As a result, many Navajos were forced to abandon their homes before the commission was able to provide them new places to live. These refugees provided yet another problem—one that the social scientists had not foreseen. One of the most important tests of the good faith of the Congress will be whether these refugees receive the aid to which they are entitled once everybody has been removed from the land.

As of this writing, almost three decades after the *Healing v. Jones* decision and half a decade after the date set for completion of relocation, about 70 percent of the Navajo residents in the Reservation area have been resettled. There is no agreement on the total number of refugees, or on the numbers of Navajos still living on the land, some of whom have still not registered with the commission and who continue to fight for repeal of the legislation requiring relocation.

The failures and problems encountered by the program have been amply documented by Kammer in *The Second Long Walk: The Navajo-Hopi Land Dispute*;

by Scudder, et al. in *No Place to Go: Effects of Compulsory Relocation on Navajos*;<sup>2</sup> by Wood, Yannette, and Andrews in "Sheep is Life": *An Assessment of Livestock Reduction in the Former Navajo-Hopi Joint Use Area*;<sup>3</sup> by Topper in *Mental Health Effects on Navajo Area Mental Health Patients from the Former Navajo-Hopi Joint Use Area*;<sup>4</sup> by Parlow in *Cry, Sacred Ground*;<sup>5</sup> by Benedek in *The Wind Won't Know Me: A History of the Navajo-Hopi Land Dispute*;<sup>6</sup> by Tamir in "Relocation of Navajo from Hopi Partitioned Land in Pinon,"<sup>7</sup> and "Some Consequences of Compulsory Relocation on Navajo Socioeconomy,"<sup>8</sup> by Shaw-Serder and Yazzie in "The Navajo-Hopi Land Dispute: Sale of Replacement Homes by Navajo Public Law 93-531 Relocates,"<sup>9</sup> by Brennan in "Navajo Perceptions of the Psychological and Sociocultural Meaning of Forced Relocation,"<sup>10</sup> and even in the reports of the Navajo and Hopi Indian Relocation Commission itself.<sup>11</sup> Only the slow pace of the relocation has averted serious violence in the area, although two Navajos have died in Window Rock in political turmoil that can be considered at least partially an outgrowth of the disruptions occasioned by relocation. The Navajo tribal government has narrowly survived near collapse, while political divisions among the Hopis appear to be fully as bitter as ever.

The question remains, why was a course of action that was so predictably destined to result in such misery for so many American citizens so readily set in motion by our Congress? The answers, as I see them, are not pleasant ones, but they are not quite those that have been predicated by others.

First in priority are the internal dynamics of the two tribes. The centralized political structure of the Navajo Tribe at the time of *Healing v. Jones*; and that structure's general acceptance by the Navajo people, have been well described.<sup>12</sup> Less evident has been the fact that the tribal government sometimes asserted authority beyond what Navajo customary views of individual liberty would sanction, all too often under pressure from the dominant society. I have frequently made allusion to the influence of the tribal attorneys in tribal-level politics among the Navajos. What often were well-meant attempts by tribal attorneys to steer Navajo government in directions and toward goals prevailing among Euro-Americans were sometimes perceived by Navajos as actions that conflicted with traditional values. This was true, to an even greater degree, with respect to the BIA and other branches of the federal government. Neither should the private business sector be omitted from this list, for it could wield a carrot fully as powerful as the stick available

to government for persuading or tempting tribal officials to act in ways they might find hard to explain to their people. While others in mainstream society—educators, scientists, the clergy, journalists, tourists, and even personal friends—have also affected tribal policies and decisions, in the Navajo-Hopi dispute the big three were lawyers, government officials, and businessmen. Most dramatically foreign to Navajo ways has been the decision-making process itself. Whereas in large-scale societies, a few make far-reaching decisions on behalf of many others, in traditional Navajo society decisions are not made until consensus has been achieved. The respect for the individual's opinions that is so integral to all Navajo social action has been so freely overridden by outsiders that the Navajo stereotype of all whites as bossy continues to persist. All too often what an Anglo American considers to be no more than mild persuasion is regarded by a Navajo as an impertinent command. High-pressure tactics common in Anglo society are seen by Navajos as far beyond the limits of permissible behavior. The restraint so typical of Navajo dealings with those who are not relatives is more than just shyness or even etiquette, for it is based on a deeply held belief in individual rights. Less obvious conventions are equally important in interactions among close associates.

