

LAND LIKE DIAMONDS, MONEY LIKE ICE

The Political Economy of Federal Resettlement Policies Affecting Tribes: The Fort McDowell Yavapai

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“Land is like diamonds, money is like ice: the land stays forever, but money gets used up fast.”

John Williams, Fort McDowell Yavapai, statement to Patricia Mariella in 1975 about the potential sale of tribal land for the proposed Orme Dam.

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February 18, 1981

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Ms. Mariella:

In response to your request on October 7, 1980 at the Tribal Council Meeting, the Fort McDowell Tribal Council has approved for use in your PhD dissertation in anthropology, the data in the report "The History of Water Rights and Water Use on the Fort McDowell Reservation" (July 1980).

Sincerely,



*Clinton Pattea
Tribal President*

ABSTRACT

The Yavapai Indians of Arizona were resettled several times by the United States Army between 1865 and 1875. They returned to their homelands in the late 1890's and secured a reservation at Fort McDowell, only to be subject to almost continuous pressure since then to relocate. This research investigates the cumulative effects of federal resettlement policies on land use and economic development at Fort McDowell, specifically, the farming, leasing and sale of reservation land. Comparative analyses are based on worldwide literature on resettlement as well as on studies of change in Native American communities. In contrast to previous studies of Native American socio-economic change, most of which dealt with acculturation as the consequence of 'exposure' to other cultures, this research focuses on specific effects of external pressures on basic resources.

TABLE OF CONTENTS

	Page
LIST OF FIGURES	v
CHAPTER ONE INTRODUCTION	1
CHAPTER TWO THEORIES OF RESETTLEMENT AND THE POLITICAL ECONOMY OF NATIVE AMERICAN COMMUNITIES	14
CHAPTER THREE REMOVAL: THE ETHNOGRAPHIC CONTEXT	36
CHAPTER FOUR THE REMOVAL TO SAN CARLOS AND THE RETURN TO THE HOMELANDS: 1875-1900	85
CHAPTER FIVE FEDERAL RESETTLEMENT POLICY AND FORT MCDOWELL: AGRICULTURAL DEVELOPMENT AND PLANS FOR REMOVAL TO THE SALT RIVER RESERVATION	122
CHAPTER SIX ORME DAM	191
CHAPTER SEVEN RELOCATIONS OF INDIAN COMMUNITIES IN THE 20th CENTURY	255
CHAPTER EIGHT THE COSTS OF REMOVAL AND THE IMPLICATIONS FOR NATIONAL POLICY	296

References

306

LIST OF FIGURES

Figure	Page
1. Location of Fort McDowell Indian Community	13
2. Yavapai Territory in the 1850's	39
3. Colorado River Indian Reservation	69
4. San Carlos Apache Reservation	86
5. Contemporary and Historic Features of the Fort McDowell Irrigation System	126
6. Major Features of the Verde River	165
7. Orme Dam Reservoir	195
8. Fort McDowell Land Use Element Residential Land Use	204
9. Fort McDowell Land Use Element Non-Residential Land Use	205
10. Water, Dams and Indian Lands	256
11. Signing of Garrison Lake Contract	266

CHAPTER ONE INTRODUCTION

In 1974, two elders of the Fort McDowell Yavapai Indian community in central Arizona sought out assistance in writing down their tribal history. These elders' motivation was to correct some of the errors cited by non-Indians regarding Yavapai history and culture. While all errors were a source of frustration, some had political consequences. These consequences involved a proposed multi-purpose dam, Orme Dam, that would flood at least two-thirds of the reservation and would require the relocation of all 380 community members. An overwhelming majority of the community members opposed construction of the Orme Dam. Sigrid Khera, a professional anthropologist, then a professor at Arizona State University, began working with the Fort McDowell community in 1974. I was a graduate student at

ASU when Khera invited me to work under her guidance on Yavapai ethnohistory in the fall of 1975.

Opposition to the proposed Orme Dam was a frequent topic of conversation among community members. The adverse effects of forced relocations in the past were regularly cited by community members as reasons for contemporary opposition to the dam. Consequently, the ethnohistorical data recorded during fieldwork revolved heavily around the consequences of past losses of land and forced removals. The Yavapai were resettled several times by the U.S. Army between 1865 and 1875. They returned to their homelands in the late 1890's and secured a reservation at Fort McDowell in 1903 only to be subject to almost continuous pressure to relocate since then, from federal agencies and local interests. As a result, my research interests began to focus specifically on how past removal had changed the way of life of the Yavapai of Fort McDowell and how an Orme dam might shape it in the future.

These research goals grew in importance when in 1976 the first Environmental Impact Statement on Orme Dam was presented to the public. The portion concerning the impact on Fort McDowell concluded that the Yavapai had adjusted to relocations in the past and would adjust to removal again such as Orme Dam would require.

Furthermore, pro-Orme advocates continually argued in public that Fort McDowell residents would be better off financially if Orme Dam were built. In contrast, Fort McDowell community members stated the opposite -- that Orme Dam would be an economic disaster for the community and this prospect was a major reason for opposing the dam.

This contrast suggested an important question for social scientific investigation: what accounted for the differences between the evaluation of the impacts of Orme Dam of the pro-Orme interests and the Fort McDowell Indian community members? In addition, other studies had suggested that any analysis of Indian and non-Indian relations should focus on economics and natural resources (e.g., Jorgensen 1971; Sutton 1975). Thus while compulsory relocation has a wide range of consequences, this research came to focus on the economic impacts. However, as Scudder (1979) notes, economic consequences of removal are the least well understood and have been the subject of the least scientific investigation. The same has been the case in all federal Orme Dam impact studies. At the same time, the economic issues remained the most controversial and politically prominent.

Thus two problems for research developed. There was a need to understand:

- o the economic effects forced relocation and relocation policies had on the Yavapai of Fort McDowell in the past
- o the economic consequences that would result from another relocation

Theoretical analyses of Indian and non-Indian relations argued that empirical generalizations about relocation could not form the basis of prediction without analyzing the broader political context of the Yavapai relocations. Therefore, this research investigates the development of forced resettlement policies over 100 years and the consequences for land use by one Native American community, the Yavapai of Fort McDowell. This research seeks to explain the specific constraints on land use that resulted from removal and removal policies. In addition, the economic consequences to the nation as a whole are discussed.

Social scientists who analyze decision-making have suggested that individuals develop alternative behaviors in the context of different constraints (Boyd 1975). Much of the literature on land use strategies worldwide seeks to pinpoint the most important variables in particular environmental situations (e.g., Barth 1967; Bartlett 1977; Britan and Denish 1976; Johnson 1971; Ortiz 1967; Rutz 1971; Williams 1977). Worldwide resettlement literature suggests that important

constraints of decision-making in a resettlement context are new risks of new environmental situations. Relocateses seek to reduce uncertainty by maintaining existing resources and techniques whenever possible.

This research focuses on three variables that affect the the relation between removal policies and changes in land use and land tenure:

- o policies developed and directed from outside the relocated community
- o physical resources (land and water)
- o long-term experiences with actual and attempted removal

The Fort McDowell Yavapai present a particularly significant case in that the parents and grandparents of community members were resettled more than once. Furthermore, many community members have faced the threat of resettlement throughout much of their lives.

The Yavapai Indians were forcibly relocated onto small, military reservations in the 1860's and 1870's. During this time period, they intensified their agricultural production in comparison to pre-reservation techniques. Many Yavapai continued to farm after their second major resettlement in 1875 to San Carlos and again when they returned to Fort McDowell in the late 1890's. In Chapters Three and Four the case is made that the reduction in the land base due to resettlement forced the Yavapai to intensify their farming on the

early military reservations as well as at Fort McDowell, through techniques that were already familiar.

The Yavapai at Fort McDowell then faced a Bureau of Indian Affairs policy from 1906 until the 1930's that sought to remove them to the neighboring Salt River Indian Reservation. I argue in Chapter Five that this policy led to the retention of tribal ownership of land rather than allotments at Fort McDowell and that this pattern of land tenure contributed to the decisions not to lease land.

In 1976, 75% of the voting members of the Fort McDowell tribe opposed the sale of their reservation land to the federal government for the construction of Orme Dam. I argue in Chapters Six and Seven that the potential economic costs of resettlement for Orme Dam would exceed the value of a cash settlement for the land. Of particular interest is the acceptability of the lump sum the Fort McDowell tribe has been offered as compensation for the value of their land. Removal has been experienced at some time by almost all Native American populations. However, it has been an almost constant threat to the Fort McDowell tribal members and their immediate ancestors. The data suggest that to most adult community members, experience and knowledge concerning relocation acquired from parents and

grandparents provided an accurate basis for evaluating the consequences of the proposed Orme Dam.

Methods

The data gathered to examine these research questions have been collected over an eight year period of involvement with the Fort McDowell Indian Community. Data include information from oral, published, and documentary sources. Participant-observation (not as a resident but as a regular visitor in the community), interviews, and survey instruments have been the principal methods used for data collection. As a result of my involvement with Orme Dam and as a contractor to the tribe on several projects, I often attended community and council meetings, as well as hearings and meetings outside the Reservation at which Fort McDowell community members spoke.

My work also included detailed interviews with community members concerning farming, cattle raising, and other natural resource uses. Community leaders suggested names of knowledgeable individuals. These community members were asked, in turn, for additional names. Consequently, I interviewed or talked with almost every adult at Fort McDowell. Interviews with Fort McDowell community members were usually open-ended, though guided to specific subjects or questions that I

might bring up. However, issues of current, community or individual concern would also be part of conversations. Under the guidelines of specific projects and contracts I also administered survey instruments on various subjects.

As part of the research for a water rights and water use project and in the course of monitoring the Orme Dam studies, I have also interviewed government personnel, attorneys and other experts concerning water developments in the Salt River Valley. These individuals include BIA, Interior Department, Arizona Water Commission, and Salt River Project staff, as well as the Maricopa County Court Water Commissioner and local historians.

My research has also included extensive investigations in archives and libraries in the states of Arizona and California, and in the National Archives in Washington, D.C.

The ability to make use of numerous and varied sources is a major strength of my data. The eight year collection period allowed for constant rechecking of specific points. Much as grounded theory advises, the thrust of the research was continually refined by new data.

I was also a social science advocate for the Fort McDowell community regarding the Orme Dam issue. Like

Aberle (1980) I feel that I was objective, though not detached from the data. There are social scientists who argue that accurate social science research is impossible without detachment. My experience has been that detachment from the political context is impossible when researching major contemporary issues. The researcher's behavior and data collection are always part of the political arena whether intended or not.

In the same vein, this formal discussion of 'methods' fails to describe the reality of the hours of warm conversation as Fort McDowell community members shared with me the many things they knew about their people's past and of their own thoughts and lives.

Organization of the Dissertation

Chapters One and Two introduce the issues and review the relevant literature. Chapters Three (forced resettlement of the Yavapai), Four (Relocation outside Yavapai Territory), Five (BIA Resettlement Policy), and Six (Orme Dam) are structured so that data and analysis are integrated. Chapter Seven provides comparative data on relocations of Indian communities in the 20th century, and then pursues broader theoretical implications of the research.

Chapter Eight analyzes the data in an additional way; it concerns cost-benefit analysis --

While the basic point of this chapter may seem obvious to social scientists, the conclusions are not part of the general knowledge of the American public. Consequently, in Chapter Eight I discuss a mechanism (the Uniform Relocation Act) through which federal policy could be changed to respond to the major problems identified by this research. It is a chapter that attempts to apply or make useful the results of scientific research.

Contributions of the Research

This research investigates the cumulative effects of forced relocations and planned relocations of the Yavapai Indians of Arizona over a 100 year period. It also investigates the political and economic context of the resettlement policies. The study concludes that federal resettlement of Indian communities is far more costly than anticipated, often due to long-term consequences. The analysis also suggests policy changes that could make federal policy serve, rather than detract from, the public good.

This research also contributes to the world-wide literature on resettlement because it investigates cumulative impacts of several removals over a long time period. Furthermore, this research focuses on the

economic impacts of resettlement. Economic variables are among the least studied and are the least understood by social scientists and planners.

Similarly, a political-economic analysis of the entire time period of direct interaction between one tribal population and non-Indians is not common. Some exceptions are Jorgensen's study of the Shoshone and Ute (1972), and Colson's work with the Makah (1953). By focusing on compulsory removal, which emphasizes context, this dissertation provides a framework without which an understanding of Indian and non-Indian relations is impossible.

The research also makes a significant contribution to the anthropological literature on Native Americans. Compared to most other ethnic groups, particularly in the Southwest, the Yavapai are virtually unknown. Prior to Khera's and my recent work, the only ethnographies on the Yavapai were Gifford's studies, based on several months of fieldwork in the 1920's. There is also Heider's undergraduate thesis (1956) on acculturation at Fort McDowell, Schroeder's analysis of explorers, travelers and other historical material for the Land Claims Commission (1974), and Coffeen's article (1972) that describes the events leading to the legislation authorizing Orme Dam. Historical material from army

personel in the 1800's is sketchy and often biased (Bourke 1891/1971; Corbusier 1973; Schmitt 1946; Thrapp 1964). A biography of Dr. Montezuma has been recently published (Iverson 1983).

This dissertation is not an ethnography of the Yavapai of 100 years ago or of Yavapai reservation life in the 1980's. However, it complements works by Khera and Williams (in press) and Khera and Mariella (1983) that provide broader ethnographic descriptions.

CHAPTER TWO
THEORIES OF RESETTLEMENT
AND THE POLITICAL ECONOMY OF NATIVE AMERICAN COMMUNITIES

This chapter discusses the psychological, sociological and anthropological approaches to the study of resettlement and reviews the literature on compulsory resettlement. Much of the content of research on resettlement in all disciplines overlaps. However, as in other areas, psychologists have centered on individual responses, sociologists have focused on urban relocation of families while anthropologists have concentrated on relocation of communities in Third World countries.

There is a growing body of published research on resettlement. Broad reviews of literature on the subject, or aspects of it, include those by Scudder (1979), Finsterbusch (1980) and Hansen and Oliver-Smith, eds. (1982). Resettlement in its broadest sense includes voluntary migration as well as compulsory removal. Though all resettlement has some stresses in common, this study and the following literature review focus on forced relocation, which has the most adverse

consequences.

This chapter also reviews the development of theories explaining changes in Native American society and culture. Finally, the basis and implications for linking these fields of research are discussed.

Resettlement

Resettlement has become a major issue associated with economic development projects not only in Third World countries but also in developed nations. Urban renewal projects are estimated to relocate over 60,000 people per year in the U.S. alone (Groberg 1969). Large hydroelectric and flood control projects all inevitably result in the resettlement of people. These appear to have radically different contexts, but even in developed countries, relocatees tend to live in low income inner-cities and rural areas. Often the relocatees are ethnic peoples with strong community ties.

National policies often expressly state that the relocation of people is considered an acceptable cost of regional or national development. However, the data that are available suggest that relocations are more expensive in immediate costs than is anticipated by planning (Scudder 1975). This study will lead to the conclusion that the costs of compulsory removal may outweigh project benefits in the long-run.

There are many reports describing projects that

have required resettlement; most of these reports provide data on technical issues and basic information on relocatees (numbers, ethnic groups). These discussions are useful for estimating the increasingly large numbers of people being relocated worldwide, and for determining the types of projects requiring relocation. These reports are not useful for intensive analysis. In general, technical project reports refrain from discussions of any social consequences, particularly any adverse impacts.

For comparative analyses of economic and other consequences of compulsory resettlement the social science literature is significantly more useful. This body of literature includes descriptions and analyses of resettlement in Third World nations, as well as relocations within developed countries, including projects that affect enclave populations.

The literature on resettlement in the field of psychology is not extensive (O'Sullivan 1981). However, many of the psychological variables important in resettlement, such as stress and dependency, are common subjects of psychological research. Thus studies on stress are often cited or alluded to in many discussions of resettlement by psychologists, social psychologists, and occasionally by anthropologists who more often merge

psychological with 'cultural' variables.

Sociological research on resettlement has focused on urban renewal and other urban relocations in the U.S. A large scale program for resettlement was undertaken as part of urban renewal following the passage of Title I of the Housing Act of 1949, continuing with related legislation in the 1950's. The major goal of urban renewal was to provide federal funds to build new housing in urban areas that had 'deteriorated' - usually older housing occupied by low income residents. A broader goal was to provide an incentive to the private sector to build new and better housing in what were considered to be slum areas; the consequence was intended to be overall better living conditions for the inner city poor.

In the first 10 to 15 years of the program, there was a great deal of controversy over the site and populations selected particularly in deciding what areas were 'slums'. Furthermore there were serious questions regarding the actual beneficiaries, as many of the redeveloped areas became too expensive for the original relocatees. These projects left even less low income housing available, pushing up real estate prices over large areas. Many critics argued that the real benefits accrued to financiers, construction companies and real estate developers. City governments were also able to

increase their tax bases. (Millspaugh and Breckenfeld 1960; Bellush and Hausknecht 1967).

One of the major issues analyzed as a result of these urban renewal projects was the 'grieving for a lost home syndrome' (Gans 1962; Fried 1963). Many of the areas originally targeted for renewal were working class, ethnic communities such as the west end of Boston which was largely composed of families of Italian heritage. Gans reported that many of these people felt strong ties to their community and did not perceive themselves as living in a slum. They felt victimized by being forced to move. For years, and for some of the elderly until the end of their lives, people grieved for the lost sense of their community, experiencing feelings of loss, a continued longing for home, depression, a sense of helplessness and direct and displaced anger.

Some individuals suffered to a greater degree than others. One study reported that elderly relocatees died at three times the rate expected for their age (Aldrich and Mendkoff 1963). Urban renewal studies were some of the first to note generalized resentment and anger in addition to increased helplessness and stress associated with forced removal. Gans concluded that even though the Boston project was undertaken for the public good, many people clearly suffered while the asserted 'public

good' was unmeasured and perhaps elusive.

Finsterbusch (1980) has reviewed research on displacement of urban families and individuals (households) due to federally sponsored projects. Finsterbusch notes that the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 have resulted in a majority of relocatees in the U.S. upgrading their physical environment (70%), that is, the market value of their housing. A majority of relocatees, however, do not claim that their social environment improved. This subjective or emic evaluation is supported by analysis of selected variables of social interaction, e.g., number of contacts with neighbors.

Finsterbusch states that certain variables are highly predictive of the level of satisfaction after relocation. Residents of working-class neighborhoods in which economic and physical mobility is not a norm are least satisfied after relocation. Young, middle-income whites who more often anticipate moving in order to upgrade their 'status' are less stressed by relocation in the short and long-term. Except for the elderly, middle-class Americans tend to be 'psychologically mobile', identifying with the larger community rather than their neighborhoods. The situation is the opposite for the elderly, minorities and lower income households.

Finsterbusch, however, points out that the poorest and the elderly poor often live in neighborhoods that are dangerous: "all things considered, it seems that residents in substandard housing have a good probability of improving their housing when displaced by federally sponsored projects"(p. 113). Finsterbusch concludes:

The negative social and psychological effects of forced relocation are considerable and long-term for some relocatees but minor and short-term for others. It is not clear whether these negative social impacts are generally greater in the long run than any housing benefits which may accrue to relocatees. (p.122)

Napier, one of the few sociologists who has investigated rural resettlement (1972), attempted to monitor the social-psychological consequences of relocation due to watershed development in Tennessee. Using a survey methodology, Napier tested hypotheses that predicted the greatest alienation of relocated individuals immediately after the relocation, then decreasing over time. Napier's hypothesis was not substantiated by his survey results. In addition, his findings suggest that while moving is stressful, physical displacement is not sufficient by itself to produce adverse psychological consequences. Rather it is the amount of disruption of social interactions that determine the long-term impact.

Most of the anthropological literature on forced

resettlement focuses on resettlement of communities or ethnic groups rather than individuals (see literature reviews in Scudder 1975 and Hansen and Oliver-Smith, eds. 1982). In tropical regions, health problems have been a resettlement issue (e.g., schistosomiasis as a result of Aswan Dam). These health issues are often more directly attributable to a project's ecological impacts rather than to resettlement. However, it is the importance of human beings and their behavior within a given environment and how resettlement alters this relationship that has been a significant part of the anthropological analysis of resettlement worldwide.

A great deal of the anthropological literature on planned resettlement has been summarized by Colson (1971) Scudder (1968; 1973; 1975a; 1975b; 1980), Brokensha (1968) and, Hansen and Oliver-Smith (1982). As much of the anthropological literature on resettlement has already been synthesized in these works, the following review will focus on the basic developments in anthropological resettlement research. It will also discuss literature that is not generally cited but which is relevant to this study.

Colson and Scudder have been collecting data and working with the Gwenbe Tonga who were relocated due to the construction of Kariba Dam in Zambia and Rhodesia;

their studies are among the few that have attempted long-term monitoring of the impacts of forced resettlement. Scudder, Colson and Brokensha have noted the importance of anthropological fieldwork (participant-observation) for gathering baseline data and monitoring significant impacts over time.

Drawing from worldwide data on planned resettlements (particularly in Africa), Scudder has discussed the systematic consequences of planned community resettlements in a wide variety of contexts. Resettlement produces multidimensional stresses. These can be divided analytically into psychological, physiological, economic, social and cultural stress. These stresses begin with the first news of resettlement or the 'transition period' in Scudder's terminology. During the transition period the relocatees develop a security orientation. The way of life for rural non-industrialized peoples has developed within and as a result of a specific environmental context over many generations. Resettlement produces a radically changed environment in many cases. Consequently, the long-term trial and error process which has led to the development of the existing way of life must begin again. Risks are greatly increased because of so many new, unknown variables. The range of cultural inventory is usually diminished, stripped to its basics or with elements

completely eliminated. Relocateses rely on familiar behaviors with known consequences in order to minimize uncertainty.

In most cases, local resistance develops but is broken down, leaving the relocatees questioning their own, as well as their leaders', efficacy in dealing with the basic issues of their lives. This loss of control leads to dependency on the relocators, usually government personnel. Finally, there is the often uneasy if not hostile adaption to life among hosts - people who were already living in the area where the relocatees are forced to settle. Rarely are there uninhabited frontiers for the relocatees to move to (Scudder 1975).

A major anthropological case study of resettlement of an ethnic group in the United States concerns the Japanese relocation camps during World War II. Several anthropologists were hired by the federal government to work with the Relocation Authority (Spicer, Hansen, Luomala, and Opler 1969). The Relocation Authority gathered most Japanese and Japanese Americans from the west coast and placed them on small work camps, many in Arizona. This resettlement was intended to be temporary and had the stated goals of keeping this population officially neutral while protecting them from civilian

harassment during the emotional period after the bombing of Pearl Harbor. Much of this literature focuses on the psychological impact of this uprooting of a people who were in some cases already uprooted from their native Japan. Some of the older and least acculturated Japanese found the camps to be places where they felt less day-to-day prejudice than they had experienced making a living in west coast society. However, many of the relocatees were second and later generation Americans who were eager to return to American society. All of the people felt victimized for something they had not been responsible for. Follow-up research is forthcoming on the long-range impact of these experiences for impounded Japanese-Americans and their children.

In Newfoundland, an entire coastal region of small fishing communities were targeted for relocation by the Canadian government in the 1950's (Antler and Faris, in press; Mathew 1976). These relocations of ethnic enclaves within a developed nation have parallels to Native American relocations, though the literature on Newfoundland has not been cited in existing resettlement compendiums. These Canadian relocations were part of a regional development scheme that sought to consolidate low income communities to facilitate the provision of social and educational services. These

fishing communities were part of a locally depressed economy; many were ethnic enclaves of French Canadians. Once plans for resettlement and consolidation into 'new towns' were drawn up the government began a policy of 'condemnation before the fact', that is, the government became very reluctant to provide new or to maintain services in the remote areas.

There was a core of people in most of the communities that resisted resettlement. Many of these people were particularly opposed to the erosion of their ability to control their livelihood that would have resulted from resettlement. Resettlement did force many relocatees who had operated independent fishing enterprises into wage labor.

Palmer (1974) analyzes agricultural resettlement schemes in Africa (some of which are 'voluntary') and again stresses the ecological changes that occur. Palmer notes that in many cases, ecological degradation is the result of more people being located into an area. Palmer ascribes this problem to a conflict between local and national goals and values.

Barabas and Bartolome (1969) in discussing resettlement schemes in Mesoamerica, make a stronger statement concerning the adverse consequences of relocation on the relationship between non-industrial

populations and their land. They stress the destruction of whole ways of life based on family level production and call the consequences "ethnocide". There are increasing numbers of reports with similar adverse predictions regarding the large numbers of dams and mineral development schemes that threaten the Yanomamo (ARC 1982) and other tribal populations of South American (Aspelin 1981).

However, more recent research has refined these models, based on additional long-term research on resettled communities. While the basic generalizations concerning multi-dimensional stress have continued to be supported by long-term research, anthropologists are noting more diversity in impacts within resettled populations. Scudder and Colson have recently stated:

Our past publications, with the exception of the study of Navajo relocation, dealt exclusively with community relocation -- that is, with people who not only chose to be relocated as a community but were in fact so relocated. We also dealt with relatively homogeneous populations, the large majority of whom belonged to one ethnic entity and where, coincidentally, there was little social stratification. Work by Gosling et al. (1978 and by Partridge et al. (1982) indicates that the rich and poor react differently and that those who have a choice about where and when and how to relocate may fare best. Both the rich and the self-relocated have a better chance to exert control over the new physical and social environments to which they go; both poor forced and voluntary migrants to government-sponsored settlements are more apt to lose control over both kinds of environment. Our earlier approach disregarded

such differences. (1982:268)

These comments are similar to the findings emphasized in the literature on urban relocation already discussed (e.g., Finsterbusch 1980). Thus, the more economically and socially stratified a population is, the greater the variance will be in the impacts after relocation.

Partridge et al. (1982a and b) challenge Barabas and Bartolome's predictions of economic failure and ethnocide for the relocated Mazatec. According to Partridge et al., some relocated communities and individuals have been more successful than others depending on their status before removal and the removal context. In addition, contrary to predictions of ethnocide, they found:

Mazatec remains the daily language of community business, political discourse and ritual events for the men, and for many women. Spanish is only infrequently spoken. (p. 8)

Fahim (1983) has synthesized his long-term research on the impacts of the Aswan Dam relocation on the more than 100,000 Egyptian Nubians. He reiterates the concerns of previous researchers that governmental failure to deal with the serious consequences of relocation is a major problem of development schemes. However, he presents a more positive evaluation of development projects in Third World countries and feels that they have the potential for producing benefits for

relocatees if planned appropriately. Even in the case of the Nubians, for which planning was inadequate, Fahim states:

Nonetheless, these remarks should not lead to the belief that the displacement of the Nubian community in Egypt resulted only in stressful conditions and contributed no positive aspects at all.... Resettlement seems to have brought the Nubians' basic needs to the attention of the government and it also introduced them to the nation as a group with a potentially influential role to play in the country's serious attempts to bring about socioeconomic development, especially in the Aswan region.... It brought them, once and for all, to modern life with all its conveniences and troubles. (p. 172)

In the United States, after the passage of the National Environmental Policy Act in 1968, numerous social impact assessments have been carried out concerning relocation of people for federal projects in the U.S. Burdge and Ludtke (1970) conclude that contrary to many analysts' expectations, the amount to which the relocatees are informed about a project does not seem to make a significant impact on their attitude toward relocation. Rather, if relocatees feel that they are being forced to relocate primarily for the benefit of others, they will oppose a project no matter how much information is made available to them. While this may seem a self-evident point, it is not. Essentially every study that makes policy recommendations has urged governments to adequately inform the public about

relocation policies. While information clearly will reduce some problems, it does not change the basic issue that relocation can damage people economically, psychologically, socially and culturally. More information will not by itself eliminate these potential adverse consequences. The key issue is public participation in decisions of whether or not to proceed with a project, not simply public relations.

Theories of Change in Native American Society and Culture

While the basic problems of resettlement are similar worldwide, resettlement does not have the same long-term effects on all peoples.

Studies of resettlement verify the common sense conclusion that people who are closely tied to the land and their neighborhoods will suffer the most adverse results from compulsory resettlement. "Closely tied" can include making a living from use of natural resources to numerous social interactions with neighbors.

Before the intrusion of non-Indians into North America, Native Americans made their livings from a range of activities on the continuum of extensive hunting and gathering to intensive food production. History, social science, and the testimony of Indian people speak to the devastation that was inflicted on

native populations by removal from the productive resources on which the indigenous ways of life depended.

Land and natural resources have been the critical issue in Indian and non-Indian relations. "Domestic colonialism in the U.S. historically involved a massive transfer of legal and defacto control over land, a major factor of economic production, from Native Americans to non-Indians "(Dobyns, Stoffle and Jones 1975:157). This massive transfer was most evident in the major removal of most tribal populations from the land east of the Mississippi to 'Indian territory' in the 1830's. The events of removal are discussed at length by historians, particularly in those works concerning the 'Five Civilized Tribes' (Foreman 1932; DeRosier 1966; Prucha 1969). The concept of reservations, or small enclaves, was established as national policy in the mid 1800's and pursued most vigorously after the Civil War. During this time, Indian people were forcibly resettled onto fractions of their aboriginal lands, or removed completely outside their familiar territories.

Most of the historic and ethnographic literature discusses removals and resettlements but does not draw systematic conclusions. Sutton (1975) stresses:

"While there is a preoccupation with Indian land-history, it is event oriented, and although there is considerable ethnographic analysis, little of it places land in the foreground" (p. 178)

Generally, discussions of Indian policy and the development of Indian and non-Indian relations define the eras of Indian resettlement as occurring up to the establishment of reservations. This research demonstrates that the era of relocation has not ended and that the same motivations, policies and consequences that have shaped forced resettlement of Indian people in the past continue today.

Given these historical facts, it would seem useful to investigate theories of forced resettlement and theories that analyze the changes in Native American ways of life over the last 3 centuries. The first section of Chapter Seven analyzes specific cases of forced relocation of Indian people and communities in the 20th century. The discussion that follows here focuses on theoretical approaches to the development and consequences of Indian and non-Indian relations.

The anthropological approaches to understanding the changes in Native American societies and cultures have themselves evolved over the last 50 years. This evolution has proceeded (after some initial historical and evolutionary approaches) from acculturation to models that focus on underdevelopment and 'domestic colonialism' (Bee 1974). This theoretical evolution has paralleled interests in the field of anthropology in general, and particularly in analyses of colonialism

worldwide.

Early research on Native American socio-cultural change culminated as a focused body of research in acculturation studies. These acculturation studies focused on change in behavior as the result of contact with or 'exposure' to different populations (Walker 1972). As detailed in two of the major works on acculturation in American Indian populations (Spicer 1961; 1962) different groups experienced different acculturative processes: the Navajo 'incorporate', the Pueblos 'compartmentalize', and the Yaqui 'syncretize'. These are labels that do not explain the underlying dynamics of the process. There was little explanation of the factors that would systematically account for these different acculturative processes (Bee 1974). Referring specifically to land use, Sutton argues that in Eggans's study of acculturation (1955):

... because he [Eggan] did not correlate changes in social organization with relevant changes in land institutions it cannot be determined whether or not these social changes are derived from modifications or extinguishment of aboriginal land institutions. (1975:179)

Recent anthropological literature concerned with Native Americans often notes that lack of context in the earlier acculturation studies. These studies dealt holistically with communities, but as isolated units

(Marden 1972).

Anthropologists who have concerned themselves with contemporary Indian life have usually disregarded the political and economic causes of the Indian condition and have employed an "acculturation" schema to explain why living American Indian societies differ from the pre-contact forbears and from the dominant contemporary, white or anglo society as well (Jorgenson 1971:67).

Clemmer, in his study of the Black Mesa Strip Mining Project, states 'Culture does not simply change; rather, policies and plans are formulated at non-local levels which force certain events to occur...' (1977:24). Lamphere continues in the same vein:

Even studies of acculturation and assimilation have focused on how Indians adapted to change either individually or as a group rather than on the economic and political factors in the larger society which forced Indians to change in a particular way" (1976:6).

These criticisms emphasize the importance of context in understanding change. For the United States as a state-level society, analysis of context has lead to an emphasis on political economy:

"the organization of reproduction, production, exchange, and consumption within and between bands, villages, chiefdoms, states and empires." (Harris 1978:53)

The metropolis-satellite model of economic development, outlined most specifically by Jorgensen (1972;1978;1980), represents a majority of the post-acculturation approaches to Native American studies of change; it emphasizes political and economic context.

It draws from neo-Marxist theories of colonialism (Davis 1977; Godelier 1978) as well as cultural materialist approaches to the origin and development of political-economic structures. Basically, the metropolis-satellite theory states that underdevelopment occurs in situations where a metropolis or urban center of economic and political power is able to grow by using the resources, natural and human, of satellite areas. These satellites become impoverished but are dependent on the metropolis for products and services. According to this theory, Native American populations are not 'acculturating' or 'developing' but are underdeveloped satellites of non-Indian metropolis powers, the locus of which may change over time.

Thus, there are major points of linkage between studies of resettlement, and studies of Native American socio-cultural change. These links are:

- o a focus on the importance of key resources, that is, production factors such as land
- o analysis of how various populations, and individuals seek to control the benefits from these resources.

However, resettlement studies have tended to focus more on the systematic consequences (empirical generalizations), and specific mechanisms of change (in particular the relationship of populations to land). Furthermore, as the modern theories of cultural change

cited above urge, a resettlement framework should require analysis of both the removers and the removed.

Native American studies emphasize dominant-subordinate political and economic interactions. This framework fosters the view of resettlement as removal from resources and not simply 'moving'. Furthermore, most Native American populations have suffered resettlement in the past and many continue to face the prospect in the future. Thus, analysis of the data on Indian resettlement should elucidate the consequences of resettlement over a long-period of time, increasingly important as native populations throughout the world are relocated in growing numbers.

CHAPTER THREE
REMOVAL: THE ETHNOGRAPHIC CONTEXT
AND EFFECTS ON LAND USE

Almost all Native American populations were forcibly resettled by non-Indians. Large segments of the Native American populations east of the Mississippi were removed thousands of miles from their homelands to 'Indian Territory' in the 1830's and 1840's. After the Civil War, U.S. Indian policy shifted from the concept of an Indian territory to that of small isolated enclaves or reservations. Many Indian populations were militarily defeated and forced to move between several locations, finally located on reservations outside of their aboriginal territories. All tribes, even the Pueblos, were forced to limit their ranges and many reservations include only small fractions of aboriginal use areas.

In the 1860's the Yavapai Indians of Arizona were first pushed onto several small reservations within the boundaries of their aboriginal territory (Colorado River

Reservation, Camp Date Creek, Camp McDowell) and in 1873 were forcibly resettled together at Camp Verde. This Chapter will discuss the development of the early resettlement policy in the local Arizona context, the rapid disintensification and then intensification which occurred as a result of these resettlements. Resettlement theory predicts that relocatees try to minimize unknown risks by using techniques with predictable outcomes. The Yavapai were originally resettled onto small reservations within their homelands, that is, on small portions of familiar territory. Thus, certain risks of various land use strategies could still be understood through experience. The Yavapai underwent a transition from part-time hunting/gathering and horticulture to intensive irrigation agriculture. This transition involved the use of less land per individual, but required greater input of energy, mostly human labor. The cause of the transition was increased population density due to removal. This transition, I will argue, relied on techniques that were basically familiar to the Yavapai from their aboriginal subsistence technology.

In order to analyze the economic impact of forced resettlement, Yavapai subsistence technology before resettlement must be described. This chapter begins

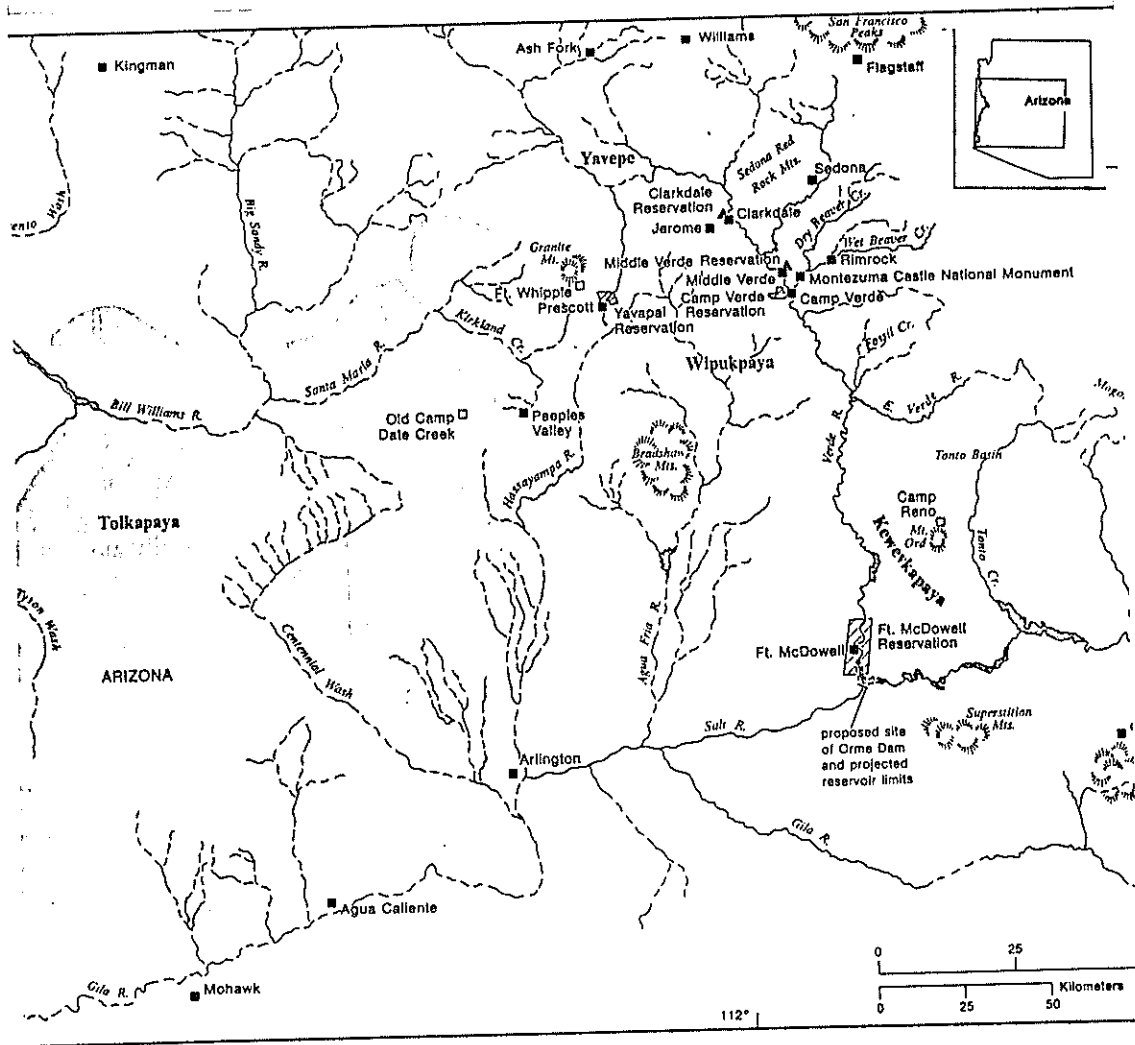
with a brief ethnography that focuses on subsistence. The events of resettlement are detailed and the land use consequences examined. The few data suggest that the Yavapai were expanding westward during the 18th and early 19th centuries. This expansion was accompanied by some disintensification of subsistence that was significantly reinforced by the encroachment of non-Indians into Yavapai territory.

There are few published works that deal with the Yavapai Indians of Arizona. The major works consist of the diary of W.T. Corbusier (1973), the Kroeberian works of E.W. Gifford (1932; 1936), Albert Schroeder's land claims commission research (1974), Morris' sketches of Camp Verde (1971; 1972) and the more recent works of Khera (1978) and Khera and Mariella (1982; 1983). There is also the manuscript of Mike Burns, a Southeastern Yavapai, published in part in Farish (1916). In addition, like all Indian peoples, the Yavapai have a rich oral history. These major sources, as well as others that mention the Yavapai, have been utilized in the following ethnographic description.

