

#### 4. THE CREATION OF THE HOPI TRIBAL COUNCIL

##### A. The Sovereign Hopi Villages of the Early 1930s

The severe economic depression which began in the United States in 1929 and continued on into the 1930s had no similar disastrous impact in Hopi country, for the Hopis had not become dependent upon the economic system of the United States. They remained largely self-sufficient communities, an agricultural and pastoral society under the leadership of village governments, each village continuing to exist as an independent sovereignty. Being a profoundly religious people, each Hopi village government was headed by its principal spiritual leader, the Kikmongwi. The Kikmongwis and other religious leaders chosen by the various clans governed the religious and secular life of the village as their ancestors had for centuries before. Under the Hopi system, property rights were determined village by village, according to clan membership as determined by a system of matrilineal descent. As discussed above, property rights continued to be communal rights, the system of Hopi land holding not having been broken down by the United States government under the Allotment Act.

The United States government was fully aware of the continuing strength of traditional Hopi government at that time. Reports produced by the U.S. government concluded that the traditional Hopi system of government remained vital in the 1930s:

Roughly speaking, the governmental system is that of the Pueblos prior to the coming of the Spaniards, slightly broken down by American governmental interference. [Oliver LaFarge, Notes for Hopi Administrators, unpublished report, 1937, on file at the U.S. Department of the Interior Library, p. 6].

and

The Indian Service to date has never faced the simple fact that the Hopis are completely dominated by their religion, which enters into all phases of their life. Since, at least, the time of Leo Crane, the attempt has been to ignore the religion and the chiefs, with melancholy results, and the chiefs and the religion still govern 80% of the people. [Oliver LaFarge, Running Narrative of the Organization of the Hopi Tribe of Indians, 1936, unpublished journal in the LaFarge Collection, University of Texas at Austin].

An anthropologist employed by the BIA to prepare a study for Commissioner Collier confirmed these reports. In a 1934 letter to Collier he made an additional observation about the competency of traditional Hopi government: (Exhibit 2):

In my judgment the Hopi are entirely competent to deal with these problems provided they are given adequate protection on the reservation.

There are numerous reports of anthropologists and ethnologists who have studied and marvelled at the complexity and beauty of the traditional Hopi culture and religion. Even many agents of the BIA, despite all of the rather unsuccessful efforts to undermine the Hopi culture and government, came to admit that the Hopis had developed over the centuries a remarkable society which was independent, self-reliant, stable, productive, and peaceable.

As the decade of the 1930s began, the continued strength of the traditional Hopi culture and government was most remarkable. The Hopis

had, against all odds, overcome fifty years of United States intervention and aggression and over 250 years of prior Spanish and Mexican rule. In the mid-1930s they were to face yet another test of endurance as the United States presented a new, far-reaching and sophisticated challenge to Hopi sovereignty. That challenge came with the administration of President Franklin D. Roosevelt, which began in 1933 and which offered a New Deal for the Indians of America.

B. The Indian Reorganization Act  
(Wheeler-Howard Act) of 1934

With Roosevelt's administration came the enactment of the Indian Reorganization Act (also known as the Wheeler-Howard Act) and the appointment of John Collier as Commissioner of Indian Affairs. A new era in United States Indian policy was hailed. The Indian Reorganization Act (IRA) was the hallmark of that policy. It was said to promise a complete reversal of the prior half-century of U.S. Indian policy which had been so disastrous in Indian country. Instead of dismembering Indian governments and allotting Indian lands, the IRA approved Indian self-government and encouraged the organization of Indian governments where none existed.

Since Indian self-government under the IRA was to be implemented with the supervision and approval of the BIA and the Secretary of the Interior, the IRA was not, in fact, offering an end to BIA interference and a return to true Indian sovereignty. The ultimate goal of the IRA, as it turned out, was to maintain United States governmental control

over Indian communities in ways which would be viewed as less brazen, authoritarian, and disruptive. John Collier described the IRA's objectives in these terms:

This affirmation of cultural diversity and cultural autonomy [under the IRA] did not imply a doctrine or practice of laissez-faire either within the Indian group or in government or the surrounding Commonwealth. It implied rather, the attractive and permissive way in place of the authoritarian way of swaying the human process. It implied leadership--within and without the Indian group--of the democratic and integrative type, not the regimenting, commanding and "bossing" type. [John Collier, Indian Affairs and the Indian Reorganization Act: The Twenty Year Record, ed. William H. Kelly, Tucson, 1954, p. 8; emphasis added].

In short, the new policy offered a less abrasive means of achieving assimilation.

This new policy under the IRA offered hope to some of the most beleaguered Indian peoples, especially those who had suffered the greatest loss of land and sovereignty under previous government programs and policies. In addition, many so-called "progressive" or "Americanized" Indians saw the IRA as an avenue toward the mainstream of a prosperous American life. The IRA promised massive economic aid (most of which was never delivered) which was held out before all Indians as a carrot to encourage their approval of the IRA concept.

