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**“There is no word for relocation in the Diné language”: Everyday Forms of Refusal
to Colonialism(s) on Black Mesa**

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to Colonialism(s) on Black Mesa**

by

Hallie Sarah Boas, BA.

Report

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for the Degree of

Master of Arts

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Dedication

My greatest hope is that with this community's stories and voices will provide a glimpse into a world that has touched me so deeply and is profoundly different than one based upon dominance, greed and accumulation. Their refusal to give up on the sacred, the deep rooted spirit of this earth of this land, drives me to slow down and listen carefully to their voices. Because they affirm that the colonial project isn't complete. And I see them and their struggle. They have talked and I have listened. These utterances gesture to the beauty of a world that is cannot be reduced to the simplicity of a singular relationship to the earth. Their words have touched me so deeply that they have changed the way I think about and interact with the world. This writing is the least I can to do honor their tireless struggle. We need their teachings.

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I am deeply grateful for their invaluable guidance and support of my committee, Shannon Speed and Polly Strong throughout this process. Their invaluable expertise has helped me realize my deepest potential as a writer and a scholar. Shannon Speed's unwavering support and commitment to me and my work and Polly Strong's dedicated demands for accuracy and clarity will continue to guide me beyond this project. I also want to thank Circe Sturm for her guidance and honesty when I needed it most. Additionally, Chris Andersen, whose steadfast badgering was timely and very helpful.

From the depths of my heart, I owe serious gratitude to the faculty and my graduate student colleagues at UT. I thank these outstanding intellectual interlocutors who pushed me to keep going, helped me think through ideas, scrupulously reviewed my drafts and work, and most of all who provided such a generative and inspiring intellectual and political community, of which it was a privilege to be a part.

I benefitted from the open doors, generosity and knowledge of the resistance communities of Black Mesa whose life-long activism, perseverance dedication to fighting for justice and liberation for their people and land has been the inspiration and impetus for writing this paper.

This project would not be possible without the friendship, camaraderie and support over the past six years from the Black Mesa Indigenous Support collective.

I would also like to thank the many friends in the Austin activist community whose struggles to bring a better world into being sustained me through this process.

My sincere appreciation goes to my family and lifelong friends, whose encouragement has always grounded me in the pursuit of my ambitions and dreams. Your support has been instrumental in all of my endeavors.

Abstract

“There is no word for relocation in the Diné language”: Everyday Forms of Refusal to Colonialism(s) on Black Mesa

Hallie Sarah Boas, MA

The University of Texas at Austin, 2015

Supervisors: Shannon Speed and Pauline Strong

There are an estimated twenty to fifty billion tons of high grade, low sulfur coal underlying the Colorado Plateau in a stretch of Arizona desert known as Black Mesa. Since the 1970s, the Navajo (Diné) community of Black Mesa has faced a tremendous battle against particularly insidious types of colonialism that continue to endure into the present day. In 1964, a conglomeration of companies known as Peabody Western Coal Company (now Peabody Energy), first signed a deal with the Navajo Nation and then the Hopi Tribe, granting the company mineral rights to strip mine the high desert plateau of “Black Mesa” seated within the 1882 boundaries of the Navajo and Hopi reservations. In 1974, the Navajo and Hopi Settlement Act made almost a million acres of shared Navajo-Hopi land in northern Arizona exclusive Hopi territory, called Hopi Partitioned Lands (HPL). Black Mesa was crisscrossed and split by barbed wire fencing designating boundaries. The Department of Justice undertook a plan to relocate more than 14,000 Navajo and 100 Hopi. Couched as an effort to resolve what was called the Navajo-Hopi land dispute, the act was actually the result of an ongoing effort to exploit mineral resources in the area. This report is a story of refusal by those who remain. In this report, I will show how the Navajo community now residing on the so-called Hopi

Partitioned Lands has employed and called upon place-based relational politics, cultural values, and daily practices of refusal to endure under the harshest conditions of colonial invasions, internal and external changes and resource extraction. My interlocutors shared stories that make stark the brutality of federal Indian policies on Navajo life, and at the same time show resilience and determination in the face of colonialism. Through ethnographic narratives, I highlight the central role of sheep and shepherding as a continued practice of the everyday resistance to the colonial conditions imposed upon them. I bring together theoretical frameworks and literature that reveal how Navajo history traverses and coheres within both settler colonialism and resource colonialism. Lastly, I focus on the role that women, matrilineal kinship and specific female deities play in the continuity of their struggle.

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INTRODUCTION

There are an estimated twenty to fifty billion tons of high grade, low sulfur coal underlying the Colorado Plateau in a stretch of Arizona desert known as Black Mesa. Since the 1970s, the Navajo (Diné) community of Black Mesa has faced a tremendous battle against particularly vicious and insidious types of colonialism that continue to endure into the present day. In 1964, a conglomeration of companies known as Peabody Western Coal Company (now Peabody Energy), first signed a deal with the Navajo Nation and then the Hopi Tribe, granting the company mineral rights to strip mine the high desert plateau of “Black Mesa” seated within the 1882 boundaries of the Navajo and Hopi reservations. The only fly in the ointment of commerce has been the fact that the land which would be destroyed in extracting the “black gold” was until quite recently inhabited by a sizable number of people who would not – indeed, from their perspective *could* not – leave (Churchill 2004).

Rooted in the history of federal Indian policy, the dispute has its origins in President Chester Arthur’s arbitrary decision to create a land base for Hopis where Navajos also lived (Denetdale 2007: 32). Decades of research by scholars, researchers and legal experts insist (Redhouse 1983, Matthiesen 1984, Parlow 1989, Brugge 1994, Nies 2014, Churchill 2004, Benedek 1996, Benally 2012, Kammer 1980) that the motivation behind addressing the Navajo and Hopi dispute over shared territory became important when vast reserves of coal, gas, as well as access to a massive aquifer were discovered. Soon thereafter, the federal government and various tribal and federal agencies, acting on behalf of outside business interests began a multipronged campaign to gain access to the mineral resources on Black Mesa. Couched as an effort to resolve what was called

the Navajo-Hopi land dispute, the act was actually the result of an ongoing effort to exploit mineral resources in the area. In 1974, the Navajo and Hopi Settlement Act made almost a million acres of shared Navajo-Hopi land in northern Arizona exclusive Hopi territory, called Hopi Partitioned Lands (HPL). Black Mesa was crisscrossed and split by barbed wire fencing designating boundaries. The Department of Justice undertook a plan to relocate more than 14,000 Navajo and 100 Hopi (Boas and Speed 2014).

This led to the agitation to pass national legislation determining longstanding claims over rightful ownership of the 1882 reservation lands. In 1974, under pressure from Peabody Coal Company and its investors – whom as we will see later, were the very politicians creating the legislation that would “solve” the land dispute – the US government implemented a relocation plan that mandated the forced removal of between ten and fifteen thousand Navajo and one hundred Hopi people off of 900,000 acres known as the Joint Use Area (JUA). Today, according to Peabody, the operating Kayenta Mine continues to extract eight million tons of low-sulfur coal annually and supplies the Navajo Generating Station near Page, Arizona. The Navajo Generating Station in turn delivers its power to the Central Arizona Project, which powers the cities of Phoenix, Las Vegas and Los Angeles.

Thousands of Navajo families relocated to the “New Lands” – Navajo tribal lands near Church Rock, New Mexico, which was later found to be highly contaminated with waste from uranium mined for nuclear weaponry. A study conducted on the Navajo resettlement issue in 1978 predicted four primary effects of the relocation on the Navajos: “They learn, to their humiliation, that they are unable to protect their most fundamental interests... [including] the preservation of their land (both for themselves and, of great important, for their children), their homes, their system of livestock

management with its associated lifestyle, and their links with the environment they were born to" (Scudder 1975). As Scudder predicted, thousands of Navajos who accepted who accepted the government's promise of a new urban life in America have found themselves without homes, jobs or families. In a study over the second half of 1978, the IHS Mental Health Branch found that relocation was causing extraordinarily high rates of anxiety and depression among future relocates: Navajos marked for relocation were seeking psychological counseling at eight times the rate of Navajos who did not have to leave their homes. The researchers warned that federal relocation commission's plan to relocate Navajos to villages may have had little chance of success. "I do not believe that the Navajo will view themselves as defying the law if they merely stay in their homes. They will view the order to leave as defying the principles of order that are the essence of their own lives and beings." David Aberle (1983) said of this plan, "Lack of knowledge, unawareness, insensitivity, and neglect are the keynotes of the Federal Government's interaction with traditional Indians' religions and culture."

Although important in its own right, this story is not about those who relocated; it is about those who resisted. Fifty-five families refused to relocate and chose to remain on their ancestral homelands. They are told they are trespassing on their own land. For five decades, the federal government has attempted to finalize Navajo relocation. They have not succeeded.

Refusal to accept the latest colonial imposition, PL 93-531, has become the backdrop against which hundreds of Navajos continue to carry out a staunch resistance to the relocation, even as draglines continue to rip apart the earth for coal seams, the land becomes desertified as a result of the draining of a major aquifer to transport the coal,

and the air they breathe is increasingly polluted with carcinogenic compounds from the extraction process. Community members, both young and old, have traveled around the world giving voice to their struggle and called for the international community to support them by fighting these unjust policies. At the height of resistance in the late 1970s and 80s, they established their own independent sovereign political body, “The Sovereign Dineh Nation” because of the jurisdictional gap they found themselves in—as the members of this community lacked political representation in the Navajo or in the Hopi tribal governments. To this day they still possess no official political or tribal chapter representation.

In 1977, the Navajo-Hopi Land Commission figures showed that fifty-five families actively resisted the relocation. But according to 150 interviews and nearly 200 hours of taped interviews, Anita Parlow (1988), a lawyer who writes extensively about this issue of relocation, asserted that the amount of people who resisted relocation was far greater than the number who actively defy the law. Most people she interviewed in 1985 and 1986 concluded their interviews with a statement of their unwillingness to leave their homelands. Also, most began their interviews with a description of the Creation of the Four Sacred Mountains that form the boundaries of the Navajo universe of the Emergence of the *Dineh* into this world. Almost thirty years later, Navajo resisters continue resist relocation that would make it impossible for them to properly live in the Navajo way or retain a traditional Navajo identity in an Anglicized world.

By 1988, nearly eighty percent of the Navajos who had lived on the HPL had moved (Parlow 1988, 172). However, approximately 1,500-2,00 Navajos refused to go. The “resisters” say Relocation violates the essence of their religious beliefs. To protect their

religious beliefs, forty-five resisters brought a lawsuit in federal courts, *Manybeads v. United States*¹, to challenge Public Law 93-531 on First Amendment grounds. Plaintiffs argued that the government action infringes on their practice of Navajo religion and therefore violates the Free Exercise Clause of the First Amendment. What the Navajo plaintiffs seek, in the name of religious freedom, is the right to remain on their ancient holy lands from which they are scheduled to be expelled.

This dispute is an unfolding drama that, in microcosm, embodies many of the world's disputes. It involves claims to land by competing nations; the inability of governments to resolve conflicts; human rights issues, as refugees are forced to leave their homes; issues of preservation of smaller cultures within a rapidly changing world dominated by "super" cultures; social, economic and political problems that come about from overpopulation; and it involves tradeoffs between economic development and preservation of the environment. The Navajo-Hopi Land Dispute is a conflict between two Native American tribes over lands to which both tribes claim historical rights; lands that both tribes relied on to help ensure a more secure future. It also reveals the continuing difficulties of the federal government in establishing consistent policies in dealing with nations within the nation.

The late anthropologist Alfonso Ortiz (1974) distinguished this resettlement from others in that it embodies competitive claims from two Indian nations. "There are two horns to this dilemma," he said. "One prong is the right of the Hopi — a very small tribe with limited resources — to recover and use the lands to which they are entitled. If they are to thrive and survive, there must be integrity to their reservation," he said. "The other prong is the human rights violations suffered by the Navajo people who are paying the

price for earlier Navajo encroachments onto Hopi territory that they view as their own. Finding the point of truth is very difficult to do” (Ortiz 1974).

Since the first HPL fence was staked, Elders have resisted with their bodies and words. They have been arrested numerous times defying the orders of the BIA and Hopi tribe; they have been representatives of the Black Mesa community have been the main plaintiffs in class-action lawsuits; their stories been heard on numerous occasions before international panels the United Nations Human Rights Council on Human Rights and before hundreds of members at the European Parliament; they have occupied and protested at major financial institutions and corporations; their stories are featured in major motion pictures and Academy Award winning documentaries; in novels and academic texts, magazine and peer-reviewed scholarly articles and illustrated children’s books; and unfortunately, their stories have also been mostly misrepresented extensively in international and national media as a result of misinformation and propaganda campaign against the community².

What follows is a story of refusal by those who remain. In this report, I will show how the Black Mesa community now residing on the so-called Hopi Partitioned Lands has employed and called upon place-based relational politics, cultural values, and daily practices of refusal to endure under the harshest conditions of colonial invasions, internal and external changes and resource extraction Throughout the report, I will show how the extensive origin stories determine their emplacement in Dine Bikeyah—the Navajo homeland— and inform their philosophy or what I will call drawing from Coulthard (2011) as “an ontological framework for understanding relationships”. I will focus on both everyday acts and historical and contemporary stories of resistance and

what my interlocutors call “living everyday in ceremony” as a practice of refusal to show how these practices have enabled their struggle to endure. As the late elder matriarch Pauline Whitesinger once said “there is no word for relocation in the Dineh language. To relocate is to disappear and never be seen again”. For this community, refusal is an enactment of politics as a relationship between many forces. Each day for the past forty-one years that they have survived on the land through acts of refusal is a form of resistance. I define resistance as refusing to be dis-located from their lands against the various intertwined processes of colonialism. The forms of refusal I will describe are resistance because they allow this community to survive against all odds. Resistance for them has been staying on their land no matter what they’ve had to endure. In fact, they are surviving right now.

In the first section, ““Sheep is Life”: Place has a Spirit that Deserves to be Respected,” I demonstrate through auto ethnographic and ethnographic narratives how their continued responsibility as shepherds and weavers and dedication o protection of their lands are daily act of refusal to colonialism. The gift of sheep from the Holy People is a vital component of their creation story. *Dibé bee iiná* - “Sheep is life” - is a Navajo expression that encapsulates a huge part of the everyday livelihoods of many Navajo people (Benally 2012).

In the next section, “Settler Colonialism, Resource Colonialism and Dependency,” I bring together theoretical frameworks and literature that reveal how Navajo history traverses and coheres within *both* settler colonialism and resource colonialism. In fact, the two analytics build upon one another, and the main adversaries in struggles for land continue to be imperialist regimes intent on extracting surplus value from the

control of Indigenous lands, resources and cultural and intellectual properties. I aim to differentiate the two forms by showing the particularities of how the settler colonial history of dispossession of land and extermination of Indigenous bodies shifts into resource colonialism where the intensive extraction of resources is the defining logic. These trends will be additionally explored through the historical prism of dependency theory put forward by Richard White.

In the last section, "Women and Refusal," I focus on the role of women and matrilineal kinship as a defense of the Navajo philosophy and way of life. Foremost in every single one of my four interviews is the role of women in Navajo life, philosophical order and religion. When asked where the strength for their resistance comes from, as an almost ubiquitous answer, both men and women note the physical strength of their grandmothers and mothers and the role that specific female deities and matrilineal descent lines play in the continuity of their struggle. They point to the continuity of both state imposed practices of violence and displacement and resistance by the ancestors to these forces as rationale for their sustained struggle. For these reasons, the Black Mesa community members must oppose the continuing trajectory of US colonialism that would continue to chip away at and destroy the Navajo way of life .

Using the ethnographic tools of participant observation, interviews and community archives, I show how practices of refusal are articulated in every-day forms of sociality and conversation. I draw from my experiences as an "on-land supporter" and as a researcher conducting ethnographic fieldwork. I prioritize the language the community has developed to articulate their story, rather than narratives from the media or the state. I use ethnographic interviews and oral histories as grounds for my claims. I also

trace how these dialogues have shifted over time by relying upon previous research and interviews as well as two community archives I have been tasked with organizing.