Yavapai Culture History and Territory

Anthropologists consider the Yavapai to be an Upland Yuman people, belonging to the larger Yuman speaking family that includes the Mohave, Quechan and

FIGURE 2
YAVAPAI TERRITORY IN THE 1850's



Cocopah peoples on the Colorado River. Yavapai is a major dialect of Upland Yuman, a language spoken by the Hualapai and Havasupai (Khera and Mariella 1983). Though there is some scholarly debate, these populations recognize that they speak in a way that is mutually intelligible. The Pai and Yavapai state that they were once one people; the events that led to their separation are discussed in legendary terms (Gifford 1932; Corbusier 1973:55). Overwhelming cultural similarities and the mutual intelligibility of their language suggests that the Yavapai may have been closely associated with the Pai as late as the 1700's. Subsequently, the Yavapai split off as an internally and externally recognized ethnic group. The Yavapai considered themselves one people, who were often military allies and who intermarried; externally the boundary line between the Pai and the Yavapai seemed to have been determined largely by military alliances. The Yavapai and Hualapai raided each other and had hostile relations during the historic era. Despite occasional raids involving several bands, it does not appear that the Yavapai were a united political unit during the historic period. Each band had its own headman. There was, however, a self-recognition or identity as Yavapai distinct from the other ethnic populations in the Southwest.

The Yavapai say that Indian people emerged into this world from underground through Montezuma well, a natural lime sink in the middle Verde River Valley. Near this sacred monument, the Yavapai culture hero, Sakarakaamcha, indicated to different tribes the directions they were to go, as well as how to live. The Yavapai were allowed to stay in the Verde Valley and Sedona Red Rock country of Central Arizona (Morris 1974).

The Verde River Valley and central western desert of Arizona, which encompass the historical range of the Yavapai, are among the Southwestern areas least studied archeologically. Most of the studies that have been done are of a general and exploratory nature (Fish and Fish 1977:6). Yavapai origin myths do not mention the displacement of previous inhabitants of the area. Schroeder (1975) cites this as supportive data for his suggestion that the Hakataya tradition that developed in the Verde Valley is the most likely ancestor of the Yavapai and perhaps all the Upland Yumans. According to Schroeder's analysis, Hakataya was the basic 'folk culture' of the region which was influenced considerably by the Hohokam and Sinagua populations. The Hakataya reemerged as the dominant population after the decline of the more sedentary peoples.

A variation of Schroeder's hypothesis suggests that the Yavapais are the descendants of the Prescott and

Southern Sinagua, the change from the more sedentary and agricultural way of life due to a variety of disruptive climatic and social factors (Pilles 1979:14). A third hypothesis proposed by Rogers (1945:190) and developed by Euler and Dobyns (see Pilles 1979:15) suggests a Yuman migration from the west into Arizona after 1100 A.D. that displaced contemporaneous Arizona populations. Reports by the Spanish, however, suggest that the ancestors of the modern Yavapai were the major inhabitants of the middle Verde Valley by the 1600's.

The historic territorial range of the Yavapai has been discussed in detail for the Indian land claims commission. The area delineated by Schroeder, according to claims law, was an exclusive use area of the Yavapai. It was based on reports of Spanish and Anglo explorers and military personnel, as well as on the ethnographic data of E.W. Gifford. Schroeder (1974) notes that there seemed to be 'buffer zones' between the Yavapai and some of their hostile neighbors during the proto- and historic eras. These buffer areas were used seasonally and were not locations of rancherias. It is unclear to what extent the Spanish slave-trade exacerbated intertribal warfare and led to the development of the buffer zones. The Maricopas and other Yuman populations were forced off the Colorado River by the Mohave and

Quechan onto the Gila River during the historic period (Spier 1933). This migration may well have affected Yavapai use of the area north of the Gila and east of the Colorado Rivers.

The Western Apache were expanding in the late 1700's into what had been exclusively Yavapai territory. However, there is no clear evidence of Apaches in the Verde Valley until the 1850's, and no evidence of a 'buffer zone. The Apache expansion, however, did not proceed through protracted hostilities. Instead, Yavapai and Western Apache (particularly those of the Tonto bands) seemed to have intermarried to some extent. Corbusier (1971:16) and Gifford (1932:197) mention occasional hostilities between Southeastern Yavapai and Tonto Apaches in the eastern Verde Valley. These hostilities were said to result occasionally in 'wife-stealing' from the Apache. Goodwin (1949:88-92), however, describes more cooperative relationships between Yavapai and Western Apaches, and states that some intermarriage did take place in pre-reservation times. The ethnic and physical boundaries between these peoples appear to have been in flux during the early Anglo historic era.

Schroeder's land-use data establish a Yavapai range of almost 9 million acres or 20,000 square miles in central and west central Arizona. This triangular area

had its apex near present day Seligman in the north, and its western base points at present day Yuma on the Colorado River and the Pinal mountains in the east. The southern line ran north of the Pima and Maricopa territories on the Salt and Gila Rivers (Schroeder 1974:122; Khera 1978:1; Gifford 1936:249).

Yavapais in the 1980's recognize 4 regional subtribes with minor dialectical and cultural variations: the Tolkepaya, Kewevkepaya, Wipukpa, and Yavepe. Gifford's lists 3 subtribes but labels them differently in his two works. In the Southeastern Yavapai (1932:177) he lists them as Tolkepaya, Keweyipaya (sic), and Wipukyipai (sic). In the Northeastern and Western Yavapai, he lists them as Tolkepaya, Kewevkepaya, and Yavepe (1936:249).

The Tolkepaya (Western Yavapai) ranged from the Colorado River to the western slopes of the Kirkland Valley. The Kewevkepaya (Southeastern Yavapai) centered in the Bradshaw Mountains and the middle Verde Valley, the Tonto Basin and the Superstitions. The Wipukpa (Northeastern Yavapai) lived in the middle Verde Valley, the Bradshaw mountains and the Sedona Red Rock Country. The Yavepe (Central Yavapai) occupied the area around present-day Prescott and Jerome.

This vast Yavapai range includes Sonoran desert,

mountain and transition zone environments, highly varied topographic and climatic regions. While specific local bands did not generally range over the entire area, most bands had access to all three environmental zones. This extensive, and varied land base provided the mobile Yavapai bands with a steady and varied food supply of plants and animals. The Yavapai range also included the Colorado, Verde and Salt Rivers which were free-flowing all year, as well as springs, numerous streams and natural tanks of water in the western desert region.

Vegetation ranged from pine forests in the mountains to juniper-oak woodlands below. Chaparral shrub and grasses continued in the lower elevations merging into the Sonoran desert.

Yavapai Subsistence

In general, the Yavapai subsistence cycle followed the ripening of different plant foods; local bands camped in areas where food was available during each part of the year. Though the Yavapai were mobile, they also practiced horticulture, as did most southwestern native peoples (Spicer 1962).

The specifics of the pre-reservation Yavapai subsistence cycle probably varied according to features of different locales, but in general the Yavapai had their greatest food supply in the fall. At this time

the nuts (acorn, pinon and walnuts), seeds (sunflower, goldeneye, wild grasses) and berries (manzanita, juniper, cedar, mulberry, hackberry, lemon berries) of the higher elevations were ripening as well as the fruit of the banana yucca. The summer agricultural crop would be harvested and the summer fruits and beans gathered, ground into a meal and stored.

As with most hunters and gatherers, women tended to do most of the gathering and processing of wild plant food. Many of the seeds and nuts were ground on grinding stones; bedrock mortars were also utilized particularly in caves. The processed foods were stored in earthen pots and baskets and sealed with plant gum or pitch. These containers were then stored in caches or in the back of caves in the warmer elevations for the winter, when fresh plant foods were more scarce. Some tubers (wild garlic, wild onions, wild potatoes) were dug and gathered year round but especially in winter.

In the spring, leafy greens (Chenopodium, Amaranth) were collected and boiled. In mid-summer, the desert fruits and seeds, mainly cacti, mesquite and palo verde, became ripe. Saguaro fruits were picked with a stick consisting of two long saguaro ribs tied together with a wooden hook at the end. The fruits were eaten raw as they were picked or mixed with water for juice. The seeds were washed, dried and ground for immediate

consumption or storage.

Some foods were available year round. The agave ripened in varying elevations throughout the year and Gifford's informants suggest that it provided a staple carbohydrate source of energy (mescal) that could be relied on in times of need. Though all parts of the plant could be eaten, the most important foodstuff came from the base; it was dug out and the sharp ends of the 'leaves' cut off. The hearts were cooked in large roasting pits for several days. As with most other foods, mescal was both eaten after being cooked as well as dried and stored for future use; it was usually eaten in combination with other foods that provided protein. As many as 3 to 4 months might be spent in one area preparing mescal, and large stands of agave were points where local bands came together in large numbers (Gifford 1936:270; Castetter and Bell 1938).

Deer, pronghorn antelope, and mountain sheep were hunted in the mountains and small birds and rodents were found in all zones including the desert. Men and older boys did essentially all the bow and arrow hunting of large game and small birds (particularly quail), as well as hunting of smaller animals with a throwing stick. Deer were driven into blinds by several men hunting together, or stalked at close range by individual

hunters camouflaged with deer-head masks. Almost every part of a deer was utilized for food, clothing or tools. Baited traps and snares were used to catch coyote, wild cats and foxes. Men as well as women and children might participate in animal drives (e.g., of rabbits and antelopes). Men and women occasionally collected and consumed lizards, locusts, grasshoppers and caterpillars (Gifford 1936:264).

It is difficult to say exactly what proportion of the Yavapai diet was derived from agricultural production in the proto-historic era. Furthermore, the proportion of overall caloric consumption might not adequately reflect its labor requirements or its importance in tiding a band over the lean period of late winter. Most data suggests that in the Anglo historic period, gathering and hunting (in that order) provided considerably more of the calories than agriculture for the year; furthermore the subsistence cycle and mobility of local bands was determined by the gathering of plants and not, it seems, by horticultural production. How much labor and how many acres planted may have varied from year to year, and most likely from band to band, depending on variables of location, climate and available personnel. This is the same situation that Goodwin describes for the Western Apache.

Several types of data strongly suggest that

agricultural production in the 1800's was considerably less than it had been 100 years earlier. Archeological evidence presents a record of intensive agriculture in the middle Verde Valley. The existence of canal irrigation systems in the most intensively occupied time periods (1200-1400) identifies the height of Sinagua and Salado archeological cultures. The link between prehistoric populations and the Yavapai, however, is hypothetical. However, the historic record as presented by Schroder, also indicates that agriculture was very important and a possible basis of a more sedentary, rancheria pattern in the 1600's and 1700's.

Farfan in 1598 noted excellent crops of maize (Thomas 1974:366) in Yavapai territory and Espejo's travels in 1583 led him near what scholars consider to be Montezuma Well where he observed irrigated farms. These farmers could well have been the ancestors of the Yavapai (Schroeder 1974:78). Schroeder notes that Spanish travelers who did not mention crops in their diaries (e.g., Escobar In Hammond and Rey 1953, and Salmarron In Lummis 1899) visited Yavapai territory in the winter after the harvest season (1974:83).

Early Anglo records of the 1860's also indicate agriculture in Yavapai territory. One acre of maize was recorded at one camp (Schroeder 1974:185). Another

report from 1866 notes that some Yavapai near Castle Dome had "rancherias at which they raised crops sufficient to subsist on" (Feudge to Leihy 1866 in Schroeder 1974:224).

Some scholars do not agree with Schroeder's analysis of these Spanish records and feel that the Yavapai as a separate Upland Yuman population are not the people that the Spanish encountered north of the Salt and Gila Rivers (see Dobyns, Ezell, Jones 1954). Perhaps the Yavapai were not a self-acknowledged ethnic population before the 1700's but the data do reveal a population that lived in a manner similar to the Upland Yumans. These prehistoric and historic data are tenuous but seem to support the hypothesis that the Yavapai farmed more before the 1850's.

Another type of data also suggests that the importance of agriculture in Yavapai life had undergone a change before the 1870's. One version of the Yavapai origin story states that they emerged into this world by means of a corn stalk that grew up through Montezuma Well. Another version refers to a wild grape vine. The fact that a corn stalk and a wild grape vine have both provided the symbolic means of the Yavapai entering this world suggests that both domestic and wild food stuffs have been culturally significant -- a position that may be based on importance in daily life over a long period

of time.

A fourth set of data establishes that the agricultural activities of the Yavapai were seriously disrupted by the increasing encroachment of non-Indians and increasing inter-tribal hostilities. Intertribal warfare of the 1800's made sedentary activities an increasing liability. Mike Burns (1978:36, and in Gifford 1932:180) noted that men often stood guard as women gathered. Furthermore, present day Yavapai indicate that they had heard from their older relatives that agriculture was the most disrupted subsistence activity by the conflicts between the Yavapai and the U.S. military (Williams and Khera, in prep.).

Another point concerning changes in agricultural production should also be considered. The Yavapai aboriginal range was very extensive and, though it had patches of unproductive land, was varied and rich in natural products. Furthermore, if the Yavapai were expanding westward during the historic period into the territory of displaced Colorado and Gila River Yuman populations, then the extensive-intensive theory of land use and labor would suggest a trend to disintensification (Boserup 1964).

There is other evidence concerning pre-reservation Yavapai horticultural production. Horticulture was

practiced in a wide variety of environmental settings. The Verde River, the major permanent source of water in Yavapai territory, falls 1500 feet from Camp Verde in its middle range to its confluence with the Salt River 60 miles south. The Upper Verde (Chino Valley) is surrounded by high mountains and the grade of the river produces numerous rapids. The few flood plains that would provide arable land are small and flash floods do considerable damage.

The Middle Verde has a wider valley more suited for agriculture and in fact this is where most prehistoric and modern agriculture has been practiced. There are also numerous streams and creeks that are tributaries of the Verde that have sources in higher elevations as well as springs (e.g., Montezuma Well, Fossil Springs). Many of these sites are not frost-free year round.

In the western desert areas, water was a critical factor. There are natural tanks and springs in many areas, but many are in the mountains and higher elevations that can be too rugged for assured agricultural production. There were several good planting areas near Congress Junction, and Palomas, but the increasing aridity further west made agriculture difficult. However, the Western Yavapai did plant in the eastern portions of their range and also came to the Colorado River to plant in the home territory of the

Quechan. The intense intertribal warfare along the Colorado River led to an alliance system that was further reinforced by environmental constraints. The Colorado River is a fairly narrow riparian gorge and the river flow can fluctuate widely. The Colorado River Yumans used flood water irrigation but could count on periodic crop failure due both to excessive or too little flooding. Furthermore, large game and other resources (grinding stone materials) were available in the mountain ranges away from the river. These mountains were in the territory used by the Western Yavapai. Thus, the Yavapai and Quechan allowed unmolested, limited access to each other's ranges for relevant subsistence pursuits. However, each population was the primary dependant of its home range, taking maximum advantage of a vast and varied territory while minimizing their defensive needs (see also Hicks 1963 and White 1974).

Given the significant differences in the ecology of the ranges utilized by the Yavapai, it is not surprising that accounts suggest that Yavapai bands varied in the amount of farming they undertook. This continuum of agricultural intensity also applied to the Western Apache, of whom the Tontos did almost no farming while the southern bands had gardens (Goodwin 1942;

Buskirk 1949).

Mike Burns is the only contemporary Yavapai to have left his own written record of pre-reservation Yavapai agriculture (Burns ms.). He stated that Castle Hot Springs was:

a place of paradise for the Indians as there was a nice meadow of green grass and large trees for shade. Here they planted corn, melons, pumpkins and other stuff and returned in the fall of the year to gather their crops.

John Williams, a Yavapai oral historian, lived in the Southeastern Yavapai range for most of his childhood in the early 1900's. While he never personally experienced pre-reservation life, he was raised by his grandmother who had grown up before the 1860's. He discusses agriculture at some length in Williams and Khera (in prep) Chapter VII.

"Before the white people come around, there is water running everywhere. My grandmother told me, when there was a little water running some place, the people switch it off and get it on the place where they plant things. They plant up in the mountains where there are springs. Up in the Four Peaks they plant before the white people come around. They plant beans, black beans. We call them mariga. They plant squash, hamte. Corn, my grandmother said, they plant more than anything. But that corn is not that big one, like the white people's corn. It is a small one, but it taste good. It is white, red, blue -- all colors. Sometimes they get blue corn from the Navajo. They trade it from there. Got down there and trade it for some buckskins. Squash is not very big either. It don't grow big but it taste good.

When the people plant things, they don't go to different places everytime. They plant different things in the same places. They plant some corn in there now. The next spring they plant some beans. Next time squash.

When they work the soil they soften it. Put water on. They take a digging stick and get it down deep. Hammer it down with a rock. All the way down. Push it back and forth. Make the hole big and round. Soften the ground all the time. Put water on the ground when they dig. Take an olla and pour the water on. Then the stick goes down deep.

They set the holes apart. When they have several holes, they make a little ditch between them. Put the water in the ditch. Maybe four, five, six days. Make more holes and put a ditch in between.

Some people when they plant corn, they soak the seeds in water first. My grandmother, she don't do it. Just put it in the ground, put water in and it comes up pretty good. Beans, they don't soak those before planting. Just put them in like that. My grandmother said, no matter how dry the beans are, they come up.

They plant the corn when it got real warm. That is the time they do that. Up in the mountains, they do that late in spring. The country up there is cold all the time. When the tree leaves come out, they still wait a little. After that they plant. Then when things are growing, they don't put too much water on it. Just enough to get the soil damp. If you put water too close to the plant the leaves get yellow.

When my grandmother plants squash, she puts many seeds in the hole. When they come out, she pulls some out and saves some. The ones in the middle that's the ones she leaves. Pull out the outside ones. These squash are wild. They don't spread like the white people's squash. The leaves stay small.

When the weeds start growing, they pull them out. Women and men do that. People, all

the people, never get lazy that time. When we live over there at Black Canyon, Hot Springs, my grandmother plants things all the time. My grandmother sure is the hardest working woman I have seen. When the corn comes up, my grandmother takes it and boils it. When it is green it's good. But some of it she dries, grinds it and make a gravy. Some of it she puts in the ollas. Seal it and put it away in a cave. Some of it they save for seeds. Plant it next year."

Gifford also recorded information concerning agriculture in both of his ethnographies. In the Southeastern Yavapai (1932) the section on agriculture refers to 'Telshe', a headman during the 1860's when Yavapai life was disrupted by the U.S. military:

Agriculture was at a minimum. The informant knew of only one person, the chief Telshe, who planted. This dearth of agriculture was evidently due to lack of favorable localities for cultivation, to an abundance of wild products, to fear of attack by enemies, and to established cultural pattern (tradition).

Telshe lived on the bluff above amanyika. He planted, however, on the north side of the Salt River, upstream from the mouth of Fish Creek, in a box canyon between two white rocks. The soil was level and kept suitably moist by a spring. The place was inaccessible to aboriginal enemies. The informant knew of no other equally satisfactory place in the rugged habitat of the southeastern Yavapai.

Telshe asked the people to help him plant. After planting, there was no cultivation. At harvest the produce was shared among the co-workers and with other members of the band. Telshe raised pink (nuta) maize (tiyacha), pumpkins, watermelons, and gourds, the last for canteens and shamans' rattles. Muskmelons and beans were not grown. Surplus maize was stored in pottery ollas in rock shelters. Harvesting was the occasion of

feasting.

In the Northeastern and Western Yavapai (1936)

Gifford asserts in the introduction:

Apparently the Yavapai were forced into a nomadic existence by the scarcity of food plants at any one place in their environment and their virtual neglect of agriculture (sic).... Evidently because of the example set by the Yuma, the Western Yavapai farmed more than others but even they were very migratory. (p. 254)

Gifford later presents a more detailed discussion of agricultural techniques:

NE Yavapai - Maize (tiyach) and tobacco cultivated. Beans, pumpkins. Informant Michael Burns declared that pumpkins were grown on lower Oak Cr., watermelons, gourds not grown.... Maize planted near stream's edge, not irrigated and usually not cultivated. Maize reputed to have come from Navajo to Wipukupa, who lived in caves in rugged Redrock country, toward Flagstaff, but periodically descended Oak Cr. to plant maize.

At Castle Hot Spring, Maize planted 1 1/2 mi. below spring in soil dampened by creek waters. Planted in June by both men and women in damp bottomland on s.side at A'akwa, E of Mayer-Cordes highway. Ground weeded first. After plants 1 1/2 ft. high, people went S. Maize ripe when they returned. Other Yavapai would not molest maize while owners away. Mat-haupapava did not plant anywhere else. Gave Prescott people maize when they visited A'akwa; not in trade, but as outright gift to kinsmen.

Blue, white, red and white varieties planted. No color symbolism, no prayers at planting. Birds seldom molested growing maize, seed saved for planting each year. Small circular areas prepared with digging stick of any kind of wood. Three or 4 seeds planted in each hole, grew up in bunches about

2 ft. apart. When plants about 18 in. tall, earth heaped about 6 in. high around them, earth loosened first with digging stick, then scraped up with hands. This done to keep roots better covered. Plants grew 3 or 4 feet high....

Ripe maize dried in sun for ca. 1 month after husking. Grains removed from cob by hand, with thumb exerting principal pressure. No maize traded; some taken to neighbors who had none.

Mat-haupaypaya of A'akwa stored maize for winter use in storage cave near Cordes, close to spring from which present pipeline on Turkey Creek road comes. Growers lived in Turkey creek cave in winter, and went to storage cave and spring for maize and water. Maize stored in burden baskets covered with 1 or 2 in. of bear grass lashed on with soaproot Yucca leaves. Base of conical basket set in hole ca. 1 ft. deep lined with grass; stones put around base to keep basket upright. Cave rats could not molest it. Ears of green maize boiled and eaten from cob, or roasted-husked or unhusked- in coals. Dry maize basket-parched ground on metate, boiled in pot. Salted while boiling. Different colors of maize not separated at grinding. Meal not used to thicken stew as was acorn meal. No other food cooked with maize meal mush. No paper bread made.

W Yavapai: Planted more than either SE or NE Yavapai also got agricultural products from Yuma. Crops not weeded because Tolkepaya went to mts. during growing season. Returned to harvest crops. Did not plant near mt. springs or 'tanks' used for drinking, but sometimes in damp places by stream. Lived chiefly on mescal while cultivated plants were maturing.

A few of the A-Yuma formerly raised small patches of maize and laid by a little for winter. At Colorado r. people planted maize, beans, pumpkins, watermelons, muskmelons, gourds. Cultivated on Williams r. if sufficient water; some years there was none. "Wild wheat" not planted by Tolkepaya, but by

Yuma.

When Tolkepaya grew maize, they got seed from Yuma. Colors: white (with medium-sized ear), red, blue, sometimes white and red mixed. Some green maize roasted or boiled on cob; most ground and eaten as mush.

Following varieties of beans sometimes grown from seed got from Yuma; black-eyed beans (cowpeas)

Pumpkins (hamte') grown; smooth ribbed spotted and dark green. Pumpkin seeds as well as flesh eaten. Watermelons (komto) also grown.

Men planted seeds of ikete' bush in soft mud; blew seeds from mouths. Informant did not know if sexual intercourse taboo before planting. Harvested mostly by women and children. Seeds ground on metate. Ikete' does not grow at Arlington on Gila R.

TOBACCO

Ne Yavapai: *Nicotiana attenuata*, huuva and huuva kyula (tall), raised. Brush burned from field to aid plant growth. Old men plucked tobacco stems and leaves, which were sun-dried on ground for week turned daily. Ground on flat stone or crumpled with hands for smoking in pottery pipe. (pp.262-263)

Other elders at Fort McDowell specify that they would wait to plant until the cottonwood had buds and the mesquite had flowers. All agree that aboriginal gardens were small, less than an acre in most cases, and that corn was the largest crop, with squash and beans following in order (Mariella 1978:28-29).

All able-bodied family members worked together to plant. It took about a day to do the actual planting. Some people might stay behind or come back,

periodically, to check on the gardens. Harvest was a time when larger groups of people came together and it was an opportunity for festivity including singing and dancing. Agricultural produce was stored in the same way that wild foodstuffs were stored -- in containers that were sealed with pitch.

Yavapai Demography and Social Organization

The available written sources provide very little specific data concerning Yavapai demography in pre-reservation times. Furthermore, the historical references almost exclusively concern a time period when the Yavapai were being killed by warfare, disease and forced displacement by Anglo encroachment. Estimates of total Yavapai population in the 1800's range from 1500 (Gifford 1936:252) to 2,000 (Schroeder 1974:261). Gifford adds that the Tolkepayas were the most numerous of the 'subtribes'. Gifford's figure is taken directly from Corbusier, who observed the Yavapai on the Rio Verde Reservation at the end of the most intensive period of fighting with the U.S. military. Schroeder's estimate also uses Corbusier's figure but adjusts it based on accounts of early military encounters. Such figures would mean a very low population density, less than one person per 13 square miles. Even within an area that has microenvironments with poor resources,

this population figure seems quite low (see also Fish and Fish 1977:24).

Yavapai population estimates suffer from all the problems that have been discussed concerning Native American demography (see Dobyns 1976). The written records were often the result of observations by untrained military personnel. Furthermore, the observations were made after non-indigenous diseases could have increased mortality rates. In the Yavapai case, Schroeder's data from estimated military encounters suggest that at least 10% of the Yavapai population was killed in hostilities between 1850 and 1875.

General statements concerning Yavapai bands correspond with data from other southwestern populations. Several extended families with members that were related consanguineally and affinally would camp together during times of the year when resources could be gathered, grown and hunted efficiently by a local band. On occasions, smaller family groups would move to new harvest areas on their own (Gifford 1936:354). Conversely, larger numbers of families would gather in areas where food resources were plentiful; up to 10 families might camp and travel together (Gifford 1936:297). Up to 100 households of Kewevkepaya gathered

together once a year in winter during late historical times in an easily defended area (Gifford 1932:18). The composition of local bands was flexible in that individuals and families who might have disagreements could leave and join other bands in which they had relatives (1932:189).

No one was supposed to marry relatives; relatives were reckoned bilaterally and kin terms reflect this bilaterality. First cousins (the children of parents' siblings) were never allowed to marry. Individuals who violated this prohibition (extremely rare) were either killed or banished from the area.

Polygyny occasionally occurred if a man were a successful hunter or fighter who could provide adequately for more than one wife. The wife's family might encourage the husband to take a sister in marriage or another family might seek to have a daughter marry him. The best known case of polygyny involved 'Chief Delche', the headman of one of the largest Kewevkepaya bands, who had several wives in the 1860's.

Divorce might result from marital infidelities, failure to perform the expected duties, or from incompatibility. Gifford's informants state that divorce was not common before the reservation period.

Northeastern and Western Yavapais stated that a man often did not marry before the age of 25 (Gifford

1936:296). Girls were considered marriageable after they had reached puberty. Marriage was secured by the exchange of gifts between the families of the couple. A man provided hunted animal products for his in-laws from time to time throughout his marriage.

Gifford asserted that there was a matrilocal tendency. However his actual data, as well as data from other sources (Burns, ms.; Corbusier 1973; Williams and Khera in prep.) suggest that post marital residence was flexible. Ideally residence began with the bride's group after which there was a stay with the groom's local group. Then a couple apparently decided where they wanted to live based on a number of variables. Intra and interband quarrels or disagreements led to dispersing of population, according to one of Gifford's informants.

Southeastern Yavapai Clans

Gifford (1932) describes what he terms non-totemic, exogamous, matrilineal clans among the Kewevkepaya (Southeastern Yavapai). Gifford considered the existence of clans as evidence of contact with the Western Apache who have matriclans. Given the similarity of many demographic and ecological factors of the Western Apache and Yavapai, it would seem inappropriate to analyze matriclans as 'borrowed' without

understanding why clan organization might have been incorporated into Yavapai social organization.

First, however, the nature of these 'clans' must be probed further. Gifford's informant, Mike Burns, used the English word family rather than clan in his own manuscript. Mike Burns wrote that Kewevkepaya from certain families identified with specific areas could not marry each other. They must belong to different families and their children could not marry any of their mother's or father's relatives.

Gifford says the word tiyuche was used for clan but he notes that it has the 'literal meaning' of 'relative'. This word means simply relatives to contemporary Yavapai at Fort McDowell, that is, bilateral kin to whom direct ties can be traced. Also Gifford pointed out that no relatives should marry. In a small population this prohibition would encompass lineage members. It is also consistent with the general bilateral organization demonstrated in other social organizational features among the Yavapai. Furthermore, the prohibition not to marry people from a certain locale could be simply local exogamy - common among mobile band peoples.

Yavapais at Fort McDowell in the 1980's do not recognize clans. An informant who is Kewevkepaya and

who recognized the 'clan' names listed by Gifford stated that these names (place names with the suffix 'ba' meaning people) meant people who had been born and grew-up in that area. It would seem that Gifford gave a unilineal label to a form of social organization that was more bilateral and flexible. Such a tendency is reinforced by his explicit goal of using Yavapai data to disprove Radcliffe-Brown's theories concerning the functions of social organizational features. It is also possible that intermarriage with Western Apache had encouraged the extended unilineal recognition of family ties by some Yavapai. Mike Burns family were members of Delche's band. According to the numerous historic discussions, Delche had at least one Apache ancestor, as did other members of his band (Corbusier 1973:133).

As Gifford, Goodwin, and Corbusier noted, Yavapai men tended to marry Apache women when intermarriage occurred. As the Western Apache had matrilineal kinship organizations this would mean that the children would have formal membership in these Apache kinship organizations. In addition, Gifford cites two cases of 'patrilineal descent' following marriages between Yavapai men and Apache women (1932:190). Goodwin (1943) mentioned that children of marriages between Tonto Apache and Yavapai were considered to be members of their mothers' tribe. A comment by Corbusier suggests that children of these

'mixed' marriages may have been bilingual and bicultural:

They (Apache Tontos) are of mixed blood, having descended from both the Katchan and Tennai Indians. Many of them are Yavapais who have taken Apache women for wives - probably stolen them- from among the Pinal and other Apaches south of the Salt River. They speak a mongrel tongue which is a mixture of Katchan and Tennai, and are for this reason called ahwa-paia kwawwa (enemy all and speak). (page 133)

Anglo Intrusion into Yavapai Territory and Forced Removal

While there are several issues of Yavapai history and ethnography that require considerably more research and analysis, the preceding summary will provide comparison data for the economic changes that occurred as a result of forced resettlement onto reservations.

Between 1583 and 1605, the Spaniards Espejo, Farfan and Onate travelled through the southern portions of Yavapai territory and, during the 18th and 19th centuries, Yavapais occasionally visited Spanish missions to the south (Williams and Khera). Schroeder (1975) has analyzed the existing Spanish documents for the Yavapai land claims commission. He suggests that the variations of the word Cruzados referred to Yavapais in the Wipukpa and Yavepe historical range. These were people with whom the Spanish had little direct contact. This name was a description of the

cross-shaped ornaments the Indians were said to wear on their foreheads. Perhaps these ornaments reflect earlier direct or indirect contacts with the Spanish.

According to Schroeder, the terms Cumana and Yavapai tegua referred to Yavapais in the Tolkepaya historic range. The Spanish word Nijora and its variations Nichora, Nixoras, and Nijote referred to Yavapais in the Kewevkepaya historical range. However, this word means 'captive' to the present-day Maricopa, and Dobyns et al. (1966) argue that it is a misunderstanding to apply the word to any particular ethnic group.

The Spanish had considerable indirect impact on the Yavapai. The slave trade intensified intertribal warfare that contributed to the movement of the Maricopa and other riverine Yumans off the Colorado River, and the expansion of the Yavapai into the western desert. Inter tribal warfare probably influenced the Yavapai split from the Pai.

Because of their geographical location and political position, the Yavapai did not have good trade contacts for Spanish goods, as did the Western Apache and Pimas. This meant that they had very little opportunity to acquire guns which were significant in

determining the balance of power when hostilities did develop as a result of Anglo encroachment.

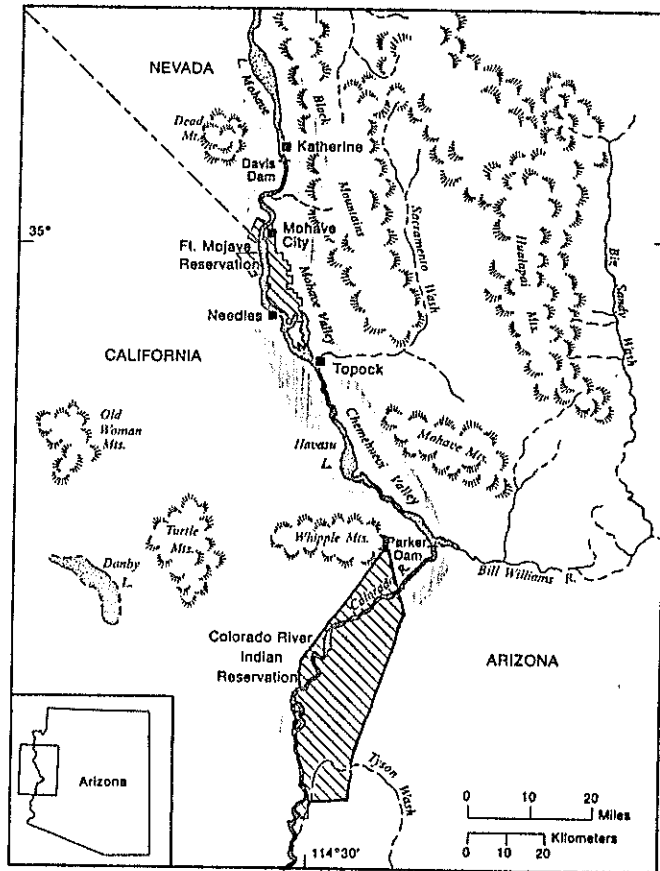
Some Anglos made their way through Yavapai territory in the early 1800's; these people were mostly adventurers and trappers who are known for their biased and exaggerated accounts (Spicer 1962). Very little accurate ethnographic information about the Native American populations can be derived from their reports.

Not until gold and other mineral ores were located in the 1850's did a significant number of non-Indians push into Yavapai territory. The first major interactions took place in Tolkepaya territory as gold was 'discovered' near La Paz along the Colorado River. The major Anglo thrust continued from the west and then from the south. The Western Apache, intruders themselves on the eastern Yavapai range, provided a buffer on the southeastern border of the Yavapai.

Thus, the first Anglo intruders were miners, not farmers and ranchers requiring a great deal of land. However, military reservations were set up to protect the mining camps and supply routes. Some settlers followed and supplied locally produced food.

A few Western Yavapai visited the Colorado River Reservation in the 1850's. During this time period there are reports of Indian raids on livestock within the boundaries of Yavapai territory; these may have

FIGURE 3
COLORADO RIVER INDIAN RESERVATION



STEWART (1983)

been Yavapai or they could have been Hualapai. Not until the 1860's, do any reliable and significant reports become available concerning the Yavapai. During the early 1860's, many troops were pulled from the Southwest to the Civil War arena in the East. Consequently, new Anglo settlements in Arizona territory were few during this time period. After the Civil War, a steadily increasing flow of non-Indians moved into Central Arizona. Federal Indian policy at this time was the result of over 100 years of government-Indian interactions in the East. After the Civil War, the advantage of the U.S. military, particularly in the numbers of personnel, had led to the policy of establishing small reservations for Indians. Some attempts, such as the Grant's Peace Commission, encouraged Indian people to move voluntarily onto these reservations. But in most cases these efforts were so poorly conceived and executed that Indian people were forced to leave the reservations and hostilities continued.

The Yavapai response to encroachment seems to have changed over time. At first the Yavapai seemed to have responded by avoiding the intruders or possibly with minimal raiding of stock and supply trains. Smart, an adjutant assigned to Fort McDowell, noted that conditions had to be exceptionally favorable for the

Indians to succeed in a raid. This situation was due to the fact that the Yavapai had very few guns and that warriors were also providers for their families, unlike full-time Anglo military personnel (1866). After the Civil War the development of repeating rifles gave an overwhelming technical advantage to non-Indians. Corbusier noted that the Yavapai had only a few old guns obtained in trade from the Navajo and 'Moquis' (p. 331). But the Yavapai had limited access to the Navajo and Hopi and relations were not always friendly (Williams and Khera, in prep.). Furthermore, guns had to have ammunition. Mike Burns (ms.) noted that sometimes the Yavapai were forced to melt down tin cans that the soldiers left behind at campfires in order to make ammunition. Army officer Carleton on the Colorado River (1864) reported, "the Indians in this area are unarmed. They will steal but they do not kill, while the Apache are well armed and fight desparately." The Western Apache had access to guns through the Plains and Mexico.

Mike Burns further illustrates the importance of weapons at this time period in his discussion of an isolated settler in Peoples Valley. This man had a repeating rifle and he was able to defend his farm and aggressively pursue and kill Indian people for years (Burns in Farish 1916). Yavapai oral history stresses

that several headmen gathered their bands together to urge them to avoid white people because they were "like ants -- if you attacked them, 100's more came to take their places" (Williams and Khera, in prep).

Anglo military documents from this time period are hard to evaluate because they rarely distinguished between Yavapai and Apache. Yavapais were only occasionally distinguished from Apaches in written documents by terms such as Mohave-Apache or Yuma-Apache. These terms are actually descriptions, as "Apache" meant an Arizona Indian off-reservation; Mohave and Yuma were acknowledgements of the linguistic differences between the Yavapai and Apaches and the similarities between the Yavapai and other Yuman populations. This misnomer 'Mohave-Apache' continues into the 1980's; the federal government still officially refers to the tribe at Fort McDowell as Mohave-Apache. If the historical records mention a specific location, names of headmen, or ethnographic details, the tribal identity of the people being discussed can be determined with increased accuracy.

The military records of the Colorado River Reservation note that a large group of Yavapai, attempted to farm on the Colorado River as Gifford (1936) had suggested they had done for many years. Officer Feudge reported (Department of Interior 1866a)

that the headman Quashakama and his people wanted to plant in the same place as last year but a white man had taken over their garden grounds. Feudge urged the Indian Commissioner's Office to provide money for construction of an irrigation canal so that all the Indian bands that wanted to come to the Colorado River Reservation could provide for themselves (Department of Interior 1866b). The Indian office did not provide irrigation construction funds and consequently the Mohave as well as the newly arrived Yavapai were forced to subsist on wild mesquite beans. Feudge later stated (Department of Interior 1866c) that the Mohave-Apache on the Colorado River were starving because of crop failure. Most of them left the reservation, preferring an 'independent living in the mountains', though he stated that Quashakama would have preferred to plant on the reservation. Mike Burns (in Farish 1916:283) stated that the Mohave Chief Iritaba made things difficult for the Yavapai because of the scarcity of food sources.

Genung (also in Farish 1916) adds to Feudge's narrative stating that he was hired by the Indian Service to direct the construction of an irrigation ditch on the Colorado River Reservation. However he became disillusioned by the lack of military interest in the Indians becoming independent because of the

interests of the Anglo contractors who supplied rations. After 1864, Yavapai associated with the headman Ochocama, came into Camp Date Creek, a small military post on the mail route between Prescott and La Paz. As at Colorado River, the Date Creek Agent noted in 1870 that Ochocama and his people wanted to come to the reservation to 'grow crops and live in peace'. (Brinckerhoff 1972:14). Just as on the Colorado River Reservation, because few rations were supplied and the planting season was over, the Yavapais were forced to leave to obtain subsistence.

It could be to an agent's advantage to exaggerate his potential wards' interest in agriculture; if he could convince his superiors that he could manage a larger population, he might increase his status. However, these data suggest that agricultural products were very important to the Western Yavapai in the 1860's. Perhaps agricultural products determined the margin of success in the arid western range. Of course, non-Indians were restricting use of hunting and gathering range as well, but it was the loss of garden areas that were most often stressed in reports.

In 1871, General Crook was brought by the U.S. army to central Arizona. With the exploding Anglo population after the Civil War, the conflicts between the settlers and Indians became more frequent and resulted in more

fatalities. Raids on the Yavapai increased immensely with Crook's policy of hiring Indian scouts who knew the use patterns of off-reservation Indians and could pursue them effectively. Mike Burns noted that without Indian scouts the white soldiers were often helpless because they could not always find water away from their posts (in Farish 1916:325).

In Southern Yavapai territory in the late 1860's Yavapai and Tonto Apache bands were willing to move onto a reservation if they felt they could make a living. The headman Delche was reported to have agreed to a reservation in the Tonto Basin because it included mescal and large game areas as well as planting sites (U.S. Army 1867). After several years of local officers' recommendations and subsequent denials by Washington, this idea was abandoned (Reed 1977; U.S. Army 1871).

Thus, by the 1870's there was still no reservation where Yavapai could go and have assurance that they could make an adequate living. Consequently, they were forced to continue to hunt and gather and plant outside the reservation boundaries. Simultaneously, the army was stepping up its offensive and Anglos were settling into more areas around Camp Verde - the best farmland in the middle Verde Valley.

The Fort Verde medical records of 1870 noted that the 'Apache-Mohave' who did come onto the post were in 'destitute condition'. The manuscript of a daughter of one of the first non-Indian settlers in Camp Verde stated that by 1871 "white people had taken the Indians' planting grounds by Clear Creek and the Indians were starving" (Wingfield n.d.).