The promise of economic aid and new respect for Indian self-government was not as encouraging to many other Indian communities. The more traditional and stable Indian communities feared that the IRA would result in further erosion of their treaty rights and their inherent sovereign rights under the guise of self-determination. They

objected strongly that American-styled, majority rule, constitutional electoral governments, were a necessary part of the IRA package. If Indian self-government was the true objective of the IRA, what was wrong with simply maintaining and strengthening the traditional Indian governments, the traditional leaders asked. Many preferred to continue their struggle for survival under the prior system of U.S.-Indian relations rather than submit to new governmental structures and procedures which would be created and approved by the United States government and which would, under the model IRA constitutions, be under the ultimate control of the BIA and the Secretary of the Interior.

Traditional Hopi leaders were among the many Indians who had learned to view any new U.S. government Indian policy with great skepticism. They were in no hurry to embrace the IRA and its promises.

With a missionary zeal, Commissioner John Collier and his Indian administration sought to convince every Indian tribe and nation of the benefits of organization under the IRA and an approved IRA constitutional form of government. Campaigns were conducted to obtain a pro-IRA vote in every Indian reservation. (Exhibit 3.) These campaigns were necessary because Congress had provided that an election would first be held before the IRA would go into effect in any Indian community.

The crucial election on the proposed Hopi Constitution and the establishment of the Hopi Tribal Council was held on October 24, 1936. The official tally was 651 in favor of the Constitution and Hopi Tribal

Council, with 104 opposed. On the strength of these election returns, the United States government decided in December 1936 to recognize the Hopi Tribal Council which was to be organized under the constitution as the official and exclusive governing body of the Hopis. In all future dealings the United States would recognize the newly-created Hopi Tribal Council as the only official representative of all the Hopi people.

The legality and fairness of that 1936 election has been a matter of great controversy in Hopi country ever since that time. Because the Hopi Tribal Council has been responsible for pursuing the Docket 196 claim, any question about the legitimacy of that governing body deserves serious attention.

C. The Early Campaign  
for Hopi Approval

The campaign for Hopi acceptance of an IRA government began in earnest in early 1934. It is interesting to note that the BIA field office at first assumed that each Hopi village would be individually organized in keeping with its historic individual sovereignty. A letter from the Hopi Agency Superintendent to the Commissioner in February 1934 includes this comment:

After the village communities have had more time for consideration of the proposed program, I feel sure they will be very willing and eager to submit for your consideration their constitutions.  
[Exhibit 4.]

The Commissioner received immediate feedback from traditional leaders who wanted their opinions on Hopi self-government known. In

March 1934 the Kikmongwi of Shungopovy wrote that there was no need for a new form of government:

In reply to your letter of January 20, 1934, regarding the matter as in forming or organizing a Self-Government, which we already have that has been handed down from generation to generation up [to] this time. [Exhibit 5.]

He concluded by asking the Commissioner "to return our Domain back to us Hopis" and he spelled out an aboriginal land claim.

At the same time, outside organizations concerned about Indian affairs also expressed concerns about the proposed IRA governments. The New Mexico Association on Indian Affairs made these comments to the Commissioner in May of 1934:

Legally recognized self-governing municipalities are a late step in the evolution of most peoples, resulting from their tradition, education, experience, and racial characteristics. This [IRA] bill makes the legal form the first step. Thereafter the fact and substance of self-government are to be pressed into that form regardless of what the future development may be and regardless also of the extreme differences in tradition and racial qualities among the various Indian tribes. To us this seems to start from the wrong end. [Exhibit 6.]

Despite these forewarnings, the campaign of John Collier continued.

In April 1936 Collier made a personal visit to Oraibi as he stepped up his efforts to sell the IRA plan to the Hopis. The minutes of that meeting show that Collier offered the IRA organization as a solution to virtually all Hopi problems. First he talked about the money promised to IRA organized Indian governments:

The tribes who do organize and get their charter are the ones who get the money, not the ones who fail to organize. [Exhibit 7, p.2.]

He urged immediate acceptance of the IRA plan because of possibly shifting political tides in Washington:

[Y]ou don't know what the next President and the next Commissioner might do; therefore, it is the best thing to organize now when you can organize, rather than to wait, because then you might find that you cannot organize. [Exhibit 7, p. 2.]

He told the assembled Hopis that Hopi-Navajo land disputes could not be settled unless the Hopis agreed to organize under the IRA:

I do not mean to say; and I am not saying, that the Hopis and Navajos are rivals at all, but I am saying that there are some things which need to be settled by the two tribes and they cannot be settled until both tribes are organized. In the meantime the Hopis are going to get the bad end of the deal if they stay unorganized. [Exhibit 7, p. 3.]

At this meeting Collier for the first time laid out his idea of organizing the Hopi villages into a federation under a single tribal council. He told them that he would send a sensitive and experienced man to help establish a suitable Hopi constitution. (Exhibit 7, p. 10.)

D. Oliver LaFarge: The White Man's Burden to Organize the Hopi Tribal Council

(1) Collier's Choice

The man Commissioner John Collier chose to campaign for Hopi approval of the IRA constitution was Oliver LaFarge. Oliver LaFarge was an ideal choice from Collier's point of view. LaFarge had much prestige in the world of Indian affairs. He had worked and studied among the Navajos and his novel Laughing Boy had won a Pulitzer Prize and brought fresh public attention to Indian problems. LaFarge was

also known among the Pueblos where he had travelled and studied over the years. His image as friend of the Indians and as a familiar figure in the Southwest helped ease his entry into the Indian community. In September 1933 he had visited in the Hopi village of Oraibi to sound out the village leaders on the possibility of establishing a Hopi Tribal Council.