I base my claims on upon extensive conversations and interviews with four interlocutors: Mae Tso, who is one of the original “Black Mesa matriarch resisters” and Louise Benally, Marie Gladeau, and NaBahe Kateny Keediniihii, all of whom are children of the original Elders who resisted relocation. They are of a generation who were “born into the struggle” and continue to advocate for and organize in their community. All of the women, Mae, Louise and Marie, still reside on Black Mesa and maintain their home sites inherited from their ancestors. Mae and Marie still herd sheep, while NaBahe resides over two hours away in the city of Flagstaff, Arizona in order to secure viable educational and economic opportunities. Their diverse interactions with the effects of forced relocation help to more fully understand the complexities of the situation³. These interlocutors represent a dissident group of Navajos who continue to refuse impositions of US colonialism. Their politics of refusal is tied to what they will not let go of, or forget or cease to enact: their relatedness to their place, to others, to a particular history to their ongoing experiences because of this relatedness (Simpson 2014, 15).

For six years, I was a collective member and organizer with Black Mesa Indigenous Support (BMIS), a non-Native all volunteer, grassroots group committed to working with the resistance communities of Black Mesa. It was during this time when I developed relationships with many of the frontline resisters of Black Mesa. With their guidance and leadership, I maintained the main clearinghouse website for the Black Mesa resistance, www.supportblackmesa.org; I produced press releases and

community statements when the community was facing impoundments of livestock and mine expansion; I hosted community members for events in various cities across the US; I helped to plan five organizing gatherings on Black Mesa. Furthermore, I have interacted with dozens of community members at various events on “the land”. The grounds for my scholarship is my time spent on Black Mesa providing direct-on-land support- from sheep herding, to collecting and chopping wood, caring for Elders, and helping with transportation- for the community. The community requests this support for outsiders in order to be grounded in the daily realities of land based struggles, and to deepen relationships with members of the resistance community.

Over the course of six years from 2008- to the present, I have made over two dozen visits to Black Mesa, amounting to almost eight months in the community. This report accounts for what being there has allowed me to see. Over the years this struggle has shifted from a loci of resisting corporate capitalism to one of a daily struggle living under the day-to-day realities of colonial occupation, which has become increasingly difficult to resist. Being on the land for prolonged periods of time has allowed me to see the conditions that provide insights into the intricacies of social memory and how they are employed in discourses of belonging that refuses impositions of the settler state. I will try to pull apart the layers of colonialism that hold the history of this conflict, but I do not hesitate to admit that the entirety of this history is far too complex and intricate for me to tell. Throughout the report, I will strive to defend this community’s right to remain on their land and to stay away from employing romantic notions of Navajo traditions.

Louise Benally once told me, “This is your government that continues to carry this [relocation] out and infringe upon our rights to live. So it is you that must fight them, too.”

This report takes Louise’s statement seriously and will be a literal unearthing of making the unseen visible. Through this research and writing process, I confronted how I enjoy a “livable”⁴ life. I have learned so much in this process of working with the Black Mesa community. However, as a White person, I by de facto, benefit from unearned structural privileges accrued from ideologies undergirded by white supremacist logics of domination, genocide, and slavery-- the same ideologies fueling the “Navajo-Hopi Land Dispute”. I inherit a specific epistemological and ontological grounding that provokes me to think, act and learn in certain ways. Even within the context of solidarity organizing in the United States, capitalist and colonialist logics facilitate White settler desires and intimate relationships to and with Indigenous land. The settler desire to belong on stolen land potentially replicates a colonialist discourse in radical interventions that appropriates the specificities of frontline communities in struggle. These desires manifest as axiomatic by scholars and activists alike those who continue benefit from the operating structures of colonial power.

My activist research methodology is predicated upon building relationships based upon reciprocity, mutualism and self-determination. Despite my best intentions, it is unavoidable as a White person to fully eradicate my conditioning to replicate violent settler colonial modalities and internalized racial superiority. I consider this activist methodology to be an ongoing decolonial practice to build meaningful relationships that support Indigenous modalities of being, knowing and struggle. I strive to utilize

what Audra Simpson calls a distinct “ethnographic refusal”, where those of us writing about these issues can also “refuse” how anthropology’s ahistorical and depoliticized dealings with Indigenous Peoples (Simpson 2014, 3).

I believe this continual process of reflexivity helps to delineate how my positionality influences the production of knowledge. The process of assessment is how I realize my personal contribution and influence on research and the consequent epistemological findings. As a social scientist, I am going into “the field” to experience the world in new ways and from different perspectives. In my experience, bearing witness to this struggle has illuminated the complex and problematic assumptions I have been conditioned to see as normal.

I hope my writing reveals a truth about what lies beneath the surface of the misinformation that defines most of the stories told about this place. I have tried to combine activist research methodology with a profound and dedicated engagement with scholarly work and theoretical interventions that actively struggle to eradicate the ideology of domination that permeates a mentality that continues to rip apart our society and destroy our natural world.

We all bear an archive-- a habitus, a code, a habit. We perform a routine that follows tacit rules once rules are broken and we form a different kind of ethic, we can begin to constantly reposition ourselves and norms and rules we formally took for granted suddenly seem ridiculous. Once we begin to read history against the grain (Stoler 2010), we can reassemble the fragments of just who and what is being remembered. As researchers, we are subject to the call of and for justice. It is a crucible of human

experience, a battleground for meaning and significance, a babel of stories, a place and a space of complex and ever shifting power plays. Here, one cannot keep one's hands clean. Any attempt to be impartial, to stand above the power plays, constitutes a choice, to replicate if not to reinforce prevailing relations of power (Harris 2002). Every move we make is a construction of knowledge, an exercise of power. Following the words of José Esteban Muñoz (2001), I, too, hope my work will attempt to interrupt the axiological regime of rigor to make dominant institutional ideologies [of power] visible. It is my deepest hope that my work will displace the tyranny of hierarchal and oppressive power. In this report, I hope to honor the community by challenging what most perceive as an already settled "Indian" issue.

“SHEEP IS LIFE”: PLACE HAS A SPIRIT THAT DESERVES TO BE RESPECTED

For the Navajo, sheep symbolize the good life, living in harmony and balance on the land. They sometimes call this walking in beauty or "hozho naasha" in Diné. "Walking in beauty" is a story of process, both human and non-human, that speaks a language of what Walter Benjamin (1968) would say "surrounds every object in an aura of its history". The clans, and particular sacred places and the Navajo boundaries are inextricably linked to form the foundation of a delicately balanced Navajo universe from which knowledge is drawn to teach the younger generations how to live in the Navajo Way. There is a wide body of scholarly work that affirms the centrality of sheep in Navajo ethical and social systems and is integrated in the operation of the sheep herd. (Reichard 1936, Witherspoon 1971, Weisinger 2011, Iverson 2006; 2002, Zolbrad 1984).

Gladys Reichard, a cultural and linguistic anthropologist trained by Franz Boas, was the first anthropologist to live with a Navajo family, the women sharing their weaving knowledge and techniques with her (Denetdale 2007:22)⁵. Reichard is best known for her work on Navajo prayer, grammar and religion, noted the extent to which sheep occupy the thoughts of Navajos: The Navajo, particularly the women, are "sheep-minded." From the first white crack of dawn to the time when the curtain of darkness descends they must consider the sheep. Yes, and even beyond (Reichard 1936).

Anthropologist Gary Witherspoon has extensively documented the centrality of sheep in Navajo thought and social organization. He notes that according to their cultural concepts, each being in the world has the right to live, to eat, and to act for itself. These

rights to life and freedom extend to plants and animals, as well as to human beings. Only real and immediate human need justifies the killing of an animal or the cutting down of a tree. On such occasions a prayer should be said to the plant or animal explaining one's need and asking for the pardon and indulgence of the soul of the animal or plant. If there is one word which could best characterize this tremendous emphasis upon and concern for the sheep herd, it would be security. The sheep herd provides the Navajo their best insurance against starvation and poverty. Sheep provide the Navajo with meat for food, wool for clothing, bedding and weaving, and sinew for bows. When asked what is most important to them, my interlocutors consistently reply "*dibe iina nilinii at'*, Sheep is life".

Witherspoon (1970) noted that the central symbol of Navajo social organization is motherhood, and that the meaning of this symbol is found in the reproduction and sustenance of life. It is not surprising, therefore, that the Navajo find a conceptual relationship between sheep and motherhood. Louise Benally articulates beautifully this integral relationship: "Since as far back as our people can remember, we originated as people with the sheep, horses and cattle. With the sheep we became a people. The four sacred mountains mark the boundaries of our land – Diné Bikeyah – and are the essence of who we are as people. Sheep are fundamental to our movement in these lands and sustain us. When a girl becomes a woman; clan mothers and relatives who advise her bring teachings throughout the ritual that's carried out for four days. You have the Blessing Way that final night. In the Blessing Way ceremony you're told a story of the creation and also you are made to understand what these mountains to the four directions to our people mean and what they represent. Within these four mountains there are female and male representation that encircle our territory with the Little

Colorado and San Juan rivers. Changing Woman⁶ gave us the gift of life and sheep. As a woman to understand that that is life that you have to take care. This is what makes us who we are”.

Sheep are also a means of incorporating children into the life and communal economy of the residence group. As noted above children are given lambs as the nucleus of a future herd. This is an earned right because it comes when they get old enough to share in the tasks of caring for the herd (Shepardson and Hammond 1966:90). Thus children have a direct interest in the welfare of the herd, just like their parents. It is in this corporate enterprise or institution that the child learns the meaning, necessity, and nature of group or communal life. He is initiated into this group at a young age, and it is this experience, more than any other, that forms his social personality (Witherspoon 1973).

Navajos have lived with sheep as long as they can remember⁷. Certainly, a number of other shared traditions and values also shaped that identity, forming the rich cultural tapestry identified as Diné. A web of clans formed networks of kin, creating a remarkable sense of peoplehood among families scattered across vast expanses of land, and a common language and ceremonial practices also reinforced these ties. Corn agriculture was also vital; it gave birth to the people and tethered them to the land.

Louise Benally also marks corn as fundamental to the Blessingway ceremony, “During the four days you run distances and you come back and you grind corn with the stone, like in the old days, and the corn after you grind it, you roast it and its baked into a cake

that fourth and final night. In the center, we are taught there is a cornfield of life that provides for our survival.”

Just as important was the land itself. The sacred mountains marking the boundaries of that land mapped the center of the Diné cosmos. In fact, one could argue that Diné Bikéyah itself was the essence of identity, for that land demarcated an imagined community of people long before a political nation arose. Significantly, too, mobility within that landscape, from sagebrush flat to mesa to valley, from one mountaintop to another distinguished the Diné (Weisinger 2009:64).

Diné historian Jennifer Denetdale (2007) maintains the validity of the Navajos’ narrations of self. Navajos’ stories of their own history, their origins, and how they became a pastoral people whose wealth lay in their vast herds of sheep, goats and horses, and especially in the textiles woven by women, differs significantly from those non-Navajo archaeologists and anthropologists who have traced Athabaskan migration from the north into the American Southwest. The Diné’s focus is on the ways their emergence in the Glittering World and moved about with the intention of living by the Holy People’s instructions. Stories convey beliefs and values that are timeless.

These stories from the creation to the establishment of the Diné in Dinétah have been the cornerstone of Navajo families and clans. They have within them the prayers and stories about how to live a harmonious life, how to prosper and be healthy, how to raise children properly, how to treat illnesses, how to establish a political community, and how to sustain one’s family through livestock raising and agriculture. The stories also tell the Dine what can happen if they transgress codes of conduct and behavior; and

they tell them how to protect themselves from enemies and how to purify themselves after going into battle. Finally, the stories tell them how to treat the world and the animals around them, many of whom helped them to survive during the journey through the worlds (Denetdale 2008).

For the Navajos, the continuing significance of clan relationships, a sense of community with the land, and the importance of pastoralism are connected through a philosophy that stresses the continual search for *hózhó*, the path to harmony and old age (Denetdale 2007: 31). For the Diné, sheep and goats are so embedded within their value system and their creation stories, that the thought of the loss of their land and livestock would devastate their lives as they know it. In this next section, I will highlight the central role of sheep and shepherding as a continued practice of the everyday resistance to the colonial conditions imposed upon them.

Shepherding as Activist Research, Treasure Yards and Daily Practices of Refusal

July 2014. It's barely light out as I open my eyes and shut off the buzzer of the cheap battery-powered alarm clock I bought at the trading post in Tuba City. It hasn't worked on some mornings and I thank the alarm clock Gods that it did today. I have my clothes ready and folded out on top of a chair to make sure they collect as little dust as possible from the dirt floor. It's the middle of the summer and I don't need to start the fire in the woodstove like I would in the winter.

When staying with elders, it's the number one rule to start the fire in the morning so they know you're awake and warm. I put my clothes on and walk over to the wash station where I have already poured a sufficient amount of water in the basin to wash my face and brush my teeth. I hastily finish my morning rituals of

making sure I have a bottle full of water, a few snacks to hold me over until the afternoon, a first aid kit, sunscreen, bug spray, a field journal, my DSLR camera and an extra battery to record video, a sun hat and my cellphone – which may or may not have battery charge from the unreliable solar charger I bought for the summer. The days are hot and long and not bringing enough to sustain oneself is asking for trouble. I unlatch the flimsy wooden door once painted a vibrant hue of red, now worn from years of wear. All hogans open to the east, as a way to honor and greet the morning sun. I latch the door and take my daily walk through red earth peppered with juniper, sagebrush and trails of sheep poop, up to the sheep corral.

The sun seems to rise quicker than I had anticipated and the sheep need to be out of their corral and grazing before the dry desert summer heat sets in. I pick up my pace as I reach the crest of the canyon and come upon the ledge of the desert bluff overlooking the sheep corral. This particular corral is especially breathtaking. Most corrals these days are set a little ways from the residences and are usually made out of juniper stakes and chicken wire, but and sometimes of higher quality materials if there are extra funds. A massive outcropping of shale forms this corral; limestone and sandstone carved out of a vast canyon that is nestled in the area of land called “Dzil Nst’aa” or Big Mountain. As I have learned over the years of shepherding, I survey the ewes, rams and lambs to make sure they’re all there. Sometimes there are goats, but not in this herd. Most of the sheep, there are around 75 of them, although its taboo to tell anyone the actual amount of sheep because of the BIA grazing restrictions, are milling about occasionally as they release one of their characteristic guttural sounds. Recently

sheared, their coats are covered in a mélange of *cho'*, sheep poop, thick desert mud, and sometimes little traces of ancient pottery remnants.

Before I know it I am surrounded by a gaggle of sheepdogs greeting me with wagging tails and morning yawns as they prepare for a day of work. Throughout the days, they seem to appear out of thin air as though they glided on one of Aladdin's magic carpets and hopped off in the pasture without me noticing them. With the dogs by my side I hop down the steep rocks that provide the walls for the corral and reach the metal gate placed in the opening of the rock enclave and secured on each side by thick nails hammered to wood planks. The sheep know they're about to depart their corral after an evening of confinement and start milling about in anticipation. I unhook the chain fastened to the back of the metal gate and drag it open across thick soil caked with sheep droppings. For a moment the sheep pause and look at me with what I assume to be are quizzical looks and then all they head straight for the opening. I stand watch at the edge of the gate and direct the sheep down the worn path into the canyon. A cloud of dust rises as they conduct their daily ritual of charging down the canyon into the pasture for their first serving of grass, sage brush, and, if they're lucky, some juniper brush and berries.

As the sheep cascade down the hill, I think back to the night before when Marie Gladue, the woman-in-charge here, and one of my main interlocutors, told me stories over one of the many pots of boiled coffee we would share at her kitchen table. I am staying with Marie at her homestead and herding her sheep for the month of July. Marie is middle-aged, feisty and unpredictable, with glowing coffee colored skin, and a round face only now beginning to receive the contours

and crevices of the deep ravines and canyons that surround her. She is fierce and steady. Her light brown eyes, encased by skin that knows hardship, are sometimes absent, yet expressive. She moves with intention and with the swiftness of someone who has lived a tough, rural life. Marie is the daughter of Katherine Smith, the now famous Big Mountain elder who took up arms in the 1970s as a symbolic gesture of her refusal to move from her lands. She was subsequently placed in jail and then released. Marie is one of the only children of the Black Mesa elders who continues to herd sheep and live full time on Black Mesa. I had mentioned the day before that I wanted to talk about sheep, so she agreed to speak with me about it after I brought the sheep in for the night. I returned to her home after securing the sheep in the corral and I could smell a fresh pot of coffee brewing as I walked in the door. Marie was sitting at the kitchen table about to pour a cup of coffee. She motioned me to sit down with her.