It was also reported that a Yavapai headman came to Camp Verde (in Farish 1916:276 and in Bronson 1981:39) on the request of the soldiers to discuss the possible establishment of a temporary reservation:

Soulay was so emaciated from sickness and hunger that the General hardly recognized him. He was so weak he lay down on the ground, his head resting under the shade of a sage brush. After an hour or two he recovered his strength and we had a talk. He pointed to the valley of the Verde below, and said, 'where that house stands I have always planted corn; I went there this spring to plant corn, and the white man told me to go away or he would shoot me; so I could not plant corn there any more.' Many white men hunted for deer over the mountains like the three men who have just gone down the valley, he said that if they met any Indians they shot them, and that they killed all the game or frightened them so much the Indians could not get near them with their bows and arrows, and as the white people would not let them have any ammunition, they could not kill the deer. There was some mesquite beans, mescal and cactus figs on the mountain but they could not live on that in the winter, and they did not see what was left for them but to die."

By 1872, General Crook felt confident enough about his military position that he issued a general order

that all Indians off the reservations would be considered hostile and shot on sight. Also Crook intensified his tactic of destroying gardens and food caches wherever they were found; this was the same 'scorched earth' policy that had been successful for Sherman during the Civil War.

In the next year, 1873, those Yavapai living on the reservations were unable to plant enough crops because of the lack of irrigation facilities, but were also unable to gather and hunt successfully on the comparatively small reservations. Few rations were supplied by the government. Furthermore, these hardships had existed for several years so that the Indian people were weak and ill in many cases.

Those living off the reservation were under the constant threat of attack and also had to deal with a dwindling land base - diminished by the loss of the most productive areas, especially those near permanent sources of water. This period culminated in the most significant massacre of Yavapai as noted both in Yavapai oral history (Khera, ed. 1978; Williams and Khera, in prep.) and in military records (Bourke 1891:190-202; Corbusier 1973). This Skeleton Cave Massacre of December 23, 1873 of those Yavapai stranded in a cave in Fish Creek Canyon broke the final resistance. By early April almost all of the remaining Yavapai were forced onto a

military reservation at Camp Verde. Headman Cha-li-pun came onto the reservation with 300 Yavapai, but represented 2,300 others according to Bourke (1891:22). Bourke paraphrases Chalipun as stating that once Indians had become scouts, those off the reservations were constantly afraid of attack and were almost continually on the move. Al Sieber, a non-Indian scout who was actively involved with Crook throughout his Arizona campaigns also quoted Chalipun as saying:

In the spring we started with 125 warriors; now we are 25. We used to be able to hide, but now the rocks turn to soldiers and seem to be soft, leaving our footprints. We cannot sleep at night -- every sound makes us think of a soldier. (Thrapp 1964:115)

Some Yavapai being held at Fort McDowell were transferred to Camp Verde the next month (Bronson 1981:41) and a few more off reservation bands came into Camp Verde. By late 1873 most of the remaining Yavapai as well as many Tonto Apache were relocated onto the Camp Verde reservation. This reservation was originally 800 square miles along the Verde River including what are today the towns of Jerome, Clarkdale, and Cottonwood. The military post was at the southern end where the Fort Verde State Park is now located.

Though the demographic records are not precise Corbusier indicated that there were 1800 Indians on the reservation (1973:133). These people had been subject

to almost 10 years of emotional and physical stress. On the reservation, food was still scarce. Furthermore, the reduced range changed the human ecology; mobile band people avoid many diseases when they move. Now unable to shift their habitation sites, but with no alternate sanitation improvements, morbidity and resulting mortality rates increased significantly.

The written documents of the time come from Bourke (1891) and Corbusier (1973). Corbusier's observations are of particular importance because he was a medical doctor and he had an interest in Yavapai language and culture. Both Corbusier and Bourke noted that so many Indians died in that first year that there were not enough people or enough wood to cremate the bodies as was traditional Yavapai practice.

Although the population was faced with multidimensional stress resulting in high mortality, the simultaneous reduction in land base produced comparative crowding. The loss of land resources meant that the balanced subsistence mix that the Yavapai had practiced was no longer possible.

When Chalipun surrendered, General Crook promised that a market would be available for every crop produced. The official army policy was to encourage the Indians to develop farm land on the reservation. The

written records indicate that the Yavapai and Apache at Camp Verde undertook this task with such vigor that they surprised their military overseers. Corbusier sets the tone with his comments about the irrigation ditch the Yavapai immediately began to work on as a necessary prerequisite to intensive farming:

The digging of that ditch by hand with every conceivable sort of implement, from rusty and broken shovels to spoons, is worthy of a place in the greatest annals of the West. (Corbusier 1973:17)

Bourke notes that the 'Apaches' began to dig an irrigation ditch but that there were "absolutely no tools on hand belonging to the Indian Bureau". (Bourke 1891:215) He adds:

The way the great irrigation ditch at Camp Verde was dug was this. All the Apaches were made to camp along the line of the proposed canal, each band under its own chiefs. Everything in the shape of a tool which could be found at the military post of Camp Verde or in those of Whipple and Hualapai was sent down to Mason [the officer in charge]. There were quantities of old and worn-out spades, shovels, picks, hatchets, axes, hammers, files, rasps, and camp kettles awaiting the action of an inspector prior to being thrown away and dropped from the returns as 'worn out in service'. With these and with sticks hardened in the fire, the Apaches dug a ditch five miles long, and of an average cross-section of four feet wide by three deep, although there were places where the width of the upper line was more than five feet, and that of the bottom four, with a depth of more than five. The men did the excavating; the women carried off the earth in conical baskets which they made of wicker work....

Mason and Schuyler labored assiduously

with the Apaches, and soon had not less than fifty-seven acres of land planted with melons and other garden truck of which the Indians are fond, and every preparation made for planting corn and barley on a large scale. A large water-wheel was constructed out of packing-boxes, and at a cost to the government including all labor and material, of not quite thirty-six dollars. The prospects of the Apaches looked especially bright, and there was hope that they might soon be self-sustaining. (p. 216)

These data indicate a pattern of changes. During the 1860's when non-Indians began to record some aspects of Yavapai life and when the military onslaught intensified, the Yavapai were forced into abandoning most of their agricultural activities. Gardening required labor and, in addition, the growing crops were vulnerable to scorched earth tactics. These agricultural areas were also some of the first places that non-Indians occupied permanently.

This curtailment of the agricultural portion of the Yavapai subsistence economy, the increasing difficulties of hostile attacks by the military, as well as the change in the behavior of the game animals combined to completely disrupt the Yavapai subsistence cycle. Early in the 1850's and 1860's almost all the Yavapai bands seemed willing to settle into somewhat reduced territories if they could make a living there -- a key to which was a potential for irrigated agriculture, as well as varied hunting and gathering locations. The

Yavapai came onto the Colorado River Reservation but left after the limited agricultural possibilities became clear. They also came to Camp Date Creek, and Fort McDowell, and were transferred finally to Camp Verde.

The destruction of the balanced Yavapai subsistence economy forced them finally onto the Reservations. This was in fact a planned, forced resettlement within a well-known territory (homelands) but of profoundly reduced size. The actual resettlement, though part of U.S. government policy, had provided for no supplies or facilities. The reduction in the land base ended the ability of the Yavapai to make a living using a land-extensive hunting and gathering technology. Instead, the Yavapai turned to a production economy of intensive canal irrigation farming to secure enough food.

The Yavapai made this transition without adequate rations in the interim. This subsistence hardship was exacerbated by years of intense stress preceding the resettlement. Furthermore, the rapid increase in population density and sedentarism altered the epidemiological pattern. With the Yavapai unable to move regularly and avoid many sanitary-related health problems, mortality rates increased. It was under these conditions that the Yavapai were expected to increase their labor input to develop an irrigation system and produce adequate food supplies.

Generalizations from resettlements of other populations also predict that the forced relocatees will tend to rely on familiar techniques and behaviors whose consequences are felt to be understood from past experience; if some of the conditions in which the behavior originally developed remain the same, continuation will reduce the risks of a situation which is new in other ways. Significantly, the Yavapai relied on basic technology with which they were familiar. They used digging sticks to excavate irrigation ditches and planted vegetables whose production was familiar to them.

Bourke's account suggests that the military personnel tried to utilize indigenous task groups, working through headmen and local bands. Whether this was an Anglo or Yavapai decision (or a combination) it seemed to work in the circumstances. Neither the military records nor Yavapai oral history contain references to attitudes of disdain or resentment towards agricultural labor by either men or women.

U.S. government policy explicitly called for reducing native populations to isolated, circumscribed enclaves. At this time (pre-allotment era) there was little practical or policy effort toward assisting Indian populations in reestablishing an independent

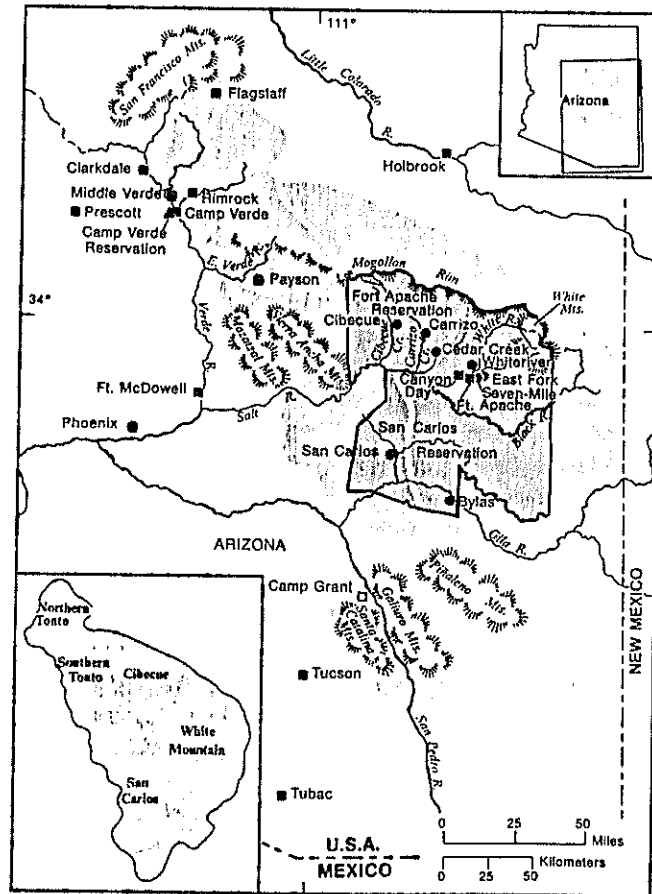
existence for themselves. Minimal rations were provided or nothing at all. Token and occasionally more substantial resources were provided for the transition to a form of making a living that could prove successful in a reservation context. Reservation resettlement policy was not at all designed for the benefit of the relocatees. Its goal and consequences were to assist non-Indians. Under these circumstances the Yavapai worked to maintain an independent economy. They had to; their only choices were to produce or starve. The continuation and development of this effort to control the ability to make a living over the next 30 years will be analyzed in Chapter Four.

CHAPTER FOUR
THE REMOVAL TO SAN CARLOS AND THE RETURN TO THE
HOMELANDS: 1875 - 1900

This chapter details and analyzes the events of the second forced removal that the Yavapai experienced and their return almost 25 years later to their homelands (1875-1900). The motivation for this policy as well as the consequences are examined. The first major forced resettlement of the Yavapai, discussed in the preceding chapter, had been onto reservations that were small fractions of land within aboriginal territory. This ended the period of armed resistance to forced resettlement. On the Rio Verde Reservation the Yavapai had begun the intensive labor activities essential to food production in their new circumstances. However, two years later in 1875, the Yavapai were forced by the military, under pressure of non-Indian special business interests, to march to the San Carlos Apache reservation located outside Yavapai territory. Though the physical

FIGURE 4

SAN CARLOS APACHE RESERVATION



BASSO (1983)

environment was similar to portions of the Yavapai homelands, San Carlos was not as well suited to intensive agriculture. San Carlos was near the source of the Gila River, which was extremely volatile, and the arable lands were small and dispersed. The Yavapai also became a minority population among the Apaches.

Many of the Yavapais at San Carlos sought to return to their homelands. As a result of their efforts, combined with the Indian agency's interests in exploitation of resources at San Carlos, the Yavapai were allowed to return to the Verde Valley and western desert in the late 1890's. This chapter investigates the conditions under which forced relocatees develop a prolonged homeland orientation. Resettlement studies note that a homeland orientation regularly occurs, but usually dissipates after a transition period of 3 to 5 years (Scudder 1975). In the Yavapai case, this desire to return home became symbolized in oral history and grew over a period of 25 years. The analysis in this chapter argues that the Yavapai sought to return to their homeland in order to make an independent living by gaining greater control over resources and thereby minimizing the risks of food production.

Removal from the Homelands

By 1873, almost all the Yavapai as well as many Tonto Apaches had been forced onto the Rio Verde Reservation in central Arizona. In 1874, five miles of irrigation ditches had been dug and over 50 acres were planted. General Crook commented that within a few seasons the reservation community would be self-supporting (Bourke 1891).

The prospects of a reservation population becoming self-supporting went directly against the interests of the contractors who sold food and other supplies to the U.S. government for distribution to reservation populations. In Arizona territory there was a well-known 'Tucson Ring' of supply contractors who were notoriously corrupt as well as politically influential. This Tucson Ring lobbied the territorial politicians to have the Rio Verde Indians removed. As some of the Indians at Rio Verde were Apache (Tonto), and the Yavapai were categorized as Apache by the government, the promoters of removal argued that it made sense to combine all Apache reservation populations at San Carlos. Furthermore, San Carlos was removed from non-Indian populations. From the supply contractors' perspective, concentration of Indian populations made it easier to secure large profits. Furthermore, the physical disruption of the agricultural production would

necessitate an extension of ration supplies. This prolonged dependency might be further enhanced by the fact that San Carlos was not well suited to large scale agricultural production. From the politicians point of view, the removal of the Indian populations from the Verde Valley would open prime agricultural lands in central Arizona for settlement by non-Indians.

A.K.P. Safford (Territorial Governor), and Arizona citizens began a lobbying campaign in Washington to have the Yavapai and Tonto Apaches at Rio Verde removed to San Carlos. This lobbying included exaggerated or falsified reports of 'depredations' allegedly committed by Indians who 'escaped' from Rio Verde. Bourke (1891:217) comments:

A 'ring' of federal officials, contractors, and others was formed in Tucson, which exerted great influence in the national capital, and succeeded in securing the issue of preemptory orders that the Apaches should leave at once for the mouth of the sickly San Carlos, there to be herded with the other tribes. It was an outrageous proceeding one for which I should still blush had I not long since gotten over blushing for anything that the United States Government did in Indian matters. The Apaches had been very happy at the Verde, and seemed perfectly satisfied with their new surroundings. There had been some sickness, occasioned by their using too freely the highly concentrated foods of civilization, to which they had never been accustomed; but, aside from that, they themselves said that their general condition had never been so good.

Thus the supply contractors had a vested interest

in promoting and maintaining the dependency of the Indian populations. This time period (1870-1900) has been characterized by corruption in Indian affairs, due in part to the conflicts between military and Indian Service personnel (Harte 1973). Bourke notes that these contractors regularly delivered low quality goods but were always paid. Large profits could be made rapidly in this supply business which encouraged unscrupulous business men to become involved. Many writers of the time noted that these fraudulent businessmen were not Arizonans (Brinckerhoff 1972:14; Wellman 1935:148; Genung in Farish 1916:331). Bourke (1891) again provides pointed commentary:

The contractor has gone out to make money, remains until he accomplishes his object, and then returns to some congenial spot where his money will do most good for himself. Of the contractors who made money in Arizona twenty years ago, not one remained here: all went into San Francisco or some other large city, there to enjoy their accumulations. (p.224)

The individuals who profitted the most and pushed the hardest for the removal of the Yavapai and Apache were a small number of businessmen who as a whole did not contribute significantly to the development of Arizona's economy. However, once the Indians were removed, non-Indians did settle on the former reservation land and profit as well.

In contrast, official national Indian policy after the Civil War was increasingly aimed at encouraging the 'self-sufficiency' of Native Americans. One mechanism that was developed to supposedly achieve this goal was the Dawes or General Allotment Act of 1887. The explicit goal of the Allotment Act was to encourage Native Americans to become 'family farmers' and thus to enter the national economy. This assimilation would relieve the government of the burden of continued economic assistance. These goals were to be achieved by portioning out parcels of reservation land to individual Indians who would, through an established process, come to own their allotment as private citizens. The remaining reservation land that was unallotted would be sold to non-Indians. Even at the time the Act was passed many individuals and organizations protested that the Act would have the opposite result from its stated goal -- that Indian people would be deprived of their most productive natural resource, their land, and become increasingly impoverished (McNickle 1973). The actual consequence of the General allotment Act by 1924 when the policy was officially ended was the loss of over two-thirds of reservation land in the U.S. with only minimally increased economic self-sufficiency.

The removal of the Yavapai and Apache from the Rio Verde Reservation also resulted in increased dependence

on governmental assistance. The specific sequence of events leading up to the removal to San Carlos are detailed by Corbusier, the military physician stationed at Rio Verde (1973:263-269). According to Corbusier, rumors of removal led to immediate anxiety among the Yavapai and Tonto Apache. Some individual Yavapais (particularly younger men) considered armed resistance. Yavapai leaders attempted to directly persuade the army commander (Officer Dudley) and asked Corbusier to intercede on their behalf:

The Commissioner [Dudley] read portions of his orders for the removal and said he came from General Grant in Washington to take them to a much better place where they could be together among their friends.... Then 'Captain Snooks', the spokesman for the chiefs, told him [Dudley] they would not go where they would be outnumbered by their enemies; that this was their own country and always had been. He told him their fathers and grandfathers were born here and had died here; their wives and children were all born here; and he reminded the commissioner of the written promises that had been made to them when they were assembled here, that the country along the river and 10 miles on each side should be theirs forever. He said that was little enough land for so many people who had been accustomed to roaming for so many miles before the white man came and stole it from them.

The Commissioner could well have been asleep as Captain Snooks pleaded with him to be allowed to remain....Others then came forward and pleaded in like vein. To one with a fair knowledge of the Indian language his [Snooks] appeal was a masterpiece of oratory. At first it was mixed with much broken English, but as he warmed up to the subject, his Indian gushed forth in a stream too rapid

for the interpreter to follow.

The Commissioner finally returned into his tent, with a wave of his hand, and the Indians crowded around me, asking that I intercede for them with the government as the Commissioner was crazy or drunk. I could only tell them that the order really did come from General Grant, and that they must obey it. It was not an easy thing to do, as they felt that I had forsaken them in the hour of their greatest need.

The next day when the Commissioner appeared in a somewhat better condition, I again pleaded with him to take the tribes by wagonroad around the mountains where teams could be used for the transportation of supplies, and some of the older men and women, and children. This time there was no need for an interpreter, as my language was strong and understandable. He didn't like it, and replied that they were used to the mountains and he was going the shortest way. (p. 268)

Corbusier quotes Dudley's decision:

They are Indians; let the beggars walk.
(p. 267)

February 27, 1875, approximately 1400 Indians left the Rio Verde Agency, on foot, for San Carlos almost 160 miles to the southeast. Corbusier accompanied the Yavapai and Apache on the forced march. His description of the events is fairly extensive, noting that the route was extremely rough and included river crossings in mid-winter. According to Corbusier, no less than 25 babies were born during the march (p. 273).

Corbusier, Al Sieber (Thrapp 1964:156), Sam Etchesaw [Yavapai] (Arizona Days and Ways 1955), and Mike Burns (in Corbusier 1973:277) state that before the removal and along the route to San Carlos, individuals

and families escaped and returned to the Verde Valley, some to the 'mountains' and some all the way to the Colorado River Reservation attempting to pass as Mohaves. A letter to the Commissioner of Indian Affairs from a Yavapai headman verifies that small settlements of Yavapai did remain or returned to traditional Yavapai territory (Department of Interior 1880).

Corbusier and Sieber stated that approximately 1,400 Indians began the forced march and that 115 less (approximately 8%) reached San Carlos. In addition to those who escaped, many people died or were killed along the way. The route of this overland march began 16 miles north of Camp Verde (near Clarkdale) and then down to Camp Verde itself. From the post, the people crossed the Verde River to Clear Creek near Cedar Mountain and continued up the east slope of Hackberry mountain. Next the route crossed Fossil and Strawberry Creeks working southward over the mountains to the Verde Hot Springs area. Then the route continued to the eastern slopes of the Mazatzal range and further east into the Tonto Basin, the present-day location of Roosevelt Dam. The last leg of the march proceeded toward the location of modern day Globe at Pinal Canyon and finally to San Carlos on the north bank of the Gila River. The march took almost two weeks.

Several accounts of the march itself have been recorded. These include Corbusier (1973), Maggie Hayes (Bronson 1980) and John Williams (Williams and Khera, in prep) a Yavapai whose grandmother had been a participant. Corbusier notes:

Now that the beef and flour had given out, the Indians ate the stems of Canadian thistle, and the so-called 'miner's cabbage', and the young stalks of the American aloe, which they roasted for a short time over an open fire. There was plenty of game in the country but the Indians were not allowed to hunt, and the noise of the people kept it out of rifle range. And now the women and children began to cry with hunger. (p.215)

Maggie Hayes details some of the general conditions of the march:

We had to walk all the way. The soldiers had ponies to ride. There was no road, very few trails. Many had no moccasins, but those who did, gave them to others who needed them more. Even the moccasins wore out on the sharp rocks. Our clothing was torn to rags on the brush and cactus. With bleeding feet, weary in body and sick at heart, many wanted to die. Many did die.

Rations were meager. It was winter time. At night we huddled together around the campfires to keep warm.... We were not allowed to take the time and strength to bury the dead, and who would want to bury the dying?

We waded across many streams. The river was running strong when we got to the crossing. We were forced to cross the best way we could. Some of the weaker ones washed away down the river to a watery grave. (Bronson 1980:42)

Similar points are detailed by John Williams:

From Cherry Creek Trail they take them to Camp Verde, stop them there. Then they march them on to San Carlos. When they walk

on the trail all around the mountains that's a good way. But the soldiers make them go straight over the mountains. The people don't have a wagon or horses, nothing at that time. Just walk. My grandmother had babies, children to take along on that trail. The children were young when they took them from there. One old man, he carried his wife in the burden basket. That woman was too old to walk; real old. Her husband is old, too. They make it to San Carlos, but don't live very long there....

Some of them were real sick. The soldiers just poke them with the gun to make them walk faster. But some of them just went down and died. They leave them there, like dogs. Like killed flies they leave them there. Just like that, all the way down to San Carlos.

When they came to the Rim [Mogollon], there is a lumber camp there. The soldiers know the people are hungry. They come to the camp and it looks like there is an eating place there. A big building, and one man looks like he is a cook. He has a white cap on his head. After a long time he comes out with a pan. It has handles on both sides. Put it down on the ground. But the headman of the Yavapai says, 'Don't eat it, Don't eat it - leave it'. They call a dog and throw him a chunk of meat. The dog eats it. A little while and he twists around, falls down and dies. So they don't bother with that meat in the pan. And one man said, 'I wonder why the white people hate us. Why they want to kill us? We don't do anything to them.'

When they march them to San Carlos it is winter time. It is raining so there is lots of water in the washes and rivers. But the soldiers make them cross the rivers.

My grandmother was sick after that and they had to cross the river. Maybe she was slow. The scout hit her with a gun, right at the wrist. Her wrist was crooked all the time after that....

There was an old lady who I knew when I was young, She had no ears. I asked my grandmother about it and she said, 'Don't say that.' Later my grandmother told me, up in the hills, the soldiers cut that woman's ears off. And she told me, another woman, they cut the

fingers off with the bayonette. I don't know why the white people hate Indians so much....

Lots of people they don't like to listen to that. They don't care. They have been raised when everything was quiet and going like that. 'Oh, these old people died anyways', they say. 'They are gone already'. Well, they are gone. But they are my people. My people around here, they kill them and kill them. My god, that is awful for me. (Chapter 1)

Once at San Carlos the bands were turned over to the Indian agent, John Clum:

Agent Clum was a greenhorn at the work, but very kindly and receptive. I took several of the chiefs to him and told them they must obey him in all things. He was surprised to learn that almost all of them possessed firearms, and it was with great misgivings that they were persuaded to part with them. San Carlos soon became a very large agency and great credit is due Clum for the way he handled it in the face of inadequate funds and opposition from most every quarter. A few of the Yavapai were later allowed to return to their own country, but the best land had been located by white men. (Corbusier 1973:280)

Maggie Hayes also commented on the arrival at San Carlos:

All of the tribes were dumped on the San Carlos Indian Reservation together, unable to understand each other's languages and temperments. They understood only vaguely, through interpreters, what was expected of them by their American captors. (Bronson 1980:43)

As the accounts of Maggie Hayes and John Williams testify, the march to San Carlos stands out in Yavapai oral history along with the Massacre at Skeleton Cave as an experience of intense suffering.

Yavapai oral history particularly stresses the breach of promise that was the basis of the forced removal; General Crook had told the Yavapai that they would be allowed to remain at Rio Verde and that is why they had willingly invested their labor in agricultural development there. The removal to San Carlos made it impossible for the Yavapai to enjoy the rewards of this labor and the breach of promise reduced their confidence in being able to expect returns for their labor in a reservation context in the future.

San Carlos

Despite these experiences, the Yavapai began again to develop farms at San Carlos. They actually had little choice; the reservation system (contractors and agents) failed to supply enough food rations to support the population. The Yavapai and Apache at San Carlos also attempted to supplement their diets with wild foods but the limited freedom of movement and sparse environment made this difficult.

At San Carlos the Yavapai settled in separate areas from the Apache, though there were day-to-day interactions at the post. Some Yavapai and Apache intermarried as they had done to some degree in the past. However, language barriers and other cultural differences tended to discourage social interaction.

Limited resources and the power of the agents and military personnel to distribute these scarce resources tended to increase competition. Some Yavapai also were enlisted as scouts in the U.S. government attempt to bring Geronimo's band of Chiricahua Apache back to the San Carlos Reservation; Geronimo and his band left the Reservation in the 1880's due to life-threatening conditions. Yavapai oral history notes that the Yavapai were sympathetic to Geronimo. However, most Yavapai nourished the goal of returning to their homelands. This goal was the result of what appears to be several factors, including the 'grieving for a lost home' syndrome (longing to return, multidimensional stress, and anger, Fried 1973) fueled by a promise made by General Crook that when the Yavapai 'learned the white man's way' they could return.

This promise made by General Crook is a prominent feature of Yavapai oral history of the San Carlos period. What did this promise mean? It was not a unique statement for this era of Indian and non-Indian relations. Crook had opposed the removal to San Carlos but had been unable to change it. He had also favored economic as well as cultural assimilation of Indians through wage labor and agriculture (Bourke 224-229). Did he intend by his promise that the Yavapai could return as a people to their homelands, or did he mean

that once assimilated the Yavapai would no longer want to remain on reservations and could settle where they pleased?

For the purposes of understanding the consequences of forced removal from a homeland, Crooks' intentions are moot. How the Yavapai interpreted his promise and the meaning that it held are highly significant. During the San Carlos period, the relocatees began once again to pursue agriculture, including labor-intensive canal irrigation. Yavapai also became scouts in order to appear responsive to the requests of authority as well as to earn an income (Williams and Khera, in prep.) Both were intended to contribute to the goal of being allowed to return to the homelands.

The Yavapai witnessed the consequences of the Geronimo era. Bourke (1891:437) noted that in many cases innocent individuals, Chiricahua Apache and Yavapai, were punished for the behavior of the escapees. In the end, the Chiricahua, both those that had revolted as well as thought who had not, were punished by the government. They were all forcibly removed from San Carlos to Florida and eventually to Oklahoma. The message to the remaining Indian people was clear: the authorities could make decisions without any specific justification. Day-to-day existence depended on the

good will of the agents and military personnel.

Subsistence

When agricultural production at San Carlos resulted in a surplus, individuals were occasionally allowed to travel to the nearby towns of Globe and Thomas to sell their produce. Some individuals also worked for wages in Globe (Bourke 1891:465). The weaving of baskets for sale developed rapidly after 1875; this was a task undertaken mostly by women and provided another source of cash (Mariella 1979). Even more, wages were earned by employment as scouts. The Yavapai were being drawn into the market economy.

Agriculture was not easy at San Carlos due to the volatile nature of the river and the variation in the land quality. Lack of proper tools added to the difficulty. The digging of ditches and clearing of land as well as the resulting problems are detailed in the following series of letters and reports from government personnel at San Carlos.

A general summary of irrigation on the San Carlos Reservation was presented to Congress in 1919 as part of the testimony concerning the San Carlos Irrigation Project (Coolidge Dam). This report details the various problems with agricultural production that the Yavapai and Apache faced.

It will be seen that the irrigable lands of the San Carlos Reservation both along the Gila and San Carlos River are composed of small narrow parcels which are cut up and separated from each other by cross drainage gulches or various sizes. Conditions, therefore, are very unfavorable for extensive cultivation, since this would necessitate several systems of continuous canals. Unfortunately, the greater part of the land previously irrigated, together with numbers of old canals, has been completely swept away by high water. These disastrous floods, frequent changes of reservation agents, outbreaks of Indian renegades and other unfavorable conditions have combined to hinder irrigation on a large scale. (1919:45)

These flooding problems seemed to have occurred every few years:

The Apache-Yuma Indians have their camp on the south bank of the Gila River and opposite the Agency. I would recommend that they be moved some distance up the river for the following reasons, namely the amount of possible farming land where they are is too small for the number of working men in the tribe, its lay is such as to make it extremely difficult if not impossible to water by means of an irrigating ditch and the proximity of the camp to the Agency and this post permits the men and women of the tribe to loaf around these places, satisfying their natural curiosity and habituating themselves to lives of idleness. I think these people will work as well as any on the reservation if a large easily watered farm is selected for them which can be done within ten miles of this place. (U.S. Army 1884)

The Annual Report of the Indian Service of 1892 points out that the labor required for irrigation was further hampered by the policy of enlisting men as scouts:

In this connection, I invite attention to the fact that a large percentage of the able bodied male population has been withdrawn

from here by enlistment in the army thus imposing much more field labor on a small number of the population.

Despite these problems, the military officer concluded in his 1884 report that agricultural production was increasing rapidly:

One of the greatest obstacles to the advancement of the Indians is the want of farming implements, seeds and wagons. Two and a half cents a pound is but a poor price for barley planted and harvested with a case-knife. Most of the ground is prepared for crops with a shovel. The work required to do this is too much for remuneration obtained in a distant future...

With assistance surely not much in comparison with the result obtained, I am confident that in one year all the Indians on the reservation will be self-supporting.

I made a similar statement in my report of last year. Since then, time and time again the Indians have assured me that should they be given the implements necessary for planting and harvesting their grain that there would be no need of feeding them any longer....

When praised on account of the number of sacks of barley raised by them the Indians almost invariable reply we will do better next year. The work on the farms is not now by any means, performed entirely by the women, in fact, I believe the greatest part of it is done by the men.

Despite this optimism, a series of good years did not occur and flooding became a persistent problem.

One of the greatest obstacles to the success of the farming ventures of the Indians on this reservation is the want of properly constructed ditches and dams. (U.S. Army 1885a)

Officer Crawford assigned one of his Lieutenants to plan an irrigation system for the 'Apache-Yuma'. The Lieutenant surveyed a ditch and then turned to the

Indian Agent for picks and shovels to assist the Indians in digging. The Indian Agent said that the military plan was not consistent with Indian Service plans and tools were denied. This controversy resulted in no new ditches that year.

A Missionary/school teacher wrote that in 1885 many women on the reservation were allowed to go to the Pinal Mountains to gather acorns and mescal. He noted that there was not enough good land and that irrigation was hard:

Dams are carried away every hard rain and one was rebuilt six times under very difficult circumstances....Much of the corn has died for want of water. (Department of Interior 1885)

After a series of years in which the crops were washed out by floods, the agent reported:

There are deep seated discontents among the Mohave, Yuma and Tonto tribes [Yavapai]....There are too many Indians with hostile instincts congregated here. They fear each other and are always on the alert. The amount of land bordering upon Gila River susceptible to irrigation is not very great and I think of nature not to bear cultivation for very many years, the farms are too small to produce enough to support the families without government aid. The water for irrigation I am informed grows less each year as the country on the upper Gila becomes settled (Department of Interior 1888)

Again in 1891 the Agent reported that many dams and ditches were washed out; of the 2,500 acres under cultivation, 2000 were flooded.

The fields of the Mohave, Tonto and Yuma Indians containing wheat and barley were ruined and they will not be able to raise anything this year except perhaps in some low places, where corn can be cultivated.

With reference to the advisability of immediately removing some of the Indians from this to the the Fort Verde Reservation in view of the damage done by the overflow here, I would say that as the Mohaves and Yumas (and also the Tontos) have for a long time been anxious to go back to Verde, I believe it would be well to gratify the Mohave and Yumas in that respect, provided the conditions for their permanent maintenance at that point notwithstanding the injury to their crops here for this year, are as good as within the limits of this Agency. What I mean is this, here they have an agent and will soon again have a mill, and the market for their products is good. At Verde a year would elapse before they could make a crop and of course, all the preliminary work for the purpose will have to be done there the same as here to accomplish such result.... Though I am not personally conversant with the conditions at Fort Verde, I understand, the market for farm produce is not good and there is but little wood on the reservation..... Then also the Mohaves and Yumas are the least troublesome Indians here; to remove them to Fort Verde would no doubt make them more contented, in fact they would be glad to get away from their San Carlos and Tonto neighbors but would this contentment continue for any length of time. Would they be materially benefitted by such removal considering the state of affairs surrounding the Verde Reservation? Which is only a comparatively small strip of ground and would they be able to reside there in peace and harmony with their white neighbors? These matters it seems to me, all require careful consideration in view of the expense involved in the removal in question. (Department of Interior 1891b)

The schoolteacher reported to his superintendent concerning the floods that year. He noted that the

farms of the Yavapai and Tonto Apache were washed out and could not be watered:

Were the ditches simply broken or filled, repairs would be possible but a dry glaring river bed of shining boulders and glittering river sand reached in many places from the ditch on one side to beyond the ditch site on the other. There is nothing left in which to make a ditch where the old ditches lay, hence repair cannot be thought of. So much cut out in less than a week renders it evident to my mind that talk of dam is folly. Unless such an obstruction was as immovable as a natural ledge of granite, such a force or even half such a force would send it whirling; and if the dam should prove invulnerable to the attacks of the river unless it reached from the hills on one side to the hills on the other ten percent of the rise that passed here this time would simply cut a channel around one end or the other through the sand and the stream would gurgle on to defy man further down....

In the meantime, how about the Yumas, Mohave and Tontos. In my judgement, there are temporarily three possibilities; first, they must be fed by provisions from somewhere else; second, in case they are not, they must become renegades and live by stealing cattle and plunder, or third, they must die of famine and consequent disease.

Permanent in my judgement there are three possibilities. They must be fed; they must be moved, they will move and feed themselves and the government will have them to kill. Already hunger is telling on some; mothers want to put babies in school to get something to eat. (Department of Interior 1881b)

Consequently, in 1891 Acting Agent Bullis reported that as the Yavapai had 'lost nearly all of their lands' it would be necessary to move them - either to Fort Verde or to Fort Thomas. The Commissioner's office

responded that there was no money to move them anywhere (Department of Interior 1891b).

The territorial Governor of Arizona had been informed of the possible return of the Yavapai and he wrote to the Secretary of Interior stating: "the tide of opinion is greatly opposed to the proposed change. The Verde Valley is fast becoming settled and its inhabitants do not wish to have such undesirable neighbors" (Department of Interior 1891a).

In May of 1893 the San Carlos Agent reported:

The Mohave Indians on the reservation numbering in all about 475 souls who are located in the vicinity of this agency have requested me through their chiefs to lay before you their urgent request to be permitted to remove from the White Mountain Indian Reservation (included San Carlos at the time) to the lately abandoned military reservation of Fort Verde Arizona and the county in its immediate vicinity, where they feel confident they will be able to support themselves without further assistance from the government by their labor.

The region named is that from which the Mohaves were brought to this locality many years ago. They have been longing to return there for a long period and made previous requests to be allowed to go back. As the majority are quiet and orderly and fully realize that in the event of their petition being granted they would not be entitled to further support from the government in fact they state that they wish to support themselves and from their quiet disposition I do not believe that the neighboring whites would incur any danger of molestation. I strongly recommend that their wishes be gratified if it can possibly be done. Many of the Mojaves in fact all of middle age know the

country to which they desire to go, the removal of the Mojaves from this reservation would of course be an advantage to the remaining Indians, the patches who would gain a considerable area of arable land irrigable land for their use. (Department of Interior 1893)

A follow-up letter from the agent specifically stated that two 'chiefs', Way-po-duppa and Kapitu, asked to be allowed to move to the neighborhood of Fort McDowell, which had been closed down by the military.

The Report that year (Department of Interior 1893) estimated that the reservation population was gaining its subsistence:

- 1) by labor in 'civilized pursuits' (i.e., farming) 1/3
- 2) by fishing, hunting and gathering 1/6
- 3) by rations 1/2

Three years later (Department of Interior 1896) the annual report to the Commissioner made the following estimates regarding subsistence activities:

- 1) 'civilized pursuits' and hunting and gathering combined 3/4
- 2) rations 1/4

Coal Fields and Yavapai Lands

While agricultural production was increasing and then decreasing during the 1880's another significant development was taking place. Many of the Yavapai were located in the south portion of the reservation near

Deer Creek. In 1881 a coal field was discovered there and non-Indians began encroaching on the Reservation to mine the coal. The U.S. Geological Survey (USGS) recommended that this coal area, known as the mineral strip, be removed formally from the reservation boundaries and opened to public sale (Department of Interior 1881a).

The Indian Service Agent reported to the Commissioner's office on what he observed to be the reaction of the Yavapai and Apache residents to this discovery:

The Indians are quite excited over it also and a delegation of them headed by Chief Chemewave-sal of the Yumas and Havasuer of the Mohaves, came to protest any innovation on the reserve without their being made to pay a royalty for their benefit stating they had been cheated out of their gold and silver that they wanted to know what I could do. (Department of Interior 1881a)

A series of newsclippings indicate that there was local pressure put on the Secretary of Interior to make these coal fields available to the public through separation of the land from the reservation. Agent Tiffany wrote to the Commissioner of Indian Affairs assuring him that the Indians would settle for agricultural lands on the northern part of the reservation, even though he acknowledged that chief "Chilchuh-uny" does not want the lands cut off from the boundary. Agent Tiffany further assured the

Commissioner that the use of coal by non-Indians would reduce the amount of illegal wood-cutting on the reservation by whites.

During this time non-Indians continually encroached on the coal fields and the Indian service was unable or unwilling to patrol the areas. Consequently, Agent Tiffany proposed that instead of the long process of alienating the reservation land permanently, that the area be leased. To this purpose he called together a council of the 'Apache Yuma and Mohave Chiefs' on May 30, 1881 and later explained to the Commissioner his version of what happened at this meeting:

I read to them and explained the nature of the lease, they signed fully and a number of times over so that there would be no mistake and also had two extra interpreters so there should be no misrepresentation by the interpreters to the Indians. The doors were open all the time to Indians or to any white person that might choose to come and hear.

There were charges in the leases as to Royalty from ten cents per ton to 12 1/2 cents on coals and in mineral one fifteen to one sixth. I thought this fair for both parties as the usual lease for mineral property is one tenth. The Indians since that time have expressed their entire satisfaction and say they are satisfied it is for their good. I truly hope this lease may be approved and ratified by your honor and the Hon. Secretary as it will end all anxiety here as to trespass and will please these Indians. (Department of Interior 1881a)

From these series of letters it seems that the tribal populations of San Carlos were aware of the

significance of the coal deposits for potential revenue. They were also aware of the efforts to separate the land from the reservation; the Yavapai's recent experiences with resettlement and their inability to influence these decisions reinforced the potential danger of losing this land completely. Under these constraints the agent stated that he was able to convince the tribal leaders to lease the land.

August 3, 1881 the Commissioner of Indian Affairs received notice from the Secretary of Interior that the lease was not valid; Tiffany had acted without authority. However by 1883 there were twenty veins of coal being worked with Indians hired as manual laborers at two dollars and fifty cents per day in addition to their rations; the pay for non-Indians was four dollars per day.

General Crook, who was at San Carlos to deal with the Geronimo incidents, telegraphed the Secretary of Interior. He pointed out that there were many settlers on the coal lands and that they were trespassing; he asked permission to remove them. Crook's success in removing the illegal miners led to more petitions for actual alienation of the lands from the reservation.