LaFarge was employed by the BIA to campaign for passage of an IRA constitution and the creation of a Hopi Tribal Council. He worked in Hopi country from June 1 to September 11, 1936. During this period of time, LaFarge kept a journal, or diary, in which he explains, almost on a day-to-day basis, his actions, motivations, and impressions. This unpublished journal, which he entitled Running Narrative of the Organization of the Hopi Tribe of Indians, 1936,\* is an invaluable insight into the creation of the Hopi Tribal Council. Another unpublished LaFarge report written shortly after the IRA election, Notes for Hopi Administrators,\*\* sheds additional light on this important historical development. Quotations from these two documents provide both tone and substance to a discussion of the creation of an IRA government in Hopi country.

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\*Running Narrative of the Organization of the Hopi Tribe of Indians, 1936, is in the LaFarge Collection at the University of Texas at Austin. It will be cited hereafter as Running Narrative.

\*\*Notes for Hopi Administrators is on file at the library of the Department of the Interior, Washington, D.C. It will be cited hereafter as Notes.

(2) LaFarge Comments  
on the Hopis

LaFarge's Running Narrative begins with these words written on his first day in Hopi country: "Attempting to organize these Hopis is at once extremely interesting, complex, and discouraging." From the beginning, LaFarge saw himself as an advocate for the IRA and a campaigner, committed to a role he would seek from time to time to hide behind a mask of academic neutrality, but a role which he undertook freely and even religiously.

By the second page of his journal, LaFarge already begins to reveal his general uneasiness with the Hopis. The Hopis were not clean enough to satisfy LaFarge:

The contrast between the dirt at Mishongnavi, and the cleanness of the meal I'd eaten [at a Tewa's house on First Mesa] was startling. Even though the latter was also off the floor. When I got home I washed and gargled with Zonite.\*

LaFarge elsewhere makes disparaging remarks about Hopi cleanliness, in one instance commenting about visiting a house which had "the medium (Hopi standard) dirt of the house,"\*\* and in another instance he describes Mishonghovi in these terms: "All the Hopi villages are filthy, but this is the worst of the lot."† It is soon made clear that LaFarge had a deep-seated prejudice against the Hopi people, an irra-

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\*LaFarge, Running Narrative, p. 2.

\*\*LaFarge, Running Narrative, p. 40.

†LaFarge, Notes, p. 11.

tional bias which infected and tainted all of his work in Hopi country.

LaFarge's papers frequently reveal his preference for the Navajo and Tewa people over the Hopis. In commenting on the Tewas he made these disparaging comments about the Hopis:

Much intermarried with the Hopis, they still keep the Tewa language and much of the Tewa character. They are cleaner, less pronounced in smell, and more forthright.\*

His comparison between Tewas and Hopis also extends to other values and reveals LaFarge's bias against the pacifism of the Hopis:

The name Hopi means peaceful. They abhor war and physical violence. Wherefor they quarrel constantly and the talking never ceases. In this respect the Tewas, who will punch a man's head for him, are a great relief.\*\*

The Tewas believe in settling a row by giving the offender a poke in the jaw. They are not afraid of fighting. Although they possess the long Pueblo memory, they become impatient with too long dwelling in the past and take much more readily than do the Hopis to realistic action for settling present problems.†

Among the Hopis the cult of peace reaches an extreme, and all personal violence is looked upon with horror. With this comes an attitude of smug superiority towards all who fight including the white man whose weapons stand between the Hopis and the dreaded Navajo.††

In general, LaFarge found that the Hopis had too many "unpleasant characteristics." He was more satisfied with the characteristics of the

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\*LaFarge, Running Narrative, Preface, p. 1.

\*\*LaFarge, Running Narrative, p. 3.

†LaFarge, Notes, p. 4.

††LaFarge, Notes, p. 3.

"progressive" Hopis of First Mesa, whom he felt had been changed from traditional Hopi values by the influence of the Tewas and Navajos:

Due to the influence of the Tewas, and considerable inter-mixture with the Navajos, this village shows the least of the unpleasant Hopi characteristics . . . it is the most accustomed to contact with the government, and in general the easiest to deal with.\*

LaFarge's catalogue of unpleasant Hopi characteristics includes "materialism, self-seeking, smugness and quarrelsomeness."\*\* "These Indians are good business men, penny squeezing, avaricious, fearful of the future, suspicious. Their good manners and friendly approach are from the lips out. They are intensely suspicious, and great harbourers of the memory of wrongs received."+

The Hopis fight with words and sheer endurance, and consider nothing ever settled unless it is settled in their favour. Right, justice, reason and plain fact do not affect them unless violently brought home, and even then they will still grieve over it and hope for a rearrangement, a generation or more later.++

At one point, LaFarge wrote in his diary, "how mean spirited I think the Hopis are."\*\*\* Even when begrudgingly praising their tenacity and independence, LaFarge frequently chose unflattering words to describe the Hopis:

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\*LaFarge, Notes, p. 10.