Thus, the tribe as a whole did not rise up en masse to defend the Navajos within the disputed area, for it was the business of the affected people themselves. Only when those affected requested support might it be given. Boyden's frequent ranting against supposed large numbers of Navajos taking up the cause to oppress the Hopis was simply wrong, whether based on his misconception of how Navajo society functioned or on malice. One of the great weaknesses of the tribe in handling relations with non-Indians has been this reluctance to take concerted action except in cases of threats that are clearly against all Navajos. The people in the disputed area brought their pleas only to the tribal government, and there with varying success, for they constituted no more than about 10 percent of the Navajo population, while they knew that the tribe as a whole suffered a great many other difficulties. Even the overwhelming Navajo vote against Goldwater was not so much in defense of the rights of the people of the joint-interest area as it was in opposition to a candidate who was seen as a threat to all Navajos as a result of the manner in which he had treated some of them. The people of the disputed land never were able to make a tribal cause of their dilemma. Ulti-

mately those who resisted relocation, claiming to be a sovereign nation apart from their fellows, went not to other Navajos for help, but to whites.

The dispute did have a major impact on Navajo tribal politics, for the Hopi claim in the 1934 Reservation brought many other Navajos under the threat of Hopi expansionism, enough to carry the vote in tribalwide elections for Chairman. The land issue was a decisive factor in at least two elections, giving Peterson Zah his first victory and MacDonald his fourth.

Zah's promise to settle the matter on the basis of his personal friendship with Ivan Sidney, then the Hopi chairman, was far too optimistic an appraisal of the potential of that relationship. The western Navajo vote was his, and it helped carry him into office, but when he had nothing to show for his promise four years later, he was seen as having been badly taken in by the Hopis. MacDonald easily captured the same vote to return to office. He was able to recount his battles all along the way, including twice risking imprisonment by standing up for the people of the Hopi-partitioned lands. Despite the fact that he had lost in court, his claim to steadfast loyalty to their interests was sufficient to return him to power.

Did the irresponsible handling of truth among white politicians in their fever to throw Navajos out of their homes encourage the MacDonald administration in the extremes of corruption that finally brought it down? There had been rumors of corruption as early as MacDonald's first term, but nothing sufficient to cause a real scandal within the tribe until his fourth term. Nor were any of the early rumors ever substantiated, in 1977 MacDonald was indicted for fraud, but eventually acquitted of the charges.<sup>13</sup> Having witnessed the magnitude of the misrepresentations made in the Congress and in the courts could have done little to enhance belief in the value of honesty in the national society.

This does not in any way excuse the corruption of the last MacDonald administration. It is important to show, however, how the hopeless situation of the Navajo people on the lands from which the Hopi Council wanted them removed, contributed to corruption within the Navajo Tribe. MacDonald had a ready constituency for whom he could grandstand, followers ready to reach for any straw that the reprieve held out. He firmly believed, I do not doubt, that the Arizona politicians were reaping immense pecuniary gain from the energy companies as a result of their unbending support of

the Hopi Council. For a person perhaps already engaged in minor graft, but certainly susceptible to the lure of wealth and power, the temptation was more than he could resist.

When MacDonald was in trouble, much of his unbending support came from the people of the west, for he had been the last strong advocate for their cause. The Navajo government has weathered the recent storm and appears to be stronger than ever, but those who would destroy it may yet find opportunities in continuing disputes over land, both in the separate issue of the Moenkopi land rights and the opposition of the resisters within the Hopi partitioned lands.