In early November of 1883, Agent Tiffany was subpoenaed by the U.S. Justice Department for fraud and

and corruption in connection with his duties at San Carlos (Harte 1975). Tiffany was removed from the Indian Service but during the transition, miners continued to work in the mineral strip. In 1885 the Arizona State legislature recommended segregation of the coal fields from the reservation. Up until the 1900's this coal field continued to be mined by non-Indians and continued to be a source of controversy. The Yavapai and Apache on the reservation knew that these lands were being exploited for the benefit of non-Indians but they were unable to change the situation.

Given these events it seems likely that the willingness of the agent to allow the Yavapai to return to their homelands in the late 1890's was influenced by their claim to these controversial coal fields. In addition, Yavapai had farms on the Gila River near the proposed location of what was eventually to become Coolidge Dam. Plans for Coolidge Dam had been discussed beginning in the 1890's and non-Indian farmers in Florence attempted to have it built as the first Reclamation Act dam in Arizona (Smith 1981; U.S. Congress 1919). Official reports concerning the Yavapai, however, refer to the problems with irrigation:

A band each of Yumas, Mohave, and Tonto Indians were transferred by the military from Camp Verde to the San Carlos Reservation in 1875. The Tontos established themselves on the north side of the Gila not far from the

San Carlos Fort, while the Yumas and Mohaves occupied a camp site on the opposite side of the river. The Yumas started digging their ditch in April, 1875, and planted a small crop for the fall harvest. The agent's report for that year states that this ditch was 5 feet wide on the bottom, 9 feet on top, 7 feet in depth and that it extended for a distance of 2 miles. In 1881 the highest flood during a period of 17 years preceding that date carried away all of the gardens and crops of these Indians.

The agent reported that the Yumas, Mohaves and the Tontos were very dissatisfied with their location and desired to return to their own country. In 1892 more of their lands were washed away, and they were still desirous of moving. They were also displeased, according to the agent, on account of orders received directing that they should be moved to the eastern part of the reservation, where a tract had been set aside for them in the vicinity of Bylas. It appears, however, that they all did not take advantage of this opportunity. Mr. McMurren states that he helped to extend the ditch in 1894 and that more or less irrigation took place under it until the flood of 1905.

In 1902 the dissatisfied Yumas and Mohaves, following the policy of their agent in charge, were allowed to go off the reservation to work for the white farmers. The agent states in his report of that year that their departure resulted in a decrease of 437 in the census within one year. (U.S. Congress 1919:173)

The Return to the Homelands

Some Yavapais were given permits to leave the San Carlos Reservation for short periods of time in the late 1890's. In 1899 they were allowed to leave permanently --but under the condition that no 'unfavorable incidents would occur'. This condition put the burden on the Yavapai to avoid confrontations with non-Indians even

though there was no security against the non-Indians molesting them. The Agent at San Carlos did not consult with the non-Indian population in the Verde Valley and made no preparations for the Yavapai returnees. The following letter and petition are representative of a series of correspondence emanating from Camp Verde concerning the Yavapai returnees:

There is to say the least, something wrong when these Indians have set apart for their sole use a tract of land in this territory that is second to none from every point of view which goes to make land valuable in Arizona, that they should be permitted to stray away from their reservation 150 or 200 miles and inflict their disgusting persons and practices upon our citizens.

The San Carlos Indians have been accumulating in this valley for the last 3 years increasing fast in the last 3 months; soon they will outnumber the whites. There are in the neighborhood of 150 of them here now. While a few will work a little the majority are worthless vagabonds.... Please remove them as soon as possible. They belong to the San Carlos Agency. (Department of Interior 1899)

A letter from a physician who worked in the Camp Verde area and occasionally treated Indians noted that there was a great deal of unrest concerning the returnees; he stated that there had been lies said about them to stir up trouble. He concluded with the statement that they were earning their own livings (Department of Interior 1899).

Through local friends, the Indian Rights

Association in Philadelphia became aware of the returnees predicament. In 1900, the Association wrote to the Commissioner urging him to look into the matter. The Agent at San Carlos then answered the Commissioner:

The Indians in question are the best element on this reservation. They always desired to go out among the whites and see if they could make a living for themselves. I am constantly in touch with them. All seems to be doing well and giving no trouble whatsoever....

I gave them passes to go to their old country and try and make an honest living and learn the white mans' ways, but with the distinct understanding that if they gave any trouble or the white people had any complaints I would send for them. (Department of Interior 1900)

Consequently, the Commissioner sent an Inspector to Fort McDowell and Camp Verde to report on the situation. This inspector reported back in October of 1900 that the people had left San Carlos in April of 1899 and that they had lost horses and other animals as a result of the trip. He noted that they had tried to dig a ditch at McDowell but had had difficulties getting the proper grade. He stated that the complaints of the Mexican and White settlers should be taken 'cum grano sales' and that their accusations had not been substantiated:

The Indians say that they will suffer almost anything rather than go back there. They claim that the lands at San Carlos were without water that they had always had a hard life there and have been disastisfied. They want to stay here and can support themselves. They claim that Verde was their original home and were seduced to go to San Carlos under false promises by military authorities that

the Verde would be reserved for them....

John Williams describes the departure from San Carlos as he heard it from his Grandmother:

In San Carlos the Yavapai again began farming. They were digging irrigation ditches and planted corn, wheat, barley. Later they were given some cattle, sheep, chicken and turkey by the government. They worked hard and did well in farming and cattle raising. But their hearts longed for home. Four Peak country, Superstition and Red Rock mountains were in their hearts strong.

One day, more than 25 years after they had been brought to San Carlos, Chief Marshall Pete told everybody, 'they let us loose now, we can go home. If we don't go now, the government will send us to Oklahoma or somewhere far away [a reference to the Chiricahua Apache]. So let's go. I grease my wagon already. Tomorrow early in the morning I'm going to leave. Who wants to come with me, follow me.' So the Yavapai left for home. They left all their cattle, sheep, chicken, turkey, houses, and fields behind. Going back home meant more to them than all the cattle and all the chickens in the world. (Khera 1978:8)

Summary and Analysis

By 1901 most of the Yavapai had left the San Carlos Reservation and returned to sites in their homelands in Central Arizona. This ended the 25 year period of forced removal away from their familiar aboriginal territory --a period in which the Yavapai had been an ethnic minority among the Apaches as well as a people subject to the pervasive authority of the U.S. government personnel.

Once again, the Yavapai had attempted to farm

intensively, planting crops that were amenable to the few tools available. The government rations were meager and undependable. The Yavapai consumed part of their produce and sold part as well. Wage labor (primarily scouting) craft production (baskets), and 'harvesting' of wood, also provided cash to purchase food and goods that were not produced by the Yavapai themselves. At first, agricultural production developed at a regular pace as the acreage reports verify. However, after 10 years of more or less regular flow, the heavy spring rains in the late 1880's and early 1890's resulted in the loss of crops and irrigation ditches. Thus, not only the expected returns were lost (crops), the labor investment in the irrigation system was lost as well. Without irrigation, agriculture was not possible on a large scale. Agriculture was, in fact, only suited to a few areas of the reservation. All key productive resources (arable land and wood) were scarce relative to the population. Wage labor, primarily scouting, was scarce too, and diminished after the 'capture' of Geronimo in the late 1880's. Furthermore, this work increased competition between the Indian populations, as the 'escapees' that the scouts pursued, were almost always Apaches, not Yavapais. The continued encroachment on the reservation land by the coal miners

was further testimony to the tribal populations' inability to control their economically important resources.

The Yavapai had little control over key decisions affecting their future. Therefore, long-term investment of labor in agricultural production was a high risk venture; the returns could not be counted on. Furthermore, at this time, armed reaction was futile - this fact had been demonstrated in the pre-reservation period as well as by the failure of the Geronimo band to escape capture. Other means of working for personal interests, such as political pressure, were difficult because the structure of the reservation made the agent responsive only to higher level administration, not to the reservation population. Political pressure would only have been effective at the national level but the Yavapai and Apache had little access to the sources of power due to language barriers, lack of formal education and experience with the political system, lack of allies, and few financial or other resources. In general, ways of making a living that depended on the government (wage labor and rations) were also high risk. What few resources were available had to be gained in a competitive situation in which the Yavapai were an ethnic minority.

Consequently, during more than 25 years (one

generation) the Yavapai increasingly sought to return to their homelands --- a goal symbolized by General Crook's promise that the Verde Valley would be waiting for them when they had 'learned the white man's ways'.

San Carlos became a long transition period for the Yavapai. The ecological and political situation did not encourage a long-range orientation to making a living and therefore, of settlement. Instead, the Yavapai longed to return to their homelands. This is a common, initial reaction of forced relocatees, termed the 'grieving for a lost home syndrome' (Fried 1963). A prolonged homeland orientation, however, does not develop among all compulsorily resettled peoples. The Yavapai case suggests conditions under which a population maintains a homeland orientation and even encapsulates it in cultural form (Crook's promise). Other modern cases of prolonged homeland orientation include the Bikinians who were relocated for the United States atomic testing program, and the Egyptian Nubians, relocated for the Aswan Dam. Like the Yavapai at San Carlos, the Nubians and the Bikinians found the resources of their homelands to be more productive than those of their new lands (Kiste 1974; Fahim 1983).

In the Yavapai case, there was little opportunity to gain control over the 'new' land which provided the

key potential for survival, even though land had been the productive resource for all known generations in the past. The homelands were better suited to agricultural production and their qualities were familiar. Furthermore, in their homelands, the Yavapai would not have had to compete both with the Apache and with non-Indians. Lastly there was the potential at least, for security of investment, that is, of controlling access to this land. This Yavapai sentiment was a major feature of the correspondence of the Indian Service officials concerning the returnees. It is mentioned again in an informal census undertaken in the Verde area in the early 1900's: Marshall Pete (a Yavapai leader at San Carlos) stated that he had worked for the government for 20 years as a scout 'in that hole' [San Carlos]. "I got tired of it and I am looking to make a independent living." (Anon. 1900 ca.)

This analysis does not mean to suggest that political and economic factors were the only ones of importance to the Yavapai in their longing to return to their homelands. In addition, Yavapai society and culture had developed in central Arizona, and the physical features of the land are integral elements of Yavapai mythology and experience.

The Yavapai had always been independent subsistence producers, not market oriented peasants or wage laboring

proletarians. The data argue that a major factor in the Yavapai returnees decisions to leave San Carlos was to be able to regain control over the resources that were essential for food production. Control over food production was a necessary prerequisite for controlling other aspects of their lives including social, political and cultural interactions. Yavapai experiences with wage labor had not increased confidence and economic well-being. Rather, these experiences had been the cornerstones of their dependence on individuals over whom they had essentially no influence -- separate and authoritative governmental personnel. This dependence was the means through which their subordination, which was determined by their ethnicity, was maintained. These data suggest that the goal of controlling the key productive resources, where access is determined on the basis of ethnic identity, may be the determining variable in a prolonged homeland orientation among compulsorily relocated populations.

CHAPTER FIVE
FEDERAL RESETTLEMENT POLICY AND FORT MCDOWELL:
Agricultural Development and Plans for Removal to the
Salt River Reservation

This chapter analyzes the development of federal resettlement policy regarding the Fort McDowell Reservation after its establishment in 1903 until World War II. To understand how federal resettlement policies affected economic activities, this chapter will investigate land use at Fort McDowell between 1903 and 1940. In specific, it will analyze the conflict between the community members and the governmental decision-makers over use of resources at Fort McDowell. Furthermore, as resettlement superseded federal allotment policy, significant land tenure differences developed between McDowell and the other reservations in the Salt and Gila River valleys. I will argue that these land tenure differences resulted in varying constraints and incentives for land use, particularly leasing. Lastly, the argument is made that long-term

experience with loss of control over land through removal, and the specific land tenure differences that were the result of removal policy, are critical variables in explaining current patterns of land use at Fort McDowell.

Summary

The Yavapai who left San Carlos in the late 1890's returned to homelands that had been settled by non-Indians; much of the best agricultural land was no longer available. Relations between the aboriginal inhabitants (the Yavapai returnees) and the new inhabitants (non-Indian settlers) were extremely strained as neither group was well prepared for the new circumstances. Each population resented the presence of the other.

Over the next 65 years efforts by the Yavapai and their allies led to the establishment of several small reservations within aboriginal territory. These Reservation communities are Fort McDowell (established 1903), Camp Verde and Middle Verde (1914-1916) Clarkdale (1965), and Prescott (1935). The only sub-tribe that did not obtain a reservation within its own territory was the Tolkepaya (Western Yavapai). Fort McDowell is the largest of the reservations and has the single largest population of Yavapai people, almost 400.

As Fort McDowell was the first reservation

established in the post-San Carlos period, it attracted many of the Yavapai returnees. Furthermore, Fort McDowell has excellent agricultural land with a permanent water supply from the Verde River. Once again, as at the Colorado River, Rio Verde and then San Carlos, Yavapais at Fort McDowell began to develop the irrigation system. However, it soon became clear that the amount of labor that would be required to maintain the system would be prohibitive without some kind of flood protection for the upper end of the irrigation system.

The Yavapais at Fort McDowell turned to the federal government, their legal trustee, for assistance in developing a permanent irrigation system. Instead of proposing a fiscally modest irrigation project for McDowell, the local BIA agent and Engineers of the Indian Irrigation Service recommended that McDowell be abandoned. They also proposed that the Fort McDowell farmers be resettled onto the neighboring Salt River Pima-Maricopa Reservation. This reservation had been established in 1879 for the Pima and Maricopa who were farming along the Salt River.

The Yavapais at Fort McDowell vigorously objected to yet another removal. Despite this opposition, the federal government, through its local personnel, pursued

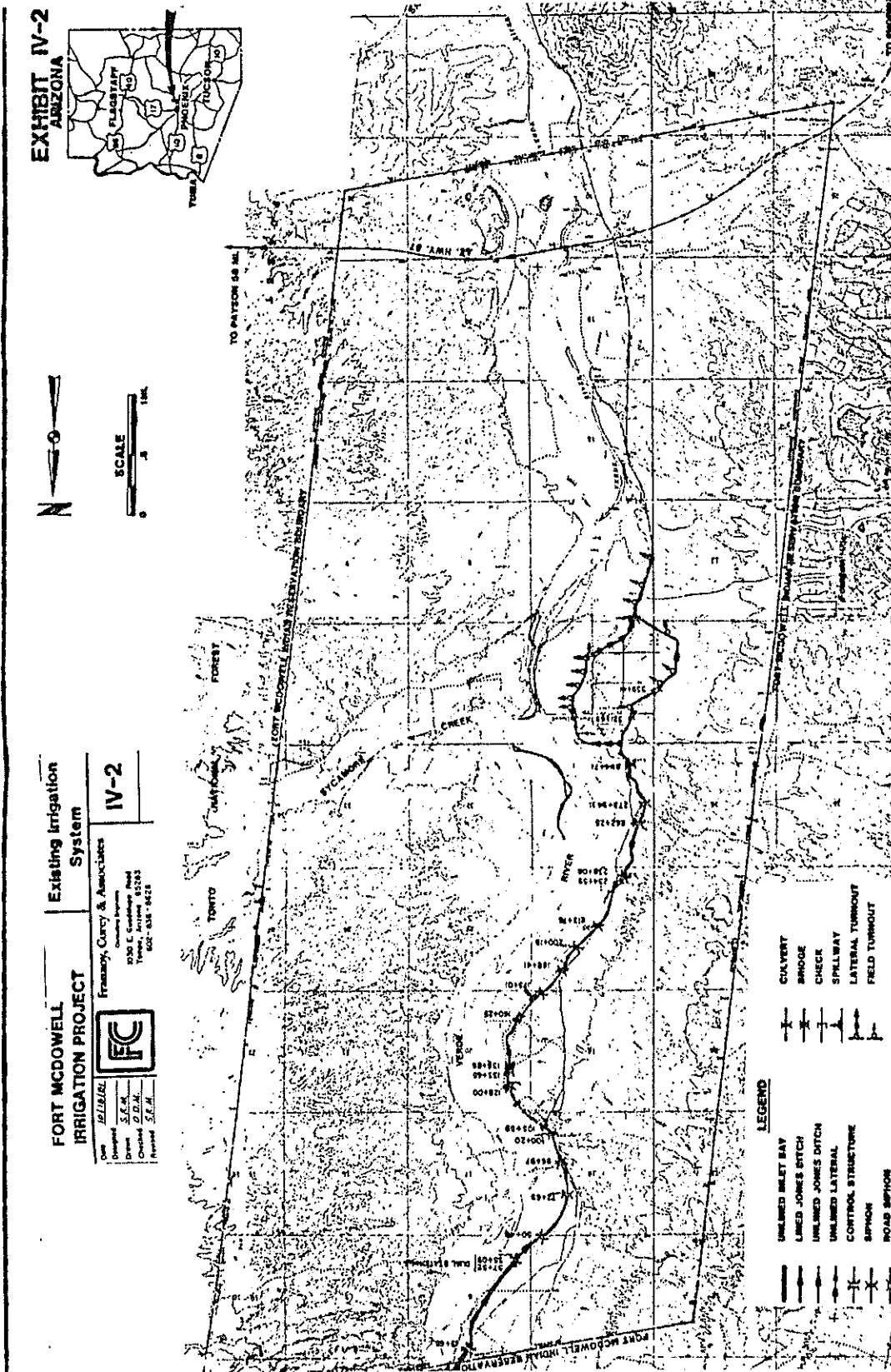
the resettlement policy for over 30 years. The Fort McDowell community members were able to avoid forcible relocation but the official resettlement policy led to a process of 'condemnation before the fact', that is, refusal to commit federal resources to development. At the same time, however, the federal government was spending millions of dollars on reclamation projects for non-Indians in the Salt and Gila River Valleys. These plans for removal also adversely affected the tribe's water rights, and depressed agricultural production and stock raising activities.

Establishment of the Reservation

When the Yavapai who had been held at San Carlos returned to their homelands, many families tried to settle in their former territories. The land at Fort McDowell had been a military post between 1865 and 1890. It had been considered as a site for a BIA boarding school but its relative isolation from Phoenix led to the choice of another site, the current Phoenix Indian School location.

A USGS survey in the late 1890's evaluated Fort McDowell as a possible location for a reclamation dam. However, the location of Roosevelt Dam in the Tonto Basin was considered to be superior for geophysical reasons. During this time real estate speculators attempted to claim title to the Fort McDowell land; some

FIGURE 5
 CONTEMPORARY AND HISTORIC FEATURES OF THE FORT MCDOWELL, IRRIGATION SYSTEM



squatters also began to farm there.

These squatters and speculators were unsympathetic to the Yavapai also trying to settle at Fort McDowell. Because the Yavapai had been told by the Agent at San Carlos that any disturbances would result in their forced return to San Carlos, the Yavapai attempted to make a living at Fort McDowell without causing public objection. They hunted and gathered, sold baskets, cut wood and tried to farm on a small portion of the Fort where it was difficult to secure a proper grade for an irrigation ditch.

The Indian Rights Association in Philadelphia learned of the Yavapai difficulties. Insistence by the Association led to a BIA inspection and by 1901, a portion of Fort McDowell was set aside for the 'Mohave-Apache' by the Interior Department. However, without control over the best agricultural land, the situation did not improve. Over the next four years, Yavapais at McDowell worked to secure the rest of the Fort for a reservation. The story of their efforts is a significant part of Fort McDowell Yavapai oral history. It is also documented by other sources (Curtis 1919; Khera and Mariella 1982; Khera ed. 1978; Williams and Khera, in prep).

Early in 1903, Chief Yuma Frank and 56 other

Yavapai Indians signed a petition asking the President, Theodore Roosevelt, for the land at McDowell:

We, the Mohave-Apache Indians, living on the old Fort McDowell abandoned military reservation, reach out our hands to you for help. We are now in a starving condition but for three years we have been living in miserable brush tepees on the barren hills obliged to shift for a poverty stricken existence while white and Mexican trespassers upon reserved public lands have occupied and enjoyed all the harvest from the only fruitful lands on the reservation. We left our reservation on the Gila River [San Carlos] under passes from the Indian Agent because we had no water with which to irrigate the arid lands and we came to the Verde River, the home of our forefathers from which our people were forcibly removed many years ago, with the solemn promise from General Crook and other officers that if we served them as scouts and soldiers and were true to our trust we should sometime return and this land we love so well should be ours. How well we have kept our compact is well known and is a matter of record in the War Department.

We receive no rations from the Government, neither do we desire aid further than that we be given lands to which we are justly entitled. Our people are strong and are willing and anxious to win their own bread....

We beg that we may call your attention to the fact that both the Secretary of the Interior and the Commissioner of Indian Affairs have recommended that the north half of the McDowell Reservation be allotted to us and we understand that pursuant to this recommendation that lands were withdrawn from settlement for Indian purposes and a bill was introduced allotting these lands to the members of our tribe. We had heard of various rumors to the effect that compacts have been made between the alleged settlers on these lands and those who hope to be with the Territorial Delegate to Congress to defeat our claim, and we have been made to understand by these Mexican and White trespassers that they had received assurance from the Delegate that our

claims would be ignored and we be sent with our poverty back to the Reservation at San Carlos where our condition can only be infinitely worse than it is now....

It is unjust to the alleged settlers and to us and the country generally that this matter should be delayed. In view of these facts we most earnestly urge that we no longer be left to eke out a miserable existence on the arid hills but that action be taken at once and the bill passed or defeated. We desire nothing more than that we may be enabled to become self-supporting, self-respecting and independent American Citizens. (1903).

This petition was supported by a letter from the Indian Office Special Agent regarding McDowell, stating, "Their desire to be self-sustaining amounts to a mania. They want to work and have already demonstrated that they will work hard for an independent support."

Following the efforts of Yavapai leaders such as Yuma Frank, on September 15, 1903, President Theodore Roosevelt ordered that all lands at McDowell not legally settled should be reserved for the Indians. President Roosevelt is said to have told the Yavapai representatives that traveled to Washington: "Don't sell the land; don't lease it; don't give it away. That's your land now. Nobody is going to bother you again." (Khera 1978:12)

On April 21, 1904 Congress appropriated \$50,000 to buy out all the non-Indian settlers and this process was completed by 1905.

Farming Begun Once Again

The first Annual BIA Report concerning McDowell states:

There are now living on the reservation 200 Indians, principally Mohave-Apache and Yuma-Apache. All improvements, water rights, etc., belonging to or claimed by the white settlers have been paid for by the Government, and the former settlers have relinquished all claims and removed from the reservation. The Indians are occupying 21 houses, and are cultivating the land under the 4 canals known as the Government ditch, Jones ditch, and Mazon ditch on the west side and the Belasco ditch on the east side of the river. Although contending with many difficulties the first year, they raised 1,600 bushels of grain during 1905.

The report of the farmer-agent-minister discusses the nature of these 'difficulties':

Their system of irrigation is attended with great expense of time and labor. The Verde River, from which the water is diverted, is a mountain stream which becomes a raging flood with every freshet, washing away their brush dams, while the rains from the adjacent mountains frequently rush in torrents down through the foothills, through which our main ditch runs, carrying away the embankment at every arroyo, and filling the ditch with sand. This is apt to occur both in the rainy season in summer and also during the winter. However, at every call for cleaning or repairing ditches or building new diversion dams the Indians have responded heroically. As warm weather advances moss begins to grow in the irrigating ditches. As the water moves so sluggishly, with an average fall of about 2 1/2 feet to the mile, it takes only a few weeks for the vegetable nuisance to almost stop the flow. The Indians must then pull it out by hand, only to see it as bad as ever in another few weeks. The first muddy water puts an end to its growth, but also brings into use the shovels and scrapers for repairing breaks. So, whatever the weather,

wet or dry, hot or cold, irrigation here means, work, work, work, and much of it. (Department of Interior, hereafter cited as DOI, 1905)

A similar report from an engineer of the Indian Irrigation Service (a branch of the BIA that was phased out in the late 1940's) stated that floods on the Verde River had washed out the Jones ditch heading at McDowell (DOI 1906). These reports indicate that almost immediately after the establishment of the Fort McDowell Reservation, the irrigation system ran into problems: the hand-made rock and brush diversion dams were continually washed out; continued labor was required to maintain the dam and canals.

Human labor was the major source of energy involved in diversion dam construction, canal digging and cleaning, although horses were used to haul materials. The tools consisted mostly of hand held scrapers, shovels, and axes. Men, women and children would all work together. Cottonwood branches were cut and hauled to the dam site and anchored with rocks. Beginning at San Carlos or perhaps the earlier, settled reservations a ditch rider or boss (aha mayora) had become an important position in the community. This individual helped to coordinate the labor of the ditch maintenance and allocated irrigation time for each field.

Formation of the Water Users Association

In 1903, the same year that the reservation was established, the Salt River Valley Water User Association (SRVWUA) was formed; this Association of non-Indian farmers was to receive water from the first dam to be built under the provisions of the 1902 National Reclamation Act. The City of Phoenix had originally developed as a farming community, unlike the other population centers of the Arizona territory that had developed primarily as mining centers. As the National Reclamation Act expressly acknowledges, local communities rarely had the financial resources to fund large-scale irrigation projects. Thus Reclamation law created a process through which federal monies could be used at subsidized rates for construction of irrigation projects. The stated goal was to promote homesteading and settling of the West.

Due to skillfull lobbying by SRVWUA directors who had political and economic contacts in the East, Roosevelt Dam was one of the first projects approved by Congress (Smith 1981). However, Bureau of Reclamation officials felt that the rights to Salt River water had to be clearly settled before the project was to deliver water downstream or endless legal problems might ensue. The Department of Interior then urged the SRVWUA to file a law suit to have water rights settled in court. This

suit was called Hurley v. Abbott. According to western waterlaw, a farmer who can prove that he has been using water before others has the first right to that water; this doctrine is known as Prior Appropriation. However, many of the farmers that diverted water from the Salt River refused to become parties to the suit.

Because of concerns about delays in the lawsuit the U.S. 'interpleaded' as a 'neutral party' in the lawsuit (Mariella 1980). The government's interest in the suit included:

- o the North Side canals which it had recently purchased to meet certain requirements of the National Reclamation Act.
- o the Indian reservations in the valley that is, Fort McDowell and Salt River

Fort McDowell was the only entity involved in the lawsuit that was not located along the Salt River. There were two reasons for its inclusion in the suit:

1) the Verde River flows into the Salt River approximately two miles below the reservation.

2) the government was planning to remove the Fort McDowell community members to the neighboring Salt River Reservation.

Plans for Removal

In 1906 temporary irrigation repairs were made at McDowell and some community members were assigned new parcels of land under the one ditch in operation. The

Agency Superintendent noted that it was important to speed repairs because of the Hurley v. Abbott lawsuit which was determining rights to water based on current use.

However, in the Spring of 1906, heavy flows again came down the Verde River and the farmer-Agent reported, "If only we could stop repairing ditches long enough to farm a little this would very probably become a prosperous community in a few years". (DOI 1906)

An Indian Irrigation Service report of 1909 discussed flood damage to irrigation structures at McDowell. Three-fourths of a mile of the upper end of the lower ditch had been swept away by flooding. Repair work for the ditch was estimated at \$1,000 and the report noted that such repairs would probably wash away with the next floods. A permanent structure would have to be built upstream and was estimated to cost between \$20,000 and \$30,000. As there were 50 to 60 acres planted already that year at McDowell, the report requested \$500 for immediate repairs to the existing irrigation system. The report further pointed out that the U.S. government had already invested \$60,000 in the reservation when acquiring the land from the non-Indian settlers. (DOI 1909a)

A later report written by Indian Irrigation service

engineer W.F. Code further analyzed the problems with the irrigation system at McDowell:

It has been my belief for some years that the proper solution of the water problem at McDowell would be to move such Mohave-Apache Indians as can be induced to farm, to a tract of land on the adjoining Salt River Valley Indian Reservation, in order that they might also obtain the benefits of government reclamation. As has been previously stated, the water rights of the Salt River Valley are now in process of adjudication, and we have presented the data in connection with the rights of the Indians in the adjoining McDowell reservation. As soon as the decision is rendered I shall make a recommendation that the water which is apportioned to this reservation be transferred to a certain area of land on the neighboring Salt River Valley Reservation under the large Government Canal. Also that Superintendent Goodman be authorized to sign up with the Water Users Association for the area of land which it is proper to sign up for, depending on the adjudication. This will allow a little tract of land for each Apache Indian who wants to farm, and the McDowell Reservation will be very valuable back country for them to retain for grazing purposes and wood supply. This little band of Apaches would then be enjoying the benefit of the Government work in the Salt River valley and in common with the white settlers be called upon to pay the acreage reclamation charge in ten annual payments after completion of the project. (DOI 1909b)

The local BIA superintendent did not understand why the Indians would have to pay for water on the Salt River Reservation if they would only be using normal flow from the Verde and not stored water. Engineer Code responded that the non-Indian farmers had pledged their lands to the government to back the investment in the Salt River Project:

It would not be right for a white settler to obtain the advantages of the Government's expenditures without paying his annual assessments; and similarly the Mohave-Apache Indians can claim no right in the Salt River project unless the reclamation charge is met.

With reference to the point raised by Superintendent Alexander, concerning the steps necessary in his opinion to effect the transfer of Indian water rights from the Fort McDowell to the Salt River Reservation, I have in the past conferred with former Governor Kibbey, attorney for the Water Users Association of the Salt River valley, and today conferred with Chief Justice Kent, who will probably by fall make the adjudication of the water rights under the Salt River project and also determine the rights of the Indians at Fort McDowell.

Judge Kibbey states that in his opinion there will be no difficulty experienced with the Board of Governors in bringing about the transfer suggested by me. Judge Kent states that as a general proposition he could not endorse the policy of allowing water rights which attach to a certain area of land to be subsequently transferred to other lands. At the same time he appreciates the many advantages of allowing such an exchange in this particular instance. He insists, however, that if the Government decides to make this exchange, it be done prior to the handing down of his decision this fall.

Superintendent Alexander doubts the wisdom of allowing the Fort McDowell reservation to remain the property of the Indians as suggested by me, in event of their being moved to the Salt River reservation but suggests that the reservation be retained by the Government for two or three years, and then be returned to the public domain....

The proper time for throwing open the Fort McDowell reservation, is however, a problem for future consideration. (DOI 1909b)

Engineer Code then discussed how many acres should

be set aside for each Indian from McDowell to be transferred to the Salt River Reservation. He concluded that 5 acres per Indian should be enough and that the annual cost paid to the Salt River project for their water should be \$40 per acre.* Thus, according to Code, the additional cost of relocation just for the reclamation charge alone would have been \$50,000. This cost would not have included the development of the land for irrigation such as clearing and digging of lateral ditches.

Later in 1909 Superintendent Alexander requested funds to hire two new people as farming agents at McDowell. He suggested one man in particular who was said to be friendly with the people at McDowell and who would be able to influence them to move 'quietly and willingly'.

The removal policy was based on certain assumptions:

- o it would be difficult if not impossible to provide a permanent irrigation system at McDowell
- o water for irrigation on the new lands at Salt River could be obtained legally from the Arizona Canal.

*According to the National Reclamation Act of 1902 a family farm for non-Indians was 160 acres per adult

Engineering reports made at McDowell at different times and by different people, varied considerably in approaches to the ditch problems. These were technical issues that technicians disagreed on. Also from these early letters, it is clear that Judge Kent did not feel that a transfer of the Fort McDowell water right to the Salt River Reservation could be done legally. But still, the local government officials insisted that it could be done.

How and why decisions are made is difficult to piece together from official correspondence. Local officials did not always agree. Yet the higher levels of administration, for example, the Commissioner of Indian Affairs, had to rely on these local officers for information. Most importantly, decisions were made without consulting or gaining any official acceptance from the Indian community involved. In the case of the transfer of the McDowell farmers to the Salt River Reservation, Superintendent Alexander's comments about 'influencing' the Indians to move 'quietly and willingly' suggest that he anticipated opposition to the plan.

After five years of litigation, the Hurley v. Abbot lawsuit concluded with the issuance of the Kent Decree. The paragraph of the Kent Decree that pertains directly

to Fort McDowell states:

For many years last past a number of Indians living on land within the Camp McDowell Indian Reservation, situated along the Verde River above its conflux with Salt River, have cultivated such land by means of water diverted from the Verde River. The extent of such cultivation is approximately 1,300 acres. The maximum amount of water to which this land is entitled is 390 miners' inches constant flow. As a matter of fact, for some years last past, because of the insufficient means of diversion of the water from the river and for other causes, these Indians have not been able to divert from the river the amount of water necessary for the proper irrigation of the land. It is the expressed purpose and intention of the Government within the next year to remove these Indians from this reservation to the Salt River Reservation, and to have them settle upon land within that reservation to be irrigated by means of the proportionate share in the stored water in the Roosevelt reservoir, to which such land, as land in class B or class C may acquire the right to share. In the expectation of this change of domicile and discontinuance of use of water as at present made from the Verde river by these Indians, and until the further order of the Court upon application with respect thereto in this suit, if hereafter necessary, the present diversion and use of water upon the said land in the Camp McDowell reservation by these Indians may be maintained.

Thus, the Decree assumed that the community would be moving to the Salt River Reservation. The 390 miners' inches was, therefore, a temporary award.

Relocation Pressure Intensifies: Opposition Remains

Immediately after the Kent Decree was issued the Yavapai at McDowell were approached by an Inspector of the Indian Office about abandoning their farms and

moving to the Salt River Reservation where "1400 acres of splendid land with plenty of irrigating water have been tentatively set aside for them." The Inspector's report concluded: "They have refused to consider the matter". (DOI 1910a)

The local superintendent then forwarded to the Commissioner a petition from 20 men living at Fort McDowell. This petition stated that these men wanted to stay at McDowell and not move to the Salt River Reservation. The Superintendent told the Commissioner that the people's greatest objection to moving was giving up Fort McDowell. Originally two young men had agreed to move but when the meeting was held to formulate the petition none of the younger men expressed an interest in relocating. The Superintendent wrote the Commissioner that he felt he could get the Indians to 'see the advantages of moving'; he would continue to bring the topic up and would 'appeal to them in a plain business manner' (DOI 1910b).

The Commissioner responded to the men who had signed the petition. He wrote that the move was in their best interest, but that the Indian Office would not require them to move. Their school would stay open one more year and the land could be used for grazing. Those community members that went to the Salt River Reservation first would get the best land there. The

local agents were ordered to favor those Yavapai who would show an interest in moving to the Salt River Reservation. Given the fact that at this time period all reservation wage jobs were funneled through the Agent, this was a significant order. Keeping the local school open was also important. The only option to local schooling was the BIA boarding schools, and the mortality rate of students was high (Department of Interior 1910b; Native American 1901-1920; Khera and Mariella 1982).

A month later, in July, the Superintendent again discussed the removal:

I have been steadily working on the problem of removing the Indians from Camp McDowell to farming lands on the Salt River Reservation. The Indians themselves are generally bitterly opposed to the move. There are a few families, however, that are ready to go as soon as it can be arranged. I think there will be about 30 persons making the change of which 10 are adult men.

I have taken this matter up with the District Court, the Water Commissioner and the officials of the Reclamation Service. The court will order as much of the 390 inches of water that these Indians at McDowell have as is necessary to be diverted from the Arizona Canal to such lands on the Salt River Reservation as may be selected. Mr. Hill of the Reclamation Service says he will put in a concrete headgate and a water meter for these Indians upon application....

When the lands have been definitely selected, I think it will be necessary to list them with the SRVWUA. Practically all the lands entitled to water under the Salt River

Project, including the Pimas' lands on Salt River Reservation, have been so listed. This association is recognized by the Reclamation Service as representing the water users and all business with the water users will be done through the association. By listing the lands, the Indians will enjoy the same rights and get the same protection that any other water users get. It seems to me that under the decree of the District Court, the McDowell Indians' right to use water is rather precarious and if by listing their lands with the Association we can put them in the class A lands that we should do so. It may save expensive litigation at some future time when there might be a scarcity of water. It will cost about \$1.00 per acre to list the land if it is done soon. I presume the Department will have to pay the annual assessments against the land to pay for the Roosevelt Dam maintenance charges etc.... (DOI 1910b)

The petition from the McDowell community members demonstrated that the Yavapai at McDowell were strongly opposed to the resettlement plan. When an opportunity to influence the decision-making process developed, the community members responded wholeheartedly. This opportunity came through Dr. Carlos Montezuma, a Yavapai Indian who had been captured as a child and raised in white society. Later in his life he reestablished contacts with his relatives at Fort McDowell. Dr. Montezuma's political interests coincided with Fort McDowell's need for a lobbyist who had the resources, skills and finances to effectively promote the community's interest. Thus Montezuma, this unique insider who had the skills of an outsider, was able to amass the political pressure that was necessary to halt the removal process. (See Khera and Mariella 1982 for a broader discussion of the political importance of Dr. Montezuma. See Hertzberg 1971; Chamberlain 1977; and Iverson 1982 for discussions of Dr. Montezuma as a political figure in the first quarter of the 20th Century.)

Congressional Hearings Concerning Interior Expenditures:
(H.R. 103 1911)

In 1911, Dr. Montezuma, his lawyer, Joseph Latimer and Fort McDowell community members George Dickens, Thomas Surrana and Chief Yuma Frank traveled to

Washington, D.C. to present testimony to the Congressional Committee reviewing Interior Department expenditures. Dr. Montezuma's efforts had already resulted in two bills pending before Congress concerning the McDowell Indians. House Res. 928 proposed to make the Interior Department explain why army troops had been stationed at the Salt River and to have all materials concerning the relocation of the McDowell residents to the Salt River Reservation, as well as any plans for leasing on several other reservations made available to the Committee. Accompanying bills H.R. 31920 and 6294 authorized allotments of McDowell land for farming and grazing and the construction of a permanent diversion dam and irrigation system at McDowell.

In his testimony before the Congressional Committee in 1911 Dr. Montezuma stated that he had been approached by George Dickens who asked him for help concerning the proposed removal. The BIA agents at McDowell had been pressing the community residents to move to the Salt River Reservation. In response, the Secretary of Interior had told Montezuma that the Indians would not be forced to move, but that the Indian Service would not spend money to repair the irrigation ditches at McDowell. The Secretary also pointed out that nine million dollars had been spent by the U.S. government on

Roosevelt Dam and that it was not at all likely that more money would be spent on an irrigation dam for 'a few Indians'. The Secretary also assured Montezuma that McDowell would be retained as timber and grazing land for the Indians (DOI 1911).

Joseph Latimer, Montezuma's attorney, attempted to find out about the recently decided Hurley v. Abbot case by questioning key personnel at the hearings. It seems from Latimer's comments that he and Montezuma learned about the suit only after it had already been decided. Latimer asked why the government interpleaded in the Hurley v. Abbott case for McDowell. Latimer noted that it was the worst possible time to do so, because the irrigation ditches were in disrepair and so few acres were being cultivated.

Montezuma and Latimer both stated that they felt outside factors influenced BIA decisions concerning McDowell. Montezuma suggested that plans for a reservoir dam at the McDowell site were responsible for the drive to push the McDowell farmers off their reservation. Latimer also suggested that the Salt River Valley Water Users Association (SRVWUA) was interested in having the U.S. pay for a larger portion of the Salt River Project by having the McDowell Indians included under the Arizona Canal.

J.B. Alexander, Superintendent at Gila River,

submitted testimony at the hearings. He recommended the McDowell Indians be removed to the Salt River Reservation. He also recommended that McDowell not be maintained for the Indians because it 'encouraged them in un-progressive ways". He also said, "There will be a cry of 'stop thief'" about his recommendation:

In fact, I have heard it said that to allot five acres of land to each Indian and restore the remaining part of the reservation to the public domain was a scheme to take away the Indians' land, where as a matter of fact a count of the Indians on the Salt River and Lehi Reservations and a close estimate of the land cultivated showed an average of 10 1/2 acres per family.... Under the present management, I can guarantee that no friction will result between the Pima and Mohave Indians, that is, no serious friction that your office will ever hear of....(p. 197)

The testimony of the Fort McDowell community members was presented in Yavapai and translated by Charles Dickens. Each man described his farming operations and stated that he wanted to stay at Fort McDowell.

Engineer Code testified that "we" put in the Hurley v. Abbott case every acre of land that had been farmed and considerable that had been washed out or wiped away: he felt the decree was more than fair regarding McDowell.

Finally, Engineer Code was asked if the individual Indians were ever brought before the court in the Hurley

v. Abbott case. Code said they were not. A committee member then responded: "They have not had their day in court, that is certain." (p. 726)

The Entangled Web of Crucial Personnel: Conflict of Interest

The lawyer for the U.S. and therefore the tribes in the Hurley v. Abbott case was J.L.B. Alexander; his assistant was George Christy.