“How were the sheep this afternoon?” she asked. “They kept wanting to eat, but it was almost dark and I needed to bring them in. All in all it was a good afternoon,” I replied as I took a seat across the table from her. As she poured us a cup of coffee, she began to speak.

“When our children are born, their afterbirth is taken and offered to a young tree or within the sheep corral. When the umbilical cord falls off, it is buried in the land near the place of birth. This is the initial link of the child to the to Earth and the Spirit World, the place where the child may always return. By the time the

child grows to be an Elder, their roots are anchored deep into the Earth. My mother once told me "as long as you have sheep I will be with you"

"Our roots are connected to the sheep. The sheep provide us food, clothes, comfort, and sustenance. From the time I wake up to the time I go to sleep I think about the sheep. The sheep are constantly on my mind. Our land is like our mother who gives and sustains life and the sheep are part of this web. Since I can remember, our sheep have always been under threat of impoundment. Without the sheep, there is no reason for us to be here."

As she is talking, Marie interrupts herself and looks me straight in the eye "I know it would be easier to just leave and go to the city. I know what it's like there. I have a university degree. I could get myself a nice non-profit job and live in a comfy apartment with electricity and heat. Life wouldn't be a struggle. But something wouldn't feel right if I did that". She pauses and takes a deep breath. Her loud, breathy exhale reveals the acute tension present inside her. "But I will stay here for now. This place is who I am and I cannot abandon it. We've survived here all this time. Our ongoing presence here reminds the government that we still exist and we still have claims to our land. The relocation law doesn't allow us to be here. And that's why I won't leave. And why I still keep my sheep. Without the teachings tied to this place and we the people who practice them – the Navajo way of life will die"

During our conversation, I recalled the circumstances in which Marie and I met one another. We met four years before in Cancún, Mexico at the UN climate talks in

December 2010. She was invited to come with a delegation of “frontline community resisters” as a part of the Indigenous Environmental Network/Grassroots Global Justice delegation to the conference. I interacted with Marie as we collaboratively wrote press releases denouncing the flawed process of the UN climate talks and their promotion of “false solutions to climate change” such as forest carbon offset schemes and “clean development projects” like mega dams and waste incineration; we marched together on the streets demanding the UN process include representatives from communities already impacted by climate change. I already knew Marie to be a savvy organizer when I came to work with her in the summer of 2014 and assist with shepherding and organizing an archive of her mother’s materials. It was only after I spent a month with Marie at her home and sheep camp is when I understood what life is really like as a “frontline organizer”.

It is the borders and contours of human and non-human forms that surround our presence, holding us together as our dance of ‘livingness’ animates the isolated desert canyon lands. It’s now mid day and I’ve been walking with the sheep for hours. Over the years, my time with them has accumulated into months, at times traversing temporal and spatial boundaries of my capacity for intimacy. The sheep and I are nomadic accomplices in struggle, roaming together across the landscape perpetually search of sustenance.

The sheep slow down as the day gets hotter and it gives me a reprieve from constant movement. I retreat a little ways up the hill; just close enough to stay in eyeshot of the herd. I find myself upon a massive outcropping of “junk” tucked into one of the canyons, where broken kitchen appliances, old cars with all parts

but the engine remaining, decaying wagons reminiscent of an age before automobiles, and all sorts of household items are scattered about. All sorts of things hang from the trees — old rusted pans, to pieces of tattered sheep wool sometimes caked with entrails, sometimes not. Old rope flaps in the wind. I have always wondered what is up in those trees and what they were used for. I reach into my knapsack and pull out my phone to take a picture and post it on Facebook. It's too poignantly beautiful not to share with the world. A few seconds later, I hear a "ding" notification from the phone.

"That's the treasure yard ☺," Mary Katherine comments on the picture. Mary Katherine is Marie's sister and lives up the hill from her sister and is her mother's caretaker. She lives less than a half mile away and even with no electricity, no running water, no services and no infrastructure, the Facebook works out here. The treasure yard contains lifetimes of memories. And these old things tell a somber story.

The treasure yard provides a glimpse into "Navajo Country" --- a place ravaged by the mechanisms of genocidal brutality and savage resource colonialism. This, too, is America. This is a treasure yard of once useful objects that sustained these families while the draglines ripped apart the earth mere miles away for coal to fuel the gluttony of post-war American consumerism. Tiny particulate matter mined from Black Mesa silently enrobe the desert skies of Phoenix and Las Vegas, where hundreds of pristine swimming pools and verdant golf courses have become normalized while the lands that facilitate their existence have never had access to such amenities. It is a juxtaposing reality: a world of what David Harvey (2004) calls "dispossession by accumulation" —

our current paradigm shaped by neoliberal capitalism, the concentration of wealth and power in the hands of a few fueled by dispossessing the original peoples of this continent of their resources and lands. The treasure yard is representative of what I will call “accumulation by ruination”, a less acutely violent version of what Giorgio Agamben (2005) calls a “state of exception”, and mired by the lack of services and infrastructure that makes the American dream possible. There are no resources to throw away or repurpose these appliances and things. So they sit there. The treasure yard is transformed by a lived relationship with discarded artifacts of American life and becomes an icon for making use of the unusable, a visual, cynical marker of the irony of playing with the consequences of capitalism. It is an icon of the near past in relationship with the natural landscape of the ancient past that mix uncomfortably and compose a world of abandonment and hope. The treasure yard marks the flaccidness of the capitalist order, but also marks the resilience of worlds that refuse to die.

Nizhoni as Affirmation and Refusal

Marie says “*nizhoni*” (“beautiful”) as she surveys the table after we finish a breakfast of fry bread, eggs and namasi “potatoes”. Nizhoni when I come back with the sheep after a full day of walking with them. Nizhoni when we fill up the fifty gallon blue water barrels at the filling station near the mine.

That evening, I see her pause as she heads back up the hill to her home, lingering to watch the sun rise from under the canyon. One night, just as darkness overtook the sky as I was coming to her home to let her know the sheep were back in the corral for the evening, I saw Marie leave her house, walk to the outhouse, take a minute there and

pause on her way back inside. She looked up. The sky here is like an all-encompassing room of sensorial bliss. No electricity means lots of night sky gazing. I could almost hear her say *nizhoni* as she walked back inside to the house for the night.

I don't know if she's thinking of her children and grandchildren far away, or distressing about the draglines ripping apart the earth for coal, all the while the lights of the draglines twinkle like the stars in the northern horizon.

Maybe in Marie's language *nizhoni* helps her to imagine her world, the world, in symbiosis; when she says *nizhoni* she lets the world be as it is with the mine operating and also the beautiful sun rising. Her world depends on a balance between perfect darkness and boundless light, almost like photographs swirling and whirling around one another and settling in the richness of metaphor.

For Marie, place isn't a context or the backdrop for her life as a human being, it is alive and it has a spirit that deserves to be respected. Place is something that takes place, sets things in motion, and gathers things up. Her world is made up of multiple presences coming together: her daily life of maintaining the sheep and her homestead, the strictures of living under relocation, and the environmental and spiritual consequences of resource extraction happening at her doorstep. The intimate space becomes rhythmic in its everyday forms; the isolation of living a life of "illegality" becomes a mundane struggle for daily survival. She must rely upon no one but herself and the assistance of her community members to provide for survival. She must haul in fresh water from the chapter house or near the mine because there is no infrastructure for indoor plumbing.

She must travel dozens of miles to the nearest store for adequate provisions, including healthy food, building materials and fuel for her vehicle.

In a Foucauldian sense, power here is sensed and lived as an omnipresent force. The sheep form an integral part of a constant emergence of refusal matrix grounded in a particular non-Western orientation towards the living and non-living world(s). The community's refusal is situated in their caring about the being of things – or ontology – that is not centered in human consciousness. They are caring about ontology, the “being” of things; they are emerging materialists in some sense that are not centered in human consciousness. Place is a constant performance of connection between people, things and the geographical locale itself. This in and of itself is a refusal of the dominant colonial order. They compose their place. The impacts of mining and colonialism haunts and surrounds, it is always moving and in process, but can never been fully completed because of their committed adherence and attunement to their cultural concepts and social organization. The interplay of these complex elements is a quotidian practice, almost an affect, and a force of intensive relationality that maintains relationships of reciprocity ensuring the continuation of a balanced life lived in the Diné Way.

Nizhoni is a word that becomes a composition for a relational life placed within the nexus of beauty, tradition and survival. *Nizhoni* becomes a register of refusal for this community and this place. They affirm the protecting what is sacred to them and therefore refuse to stop being themselves.

In the next section, I will detail the historical processes of settler colonialism, dependency and resource extraction and their brutal effects upon Navajo life. This

historical context is important to ascertain how the Diné responded to colonial domination by using traditional narratives and lifeways to challenge the ongoing impositions of these various forms of colonialism.

SETTLER COLONIALISM, RESOURCE COLONIALISM AND DEPENDENCY

When my ancestors were at Fort Sumner the women were forced to have sex with the cavalry soldiers for food and rations. At times the soldiers were seen struggling with their zipper and "peter". The woman commented "'yil nahi ga" meaning struggling with it again. Somehow instead of the yil it became bil.' The land remembers in the seams of ancient rock. Long ago from where the dawn horizon rises a creation of a man and woman was made. Their eyes made from turquoise, their teeth made from white shell, their nose instilled with the spirit of dawn, their ears enlighten with the spirit of daylight and their hair blessed by the sunrays. These people were known as the dawn people. Presently known as Europeans or Bilagaana. They were created in harmonious way too. Europeans were not always violent people. Their actions of violence, betrayal and treachery when they came to these lands have come to form their identities; they no longer acknowledge that greed tempted them to be violent and they've forgotten who they are. Rita Gilmore, Haa'taali, Navajo Medicine Woman, July 2014

There are many processes associated with US colonialism and its presence and influence upon the Navajo people. More specifically, unlike many parts of the US where settler colonialism continues to endure as defining logic of domination, the US government policy on the Navajo people in effect swings back and forth between these two forms of colonialism, blurring the efficacy of settler colonialism as the only (or the most important) analytic for understanding the Black Mesa community's relationship and the power relations therein. In this section, I bring together theoretical frameworks and literature that reveal how Navajo history traverses and coheres within *both* settler colonialism and resource colonialism. In fact, the two analytics build upon one another,

and the main adversaries in struggles for land continue to be imperialist regimes intent on extracting surplus value from the control of Indigenous lands, resources and cultural and intellectual properties. I aim to differentiate the two forms by showing the particularities of how the settler colonial history of dispossession of land and extermination of Indigenous bodies shifts into resource colonialism where the intensive extraction of resources is the defining logic. Moreover, the two projects of settler colonialism and resource colonialism inhere in the way in which they produce a dependent relationship between tribal governments, the federal government and extractive industries.

In short, the empirical context I describe displays elements of both analytical traditions in ways that make it more complex than either settler colonialism and resource extraction can be used to describe on their own. These trends will be additionally explored through the historical prism of dependency theory put forward by Richard White. Dependency theory is useful in interpreting how the Navajo tribe and its members became economically dependent on federal and state assistance and partners in the projects of natural resource development.

In the seminal work of Patrick Wolfe in *Settler Colonialism and the Elimination of the Native* (2007), *settler colonialism* is defined by its territorial project, a seemingly singular focus that differentiates it from other forms of colonialism (Simpson 2014, 19) because of the territory it seeks. The settler colonial project seeks to eliminate and dispossess the Indigenous peoples of their land and then occupy it. So therefore, “the settler never leaves” (Wolfe 2007). The settler project destroys Indigenous lands, languages, cultures, spiritualities, and lifeways in order to justify a seemingly “natural” process of

replacement with the modified settler versions (Wolfe 2006, Morgensen 2011, Tuck and Yang 2009, Fernandez 2012).

In this sense, the presence of Indigenous peoples in settler nations, and their ongoing struggles for self-determination and continued peoplehood, is evidence of the incomplete project of settler colonialism. However, settler colonialism is not, as Patrick Wolfe reminds us, simply an *event*. It is vital to understand settler colonialism as a persistent *structure* that impacts Indigenous peoples and settlers in settler states, provides privileges, justifies oppressions, and informs governing logics and assumptions. This structure helps undergird a society that develops after the empire's withdrawal: settler colonialism is *post-empire* but not *post-colonial*. The invader, *settler colonizers*, "come to stay," to build a society of their own on the lands of Indigenous peoples (Barker 2015: 1).

As Patrick Wolfe states, "Whatever settlers may say – and they generally have a lot to say – the primary motive [of settler colonialism] is not race (or religion, ethnicity, grade of civilization, etc.) but access to territory. For settlers, Indigenous peoples are impediments to progress and thus, in the way. Quoted in Tuck and Yang (2002), and, in the destruction of Indigenous peoples and their communities – and over time and through law and policy, Indigenous peoples' claims to land under settler regimes – land is recast as property and as a resource. Indigenous peoples must be erased, made into ghosts (Tuck and Yang 2012: 6)

According to Coulthard (2014:7) territoriality is settler colonialism's specific irreducible element. A settler-colonial relationship is one characterized by a particular form of

domination in which power—in this case, interrelated discursive and nondiscursive facets of economic, gendered, racial, and state power—has been structured into a relatively secure or sedimented set of hierarchical social relations that continue to facilitate the *dispossession* of Indigenous peoples of their lands and self determining authority. Simpson (2014: 7) argues similarly that the modern order itself is entwined with capital as an accumulative and acquisitive force that further people from places and moves them into other zones for productivity, accumulation and territorial settlement.

The creation of tribal governments exemplifies how settler colonialism structures hierarchical social relations through both the Navajo and Hopi Tribal councils, while creating a dependent fiduciary relationship between the tribes and the state. In this context, colonial domination continues to be structurally committed to maintain—through force, fraud, and more recently, so called “negotiations”—ongoing state access to the land and resources that contradictorily provide the material and spiritual sustenance of Indigenous societies on the one hand, and the foundation of colonial-state formation, settlement, and capitalist development on the other to promote the economic interests of the nation-state and its influence upon tribal governance practices (Coulthard 2014:7).

For the Navajo tribal government, strategies that have sought tribal independence via capitalist economic development exist in tension with their ancestral obligations to the land and to others. These tensions resonate with Coulthard’s discussion in a Dene context that such strategies threaten to erode longstanding egalitarian,

nonauthoritarian, and sustainable characteristics of traditional Indigenous cultural practices and forms of social organization (Coulthard 2014: 42).

Natural resource extraction on Indigenous lands is integral to the colonial political economies of the United States. The proliferation of resource extraction on Native lands in the United States—what Andrea Smith highlights as impacted by environmental degradation and contamination in the US, since the majority of energy resources in the United States are on Indian lands (Smith 2005: 3).

In this formation of U.S. statehood, Indigenous peoples are hailed to participate as “good citizens” for whom the U.S. has provided land, resources, aid and protection. As often noted before Congress, “Reservations contain almost 30% of the nation’s coal reserves west of the Mississippi, 50% of potential uranium reserves, and 20% of known oil and gas reserves. The Department of the Interior estimate that 15 million acres of potential energy and mineral resources are underdeveloped on Indian lands while only 2.1 million acres of Indian land are being tapped for their energy resources (Regan and Anderson 2014).

The political economy of the US settler state shifts forms when the vicious conjunction of resource extraction disaggregates from settler colonialism. Drawing on Joanne Barker’s recent work about U.S. imperial state formation within the Bakkan oil fields, labor camps, and gender-based violences at the Fort Berthold Reservation in North Dakota, offers almost mirror-like parallels of US imperial state presence in the Navajo-Hopi land dispute. Into the fraught economic conditions of colony, U.S. Congressional

and Arizona and Utah officials and oil and gas industry executives hailed both Hopi and Navajo tribal leaders into the American dream with the promise of oil revenue.

In his seminal text, *The Roots of Dependency: Subsistence, Environmental and Social Change among the Choctaws, Pawnees and Navajos*, Richard White (1983) posits that environments that had once easily sustained Indian populations underwent increasing degradation as familiar resources could not support the peoples who had previously depended on them. The fundamental cause, White asserts, is the attempts by whites to bring Indian resources, land, and labor into a growing global market.

White explores these trends through the historical prism of dependency. In Immanuel Wallerstein's influential volumes *The Modern World System* took into account the centrality of history in dependency theory. The central concern is the process by which peripheral regions are incorporated into the global capitalist system and the "structural distortions" – political, economic, and social – that result in these usually violent incorporations. Within this system, the capitalist core regions benefit from international transactions at the direct expense of the peripheral regions, which necessarily become underdeveloped (White 1983: xvi).