Among the Hopis the factional split is older, deeper, and less amenable to healing. The traditionalist faction, perhaps better termed the conservative faction, and the council or progressive faction are so far apart that each refuses to recognize the legitimacy of the other. The beginnings of real differentiation in Hopi society may go all the way back to the twelfth through the fifteenth centuries when the Hopis experienced an influx of peoples, as the Anasazi abandoned the entire San Juan drainage and various other prehistoric groups left broad regions within the Little Colorado drainage, apparently due to severe droughts. By the seventeenth century, a progressive Hopi faction saw the opportunities presented by the recently arrived Spaniards primarily in terms of economic potential and political alliance. New ways of making a living from livestock and trade were joined with a possibility of dominance over the conservatives. The conservatives, on the other hand, saw mainly the threats inherent in Spanish rule—the loss of autonomy and the undermining of their religion. The Spanish assault on the Kachina cult, so vital in the old Hopi way of life, was especially threatening. If the ceremonies were not performed as ordained by the gods, the rains would not fall, the corn would not grow, and their villages would meet the fate of those whose ruins were found over the land in all directions from the small surviving cluster at Hopi.

For the conservatives, the Navajos became a buffer between themselves and the Spaniards. As long as the Navajos were at war with the intruders, few whites would make their way across the arid lands between Hopi and the Rio Grande, and those who did would find it difficult to summon support. In time, this faction would actively foment war between the Navajos and the

Spaniards. In addition, Navajo presence may also have functioned to keep all the members of a village close to home where they could be easily recruited to do their duties in the kivas and the dances.

The opposite applied to the progressives, who wanted ready access to the European goods available from the settlers in the east and freedom to travel to profit from their trade. They may also have wished to try their hand at ranching with the newly introduced Old World domestic animals, which would require that they be able to range far afield for pasturage. A final desire may well have been evading the demands of the native priesthood that they participate in religious retreats and dances.

One thing is certain. Changes did come about, changes that led to the extreme polarization of the present day. The policies of the United States differed from those of the early Spanish, but the end results were much the same. A progressive, anti-Navajo faction allied with the Americans and encouraged movement away from the villages and opposition to certain of the old religious practices, while the conservatives were routinely marginalized and alienated. The stalemate led to the collapse of the first organized tribal government. Boyden had personally revived the moribund tribal council.<sup>14</sup> The federal government continued to insist that the only legitimate governing body was the council, and it made little or no effort to reconcile the two factions. The friends of the Navajos were thus shut out of the government by the depth of the split between themselves and the progressives. Polarization in colonial times had led to the Pueblo Revolt and the destruction of Awatobi. The new polarization brought about the dispossession of the Hopis' Navajo neighbors and a degree of resentment among the Navajos that will not end soon.

I have made allusion to the pitfalls of intercultural communication and interaction, and I believe that some specific examples with regard to Southwestern Indian-Euro-American relations are now required. I draw here on my own observations, especially in the context of tribal government and legal disputes.

Language differences are central to the miscommunication between peoples, and have played a major role in Navajo-Anglo-American relations. Navajo language relies strongly on vowel tone and length to distinguish meaning. These are features that in English function primarily to express the emotional content and the connotation of a statement, along

with an intonation pattern of which we are generally unaware, but which tells us whether what is said is a question or an assertion of fact. English spoken with a Navajo accent appears deficient in the clues we expect to provide us subtle and emotionally reassuring portions of the message. This can lead to miscommunication with regard to whether the speaker is serious or joking, sincere or evasive, even whether the statement is casual or of great importance to the speaker. In Navajo, the verb carries a greater part of the meaning in any statement. Translations into English often result in circumlocutions that sound stilted or simply awkward, again often causing an English-speaking listener to remain in doubt as to the implications and feelings underlying the literal meaning of a statement. Anglo-Americans unused to Navajo-accented speech sometimes feel that Navajos lack emotion. This obvious deficit in understanding can contribute to a feeling of uneasiness, usually labeled "culture shock," although the less dramatic term "culture stress" probably describes the situation much better. Altogether, these barriers to easy conversation can also lead a listener to doubt the truthfulness of a Navajo speaker. I recall Clyde Kluckhohn once revealing that even he had on more than one occasion suspected that a Navajo was telling a made-up story, only to learn later that what he had heard was accurate information.