George Christy was Vice President of the Salt River Valley Water Users Association in 1908 when he also was the assistant U.S. Attorney for the tribes. Christy's family was generally prominent in politics and economic affairs in the Valley: his brother was an officer of the Valley Bank and was later Mayor of Phoenix. Christy's father and Christy himself owned rights in several canal companies.

Both Christy and Alexander were also personal friends of Judge Kent, Territorial Governor Kibbey, and Mr. Fowler, the Washington lobbyist for the SRVWUA. Fowler had sent Christy letters stating that the Hurley v. Abbott case had to be settled rapidly or the Roosevelt Dam would be jeopardized politically. In 1905 Judge Kent informed Governor Kibbey that the Secretary of Interior was upset over Kibbey's dual roles as Governor of Arizona and attorney for the SRVWUA. Kibbey responded that he did not want to interrupt his

professional career while in public office (DOI 1905).

The U.S. Attorney, J.L.B. Alexander was the brother of James Barney Alexander, the Superintendent of the Gila River Reservation during the period in which the Hurley v. Abbott lawsuit was being tried. J.L.B. advised his brother that just because he was Superintendent at Sacaton, there was no law keeping him from buying land irrigated by the Florence Canal (Alexander 1909). Yet this canal was a major source of the Gila River Pima's conflict with the non-Indians over water. The Pimas and Maricopa were in the midst of a struggle, still underway in the 1980's over their water rights.

In 1911 James Barney Alexander was suspended from the Indian Service for 'irregular practices'. He was allowed to resign instead of being dismissed. His charges included forgery, embezzlement, hiring of relatives and friends as well as general dereliction of his duties.

Similarly, Indian Irrigation Service Engineer, W. F. Code, was asked to appear before an investigative committee of Congress in 1912. The Committee report was critical of the activities of the Reclamation and Indian Services, particularly at the local level in Phoenix. The Committee's major criticism was that before the

Reclamation Service's involvement in the valley, local farmers had access to irrigation water, but that after the construction of Roosevelt Dam, many 'speculators and grafters' had obtained rights to the water. (p. 5)

One specific criticism was that A.J. Chandler, a farmer-rancher who had large landholdings, was able to receive reclamation water for more than 160 acres which was illegal according to national law. The Committee Report stated that Chandler used 'dummy' or false land sales whose titles were held by the Mesa Improvement Company for whom Indian Irrigation Service Engineer Code was an advisor. Engineer Code was also Vice President of Mesa Bank which was involved with Chandler's financial deals.

When the Committee inquired further about Engineer Code, they learned he had resigned in November just before the Hearings. After reviewing the work Code had done, the Committee concluded that he was incompetent at best, and at worst had worked in direct opposition to Indian interests.

Both the 1911 and 1912 Congressional Hearings suggest that the non-Indian officials had acted as though Indian resources were public resources. Wherever there was a considered public 'need' for these Indian resources they were made freely available -- and in many cases this availability directly profited the official

or his network of interests. The poor protection of Fort McDowell's water rights in the Kent Decree, the examination of the confluence site for a reservoir, and the intended transfer to the Salt River Reservation were not intended primarily to benefit the Fort McDowell Yavapai but to benefit the SRVWUA. These decisions were made in spite of the official status of the federal government as trustee of Indian resources.

The personnel that implemented this trust relationship often had structural as well as personal conflicts of interest. The U.S. entered Hurley v. Abbott not just on behalf of the tribes, but also for the canal systems that the government had purchased. The attorneys and key Indian Service personnel also had local business ties. In spite of the Congressional hearings, these individuals had little incentive to pursue tribal interests. To the contrary, W. F. Code, J. B. and J.L.B. Alexanders and George Christy went on to have successful careers despite their questionable activities as civil servants.

These problems were not unique to the Salt River Valley or to Indian affairs at this time. Nevertheless, these conflicts of interest were considered by national figures and organizations to be at least inappropriate, as in the case of Governor Kibbey, or criminal, as in

the case of J. B. Alexander. But Phoenix was a small community at the time and Arizona was still a territory -- it was quite removed from the locus of national politics. Dr. Montezuma was able to exert some constraints only by mobilizing public pressure in the East, where Phoenix business interests had less direct influence.

Plans for a Permanent Irrigation System

The Congressional Committee requested the Secretary of Interior to hire an engineering consultant to study the irrigation situation at McDowell. This consultant, Rosecrans, (DOI 1912) concluded that irrigation could be developed at McDowell by use of a pump on the Jones Ditch, not a headgate, and by restoration of the east side canals. According to Rosecrans' report, pumping would cost less than development of the 'McDowell Tract' on the Salt River Reservation.

Based on Rosecrans favorable Report, the Secretary of Interior ordered that the lands at McDowell be allotted and that an irrigation system be developed. Allotments rolls were prepared, but irrigation improvements were postponed until Congress appropriated the money and a new head of the Indian Irrigation service appointed.

The Schanck Report: A Return to Plans for Removal

Engineer Rosecran's plans for a permanent irrigation system at McDowell were transmitted by the Secretary of Interior to the Indian Irrigation Service for an 'in house' cost estimate. The cost estimate, prepared by Engineer Schanck in 1913, reported instead on what were termed 'technical errors' in Rosecrans analysis. Schanck reported that the total irrigable acreage at McDowell was too limited for the cost of an irrigation system due to the small Kent Decree water rights. Thus the Irrigation Service had gone full circle, now claiming that the amount of water allotted by the Kent Decree was a limiting factor for agricultural production at McDowell.

He also asserted that McDowell was too far from markets for agricultural products. Yet, his solution to the problem was to have the McDowell community removed only 4 miles to the Salt River Reservation. Schanck concludes his report with the comments that "the Mohave-Apaches are not farmers" and that the Indian Service should not just give into "outside friends of the Indians" [probably referring to Dr. Montezuma].

Schanck advised the Secretary of Interior to keep the lands in government control for possible future

reclamation developments. His report concludes:

"The Camp McDowell Reservation itself contains a reservoir site, with dam site just below it on the Salt River Reservation. Both of these have been investigated by the U.S.G.S.... All of the flood flow is at present unappropriated... While storage of water on the Verde will probably not be undertaken for some time, the people of the Salt River Project are already considering it, and I believe the Indian Service should watch developments along this line and be prepared to join with the whites when the matter is further advanced..." (DOI 1913a)

Conditions at McDowell in 1913 and the Allotment Process

Based on the recommendations of the Schanck Report, the BIA decided not to spend any money on the irrigation system at McDowell which meant that few crops were raised in 1913. A number of community members were ill with TB and trachoma. Letters from a minister and from community members indicate that many Yavapai were "starving" (DOI 1913b and Dickens 1914).

Latimer, Dr. Montezuma's attorney, wrote the Commissioner's Office asking why the decision had been made not to allot the McDowell Reservation as had been ordered by the Secretary of Interior in 1912 (DOI 1914a). Soon after, a petition from McDowell community members asked the Indian Office for funds to repair the irrigation ditches and the school house, as well as for the appointment of an agent and a doctor.

Reacting in part to the questions from Latimer and the McDowell residents, an Indian Office memorandum

stated that the differing opinions about what to do at McDowell should be settled once and for all. The memorandum recommended the allotment of 10 acres of irrigable land on the Salt River Reservation 'McDowell Tract' and the allotment of all the McDowell Reservation pro rata for grazing. However, a subsequent memo disagreed stating that if the lands at McDowell were allotted, the Indians would always be asking for funds to improve the irrigation facilities there. This memo recommended that all allotting be stopped (DOI 1914b).

Due to the relocation policy, formal allotments were never made at Fort McDowell. Instead, the 5 and 10 acre parcels selected by the allotting agent in conjunction with the community members attained a semi-formal status referred to as 'assigned'. These assignments appear to have recognized existing use-rights in most cases. Assignments could include a homesite as well as farm lands. A couple passes on their assignment to their children, both male and female. In the 1970's and 1980's, Fort McDowell has prepared a tribal land code that acknowledges assignments when possible, taking into account tribal development plans.

In the early 1900's, for each of the approximately 35 households to have a farm (160 acres per adult

according to reclamation law) would have required close to 13,000 acres; Fort McDowell has approximately 8,000 acres of 'practicably irrigable land' (Stetson 1979). However, the families at Fort McDowell did not have the equipment to farm 380 acres and the tribe did not have the distribution system to irrigate all of its arable land. Consequently there was little competition for agricultural land. There were incentives for the community members to work together to maintain the irrigation headgate.

Verde River Floods - More Engineering Studies

In the winter of 1914 heavy rainfall damaged the ditches at McDowell and the BIA Superintendent reported that the Indians needed emergency help. A BIA inspector commented that the McDowell Indians were maintaining farming under "very discouraging conditions" (DOI 1915a).

However, no relief was provided for the irrigation problems. Instead, another study was made, this time by Engineer Clotts, concerning the costs of a permanent irrigation system at McDowell.

....the area of this reservation is 24,971 acres and the Indian population in 1914 was 258, most of whom are Mohave Apaches.... The floor of the Verde River Valley consists of a soft sandy loam or silt, and constitutes the land suitable for cultivation. It lies on both sides of the river and embraces a total of approximately 3595 acres. It formerly was

considerably greater in extent, but in recent years has been eroded by destructive flood action.The amount of land which could be irrigated is limited by the water available as it appears that under the Kent Decree the Indians on this reservation have a right to 390 miner's inches uniform flow.... An investigation of the river channel discloses two possible diversion dam sites: the lower site is just below the north boundary of the reservation, while the upper site is about 1 and 1/4 miles above....

Clotts estimated the cost of construction at the lower site, including repairs to canals, at \$148,960. The upper dam was estimated to cost \$110,124. He also mentioned a possible diversion dam site about 4 1/2 miles north of the reservation line and just below the junction of Camp Creek and the Verde River:

....I would roughly estimate the cost of this dam and head works at \$30,000, if founded upon bedrock or \$40,000 if founded upon sand.

The canal to reach the lower end of the reservation would be about 15 miles long and would cost probably \$40,000. Of course, this would be impracticable for the 390 miners inches to which the Indians are now entitled under the Kent Decree, irrigating 1400 acres, and in any case it would be impracticable without provision for the protection of the land against erosion by flood waters.

This can only be attained through the construction of a storage reservoir, and I understand that there is a good site on the Verde 30 to 40 miles above Camp McDowell.... If this dam were built by the Indian Service, the rights to all water over and above the present diversion of low water flow up to a certain limit, would accrue to the benefit of the Indians and could be used to irrigate not only the land in the Verde Valley but additional water could be supplied to the Salt River Reservation, where it is badly needed,

also to the Maricopa and Pima Indians. Or some of these Indians could be moved to Camp McDowell, where they would not only have plenty for water and arable land, but considerable mountain land for grazing purposes, providing the reservation was extended.

The Camp McDowell Indians are very reluctant about leaving this place, and it would appear that it is an ideal location for them, providing water can be furnished and the land protected. I believe that there is enough arable land below this diversion dam site to give 700 Indians 10 acres each, and the reservation could be extended so as to include the site and about 40,000 acres additional land for grazing purposes.

The water required for this land would be approximately 40 second feet of 2000 M.I. and the balance could be passed on down the river to the Granite Reef Dam and distributed to the Salt River Valley Water Users under an agreement which would return the cost of the project."

Clott's reports were summarized by the Irrigation Service and sent to the Commissioner of Indian Affairs with these recommendations:

"It is apparent, from the above figures, that even if water were available to irrigate the entire 3600 acres of irrigable land on the reservation, the reclamation charge per acre is high, and where the area is limited to the 1300 acres provided for under the Kent Decree, the charge is practically prohibitive. If there were no other method whereby these Indians could be supplied with land and water, it might be undertaken, but all other methods should be carefully considered before the high reclamation charge per acre can be either justified or recommended.

In this connection it should be called to your attention that there is a large body of excellent irrigable land on the Salt River Reservation, adjoining the McDowell

Reservation on the South, which is available for these Indians. This lies under the Salt River Project of the U.S. Reclamation Service, and water can be secured for these lands at an estimated cost of less than \$60.00 per acre, provided satisfactory arrangements can be made with the Reclamation Service for including the land within the limits of the Salt River Project." (DOI 1915b)

As this letter indicates, by 1915 the situation was the same as it had been in 1911 before the Congressional Hearings: There were no governmental plans for irrigation developments at McDowell.

Cattle Raising at McDowell

The 1914 Annual Report of the BIA recommended that the Fort McDowell Yavapai raise cattle because of the high quality range land on the reservation and in 1915 a cattle fence was put on the reservation using federal funds. By 1916, the Yavapai were grazing 200 head of cattle at Fort McDowell (DOI 1916a), and by 1917 nearly all households were reported to have a few head of cattle (DOI 1917).

In a series of Congressional Hearings concerning the BIA field service (1920), the McDowell Agency Stockman reported:

The Indians own over 500 head of cattle and under the management of the present stockman in charge, these cattle are being raised to a high standard of perfection. These results are being obtained by the use of high-grade males and close application to the care and management of the herd.

The ponies belonging to the Indians are

of a better grade than the ordinary Indian ponies, and are being improved as fast as conditions permit.

In 1931 Congressional Hearings in Phoenix, Gilbert Davis, a community member, was questioned about the cattle herd. He stated that some of the cattle had been lost in several droughts. He explained that when there was no irrigation water for raising pasture, the range was also often dry and the cattle could not find enough to eat. By 1939, a Range Management and Agronomic Report commented that cattle were able to graze on the open range in years with lots of rain and vegetation, but began to starve in the dry years. This report stated that livestock provided 76% of the cash income of the McDowell community members (DOI 1939).

These data suggest that the ability to raise some pasture during dry years was the most constraining variable for the cattle industry at Fort McDowell. While the herd expanded to 500 head in the 1930's, recent studies have indicated that close to 1,000 cattle could feed on the open range under average conditions, without degrading the environment (Fort McDowell 1979).

Despite these problems, community members did continue to farm and to raise cattle providing some subsistence and cash income. Economic activities also included the raising, and sale of poultry as well as

cutting use and sale of mesquite wood for fuel and fence posts. Women also made baskets for sale.

Wage Labor and Demographic Flux Between Yavapai Communities

There were also some jobs on the reservation, generally government positions, including policeman and assistant to the BIA stockman. However, most of the wage labor was found off-reservation. These jobs were found seasonally in agriculture as well as in construction, helping to build the SRP dams on the Salt River, the railroads in central Arizona and working in the mines in the Verde Valley and near Globe.

Due to low wages and discrimination, but also due to strong ethnic identity, Yavapai camps or settlements grew up in these areas, particularly near the mines. Near the Clarkdale smelter, 18 miles northwest of Camp Verde, a relatively stable Yavapai and Tonto Apache community grew. More community members worked in the smelter operations after World War I as the discriminatory practices of the unions were broken. (Spicer 1962:257). In 1969 when the smelter was shut down, Phelps Dodge turned over 60 acres to the Department of Interior for a Reservation at Clarkdale.

At Camp Verde, where some Yavapai had resettled after returning from San Carlos, 40 acres were set aside

as a reservation in 1910. An additional 448 acres were added in 1916 at Middle Verde. The small acreage meant that these reservations were primarily residential; community members worked in the surrounding non-Indian towns. Today, Camp Verde, Middle Verde and Clarkdale join together to elect one tribal council. The reservation also includes 3.75 acres at Rimrock and 74.84 acres at the Montezuma Castle National Park visitor center.

Another group of Yavapais had returned from San Carlos to their home territory around Prescott, settling near the abandoned Fort Whipple. In 1935, 75 acres from this former military reserve were transferred from the Veterans Administration to the Interior Department for a Reservation; in 1956 1,300 acres were added (Khera and Mariella 1983).

The Tolkepaya (Western Yavapai) never secured a reservation though there were settlements at Palomas, Arlington and Congress. Today, while most Yavapai over 50 identify with a sub-tribe, there are few remaining 'Tolkepaya' even though, according to Gifford, they were the most populous of the sub-tribes in the 1800's. This fact argues strongly for the importance of an economically-sized land base in sustaining cultural viability and identity.

Thus, there was flux between the reservations and

off-reservation communities. This flux reflected the flexibility of the pre-reservation social organization, as well as the contemporaneous economic situation. The establishment of tribal rolls based on residence after 1934 may have led to decreased flexibility; Yavapai born after the 1930's identify more with a particular reservation than with one of the ethnographic sub-tribes. (Khera and Mariella, 1983).

People who could make a living on the reservation (or who could not work in wage labor jobs, such as the elderly) often stayed on the reservation while others would move to the locales where they could find employment. But the reservation community was still home, and Yavapai returned whenever there were prospects for making a living (see also Morris 1971).

Water Resources and Development in Arizona

Like the Yavapai at Fort McDowell, Peterson (1967) discusses how the Mormon farming communities on the little Colorado River also turned to cattle as a means of livelihood when their irrigation systems were regularly washed out by flooding. These Mormon communities attempted to construct diversion dams and irrigation delivery systems but found, like the Yavapai, that labor costs were not only prohibitive but that they could not prevent periodic destruction of their crops.

This situation forced them to turn to Salt Lake City for rations. The cost (labor) of a permanent irrigation system was beyond the capabilities of the small, local communities. It took capital for construction as well as a great deal of labor to construct permanent irrigation diversion systems. This reality had been the basis for the passage of the National Reclamation Act of 1902.

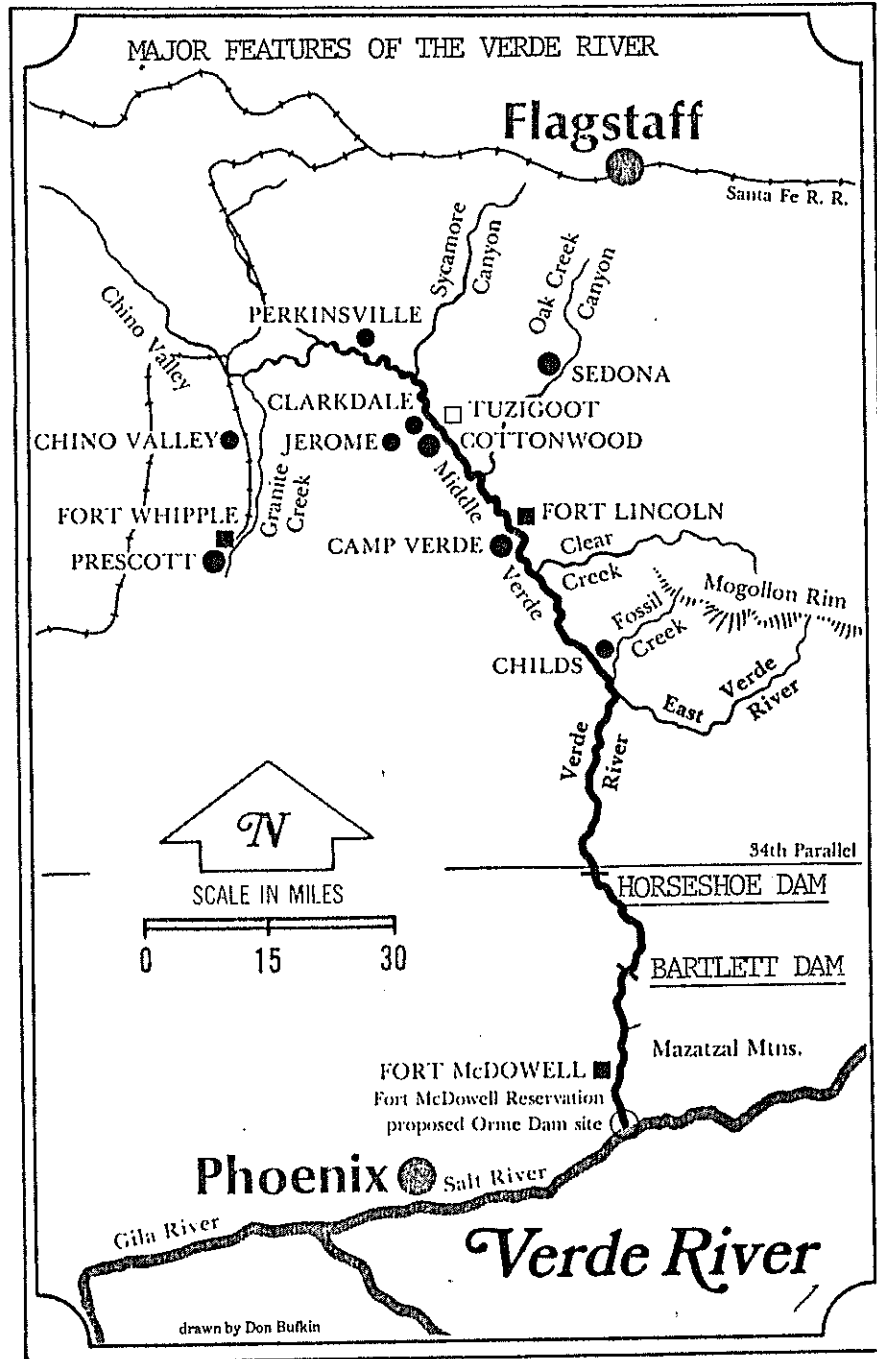
The nature of the hydrological resources in the lower Verde could have been a major variable shaping prehistoric developments as well. What is today Fort McDowell has been occupied since at least 100 A.D. (ASM 1975). It was a major Hohokam-Salado habitation area with permanent agricultural facilities. The population peaked during the 'classic' phase. Then between 1250 and 1400 the sedentary population declined. During the protohistoric period the area was utilized by Pimans and Yavapai for food gathering particularly of riparian resources, and saguaro cactus fruit.

This flux of population and subsistence intensity reflects cyclical changes throughout the prehistory of the Southwest. Even though the ecology of the area could have changed between the Hohokam era and the 1900's when the Yavapai began farming at McDowell, it seems plausible that the 'Hohokam' residents also found

the lower Verde a volatile source of irrigation water.

Irrigation needs also shaped the development of Anglo society in the Salt River Valley. When Anglo farmers first settled in the valley each owned his own canal. There was often disagreement and even violence over the distribution of water and maintenance of systems. Anglo farmers in the arid west and their political representatives joined together to pass the National Reclamation Act of 1902. This law formally acknowledged that small local communities did not have the capital resources to develop permanent irrigation systems. Consequently, the centralized, federal government with its national resources financed and subsidized water development in the West. The following data suggest that the need for federal capital beyond the individual and local resources and the political power that accrued to those who controlled the irrigation system explain irrigation development in the Salt and Verde River Valleys between 1910 and 1950.

Several private financing organizations attempted to build dams and reservoirs on the Verde River but were thwarted in each instance by the Salt River Valley Water Users Association. The federal government eventually built the multi-million dollar dams on the Verde (Bartlett and Horseshoe) and the Salt River Project took over their operation. This complex process had an



BYRKIT (1978)

impact on the Fort McDowell community downstream while the BIA continued to plan for removal of the Fort McDowell Yavapai into the 1930's.

Plans For Dams on the Verde River

In 1904 the U.S. government had 'withdrawn' the land below Camp Verde because of plans to include Verde River dams in the Salt River Project. When only Roosevelt Dam was built the lands were reopened in 1909 under provision of the Desert Land Act.

Even before Roosevelt Dam was completed, the Salt River Valley Water Users Association (SRVWUA) had stated that a dam on the Verde River would be essential to the financial success of the Salt River Project (U.S. Congress 1911). When SRP fell behind in its payments to the government for Roosevelt Dam, the SRVWUA urged Reclamation to build Horsehoe Dam on the Verde River as quickly as possible. However, Congress would not appropriate funds for another Arizona dam.

By 1914, an attempt was made to develop a reservoir system on the Verde River. The farmers in Paradise Valley had been left out of the Salt River Project boundaries and so had no assured source of irrigation water. They formed the Paradise Valley Water Users Association and in 1926 became the Verde River Irrigation and Power District. In 1916 the Paradise

Valley Water Users Association filed for the flood and surplus water of the Verde River, however, the Salt River Project disputed the existence of 'unused water' from the Verde.

The Indian Office proposed to Interior that a Paradise-Verde canal be included as part of an Verde dam. This canal would have traveled south from Horseshoe Dam crossing the McDowell Reservation into Paradise Valley. The Indian Bureau agreed to the right-of-way for this canal in exchange for 22,000 acre feet of water a year for the Salt River Reservation lands: the Secretary of Interior had been required by Congress to provide water to 631 allotments on the Salt River Reservation in 1916 but had not done so. In addition, five points of diversion from the canal were planned for the Fort McDowell community.

In 1920 the Interior Department approved the application of Paradise-Verde, but during the next several years they were unable to secure the appropriate financial backing for their dams. The reasons for this failure probably included the fact that the Bureau of Reclamation and the SRVWUA never supported their plan. As Paradise-Verde continued to levy assessments on their members, internal dissention developed.

In 1925, the Interior Department revoked Paradise-Verde's permission to build for failure to start work on

the project. Soon after, the SRVWUA filed for a transfer of rights to build the Verde Dams.

However, SRVWUA was having problems also. Members' objections had led to an official federal investigation (DOI 1927). One of the major conclusions of the Report was that water from any Verde Dams should not be used on lands not already within the Salt River Project boundaries. The report also concluded that the earliest farmers in the valley who had paid for SRP were not doing as well as certain speculators, contrary to the goals of national reclamation law.

Despite these finding, the Interior Department granted the right-of-way for Bartlett Dam to the Salt River Project in 1930. However, the former plans for a Paradise-McDowell canal had been dropped.

Transfer of McDowell Water Rights to the Salt River Reservation

As the controversies over construction of the Verde River dams and the possibility for a controlled irrigation supply was postponed, the Indian Office continued with its plans to transfer the McDowell Yavapai to the Salt River Reservation 'McDowell Tract'. The specific site selected for this Tract lies near the modern-day Beeline Dragway between the Salt River bed and the Arizona Canal.

In 1916 a delegation from McDowell consisting of George Dickens, Charles Dickens, Tom Surrana and Sam Jack called on the Governor of Arizona to help them avoid removal. The Commissioner of Indian Affairs responded to the Governor that it was in the Indians 'best interests' to move to the Salt River Reservation and added:

Certain influences, all emanating from the same source [Montezuma?] have also been at work with a view of leading them to believe that allotment on the Salt River Reservation is but an initial step in a deep laid plan to deprive them of their lands at Camp McDowell. (DOI 1916b)

However, in 1917, the Salt River Reservation agent wrote that the non-Indian farmers in the valley knew that McDowell was not using its full Kent Decree allocation of water and with the post-World War I boom in cotton farming, irrigation water was becoming scarce. The agent felt that the government might even be forced into court to protect McDowell's water rights if the full 390 miner's inches was not used. Consequently, work began on irrigation ditches for the McDowell Tract. As the construction work proceeded, efforts were begun to obtain the formal transfer of the McDowell water rights.

The Indian Office had always asserted that the Kent Decree 390 miners inches could be transferred from McDowell to the Salt River Reservation. However, early

correspondence, as well as the opinion of Judge Kent issued at the time of the Decree, contradicted the Indian Office's assumptions. When the transfer application was formally made in 1918, the SRVWUA, in particular its Tempe and Utah Canal users, opposed it. The SRVWUA claimed that in order to use the water transferred via the Arizona Canal, the Indian Office would have to pay a high rate that included a share of the costs of the construction of the Salt River Project. In 1920 the Indian Office formally objected to the high rate for transfer of the water on the advice of the Indian Irrigation Service. The legal advisors for the government pointed out that the federal government owned the Arizona Canal and should not have to pay for the use of it.

As the legal controversy continued, irrigation canals to irrigate 270, five-acre allotments on the McDowell Tract were completed at the cost of about \$20,000. The allotting Agent added his concerns over the transfer, stating that the Indians were anxious about losing their land at McDowell. He recommended that the land at McDowell be allotted to them:

As intimated elsewhere in this report a good deal of allowance must be made for the attitude of these Indians. In view of some unfortunate chapters elsewhere of Indian history and the Indian removals -- in view of the question of water right not yet determined

for these lower lands -- in view of the possibility of forfeiture of the water right to the McDowell lands through non-use particularly in the event of removal therefrom -- it seems to me that notwithstanding all our generous intentions and true purposes regarding these Indians, we have not nevertheless yet made out an absolutely clear case for them and that their apparent lack of confidence should be regarded with a good deal of allowance and sympathy (DOI 1919).

The Society of American Indians, of whom Dr. Montezuma was a founder, supported Agent Sweet's remarks in a letter to the Interior (DOI 1921a):

The experiences of the McDowell community members in the past, particularly the poor protection of their rights through the Kent Decree and the fact that their opinions were never asked on any such actions led them to be suspicious of Government suggestions and to feel insecure about their land.

Subsequently, the BIA indicated that it was 'contemplating' allotment of the land at Fort McDowell.

In 1920, Fort McDowell community member, Mike Burns, gave testimony at Congressional Hearings in Phoenix. Senator Carl Hayden, a committee member, asked Burns if the community members wanted to stay at McDowell. He responded, "Yes, sir, that is their home. They ask that their lands be given to them". Hayden asked if they had even consented to move and Mike Burns replied, "No sir". (U.S. Congress 1921:878)

The BIA Superintendent also gave testimony concerning the situation at McDowell:

The last rise in the river which

occurred in April washed away about 400 yards of their main supply ditch, and they have not been able to get any water since, though a few of the more determined ones have been working now for some time in the efforts. The most of the Indians, however, have left the reservation and have secured employment in the surrounding country because of their inability to make a living on the reservation... In view of the fact that the Verde River which flows through this reservation is fast washing away the farming and also because of the difficulty in keeping a dam on the river for diverting the water, and as farming lands have been reserved for them on the Salt River Reservation, no encouragement is given the Indians to farm at McDowell. They have, however, been successful in putting in crop about 50 acres during the past year (p. 872).

The Superintendent concluded:

The old people will never agree to move, but land should be set aside and allotted practically to these people, and then the younger people will finally come to that idea and move down. (p.885)

The question of leasing the McDowell Tract came up several times during the early 1920's. The Superintendent wrote that the lessee would make some improvements such as putting up fences and that some water would be used rather than left to flow down the Arizona Canal into Phoenix. But no one was willing to lease the land without an assured water right (DOI 1920). Thus, non-Indian farmers were also not interested in the McDowell Tract on the Salt River Reservation because of the water rights question.

After considerable efforts by the Interior Department in 1922, the SRVWUA agreed to deliver water

to the McDowell Tract for 67.5 cents per acre foot which was much lower than their original price of \$1.05. Their decision may have been influenced by the threat of the Justice Department to try to reopen the Kent Decree in federal, not state, court and attempt a full-stream adjudication of water rights. At this point the SRVWUA did not want any new decisions concerning the Verde River because of their rivalry with Paradise-Verde.

Even though the SRVWUA had finally agreed to the diversion of water for the McDowell Tract, a new problem emerged. The McDowell Tract lands had been declared Class C lands in the Kent Decree: Class C lands had low priority rights to flood water, that is, to stored reservoir water. The Indian Office wanted to apply the Class A water right that had been awarded to the McDowell Reservation to the Class C lands of the Salt River Reservation McDowell Tract.

In 1923, the Court Water Commissioner of the Kent Decree ruled that the transfer was illegal unless the Indian Office agreed to abandonment of all water use at McDowell: The Court Water Commissioner said that without abandonment the water rights of other downstream users would be 'injured'.

Abandonment at Fort McDowell would have meant:

- 1) the Class A water right would have been permanently lost, and

- 2) no one could have used water at Fort McDowell, in effect, forcing all residents to move.

Finally in 1924, the Secretary of Interior ordered the SRVWUA to provide water to the McDowell Tract. On the appointed morning, a U.S. attorney, the Indian Irrigation Service and SRVWUA representatives showed up at the McDowell Tract by the headgate. The water that was going to be diverted would have run into irrigation ditches that no one was using: none of the McDowell community members had moved to the site. Consequently the U.S. attorney decided on the spot not to open the headgate after all.

Again in 1926, a delegation of McDowell residents, including Mike Burns, George Dicken and Sam Kill asked Senator Cameron (D-Arizona) to intercede for them with the Interior Department to obtain allotments at McDowell and not at Salt River. The Indian Office responded to a similar request from Joseph Latimer that it was "too bad he had influenced the McDowell residents not to move to the Salt River Reservation and take the generous offer of the government" (DOI 1929).

Dr. Montezuma's Impact and the Transfer Scheme

Between 1916 and his death in 1923, Dr. Montezuma was referred to by various Indian Office personnel as an 'agitator'. Furthermore, community members who were

associated with him were also labeled 'trouble makers' (DOI 1917).

It is difficult to determine how much the antagonism between Dr. Montezuma and the Indian Office personnel affected policies and actions. At the least, Montezuma was often 'blamed' for the McDowell farmer's opposition to the Indian Office plan for relocation. The Agents often implied in their correspondence that if only a few people were kept away, the whole situation would be different: it would be easy to convince the McDowell farmers that it was to their advantage to take the five acre irrigable allotments on the Salt River Reservation.

As an Indian Service Engineer reported:

You are probably well aware that this is not a project which is resting entirely upon its merits. From outside there is constant pressure brought upon this office to induce it to begin construction of some kind that would in some way tie the Indian Service to a future plan of development. These attempts are not made apparently for the sole benefit of the Indians, or that justice may alone be done, but there seems to be hidden away back in the dark recesses some dark ulterior motive which we are not able to understand but which nevertheless must be guarded against in all the operations in connection with this reservation. (DOI 1915b)

However, Indian Agents had noted that the community members were 'bitterly opposed' to relocation before Montezuma ever returned to Arizona, and Montezuma

himself had stated that it was his relatives that had asked him for help. Inspector Sweet had acknowledged that Montezuma reinforced suspicions that were already deeply rooted within community members based on their own experiences. Furthermore, potential non-Indian lessees also felt the water rights issue was too important to invest in the McDowell Tract land.

There were alternatives to the move to the Salt River Reservation McDowell Tract that had been recommended at various times; they all involved providing a permanent irrigation system at McDowell. The BIA, however, did not consider these alternatives after the Schanck Report of 1913 argued they were the most expensive solutions for the government. But to the McDowell community members, the immediate cost to the government was not the controlling variable. In this crucial matter, the interests of the community, which were long-range, and its trustee, the federal government, did not coincide.

Once the \$20,000 was spent on development of the McDowell Tract, government officials would not consider any development at McDowell itself and appeared to 'punish' the community for its opposition. This standoff continued into the late 1930's when the construction of Bartlett Dam and the availability of Depression-era federal monies help to persuade the BIA

to allocate funds for minor irrigation repairs at Fort McDowell.

The City of Phoenix Pipeline

Local governments were also interested in the excellent resources at Fort McDowell. The City of Phoenix constructed a 15 miles pipeline to use the high quality water from the Verde River at McDowell for domestic consumption in the City (City of Phoenix 1925). As the City of Phoenix grew, it began to look for a good quality and assured domestic water supply. Early investigations in 1906 had recommended a gravity aqueduct from the Verde River. In the Kent Decree, the City was allotted 48 miners inches from the Salt and Verde Rivers on the basis of use since 1870. In 1915, the City filed with the Commissioner of Indian Affairs for 1100 miners inches from the underflow of the Verde River and received a right-of-way approval.

In 1919, the City prepared bids for construction of the Verde pipeline. Voters approved financing by the sale of bonds and construction began in 1920.

In 1921, the Commissioner of Indian Affairs contacted the City because construction of the pipeline had caused damages to the land at McDowell and Salt River; the City had not buried all of the pipeline and had knocked out an irrigation ditch (1921). The City

agreed to pay damages of \$7.50 per acre, even though the BIA Superintendent had recommended \$10 per acre. McDowell community members, particularly Booth Brown, wrote in correspondence to Dr. Montezuma and the Interior Department that the City had not paid enough in damages.

In 1927 the City also applied for a power line to provide electricity for its pumps at McDowell; this issue and the pipeline itself were discussed before a Congressional Committee in 1931.

Gilbert Davis, a McDowell community member stated:

There is a great problem here for our reservation: that is a ditch called the Jones ditch that is above here, above Fort McDowell, which is supposed to be a high-line canal. That was abandoned for years. That was abandoned ever since 1910. It was used when the white settlement was here. When the reservation was turned over to the Indians the Government cared for it for a while. They carried the ditch for the Indians for a while. Then, the head washed out. Now, we can not handle it ourselves and ever since we have asked the government to rebuild the dam, renew the ditch again, but they tell us they have not got money enough to build the dam again and to renew the ditch for the Indians.

.....The Government surveyed and they wanted to put up a new dam and ditch here but they told us that cost a lot of money. I do not know how much it will take but that is what I understand, it will cost a lot of money. At the same time there is not enough land to put up the ditch. That is the excuse and that is the reason they let it go and they drop it ever since... That is our main problem here. All the Indians on the reservation know that very well. We have lived here many years. We got the reservation in 1903. Then we want the Government people to build that dam and the ditch

for the reservation. We have no well that we can get for water, that is, for farming and the Government people want us to do that. You want us to farm our land, you want us to condition ourselves, and yet it seems like, some of the old people, it seems the government just wants to starve us here, which is true. We have been asking the Government to build this dam for us. As I say, they told us it cost a lot of money to build the dam and renew the Jones ditch again, so we just keep quiet about that. We have asked a lot of times. (p. 8168)

..... The pipeline is also here. The city pipeline has been built in 1921 on the reservation without consulting the Indians, and that is what the Indian is kicking about. I do not know who gave them the permission."

The Superintendent of the Agency that included McDowell, Mr. Brown, was questioned about the permission for the pipeline:

"The pipeline was built before I had charge of the reservation. I had charge of it only four years. The City officials are here who will give you their authority for the construction of the line. I believe the city manager is here and the City engineer is here also.

.....As I understood it the Water Users' Association and the City built a power line across the reservation and after it was completed wrote a letter to me asking authority to construct the line" (p. 8176)

Senator Frazier: After it was built?

Brown: Yes sir.

Frazier: That is a good time to get the authority to build it?

(Brown continued that he had contacted the Washington Office and they had indicated that payment of \$900 would be appropriate but that the matter was still 'in controversy').

Frazier: Who is looking after the interest of the Indians in this controversy?

Brown: The Indian Office has that matter up.... the commissioner of Indian Affairs in Washington. My recommendation went up there and it has been in their hands since. I have been asked for no recent report or recommendations.... I made a report and a recommendation. My recommendation was that as no allotment was damaged by this power line and there was a possibility of using this power line for the benefit of the reservation for irrigation purposes and in the future of the reservation lands would be sufficiently compensated by the possible use of this power, I recommended that no money be charged for the right-of-way. The Indian Office disapproved this and stated they should pay. In my letter I stated that the land was worth approximately \$50 an acre in my judgement, giving the area and length of it. The office, based on our report, made a claim.

Frazier: When was this report made?

Brown: About a year ago, as near as I can recall.

Frazier: How long after you made the report was it before you got a reply from Washington?

Brown: not very long.

Frazier: What did you do when you got the reply?

Brown: I think the matter was handled direct. I was not instructed to take any action in the matter, I am sure of that.

Frazier: Not intending to criticize the city or anyone specifically, I will say this, it is a complaint we have throughout the country, that the Indians never get any service; investigations are made, reports submitted and that is the end of it, and it occurs to me good business would dictate that these matters be brought up and adjusted....

Senator Wheeler: Why was it they built this

line across the reservation without you knowing it?

Brown: I don't know sir.

Frazier: Did you not see it built?

Brown: no sir, and nobody reported it to me.

Frazier: Where was the Agent? Was he sleeping at the time they were building it?

Brown: I don't know. I will say, with reference to that, my position and my recommendation to the office, as I have stated was there be no charge for this power line. I stated or suggested that the Water Users Association should be scolded a little for having done it without any authority, and I called attention to the fact it was taking the matter in their own hands and that their action was reprehensible in doing that. I do not feel, however, that the reservation was damaged.

Next, the City Manager of Phoenix (G. H. Todd) was called to the stand. The Committee members asked him how the permission was acquired for the water pipeline:

Todd: The City of Phoenix filed a map of the Verde line and an application for approximately 17,737,000 gallons of water off the underflow of the Verde and construction under permit no. 029206 was granted by the Secretary of the Interior and the old pipeline built under that permit.

Frazier: Was anything paid for the right, at that time?

Todd: Not to my knowledge.... in 1921 the permit was granted for the construction of the old pipeline... We are furnishing in that connection a number of taps throughout the Salt River Reservation.... for their domestic need.... They have other supplies as well but those taps were put in for their convenience.

I might say in addition to that, that in 1925 we did some additional construction work which was approximately a 100 foot right of way. In 1925 we were obliged to do some more construction work. At that time we had the permit of the Department of the Interior, under No. 053101, for some slight changes which were made in replacing some of the old line that had become obsolete. Then on September 2, 1930, we received authority to drill five test wells on the Fort McDowell Reservation, stating at that time that the city desired to acquire title to this acreage, provided that the test showed that we would get sufficient water.