White maintains that the struggle between center and periphery is central to dependency relationships. He explains Navajo dependency through a complex framework that includes the intersecting forces of culture, politics, environment and economics that contribute to Indigenous dependency (White 1983: xv). White maintains that dependency was fueled not by a single material and economic process that obliterated or subordinated above all else, but rather by a complex interchange of

environmental, economic, political and cultural influences understandable only within specific histories (White 1983: xix).

White's concept of dependency is useful to help describe how both the Navajo and Hopi tribal governments became instrumental to promoting the economic interests of the nation-state through the relocation legislation, PL 93-531. Through the implementation of this law in particular, resource extraction policies worked in tandem through settler and resource colonial elements as the methods by which the community of Black Mesa's rights are negotiated away by the tribal government for profit, and undergird the continued legacy of Indigenous genocide in the United States. The way in which tribal governments were created and instrumental in obtaining natural resources shows that the US government no longer needs to exterminate Indians to obtain land; it only needs to make conditions so dire for them that they are forced to become economically dependent on their cultural destruction.

Although the Navajos were the scourge of the Spanish and Mexicans in the Southwest for a century⁸, I begin my historical analysis over a century later with the Navajos' interaction with Anglo incursion because of the impact it had upon the trajectory of history that connects with settler colonialism, dependency and resource extraction. For the Navajo, the settler colonial project first impacted them during the mid-late 19th century, the expansion of the transcontinental railroad, lands for settlement, where the presence of gold became the maxim for the migration West. In order to gain access to the gold, the Indians occupying the land needed to be removed.

Unlike many parts of the United States where settler colonialism is useful as the dominant analytics in which to understand the colonial process, the Navajo case blurs the efficacy of settler colonialism as an analytic, the US government removes and exterminates the Navajo from their lands, but never intends to settle there. Settler colonialism is a useful analytic for the period before and immediately after The Long Walk. Elements of each of those analytical concepts are present in Navajo history.

The impact of events of dispossession, injustice, and violence that the Diné suffered under settler colonialism, dependency, and resource colonialism are central to the oral histories and narratives of the Black Mesa community that are central to their strategies of refusal that I will detail in the last section. The utter brutality of Diné experiences during The Long Walk, the BIA livestock reduction program, and the introduction of resource extraction on their land are watershed moments for the Diné and their survival through these periods and several hundred years under colonization is a testimony to the strength and resilience of their traditions.

Navajo historian Jennifer Denetdale writes extensively about the Long Walk--the forced Navajo exile from their homelands. Of the 14,000 to 17,000 people who were marched upwards of 600 miles westward towards the border of what is now New Mexico and Texas, some 4,000 died along the way. Equally well documented is the "Long Walk" of the Navajos, when General Kit Carson marched nearly the entire Navajo population to their place of incarceration at Fort Sumner, in southeast New Mexico. To force the Navajos' surrender and relocate them to a reservation, General James Henry Carleton enlisted the renowned Indian fighter Kit Carson to convey his message: "Go to the

Bosque Redondo or we will pursue and destroy you. We will not make peace with you on any other terms.” (Denetdale 2008: 40).

In the summer of 1863, Kit Carson began his campaign against the Navajos. Carson fed his soldiers and livestock on Navajo wheat and corn and then destroyed the rest of the crops. Every Hogan he and his men encountered was destroyed. Livestock was slaughtered and their carcasses left to rot. The peach trees lining the canyon floors were slashed. Such actions were a key part of his plan to defeat the Navajos. At first his attempts to defeat the Navajo were unsuccessful⁹. As a result of the abuse they suffered and because of the stories that circulated told of their people being murdered, many Navajos refused to surrender (Denetdale 2008: 42)

The journey was one of hardship and terror. Navajos remember that “there were a few wagons to haul some personal belongings, but the trip was made on foot [over a distance of 300 miles]. People were shot down on the spot if they complained about being tired or sick, or if they stopped to help someone. If a woman became in labor with a baby, she was killed. There was absolutely no mercy (R. Roessel 1983: 103-104).

A census prepared by Capt. Francis McCabe showed, as of December 31, 1864, a total of 8,354 Navajos at Fort Sumner (Keleher 1952: 502), and by March 1865 there were 9,022 Navajos (Bailey 1964:214). From that date until the return of the Navajos in 1868, the number of Navajos at Fort Sumner decreased. Navajo prisoners, slowly starving to death, homesick and broken hearted, many desperately ill, deserted Fort Sumner in large numbers: some successfully escaped and returned to their native land (Roessel 1983: 514). Not all Navajos went on the Long Walk. Estimates vary with respect to how

many Navajos avoided the ordeal by being captured and sold into slavery or by hiding out in inaccessible locations like the Grand Canyon and Navajo Mountain. It would appear that at least several thousand Navajos did not go on the Long Walk (514).

Here the Navajos were subject to vicious acts that were legally mandated by the US government to dislocate and exterminate the population.

The US government released the remaining Navajo after the internment program proved to far exceed the costs estimated by the government. In 1868, The US government negotiated with the Navajos and agreed to treaty for the Navajo to reside on a strip of reservation land overlapping the Arizona and New Mexico border, extending to Canyon de Chelly. When the United States army closed the Bosque Redondo, it confined the remaining 7,200 Navajos to a reservation far smaller than their original homelands. According to the Bureau of Ethnography's *Indian Land Sessions in the United States*, the 1868 treaty was never formally signed, but the Navajo agreed never to wage war against the United States in exchange for being released to their old lands.

These numbers would greatly multiply over the next fifty years as successive Secretaries of the Interior routinely encouraged the Navajos and their livestock to settle thereon. They would disperse and settle on small sheep camps scattered throughout the reservation, while the Hopi remained sedentary, staying close to their villages and gardens and barely doubling in numbers compared to the Navajo whose population had increased to over 300,000¹⁰. The places that many returned to inhabit after the Long Walk became their refuge from the trauma of being ripped away from their homelands

and livelihood, marched on a grueling journey hundreds of miles and then left to squalid internment camps later used as a model by the Nazis in the Holocaust (citation).

The Navajo moved far beyond the paper boundaries marked out on the treaty map. They went north beyond Shiprock, northwest to Monument Valley and Navajo Mountain, and to the valley of San Juan River. They went beyond the Hopi villages and into the interior of Black Mesa. The government never met their terms of the treaty to provide the Navajo with the promised sheep and cattle to rebuild their economy. Steady encroachments by white settlers forced many Navajo to move close to Hopi villages and into their customary use area¹¹.

The 1882 Executive Order Reservation signed by President Chester Arthur made of thirty-nine hundred square miles marked a reservation for the Hopi (Moqui) and also included for “for other Indians” as a general category. Unbeknownst to many Navajos, the US government withdrew a rectangle of land from the public domain for the use of their neighbors, the Hopis. Nothing marked the boundaries of their reservation, and nothing marked the bounds of the Hopi reservation. The Navajos continued to expand into unused territory (Benedek 1996: 23). Many of the ancestors of my interlocutors settled around the Hopis, herding their animals to better pastures, all the while unaware the land had been assigned to the Hopis on a map somewhere far off in Washington¹².

Meanwhile, Navajo external economic relationships were being transformed. In other words, the Navajo tribe and people became economically dependent upon the US government for survival. In accordance with the treaty of 1868, between 1868 to 1877, the Navajos were increasingly involved in producing goods for the U.S. market to

get manufactured products. They moved from weaving mainly to make their own clothing and bedding to weaving primarily for the market. The railroad also made possible large-scale sale of livestock. Traders linked Navajos to the external market and introduced them to more and more manufactures: food, dry goods, clothing, utensils and tools. The traders began with barter and cash, then briefly used due bills, and moved on to traders' tokens (called "seco"), to credit secured by pawned jewelry, and finally to unsecured credit based on futures in wool, rugs, silver jewelry, sheep and wages... Thus the traders transformed the Navajos into customers for consumer goods and producers of carpet wool, livestock and luxury crafts. The railroad provided the means for this traffic to expand. The increasingly indebtedness of the Navajos suggests increasingly unfavorable terms of trade (Aberle 1983:641)

In 1933 the Bureau of Indian Affairs (BIA) livestock reduction program initiated direct government intervention in the Navajo householding economy and terminated an economy based primarily on Navajo production of Navajo goods (642). Livestock reduction was the most disturbing event in Navajo life since the Fort Sumner captivity. In the absence of BIA intervention, there would presumably been an ecological crisis as Navajo population grew, herds increased, and new acreage was added to the pasture, but it was, the change was sudden, traumatic, induced by an external authority, and bitterly resented (Roessel and Johnson 1974). By the 1930s, herd levels had multiplied to well over the one million count. Navajo subsistence was in danger due to a number of factors, including a shortage of available grazing lands as non-Indians contested Navajo use of the public domain.

Collier was offering the Navajos a choice that was no choice at all just as the assimilationist reformers he had attacked had offered illusory choices. When Indians had refused to buckle under forced acculturation, earlier reformers had always resorted to compulsion – withheld rations, forcible seizures of school children, and, if need be, military force. Collier sincerely hated such policies; in 1933 he could only disavow them even as he began to use them (White 1983: 260).

Population growth, fixing of reservation boundaries, lack of agrarian development, and lack of economic alternatives combined with livestock reduction and control which are all hallmarks of settler colonialism, brought catastrophe after 1933. Few Navajos were or are willing to give up all dependency on livestock or to abandon their place in Navajo country. To retain both, they are willing to supplement their agrarian income by seeking off-reservation employment, by accepting industrial development on or near the reservation for the sake of the employment it provides, as a last resort, by falling back on welfare (Aberle 1983: 657).

Richard White examines the livestock reductions of the 1930s and 1940s and how they paved the way to understand the Navajo past within a broader global framework, highlighting the larger colonial forces that created Navajo dependence on outside economic forces. White challenges conventional explanations for forced livestock reduction, including assumptions about Navajo misuse of grazing ranges and lack of understand about basic livestock management. Rather, he asserted that larger U.S. capitalistic interests coupled with concerns that soil erosion was creating silt buildup behind the Hoover Dam were the rationale behind the program. For Navajos, livestock

had been so thoroughly integrated into their lives that sheep literally and figuratively meant “life” (Denetdale 2007: 32).

Navajo economy and land use were deeply embedded in Navajo culture; to abstract them from the culture is to distort them. Yet is also something of a distortion to describe the Navajos, as a single undifferentiated group, which they were certainly not. As a conceptual system, Navajo culture sought to order or structure the natural and social universe of the Diné. Within this universe the Navajos themselves made no sharp distinction between society and nature. Nature for them was “an all-inclusive organizing device, a fusion of natural, supernatural and human or social elements.” The Navajo cultural ideal was *hozho*, a concept embodying harmony and order (White 1983:236). The fear of losing property was deeply ingrained in Navajo culture, and all things that threatened the stock had to be resisted. Sheep, goats, and horses are the subject of most injunctions to maintain property. Implicit in these injunctions to hard work and the general concern with maintaining one’s property and herds was a fear of poverty. This fear, however, was coupled with a distrust of riches and rich men... The goal of hard work and thrift then was not riches; it was security and respect. Navajos considered people good if they were hard working, possessed enough property to be comfortable and secure, had ceremonial knowledge, spoke well, and helped people (White 1983:241).

However, if nothing else demonstrated the political and colonial elements of the Navajo situation, the roots of reduction in the concern of the Boulder (Hoover) Dam should. Livestock reduction has taken place on virtually all federal lands in the twentieth century, but the Navajo experience stands apart. In the Navajo case, when the economy

of a whole people and a way of life was at stake, reduction was far more drastic and cut Navajo livestock on the reservation from 1,053,498 sheep units in 1933 to 449,000 sheep units in 1946 when active reduction ended, a decline of 57 percent in slightly more than a decade Boulder Dam meant nothing to the Navajos; they received no benefits from it. It was a development program geared entirely to the larger society of which the Navajos were a colonial appendage (White 1983: 312).

The stock reduction program dispossessed the Navajos of their main source of economic and spiritual sustenance, rendering their lives virtually impossible and exemplifies White's dependency theory. This colonial program, created Navajo dependence on outside economic forces. The program destroyed Navajo ways of life as a necessary sacrifice for the development of American infrastructure and national economy. Thus, the Navajo household and tribal economy were decimated and became dependent upon assistance from the US government in order to survive.

The stock reduction program is important understanding the contested land claims between the Navajo and Hopi tribal governments and Navajo dependency. Under the stock reduction program, John Collier created grazing districts on the 1882 reservation area¹³. The "Land Management Districts" set carrying capacity for livestock¹⁴. Not only did the grazing districts severely restrict the Navajo sheep economy, it provided for land to be partitioned along arbitrarily draw lines on a range management map and forcibly segregated the two tribal neighbors. The program paved the way for the Navajo tribe to become dependent upon revenues from natural resource extraction. While the tribal governments benefitted from revenues from extraction, both the Hopi and Navajo people suffered, the Navajo more-so because of the relocation of over 14,000 Navajo from the Joint-Use Area

In the 1920's, the Bureau of Indian Affairs¹⁵ created Navajo and Hopi tribal councils¹⁶. In 1924, Congress passed the Indian Reorganization Act and established tribal governments created by the various Indian agencies to replace traditional governments. Tribes were encouraged and pressured to establish electoral, "representative" governments more legible and recognizable as part of the consolidation of the modern nation-state¹. Facing extreme divisiveness of modern Hopi politics. For the period since the 1930s, the formal political structure provided by the Bureau of Indian affairs has been accepted as the "Hopi Tribe" by the United States government, except for several years when it lapsed due to internal opposition. Despite this, there has continued to be a significant portion of the tradition Hopi people who refuse to recognize any legitimacy of this structure. (Brugge 19932 xiii) In 1955, the Commissioner of Indian Affairs granted official recognition to the Hopi Tribal Council as the exclusive governing body of the Hopi people¹⁷.

The discovery of oil in 1921 within the boundaries of the Navajo reservation forced a revision in the system of tribal government placed upon the Navajo by the federal government. As additional leases were sought, the Department's policy changed to the concept that any resources discovered within the Navajo reservation belonged to the tribe as a whole. The Bureau of Indian Affairs acts as a "trustee" for the Native Tribes. Its official connection with the tribe is through "Tribal Councils" established in accordance with the Indian Reorganization Act. Having established a cooperative "responsible" authority among Native people, the BIA acts as an intermediary between energy companies and the Tribal Council, and gives final approval to any agreements, which are reached between the two parties. The companies then begin mining and pay the Tribal Council's expenses through a small royalty on the minerals extracted. This

relationship of economic dependence is established that makes Tribal Council dissention very difficult.

The period of 1905-1923 saw the beginning of oil and gas exploration on the Navajo and Hopi lands and the Department of the Interior begins to receive requests from private companies the authority to lease Indian lands¹⁸. As is characteristic for American Indians, while the agrarian sector of the economy remained underdeveloped and Tribal enterprise stayed small, the resources of special interest to corporate industry were being extracted at a rapid rate and with the most up-to-date technology. In the Navajo case, these were nonrenewable energy resources: coal, oil, gas, and uranium. Indeed, the desire of U.S. enterprises to extract these resources led to the creation of the Navajo and Hopi Tribal Councils (Aberle 1983:647).

In 1944, Standard Oil of California asked the BIA which tribe owned – and therefore had authority to lease – the mineral deposits of the 1882 Executive Order Reservation. Commercial exploration and subsequent development of the mineral region hinged upon the legal answer to this question.

According to the U.S. Geological Survey which conducted the initial investigation of the area, about eight billion tons of recoverable low-sulfur coal was thought to lie beneath Black Mesa (Redhouse 1985). Under the 1882 Executive Order Reservation, neither tribe had clear title to mineral leasing on the shared land. And without clear title, no mining company would take a chance on signing a lease with one tribe that could be challenged by the other. Mining required so much capital investment; no energy company would sign contracts that could not be exercised (Nies 2013). A BIA report published the

following year, “Ownership of Mineral Estate in Hopi Executive Order Reservation” issued the opinion that both Navajo and Hopi have mineral rights to the area.

At the start of the 1950s, rights for mineral leases on tribal lands were at the top of the government’s agenda to solidify formally recognized Navajo and Hopi¹⁹ tribal governments. Outside lawyers saw this land claims settlement as a chance to gain lucrative rights to oil and gas rights. These lawyers insinuated themselves, with BIA approval, as counsel for tribal governments formed in part through their efforts. John Boyden, a Salt Lake City Mormon lawyer who was initially rejected by the Navajo²⁰ to bring claim to the area, became the Hopi tribal counsel. Boyden had impressive legal credentials and was an insider in the making of Indian law²¹. The Navajo Tribal Council hired attorney Norman Littell. His contract with the Navajo provided him with 10 percent of coal revenues.