A Hopi accent, on the other hand, is very different. The Hopi language is totally unrelated to Navajo. The sound system has some similarities to Navajo, but is such that it contributes to a manner of speaking in English that is much more expressive to the ear of a native English-speaker, most often giving an open, friendly, or even ingratiating quality to speech. Furthermore, grammatical construction does not lead to translations that appear to express thoughts in roundabout, stilted ways. The overall effect is an appearance of easier communication and of greater sincerity on the part of Hopi speakers.

These linguistic phenomena probably have similar effects in the translation of Navajo and Hopi speech into Spanish. Navajo speech translated into Spanish and then into English, as quoted in mid-nineteenth century documents, seems to have some of the same qualities as Navajo translated into English. In any case, the effects of characteristics of the two languages have undoubtedly colored Euro-American views of the two peoples for a very long time. I suspect that they also had at least some effect on the perceptions of Navajo and Hopi testimony in court and before Congress, as well as in

dealings with federal administrative officials, representatives of the press, and others. It must be recognized that the level of English proficiency was also much higher among the Hopis than among the Navajos due to the fact that their village settlement pattern led to universal school enrollment at an earlier date. Despite an appearance of better communication on the part of the Hopis, there were errors of perception and understanding for them as well as for the Navajos, although these were due less to linguistic factors than to cultural differences.

There are two other aspects of working with a tribe that need mention here. First is what I like to think of as "the bicultural scapegoat." Any healthy society feels that it is superior to others in at least some ways, and conversely, that neighboring peoples suffer at least some kinds of inferiority. Other peoples may also be thought to excel in certain respects, and these beliefs can be manipulated in dealing with outsiders to cement relationships or to arouse antagonism as a particular situation might require. When dealing with people from outside the tribe, there is a tendency to encourage sharing of negative stereotypes of third parties. This is especially true where people are involved together in a competitive endeavor. During the various claims research projects in which I took part, I soon became aware that the Navajos with whom I worked were not reluctant to engage in ethnic remarks about the competitors for land they claimed. Thus, in the east, jokes about Hispanics, once the Navajos were sure that I was not Hispanic, were to be heard, while in the north a similar situation existed regarding Mormons. Remarks about other Indian tribes were more variable, but negative as well as positive remarks were not uncommon, ranging from complaints that an Apache dialect, mutually intelligible to those Navajos who wanted to converse with its speakers, could not be understood, to complaints about Hopi witchcraft. Having similar negative feelings about the opposition seemed both a way of making it easier to work with an outsider and to feel assurance as to the outsider's loyalty to the tribal cause.

Second, I also observed that tribal and federal employees often felt a compulsion to be stronger advocates of a tribal cause than were the Indian people themselves, or even to promote causes that tribal members did not actually consider significant. In part, this would certainly have been an attempt to show that one did indeed support tribal interests, but it not infrequently went beyond a demonstration of being on the tribe's side to become an effort

in one-upmanship among non-tribal individuals who had dealings with tribal members.