\*\*LaFarge, Notes, p. 14.

+LaFarge, Running Narrative, Preface, p. 3.

++LaFarge, Running Narrative, p. 43.

\*\*\*LaFarge, Running Narrative, p. 44.

The Hopis are a cantankerous and tight-minded group of Indians who have been right where they are for a thousand-odd years, and in this part of the country for two to four thousand years, and who intend to stay put.\*

It is sadly ironic that the man who would become the founding father of the Hopi Tribal Council had such a low general opinion of the Hopi people. That this man held himself out as a friend of the Hopis is astonishing. That it was he who brought the IRA constitution seems very understandable.

### (3) A Dishonest Campaign

Even if one were to concede that a man in LaFarge's position was entitled to his private prejudices and personal opinions, that concession does not condone the callous misuse of power which characterized LaFarge's campaign among the Hopis.

During his campaign to gain Hopi approval of a constitution and centralized tribal council, LaFarge usually tried to portray himself as a disinterested academic rather than as the politician and advocate he in fact was. He describes the opening remarks he made at a meeting he conducted at Hotevilla, a strongly traditional village, in these terms:

I had nothing to gain or lose, if the Hopis organized or not. It was entirely up to them. I had nothing to get from them. They were free to make up their minds as they would. I was laying no traps. This said quietly, calmly, in very emphatic and strong language.\*\*

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\*LaFarge, Running Narrative, Preface, p. 1.

\*\*LaFarge, Running Narrative, p. 19.

In fact, LaFarge, Collier, and the BIA had much to gain or lose in prestige at the very least. Hopi acceptance of the IRA was considered by many to be a critical test of the new policy. This feigned neutral stance of LaFarge is described elsewhere in his notes, as he reports on his view of Hopi power under the IRA:

I wanted to maintain my role, of one seeking instruction, who could not lay down how things must be, but would learn from the Hopis. The Hopis must do it. This was not something the white man would do to or for them, but a power he offered, an authority, he laid it down here, they must pick it up, if it suited them.\*

This promise of new political power and authority through IRA organization was only one of the promises LaFarge made. He also echoed the words of Collier in his arguments that only through organization under the IRA could they hope to secure the return of their lands:

I told them that of course, they could not get back all that land. But they should have more than now, and the right to push the Navajos out of what was given to them. And their eagle hunting territories beyond, should be protected.\*\*

When abuse of religious ceremonies and dances was discussed at these meetings in the Hopi villages, LaFarge held out the IRA organization as a solution to this problem too:

In this organization lay the means which the government itself provided for protecting the Hopi way.+

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\*LaFarge, Running Narrative, p. 13.

\*\*LaFarge, Running Narrative, p. 15; see also Exhibit 3a.

+LaFarge, Running Narrative, p. 17.

Commissioner John Collier personally underlined the promise about protection of Hopi religion in a letter he sent to traditional Hopi religious leaders James Chuhoinva and Dan Kotchongva of the village of Hotevilla in June 1936:

[T]he best way to protect the old Hopi religion is to organize in the right manner under the Indian Reorganization Act. [Exhibit 8.]

LaFarge and Collier were clearly playing a politician's game, offering the IRA organization as a cure to all Hopi problems. All problems from land to religion could be easily resolved with a "yes" vote for the constitution and Hopi Tribal Council.

In the course of village-by-village campaign, LaFarge soon concluded that there were distinct factions within the Hopi community for which he would have to specially tailor his campaign. In his reports he named three distinct groups: (1) Progressives, (2) Smarties, and (3) Conservatives or Traditionals. His description shows his definite bias in favor of the Progressives:

Whether one likes or dislikes the Hopis he must admit that they are in some ways one of the most promising tribes in the United States. More than any other tribe known to me they are attempting to make conscious and intelligent selection from the good things of both white and Hopi culture. Roughly speaking, they tend to absorb and master our material techniques and improvements while retaining with full force their own aesthetic, religious, social and spiritual values. This type of man, dominant in the tribe, can be truly termed a progressive.\*

LaFarge cites the village of Bakabi as an example of this form of pro-

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\*LaFarge, Notes, p. 9.

gressivism:

Consciously progressive and with a selfmade chief who believes in cooperation with the Government, they have formed an extremely pleasant little group. In contrast to the filth of other villages, this one is proud of its cleanliness, and will compare in appearance to the Rio Grande Pueblos.\*

LaFarge wrote that Bakabi and First Mesa were "the two most truly progressive of the real Hopis."\*\* He notes that the BIA Hopi Superintendents had "virtually no real contact with their Indians except at First Mesa."†

The label of "Smarties" LaFarge applied to "self-styled progressives" whom he described in these terms:

These individuals, sometimes Christian and sometimes not, are social misfits and generally unstable and unreliable. Most of this group speaks fluent English and knows how to yes the government officials along. Unreasonable recognition of these individuals as leaders and spokesmen for their village has been a real factor in building distrust of the government and suspicion of any scheme of representation.\*\*

LaFarge concluded that the village of Kyakotsmovi (New Oraibi) was most typical of the Smartie group:

Here at Kiakuchomovi is all the meanness, stinginess, smartness, retentive memory of evil received, and distrust of the Hopi, and

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\*LaFarge, Notes, p. 17.