.... Upon completion of the wells we got water and the status at the present time is that we have made application to the Indian Department of the Department of Interior for title to 120 acres of land for the transfer of title. Now we have been advised that it will be necessary before approval by the Indian Department that an act of Congress be passed in order to do that (p. 8197).

As the City Manager's testimony in the 1931 hearings indicated, the City of Phoenix wanted to buy 120 acres of Fort McDowell Reservation land on which the well pumps were located. A bill was placed before Congress (S. 1438) with the approval of the Indian Office setting the price of the land at \$6,300.

However, a petition from McDowell residents was sent to the Commissioner's office protesting the sale of this land. The petition stated in part:

We do not want the City people to come to our reservation to do any work without asking us again. The McDowell Indians do not want to sell any land. If 125 acres were sold to the City, we want additional land added to our already too small reservation which is only a strip of twelve miles long which is not

sufficient for cattle grazing and farming of ten acres each. (U. S. Congress 1931)

This petition was forwarded to Congressman Carl Hayden with the message "explain this to the House Committee" (DOI 1932a). Consequently, the bill failed to pass Congress. Instead, a yearly rental fee of \$360 was charged by the BIA to the city. The City eventually paid after a letter from the BIA pointed out that the fee was probably "far too low" (DOI 1936).

While the federal government provided no funds for improvement, its agents allowed a local, non-Indian government to develop and exploit the resources on the reservation. The Indian Office even approved the sale of reservation land to the City, a process which seems to have been interrupted only by timely political action by Fort McDowell community members.

As a result of these activities, farming declined even though considerable labor was invested in it by the Yavapai of Fort McDowell. This situation was discussed by the BIA stockman:

In the three years I have been on this reservation these Indians have worked diligently to keep water in the ditch and have lost a part of their crop each year due to the ditch washing away. They have quit trying to raise alfalfa as there is two or three months during each year that they are working on the ditch usually in the summer during the hot weather and their alfalfa burns up while the ditch is being repaired.

....It is very discouraging to try to

farm under these conditions as they never know when they plant a crop how long they will be able to irrigate it or if they will lose it and have to replant. (DOI 1932b)

By 1935, despite critical investigations of SRP's management of its existing dams (DOI 1936), Bartlett Dam was built on the Verde River, 18 miles above the northern boundary of the Fort McDowell reservation. The contract approved by Interior stipulated that Fort McDowell's existing Kent Decree water rights not be damaged.

The local BIA officials anticipated that with the upstream control, irrigation could be secured for Fort McDowell. Consequently BIA provided funds in 1939 for a small concrete intake for the Jones Ditch. The Fort McDowell community members continued with petitions requesting additional funds (DOI 1939a).

However, soon after the completion of Bartlett Dam, national resources were committed to the war effort. Horseshoe Dam, 13 miles above Bartlett, was constructed between 1944 and 1946. A number of Yavapais worked on this construction project; many others entered the armed services. Tribal Council Meeting notes indicate that community members hoped for a new beginning when the veterans returned home to McDowell.

Comparative Analysis

The Fort McDowell resettlement plans of the BIA superseded federal allotment policy. Fort McDowell was never allotted and remains tribally held. In contrast, over half of Salt River and over a fourth of the Gila River Reservation are allotted:

	<u>Total</u>	<u>Allotted</u>	<u>%</u>
Gila River	372,000	97,457	26
Salt River	49,294	25,164	51
Ft. McDowell	24,000	-0-	-0-

Due to changes in allotment policy, none of the allotments in the Salt River valley can be sold without permission of each heir and the Secretary of Interior. However, unlike tribally owned land, revenue from leases of allotted land accrues to the individual allottees. Has the difference in land tenure, the result of condemnation policy toward McDowell, affected land use on the Fort McDowell and Salt River and Gila River Reservation?

The major difference in land use between McDowell and the Salt and Gila River Reservations is in leasing. At Fort McDowell there have never been any agricultural leases. Yet the Council has been regularly approached by agribusiness interests. Furthermore the BIA agency personnel have encouraged leasing (Minutes, Council

Meetings). Even in Dr. Montezuma's time he remarked:

The oil men, real estate agents and the water Users Association and the cattlemen have come around and look like a hawk or buzzard upon Indians living on the reservation -- that has been the atmosphere. (DOI 1921:10)

Until the late 1970's there was only one business lease at Fort McDowell. This lease was to the City of Phoenix for its domestic water operations. As the historical data shows, it was the BIA in the 1920's that accepted the City's proposal, long before a formal council was established at McDowell in the 1930's. Community members at McDowell were not in tacit agreement. Instead they wrote and petitioned Interior about this lease objecting that:

- o they had never been consulted
- o the pipeline had damaged farm land
- o pumping of water lowered the water table damaging the riparian environment
- o the lease price was unreasonably low.

The lease has provided employment with the City of Phoenix in operation and maintenance of the facilities. But the relationship is different than with leasing of allotted land in which the allottee profits directly. The leasing revenue (which was only \$360 per year until the 1960's) belongs to the tribe as a whole.

How did leasing develop at Salt River and what has been its impact on personal income as well as economic

and community development? Munsells' discussion of social organization at Salt River gives a detailed discussion of these developments (1967). The Salt River Pimas, like the Yavapai, had serious difficulties with irrigation. Ostensibly, because trust status land could not be used as a lien, the SRVWUA excluded the Salt River Reservation from the Salt River Project. Therefore the Salt River Reservation did not receive water from the Arizona Canal. Due to the increasing number of dams on the Salt River by 1945 there was also no flow in the river itself below Granite Reef Dam. Pumping of groundwater substituted in part, though it is expensive both in capital investment and electrical operations costs.

Most of the allotting at Salt River occurred between 1910 and 1914. Simultaneously World War I changed agriculture in the Southwest. It was at this time period that the elimination of produce price controls, increasing farm subsidies, federal controls of acreage for specific crops, especially cotton, and an increasing mechanization forced small farmers out of the market.

The original five and ten acre allotments at Salt River have been divided for several generations. Multiple heirships at Salt River are so complex that BIA

land operations keeps them on a computer; few tribal members have sole control over more than an acre. Non-Indian farmers receive BIA assistance in leasing economical portions of land and they can get credit at the local banks. As Munsell points out, while farming became more difficult on a small number of acres there was no concomitant increase in wage labor opportunities for Indian people. Thus allottees at Salt River turned to leasing as a source of income. Community members at McDowell did not. In 1967, 373 people at Salt River derived an income from leasing. Approximately 340 received less than \$1,000/yr; the mean income per lessee from leasing was \$763.00.

However, the Salt River Pima-Maricopa Indian Community also leases tribal land; the tribe wanted long-term leasing ability in the 1960's to encourage industry and other developments (Shaw 1974:219). This tribal policy was pursued through the early 1970's (see Arizona Farmer Ranchland 1975). However, by the late 1970's, the tribal council began to change its policy. Leasing of land for non-Indians homesites was officially halted in 1979 (Indian Arizona October 1979).

The White Mountain Apache Tribe also passed a resolution in 1977 to end tribal leasing of homesites because the financial return is so poor; the tribe will be terminating current homesite leases as they expire

(Swanson 1978; Apache Scout 1983).

Wilson (1974) quotes tribal leaders across the country on the same issue:

Say you put checkerboard lands through a 99 year lease; your chance of survival is real low.
(p. 134)

I can't see any place benefit has accrued to Indians. (p. 137)

(at Salamanca where the town has a 99 year lease)
The white people feel like they own it. (p. 135)

Formal research on the benefits of leasing concur with the assessments of these tribal leaders. In regard to agricultural leases, Jorgensen (1978) states that Indian people or tribes in the U.S. in the 1960's received 12% of the profit made from use of their lands (p. 50). Lipton (1978) lists the problems for tribes with mineral leases which have provided billions in profits for energy companies and barely millions for the Indian owners of the resources. Sutton (1975) summarizes this consensus:

Land leasing should also be considered in the context of title change or encumbrance, in as much as it has often betrayed the Indian or the tribe, virtually tying up his patrimony in a way that may be viewed as tantamount to outright alienation through land sale. (p. 135)

A similar justification is cited by community members at Fort McDowell who state that leasing is like selling your land, because it means loss of control. Teddy

Roosevelt's advice "Don't lease it, don't sell it'; don't give it away" has been a litany of Fort McDowell Yavapai history.

This statement embodies a guideline for development that is drawn from experience with loss of land through actual resettlement and the continuing policy of resettlement that characterizes Fort McDowell history. While removal is the most destructive form of loss of control, leasing is another form on the same continuum. Community members often state that the land must be retained in its productivity for the future when community members, their children and their children's children will have the skills to develop it, how they want, at their own pace, and for themselves. In contrast to the smaller Yavapai reservations of Camp Verde (635 acres) and Prescott (1,375 acres), the land at Fort McDowell has the potential for providing a self-reliant economic base through the use of natural resources. The next chapter suggests that these experiences have also guided the Fort McDowell community members in the Orme Dam controversy from the 1950's into the 1980's.

CHAPTER SIX ORME DAM

As early as the 1920's, rights over Colorado River water had become an explosive issue in the west. After initial feasibility studies in the mid-1940's and years of legal battles over water rights, Congress passed the Colorado River Basin Act in 1968. This Act authorized the construction of the multi-billion dollar Central Arizona Project (CAP). The Central Arizona Project design consists of a series of pumps and a 240 mile aqueduct to bring Colorado River water to central Arizona. Orme Dam, or a suitable alternative, was part of the Act and was intended to provide regulatory storage for the CAP. This Orme Dam was proposed to be located at the confluence of the Salt and Verde Rivers, on the Salt River Reservation. The reservoir behind the proposed dam would have flooded at least 17,000 of the 24,000 acres of the Fort McDowell Yavapai Reservation.

This flood area includes the most economically

valuable river-bottom lands. These lands include all the 7,000 or more arable acres on the reservation, cattle range, sand and gravel deposits, large stands of mesquite trees that are cut for fuel or sold for cash, and the City of Phoenix well field, which provides tribal income through a lease as well as personal income through employment of community members. The flooded lands include the historically significant site of Fort McDowell as well as over 120 prehistoric Hohokam-Salado sites. The free-flowing Verde River also provides a scenic recreation environment as well as economically important natural resources. The community cemetery would also be inundated.

Almost all community members would have to relocate if Orme Dam were built; all community members would have to relocate if the largest Orme Dam, proposed in 1981, were constructed. They would have to move to the surrounding hillsides and the community land base would be split into at least two sections by the reservoir.

As Orme Dam was being planned by the Bureau of Reclamation, government agencies, e.g., Fish and Wildlife, and the Geological Survey, were included in the discussion. It was not until 1973 that representatives of the Bureau of Reclamation first met with the Fort McDowell Indian community members to

discuss the plans for Orme Dam. At this meeting the Bureau of Reclamation officials were told that the community was opposed to the construction of the dam, the loss of reservation land, and relocation. The Fort McDowell community continued to oppose the construction of Orme Dam up to 1981 when the Secretary of Interior approved plans for a dam at an alternative site.

The plans for Orme Dam have been a major issue affecting development of the community. As with the BIA plans for resettlement to the Salt River Reservation in the early 1900's, plans for Orme have led to another period of 'condemnation before the fact.' Federal agencies, particularly the Economic Development Administration (EDA), BIA and Housing and Urban Development (HUD) did not allocate funds for improvements or developments in the Orme 'flood plain'. This chapter details the specific impacts of the condemnation policy on economic development. This chapter also suggests that Fort McDowell community members' opposition to Orme Dam is based on past experiences with resettlement. It is also argued that the community member's predictions of adverse impacts are supported by social scientific analysis. This chapter focuses specifically on economic impacts. More detailed analysis of the political consequences and strategies of the Orme controversy can be found in

Butler (1978); Coffeen (1972); Khera and Mariella (1982); and Mariella (1981). In summary, the Fort McDowell community members recruited and worked with a number of allies, both individuals and organizations, in their successful efforts to oppose Orme Dam. These allies included environmental, taxpayer, inter-tribal and church organizations as well as concerned local citizens and social scientists. This approach does not imply that only economic impacts are important. However, this analysis suggests that loss of land would have significant causal effects on the social, political and cultural life of the community members and their descendents.

The CAP and the Struggle for Rights to Colorado River Water

The question of rights to Colorado River water has generated a great deal of controversy. In 1921 Congress became involved in formulating the Colorado River Basin Compact. The compact established an upper and lower basin of the Colorado River (divided by Lee's Ferry in northern Arizona) and assigned equal amounts of flow to both basins.

The state of California's planners and politicians moved rapidly to use the lower basin water and Congress funded the construction of Boulder (now Hoover)

Dam and an aqueduct to southern California. Arizona finally supported the Colorado River compact as the condition of an agreement to arrange for congressional funding of an Arizona water project. However, the first economic analysis of an Arizona water project in 1947 was opposed by the California State Department of Public works, the U.S. Department of Agriculture, and federal Power Commission and the first attempts at authorization failed.

Consequently, in 1952, Arizona filed suit against California to adjudicate rights to Colorado River water. This suit, *Arizona v. California*, lasted 11 years when in 1964 the Supreme Court allocated 2.8 million acre feet of water to Arizona and 4.4 to California, leaving 300,000 acre feet to Nevada. Finally in 1968 the CAP was authorized. (For more detailed discussions of the political history of the CAP see Berkman and Viscusi 1973.)

With the passage of the Colorado River Basin Act in 1968, Orme Dam or a suitable alternative was authorized by Congress. The legislation expressly acknowledged that the dam would mean the taking of Indian land and provided for compensation under federal condemnation law. Due to Interior Department anxieties regarding potential opposition by the tribes involved, Orme was almost dropped. Instead, with no direct consultation

with Fort McDowell or Salt River, an additional compensation item was added to the Act, the choice of 2,500 acres of in lieu lands, beyond the requirements of the federal condemnation process (PL 90-537).

Most Fort McDowell community members were unaware of the plans for a dam. The Bureau of Reclamation dealt only with its sister agency, the BIA, rather than with tribal leaders. Some Fort McDowell community members have stated that they were misled by public officials to believe that only a canal or a small dam structure would be built that would bring more water to the community.

When Secretary of Interior Rogers Morton came to Phoenix to sign the CAP repayment contract in 1972, he was reported to have said that all Tribes supported the CAP legislation. As a result of this report the Tribal Chairman at Fort McDowell, Robert Doka, issued a public statement that the McDowell community was opposed to Orme Dam though not the entire CAP.

After 1973 the tribe began its steadily increasing public efforts to stop the dam. Community members wrote letters to the media, and spoke at meetings. These activities provided a continual flow of information on community attitudes.

As the political controversy mounted, the Bureau of Reclamation undertook the first National Environmental

Policy Act (NEPA) studies on Orme Dam. The resulting social impact study was completed in 1975. This study did not make any references to the social science literature on compulsory relocation. Using an acculturation model, the study concluded that the Fort McDowell Yavapai would 'adjust to the impacts of Orme Dam.' There was no discussion of the economic consequences except that few community members make use of the land. (For additional analysis of the methods, assumptions and conclusions of this study see Mariella 1976; Khera and Mariella 1982)

This report, and some potential mitigation plans were presented to the Fort McDowell community in five meetings in the spring of 1976. Many community members reacted to this information at the meetings stating that the Yavapai were not going to 'adjust' any more -- Community members knew what 'adjustment' had meant in the past.

National developments altered the political situation when the Carter Administration water project 'hit list' was announced in February of 1977. The list halted federal appropriations for 18 reclamation projects including the CAP and Orme Dam. Following political efforts by CAP proponents, the Carter administration announced in April of 1977 that the CAP funding had been restored but that Orme Dam alternatives

would have to be studied.

Flooding Becomes an Issue

In the spring of 1978 heavy rains began to fall in the Salt, Gila and Verde River watersheds, filling the 6 SRP- managed dams above metropolitan Phoenix. In order to use the dams for flood control, space must be left in the reservoirs to catch additional flows. SRP operations keep the dams as full as possible until May when the demands for irrigation are at a maximum. Thus when the rains came, SRP waited until the dams were full to let out the water, and then relatively large releases had to be made. This water flowed down a river bed which had been completely dry except on 2 or 3 occasions for the last 40 years.

In February, 1977, 122,000 cubic feet per second (cfs) were released into the river bed. Only three bridges that linked the two major halves of the metropolitan Phoenix area were able to withstand such a river flow. The washing out of most bridges led to major transportation problems in the Phoenix area. Heavy rains continued to hit Arizona in the winter season and in January of 1979 SRP again released large amounts of water into the Salt River. Orme proponents suggested that the dam would solve the flooding problems in all the watersheds in Central Arizona.

After the Floods

These floods added an additional political context to the new Orme related studies -- the Central Arizona Water Control Study (CAWCS). The CAWCS was a multi-million dollar engineering and environmental assessment of Orme Dam and its alternatives. The lead agencies were both the Bureau of Reclamation and the Army Corps of Engineers. However, the Corps took on more of an advisory role as the studies concluded the costs of most structural flood control measures would be significantly greater than the benefits. The federal agencies provided most of the engineering data and analysis. The EIS work was contracted to Dames and Moore, Inc. In 1981, a 'safety of dams' dimension was also added to the CAWCS, part of a congressionally funded, nationwide project.

The CAWCS proceeded in 3 stages between 1978 and 1982. Stage I attempted to identify the range of solutions to the two major needs -- CAP regulatory storage, and flood control. In stage II these solutions were refined and grouped into plans and further evaluated. In Stage III additional data were gathered and analyses completed.

CAWCS data clearly indicated that there were other alternatives that could perform as well as Orme Dam for regulatory storage and flood control but that did not

have Orme's adverse social and environmental impacts. One solution was a 'New Wadell Dam' on the Agua Fria River for regulatory storage and a Cliff Dam on the Verde (replacing the smaller Horseshoe) and a raised Roosevelt Dam on the Salt River for flood control and safety of dams features. Consequently, the ad hoc advisory group appointed by Arizona Governor Bruce Babbitt voted to recommend a non-Orme alternative in the fall of 1981.

James Watt, Secretary of Interior, then announced 2 months later that the preferred plan for the formal NEPA process would be the non-Orme plan, although Orme is still an alternative in the Environmental Impact Statement (EIS). Support for Orme Dam still surfaces in public; in the summer of 1983, the President of the major public utility in Arizona announced that data suggested that Orme was still the 'best' solution (Perry 1983). In addition, Arizona Congressman Eldon Rudd continues to publically support Orme Dam (Casserly 1983). It is unlikely, however, that Orme will be selected at the end of the NEPA process in 1984.

Orme Dam and the Continuation of Condemnation Before the Fact

The federal relocation policy regarding Fort McDowell between 1905 and 1935 had led to a lack of funds

for improvements. In Chapter Five I argued that this policy had led directly to a decline in farmed acreage and had depressed the growth of the Fort McDowell cattle industry.

The construction of Bartlett and Horseshoe Dams as well as the construction of State Route 87 that runs through the south end of the reservation had removed the last of the formal objections against development of the McDowell irrigation system. These objections, that the Verde River was too erratic for construction of a permanent diversion system at McDowell and that markets for agricultural goods were physically inaccessible, had been the basis of the removal policy of the 1905-1935 period. However, BIA and tribal reports in the 1950's also began to make note of plans for Orme Dam (originally called Maxwell Dam). Consequently, while some funds (less than \$5,000) were spent on the irrigation system, major needs continued to be ignored.

Requests by the tribe for funds for community development projects were deferred by agencies after the plans for Orme Dam were developed. The lack of funds became even more crucial in the 1960's and 70's as federal programs became increasingly available to Indian tribes generally.

The largest immediate impacts came from HUD and BIA housing programs. Neither of these agencies, which are

crucial to community development on reservations, would provide funds for homes in the designated Orme Dam reservoir area. Furthermore, as the reservation is composed mostly of the alluvial terraces rising from the Verde river, only the hillsides on the boundaries of the reservation were eligible for home sites. These hillside areas had not been used for homes sites up to this time. Community members lived on the river terraces, as had the U.S. military during the Fort era and the Hohokam before them.

Consequently there was no infrastructure (plumbing, electricity, roads) in these higher elevations. In addition, the land was comparatively undisturbed, minimizing erosion and maximizing range land, animal and plant habitat.

Community members opposed HUD policy for a related set of reasons. The traditional area people had lived in was near the resources along the river. The major road, community facilities (BIA, tribal and police buildings, ballfield) were in the village area as were friends, neighbors and relatives. The river, a source of recreation especially during the hot summer months, is within easy walking distance. Furthermore, the HUD policy moved people out of the way of the dam and made them pay for their housing as well (Winchell 1979).

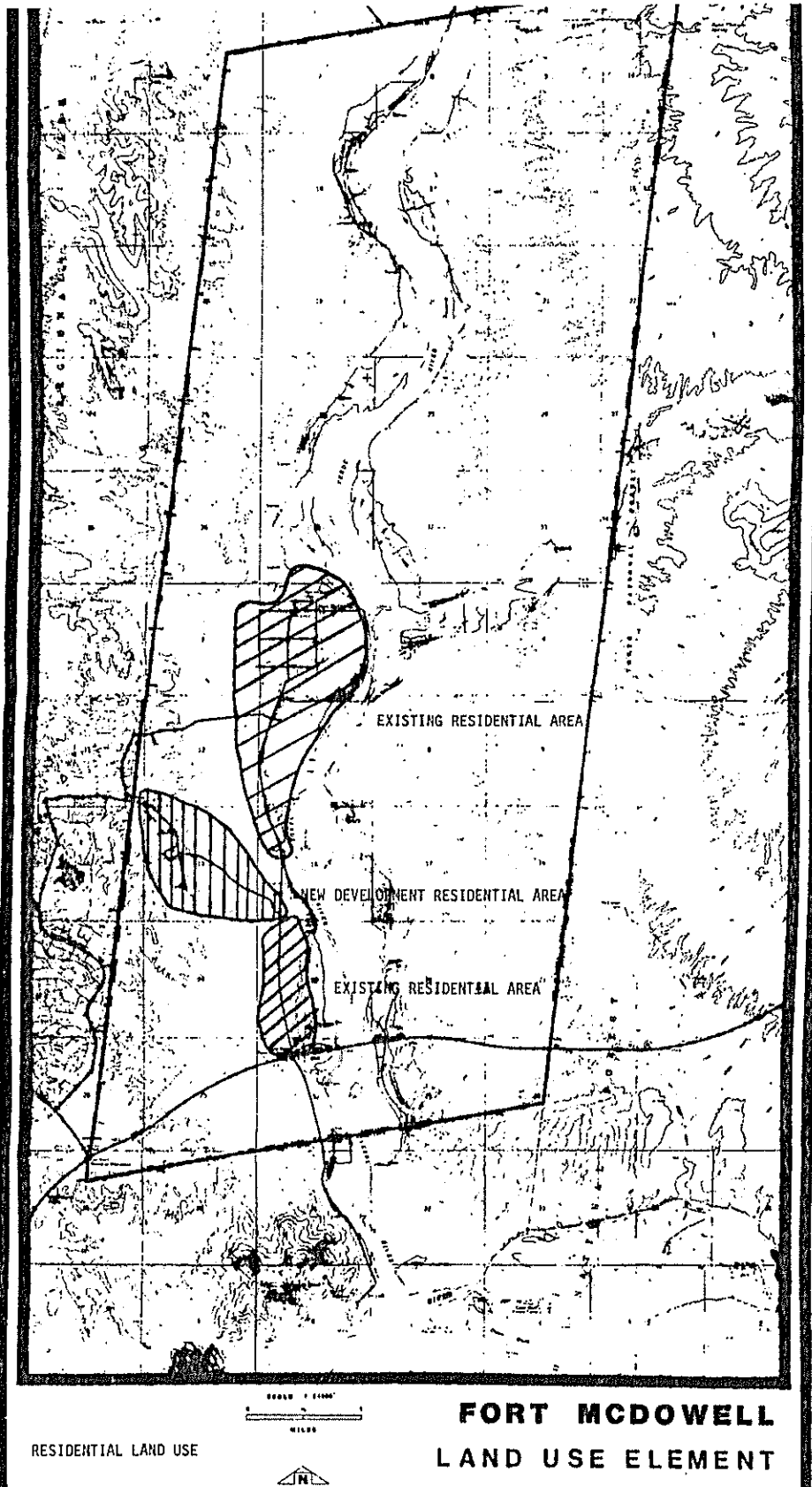


FIGURE 8

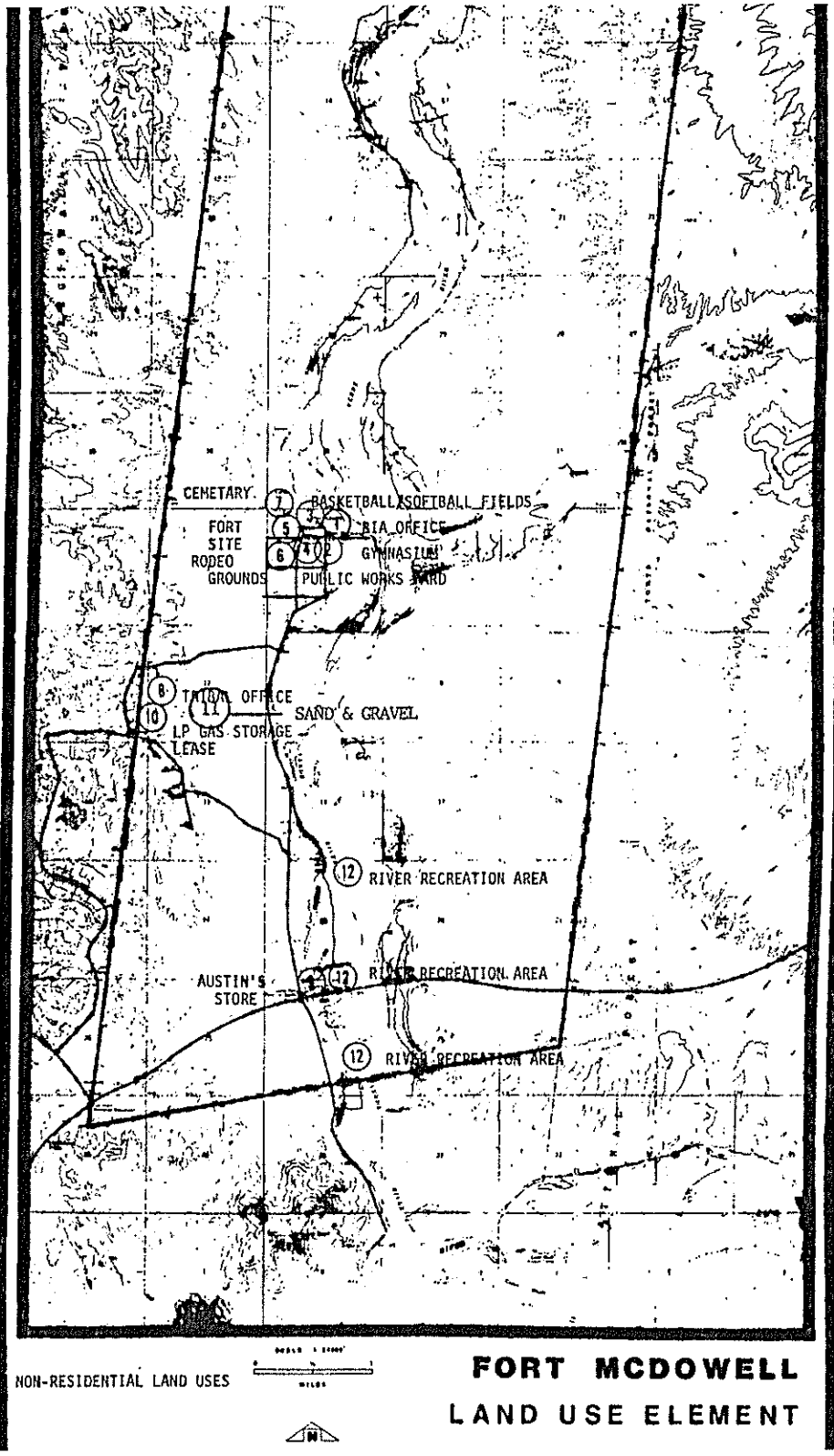


FIGURE 9

For many years community members did not accept housing above the flood plain and no new housing was constructed. The consequence was a high rate, even for reservations, of substandard housing. As most sanitary facilities on reservations are funded in conjunction with housing, public health was threatened by use of old privies, many simply outhouses. The public health problem finally became so severe that the Indian Health Service was forced in the late 1960's to install a number of septic tanks. The need for new and replacement housing became critical, but HUD would not alter its policy forbidding construction in the Orme Dam inundation area. As a result, a new subdivision of HUD homes was begun in 1973 above the Orme flood plain on the western boundary of the reservation.

The new houses 'up above' split the community physically and socially. Community members sometimes refer to this new subdivision as 'Beverly Hills' because the homes are generally in better condition than the olders homes in the Orme flood plain. The distance between the new subdivision and the traditional village averages 3 1/2 miles. This distance is prohibitive for elderly who often do not drive, as well as for anyone else who does not have access to a motor vehicle; in the summer the temperatures may stay above 110 degrees all day; in the evenings there is no light unless the

moon is out.

The new subdivision altered the settlement pattern at McDowell. Before Orme Dam and its condemnation effects, there were clusters of housing at McDowell. One cluster is located at the entrance to the reservation, one near the City of Phoenix operations site and the largest around the former military post site. There are a few other houses scattered mostly at the northern end; these families relocated close to the head gate where the likelihood of getting a supply of irrigation water has been the highest. There is a tendency toward family compounds within these clusters. Unlike the description of matrilocal Navajo or Apache camps or the settlements at Camp Verde (Morris 1971), compounds at McDowell tend to form bilaterally with sons and daughters equally likely to stay near their parents. This familial pattern has not been maintained, except within households, in the new subdivision. This is because the houses are close together and 'assigned' according to non-family criteria. While the direct economic impacts to individuals consist of the added transportation costs of traveling from the new subdivision to the village, the community economic costs are significant. Two housing divisions almost double the costs of all infrastructure, especially roads and

water lines. Community members also feel that the social and cultural changes resulting from the split have been adverse.

Another disruptive element was introduced as a consequence of the HUD Orme Dam policy. The tribal administration building was built away from the river settlement above the Orme flood plain. It is the only air conditioned building on the reservation where people can sit down and socialize; it is the location in which social services, health services and other tribal services are available. It is also the location of political meetings. This isolation has affected political participation, especially among those who do not have transportation. These transportation problems are mitigated somewhat by informal networks (relatives, neighbors) and by formal means on a periodic basis (a tribal van was making trips during 1980-81 and there still are buses for the elderly nutrition and pre-school programs).

Over time, tribal leaders and staff were able to force the federal agencies to acknowledge the community's right to develop within the Orme inundation area. Finally (after the Carter Administration hit list), a new water line was laid within the Orme flood plain providing a fire hydrant system as well as improved domestic service to many homes. In 1980 a new

gym - long proposed- was finally completed in the center of the traditional community. A few new homes financed by federal funds were also built in the flood plain. Ironically CAWCS learned that some of the homes in the new subdivision as well as homes in the non-Indian community of Fountain Hills were in the maximum Orme Dam flood plain.

There has been another long-term economic and community development effect of HUD's Orme policy and the creation of the new subdivision. New home owners make monthly mortgage payments to the tribal housing Authority. However, most community members knew that if Orme were built, part of the compensation would have been new homes. Why should community members in the new subdivision pay to relocate themselves? Many did not, and delinquencies of housing payments were and are cited by HUD as partial justification for passing over some of Fort McDowell's current requests for new housing.

Simultaneously as federal program funds were generally being withheld, an alternate source of funding was also encumbered by the federal government because of Orme related issues. Like most tribes in the U.S., the Yavapai had filed a claim with the U.S. Indian Lands Claims Commission. This claim asked for compensation for lands taken illegally in the past. The Yavapai

settlement was decided in 1965 and an award set at \$5 million.

While most communities had restrictions on use of the claims settlement (25% had to be retained for tribal use rather than per capita distribution), Fort McDowell was required to draw up a development plan for use of its tribal share that was based on a future with Orme Dam (Coblentz 1971; Western Management Consultants 1968).

Other events directly related to plans for Orme have had major impacts on Fort McDowell; these are changes in land tenure and land use surrounding the reservation. Before plans for Orme Dam, McDowell was surrounded mostly by tribal, federal, state and county land. This includes the eastern portion of the Salt River Indian Reservation, the McDowell Mountain Regional Park, and the Tonto National Forest, all undeveloped land.

However, in the 1960's Page Land and Cattle swapped company owned acres within an overgrazed checkerboard area of the Sitgreaves National Forest for what is now the Fountain Hills planned community and the Golfield Ranch site. McCulloch properties, a large real estate corporation, bought out Page Land and Cattle in the 1960's and began the sale of sites billed as 'lakeside property'.

Relations between Fountain Hills and Fort McDowell have been strained, though they are improving. The Fountain Hills school board voted in the early 1970's against admitting Fort McDowell school children. This barrier has broken down over time, but most children from Fort McDowell still attend public school in Mesa 20 miles away rather than in Fountain Hills. Furthermore, Fountain Hills and Rio Verde (a development on the north side of the Reservation) effectively precluded Fort McDowell from being able to select 2,500 acres of contiguous land of some value from the surrounding townships as was part of the Orme Dam compensation.

How do Fountain Hills, Rio Verde and the developing Goldfield Ranch change the economic outlook of Fort McDowell? This is not a question that can be answered simply -- like growth elsewhere there have been some benefits, and there have been costs. As benefits, Fountain Hills, and Rio Verde have provided some employment for Fort McDowell community members, though as residential and retirement-oriented communities the employment possibilities are very limited. Fountain Hills has provided additional retail variety, but also competes with businesses on the reservation. Growth in population has led to degradation of environmental resources. The surface disturbance for home

construction at Fountain Hills has increased run off and erosion through Fort McDowell, as well as sewage overflow. At this time, the major benefits from these developments have gone to McCulloch properties and the residents of Fountain Hills, not to Fort McDowell community members.

The Potential Impacts of Orme Dam

Up to this point, the effects of the plans for Orme Dam have been discussed. But how would completion of an Orme Dam itself actually affect the Fort McDowell Indian Community? The Colorado River Basin Act has as one of its goals, "stimulation of the economic and social development of Indian communities in central Arizona". This was to be accomplished through CAP water allocations. However, the legislation also suggests that Orme Dam would be a potential economic enhancement for the Fort McDowell and Salt River Indian Communities. These benefits were seen in terms of cash compensation for land taken for the dam as well as long term economic development of recreational facilities surrounding what would be Orme Lake. In fact, a number of Orme proponents asserted up to the final Governor's Advisory Committee vote that Orme would be an economic boon for the community. Senator Barry Goldwater (R-Ariz) responded to an Audobon magazine article that criticized the Central Arizona project stating:

Let me tell you that if that lake, which was to have been built behind Orme Dam, had been built, it would have made the lands bordering the lake, and these would have been Yavapai-Apache lands [sic], worth probably as much as \$100,000 an acre, where if the dam is not built, they will barely continue to have an existence on the lands on which they live. They are nice people, very sweet people but

they are very lazy people, and somebody has changed their minds.

Orme proponents often suggested that 'emotional cultural' issues were superseding 'rational' economic decisions. The analysis presented in this chapter finds that the overall economic impacts would have been highly adverse and, further, that these economic impacts would have had causal, adverse impacts on social and cultural behavior as well.

What did the Fort McDowell community members say about the impacts themselves? Community members had many occasions to publically express their opposition at hearings, meetings and press conferences, as well as in letters to members of Congress and editors of local and national media. Many community members also discussed their opposition in conversations with me. All of the elderly, and many adults addressed the issue of predicting the future with an Orme Dam by citing events of the past:

For the Yavapai, history is not a matter of events which happened sometime in the past and which one recalls now and then at special occasions. For the Yavapai, history is very much a matter of the present.... At every tribal and private meeting at which the subject of the possible loss of their reservation by the dam project comes up -- and it comes up frequently -- events of the past are recalled. They are recalled to learn from earlier mistakes and earlier successes. They provide guidelines and confidence for the challenge of the present. (Khera 1978:i)

To predict the consequences of Orme Dam, the Yavapai did what social scientists do -- they turned to comparative data. These data came either from direct experience (as in the case of the resettlement policy in the early 1900's or with Claims Commission awards) or from the past (from parents and grandparents).

The relationship of the Yavapai of Fort McDowell to their land was the key issue. This relationship was characterized through metaphor by one elderly Yavapai: "The land is like diamonds, money is like ice". The manifold meaning of this metaphor is explicated in the statements excerpted below:

We are happy in our land. We have fields, cattle, lots of game and firewood. Why are we supposed to be better off if we are moved to a crowded place where we will be slum people? (Minnie Williams 1976)

If we lose our reservation, the only place for us to go is the town. We do not want to go there (T.B. and Janet Williams 1978)

We are not being unreasonable in not wanting to be relocated because so much has been taken away from us already. More than 9 million acres with all its natural resources were taken from us. (Dixie Davis 1978)

So much was taken away from us already. We have been pushed around all through Arizona. This is the only place left to us, and we are going to keep it. Here we have good, clean water. The Verde running through our Reservation is the only good running river water far and wide. Here we have wood for fire. We have land for our cattle and horses. (Peter Brown 1978)

Where shall we go? We do not want to live in the city, and we cannot afford it, either. City life is expensive. Here we have everything free. Our children are happy here. We need this land for our children, their children. (Emma Shenah 1978)

We don't see any need to move. Money doesn't last us, no matter how much they give us. In this piece of land we have already everything we need. We need the land for the young people and the generations to come. There are so many unemployed people now all over the country; but we can make a living just from our land if there is need to do so.

Don't you see that money is losing its value all the time with inflation while land becomes more and more valuable? Why should we trade the land which supports us for money which won't support us? (John and Minnie Williams 1975)

I do not want to lose my land, because this is the last which is left to us. It is our last resource. I have lots of grandchildren. We need the crops in the field. I cannot live anywhere else. I sure cannot live in a town; rent is high there. Utilities are high there. (Bessie Mike 1976)

Our members have found working in the white man's world unsatisfying and indeed, harmful to our emotional well-being. The result is that most of us, given our preference, would choose to live and work on our lands.... The Yavapai are well aware of what it is like not to have land to live on. When our tribal members first returned from San Carlos, we were landless. Indians living in the most destitute of conditions....

Need I say, the Orme Dam and Reservoir will have a devastating impact on our people and their future lifestyles. Lost forever will be the fertile bottom lands, the trees, and freshflowing water of the Verde River that have been so much a part of our people's survival on the Fort McDowell Reservation. (Hiawatha Hood 1977)

We do not want to sell our land. Build the dam elsewhere. We do not care about the

money and we do not believe we will get it.
(Andrew Johnson 1976)

When we lose our land, where are we going to go? (Mike Harrison 1976)

We Indians have no place to go if the dam comes and our land is flooded. If we get the money, the money will go away fast. But our land is to stay. (Emma Johnson 1975)

I have seen when they built San Carlos Dam. Everything was green there before they built it. Just like here. Good land and trees and grass and birds. When they built the dam and flooded the one place, all the rest got dry. (Emma Johnson 1976)

I want to live in the open land. I do not want to live crammed in with many houses in a small place. I want to live the way I always did. I am used to cooking in the open with wood. If they put us elsewhere, where can I get wood? (Lola Dickson 1976)

Our land is more valuable to us than money. Even though lots of money was offered to us for our land, we know that the money will not carry us far. The younger generation and the generations to come will profit much more from the land than from any amount of money. (Kathleen Paya 1978)

There are two broad themes relating to the land -- both intertwined. One is the loss of land for homes, now and for the growing population in the future. This concern relates directly to resettlement, that is moving the place of residence. The other issue which is more pressing, is the loss of land and its natural resources that provide an economic base for the community; this is removal. In order to understand the economic importance of the natural resources from which Orme

would remove the Fort McDowell community members, it is necessary to have a general picture of the economic life of the community.

Making a Living at Fort McDowell

As was detailed in Chapter Five, Fort McDowell community members attempted from the founding of the reservation in 1903, to make a living from farming both for subsistence and for market. However, problems with the irrigation system had made it increasingly difficult to farm a significant amount of acreage. Community members added cattle raising to the economic mix that provided a living on the reservation. This mix also included the domestic consumption and sale of poultry, and mesquite wood, as well as the sale of baskets.

Many community members also turned to wage labor. There were some jobs on the reservation; these were government positions including interpreter, policeman, assistant to BIA personnel and teacher. However, most of the wage labor was found off tribal lands. Miscellaneous domestic and odd jobs were found in the nearby urban communities. There was also seasonal employment in farm labor.