Both of these tendencies could easily go beyond reasonable limits to inspire bias, stereotypical thinking, and grossly exaggerated claims. I suspect that in addition to the professional obligation that attorneys have to represent the interests of their clients, these two factors in intercultural relations could easily lead them into a kind of advocacy they might otherwise find distasteful. I personally believe that Boyden did, in fact, succumb to these kinds of pressures, although I suspect there are lawyers who would defend his methods. I also believe that he was fully aware of what he was doing. Mott, in what seemed to me to be excessive legalistic posturing during negotiations with the Hopis, may also have been influenced by similar factors, although I suspect that he, having less experience in Indian law, was less cognizant of what was happening. Those of us who served as witnesses in the various claims cases certainly felt the same pressures and dealt with them as best we could. I think we all had moments of success, when we felt we had resisted the temptation to go beyond our evidence and had perhaps even pointed out where our data may have fallen short of demonstrating some of the claims made by the attorneys. We probably had other moments, when, looking back now, we wonder whether we tried to push our conclusions beyond what the evidence showed.

Any evaluation of the role of tribal attorneys must go beyond what is simply a matter of the proper limits of advocacy, to the question of whether, or to what extent, tribal attorneys created the disputes which they litigated, or prolonged litigation when delay favored their own interests over those of the tribe they represented. As already mentioned, I did not find most lawyers inclined to confide in others in ways that would reveal their innermost feelings. I did conclude that the profession appeals most to those of a competitive and contentious nature.

In view of how our society functions, Indian tribes and nations are as much in need of legal representation to defend their interests as other organized entities. Because much tribal litigation must be authorized through individual acts of Congress, legal representation is often necessary to insure that proper language is used in the drafting of the bills that would enable court actions. Courts are bound by the wording of the legislation. A far-sighted attorney can do much to influence the outcome of a case by ensuring

that the terms under which a suit is tried are favorable, or at least not unfair, to his client. Thus, the participation of a tribal attorney in the legislative beginnings of a lawsuit is not necessarily indicative of improper activity.

It is clear that Navajo-Hopi relations had their rough spots from an early date, but whether they really required a court case for settlement is a question worth asking. The answer depends largely on values and priorities. Development of mineral wealth required a legal determination that only Congress, or actions authorized by Congress, could provide. Security in their homes and way of life for many Navajos and some Hopis also rested on a determination of this sort. Congress appeared unable to make a final determination, being essentially unwilling to do so if that determination should go against the wishes of either tribe. It is not entirely clear that if there had been no pressure for mineral development, a solution would actually have been necessary at the time. If the government had been willing to refrain from periodically altering the boundary that then existed and arbitrarily moving families as a result, I do not know whether most of the Indians themselves would have felt any urgency in the matter, but there were educated tribal leaders on both sides who did want their tribes to benefit from the monies and jobs expected from mineral development.

There were alternatives, however. Congress could have established a boundary or authorized negotiations between the two tribes to settle the dispute. The tribal attorneys on both sides favored a law suit. It would be of interest to know whether the mining interests also promoted a solution at this time, and whether they favored one method over another. Litigation was probably the natural choice of members of the legal profession, however. Once the law was passed, the litigation appears to have progressed at a rather steady pace. Since the attorneys for both tribes were working on a contingency basis, there was, of course, no advantage in delaying the process.

I feel less easy about the attorneys actions during negotiations. Neither side seemed to try to ease the way to an agreement. Failure of negotiations was always a factor that worked to the Hopis' advantage, however, so that Boyden's bluster can fairly be judged as representing his clients' interest. Just the opposite was true for the Navajos. I was inclined to feel that it was necessary for the Navajos to show up the Hopis by demonstrating that they were negotiating in good faith, thereby avoiding excessive recriminations.

Also to be considered is the charge that energy and mining interests were behind the entire fiasco, controlling what happened in the shadowy background. This charge was put forth most explicitly by Kammer,<sup>15</sup> vigorously argued by Redhouse,<sup>16</sup> and picked up uncritically by Weyler.<sup>17</sup> There was certainly sufficient smoke that there can be no doubt that there was a fire, but the question still remains as to whose fire it might have been. Boyden let it be known in his meetings with Littell and others that he had made both offers and threats regarding leases to oil, gas, and coal companies. The companies' involvement may well have been no more than an opportunistic response to Boyden's machinations. Their retainers to Boyden's law firm were perhaps their own way of entwining Boyden so deeply in his own plot that he could not double-cross them later. It almost appears to have been a game of two cats, each treating the other as the mouse.