\*\*LaFarge, Running Narrative, p. 21.

†LaFarge, Running Narrative, p. 1.

\*\*LaFarge, Notes, p. 10.

very little of the redeeming features. A Hopi taken out of the Hopi Road is a shell of a man.\*

These people, whose way of life has been materially improved by white contact, and who through their friendly approach to officials probably get more than their fair share of the jobs, retain the same violent sense of grievance against the government as the more conservative villages. Having partially lost the basic Hopi values, they retain the characteristic materialism, self-seeking, smugness and quarrelsomeness, which with their somewhat confused progressivism makes them the least attractive group to deal with.\*\*

He describes them as a "semi-progressive, flavourless and unattractive group."<sup>+</sup>

Since individuals of this "self-styled-progressive-Smartie" group would come to power with the creation of the Hopi Tribal Council, it is worth noting that one of these individuals, Byron Adams, a Hopi Christian missionary and postmaster from First Mesa, was the object of a long warning written to BIA administrators, for LaFarge considered him a "deeply dishonest, self-seeking, slick and able man,"<sup>++</sup> a "low character and one of the villains of the piece."<sup>\*\*\*</sup> The creation of the Hopi Tribal Council opened the road to power for Byron Adams, a man whose missionary tracts reveal his contempt for the traditional "heathen" Hopi (Exhibit 9 ) and who would, in 1943, as chairman

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\*LaFarge, Running Narrative, p. 8.

\*\*LaFarge, Notes, p. 14.

<sup>+</sup>LaFarge, Running Narrative, p. 2.

<sup>++</sup>LaFarge, Notes, p. 35.

<sup>\*\*\*</sup>LaFarge, Running Narrative, p. 4.

of the Hopi Tribal Council, perform the last official act before the Council's collapse.

LaFarge expressed conflicting views about the Conservatives or Traditionals. In his initial contacts with them he was enthusiastic:

The Hotevilla leaders were strictly business, sincere, reasonable. These and Chimopavi [Shungopovi], the conservatives, are the best to deal with I've met so far. In the end, they will accept or reject for sound reasons of the commonweal. I wish they were all like these hostiles!\*

He described the strongly traditional village of Hotevilla in very positive terms:

By all accounts, and the look of their village, they are intelligent and industrious Indians, enterprising, and law-abiding. They are in reality quite progressive, quick to take advantage of everything that is pushed at them by the white man, peaceful and law abiding.\*\*

He made similar favorable comments about Shungopovi:

It is dominated by a reasonable conservatism. I found its leaders good men to deal with. There seems to be an element here of greater vigor, despite a very earnest adherence to the pacifist doctrine.†

LaFarge was respectful at first of the profound religious belief of these people:

Entirely governed by their religion, which has many admirable aspects, they are magnificently stubborn in their determination to live according to the Hopi path, and will face death and destruction,

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\*LaFarge, Running Narrative, p. 13.

\*\*LaFarge, Running Narrative, p. 58.

†LaFarge, Notes, p. 12.

imprisonment, anything, to stand by their ideals and their gods. Through this they achieve real sincerity and strength. Once set, they make good friends. Their dance forms and their other work show them to be artists and craftsmen. They are very hard workers.\*

As LaFarge's campaign for approval of an IRA constitution ran into opposition from these traditional Hopis, his opinions began to change. As the opposition of Dan Kotchongva, religious leader from Hotevilla, became evident, LaFarge was piqued:

I have a certain sympathy with Kotchongva, but I think it would be a good thing if his prestige at Hotevilla could be lessened . . . the attitude of self-pity and false resistance is vicious. It's a racket. See where they stand on this constitution. They vote neither for nor against it. They wash their hands.\*\*

Here I met the perfection of the Hopi negative. In plain fact, Dan Kotchongva can find nothing to object to in this Constitution, but to take a public position, perhaps to guess wrong, to lift the mind out of a deeply engraved rut and actually think about a new thing, that approaches impossibility.+

Hubbell is right, these people think they're doing you a favour if they let you do something for them. They know well how important this is, but that won't make them take trouble. Save that they've got to try, they've got to learn to swim or go under in the end, I really think I'd recommend that the whole matter be dropped for a generation. They are too gutless.++

They regard it as their sacred trust to maintain a rigid attitude of hostility to the Government, which does not conflict with grabbing

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\*LaFarge, Running Narrative, p. 3.

\*\*LaFarge, Running Narrative, p. 58.

+LaFarge, Running Narrative, p. 45.

++LaFarge, Running Narrative, p. 52.

every benefit and free handout which comes their way, and yelling for more.\*

These intemperate and patronizing comments reveal the frustration LaFarge experienced when the traditional Hopis decided not to cast their lot with the IRA and the Hopi Tribal Council.