The unsettled boundaries between the Hopi and the Navajo remained the main obstacle in private companies’ ability to obtain mineral leases. The coal deposits were mostly located on the now disputed area of the 1882 Reservation outside “District 6”. The Hopi Tribal Council claimed rights to the deposits within the 1882 Reservation it controlled. The Navajo Tribal Council claimed the rights because Diné inhabited the area.

John Boyden brought his case to Arizona senator Barry Goldwater’s office in 1956. Boyden presented his idea for introducing a bill that would create a special three-judge court to decide the boundaries within the 1882 Executive Order Reservation. Goldwater knew the oil and gas industry well because mining interests in Arizona supported him. Goldwater also knew of Boyden’s success in pulling together a tribal council among the notoriously fractious Hopi.

Although Senator Goldwater and attorney Boyden maintained that their bill was solely for “justice for the Hopi” and adamantly denied that the bill had anything to do with mineral leasing. In 1958, with the help of Senator Stuart Udall and Goldwater, Boyden convinced Congress to pass a special jurisdictional act, Public Law 85-547, and authorized the Hopi and Navajo tribes to sue each other, to “determine their rights and interests” (Parlow 1988).²² Boyden authored PL 85-547, which authorized lawsuit to resolve question of rights between Navajo and Hopi tribes on the 1882 reservation. On behalf of the Hopi tribal government, Boyden sued the Navajo Nation over the objection of Hopi elders²³ in *Healing v. Jones*. *Healing v. Jones* that both the Navajo and Hopi tribes “held a joint, undivided and equal interest” in the surface and subsurface of the coal rich 1.8 Joint Use Area (JUA)²⁴. The mineral rights to the JUA were to be divided “equally” between the two governments. However, the court designed “District 6” – the area closest to the richest coal deposits – as exclusive Hopi territory.

According to author John Redhouse, the 1962 *Healing v. Jones* lawsuit exacerbated local tensions, raised them to federal levels²⁵, and locked resolution of whatever dispute did exist between the Navajo and Hopi tribes in the hands of the federal government. And with the title newly vested, the coal developers came to Black Mesa²⁶. And soon thereafter, all further construction of houses and even maintenance of clinics, schools, and roads in the disputed area – almost all of it located on Black Mesa – was forbidden by a federal court order; the same court ruled that the tract of 640,000 acres immediately surrounding the Hopi villages (“Grazing District 6”) was the exclusive domain of the Hopi, and that the rest of the 1882 reservation was to be shared equally as a Joint Use Area. Since few Hopi used it to except to hunt and look for firewood, the JUA, as it is known, remained a rangeland for the Big Mountain Diné, who could not imagine any

change in their existence and were not much troubled by deterioration of the white man's roads (Matthiesen 1984: 316).

So on December 22, 1974, The Navajo and Hopi Settlement Act, Public Law (PL) 93-531 was signed into law and made 900,000 acres of Navajo-Hopi shared land exclusive Hopi territory, or Hopi Partitioned Lands. It also brought about the creation of a new federal agency, the Navajo and Hopi Relocation Commission, to carry out the relocation of the Navajo and Hopi families who found themselves living on the wrong side of the partition line (Benedek 1992). Relocation was supposed to be completed within five years of Congressional acceptance of the commission's plan.

The area partitioned to the Hopis as a result of the 1974 legislation is seventy-five miles from the nearest town and it is home to some of the most traditional members of the Navajo tribe. Herbs used in Navajo healing ceremonies grow in abundance on Big Mountain. When a medicine man picks the herbs, he offers them a prayer, asking that they understand his need for their medicinal power. A rock shrine on Big Mountain is home to the deity Begochidi, the keeper of livestock. Navajos who visit the shrine make offerings of turquoise, abalone, jet and white shell to Begochidi as they pray for their stock and a good life (Navajo Hopi Land Commission 1979).

Here, the Hopi are not the only culpable party. The Navajo tried to obtain the same leases with Peabody that would relocate their tribal citizens, but their legal efforts were defeated in the courts. Instead, they invested in other extractive industries.

From the mid-1950s through the 1970s, the energy boom focused on the Four Corners area, due east of Black Mesa. In the early 1960s, a coal-fired electricity-generating

station was built that was at the time the largest in the world. Coal mines, slurry pipelines, uranium mines and electricity-generating plants quickly grew in the coal rich, sparsely populated area, replacing Navajo shepherders with facilities to export energy primarily west to California and south to Arizona's Sun Belt.

Oil revenues became increasingly important to the Navajo tribe. Since 1954 or before, the Tribal budget has depended on energy revenues. Between 1954 and 1972 these revenues comprised from 50 to 94 percent of total Tribal income, varying over the years but dropping with time. They ranged from as much as 800 percent of the Tribal budget in 1954 to 42 percent in 1966 (650). In sum, the biggest business in Navajo country is the extraction of energy resources (651). Over 90% of the Hopi Tribal Council's revenue comes from Peabody Coal.

The Navajo tribe had signed away hundreds of thousands of Navajo acres to coal and uranium companies outside of the JUA, in leases with royalties far below federal rates – sometimes as low as 35 cents per ton for coal. With few options for economic development in a depressed economy, the tribe viewed insubstantial royalties as better than none. Before the 1962 ruling, Sentry Royalty Company, a small exploration company, purchased from the Navajo Nation a preferential coal prospecting permit on land just north of the disputed area. After the 1962 ruling, Peabody Coal Company purchased Sentry's leasehold and made plans to expand into the formerly unavailable JUA (Parlow 1988, 25).

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The prospects are for increased extraction of Navajo energy resources by outside agencies, along with local resistance to industrial development. A welfare state is likely to continue... Pre-industrial subsistence technology co-exists with capital-intensive, complex technology for the extraction of resources, and Navajo poverty goes hand-in-hand with the enrichment of large-scale corporations (657).

In the 1970s the Tribal Council and Tribal administration of the Navajo Nation was trying to cope with many economic and political problems that stem from the colonial situation of the Navajo people. The Navajos' resources are extracted and their labor exploited for the benefit of United States corporations, which largely prevent profitable manufacturing and commercial activities from passing into Navajo hands. Since the Navajo Nation is not an overseas colony but is in the heart of the United States, it may be called an internal colony. Like many non-Indian populations, it is a dependent satellite of the centers of economic and political power in the country, and like other satellite populations, Navajos can vote in state and federal elections (and, as Navajos, in tribal elections). But it resembles other Indian satellite groups more than it does non-Indian satellites, in the degree of control the federal government maintains over the lives of the Navajos. Final approval of the Tribal Council actions is in the hands of the secretary of the interior, and the Department of the Interior and Bureau of Indian Affairs also have initiatory powers over affairs on the Navajo reservation. Although the

ultimate legal repository of power is, of course, the Congress, the Navajos, unlike other satellite groups such as the people of Appalachia, live under the shadow of immediate federal executive control of local government. Because of its relationship to the dominant society's economy and polity, the Navajo Nation's resources are being developed rapidly, while its overall economy stagnates (see Baran 1957; Frank 1967; and especially Jorgensen 1971 for perspectives on the problems of internal colonial, satellite economies) (Aberle 1983: 641)

Both the Hopi and Navajo tribal governments are dependent upon revenues from resource extraction. Although, Navajo people were the majority of those relocated from the Hopi Partitioned Lands at the will of the Hopi Tribal Council, the Navajo Nation still receives revenues from the mine.

Once oil and gas was discovered on reservation lands, this relationship of economic dependence became integral to drawing the Navajo and Hopi tribe into becoming key (if dependent) partners in the projects of resource development. For the Navajo tribal government, strategies that have sought tribal independence via capitalist economic development have come to outweigh their ancestral obligations to the land and to others.

These tensions resonate with Coulthard's discussion in a Dene context that such strategies threaten to erode longstanding egalitarian, non-authoritarian, and sustainable characteristics of traditional Indigenous cultural practices and forms of social organization (Coulthard 2014: 42). Kayenta Mine, which is owned by Peabody Energy Company, sent more than 7 million tons of coal to Navajo Generating Station in 2012.

The Navajo Generating Station was also cited by the EPA for excessive emissions of NO_x and other pollutants, and its owners are now planning steps to reduce emissions from the plant's three boilers. In the meantime, the Navajo Nation Council extended the lease for operations at Navajo Generating Station through 2044, upping annual receipts to the tribe from about \$600,000 to \$42 million.

The Navajo-Hopi Land Conflict and Resource Colonialism

Relocation is the latest tactic in the settler colonial project to clear impediments to exploiting the mineral riches of Black Mesa. The natural resources abound beneath the surface of Indian Lands in West—once believed to barren wastelands—and the methods by which Indigenous rights are negotiated away undergird the continued legacy of Indigenous genocide in the United States. As the narrator, actor Martin Sheen, says in the Academy Award winning documentary about the Black Mesa relocation, "Broken Rainbow", "Indians have been paying with their lives for the white man's greed since Columbus.'

In its over 40 years of operation, Peabody Energy's two surface mines on Black Mesa have extracted approximately 400 million tons of coal and been the source of an estimated 325 million tons of CO₂ discharged into the atmosphere. They have damaged countless graves, sacred sites and homes, devastated a once-flourishing ecosystem, and depleted 70 percent of an ancient desert aquifer.

The mines and former coal slurry used water from the Navajo Aquifer under Black Mesa at a rate of 4,300 acre-feet, or about 1.3 billion gallons, per year from 1970 to 2005.

In total volume that is more than 235 square miles covered in one foot of water. The aquifer will never recharge from normal rainfall. The slurry transported coal mixed with water miles from the Black Mesa Mine to the Mohave Generating Station in Laughlin, Nev., which was known as the “most polluting coal-fired power plant in the United States” (Black Mesa Water Coalition 2005).

Peabody shut down one of the two mines — the Black Mesa Mine — in 2005 rather than comply with Clean Air Act emission standards. The Mohave Generating Station shut down the same year after the Navajo Nation and Hopi Tribe passed resolutions ending Peabody’s access to the Navajo Aquifer’s water. However, Peabody’s Kayenta Mine remains operational and continues to pollute the air and water. Coal from the Kayenta mine — about 8 million tons annually — is processed at the Navajo Generating Station, or NGS, in Page, Arizona. The Kayenta mine is located near the northern edge of Black Mesa, a 5,400 square mile highland plateau in northeast Arizona that contains extensive coal deposits in several geologic formation It was built by engineering giant Bechtel and is now run by the Salt River Project, a large public-private energy partnership and member of the “bill mill” known as ALEC, or the American Legislative Exchange Council, which helps draft corporate-friendly legislation (Minno Bloom 2015).

The federal Bureau of Reclamation uses more than a quarter of the electricity from the NGS to provide water, via a series of pumps, pipelines and aqueducts to Phoenix and Tucson. Presently, there is no source to replace the electricity that runs the system that lifts water over mountains and across canyons to those Southern cities. The federal government, therefore, has a vested interest in keeping NGS running.

Currently, Peabody seeks to combine the Kayenta Mine and the NGS leases under one renewal permit that would allow the facilities to continue operating past their 2019 deadline for expiration. Since, according to the Department of the Interior, the Kayenta Mine lease area will provide only enough coal to power NGS until 2026, part of the lease renewal includes expanding mining into the lands adjacent to the Kayenta Mine and reopening the defunct Black Mesa Mine — the equipment for which remains intact on Black Mesa. Instead of calling it a re-opening of the Black Mesa Mine, however, they are referring to the expanded permit area as the Kayenta Mine Complex. Were this approved, it would mean further incursion into the HPL, which is occupied by the Diné relocation resisters and their sheep. This explains the impetus for the impoundments (Minno Bloom 2015).

Coal slurry pipelines and electrical transmission lines crisscross the Hopi and Navajo lands to send energy to areas south, west and north. These lands are stripped of life; the people never reaping the benefits of the wealth generation and accumulation, creating plantations producing the wealth and *modus operandi* that have allowed the logics of global capitalism take over the world. Instead of living in a symbiotic, corporeal relationship with the Earth, these pipelines, and those who have placed them there introduced a way of life that is based in coercion and violence; only through this extreme settler colonial order and control could these industrial forms flourish this way.

The Navajo and Hopi people continue to be affected by colonial forms that keep their tribal governments dependent on outside social, political, and social forces. Dependency theory is useful in interpreting how both the Navajo Nation *and* Hopi Tribe and its members became economically dependent on federal and state assistance

and partners in the projects of natural resource development. In the next section, I will show how practices of refusal to colonial impositions through which has enabled the Black Mesa community to maintain their resistance.

WOMEN AND REFUSAL

Why don't you listen? Why doesn't anyone listen to our stories? We have told our stories again and again. But it seems like the government or the Hopi Tribe or non-Indian people have no ears at all. Who will tell the truth about this land dispute? Here the women are our speakers. The women are doing the traveling. The women are concerned about what's happening. The women are our leaders. If we should let go and leave the land, our Creator will punish us harshly. The traditional people, the Diné people still live according to our natural and spiritual law. That is our law. If we continue to live with those laws, we will survive for a long, long time. Roberta Blackgoat, 2002

As outlined in the last section, the Navajo have a long legacy of enduring incursion by US settler colonial expansion, dependency, resource colonialism and their attending violences. They also maintain resistance to its violent and assimilatory forces. After 40 years of resistance to relocation, the Dineh sheepherders from Black Mesa refuse to be uprooted. For the Elders at Black Mesa, relocation represents a deportation from the spiritual world of their ancestors. Seven presidents, dozens of members of Congress, Supreme Court case, three federal statutes, almost twenty federal lawsuits, and a dozen court cases undergird a complex legal and political history between the US government, the Hopi, the Navajo and outside interests make this one of the most complex pieces of US-Indian relations in the 20th century. The Black Mesa community's refusal to relocate is a refusal to be eliminated. Within the complexities of this issue, there is the presumption by dominant society that the colonial project has been realized: land has

been dispossessed, its owners have been absorbed or eliminated; we are now considered a “nation of immigrants” (Simpson 2014: 12).

In her recent book, *Mohawk Interruptus*, Mohawk anthropologist Audra Simpson maintains the story she is telling in her book is of a place and people through time and their labor to live a good life, and, in this, their imperative to move upon and through their territory in the teeth of constraint—constraint of various powers that we may gloss as settler colonialism (Simpson 2014: 7). Following the approach of Audra Simpson, I will show how stories of resistance almost always center upon the matrilineal culture of the Dineh, and showcase people’s relationship with land and the stories they tell about who they are. I will trace how these stories of refusal show their determination, strength and ingenuity in the face of a settler state that is predicated upon their disappearance. In *God is Red*, Vine Deloria explicates the position that land occupies as an ontological framework for understanding relationships (Deloria 1969). Land is a field of relationships of things to each other. Place is a way of knowing, experiencing, and relating within the world—and these ways of knowing often guide forms of resistance to power relations that threaten to erase or destroy Indigenous Peoples’ sense of place. This, Glen Coulthard (2011) argues, is precisely the understanding of land and/or place that not only anchors many Indigenous Peoples’ critique of colonial relations of force and command, but also their visions of what a truly post colonial relationship of peaceful co-existence might look like. It is an affront to place-based understanding of what constitutes proper relations; many of which still serve as a radical imaginary guiding Indigenous People’s visions (Coulthard 2011).

Black Mesa, the centerpiece of the geologically fragile Colorado Plateau, is a fusion of religious beliefs of two ancient societies that serves as a metaphor for the incalculable price of growth. Black Mesa, a vast stark highland that rises above the Arizona desert, stretches in all directions against the big sky. For the Navajos who live on Black Mesa, religion and geography are inseparable. Black Mesa is the female mountain, mate to the male *Lukachukai* located on the state line between Arizona and New Mexico. According to Thayer Scudder in his book “No Place to Go” which advises against Relocation, “The *Lukachukai- Chuska* range is male, moist with the power of rain; Black Mesa is part of a woman’s figure, dry and, with its coal, having the character of the hearth, which is the woman’s province”. Both are necessary for Black Mesa Navajos to make contact with the supernatural. The community believes that if they are banished from Black Mesa, the severed female figure would threaten the reproductive power of Nature itself (Matthiesen 1984).