Importantly, many Yavapai from Fort McDowell, Camp Verde and Prescott worked on the large construction projects in central Arizona of the era. These included

construction of the railroads, roads, pipelines, and dams that developed the infrastructure for economic development of the Phoenix area after World War II. Most significant was wage labor with the mines near Globe and Jerome. When community members could make a living on the reservation they lived there with their families. When they could not make a living on the reservation, they often moved with their families to their job locations (Mariella 1978; 1980). There was a flux of Yavapai people from reservations to major employment centers of central Arizona.

After World War II, an increasing number of Fort McDowell community members were employed by the City of Phoenix on its domestic water plant. The City has remained the single largest employer at Fort McDowell until the 1970's when government (tribal, and federal) surpassed the City in number of employees. A few Fort McDowell tribal members participated in the work relocation programs after World War II that took Indian people to large cities including Chicago.

Many families continued to rely on the mixed use of natural resources and periodic wage labor for their living. The late 1940's and 1950's are remembered by some as a difficult time period, economically, on the reservation. The irrigation system continued to function only periodically (Arizona Commission of Indian

Affairs 1960). However, of 47 families living at Fort McDowell in 1950, 39 (or 83%) were 'self-sustaining' based on a mix of farming, stock raising and wage labor. The median annual family income on the reservation was \$500 (Kelly).

By 1973, after 5 years of improved federal programs for Indian communities, the state Department of Economic Services (OEPAD) listed employment at Fort McDowell in the following categories:

o public utilities	31.0%
o government	28.4%
o retail	23.0%
o services	8.1%
o construction	6.8%
o other	2.7%

This pattern is shifting today at Fort McDowell toward additional increases in the significance of wage labor, particularly with the tribe itself in its various enterprises and service delivery programs. These enterprises and programs include the preschool (3 full-time positions), the JOM program (one half-time position), contract health (2 community health representatives), contract social services (4 positions), economic development (one position), tribal sand and gravel enterprise (4 positions), tribal farm (3 positions), elderly program (one position), housing (one position), tribal and program administration (2 positions), and recreation (2 positions).

Like most reservation communities, Fort McDowell has a significantly higher rate of unemployment and underemployment than the county in which it lies (Maricopa); Between 1965 and 1980 Fort McDowell unemployment has ranged from a high of 39% to a low of 12% (OEPAD; DES). Yet, Maricopa County has one of the lowest unemployment rates in the United States (approximately 7% for Maricopa County, US approximately 9.5%; (DES 1983). However, Fort McDowell has one of the lower unemployment rates for reservation communities that nationwide average between 39 and 51% (BIA 1983).

Jobs and other federal programs such as CETA have significantly lowered the unemployment figures at Fort McDowell in the late 1960's and 1970's. As the overall labor force at Fort McDowell has hovered under 100 individuals during that time period, small changes in employment numbers can mean significant changes in percentages. The Reagan administration reduction in federal programs has recently resulted in increased unemployment. The recession has also affected the number of community members who live at Fort McDowell but are employed in the surrounding communities of Fountain Hills, Rio Verde, Mesa, Phoenix and Scottsdale.

In addition, Fort McDowell has a 'young' population. Approximately 57% of the on reservation population

(total 415) is under 25 years of age (U.S Census 1980). The increasing number of teenagers entering the work force without experience and skills, and in some cases without high school diplomas, has added to the current unemployment figures (approximately 24% in 1983).

Underemployment is better reflected by income figures. In 1970, according to BIA figures, income at Fort McDowell by family was:

\$1 -2,900/year	33%
3 -6,900	46%
7 -9,900	13%
10+	8%

In 1975 the mean family income at Fort McDowell was \$4,400 while for the United States as a whole it was \$14,502. In 1980, the mean family income at Fort McDowell has increased to \$6,000 but 59% of the families had incomes below the poverty guidelines established by Health and Human Services. Between 1970 and 1980 families with incomes on or below the poverty level have decreased from 75% to under 60% as tribal enterprises and programs have developed. These figures make clear the importance of the use of natural resources as a crucial supplement to a majority of Fort McDowell community members, as well as a base for tribal development. A majority of families pool a range of human, economic and natural resources to make ends meet.

Use of Natural Resources

WOOD

Yavapai cooking activities, as with many desert people, adjust with the seasons. During the hot summers, many women cook outside under ramadas that provide shade from the intense heat of the sun and allow for maximum ventilation. Houses are kept cooler than if cooking were done inside. During the winter cooking is done inside the house, helping to heat it. Many households have wooden stoves or fireplaces; even the new HUD homes include fireplaces. The wood used in these stoves and fireplaces for cooking and heating is mesquite that grows in the river terrace lands. Mesquite wood is an excellent cooking and heating source because it has a pleasant odor and because it is slow and steady burning.

Mesquite is cut by many community members for private use in their homes. Some community members will cut wood for others in return for cash, goods or services. There are also wood cutters who own and hire out chain saws to other community members. Wood cutters sell wood as entrepreneurs to the private market and they can sell to the tribe. The tribe then sells this wood to community members, as well as to off-reservation businesses or individuals. In 1978 the sale of wood through the tribe provided over \$15,000 in revenue, and

to individuals who used it in their own homes or who sold it on their own \$18,000 (600 cords at \$30/ cord).

Thus, the mesquite trees that grow naturally on the reservation because of the water source and appropriate environment have a significant economic meaning at the individual and community level. Individuals can cook and heat their homes for the labor costs or even if they pay for it, the cash goes to other community members or the tribe itself.

CATTLE GRAZING

Another major economic use of the natural resources is cattle grazing. Community members turned to cattle raising in the 1900's because of the high quality range land. Cattle graze on the open range that includes essentially all of the almost 25,000 acres on the reservation. The Fort McDowell stockmen formed a Cattlemen's Association in the 1940's that has cooperated in round-ups and in disease prevention. The association has been minimally active in the 1970's and 80's. Most cattlemen also grew pasture in the past. However, the lack of an adequate irrigation system curtailed this development.

In spite of these obstacles, there were approximately 600 head of cattle on the reservation in 1981. At least half of the families own several head,

while approximately 15 families own over 20 head. Over the past 20 years the number of cattle have concentrated in fewer families as those in tight economic circumstances have sold off their livestock for needed cash. Community members use these cattle like money in the bank. Cattle can be raised and then sold at any time when cash is needed. They provide 'interest' when a cow has offspring. At the average price of \$500 per head, 600 cattle collectively represent a 'renewable' resource worth \$300,000. The tribal Comprehensive Plan estimates that as many as 900 cattle could be grazed at Fort McDowell without degrading the range. These livestock would provide a total income of \$350,000 per year over a 20 year period without reducing the base stock (Fort McDowell 1979). If Orme Dam were built and the range land flooded, the cattle would have to be sold. They could also be grazed on forest service land (if a permit could be acquired) at a total cost of \$17,280 per year (\$2.40/month per animal unit). Feed could also be purchased at an average cost of \$500/head/year, for a total cost of \$300,000 per year (Cooperative Extension Service 1983).

AGRICULTURE

Farming and gardening are other major uses of the natural resources at Fort McDowell. Close to 60% of the

households at Fort McDowell plant gardens with some food crops, mostly vegetables. Most are less than 20 square yards and all are watered from outside spigots rather than ditch irrigation.

Three families also maintain larger scale farming operations, less than 25 acres each. The crops in production are generally pasture crops such as alfalfa, and these families also have cattle and horses. When the irrigation headgate has been in operation, several cuttings in succession have been harvested. Alfalfa is not a labor or capital intensive crop. It can be sowed in open-field manner, and does not need weeding. It is a water intensive crop, and while community members pay indirectly in labor and maintenance they do not have to pay cash for their water directly. This low labor/ high water use pattern reflects the local constraints and incentives.

The individual farmers made use of a combination of rented and tribal farm machinery for field preparation, harvesting and baling. Produce is used for feeding of personal stock and is sold to community and non-community members.

The tribe has undertaken a major farming revitalization program. It is attempting to counteract the effects of the poor water system development in the past, while meeting the changing demands of modern

agribusiness. In 1979 the tribe received the first in a series of funds from HUD and BIA for a tribally operated farm. This enterprise employs from 3 to 8 community members, depending on the season, and has a full-time farm manager. Initial funding has been used largely in preparation of fields.

Studies undertaken for the tribe by Franzoy, Corey and Associates (an agricultural engineering firm) estimate that the net profit of agricultural enterprise at Fort McDowell at full development (close to 6,000 acres) would be \$235,000 per year. Bookman-Edmonston, an engineering firm hired by the Salt River Project to assess water use potential for various tribes estimated in 1979 that at full agricultural development, the net revenues would be \$1,150,000/ year and employing as many as 80 individuals. Full agricultural development at Fort McDowell is going to require completion of diversion and irrigation delivery and distribution systems, as well as field development, drainage and operational development. At a smaller level, 500 acres of alfalfa at 8 tons/acre could produce an estimated net profit of over \$130,000 per year (Fort McDowell 1978).

FISHING AND HUNTING

Another economic use of local resources though less significant in cash or caloric contribution is

fishing and hunting. Currently the Tonto National Forest stocks the river throughout the year with game fish. Also, wild game are available on the reservation, though the encroaching communities of Fountain Hills, Rio Verde and Goldfield Ranch have decreased the amount of habitat. Game shot for domestic consumption include quail, rabbit and occasionally deer. When a deer is bagged, the meat is often shared with relatives, though some may be stored. The tribe also makes a small income (less than 1,000/year) from issuing fishing permits to non-members. However, large storm releases from Bartlett Dam in the winters of 1978 through 1980 washed newly stocked fish down beyond Fort McDowell.

BASKET MAKING

Basket-making is another long-standing use of the natural resources of the reservation that generates a cash income. Basket-making is especially well-suited to the lifestyle of homemakers because it can be done at home while watching children or grandchildren. Once materials are gathered it does not require transportation and it provides self-employment -- hours are extremely flexible.

The importance of baskets as trade items in the protohistoric period continued into the early reservation era. Even though the income earned

compared to the time spent has always been small, basket sales were one of the few means of obtaining cash (Corbusier 1886; Spicer 1962:558; Interior Department 1892). Though the price depends on a number of variables such as size of the stitching a 12-inch plate can sell for up to \$300 dollars. Such a plate often takes up to 2 months of part-time work to complete. Today as a total income to community members, basket-making provides less than \$12,000 per year (for a breakdown of the labor and other costs as well as returns to modern basket weaving see Mariella 1979).

The Fort McDowell Agent reported in the early 1900's:

Although contending with many difficulties in the first year, the Indians raised 1,600 bushels of grain during 1905. Probably half of their living, however, is still derived from the manufacture and sale of baskets, the quality of their work in this line being doubtless the best in Arizona.... Nearly all the women make baskets of superior quality. (Goodman 1905)

The Agent estimated that the total income of basket sales for the year 1904 was \$1176.

The continuing importance of the basketry is also exemplified in the statements of community members who spoke in opposition to the attempted removal of the Fort McDowell community to the Salt River Reservation:

One man stated that they did not want to relocate because the lack of water on the Salt

River Reservation as compared to Fort McDowell meant that there were 'no twigs for women to make their baskets'. (Montezuma 1911)

Though it is clear that basket sales were an important source of cash income, they were always a supplementary source. Today there are four major basketweavers at Fort McDowell as well as at least 4 younger women who have made a basket. Training is accessible within the community -- most weavers learned from their mothers or grandmothers. Importantly, it is also an expression of Yavapai culture and an artistic skill that provides personal satisfaction.

CITY OF PHOENIX WATER WORKS

Another major source of income to individual tribal members as well as to the tribe as a whole comes from the City of Phoenix water works. Phoenix maintains an infiltration gallery on 427 acres of Fort McDowell land that the city leases from the tribe. This lease revenue is the only direct benefit the tribe receives from the operation; the city does not pay for the water it takes from the underflow of the river. As discussed in Chapter Five, the lease was less than \$1 per day until the 1950's when significant increases were negotiated. Today the yearly lease is over \$80,000.

Individual tribal members were employed to help build the original pipeline, and tribal members are

employed by the City of Phoenix to operate and maintain the facilities on and near the reservation. Consequently, the City of Phoenix has been a major wage labor employer on the reservation. In 1975, 31% of the employed community residents were working for the City (DOI 1975). There are several community members who have worked most of their lives for the City and have retired with pensions.

MARKET

In the 1960's a lease was also granted to a tribal member for a convenience market along the Beeline Highway. This store went out of operation for several years in the mid 1970's but was reopened as a 'smoke shop' and grocery store by another tribal member in 1980. The store lease provides some revenue to the tribe and tribal members have been hired to work in the store. It does provide a multiplier effect when community members buy items at the store; but it draws most of its revenue from traffic along the highway.

SAND AND GRAVEL ENTERPRISE

The Fort McDowell Community began a tribally-owned Sand and Gravel business in 1980. Technical reports had confirmed that the sand and gravel deposits on the Fort McDowell Reservation are some of the highest quality in southern Arizona. HUD funded the initial equipment

purchases (scale, earth moving vehicles and office building). Currently the enterprise employs one office worker and 4 field workers. The site of the sand and gravel pit is located on the western boundary of the Reservation near Fountain Hills in a major wash. It is close to the new housing development above the Orme flood level but removed from the historic community center by the river.

RECREATION

There are also uses of the natural resources which provide only a small tribal income but which provide local and free recreation to community members. The Verde River has been characterized in a federal scenic rivers nomination as a marvel, one of the last free-flowing desert rivers in the world. Because the Fort McDowell Reservation is 96% undeveloped (approximately 1% irrigated agriculture, 3% housing, commercial, public and administrative facilities), the reservation provides a haven for wildlife. "Marker species", extremely sensitive to environmental degradation, live along this river stretch. The most notable example is the endangered Bald Eagle: several nesting pairs live along the Verde River on and just north of the Fort McDowell Reservation lands, but are found no where else in the Southwest. Fort McDowell has one of the highest bird

population densities in Arizona with over 205 species, 72 of which use the area for nesting. On weekends during the spring and summer, the entrance to the reservation from the Beeline Highway is stationed with a community member who is hired to collect a small fee from recreationists who picnic, swim and 'tube' (float down the river in an inner tube). Throughout the last 5 years tribal income from recreational permits has averaged approximately \$3,500 (Fort McDowell Overall Economic Development Plan 1978).

The river is also a recreation site for community members, especially during the hot summer days that average 103 degrees in July. The ability to swim in a cool river is particularly important as none of the housing at Fort McDowell has air conditioning and a few houses do not even have evaporative coolers. Furthermore, evaporative coolers do not work well during the 'monsoon' season (July-August) when humidity is comparatively high. In comparison, city of Phoenix swimming pools in low income areas are always overcrowded in July and August. Community members often state that the beauty of the river and associated environment is compensation for the varieties of city life.

ADDITIONAL USES

There are other ways in which community members make use of natural resources that may not have a daily impact on subsistence or income but which can be cumulatively significant. Most families at Fort McDowell make occasional use of medicinal plants and wild plant foods traditionally used by the Yavapai. Essentially all the households with elderly members (at least 75%) made some use of wild foods or medicines on occasion. Creosote was the most common medicine. Its branches are collected and the leaves boiled to create a salve for sores and wounds and as an inhalent for upper respiratory infections. Other community members made wild herb teas as well as boiled solutions from barks and roots to aid digestive problems. Religious curing materials are also used by several families such as the yellow pollen of cattail. While wild medicinal sources are clearly secondary in amount of use to purchased medicines, they are part of the self-sufficiency of Yavapai heritage.

How do all these uses of natural resources tie together to explain the meaning of the land to the community members at Fort McDowell? The themes found in the testimony of community members -- Where will we go? What will we do? -- can be seen as interdependent and related to a process referred to as 'termination' by

one elderly man. Without the natural resources of the land (that is, if Orme were built) community members would not be able to make a living at Fort McDowell. The ability to make a living from the land was a constant issue brought up by community members. Rural lifestyles throughout America are known to provide more resources outside of the cash system. Federal poverty guidelines, which are lower for rural areas, reflect this fact.

Without the natural resources, there is very limited opportunity for economic development. At best Fort McDowell would become a 'bedroom community' with people working all day in other locations, returning to Fort McDowell in the evening. At worst, tribal members who worked in other locations would be forced to move -- mostly into the cities where jobs are available. Most community members do this today at sometime in their lives; there is actually a flux between city and reservation. Some tribal members live, more or less permanently, off the reservation, but they keep ties with their relatives and the Yavapai community on the reservation. However, the regularity of their interactions is reduced. In some cases, people have worked most of their adult lives off the reservation, retire and return home.

What are the consequences of tribal members leaving the reservation, perhaps permanently? Families who live in the city have less interactions with their Yavapai relatives. Fewer social ties, particularly between grandparents and grandchildren, are obstacles to the passage of a basically oral and behavioral cultural tradition from one generation to the next. The transmission of Yavapai language, already made difficult by the use of English in school, on TV and radio and in non-reservation settings would become almost impossible. Thus specific aspects of Yavapai tradition and culture are jeopardized by having community members living off the reservation -- away from a Yavapai social context. However, physical isolation from the community has increased interest and awareness by a number of Yavapai who subsequently returned to Fort McDowell. While Yavapai life has significantly changed over time, being Yavapai still means to live in a Yavapai community in an appropriate context both social and physical. With a smaller and smaller 'core' population living on the reservation, the entire basis of the culture would be jeopardized. Thus, the causal effects would be:

- o loss of natural resources
- o inability to make a living on the reservation
- o tribal members working and living off reservation
- o less social interactions among Yavapai, partic-

ularly between generations

- o interruption of passage of Yavapai culture and lifestyle from one generation to the next.

The concomitant economic impacts would also be adverse. Because of historical circumstances Indian people as a group do not have the skills or education to compete in the city for many jobs. In contrast, on the reservation people can observe or learn skills from their relatives and fellow community members.

Discrimination against Indian people by non-Indian employers is also a significant obstacle. A Yavapai man who had grown-up on a reservation, worked in Chicago, and then retired at Fort McDowell stated in congressional testimony:

Our members have found working in the white man's world unsatisfying and indeed harmful to our emotional well-being. We want to stay and work on our land.

This statement is supported by data from the BIA work relocation program. This program was originally designed in the early 1950's for Indian veterans of World War II who returned to their homes after the war and often could not find employment. The BIA Work Relocation Program was established to provide some guidance and financial aid to Indian people to relocate to large urban areas to find employment. Over 30% of relocatees chose to return to their reservations within one year. Over 50% had returned after 3 years (Graves

1972:470). Most relocatees who returned to their reservation homes had been unable to get a job, keep a job, or to make ends meet financially. These chronic problems with the program led to modifications in the 1960's. Rather than permanent placement in cities, the program now emphasizes vocational training.

The Work Relocation Program encouraged the movement of individuals off the reservation, but the reservation itself still remained intact. Gundlach and Roberts (1978) analysis of BIA data concludes that when the effects of educational level are removed, Indian relocatees to urban areas have no more real income than their reservation counter-parts. Furthermore, urban Indians have the highest unemployment rates of any ethnic group; the unemployment rate of urban Indians is 10 to 15% higher than urban blacks (Yinger and Simpson 1978:6).

In addition, the extended family provides a system of social security for many reservation residents. A tribal member can always find a place to stay on the reservation though living quarters may be cramped and privacy lacking. This situation contrasts sharply with urban areas in which it is an increasingly difficult for the unemployed or underemployed to find a place to stay (Stark 1982).

Furthermore, extended family households tend to share incomes and expenses. When a member of the household has work or cash, that person buys groceries and pays the utility bills. Although unemployment on most reservations is higher than in the nation as a whole, most households have at least one member with some income.

While similar patterns of extended family sharing occur in urban areas, the higher costs (particularly rent) make the situation significantly more difficult. Reservation life consists of a community of people where being Indian is not a disadvantage, but is the basic requirement for membership and success. This is in stark contrast to urban wage labor in which Indian people statistically have comparatively low incomes. The importance of a self-reliant lifestyle compared to wage labor is further discussed in Chapter Seven.

Economic Development with Orme Dam

Proponents of Orme Dam gave 2 basic justifications for their assertions that the community members would be better off financially if Orme were built. These were:

- 1) the community could develop a marina around the lake and develop a tourist-recreational enterprise
- 2) the cash compensation to individuals would be a significant beneficial impact on the low income of community members

Problems with these assumptions are multifaceted. At the most basic level there was the technical fact that the Orme Reservoir would have fluctuated due to the seasonal needs of irrigators. The Reservoir would have been lowest in the summer when irrigation demands are highest but when recreation is at its peak. These fluctuations would have produced incrustated mud flats around the lake completely antithetical to recreational uses such as swimming, fishing and boating.

Community members and Fountain Hills residents also worried about the health consequences of stagnant water, which breeds flies and mosquitos. Furthermore the Colorado River Basin Act stipulates that both Salt River and Fort McDowell would have the right to develop recreational facilities. It does not say that the Indian communities would have exclusive rights. Parts of the Reservoir would have extended onto non-Indian land and might have been developed by competing

recreational enterprises. The only potential for recreational development was on the Salt River arm of the Reservoir on the Salt River Indian Reservation. This is because of the physiographic differences in the alluvial basin on the Salt and Verde Arms of "Orme Lake" (Central Arizona Water Control Study 1981). The Salt arm has steep, narrow gorges and the water level would have had less areal fluctuation. The Verde side is a broad alluvial basin. This difference between the Salt and Verde arms of the confluence are also reflected in the prehistoric development of the two areas. The Verde side was used extensively for agriculture, particularly irrigation agriculture, while the Salt arm has no evidence of irrigated agriculture (ASM 1975).

The Salt River Pima-Maricopa Indian Community may have been able to develop some recreational facilities but tribal leaders were also informed that the federal government, through the forest service or reclamation, might also develop recreational sites.

There are several marinas on other Bureau of Reclamation reservoirs on the Salt River. They barely support single family enterprises (Arizona Republic 1982b). Such limited opportunity would not compensate for the broad range of potential development that would be lost to Orme Dam.

With Orme, the only potential for development would be tourist-related facilities. Some of the Orme plans suggested motel/restaurant developments. Fundamentally this would mean dependence on the commercial interests of non-Indians. Common sense as well as a number of studies (Cecchi et al. 1978; Stoffle ms; Stanley 1978) have pointed out that tourist enterprises, particularly as business endeavors superimposed on communities, often fail.

The tourist business presents many difficulties of marketing and training for non-Indians as well as Indians. A significant number of motels and restaurants go out of business each year because of combinations of lack of experience and expertise as well as inability to weather financial fluctuations. Furthermore, tourists enterprises are not large money makers unless the scale is large and resort prices can be charged (Best Western 1980).

Fundamentally such operations require pleasing the customer, a majority of whom are non-Indian. Cross-cultural communication difficulties (different expectations in personal interactions, different languages) can make a facility less attractive to non-Indians who often expect familiar sameness that large chains and franchises provide (Kottak 1982). A study of tourists attitudes toward Indian reservations found that

a majority of tourists in the west (59%) held negative attitudes about reservations (Stoffle et al. ms.) The only option is for Indian people to cater to the expectations of non-Indians. Having to tie your future on the whims of people different from you is always difficult; it is made even more difficult by the history of Indian and non-Indian relations.

Furthermore, because the managerial expertise is often not available within the community, outsiders are hired initially to develop and run the operation and to train community members. Outsiders rarely have the same view of the community and what its future should be, as community members themselves. It takes a great deal of planning with community participation to ensure that development is financially successful and that it does not destroy the values of the community it is supporting.

The Fort McDowell community has consistently avoided policies that would draw large numbers of non-Indians to the community. A recent example can be found in the community's refusal to allow the paving of the road through Fort McDowell. Similarly, the community has been approached a number of times since the mid-1930's by outsiders who wanted to lease reservation land. Many of these proposals involved agricultural

land (for vegetable and cotton crops). Some involved non-agricultural business enterprises. The Fort McDowell community has never leased agricultural land (BIA records), and only in the last 5 years have there been any commercial leases. Currently there is a 1/2 acre lease for a firm that sells propane gas to Fountains Hills and Fort McDowell community members.

Community member's explanation for these refusals to lease refer to leasing as one step in the loss of control over land -- of which outright sale is the end of the continuum. Community members do not want developments planned and directed by non-community members who do not have the same stake in the future. The Fort McDowell community will have to deal with the long range consequences of development. If the land is ruined they cannot pick up and go somewhere else. Loss of control over land in the past has meant the exploitation of Yavapai resources for the benefit of non-Yavapai. These were the experiences of relocation and leasing is one step in that direction. This does not mean that community members do not want economic development. They want development but at their own pace and in their own way. This means that community members must have control and receive a majority of the benefits.

Studies of economic development on Indian

reservations concur that rapid development is hard to control -- often the consequences are unpredictable and unmanageable. The best way to control this is to have community members as directors and managers (Ortiz 1978; Stanley 1978). Older community members state that the upcoming generation has developed the skills to control the future of the community. As Stanley (1978) concludes, developments that are appropriate to the physical and cultural environment are the most successful. Projects that are designed and superimposed by outsiders, often benefit outsiders the most. As one elderly man stated: "We old ones won't be the ones to really suffer - you young people will have to live your whole lives with the consequences." It was therefore not just the present that Orme jeopardized but the goals for the future. Protected natural resources would provide for children and grandchildren and many generations beyond them. As Yavapai, they would have ties to the community and would, with high probability, live there. This likelihood is different for non-Indian Americans who move on the average 8 times in a lifetime; between 1974 and 1980, 45% of all Americans moved, 37% outside their county (U.S. Bureau of the Census). Thus, Orme would not only eliminate the present economy, it would rob the carefully bankrolled future. These plans

include a mixed economy based on development of the natural, cultural and human resources of Fort McDowell.

The second major issue cited as an economic benefit for Fort McDowell community members if Orme were built was that the land would be paid for at fair market value. The Colorado River Basin Act details the compensation that the Tribe was to receive for the loss of their land. The basic compensation was to be cash for the fair market value of the land. Other aspects of compensation follow the Uniform Relocation Act including moving expenses within certain prescribed limits.

To individual community members, replacement housing payments would have varied. Due to condemnation before the fact during the Orme planning era and the average low annual income of community members, 45% of the housing at Fort McDowell is substandard and some houses are considered by HUD to be below substandard. The fair market value would not be enough to pay for new housing.

There is, however, a provision in the Uniform Act to provide equivalent or higher cost replacement housing. This obligation poses a problem because upgrading the value of a residence often means that operation and maintenance expenses are also increased. For example, replacing a wood stove with a gas stove may mean that the occupant will have to pay cash for electrical or gas

heat which they may not be able to afford.

Would the cash payments for the land compensate for more expensive housing operation and maintenance costs? Although the tribe was never made a formal offer, a figure was made public by the Bureau of Reclamation in 1976 that each community member would receive \$70,000 if Orme were built. The \$30 million figure was based on a payment of slightly less than \$2,000 per acre, an exceptionally low price for some of the best land in Maricopa County. Part of this low per acre figure derives from a technical appraisal problem. The price is figured as though one buyer bought all the land, that is, all the acreage that would be taken at Fort McDowell was appraised as if it was sold in one real estate transaction. Though the lump sum award of \$30 million appears to be a great deal of money, it is really a very low price for a high quality resource. This phenomenon has been noted in the case of tribal leases for energy mining; Tribes are paid 'beads and trinkets' for resources worth 100 times the price offered (Lipton 1979).

The \$70,000 figure per individual was based on a per capita distribution of all the compensation. However, the Colorado River Basin Act had no specifications as to how the compensation would be awarded. If the Claims Commission experience was any

indication, a flat per capita distribution would probably not occur.

What would be the actual impact of up to \$70,000 to the personal income of Fort McDowell community members? As described by Finsterbusch (1982) for urban relocation, by Scudder (1982) and Partridge and Brown (1982) for relocations of third world ethnic populations, it is likely that impacts would vary according to the existing financial situation of community members. The comparative data suggests that those community members who have the highest incomes would tend to benefit most. Thus, one of the impacts would be increased social stratification, that is, the distribution of the benefits would vary even though the actual cash award might be equal. Some community members who have regular incomes would have a greater opportunity for investment. For community members with very low incomes, it would mean that federal economic assistance would be ended. Part of the award would then have to be used for daily living expenses.

It might be anticipated that factions would develop in response to the prospect of Orme Dam as a result of the potentially uneven distribution of the economic impact of the cash compensation. What this analysis finds is that many of those individuals and families with regular and higher incomes would also lose economically in the cash-land exchange that Orme would require. This situation is due primarily to the integrated nature of the economic and social spheres at Fort McDowell; the theoretical analysis presented in this chapter predicts that those individuals who were most marginal or the least integrated in the social and economic community at Fort McDowell would have the least to lose. However, while there was a continuum of sentiment about the consequences of the dam, some individuals feeling more strongly than others about the impacts, there were no pro-Orme factions in the community, that is, a group of community members who lined up in favor of Orme and the compensation based on kinship, or economic variables such as ownership of land. This statement does not mean that no one at Fort McDowell was interested in receiving \$70,000. Everyone would benefit in some sense from having additional money and the tribe too would benefit from access to additional capital. But it is what the community

members would have to give up to get the cash that was the basis of the almost unanimous decision to oppose Orme. Thus, the potential varying interests due to the internal economic differentiation of the community were overwhelmed by the generally shared stake in the future of the community.

How have substantial cash payments been used by Indians and non-Indians in the past in comparable circumstances? For non-Indians, studies of lottery winners point out that for a majority, their lives are not substantially improved by large, lump sum payments (Ezell 1960; Kaplan 1978). For Indian communities there is the directly comparative situation of termination settlements and the Land Claims Commission payments. Community members themselves often cited their own or observed experiences with these payments as comparison (Blundell 1981; Mariella, Fieldnotes).

In the 1950's the U.S. government set up an Indian Claims Commission to specifically hear Indian Claims cases against the U.S. for lands and other property taken illegally, meaning without any compensation. A separate commission from the existing federal claims courts was established for Indian cases because of the large number of claims. The parallels to the Orme case historically and theoretically are striking because the Claims Commission dealt with formalizing cash

compensation for the loss of lands. Furthermore, as in the Orme case, the rules for compensation were set by the government, not by the tribes.

The Claims Commission ruled that 9 million acres of central Arizona had been Yavapai land. The remaining reservation holdings of Fort McDowell, Camp Verde-Middle Verde-Clarkdale and Prescott total less than 30,000 acres today. The Yavapai were paid by the Commission 50 cents an acre for their land in a lump sum settlement of \$5 million. Federal policy required that 25% of the settlement be put into a tribal trust fund, NOT distributed per capita. This regulation was established after experiences of other tribes with previous per capita distributions in which few long-term benefits for individuals were derived (McNickle 1973; Deloria 1969; Tyler 1973). Fort McDowell was informed that the community could not make its per capita distribution until a development plan had been prepared that took the possibility for Orme into account to demonstrate how the Tribal 25% would be used (Coblentz 1971). By the time the per capita distributions were actually made, each community member received two payments totalling \$3,000.

Most people purchased goods, particularly high cost items such as cars or appliances. It was impossible to buy a new car for \$1,500 so used cars were often

purchased. If the owner did not have the ability to follow through financially with regular maintenance, the initial purchase investment often came to less than a year's use of a vehicle. Cars driven in rural areas deteriorate more rapidly, and cars were often loaned to relatives or friends, adding significantly to mileage. For at least two community members, accidents soon wiped out the investment entirely.

Some individuals bought household appliances, such as refrigerators. In one case an individual bought a complete western outfit, went drinking, passed out and was robbed of his remaining cash and most of his clothes (Blundell 1981).

Community members also cite examples of Indians from other reservations who received even larger payments, who, within a few years, had very little to show for it. These experiences were encapsulated in metaphors such as "money is like ice, land is like diamonds". Money cannot generate a lifestyle unless there is enough to be used for investment to provide continuing returns. Most Indian people, like most non-Indians would not be able to invest for themselves. They would have to turn to financial experts. How does this data apply to the Orme Dam case? The degree is different -- \$3,000 is significantly less than \$70,000-- but are the situations different in kind?

Today a new car or pick-up truck costs at least \$12,000. Costs for new housing extras, as well as the cost of living could deplete even \$70,000 over several years. Furthermore, there is no guarantee that the total Orme award would have been distributed per capita.

Some Orme proponents suggested that additional compensation would be made available to the tribe. 'In lieu' lands would be found elsewhere, more money would be awarded, and development funds would be funneled to the tribe. All evidence suggests that such consequences would be very unlikely. The Colville Tribe has not received even what they are legally entitled to for losses from Grand Coulee Dam (Colville Tribe 1977). Any compensation awards can be cut at the Congressional level. In the Orme case, compensation was particularly vulnerable: at several hearings politicians and members of the public pointed out that non-Indians have been relocated for federal projects and that Indian people should not be treated 'better'. Rather than additional funds, a possible would be a conservative and fiscally strained Congress reducing previously mandated compensation. In the words of a resident of Fort McDowell: "We'll never get one red cent". These comments reflect the historic reality that there is no guarantee of additional benefit when the major and

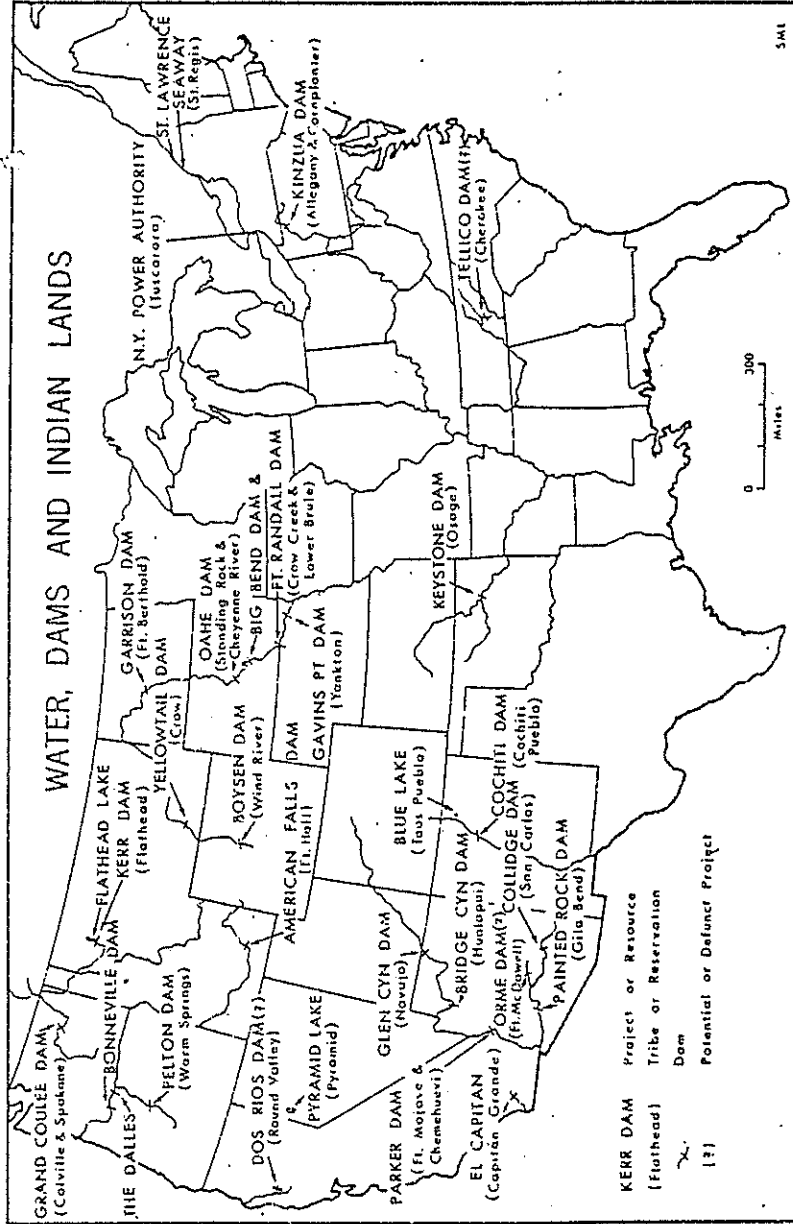
intrinsic benefits flow to others, as is the case with Orme Dam. The next chapter analyzes the broader significance of the potential economic changes that would have resulted from the construction of Orme Dam.

CHAPTER SEVEN
RELOCATIONS OF INDIAN COMMUNITIES IN THE 20th CENTURY

The preceding four chapters have attempted to detail the economic impacts of federal resettlement policies, both of actual and planned resettlement, on the Yavapai of Fort McDowell. However, as the Orme Dam case demonstrates, forced removal and taking of Indian land are not just issues of the past. After the era of treaties, reservations, and allotments, the next period, which continues today, is the taking of lands for government projects. In an overwhelming number of cases, these projects are dams.

In this chapter, 20th century relocations of Indian peoples will be discussed. The number of acres taken for dams is large and these takings do not include the numerous easements and leases for roads, transmission lines and other projects, on most reservations. While there are many discussions of the events of land takings, there are few studies of the consequences over time. Most cases are not directly comparable to Orme; different proportions of lands and the relative importance of types of land taken, vary from situation

FIGURE 10
(SUTTON 1975)



to situation. Most comparable, therefore, are cases in the arid West where major percentages of productive river bottom lands were lost and communities relocated. These major cases involve the Missouri, Columbia and Colorado River Basins. These, as well as several other cases selected for their historical significance or availability of data, are discussed and compared to the Yavapai case. It is said on Capitol Hill that a reclamation project has a better chance of passing if it is presented 'under an Indian blanket', that is, that it is said to provide benefits for Indians (Berkman and Viscusi 1973:151). Is this 'blanket' a demonstrable benefit or just a token? The following case studies provide data to answer this question.

Columbia River Basin

Grand Coulee Dam and the associated Chief Joseph Dam on the Columbia River are representatives of dams on Indian reservations in the Northwest. These also include Little Falls Dam on the Spokane Reservation, and the Dalles Dam in Oregon which flooded Celilo Falls, a major fishing area for the Yakima and other tribes in the area. This analysis focuses on Grand Coulee because of the extensive research undertaken by Verne Ray (1977).

The Colville Reservation population is made up of

the 12 distinct aboriginal tribes of Plateau Salishan and Sahaptan speakers. Aboriginally these tribes were fishermen, and hunters and gatherers. Weir and impoundment fishing of salmon and steelhead trout from the Columbia River and its tributaries produced approximately 1/2 of the calories in the pre-dam diet.

Grand Coulee, the first major dam constructed on the Columbia River by the Bureau of Reclamation, is an irrigation and hydroelectric project. Construction was begun in 1933: authorization for a higher dam was approved in 1935 and the new facilities were completed in 1941. 21,003 allotted and tribal acres (of 1.5 million acres) from both the Colville and Spokane Reservations were taken for the dam and reservoir and 2,000 community members were forced to move. The plateau of Oregon is an arid region like the Missouri and Colorado River Basins. The river bed had provided habitat for wild game and wild food products. It was also the major cattle forage area. While the higher elevations had been used to gather some wild products they had always produced a very subsidiary portion of the diet. It was to these hillsides that the tribal members were forced to move.

While Grand Coulee was being built, 7,000 non-Indian workers moved into the area; the reservation population at that time was 3,000. The significant

increase in population and housing degraded the natural habitat. In addition, hunting for sport became popular and the wild game were seriously depleted.

Most importantly, the salmon runs were halted by the dam. Plateau area cultures revolved around this major resource. But while the natural resource-based economy was destroyed, few wage labor jobs were made available to Indians in the dam construction. Though one of the major products of Grand Coulee was electricity, the Indians were the last to receive electricity for their use.

The tribe has been struggling to obtain compensation for their de facto lost rights to fishing, water and land, as well as hydropower. The federal government acknowledges these rights on paper, but affirmative relief or cash compensation have not been made available to the Colville Tribe (Colville 1977; Ray 1977:78).

James Bay - Canada

Dam projects affecting Native North Americans have also been constructed in countries other than the U.S. In Canada off the southern shore of Hudson's Bay, the James Bay Project has forced the removal of a majority of the Cree Indians of Northern Quebec province. This

project is the largest series of hydroelectric dams in the world and will eventually flood thousands of square miles of land. These double-digit billion dollar dams and generator facilities are planned to bring extensive development to northern Quebec, an area larger than Arizona which had a population of only 5,500 and no paved roads in 1975.

In 1975, the Cree and Inuit of Quebec signed an agreement designed by Hydro-Quebec concerning land rights. In this James Bay Agreement, the Cree and Inuit relinquished their claim to most of their aboriginal territory for cash compensation of \$135 million and rights to fishing and hunting in a 60,000 square mile area. Natives were to have hiring priority on the projects and up to 3% of the workforce was Native American in 1978.