LaFarge finally declared that the conservatives or traditionals were a dying breed who would be completely supplanted within twenty years:

I have spoken of the time when the conservative faction will cease to exist. The younger members mainly adhere to it only out of respect for their elders, and I believe that within twenty years it will have dissolved.\*\*

As an outsider who was convinced that he knew what was best for the Hopis, LaFarge adopted an attitude very similar to others who had worked for the BIA in Hopi country, including a school teacher whom LaFarge severely criticized for expressing opinions remarkably similar to his own:

Had a talk this morning with Mrs. Cooke, the unchanged veteran teacher we knew in 1930. A sincere and kindly woman, hard working, has got herself to the edge of breakdown by her efforts. It is disappointing to her, how the Indians cling to their own ways, how few even of the educated ones, will take jobs away from home. They are so attached to their way of life and their ceremonies. . . . Of course, they're just little children, they can't see anything but their own ideas. Particularly the old men, they just can't free their minds from their old ideas. Just as you think

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\*LaFarge, Notes, p. 18.

\*\*LaFarge, Notes, p. 22.

you're coming along fine, they bring something up that stops everything. Like children. . . . Such people through all these years have operated on the Hopi. It's grotesque.\*

Both this school teacher and Oliver LaFarge lost sight of the history of Hopi passive resistance to outside domination. In their anger and confusion, these outsiders could only see childish and thoughtless rejection of all they considered good and true. While experiencing his rejection and frustration, LaFarge completely rewrites in his diary the sordid history of United States domination of the Hopis:

They are doing fine. No one is bothering them. They have no troubles fit to mention. The Hopis have been better treated than any other tribe in the United States, without exception, so far as my knowledge goes.\*\*

LaFarge would later retract that statement, but by the end of his campaign in Hopi country, he was at an emotional pitch, a self-styled prophet who was fulfilling "the white man's burden." A finale he wrote to his Running Narrative on September 11, 1936, discloses his feelings and his motives at that time:

The main theme I have in mind is the white man's burden. I have thought of it often in the past fifteen years, in different ways. It is a snare and a delusion, it is also a reality and something not to be ducked. I sat on my porch in the moonlight one warm night shortly before the Flute Ceremony, with a forbidden and quite strong drink of rye whiskey and water beside me. I had the evening clear, I was tired, I aimed for nine o'clock bed. I smoked my pipe and sipped and looked at the moon. I heard some girls laugh together, the high, rather silly laughter of adolescents in a group, I

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\*LaFarge, Running Narrative, p. 12.

\*\*LaFarge, Running Narrative, p. 45; emphasis in original.

heard a woman speak and laugh, I heard a man go by on horseback, singing, I heard voices; I saw the lights up on top of the mesa, and faintly caught the shred of a song from up there. I heard cars moving. All these sounds and the lights tired me. With each observation I felt the weight again. They can play and laugh, but I am planning their futures. I carry them. There is no rest for me while I am aware of their presences.

I thought then, and faced the facts about this Constitution. The Hopis are going to organize, first, because John Collier and a number of other people decided to put through a new Indian law, the Reorganization Act (Wheeler-Howard Act). The Indians didn't think this up. We did. Collier, Kohn, Cutting, Thomas, Wheeler, Harper, myself . . . so many others. They accepted it when they had their referendum last year, because Hutton put it across, just as the Jicarillas did because Graves and Wirt and I decided they should, and the Navajos rejected it because the missionaries and the Indian Rights Association worked against it. We came among these people, they didn't ask us, and as a result, they are our wards. It's not any inherent lack of capacity, it's the cold fact of cultural adjustment.

Charlotte Westwood [an attorney from the Solicitor's office], spoke to me about the fact that I said all the right things "this is your decision, it is up to you" and so forth, but that my manner was paternal and authoritarian. Sure it was. Why duck the facts? We bring to these Indians a question which their experience cannot comprehend, a question which includes a world-view and a grasp of that utterly alien, mind-wracking concept, Anglo-Saxon rule by majority vote, with everything that follows in the train of that.

The Hopis will accept a constitution which includes self-government and the best transition into our democratic system I could devise, because Edwin Marks [Hotevilla school principal] and Lorenzo Hubbell [trader at Oraibi] and Alexander G. Hutton [BIA Agency Superintendent] and I decided they should. Primarily the decision was mine; the others upheld my hands . . . That is the white man's burden; to undo despite the lack of comprehension of his wards, the harm that he himself has done.\*

Having orchestrated an admittedly authoritarian and paternalistic campaign, LaFarge was confident that the combination of "Progressive" and

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\*LaFarge, Running Narrative, pp. 59-60.

"Smartie" votes would carry the IRA referendum. As he prepared to leave Hopi country for Washington, he made a prediction of victory:

Well, this Constitution will be accepted. The vote will be about 800 to 200, out of 1,800 possible voters. Those who voted for the Wheeler-Howard Act will vote for it, plus the formerly adverse vote at First Mesa, which is one of the few places where they will turn out to vote "no," when they're against something. Dissident elements at Moshongovi, Shungopovi, Moenkopi, and Oraibi and the bulk of Hotevilla will refrain from voting. Sipaulavi, Kyakochumovi, Bakabi and upper Moenkopi will go for it almost solid, and the women, it seems, will vote in those places. I think Shungopavi will turn in a fair vote, perhaps half of the men and a few women.\*

On August 28, 1936, he sent Commissioner John Collier a memorandum on the proposed IRA constitution in which LaFarge made the blatantly untrue statement that "Progressives and Conservatives alike are agreed upon the document thus formed." (Exhibit 10) LaFarge knew full well that the traditional Hopis (whom he had finally labeled the "dissident elements") were not persuaded by his campaign and were in complete opposition to the constitution and its Hopi Tribal Council.