In this section, I integrate interviews with community members, and “resisters” who have passed on and whom I cannot interview, with my own ethnographic interviews, a community archive and participant observation, to highlight the historical and the spiritual dimensions of Navajo resistance. More specifically, I will showcase three interlocutors who are all key players in the resistance: NaBahe Katenay Keediniihii, Mae Tso and Louise Benally. Their stories of survival and resistance to colonialism and dependency – including the Long Walk, livestock reduction programs, BIA boarding schools and PL 93-531 – provide a backdrop and historical location for the narratives of refusal I will interweave throughout the section. Bahe, Mae and Louise each maintain that every day on their homelands is a ceremony and their traditional way of life does not separate their religion and philosophy from that sphere of everyday life. In this

way, Navajo culture and philosophy, like many hemispheric Indigenous traditions, involves an intricate web of relationships that balance between the physical and the metaphysical world. Traditional Navajo culture is an interwoven matrix of interrelated, obligatory relationships and events that is required to maintain a balanced life with all beings and life.

Through prayer and songs, the sky and the earth and day and night are maintained in balance, in harmony. The names of the four sacred mountains have been brought, on a spiritual level, to the present world and provide the boundaries in which Navajo belief is exercised – the place for Navajos to live in the Navajo way. The stories codify belief, define moral actions, and show how to perform them. It is not possible to heal, to maintain Harmony and balance, unless the worlds of origin and emergence are known. The historical stories coupled with Navajo spirituality are deployed, and are a discourse that gets taken up as a political strategy and becomes politicized knowledge.

Certainly the fact that oral traditions have survived more than five hundred years of colonization is a testimony to their resilience and points to the value that indigenous people still place upon them. Understanding how Native peoples talk about and understand the Navajo's own past requires us to change how we write history, for differences include conceptions of time and space, and uses of the past. Furthermore, historians who work with oral history and traditions and methodologies that are ethical and responsible to the Native communities in which they write (Denetdale 2008: 38). Oral history becomes a speculative imaginary to go along with archival labor. In this way, oral history becomes a mode for the inclusion of personal lived experiences as a way to reclaim the hegemony of narratives that dominate political, academic and social

discourses. It seems to me that the methodology of oral history is a vehicle of engagement for re-thinking perspectives on what knowledge is valuable and how it is created. Diné oral history and traditions are powerful vehicles for this community to construct repositories of historical and community memory and archives that challenge and refuse the trope of the “disappearing native” and allows the community to decide who and what is being remembered.

As Stevenson notes, “Within the historical context of colonialism, it is a testament to People’s spiritual strength and tenacity that so much oral history still exists in our communities (Stevenson 1999). Furthermore, these links are articulated through the creation narratives and include the following characteristics: they often reflect interactions between humans and nonhumans, as well as memories passed down from ancestors; and the retelling of creation narratives often incorporates new materials, thereby denying earlier anthropological assertions that oral traditions are static and bound by customs. For Native peoples, oral tradition encompasses personal experiences, pieces of information, events, incidents, and other phenomenon (Denetdale 2007: 40).

The stories of resistance almost always center upon the matrilineal culture of the Diné. I will highlight the physical stand women took against the fences that crisscross their lands, and the community organizing across the reservation and around the world is analogous to a mother’s protecting her child from danger, for the fence is far more than a symbol of indignity (Parlow 1988: 43). Through international and national networks, including the American Indian movement which was active and organizing at the time, the community accessed channels of political power – through the confrontation of the

tribal police and BIA fencing crews, community statements and international organizing, connections and networking with the burgeoning Red Power, a prolonged legal battle waged by the elders, and through calling for international solidarity and support – the elders instinctively spoke through their pain and ancestral stories of historical trauma, as they had done before, to evoke, deploy and call into being the well of strength their ancestors provide them. Part of the discourse they employ to convey their stories to make their case to the non-Navajo world. Their stories have been handed down for generations in an oral traditional and teach the proper way to life a Navajo life.

In the fall of 2009, I first met NaBahe Katenay when he was teaching non-Native supporters how to chop wood at the 2nd annual “No Thanks, No Giving” support caravan. Mostly non-native supporters from all over the United States and Canada gathered on Black Mesa for a week and traveled to various home sites to stay with families to help them prepare for the winter months. At the time, I listened and watched NaBahe diligently, making sure I didn’t chop the pinon and juniper wood improperly or break the axe handle. I remember walking up to him after he finished instructing the group and introducing myself and asking how small the pieces of wood needed to be in order to fit in the wood stoves. He looked at me and then looked at the wood and said, “Each person likes their wood a certain size out here, but don’t make it too small, these elders are strong.” I didn’t see NaBahe for the rest of the caravan and didn’t interact with him until the next year when BMIS started to prepare for the next caravan.

In late 2010, I emailed him about logistics for transporting food and materials out to the host home site for the caravan. For many months after we emailed back and forth about

the tasks and projects needed to be completed at various home sites. I learned that he maintained a blog “Sheep Dog Nation Rocks”(sheepdognationrocks.blogspot.com), whose header reads: “Once Upon a Time in Big Mountain, A world as We've not known. Native American history has been re-written for the purpose of patriotism toward capitalist-aggression. The former, indigenous America, had the intellect, scholarship and self governing but spirituality was always supreme. This blog hopes to present thoughts and discussion based on such awareness.” He has maintained the site for over ten years, which he updates very frequently with articles and information about what’s happening on Black Mesa and his analysis of current events. The header on his blog says, “We also corresponded when the BIA impounded sheep from home sites in the winter of 2012. We interacted on social media from time to time as he was very active and used Facebook as a forum for voicing his platform and promoting his blog. From what my fellow BMIS collective members told me at the time, I knew NaBahe had been organizing with the Black Mesa elders since he was a teenager at the beginning of the resistance, and I knew he was arrested numerous times in physical confrontations with the BIA and tribal authorities, but I didn’t know much about why and how he came to dedicate his life to fighting for justice. It wasn’t till the summer of 2014 when I was able to talk to him about why he does what he does.

On a hot summer day, I left my base at Marie’s home site and drove down the road many residents call “Big Mountain Boulevard”, which is just a wide dirt road that connects the communities of Big Mountain to the Rocky Ridge Store and school on the Navajo partitioned area of the JUA. The road then leads out to Highway 264 and if one goes east around 10 miles on this road they will find themselves upon the Hopi villages. After around fifteen minutes, I turn into the driveway of his family’s home site in the

heart of Big Mountain. I pass an open field and then head up a winding driveway, trying to avoid any depressions or rocks in the road that could pop my tires. My muddy boots push on the gas as I weave through juniper and pinon trees and turn around a corner and see NaBahe's truck parked under the shade. I park my truck next to his and hop out of the truck.

I look up the hill and see NaBahe carrying a piece of plywood. He's wearing a big straw hat and that shades his face glistening with beads of sweat from the hot sun, Carhartt work pants a shirt that features the iconic picture of Apache Warriors from the 19th century with guns and says "Homeland Security: Fighting Terrorism Since 1492". As I walk towards him, he glances my way and puts the wood down. As I approach him, he puts his hand out and says "*Ya'aat'eh*, Hallie" as we shake hands and greet one another. "It's hot, huh? You're probably used to it coming from Texas. How's it over at Marie's place? She keeping you out all day herding," he chuckles. I smile and say, "Herding is a lot of work, but Marie and I are enjoying each other's company." He nods, "So we're doing the interview you asked about today? I wore my best suit for it." We both laugh. We walk over to a juniper tree that provides full shade and sit down on two metal chairs. He takes off his hat and wipes the sweat from his brow with a handkerchief he pulls out of his pocket. "Ready whenever you are," he says.

I take out my recorder, make sure it's set on the right setting and then press record.

I ask how he first started organizing and how he came to be one of the main translators and advocates for the elders.

For me personally, I went to the BIA school and things were a nightmare. The things that were done to us by the BIA – the mental and physical abuses, the segregation of our identity, and the imposition of the church – this is what they did to try to “fix us”. Many things that happened to other students in the school and they were things I could not tell my mom or dad because I felt guilty. The things I wouldn’t tell them are things that are still there. The scars. I think that happened to me in the BIA school, I got injured as well from the abuses. My way of honoring the elders was to reflect back on the past, but most people don’t care to reflect back on it because it’s too hard. They want to think about 2015 and forward; they are listening to the ways of what Great White Fathers have provided for them.

What was done to me wasn’t right. My mom hid me when the BIA agents came around and they threatened her for five years with jail time if she didn’t let them take me. I went to school at the age of nine and learned English. I was very tall and sitting in the classroom among kindergarteners. This was the start of being turned into civilized Indian.

I tried to become civilized back in those days and after boarding school I then started to attend college. In 1976, my mom came to Phoenix and asked me to come home for a couple weeks. She said, “The land is being partitioned. Can you come and help us and write statements?” I didn’t go back to college until 1994.”

That was my two weeks away from college since 1976 when I left. 1977 is when I started working for the elders. My mom had a lot to do with it. Its based on my

upbringing and being a shepherd. One day you're on the frontlines and the next day you're out grazing with the animals. My mom told about prophecies and how keeping Diné culture is important for the future. She educated me. I attribute my return to the Land to my mom and the medicine men. They awoke the stuff within me and made it easy for me to leave college.

The love for the religion, the love for the country, the love for the neighbor and so that's why people hold onto old way. Old way has to do with ancestry and that's how we went into hiding in this place during the time of the Long Walk. Our people survived at Fort Sumner. We were supposed to be exterminated during the Spanish conquest too. Our people held onto sacred soil bundle during famine and slavery and kept in Hogan or rock ledge. These things have been carried for along time for the people. I remember the elders saying that our ancestors have done this, so we need to go that direction. This is the only way only way we can survive. We must adhere to our religious cycles to the sheep and corn. We see this as a ritual, rather than a ritual to shake hands with capitalism, and sign away our resources and rights.

NaBahe's place in the struggle is very much situated within the trauma of the BIA boarding schools. When he narrates his story of how he came to be one of the translators for the elders, NaBahe's voice lowered an octave, and although he was unwavering in his diction, the lingering pain of the boarding school experience was palpable and intense. Similar to NaBahe, Mae Tso recounts her experience being sent off to boarding school as a formative and traumatic time for her. Mae Tso is a legend out on Black Mesa. She is one of the last original Black Mesa resisters who first resisted

and fought against relocation. Her story is one of the main chapters in a book written about the Black Mesa Struggle: *The Wind Won't Know Me: A History of the Navajo-Hopi Land Dispute* (Benedek 1983).

Mae Tso sits by the window as the dimming sunlight reflected off the windowpanes signaling the end of a long summer day in July 2014. Mae Tso is a legend out here. She is one of the last original Black Mesa resisters who first resisted and fought against relocation. I set up my camera at the edge of her large, wood kitchen table populated by various non-perishable food items in one corner while she occasionally pivots her body on the chair and looks out the window to check if the sheep are back in the corral. Danny Blackgoat, a second-generation resister and my interpreter for the day, sits down next to Mae and reaches for his cup of coffee as he settles into the seat. He asks if we're all ready to go. I press record and say we're all good to go. I ask in English why she is here on these lands despite the relocation law. Danny translates the question into Diné. She looks at the camera lens as she begins to speak, clearly expressing her steady, quiet anger openly as she gives her account of historical context of the "Navajo-Hopi Land Dispute" in Navajo. I wait a few minutes and Danny interprets her words into English.

In the 1940's, I was put into a boarding school setting. Whenever I spoke my native language, I was abused. I was constantly scared and she didn't like the boarding schools. So I made up my mind to run away. I ran away from school and came home, told my grandmother I didn't like school and I didn't want to go back. I really enjoyed herding sheep. I didn't mind the work that it took, the task that it takes. She doesn't think of it as work at all. I was never hungry, even though some people claimed we were. My mother and my grandmother took

good care of me and taught me all I needed to know to survive. I grew up being loved. We live close together around here, so I was told to take care of one another. It' an extended kinship and you take care of each other. That was the way it is. When I started my own family, I implemented what my grandmother had taught to share with others. With sharing there is no scarcity. We were instructed to be caretakers of this land.²⁷

As referenced in the previous section, the intense trauma of the Long Walk and the boarding school experience provided a backdrop for Mae, Mary and Bahe's refusal.

Bahe sites much of his rationale for organizing through the trauma associated with boarding school. Since the late 19th century, Military style regimen became the norm at government boarding schools following the motto of Gen. Richard Pratt, "Kill the Indian, save the man." Boarding schools were part of the history of conquest, in which Europeans and then Americans attempted to strip Native peoples of their land, resources, culture, and knowledge (Denetdale 2007: 37). However, Creek historian K. Tsiannina Lomawaima (1997) argues that the boarding schools could also be very influential, as students utilized various tactics to adapt and resist the boarding school's agenda of assimilation. They describe the impact that boarding school had on their life and how they were able to return to their land and traditional teachings in spite of Western education. Both NaBahe and Mae left boarding school. This is a story of resilience. They both refused boarding schools, and their refusal is a story of resilience.

I ask NaBahe about the matriarchy and the direction the elder's provided.

Its about the matriarchal," he says. "It goes back to creation time. The white shell woman created the families and the clans; its all about religion and creation. Matriarchal meaning women oversaw resources and the changes with the Hopi people and other clans. They maintained the distribution of goods because they understood the needs of their community. The men would be assigned to undertake certain responsibilities, ceremonies, dances, knowledge of the songs, and all activities associated with ceremonies. Every time there was a ceremony, the matriarchs would get together and determine how clans would be coordinated in ceremony. They knew what the community needed in terms of health, food, sheep, and water. The men did the butchering, caring of the animals and maintaining the crop field.

I follow up with a more direct question about the role of women. "You mentioned White Shell Woman as a key figure in the stories. Could you tell me a little more about how she figures in your stories and collective memory and how they motivate the organizing, community relationships and relationship to the land?"

He replies almost instantly, ready with an answer that remains tucked in his consciousness at all times, White Shell Woman was not the only Way but other deities' Ways also were key, equally. The Sacred Mountain Soil Bundle and ways of the Clan systems did have a part in the matriarchal society. Knowledge of and prayer chant practices associated to other key deities were what gave guidance of the Big Mountain existence. Diné rituals were once very diverse and had so many sublevels and categories as well as the many deities that were present and were involved in the establishment of sites and elements. The law of identity was

also important as that allowed you to dwell upon the earth: "White Shell Woman, I am your Child. Changing Woman, I am your Child. Holy Fire, My Great Grandmother. May there be sacred beauty, Water Woman. Female Mountain, I am your Child. Earth, My Mother." and so on.

"Also, there are the equal patriarchal aspects: "Great Father, Sun. My Grandfather, Talking God and House God. Great Holy Father, Everlasting Darkness Above. Male Mountain, I am your Child. May there be sacred Beauty, Monster Slayer and Born for Water." and so on."

"All are called upon in certain prayer chants and prayer songs of certain rituals, and these have been recited, without written text, for thousands of years. There used to be the Big Mountain religion but the two matriarchs that oversaw its practices are gone. My grandma being one of them, however, "assigned" me to carry on what I've learned from her and the last medicine man of Big Mountain. These were in every aspect of daily life of the Diné in resistance back then. So they all use to motivate our will to resist as we pleaded for pity and that we survive, survive meaning that Big Mountain way will always be."

But when we pray without the recited ancient chants, (almost like someone going into a church and simply kneeling, palms together, and pray with whatever words come to mind) for us Diné, we call those prayers "the minor prayers." Today, even Diné people fail to make a distinction or have knowledge of the difference."

"To the first light of the morning dawn, old traditional ones would sprinkle white corn meal across the whole stretch of that once unpolluted horizon of the east, and they first call upon the deity, "May there be sacred beauty, House God, my grandfather..."

To the evening twilight after the sunset, old ones use to sprinkle yellow corn meal in the same manner to the west and start their prayer by saying, "May there be sacred beauty, White Shell Woman, my mother..."

Gary Witherspoon posits that the most enduring relationship among the Navajos is the one between a mother and a child. He describes this relationship as "mother and child are bound together by the most intense, the most diffuse and the most enduring solidarity to be found in Navajo culture" (Witherspoon 1975: 25). Bahe and Mae's return from boarding school and sustained resistance reaffirms the beliefs and values he was instilled with as a child to honor his mother and grandmother in order to sustain his life.