Most perplexing is the fact that industry risked alienating the Navajos so thoroughly as to place any future prospects of leases in jeopardy, some probably even gambling with leases they already held. They may have felt that there were political and economic constraints on the Navajos sufficient to negate such an outcome, should their support of the Hopi council be revealed. It is strange, however, that when there was uncovered good cause for the Navajos to suspect them, nothing ensued that would seriously undermine their operations. Their influence in Navajo government seems to have survived the questions raised by several Navajos, including officials of stature in the MacDonald administration.

There is no doubt that the aid the mining interests gave Boyden had a substantial impact on the course of the contest over partition, but who played Machiavelli upon whom remains a murky matter. It is clear that mineral resources were the root cause of the original litigation, but as much at the behest of the tribes themselves as from any outside source. While the tribal attorneys on both sides were obviously interested in mineral development, the degree to which they may have manipulated corporate interests for their own purposes, and possibly at their own peril, is poorly understood.

It is almost certain that energy companies would also have tried to influence legislators and administration officials, but nothing to document their efforts has turned up. Influence could have flowed through devious channels, and the identities of stockholders, board members, and corporate interrelationships must be traced before firm conclusions can be reached.

I do not feel personally equipped to provide definitive answers to these questions. They are, without doubt, critical questions in terms of white-Indian relations, but competence of a different sort than I possess is required for a thorough investigation. The complexity of the economic forces and their possible interaction with the political power structure would make a fascinating study.

The political power structure is more easily perceived. Votes counted. A cause that could be widely dramatized in the media, with little need to pay for the publicity had strong appeal. In Arizona, where there was already acceptance of stereotypes of the Hopis as peaceful farmers and of the Navajos as nomadic raiders, it took little to arouse public passions. No matter that this required such cheap shots as portraying an ethnic minority in pejorative terms not true at the time and of dubious validity even for the distant past, and contrasting this portrayal with a wildly romanticized picture of the people on the other side. Racism disguised as realism is always a potent weapon in politics. The public, eager for a new version of the popular Western myth of the white hats versus the black hats, could easily be led to read into the boundary dispute all the old Zane Grey plots pitting noble cowboys against evil shepherders. Goldwater and Steiger seemed especially to revel in their roles as protectors of the oppressed and as authoritative friends of the Indians, ignoring the critical distinction between the individual rights of citizens and the corporate rights of tribes. Behind this show of paternalistic concern, they were undoubtedly counting votes and calculating the effect of it all on their chances in the next election.

The role of prejudice as a political weapon derives, of course, from its potency in society at large. A negative stereotype of Navajos, particularly in their relation with the Pueblos, has a long history in the Southwest. In Spanish colonial times, the Navajos and their Apachean cousins were routinely viewed as the common enemy in wars between Christian empire builders and the natives of the land. In the present century, in the reservation bordertowns, such stereotypes are especially pervasive, but they are also found throughout much of the four-corners states of New Mexico, Arizona, Utah, and Colorado. Stereotypical images also appeared in the writings of the early Anglo-American intellectuals, such as Lumis and Bancroft, which were then picked up and gained wide currency across the land. Finally, these same stereotypes appeared in the media coverage of Navajo affairs, including

the stories on the dispute between the Navajos and Hopis. It showed up in the reports of journalists who would never think of making similar attacks on other minorities; many of whom, indeed, would voice strenuous criticism of anybody who wrote in a similar fashion about African-American, Hispanic, or Jewish peoples.

The opposite side of the coin, the idealization of the Hopis, may seem innocuous or even beneficial out of context, but when it is understood as another weapon in the attack on a second minority, its true nature as a form of racism can be recognized. It is ultimately as destructive of the seemingly favored minority as it is of the derogated minority. In the long run, a positive stereotype becomes as limiting a constraint on individual potential as one that is negative. In times of tensions between peoples, positive characteristics which have been applied stereotypically may even be twisted in such a fashion as to be given negative connotations. This did, in fact, happen on the Navajo side, on the part of some whites who derided Hopi pacifism as cowardice.