In a quieter moment after the election had been held, LaFarge wrote a preface to his Running Narrative journal in which he reflected on what had transpired. His conclusion to this preface is most sobering. It is a self-indictment in which he includes himself among the list of notorious enemies of the Hopis:

The Hopis have been operated on by everyone, official and unofficial, from Coronado through Kit Carson and General Scott to Oliver LaFarge. In almost every case they have suffered for it. They still stand almost where they did, but they are slightly cracking. Why they should ever trust any white man is a mystery to me.\*\*

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\*LaFarge, Running Narrative, p. 58.

\*\*LaFarge, Running Narrative, Preface, p. 5.

The October 1936 referendum on the IRA constitution and Hopi Tribal Council which soon followed gave even more reason for traditional Hopis to distrust white methods. It would prove to be the capstone of the manipulative and fundamentally dishonest campaign which LaFarge had waged.

E. An Undemocratic  
Referendum: A  
Numbers Game

Since only 651 Hopis voted in favor of the Hopi Constitution which established the Hopi Tribal Council, the referendum could hardly be considered a mandate from the Hopis whose total population at the time is estimated at 4,500. One student of the Hopis has summed up the election in these words:

Despite the preponderant sentiment against the constitution, . . . acceptance by less than 15 per cent of the Hopis was enough to warrant adoption of the constitution and by-laws and the establishment of a tribal council.\*

Since the total vote included more than a third of those Hopis who were considered eligible voters, the BIA was satisfied with the election, and the Constitution was approved by the Secretary of the Interior in December 1936. (Exhibit 11.) A closer look at the electoral process, however, demonstrates that the referendum was a mockery of democracy.

There is little doubt among serious students of the Hopis that

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\*Frank Waters, Book of the Hopi, New York: Ballantine, 1969, p. 386.

the recorded votes regarding the Constitution and Hopi Tribal Council in no way reflected the preponderant opposition which existed in Hopi society at that time, for the opposition was not recorded on ballots but by abstention. The mass of traditional Hopis opposing the IRA proposals took the traditional Hopi position of refusing to participate in the electoral process altogether. Oliver LaFarge, the government agent chiefly responsible for supervising the election campaign and referendum, was fully aware of the fact that Hopis in opposition would demonstrate their opinion in this traditional fashion. In his diary, LaFarge wrote:

[I]t is alien to [the Hopis] to settle matters out of hand by majority vote. Such a vote leaves a dissatisfied minority, which makes them very uneasy. Their natural way of doing is to discuss among themselves at great length and group by group until public opinion as a whole has settled overwhelmingly in one direction. It is during this process, too, that the Kikmongwis [sic] can exert his influence without entering into disputes. In actual practice this system is democratic, but it works differently from ours.

Opposition is expressed by abstention. Those who are against something stay away from meetings at which it is to be discussed and generally refuse to vote on it.\*

When he predicted the voter turnout he noted in his diary that the "dissident" traditionals would "refrain from voting." (See page 46 above.)

Likewise, LaFarge knew that the low attendance at the meetings held in village-by-village campaigning was a continuing expression

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\*LaFarge, Notes, p. 8.

of Hopi dissatisfaction with his proposals:

It is very significant that even after the subject of the constitution had been discussed throughout the villages for two months, general meetings were very badly attended. In no case did ten percent of the voting population of a village attend one.\*

When the votes were finally counted and LaFarge's prediction of widespread abstention was realized, he admitted to himself, in his diary, that wholesale abstention such as that witnessed in Hotevilla should have been interpreted as an overwhelming vote of rejection:

[T]here were only 15 people in the village willing to go to the polls at all out of a potential voting population of 250, Kotchongva [a religious leader] having announced that he would have nothing to do with so un-Hopi a thing as a referendum.

Here also we see perfectly illustrated the Hopi method of opposition. The Hotevilla leaders did not work against the constitution, but merely announced that they would not touch it. On the day of the referendum they went to their fields to work. They said that everybody else was free to do as he desired. The result, abstention of almost the whole village from voting, should be interpreted as a heavy opposition vote.

Hotevilla's character and ideas are not peculiar, but are an emphatic form of the general Hopi pattern.\*\*

LaFarge knew that the consolidated village of First Mesa, the closest to the BIA Agency, "is one of the few places where they will turn out to vote 'no,' when they're against something."† As it turned out, even that "progressive" community turned out a total of 85 "no" votes. Only 21 "no" votes were officially recorded in all

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\*LaFarge, Notes, p. 8.

\*\*LaFarge, Notes, p. 19; emphasis added.

†LaFarge, Running Narrative, p. 58.

of the other Hopi villages combined, despite the fact that all parties involved in the election knew of the widespread opposition which existed in at least five of those villages. Thus, the successful boycott of the referendum by the village of Hotevilla was officially reported as a landslide victory of 12 votes in favor with only one vote in opposition. The 237 voters who boycotted the election in Hotevilla were simply ignored.