Because their grandmothers tell them everything, there is a reciprocal, obligatory relationship their ancestors have to them and the instructions they've been given. If they do not follow the Navajo way, they are breaking their ancestral bond between their grandmothers and the land they've been given. Their grandmothers and mothers took care of them, so they feel they have to honor them. They learned the love of the land from their grandmothers. "Because of my mother" becomes both a discursive and political strategy, as women figure prominently both in their stories and as the leadership for the movement. In the face of ongoing colonialism, these stories about

their grandmothers offer evidence about their efforts to create continuity between the past and the present, to name once again the value of our their traditions (Denetdale 2007: 140).

Louise Benally is a Diné mother and grandmother who has been an activist since she was a child. She is from the heart of Big Mountain and one of the staunchest and fiercest warriors in her community. Born into the hostile climate of the “Navajo-Hopi Land Dispute”, her path has been clear for decades: she must protect the land that sustains life for her people and their ancient traditions. As a child, Louise was featured in the Academy Award winning documentary “Broken Rainbow” which examines the history and implications of the passage of PL-931. Since then, she has started several non-profits and has traveled around the world advocating for her community. She is frequently traveling and connecting with other Indigenous and environmental groups around the country and actively uses social media to promote her community’s struggle. On a windy, hot summer day at Louise’s home site, I spoke with her about her experiences and motivations for how and why she continues to fight despite the insurmountable odds against her and her community. For decades she has faced repression from the US government, the BIA, and both the Hopi and Navajo tribes for her uncompromisingly staunch resistance to relocation and resource extraction.

When a child is born their umbilical cord is given back to the earth, and planted by a tree and the parents do that in hopes that the children will take care of the land. Our teachings all involve life and survival. So for me that meant I had to do something when the time came when we were being pushed off the land. We are being relocated again. This is like the Long Walk- where our people were

removed from our homelands and marched to their demise and deaths in the Long Walk of 1864. The fencing came in and my mother said "Come on, get up lets go its time to go to battle.

She explained to me how she has developed as an Indigenous Dine woman and a life-long activist.

My bloodline goes back to the Athabaskan people. As a young child I learned that our land was subjected to a large coal mining development.

In traditional teachings I was taught by my mother and then my clan mothers that the Earth represents a woman and a woman should protect her life, her survival. With this being integrated into me growing up and then becoming a woman and mother and now a grandmother we were told that we are a part of this earth, not only as human but the earth represents a woman and that we have to advocate for her survival and our survival. Our ties to the earth grow stronger with each offering, each ceremony, and each member of the family and all the future generations. When Peabody Energy came out to Black Mesa to extract resources, we knew we had to fight for Mother Earth. Despite this, Peabody has mined hundreds of acres and has left us the land that is dead forever.

It is still that way till this day, we still advocate for the sacredness, the fire, the water, the land, the vegetation, the animals and the humans' survival. My mother taught me songs, rituals and prayers that help to take care of this land. So that's what we were taught to protect and preserve and to take care of so that we may have generations that make use of the land, the water, the animals, so that's

the teaching I received as far as understanding what I am and where I come from and what I'm supposed to represent. I have an obligation to this place and must not leave. The resistance is now part of me.

The integration of the Navajo teachings in Louise, Mae and Bahe's childhood informs their discourse. Throughout our interviews, they continue to maintain their adherence to Navajo philosophical order and culture are an integral part of how she sees her role not only a resister, but also that role as a Navajo.

They are claiming themselves through an obligatory relationship to their ancestors and to the land. This obligation is only strengthened through the stories of hardship and perseverance against the settler state. They demonstrate through their discourse, political gestures and physical resistance their rootedness in place and show possibilities of an ongoing polity of relationship with land that stands in the way of total elimination by the US settler state. In looking back at the centuries of broken treaties, it is clear that the US never intended to keep any of its broken promises (Deloria 1969). They are asking for the cultural and economic imperialism of the US be relinquished and a new sense of moral values must be incorporated into the Americans bloodstream (Deloria 1969).

The next section will show how even though Navajos experienced many hardships and changes under colonialism; they continue to look to the role of women in traditional stories as instructions for life. Since women are held in such high regard, when they exercise their authority against relocation, their children and relatives respond and take action.

Bahe's voice becomes stronger as he details the past of the Black Mesa resistance and the action that he marks as the initiation of the resistance. He begins to tell a story many are familiar with of the late elder matriarch Pauline Whitesinger confronting the BIA fence partitioning crews and subsequently pulling out the fencing with others in the community. After our interview, he decided to document the narrative on his blog and instructed me to use his written narrative. It is as follows:

In the fall of 1977, Pauline Whitesinger, a traditional Diné woman began having encounters with the BIA, an all-Indian fence construction crew. For many days the crew was putting in fencing to mark the HPL. But one day, at the surprise of the workers, Pauline Whitesinger at five-foot-two ripped out a dead juniper root and flung it out at the retreating foreman. The heavy two inch root slammed into the side mirror of the government vehicle. The foreman scrambled to the microphone to call the nearest BIA Indian police in the area, but Pauline was too quick and was there with a two hands full of sand which she casted toward the foreman's mouth. The BIA foreman's call never went over out. Other crewmembers were now in their trucks and in no time, the construction site was all empty and quiet, as Pauline stood alone again on her ancestral grazing pasture with her sheep nearby.

As the fall cold evening sun was going down, Pauline walked the herd back toward the sheep corral which was near her little log and dirt hogan, and a neighbor was passing by in their pickup truck. Pauline waved them down and asked (in Diné language) for a big favor, "Please, tell the first household that

might be down the road and if they can to also pass on my message. 'This afternoon I must have over reacted and may have damaged a law that we were clearly told to never touch or interfere with. I had an altercation with that fencing crew,' and tell our relatives that 'I don't know what will happen to me, but Washington's police may all be on their way to take me away.' Pass this message on for me in case tomorrow people will wonder what had happened to me.

Many of Pauline's clan relation and relatives showed up along the newly erected fence that same evening. Quickly, Diné organized to work late and begin dismantling as much fence as possible and as much as their few trucks can haul away. During a meeting a day later and with Pauline still having her freedom, she was told by her relatives, You have re-ignited the ancestors' flame of resistance against the U.S. Army, those flames from a hundred and fifteen years earlier. We will have to mobilize and have meetings to stop this invasion by Washington. Pauline's sheepherding range became the earliest stronghold for modern day Diné resistance against colonization and Peabody's sponsored terror of psychological warfare.

Pauline's physical removal of the fencing, despite threats of arrests, is indicative of the lengths she would go to protect her homelands. Bahe's narration reflects upon his relative's claims to land, and the struggle to survive against impossible odds.

Through PL 93-531, the US government sought to strip this community of their land and their identity. However, with the guidance of the Black Mesa matriarchs who were

central in the struggle to retain their land, values and traditions, young Navajo men organized with the American Indian Movement (AIM) in their fight against relocation. Bahe continues:

After Pauline's and the elders confrontation with the BIA in 1977 and our subsequent Sovereign Diné Nation Declaration of Independence, Kee Shay, Larry Anderson – who was one of the Navajo founders of AIM, Lawrence Simonson, Thomas Deal and I were the original representatives. This group is all men and were translators, treasurers and did lots of the logistics, but we were not the leaders. The women elders were the leaders because it's a matriarchal society. The women were always in the front of the assemblies. When I say matriarchal, I mean matriarchal. It has nothing to do with feminism, or women's power, it has to do with the culture. We were the organizers and the coordinators, but we were not the ones calling the shots. That's how that leadership began.

The women were spokespeople once they went out. Way different from now. They spoke very strong. I traveled with a lot of them. Back then, I was the translator and my head was always down looking at a notebook writing away. We spoke all over the country, and we also spoke in Indian country. I could sense that the Elders wanted to know about their country, the history of their land, and how their fellow elders and relatives felt. They were suffering and we were too. I could sense how they perceived colonialism and the BIA. My role was to educate them about what Peabody is doing to the environment. I told them the numbers, the amounts, Peabody's acreage and the massive amounts of water they use. I would explain the measurement of an acre-foot, the composition

of uranium and how a yellow cake is processed. They were always learning this knowledge, the western interpretation of knowledge. I could tell them about nation we're going to go visit. We would visit the Lakota, Chumash, and so many tribes. This knowledge is part of me and I want to share things with them, they can relate to lands and rivers and oceans. The elders and I have always had a constant dialogue. This is how I work with the elders. Sometimes after three or four days away from home, they would want to go home and would say they were worried about the sheep, water, and corn. They were good representatives, good orators in their own language and I didn't make it as good as they sounded when they translated to English. People treated them kindly and they were respected, they enjoyed that people understood where they are and where they came from.

There were failed attempts to get the BIA's Navajo government support, and even protests that turned violent in front of the federal-tribal headquarters. Elders and their Diné supporters along with AIM advisors turned to the federal agencies and the courts, but the feds' response was that only Congress could repeal the relocation law. It was realized then that that would take millions of dollars of lobbying efforts to convince the feds to think otherwise about these particular Indians. The tribal government would be prohibited by the BIA to finance such repeal efforts.

Meanwhile on the lands of Big Mountain, there were still threats of fencing, livestock confiscation, aerial patrols, capping off of water wells, disruption of traditional ceremonies, coercion by relocation program, and federal Indian police

presence. Diné youths and elders set up resistance outposts despite the new federal “restrictions on new construction and improvements.

In the later part of the 1970s, there was a lot of revolutionary spirit of the 1960s. From Wounded Knee and the shoot out in Oglala, AIM (American Indian Movement) had a lot of influence and a lot of people were knowledgeable of Indian resistance. Alongside that there was a huge anti nuclear movement in this country against nuclear weapons. The 1970s was the peak of resistance: Navajo occupation of Farmington Fairchild plant, Oil fields of Four Corners area, the racism that young people were fighting against at that time in the 1970s, shoot out in Gallup, and a lot of people were involved in a lot of different things

AIM was very instrumental in this fight, and non-native support coming out of the 1960s was too. There were anti government, anti Vietnam War protestors aligning against national resource exploitation and relocation. As soon as news went out from here, we used them as couriers. They made newspapers and started legal defense offices. The “Sacred Mountain Notes”, that was the Internet back then. We would check our mailing lists and sending out lots of information to New Mexico or California. That was the spirit back then, too. Local and nationally, it wasn’t things that were happening abroad. That consciousness helped generate and disseminate information from Big Mountain elders.

By 1980, Big Mountain Diné resisters and their few but growing non-Natives allies began network strategies that reached as far as Washington State, southern California and the east coast. Both the indigenous community and non-Natives

shared the need to document the deliberate violations of human rights, to stop forcible occupation to extract fossil fuel, to halt the desecration of human religions, and to let the world know that the U.S. is committing genocide. Diné elders and youths felt that by working alongside non-Native allies, they can rebuild and strengthen Diné culture and livelihoods that were under siege.

Initiated by non-English speaking Navajo matriarchs, and through national organizing, the traditional and land based resistance was strengthened. The movement relied upon the guidance and traditions of the Navajo elders to refuse to stop fighting against relocation. The Black Mesa elders requested outside support for what they expected to be par for the course as a long battle for survival. Survival under these conditions amounts to nothing less than the community's continued refusal to leave their land, which they hold sacred.

"What is the sacred," I ask Bahe about the sacred, keeping in mind that academic research has often dealt with Indigenous peoples in an ahistorical and depoliticized sense, especially when it comes to romanticizing Indigenous Peoples. It looks for pure cultures and pure interlocutors of that culture (Simpson 2014: 12). People on Black Mesa use the word all the time, but without a historical and cosmological context, I recognize that I cannot employ the term without situating its meaning.

The sacred is like holding the earth our hands. The matriarch holds the earth in a sacred place in the Hogan; it is picked up and carefully passed around. It's a sacred basket, that's what it represents. We're holding all the ecology in our hands, everything that sustains the ecology represents the tie that's wrapped

around it; it's tied when there is a song is being sung by the medicine man, people sing in unison, tied in a special way, clockwise matter, bundle is never turned 180 degrees, there is one that always faces the earth. That is how the earth is. The earth is situated in a certain way and it does not go crazy. The mountains are situated in a certain way and they don't crazy or unbalanced either. But, when we have a board of directors like the Navajo or Hopi tribe, they say they intend for economic development on behalf on the trip, they say "Look at me my skin, it looks in indigenous! I speak the language! I'm the same as Big Mountain, which is true, we're all human and we have children to keep in balance. But they extract and frack, and give away all the water rights of the state. And then they turn around and say, "I'm still Indian and I'm doing good for my people and I'm giving them jobs.

I don't see a spirit of anything now, but there are Navajo people trying to do something. They are of repeating avenues that we went to in the beginning. We went to the tribal councils in the beginning to present our grievances, and then went to the US elected leaders. They didn't do anything. AIM helped us plan: we first went to the chapter houses, then window rock and finally we realized it was time to do it ourselves and go to the UN. Everything that I'm describing and telling the elders what we're doing while AIM was creating a strategy advising us as well as some non-natives involved in movements in the 60s and the 70s. We had lots of allies and advice coming from all over. We always relayed the information to the elders and them decide which way to go. If we want to go this direction, it's up to you. This process went back to the to treaties and Long Walk. There was a lot of spirit back in those days.

It's the pride where the spirit comes from. Our religion came first. Whenever we wanted to make this protest, this walk, or what we're gonna do next, we want to let the people who are really in charge, the sacred soil bundle, the mountain, the deities carry these things out. That was always the basis. That made the spirit. We've been everywhere, even to the Hopi tribe, Relocation Commission, BIA agency in Phoenix. We've had walks and caravans and a lot of it had to do with the elders. They always said let's do it and educate people, you can see the spirit that was behind all of it. They were the ones that kept pushing.

A lot of the people resisted back in those times, with the threat of livestock reduction and the threat of assimilation and acculturation into dominant society caused people to vacate the land and that's why there are so few of us out here anymore. They destroyed the dynamics of the local governance that used to be here in place. Even the family units have all been pretty much obliterated and there are only a few of us remaining.

Bahe speaks to what I highlighted in the previous chapter of tribal dependence on large scale energy development that is predicated upon the destruction of its people and culture. The Navajo tribal has predicated its tribal independence via capitalist economic development exist in tension with their ancestral obligations to the land and to their people. Once at the center of the resistance movements in the U.S., these people seem to have been forgotten by their tribal government and the rest of the world.

Their desire to remain challenges me as a researcher. I am pushing back on the expectation that they disappear – as women, as Indians, as people tied to the land (Simpson 2014: 34). They are refusing the trajectory of the futures provided for them inside of the white man's world. Moreover, they challenge the future that was prescribed for them the moment coal was found, but even centuries before during the Long Walk. The goal of the settler state is to render former ways of life intolerable. It's either assimilation or extinction; they chose survival. In *God is Red*, Vine Deloria explicates the position that land occupies as an ontological framework for understanding relationships (Deloria Land is a field of relationships of things to each other. Place is a way of knowing, experiencing, and relating within the world – and these ways of knowing often guide forms of resistance to power relations that threaten to erase or destroy Indigenous Peoples' sense of place. This, Glen Coulthard (2011) argues, is precisely the understanding of land and/or place that not only anchors many Indigenous Peoples' critique of colonial relations of force and command, but also their visions of what a truly post colonial relationship of peaceful co-existence might look like. It is an affront to place-based understanding of what constitutes proper relations; many of which still serve as a radical imaginary guiding Indigenous People's visions (Coulthard 2011).

This is a cartography of refusal, one that takes shape in the invocation of prior experiences of US imperial violence and trauma and affirms history acting within a scene of dispossession (Simpson 2014: 23). The Black Mesa resistance generates a political consciousness and actions that upend the perception that colonization, elimination and settlement are situations of the past (Simpson 2014: 33). It is a scene of colonialism's ongoing life and simultaneous failure. Their stories remain. Their bodies

still struggle. And their sheep are still there (Simpson 2014: 34). They reject the cosmologies of capitalism: the pathological drive for accumulation that fuels capitalist expansion by affirming their place-based practices.

It is this place based imaginary that serves as the ethical foundation from which many Indigenous people and communities continue to resist and critique the dual imperatives of state sovereignty and capitalist accumulation that constitute our colonial present (Coulthard 2011). I have shown several instances of refusal in this section and shows what Audra Simpson says as “political recognition is, in its simplest terms, to be seen by another as one wants to be seen” (Simpson 2014, 22). We are here, this is our history, and you cannot tell us that it isn’t.

Certainly for the Diné, invoking creation narratives, the events and the beings who act in them, provides lessons for life, allowing listeners to reflect on how *hózhó* can be regained. Events that took place during the creation and the journey to the present world still take place. The way in which I employ oral history and narrative hopes to help understand how the Black Mesa community makes sense out of their experience with ongoing and complex colonial processes.