The definition of group differences which we find so important can all too easily be corrupted, for the line between objective observations of what is often true, or sometimes true, or what might have been true in the past, and the application of stereotypes as something always true is not a solid demarcation on a firm and level foundation, but is better thought of as a dotted line drawn on a sandy slope. Such subtle but important distinctions are too frequently lost in the popular media and in casual discourse. While ethnic bias may not have been the cause of relocation, its employment was clearly the method by which relocation was brought about.

This animus against Navajos as opposed to Pueblos permeates even the social sciences. A favorite song of student archeologists at the University of Arizona field schools in the mid-twentieth century was about the "Athabaskan bastards" who were said to have brought about the downfall of the Pueblos. Those of us who stood up for the Navajos' rights were constantly made aware of the stigma that attached to our beliefs. Van Valkenburgh, toward the end of his life, felt ready to disown the field of anthropology entirely. Even at present I feel it necessary to be attuned to the attitudes of colleagues and to mute my feelings, on occasion, in order to maintain some sort of working relations with people who I know are doing important research that I must draw on. I am aware that my own reputation is one of being excess-

Handwritten notes at the bottom of page 253, including the word "Pueblos" and other illegible scribbles.

sively biased in favor of Navajo interests. It has not been very long since a fellow Southwesternist asked me how I could be on the "wrong side." The questioner is a decent person who would be strongly offended if anyone were to make racist remarks or ethnic slurs about Pueblo Indians or Hispanics similar to those that are so often acceptable by those speaking unthinkingly regarding Navajos.

Most persuasive of all arguments suggesting that it was ethnic bias that ultimately decided the course of the affair in Congress, and perhaps in the courts as well, is the strong element of racism in the one book written by an apologist for the Hopi tribal position. Catherine Feher-Elston, in her *Children of Sacred Ground: America's Last Indian War*, portrays the Hopis in terms that would make them appear an Indian master race. On the other hand, her characterization of the Navajos is all too reminiscent of the stereotypes used by the Nazis to arouse hatred of Jews and Gypsies in the 1930s and 1940s.<sup>18</sup>

While her view of the Hopis is little more than an extension of the romantic image so pervasive in all of the popular literature, and to a degree, even in some of the professional works dealing with that tribe, my reading of her characterization of the Navajos has not been shared by others who have read her writings. A review of Feher-Elston's book by Richard Clemmer fails to mention anything resembling my reaction.<sup>19</sup> As others who have commented to me on the book have been of the same generation as Clemmer, I can only surmise that they are too young to know about Nazism and its tenets regarding race.

The racist and eugenicist concepts that underlie Feher-Elston's thinking in contrasting the two peoples are most evident in the remarks she has chosen from her sources to describe the genetic heritage of the two tribes. She writes with obvious approval of the alleged Navajo aboriginal custom of abandoning "deformed, abnormal, or retarded children" to die, and with equally obvious disapproval of the restrictions of missionaries and modern laws that allow such children to grow to adulthood and reproduce, resulting in "abnormal gene pools."<sup>20</sup> Regarding the Hopis, she asserts enigmatically that just as the best seeds are selected for their crops, "similar concepts" are used "to control population." She further notes, however, that the Hopis did use herbs in native birth control.<sup>21</sup> Feher-Elston fails to observe that the Navajos also used plants for contraception, a fact easily learned from the published literature.<sup>22</sup> The overall effect is approval of a people who keep

themselves genetically "pure," as was the aim of Hitler for his "Aryan race," and disapproval of a people who allow themselves to be influenced by U.S. law requiring humane treatment of children with birth defects, a portion of the German population that Hitler tried to eliminate in his death camps. Feher-Elston's<sup>23</sup> claim to impartiality is undermined in other ways as well, as she provides a "tilt" toward the Hopis, sometimes in a vague and subtle way and sometimes quite openly—a bias evident even to as friendly a reviewer as Clemmer.<sup>24</sup>