The official reported election results are as follows:

Village	Total For Adoption	Total Against Adoption	Total Eligible Voters
Shungopavy	97	8	172
Chepaulovi	44	2	86
Kyakotsmovi (New Oraibi)	116	9	178
Oraibi	8	0	73
Mishongnovi	57	1	58
Bacabi	55	0	92
Hotevilla	12	1	250
Tuba City	83	0	207
Polacca	178	83	422

(Copies of the individual village election certifications are attached as Exhibit 12.)

Since LaFarge himself acknowledged that abstention was a traditional Hopi way of expressing disapproval, it is no wonder he had

trouble convincing traditional Hopis that it was fair for the Bureau to ignore them:

No amount of explaining could convince conservative Hopis that it was right that their failure to vote against the Reorganization Act had not been counted as so many negative votes.\*

To LaFarge and the BIA, the referendum had white American legitimacy, and that was all that mattered.

At least two other matters clouded the electoral process. First, the BIA Agency Superintendent took the extraordinary public position at the time of the election that abstention was a "yes" vote as far as he was concerned. This statement further confused and confounded an already troubled electorate. Oliver LaFarge dismisses that incident by saying it was "unfortunate":

Then the idea that the vote on the Wheeler-Howard Act was a fraud --the repercussion of Hutton's unfortunate statement that not voting was equivalent to voting yes.\*\*

The second especially troubling matter had to do with the form of the referendum ballot. The voting process had become tied up in religious symbolism. Many traditional Hopis were distressed by the fact that an "x" mark was to be used to indicate a preference on the ballot. To them, that mark was simply a cross drawn on an angle. The cross was a forbidden symbol. Because of their history of cruel Catholic Spanish Rule, many Hopis viewed the cross with the same repugnance as many Americans view the swastika. These Hopis would have

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\*LaFarge, Notes, p. 9.

\*\*LaFarge, Running Narrative, p. 24.

nothing to do with an election utilizing such a symbol. In his notes about a pre-election meeting held in the village of Mishongovi, Oliver LaFarge admitted he was aware of the problem:

The circle for No had been all right, but a cross for Yes, that seemed Christian to them.\*

An important religious leader of the village of Shungopovi had explained the source of the problem to him:

[T]he yes vote was indicated by an x, which is merely a cross drawn at an angle, and the cross is the sign the Spaniards brought with them when they came to the Hopi villages.\*\*

Nevertheless, when change in the form of the ballot was discussed with officials in Washington, LaFarge insisted on maintaining the ballot form which utilized an "x" to indicate one preference because, he wrote, "the vote might be adversely affected if a change is made." (Exhibit 13.)

It cannot be ascertained at this late date what effect that decision may have had on the total recorded vote.

In sum, it must be concluded that the 1936 election which supposedly approved the constitution which created the Hopi Tribal Council might at best be characterized as wholesale manipulation and deception. At worst it might fairly be characterized as a fraud. It was a chauvinistic, arrogant, and to some degree racist, assault on traditional Hopi sovereignty. The admittedly paternal and authoritarian

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\*LaFarge, Running Narrative, p. 10.

\*\*LaFarge, Notes, p. 13.

manner of Oliver LaFarge pervaded the entire electoral process leading to a final result which was anything but democratic. An anthropologist who studied this election came to a similar conclusion:

Collier reported to the secretary of the interior in 1936 that the Hopis had accepted the IRA by a vote of 519 to 299, the total votes cast representing 45 percent of the eligible voters, which more than satisfied the act's requirement that at least 30 percent of the eligible voters on any one reservation participate in the referendum (Collier 1936). According to Wilcomb Washburn (The Indian in America, page 255), Collier came up with a figure of 50 percent for the percentage of the eligible voters coming to the polls a year later, in 1936, to vote on the constitution, in his annual report of 1937.

Yet, according to the statistics contained in the ratified and Interior-approved constitution itself, only 755 people voted in the constitutional referendum. This is 63 fewer people than voted in the 1935 referendum on the Indian Reorganization Act. How can 818 voters constitute 45 percent of the eligible voters in 1935 and, a year later, 755 voters constitute 50 percent of the eligible voters? And how did Collier arrive at the notion that 50 percent of the eligible voters flocked to the polls? Interior statistics show no figures - not even an estimate - of the number of eligible Hopi voters in 1936. How can one talk about percentages of eligible voters when reliable raw data about that population are not available? Haas (1947) gives two different total population figures for the Hopi in an official Department of Interior report. For 1935, the figure is 2,538; for 1936, it is 3,444. The only way to reconcile the two figures is to assume that 3,444 must be the total population, and 2,538 perhaps the adult population. Five-hundred-nineteen people voting "yes" for the IRA is barely 21 percent of 2,538. Twelve percent of those 2,538 voted "no." That makes 33 percent voting in that election, not 45 percent. And 755 people voting in the 1936 constitutional referendum does not constitute 50 percent of the eligible voters flocking to the polls. It represents 29 percent. Clearly, Collier made up his own statistics, and perpetrated a good deal of deception in order to make it seem as if the Hopi were seeing things his way, when they were not....

The low "yes" vote does not tell the whole story. A number of Hopis assert today that voters were told they were voting for retention of their land, not for reorganization; that registration papers were falsified; and that votes were fabricated. [Richard Clemmer, Continuities of Hopi Culture Change (Acoma Books, 1978) p. 60-61.]