By understanding the relationship between oral tradition and history and how the creation narratives inform Diné historical processes, it becomes possible to ascertain how the Diné have responded to colonial domination and, importantly, understand the centrality of traditional narratives as a strategy of accommodation and resistance to ongoing cultural changes.

Their refusal is an affirmation of “we exist and we refuse to move”. Washington signifies their historical trauma and becomes a metonym for all that has wronged them, and therefore has to be refused at all costs. This metonym provides the grounds for the community’s steadfast refusal. At every point of colonial imposition, they say “NO”.

CONCLUSION

In late October 2014 on Black Mesa, federal SWAT teams dressed in military flak jackets and wielding assault rifles set up roadblocks and detained people as helicopters and drones circled overhead.

The response made it seem as though police were targeting dangerous criminals — terrorists, even. But they were actually detaining impoverished Navajo (Dine') elders accused of owning too many sheep.

During the month prior, Hopi rangers and agents from the Bureau of Indian Affairs (BIA) have been entering people's land and holding them at gunpoint, with few warrants and little respect for due process. Community members say they live in fear because of this extreme intimidation in the Hopi Partitioned Lands in northern Arizona.

The Hopi tribe and the BIA say that over four dozen people have exceeded their permitted limit of 28 sheep per household, which will lead to overgrazing. Even if that were true — and many people doubt the claim — it would hardly justify the excessively intimidating approach to the problem. So far, three people have been arrested and more than 300 sheep impounded. Exorbitant fees are levied for people to recover their sheep, which the elderly Navajo residents depend on for their livelihood.

The residents of Black Mesa believe this most recent assault on their livelihood is being funded and instigated by the federal government through the Department of Interior and the BIA as part of an ongoing effort to maintain access to vast coal reserves on their ancestral homelands (Boas and Speed 2014).

After 41 years of resistance, this recent assault on the community of Black Mesa shows the continuing legacy of the stock reduction program and the deleterious effects it continues to have upon the community. They have been worn down by stress, both physical and psychological, and decades upon decades of continuous strain, without any significant legal victory, and with many of the most valiant resisters passed away, the ability to sustain the resistance has dwindled. Its story stretches across centuries, marked by eruptions of colonialism, occupation, and the fight for self-determination.

As the late Big Mountain resister Leonard Benally put it in 2001, “we’ve been like this 510 years. We had no rights, but now we are talking about what is rightfully ours and our dignity is not for sale. The coal and the water stay in the ground. We will never give up. We have a right to live our culture and our beliefs as indigenous Diné and Hopi people. We are the Resistance, We will remain... Resist! Resist! Resist!”

While coal is now being phased out as a primary energy source, the reality is that it will be resource the United States will be dependent upon for decades to come. So for now, eight million tons of coal will be extracted from Black Mesa, providing cheap electricity to millions in the Southwest at an extremely high cost for the communities of Black Mesa.

As mentioned in a recent Navajo Nation Human Rights Commission report (2012), PL 93-531 violates human rights, not only because it relocated families to new home-sites on a contaminated uranium site, but also because the families remaining on their ancestral homelands, blockading the coal mining and continuing their traditional way of life, are living with daily harassment and intimidation, including livestock

impoundments, and surveillance. Also according to the report, “Navajo people are empowered by [the resistance communities’] steadfastness, their sacrifice and their courage.”

Daily life for residents hasn’t changed too much over the four decades of struggle, except that many of the “resisters” have become elderly and now struggle with daily chores. Institutional racism has fueled neglect and abandonment of public needs such as water, maintenance of roads, health care, and schools. Due to lack of local job opportunities and federal strangulation on Indian self-sufficiency, extended families are forced to live many miles away to earn incomes. It is increasingly difficult for families to come back to visit their relatives in these remote areas due to the unmaintained roads and the rising cost of transportation. The community members continue to face many obstacles simply because of their desire to remain on ancestral homelands. Although billion of dollars from the strip mining of low-sulfur coal has left the Black Mesa communities, many families still lack electricity and running water to this day (Benally 2012).

In this report, I highlighted the central role of sheep and shepherding as a continued practice of the everyday resistance to the colonial conditions imposed upon them. Furthermore, central to this community’s narratives are the Long Walk, the Bosque Redondo, and the livestock reductions of the 1930s and 1940s, all of which are historical watersheds. My interlocutors shared stories that make stark the brutality of federal Indian policies on Navajo life, and at the same time show resilience and determination in the face of colonialism (Denetdale 2007: 14).

The Black Mesa resistance produces politics that think outside the state apparatus. For this community, Politics as a relationship and their survival is a form of resistance. Each of these refusals build up and become a sum greater than each of its parts. According to Black Mesa elder Pauline Whitesinger, “there is no word for relocation in the Diné language. To relocate is to disappear and never be seen again”. Reality is created in this moment. They take no-compromise stance because of the way they see acceptance of relocation as the end of them. In this way, there is no other way but to hold on tightly to their culture and practices as religion.

These utterances gesture to the beauty of a world that is cannot be reduced to the simplicity of a singular relationship to the earth. Indigenous concepts of earth and spirit has been patronizingly dismissed as simple hearted “naturalism” or “animism,” when in fact it derives from a holistic vision known to all mystics and great teachers of the most venerated religions of the world (Matthiesen 1984: 9).

My greatest hope is that with their stories and voices will provide a glimpse into a world that has touched me so deeply and is so profoundly different than the one based upon dominance, greed and accumulation. (Their) refusal to give up on the sacred, the deep rooted spirit of this earth of this land, drives me to slow down and listen carefully to their voices. Because they affirm that the colonial project isn’t complete. And I see them and their struggle. They have talked and I have listened. Their words have touched me so deeply that they have changed the way I think about and interact with the world. This writing is the least I can to do honor their work and their tireless struggle. We need their teachings.

ENDNOTES

¹ Over the course of the next decade, thousands of Navajo were evicted from their homes and sacred lands. In 1988, *Manybeads v. U.S.* was filed to stop the relocations. The suit challenged the Navajo relocation primarily by alleging that it destroys the Navajo's right to exercise site-specific religion. The 9th Circuit detoured the case into mediation, which was wrestled from the grasp of the plaintiffs into that of the tribal governments. They negotiated an Accommodation Agreement, permitting only specified individuals to sign, and thereby to stay put for 75 years but thereafter to forego relocation benefits. Other Dineh who were ineligible to sign were simply required to move on. This "Accommodation Agreement" was passed into law by the Congress in 1996.

² Anthropologist David Brugge has remarked on how popular stereotypes of Navajos and Hopis have formed the basis for court decisions detrimental to Navajos. The Hopi legal counsel employed images of Navajos as latecomers to the Southwest, "cultural-borrowers", naturally nomadic, warlike and aggressive. The Hopis were depicted as a passive and peaceful people unfairly trodden upon by their neighbors (Brugge 1994: ix).

³ During the course of my research, a significant limitation was the ability to interview the main opponents to the original relocation law because many Elders have passed away or have lost their long-term memory capabilities.

⁴ Judith Butler asks what makes a "livable" life? She considers what makes a life livable is dependent upon adhering to society's gender norms, while lives that do not adhere to them are rendered unlivable. Butler further argues that gender norms, far from being only related to gender and sexual politics, make up the very essence of what it means to be human (2004). This deep reckoning of humanness goes beyond addressing the structural and material conditions that shape and facilitate the maintenance of the blind spots that go hand-in-hand with racial privilege, structural inequality, and systemic social subordination.

⁵ More recently, feminist scholars like Louise Lamphere have claimed Reichard as the first feminist ethnographer who brought innovation to anthropology, including the use of participant-observation techniques, the use of personal voice and experience in studies, and the centering of women's experiences. Significantly, in a period when white women were discouraged from leaving their domestic spaces, Reichard carved out a career in the only professional field that allowed women to participate (Denetdale 2007:22).

⁶ Changing woman is the benevolent female deity who is identified with the Earth (Earth Woman being another one of her name) and is the source and sustenance of all life on the earth's surface, controlling particularly fertility and fecundity (Witherspoon 1977: 18)

⁷ In her recent book, “Dreaming of Sheep in Navajo Country”, historian Marsha Weisinger bolsters this cosmological claim by teasing out the contested history of the emergence of sheep in Navajo country. Many historians (Hogan 1989, Reed and Reed 1996, Towner 1996) contest the date that the Navajo entered and lived within their four sacred mountains for a century more before the Spanish introduced domesticated livestock to the Southwest. The Navajo maintain that their presence dates much further back. Not until 1598 did don Juan de Onate bring thousands of sheep, goats, and cattle to the pueblos along the Rio Grande and Rio Chama in northern New Mexico, and another century passed before Spanish soldiers began to report large numbers of domestic sheep grazing the mesas and valleys of Navajo country (Weisinger 2009: 63). Although it is tempting to dismiss Louise’s and the Navajo’s accounting of their creation story and the emergence of sheep as a charming and romantic tale, it is a grave mistake to do so. The Navajo view sheep not only as a vital piece of their origin story, but as an integral part of their multilayered identity as a people.

⁸ Tension, conflict, and peace marked the colonial period as Navajo relationships with Pueblo peoples, the Spaniards, the Mexicans, and then the Americans, shifted along a continuum of kinship and peace to conflict and war... The cycles of peace and conflict that characterized much of the colonial Southwest were directly related to the slave trade, of which Navajo women and children were the primary targets... The arrival of the Americans in 1846 resulted in an escalation of conflict among Native peoples, New Mexicans and the Americans. Navajos saw the Americans in much the same light as they had the Spaniards and the Mexicans: they saw little differences between the colonizers (Denetdale 2007: 11).

⁹ He indiscriminately targeted women and children and allowed volunteers to take captives as a payment. Carson’s men also humiliated and murdered Navajos who surrendered. By the fall of 1863, Carson had yet to engage the Navajos in open conflict; rather a group of Diné warriors followed the militia, taking livestock and attacking the army’s horses, while continuously embarrassing Carson’s men (Denetdale 2008, 42).

¹⁰ White settlers benefitted from the twin policy of religious persecution¹⁰ and forced relocation from traditional lands. Within the provisions of the General Allotment Act, the government sold or gave 90 million “surplus” acres to an increasing number of Westward bound non-Indian settlers. During this period, nearly seventy percent of Indian land was transferred to non-Indian ownership, although Indian tribes were not compensated for their loss (Parlow 1988, 23).

¹¹ This in turn caused minor disputes between the Hopi farmers and Navajo ranchers over scarce water supplies and land resources. Eventually, the Navajo settlements fully encompassed the twelve Hopi mesas in the Northeast corner of Arizona. In 1876, the

Indian agent at Keams Canyon recommended the creation of a reservation to halt future Mormon entry into Hopi lands. Later he complained of increasing Navajo encroachment as well (Redhouse 1985).

¹² Two years after the 1882 Executive Order Reservation was established, there was still peace between the Navajos and Hopis living there¹². The BIA agent assigned to the new reservation wrote, "The best of good feelings generally exists between the tribes. They constantly mingle together at festivals and dances. The Hopi barter his surplus melons and peaches with his old pastoral neighbors for their mutton" (Redhouse 1985).

¹³ By the middle of the decade the Dust Bowl had come to the high desert country of northern Arizona. Drought and soil erosion threatened the maintenance of traditional and Navajo Hopi lifestyles and soon the curse of overgrazing became an accepted way of survival in their homeland (Redhouse 1985).

¹⁴ All the land outside of the "District 6" delineation was allocated to the Navajos. According to this provision grazing "District 6" is sole and exclusive Hopi grazing area. The Office of Indian Affairs approves carrying capacity for a total land area of 631,000 acres. Thousands of Navajo had now lived in "District 6" for almost a century after returning from the Long Walk. The Navajos who had settled within the interior of "District 6" – also known as Black Mesa – naturally claimed that they were those "other Indians" outlined in the 1882 Executive Order Reservation.

¹⁵ The unilateral imposition of United States citizenship upon the Navajo and Hopi peoples enabled their juridical and legislative assimilation into the US polity. Of this assertion Bahe Katenay says, "The tribal council idea of the BIA was actually a deliberate act to break treaties, which restricted Indian nations from upon their own sovereignty statuses. " The primary way in which the state's power is made real and personal, affective in its capacity, is through the granting of citizenship and, in this, the structural and legal preconditions for intimacy, forms of sociability, belongings and affections (Berlant 2007). It is clear enough that Native American people, including the Dine and Hopi, holding consenting individual rights to US citizenship, particularly in view of the nature of the historical relationship(s) prevailing between their nations and the United States. However, this right does not convey any reciprocal right to the United States whereby a mass and non-consenting imposition of US citizenship is (or ever was) justified. Arguments advanced by the government of the United States that (it) is now somehow legally enjoined from treating or otherwise dealing with Indigenous nations as truly sovereign international entities because of the status of Native Americans as US citizens are frivolous at best. More likely, such arguments are a deeply cynical exercise of juridical manipulation designed to disguise and perpetuate the status quo (Churchill 1984). This inclusion, or juridical form of recognition, is only

performed, however, if the problem of cultural difference and alterity does not pose too appalling a challenge to the norms of settler society, norms that are revealed largely through the law in the form of decisions over the sturdiness, vitality and purity of the cultural alterity before it (Simpson 2014, cited Povinelli 2007, Markell 2003, Coulthard 2007)

¹⁹ Five out of the ten Hopi villages opposed Boyden during his reportedly aggressive meetings to urge the Indian Claims Commission filing, which would extinguish Hopi claims to its aboriginal holdings. It requested money damages for loss of about four million acres of Hopi land. Boyden was indefatigable. Docket 196 took twenty-six years to reach the Supreme Court, and when it did, a constitutional council had been reinstated, mostly as a result of his work (Parlow 1988, 23).

²⁰ He went first to the Navajo Tribal Council in Window Rock because he had spent time on the Navajo reservation in the 1940s as an observer for the FBI and knew their legal system. But someone on the Navajo Tribal Council remembered Boyden's earlier role as a US attorney in enforcing the disastrous and devastating livestock reduction of the 1930s ordered by John Collier in Utah's San Juan River section of the Navajo reservation (Nies 79).

²¹ As one of the lawyers who had just successfully helped the Ute Indians of Utah and Colorado receive the largest financial judgment ever entered against the US government, he was seeking to find another Indian client with a good case to take before the Indians Claims Commission. He eventually shared a fee of \$2,794,606 (\$25.4 million in current dollars) (Nies 78)

²² When introducing the 1958 legislation, Representative James A. Haley (D-Florida) said the BIA made "repeated but unsuccessful efforts to settle the dispute which, with the discovery of oil, gas and uranium in the area... has become acute." (Parlow 28)

²³ Boyden bypasses the new constitutional procedures of the Hopi tribal council and requested an amendment to the Hopi constitution from the Secretary of the Interior. The secretary complied. The 1961 amendment granted to the controversial council the authority to lease mineral resources – an authority traditional Hopi leadership vigorously opposed on religious grounds (Parlow 25).

²⁵ Anthropologist and lawyer David Brugge's conclusions (1994) that prejudice and stereotyping were decisive in the outcome of the case. *Healing v. Jones* and the events that followed do raise some serious questions as to the limits that should or might be

placed on resort to ethnic hatreds in order to achieve one's goals , as well as how those limits might be maintained without infringing on important freedoms.

²⁶ From the mid-1950s through the 1970s, the energy boom focused on the Four Corners area, due east of Black Mesa. In the early 1960s, a coal-fired electricity generating station was built that was at that time the largest in the world. Coal mines, slurry pipelines, uranium mines and electricity- generating plants quickly grew in the coal-rich, sparsely populated area, replacing Navajo shepherders with facilities to export energy primarily west to California and south to Arizona's sunbelt.

²⁷ The role played by women in the life of the Navajos' home was one of primary importance. They were the center of the home, and around them revolved the life of each family (Roessel 1981: 72). It is important to understand that plants, water, food and religion all came from the Holy People and were direct gifts from these Holy People to the Navajos. Consequently, today these four items remain extremely important and also are very sacred. Without the four elements there could be no life. There must be religion; there must be food; there must be water, and there must be plants. Without any or all of these elements life would be impossible. It is in the homes that these four essential areas were taught to the children so that they in turn could grow up and carry on the traditions that were handed to them and that originated with the personal contact of the Holy People with the early Navajos (Roessel 1981:72).

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