If a writer such as Feher-Elston can unwittingly convince herself that she is impartial and objective in a work that edges frighteningly close to Nazism, and if a handful of liberal Ph.D.s in the 30-40-year-old age range can miss that fact, what chance is there for the average citizen, dulled by information overload, to escape the quagmire of intolerance of those who are different? This is especially problematic in the case of the always entertaining spectacle of an "Indian war." A more important question may be one that asks whether ethnic bias is inherent in our species.

Ethnocentric attitudes are certainly universal. We alternately pride ourselves on having learned to overcome them and bewail the perception that we are worse than any other society. The world news regularly informs us that racism, religious prejudice, ethnic hatreds, and other varieties of dislike of those outside the bounds of conformity can appear anywhere. Perhaps we feel a need for a flesh-and-blood bogeyman to keep ourselves in line, one that we can attack when frustrations pile too heavy a load on our psyches. At best, we are not alone in our depravity. Inhumanity toward our conspecifics is all too human.

It is thus not greed alone that is the source of injustice. Pejorative stereotypes of the "other" are pervasive, and they all too easily provide a rationale for those who desire something for a selfish end, whether it be material gain, a smug feeling of self-righteous satisfaction, vindication of belief, or sheer power over others. Stereotypes supply a rationale that can be manipulated to mobilize support, sometimes enhanced by the lure of wealth, sometimes without that particular silver lining.

In the case of partition of the joint-interest area and the relocation of thousands of Navajos, prejudice was very obviously a major factor. It provided those with hidden agendas an easy method for swaying public opinion, and the feedback from public sentiment aroused by their propaganda

allowed them to rationalize their actions. Thus they could ignore the suffering their actions brought about, because those who suffered were deemed to deserve nothing else. This rather inverted reasoning allowed both the public and politicians to side completely with a tribal faction that preached total nonviolence, in order to accommodate that faction's desire to do violence to its neighbors. It allowed the public and the politicians to place corporate rights above individual rights and property rights above human rights. The Navajo-Hopi land dispute provides insights into the complexities of motivation in our species that defy casual assessment and call for continuing investigation if we hope to understand ourselves as we exist in all our diversity throughout the world.

We already know that we are creatures of emotion as well as of reason. An illogical reply given with fervor can silence a well-thought-out question and gain the followers needed to decide an issue. Strong rhetoric, whether rehearsed or spontaneous, too often carries the day, and it does so more easily when it can travel on wheels of prejudice, already in people's minds, things in common.

I recently listened to a proposal for world peace propounded by an engineer whose comprehension of the humanities and social sciences was patently deficient. By lumping together all those of any one nationality, his plan would quickly eliminate just those people and groups within a society who might best oppose a totalitarian ruler, leaving only the demagogue to direct his or her subjects without opposition. To treat any society as a single, indivisible organism is to enforce conformity upon its members.

We know that to regard all the people of any nation or tribe or race or ethnic group or class as evil, and to use this belief to justify vengeful treatment of the entire population, is wrong. We have known this for generations, yet we still do it in war and all too often in somewhat less drastic, but no less unjust, actions. The internment during World War II of all peoples of Japanese descent living along the West Coast is a classic example of this phenomenon.

The lessons of the destruction of Carthage, the rampage of the First Crusade, the Inquisition, and the Holocaust remain too often mere abstractions that we ignore when our passions are aroused. The displacement from their homes of all Navajos in half of the joint-interest area is yet another example

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of our tendency to be distracted from principles when a self-righteous trumpet is sounded. It will not be the last and it is a less violent event than many before, but perhaps it can provide one more reason for people to be more deliberate when they hear a call to arms.  
Regrettably, we still need to learn to apply what we have long known about human relations.

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