Three Inuit villages refused to sign the pact:

...the land is part of us, not something you can buy and sell. We'd like a chance to decide our own future. (Kohl 1982:400)

Since 1975, the dams have flooded hunting and trapping grounds of many Cree bands and families:

Some of the Cree hunters have experienced difficulty adjusting to life now that the water has risen and has covered the traplines they have worked all their lives. As the water rises, the hunting way of life which has supported the Crees since time immemorial and the Cree money economy since colonial times is rapidly disappearing....

The Cree people were promised money and

assistance in developing their communities in exchange for relinquishment of most of their rights to the James Bay region. This year, Cree leaders complained that services which they thought they had been guaranteed such as sewage systems in some of the villages had not been provided. The leadership felt betrayed and an outbreak of gastroenteritis in their villages provided them with proof of the seriousness of that betrayal. (Akwesasne Notes 1981:11; emphasis added)

The entity that operates the dams, Hydro-Quebec, maintains that the changes the project has brought and will continue to bring are beneficial to the Native peoples:

At Hydro-Quebec's skyscraper headquarters in Montreal I had been assured that the present construction would barely be felt in the Inuit villages along the bay. If anything, an official said, the development would bring badly needed 20th century change to the Inuit. (Kohl 1982:400)

Missouri River Basin

In the Missouri River Basin, numerous dams have been built that have flooded Indian lands. In these cases the ecological setting is similar to that of Orme Dam. The Missouri River is an oasis in the arid Great Plains. Thus, the river bottom lands and the water are prime economic resources. It is the river bottom lands that have the most moderate temperatures (important in the plains where winter and summer temperature vary radically). The riparian environment contains the vegetation that yields timber and food products and provides habitat for game.

Dams on the Missouri and its tributaries include Oahe on the Standing Rock and Cheyenne River Reservations, Fort Randall and Big Bend Dams on the Rosebud and Yankton Sioux Reservations and Yellow Tail Dam on the Crow Indian Reservation. The highest proportion of reservation land was taken for Garrison Dam on the Fort Berthold Reservation. Many of the economic and political issues are similar with lesser degree for all the cases. Therefore, The Garrison case will be discussed in detail.

Garrison Dam

Garrison Dam in west-central North Dakota was completed in 1953 by the U.S. Army Corps of Engineers. It flooded one-fourth or 153,000 of the 643,368 acres of the Fort Berthold Three Affiliated Tribes' land. (Arikara, Gros Ventre, Mandan-Hidatsa). It flooded all of the most fertile bottomlands, and three-fourths of the 2,000 community members were relocated. The reservoir also separated the remaining portions of the reservation into five, isolated segments.

The tribal government objected to Garrison Dam and paid private engineers to devise an alternate plan; they undertook considerable political effort to halt the dam's construction (MacGregor 1949). However, after tribal opposition was overruled by Congress, the Fort

Berthold Council turned to negotiation to try to obtain adequate compensation.

The Three Affiliated Tribes were originally offered 'in lieu' lands, which over 65% of the tribe preferred instead of cash; but non-Indians objected to the reduction to their tax base. The Tribal Council was forced to go to court to receive a cash compensation of \$12.5 million, about \$82 per acre. The Indians were not able to retain or obtain any fishing, hunting or other use rights in the reservoir area. Negotiations initiated by the tribe to obtain electricity for domestic use and to run the pumps of their wells were not completed by the federal agencies.

90% of the reservation timber (39,002 million feet of board) used domestically for fuel and building materials and sold commercially was flooded by the reservoir. Cattle raising, the source of 70% of the pre-reservoir earned income, was almost ended by loss of pasture land. It had been dependent on the proximity and balance of range shelter in the winter as well as water and feed. 5 acre allotments were made available after relocation but lease money was significantly reduced; it had provided approximately 25% of the pre-dam income (MacGregor 1949). Rights to lignite coal seams that had been mined by the community at a rate of 8,000 tons per year were also lost.

The type of land that was lost was not duplicated on the residual lands. Individuals once involved in a land-based economy, attempted to enter the wage labor market of nearby non-Indian communities (Shanks 1974). In 1969 "16 years after the opening of Garrison Dam, Fort Berthold was still in emotional and economic shock" (Cahn and Hearne, eds. 1969:72). Pre-Garrison economic assistance from the government for the whole reservation had never exceeded \$5,000 in any year; by 1968 it averaged \$580,000. Even after adjustments for inflation and federal policy changes, this is a significant increase. As one elder stated:

We have been made dependent.... A generation seems caught. The old way is gone but there is no adequate employment for a new way. (Cahn and Hearne eds. 1970:73)

Numerous individuals were forced into towns but few were prepared for work in the non-Indian wage labor economy - in skills, education or experience. This situation was compounded by discrimination. (Morgan 1971:50) Recognition of these facts was expressed in a pre-dam survey: 90% of the community members had stated that they wanted to remain on their lands (MacGregor 1949:41).

One relocatee, a teacher, pointed out that the tribe had just begun to experience success in educating their children and were looking forward to having

community members initiate new development: "Then, wham -- the dam came". (Morgan 1971:52)

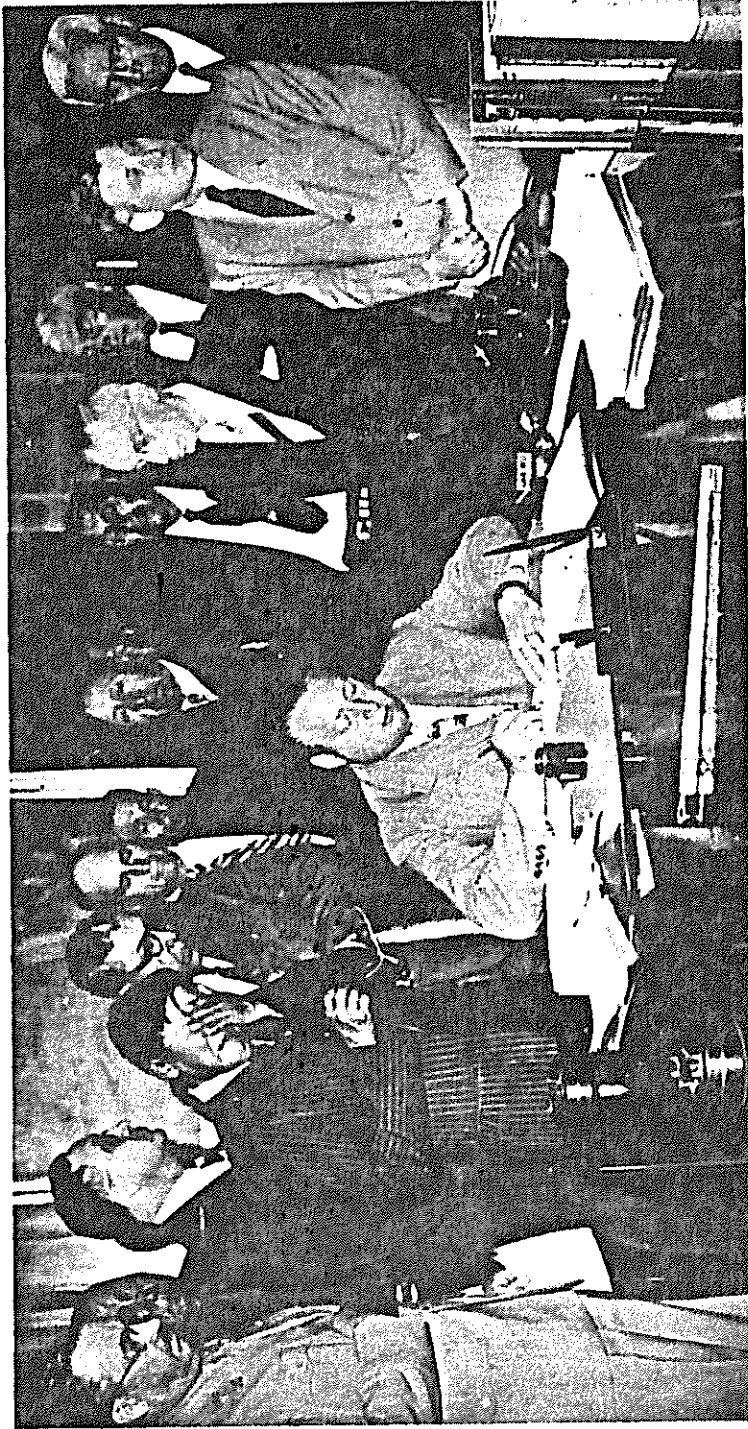
The domestic source of water, the river, was lost to the reservoir. New homes on the hillsides had to be supplied with wells that required pumps and electricity. Even these were unsatisfactory, however, because they yielded a brackish water that was undrinkable. For years many families purchased and then hauled water at 25 cents a barrel.

Other Cases on the Missouri

107 other dams in the Missouri River Basin affected Indians reservations. In the cases of Garrison and Oahe, the tribes were not allowed to cut down timber in the reservoir area. These dead trees lie under or stick through the surface of the reservoirs making navigation and recreation difficult. In all cases, the best agricultural lands were lost and forage and winter shelter areas for cattle were flooded. Wild fruits in the riparian habitat (currants and berries) were lost as well as deer (estimated to be 1,100 at Oahe) cottontails, pheasant and water fowl (Shanks 1974).

In the Oahe and Garrison cases, cash for land was the only compensation and actual residual rights to associated resources were lost (Berkman and Viscusi 1973:178) No relocation expenses were paid to the

FIGURE 11



George Gillette (left foreground), chairman of the Fort Berthold Indian Tribal Business Council, covers his face as he weeps in the office of the Secretary of the Interior, J. A. Krug. On May 20, 1948, Krug signed a contract whereby the tribe sold 155,000 acres of its best reservation land in North Dakota for the Garrison Lake and reservoir project. Gillette said of the agreement, "The members of the tribal council sign this contract with heavy hearts . . . Right now the future does not look good to us."

CAHN and HEARNE, eds. (1968)

SIGNING OF GARRISON LAKE CONTRACT

community members as most of these actions occurred before passage of the Uniform Relocation Act (Lawson 1982).

Kinzua Dam

One of the best known cases of a dam that flooded Indian land is Kinzua at the Pennsylvania-New York state border. The Allegheny Reservoir extended onto the Seneca Iroquois reservation and the village area of Salamanca. This 33 mile lake left only 2,300 acres of habitable land on the reservation (Wilson 1959).

The Congressional authorization for this Army Corps flood control project was made in 1941 as one of a series of Ohio River Basin Projects. World War II interrupted plans for the dam which were revived in the mid 1950's. The Seneca adamantly opposed the taking of their lands which included religious sites associated with the prophet Handsome Lake. This opposition grew even though the Seneca were told that there would be substantial recreation benefits. However, as with Orme and most flood control reservoirs, the shore line fluctuates significantly, minimizing the recreational benefits. The Seneca stressed in their public opposition that taking of their land would mean abrogation of the oldest treaty between the U.S. and an Indian Tribe, the Pickering Treaty of 1794 (Deloria 1969).

Arthur E. Morgan, a former director of the Tennessee Valley Authority and Army Corps Engineer, determined for the Seneca that an alternate, the Conewango-Cattaraugus site, would have provided flood control as well as additional water storage more economically than Kinzua (American Indian Chicago Conference 1961). Morgan's research indicated that the major difference between Kinzua and the Conewango plan was that Kinzua would provide high quality water to the mines and plants of Pittsburgh industrialists (Morgan 1971:193).

Despite a major political effort by the Iroquois and their allies (especially the Society of Friends), their land was taken for the dam in 1954. Ten years later in 1964, the Seneca received a cash compensation for their lost lands and relocatees received new housing. The town of Salamanca was developed to encourage tourism and recreation. Many non-Indians have moved onto leased land in the town and as one tribal leader has noted : "they feel they own it".

Colorado River Basin and Tributaries in Arizona

Coolidge Dam

The construction of Coolidge Dam on the Upper Gila River was promoted by Indian and allied non-Indian organizations on behalf of the Pima Indians. The Pima Indians on the Gila River Reservation in Arizona had

been prosperous farmers in the middle 1800's. They were forced into poverty by the early 1900's by the upstream diversion by White farmers of water that legally belonged to the Pimas. Finally after years of effort to get their water back, Congress authorized the construction of Coolidge Dam in 1924. The primary recipients of water from the dam were supposed to be the Pimas. Because of this legal fact, the Bureau of Indian Affairs funded the construction of the dam and manages the project known as the San Carlos Irrigation Project.

The dam itself was located far upstream of the Pimas on the San Carlos Indian Reservation. Many of the farms of the Apache (as well as former farms of Yavapai) were flooded out by the reservoir and the San Carlos agency was relocated to Rice School on the San Carlos river 20 miles north. One Apache woman pointed out: "Lots of people used to have farms at old San Carlos. I had a big farm; they took our farm to build the dam. The people never farm now." (Perry 1971:101). Thus, at San Carlos, the Dam and reservoir meant a loss of agricultural resources and a greater concentration of people. The Indian Service made an attempt to establish new agricultural fields (2 acre plots) that were aimed at subsistence activities but delays and confusion over which individuals had rights and access to these lands

meant that they were never really used (Spicer 1968:258).

Contrary to government predictions, the reservoir behind Coolidge has been full only three times, during floods in 1979 and 1980 and 1983. More importantly for the Pima, much of the water that was available, went to non-Indian farmers between the dam and the reservation. Individual farming continued to decline on the Gila River Reservation. Both the lack of water and uneconomical allotments of lands were obstacles to farming.

The economic consequence of this dam for the San Carlos Apache was a loss of most of their best farm land with no compensation. Some Indian people were employed in construction of the dam but these benefits were temporary. The tribe derived no extra water, electricity or recreation benefits. Only in the last few years, the Interior Department granted a concession to the tribe to use San Carlos Lake for a recreation enterprise.

Painted Rock Dam

The Painted Rock Dam, completed in 1964 is a flood control project of the Army Corps of Engineers. It was designed to protect the Welton-Mohawk Irrigation District downstream. The reservoir and flowage easement forced the removal of 20 families (almost all of the

population) of the Sil Murk community of the Gila Bend Papago Reservation, a non-contiguous district of the larger Papago Reservation. The easement precluded development on 90% of the Gila Bend land.

In 1956, 6 years after the project was authorized, the Corps approached the Sil Murk community about the dam. The Corps representatives explained how the government would compensate for the adverse impacts on the Sil Murk Papagos. Like most reservations in Central Arizona the Gila Bend Papagos had lost most of their surface water in the first half of the 20th century to upstream diversion (Manuel et al. 1974). Consequently there was little irrigated agriculture on the reservation. Income was very low and based largely on labor in the nearby town of Gila Bend. (BIA Reports 1978). The Army Corps originally approached the community with offers of compensation that included 40 new replacement acres with a well. The offer also included construction of new homes paid for by the Corps.

There were no use rights allocated to the reservoir because, as a flood control structure, it could not be used for major recreation or irrigation purposes. The Gila Bend Council accepted this settlement in a tribal resolution in 1959. The BIA turned the entire

settlement process over to the Corps which then stated that money for such relocation would have to come from new appropriations from Congress. When such a bill was presented to Congress in 1964, Corps officials wrote to Senator Henry Jackson, Chairman of the Committee on Interior and Insular Affairs:

Subject legislation would provide payments and/or benefits over and above normal just compensation. This Department has consistently, as a matter of policy, opposed the utilization of project funds for these additional benefits. However, it is recognized that Congress has in the past, in connection with other civil works projects, enacted legislation designed to provide for the Indians benefits in addition to payments they would receive in accordance with a conventional determination of just compensation. In such acts the costs to the projects were confined to payments for direct and indirect damages, and the relocation of townsites, roads, utilities and community facilities; reestablishment and rehabilitation features were provided as a function of the Department of the Interior and funded from other than project appropriations. For this reason, the Department of the Army is reluctant to concur in S90 in its present form as such could create a new precedent in cases of this kind of future increasing the costs to the project to include extensive rehabilitation features. (Morgan 1971:59)

As the prospects for compensation changed, the tribe rescinded its approval of the flowage easement. Eventually, the Department of the Interior paid for relocation. Sil Murk was relocated at the cost of \$269,000. The new community, San Lucy, is still attempting to 'get on its feet financially' (Manuel et

al. 1978) trying to get some of its water rights back, and to develop its few remaining resources. The Papago tribe is currently attempting to obtain additional acreage for San Lucy as well as additional compensation (Jones 1983).

In the case of Painted Rock Dam, the tribe gained no economic advantages and obtained belated housing compensation. A community was relocated and resources lost to provide flood control for non-Indians downstream. Furthermore, federal promises of benefits had to be coaxed from the reluctant agencies.

Tat Momolikat Dam

In 1962, floods in the Santa Rosa wash damaged agribusiness operations near Stanfield and Casa Grande in south-central Arizona. Damages from this '100 year flood' were estimated by the Corps to be \$3.4 million (Arizona Republic 1977). The area farmers turned to the Army Corps which proposed a flood control dam as a solution. This Tat Momolikat Dam was built on the Papago Indian Reservation in southern Arizona at a cost of \$10 million; it is the 6th largest earthen dam in the world. The high cost was justified in part by a predicted recreational potential that would generate a sizeable income for the Papago Tribe (Auslander 1980).

The Papagos gave up 2,000 acres for the dam and 100 people were relocated. Eventually the tribe was

paid \$11.7 million (Wassaja 1973). The Dam was completed in 1974 and has been almost completely dry since. No recreation takes place on the non-existent 'Lake St. Clair'. Graffiti on the opening-day plaque states: "Welcome to my nightmare", an unfortunately apt metaphor of the economic consequences for the Papago residents of the Santa Rosa Wash who were removed from their homes. The non-Indian farmers in Casa Grande, however, derive significant benefits in their flood control insurance rates and ability to secure development capital. Furthermore, the value of their land for non-farm developments is increased significantly. The tribe, on the other hand, has a degraded resource base. In 1977 the Papago tribe filed suit against the Army Corps for damages.

White Moutain Apache - Tribally-Controlled Dams

Do all dams on reservations have the same adverse consequences as those detailed in the previous sections? A comparison is provided by the recreational reservoirs built by the White Moutain Apache Tribe.

The White Moutain Apache Reservation lies in the mountains of east-central Arizona. This reservation contains the source of the Salt River which provides most of the irrigation water for the Phoenix valley.

In the mid-1950's members of the White Moutain Apache

tribal council decided to utilize their water rights to develop small reservoirs at high elevations for fishing and camping sites for tourists. The Salt River Project objected to these upstream impoundments of what its directors saw as SRP water, and obtained a state court injunction to stop the construction of the dams. The White Mountain Apache did not allow the state sheriff to deliver the injunction on their land. The tribe proceeded with the construction of its dams and created Hawley Lake.

This and other recreation reservoirs are popular recreation sites for Phoenix residents especially during the summer months when desert dwellers flock to the mountains. No homes or farms were flooded and Indian cattle have been provided with new, rather than fewer water sources (Davisson 1978:68). Recreation potential was the major purpose for constructing the dams and recreation uses have provided the benefits, unlike other cases in which recreation was a secondary benefit at best. These recreational lakes have not been a panacea for the economic problems of the White Mountain Apache Tribe; they do require operation and maintenance. They are, however, a significant part of a mixed economic development program that includes a ski lodge, ski run, as well as timber and cattle enterprises (Talbot 1978).

As the tribe owns and has actual control over the

reservoir, it operates it to maximum advantage for the Apache. Actual physical control by the tribe forced the burden of legal proof on the non-Indians in this case. This highlights a significant point: unless a community actually controls a project it cannot control its benefits. Paper rights often can only be turned into compensation through a legal process that is slow, expensive and not always assured. Benefits that are not an intrinsic part of a project are never guaranteed.

Navajo-Hopi Partitioned Lands (Joint Use Area)

A contemporary case of removal of Native Americans from reservation land which has been the subject of considerable analysis involves the Navajo-Hopi former Joint Use Area (JUA), now the Partitioned Lands. The Navajo tribe has commissioned several studies concerning the effects of removal (Scudder 1980; Natelson 1981). Several academic studies have also been undertaken (Gilbert 1977; Wood, Vannett and Andrews, 1979; Schoepfle et al. 1978; Topper 1980). The federal Navajo-Hopi Indian Relocation Commission has also produced data and analyses. The case of the JUA partitioned lands is particularly important because ongoing studies have monitored the impacts over time as residents have been relocated.

The case of the JUA is also of particular significance in the framework of this dissertation because the reason for removal is not the result of any particular project. However, various views of motivation and assessments of who pays and who benefits will be discussed.

The basis of the Joint Use Area was the ambiguous wording of the Executive Order that established the federally recognized Hopi Reservation in 1882 from within the expanded boundaries of the Navajo Reservation. The language of the Order states that the

Hopi Reservation is for use of the Hopi as well as 'such Indians as the Secretary of Interior may see fit to settle thereon'. Because this wording did not provide for exclusive Hopi use of the Reservation, the BIA did not remove Navajos who lived in or moved into the Hopi Reservation.

Between 1934 and 1936, as part of the Depression Era stock reduction programs, the BIA established management Districts on the Navajo and Hopi Reservations. At this time a portion of the Hopi Reservaton, District #6, was managed for exclusive use of the Hopi; the rest of the land within the 1882 boundary was managed as a Joint Use Area. The Hopi tradionally have been sedentary farmers on the mesas of District 6. They also have some sheep and cattle. In contrast, sheep and livestock raising have been the major subsistence activity of the Navajo during the reservation era.

In addition, some of the most valuable resources in the U.S. lie under the surface of the Joint Use Area. Large quantities of coal, uranium, oil and natural gas are known to exist -- significant to the energy dependent U.S. and therefore increasingly valuable as potential income to both the Navajo and Hopi tribes. Legal consideration of which tribe could approve mining leases were behind the federal government's first moves

to divide jurisdiction in the 1950's (Gilbert 1977).

Public Law 85-547 attempted to address the JUA issue and resulted in a lawsuit filed in district court by the Chairmen of the Navajo and Hopi tribes in 1962 (Healing v. Jones). This decision stated that the Navajo and Hopi tribes have undivided and equal interests and rights to the subsurface minerals and resources of the JUA. In 1972 the district court ordered the Navajo to begin reduction of livestock in the JUA and a mandatory 'freeze' on development was put into effect in 1973. PL 93-531 established a Navajo-Hopi Indian Relocation Commission and called for a survey to divide the JUA equally between the two tribes. By 1972, 15 families had been removed (Gilbert 1977).

The Hopi tribe argues that the JUA is traditional Hopi land, and points out that the Navajo have overgrazed the JUA land while Hopis have not; indeed the Hopi tribe has reclaimed land that was returned to them. The major issue the Hopi stress is that the Navajo reservation is the largest in the country and that the Hopi need their traditional acreage to undertake development to enter into the market economy.

In 1977 a plan was completed for dividing the 1.8 million acres, and more families were relocated. However, opposition to removal by individual Navajos and

the Navajo Tribal Council became more insistent and public. Alternate proposals for dealing with the removal issue were submitted to Congress including the opportunity for elderly to live out their lives on their land (life estates). Opposition to removal mounted steadily when in the spring of 1981 Navajo livestock found in the Hopi portion of the JUA were impounded. Passive resistance protests were undertaken by Navajos and the policy was temporarily rescinded. Discussions in the press have noted the potential for violence if removal and partitioning continues (Arizona Republic 1981).

As with cases cited earlier, relocatees in the JUA overwhelmingly oppose plans for removal. Estimates of the number of potential relocatees based in part on different demographic data, range from 4,000 to 8,000 individuals (Scudder et al. 1982) Approximately 80 Hopis would have to relocate.

The JUA is also one of the most isolated areas of the Navajo reservation and the way of life in the JUA is one of the most traditional on the Navajo Reservation relying heavily on a mixed pastoral economy. Consequently the average cash income in the JUA is lower than on other parts of the reservation; it is also a depressed economic region because of the development freeze that was ordered in 1972. Cash income is

derived primarily from the sale of livestock and wood, and from silversmithing, wage labor and government assistance.

Many of the homes are older hogans heated by wood stoves. Running water and electricity are not available in many homes. Over 90% of the Navajo households in the JUA had livestock before the 1972 freeze and 45% of the households undertook some subsistence farming (Scudder 1979:20-30). Livestock consisted primarily of sheep, goats, and cattle that graze on the open range. Livestock, particularly sheep, provide subsistence and cash income in several ways. Animals can be butchered and consumed directly by a household and, unlike mutton bought in a store, essentially all of the animal is utilized. Meat can also be exchanged for products or services (especially as payment for religious and curing ceremonies). Animals can be sold for cash, as can their wool. Wool can be used to make rugs, which, like Yavapai basketry, is a skill that can be learned from family members, and can be done at home in conjunction with child rearing. Though the returns per labor will vary, they are generally low (estimated to be less than \$4.00 per hour). However, rugs are a means of transferring traditional subsistence activities, skills and natural resources into a cash income. Rugs are also

a source of self-satisfaction, pride and prestige. The special quality of livestock is that they convert 'free' natural resources into subsistence and cash, as well as future subsistence and cash through their offspring.

Like the Yavapai of Fort McDowell, most of the recent ancestors of the Navajo experienced a massive, forced removal from their homelands. In the mid 1860's most of the Navajo were forced to march to Fort Sumner in the 'Long Walk'. In this small Fort, the Navajo suffered severely from disease, abuse, and starvation. Eventually most Navajo returned to their homelands and the Reservation boundaries were enlarged in several stages to the present 14.5 million acres in the Four Corners Area. Like the Yavapai 'Trail of Tears', the Navajo 'Long Walk' is an important event in Navajo history. In the recent past, Navajos have been relocated in smaller numbers for various projects including the Navajo Indian Irrigation Project in the San Juan and Upper Fruitland regions and for energy developments, particularly mining operations. The experiences of these relocatees have been passed on to friends and relatives and have become part of the pooled information derived from experience concerning the effects of relocation. Many NIIP relocatees understood that they would get land for farming and jobs through the project; these benefits were to compensate for

their removal.

Lack of funding by the Bureau of Reclamation has led to long delays in project development (Berkman and Viscusi 1980). Consequently, the benefits have not yet materialized for most relocated Navajo. For both the NIIP and mining development, local residents were forced to move without any real relocation program or benefits. Benefits from the projects were viewed as indirect to all Navajos (jobs, increased tribal income). In general, relocatees were worse off after removal (Schoepfle 1978:40) This failure of local Navajos to achieve benefits from these developments is due in part to the overall difficulty of translating tribal income into personal income.

The JUA legislation has established a program for relocation that provides for replacement housing. Some advisory assistance is also available from the Relocation Commission, but results indicate that it has not been adequate. In addition, 'in lieu' lands are part of the JUA compensation to the Navajo Tribe (400,000 acres - 45% of the lands that will be lost.) The BLM Arizona Strip lands were suggested as a possible choice. However, white ranchers who lease the lands for range vigorously objected. Purchase of privately owned land for reservation status would mean a loss of property tax

revenue to the counties; this potential loss has been a source of objection from surrounding local governments. The decision to select in lieu lands has been allocated to the Navajo Tribe. Under the MacDonald administration, which rejected PL 93-531, the selection process of alternate lands moved slowly.

What about options for relocatees moving to other areas of the Reservation? While the Navajo reservation is the largest in the U.S., and has a comparatively low population density, it is not as 'empty' as it appears to some visitors. Each area of range land is assigned to a stock owner. Grazing permits now issued jointly by the tribe and the BIA were developed by the BIA as part of the stock reduction conservation programs of the 1930's and 40's. Without a permit an individual cannot graze livestock. Permits can be sold to other Navajo or can be inherited by children.

Therefore, lands for Navajo homes and grazing are all assigned. Use can only be secured through a leasing procedure or through inheritance. Only a few Navajo do not use their permits and 'lease' them. Unless alternate lands can be negotiated, JUA relocation will mean loss of reservation land now and in the future for relocatees.

Since the *Healing v. Jones* decision in 1961, both tribes have had to consent to any improvements in the

JUA; this has meant a de facto freeze on development for 20 years. The consequences of the freeze have been 'an impoverished condition' for residents in the JUA (Natelson 1981:102). As with Fort McDowell during the Orme Dam period, this freeze coincided with the period of greatest federal, tribal and individual expenditures for improvements on Indian reservations. Not only have existing facilities deteriorated, likely improvements undertaken elsewhere have not been made in the JUA in housing and infrastructure such as roads, water lines and sewers. Furthermore, due to the freeze, younger people have not been able to build new homes and have moved elsewhere in many cases. These younger people, as on most reservations, have the highest level of formal education; their loss has meant a skill drain from the JUA. As the average age of the JUA resident has climbed, so has the need for services associated with the elderly.

What has been the financial consequences for those that have already been relocated? 34% of the relocatees have moved to cities, many to towns surrounding the reservation such as Flagstaff, Winslow and Page. Many of these relocatees are individuals who could not build in the JUA, that is, they tend to be younger than the JUA population as a whole. The youthful urban

relocatees tend to have more experience with wage labor. Predictions are that these relocatees will be some of the most successful copers (Scudder et al. 1982). After 1 year, 44% of the urban relocatees considered themselves to be better off financially than if they had not relocated. Most of these early JUA relocatees received the maximum incentive bonus of \$5,000 (reduced to \$1,000 in 1982 and to '0' after 1982).

However, a majority of the urban relocatees did not feel better off financially after 1 year. Even in homes without mortgages, taxes and utilities still have to be paid. These require some kind of regular cash income. New housing is a mixed blessing if it requires greater operation and maintenance budgets. High operation costs for heating, cooking, lighting, water and other basics can present difficulties to households accustomed to small or no utility bills. Repairs on costly appliances can be a burden on stretched budgets and the need for repairs is increased by lack of familiarity. Many relocatees pointed out that on the Reservation they turned to sales of their livestock in economic crises. Once relocated to town, they can no longer raise livestock. As one female relocatee stated: "money does not give birth like sheep do". (Scudder 1979:148) Of course money can 'grow' if invested, but it takes skills

or consultants to make lucrative investments and there are always risks. Furthermore, modest sums provide modest returns.

Government assistance is too low to maintain a home and the facilities and expenses that go with it. Consequently some of the relocatees have had to sell their homes. In addition to financial issues, all urban relocatees, whether considering themselves financially well off or not, regretted the loss of their use area on the reservation. They longed for 'home' and feared a loss of identity as well. (Scudder et al. 1979:65; Gilbert 1977).

The above data referred to those Navajos who relocated to cities. Some relocatees moved onto other parts of the reservation usually near relatives. In most of these cases they still lost the ability to have livestock of their own. As a sample, these rural relocatees included more women and were older and less well educated than the relocated population as a whole. The rural relocatees had relocated 5 years earlier on the average than the urban relocatees; as a consequence the long-term effects are more clear. 86% of these rural locatees said they were financially worse off compared with 44% of the urban relocatees.

Another point commonly noted in forced relocations

is that the 'hosts' also feel resentment at the influx of relocatees. Navajos in reservation areas where relocatees moved were faced with burdens on already overused resources and services (Gilbert 1977). Natelson (1981) notes that the relocation into areas not currently used for homes will require the construction of facilities many of which, at least in a basic way, already existed in the original JUA.

Scudder (1979:71) predicts that many individual Navajos may benefit economically, at least in the short run, from relocation housing and the bonus. The most likely category to benefit would be (and have been) educated young men, some of whom might have moved to urban areas for the wage earning portions of their lives without the JUA policies.

From a longer-range perspective, Schoepfle et al. (1979) conclude on the basis of an ethnoscientific study that the loss of pastoral livelihood may mean the loss of the basis for what it means to be Navajo.

Relocation studies support the anthropological theory that culture is based on the practical needs of daily existence -- that is, not only are subsistence, social organization and culture 'integrated' -- they are causally related. A change in the economic base leads to systematic changes throughout the chain of behaviors known as culture. Because

cultural behaviors make sense in the environment in which they developed, removal from context reduces their usefulness. When people who pass on their livelihood and culture together are relocated, the continuity between generations is lost. For Navajos and most Native Americans the way to be what you are, is learned from observation and participation. Take away the day-to-day activities, and what people know becomes irrelevant.

The primary importance of livelihood is clearly reflected in the statements of potential relocatees in the JUA. The single most frequently mentioned concern causing depression (41.25 %) was loss of livestock (Topper and Johnson 1980).

What then do the research teams predict for the future if over 4,000 Navajos are relocated from the partitioned lands? Scudder et al. conclude that relocation as planned will not improve the overall standard of living of relocatees, "because no money is budgeted for economic development". Instead, relocation will "increase dependency on government assistance such as welfare". (1979:1) Natelson states similarly that without alternate economic development that really increases long-term productivity, the beneficial effects of relocation are offset (1980:2).

The Relocation Commission Report and Plan (1981)

asserts that many of these problems are mitigated in PL 96-305. This law, passed in 1982, does acknowledge the pressing need for economic development and sets aside some funds for it. However, Scudder et al. (1979) question whether the funds will be enough for long-term economic development? Economic development includes the long-term costs of making a transition from one way of life to another. In analyzing the reasons for success in an economic development project on the Lummi Reservation, Vine Deloria discussed this point:

Perhaps the most significant lesson that can be learned from the development of the Lummi [aquaculture project] is that economic development should not be conceived as economic development, but as community development. (1978:154)

The complex meaning of learning a new lifestyle is reflected in part in Scudder and Natelson's discussions of the range of stresses and costs associated with the loss of a way of life. Human beings can and do change but taking away the basic behaviors that provide meaning to life create the most difficult context for change.

Analysis of Comparative Data

This research suggests that many of the federal expenditures related to Indians are the long-term costs of removal from the resources that provided for a self-reliant lifestyle. What are often termed "social-cultural costs" at some point translate into direct dollar costs -- often in complex, long-term, expensive services and programs. In addition, if these programs are not directed by tribes, they may actually make the problems worse.

These relocation cases highlight a major point that has not been addressed by planning agencies or by Congress in the 1970 Uniform Relocation and Assistance and Real Property Act. It is not adequate compensation to simply replace housing for people whose way of life is based on land-use. The value of people's land and its resources must be considered in its broadest sense.

For Indian people, communities and tribes, land is the paramount natural resource; it is the basis for use of all other resources such as water and minerals, and the basis for governmental status. Consequently, the relationship of Indian people to their land is multifaceted and is often, therefore, expressed in symbols and metaphor that can efficiently communicate a range of concepts and relationships. Like all metaphors, these statements can be misunderstood or

poorly interpreted by 'receivers' that have different experiences, in this case non-Indians.

Scholars have attempted to translate for non-Indians the meaning of Indian land as a material focus of Indian identity (Diamond, Fenton and Sturtevant 1952). Cahn and Hearn, eds. (1979) devote a chapter to defining the various meaning of land, though they do not discuss the relationships between these different meanings:

- o The surveyor's definition: the land base in terms of acres, meters, milestones and boundaries

- o The economists' definition: land as a present source of subsistence, food, shelter and income for survival

- o The conservationist's definition: land as a resource to be protected for its beauty and utility and to be prudently used and developed

- o the holy man's definition: the land embodied in a sacred relationship between man and his universe; land not to be defiled desecrated or cheapened (1968:68-9)

In many of the 20th century removal cases the loss of significant use areas caused major economic problems. In each case the change involved a move away from a natural resource based economy. The result has been proletarianization, that is, the loss of control over resources that are the basis for a way of life (Farish 1979). Historically, North American Indians were not peasants, tied into market

economies. "Indians were not underdeveloped, powerless and deprived at contact" (Jorgensen 1978:6).

Modern Indians know that they are the descendants of the original occupants of this land.... They are acutely aware of the specific ways in which they lost possession of over 98% of the land. (Stanley 1978:6)

Given these parameters, economic development for American Indian relocatees needs to involve lifestyle skills, that is, enculturation. This does not mean every relocatee would need to have a college education, but lifeskills are not quickly learned in classrooms with minimal expenditures of funds. They are learned through experience over lifetimes.

However, economic development as community development does not have to involve subsistence economies. All Navajo are not subsistence pastoralists and they were not in the past; sheep were brought to the new world by Europeans. The Yavapai were not always small scale agriculturalists and the Fort McDowell community plans for the future do not rely on 10 acre family farms. The Cree trappers of James Bay have sold their furs into a cash economy since the appearance of the Hudson Bay Company in 1610. The fisherman of the Colville Reservation also sold their fish for cash. The common variable is not that these lifestyles are self-sufficient, but that they are self-reliant. This self-

reliance is based on access to the productive resources.

Essentially all Indian tribes have plans for economic development (formally or informally) and have experienced profound economic change in the past. However, the Fort McDowell Yavapai case suggests that preservation of the basic productive resource (land) was given a top priority by generations of Yavapai people who experienced the results of changes from 'subsistence' to market economies. But the completion of this change was envisioned as a process that would occur within the community, with community members in charge, with resources owned or controlled by the community members in perpetuity. When new generations learned the skills, then they would develop at the pace and in the way that would bring primary benefits to the community members.

For the Yavapai of Fort McDowell these issues were even more monumental than in the case of the Navajo JUA. A Navajo reservation will still exist if PL 93-531 is implemented. There would be Navajo communities and a substantial resource base intact. With Orme Dam, however, the land base that holds the promise of a self-reliant future for the Yavapai would have been eliminated. Indian ethnic identities are not so fragile that they cannot endure urbanization. The number and intensity of tribal and pan-Indian revitalizations

testify to this resiliency. But without a home base, a reservation with a pool of Yavapai people, the fragility of identity is increased astronomically. This would not happen overnight -- all Yavapai's would not suddenly assimilate if Orme Dam were built, but a chain of events would have been set into motion. The result of these events are referred to by some social scientists as 'ethnocide'. The Navajo Nation uses a statement that is more blunt and politically persuasive. The Navajo tribe states: relocation is genocide.

CHAPTER EIGHT
THE COSTS OF REMOVAL AND THE IMPLICATIONS FOR
NATIONAL POLICY

The specific analyses of this research, presented in Chapters Three, Four, Five and Six, were used as a basis for the broader theoretical discussions of Chapter Seven. In this final chapter, the argument is made that a small segment of the dominant population reaps a majority of the benefits of many large projects that result in removal and that the major costs are paid by the relocatees. Eventually, the general public also pays for the long-term economic and social costs to the relocatees. This argument is consistent with the metropolis-satellite model utilized by Jorgensen (1978) in analyses of Indian and non-Indian relations. It is also consistent with many political economic analyses of underdeveloped nations (Davis 1980). However, the implication of the model for federal resettlement policy

has not been detailed. This chapter discusses the practical implications of the research and recommends specific changes in national policy and legislation.

In most cases of relocations of Native American communities for dams, the lead agencies, project proponents as well as the authorizing legislation assert that the relocatees will benefit. This was the case for Coolidge Dam which was promoted as the solution to the Pima 'water problem'. The same applies to Orme Dam which was authorized as part of a bill designed with one of its explicit goals "to stimulate the economic and social development of Indian communities." Similarly, the President of Arizona's largest utility and an Arizona Republic editorialist, stated at public meetings that Orme would be a 'boon' to the Fort McDowell Indian community.

The Uniform Relocation Act reiterates the basic premise for compulsory relocation in western legal tradition. This relocation authority derives from the powers claimed by sovereign nations to 'take land', that is, the power of eminent domain. However, the basis for eminent domain in U.S. legal history is that land only be taken for the public good. Further, an individual's land and property cannot be taken for public purposes without the owner receiving fair compensation. Legal

historians advise us that abuse of eminent domain by monarchical governments in the Old World had been one of the factors that led to democratic theory, basic to the politicians and scholars who framed the U.S. Constitution (Yale Law Journal 1965). But eminent domain, fair compensation and public good are concepts, not realities in themselves. These theories of government and how they are implemented will be examined in greater detail at the conclusion of this chapter.

Who have been the primary beneficiaries of the taking of Indian land? When the Yavapai were forced onto the small reservations at Camp Verde they were removed from areas of Arizona that were known to contain significant deposits of gold, copper, silver and mercury ore. The famous Vulture Mine at Wickenburg in the heart of Tolkepaya territory produced over 3 million dollars of gold in contemporaneous currency. Yavapai land was used by non-Indians for cattle grazing and some farming. Some Arizona historians argue persuasively that the minerals of central Arizona provided the financial basis for the growth of Arizona (e.g., Faulk 1970). In this view, all Arizonans benefitted at least indirectly. However the owners and shareholders of the mines received the major, direct benefits. The federal government paid the direct price for this removal in support of the military that forcibly removed the

Yavapai.

When the Yavapai were forced to march to San Carlos in 1875, they objected and persuaded their few non-Indian allies to intercede on their behalf. General Crook publically and officially objected to the removal, but unsuccessfully. Crook further stated that the Indians at Camp Verde were becoming self-supporting and it was this threat that led to the removal. It was a group of government contractors that used their political influence to have the Indians removed. Lieutenant Bourke made an additional point -- the contractors who profited from removal of Indian tribes, in general, did not stay in the local area; instead they pulled their capital from the frontier back to the large industrial centers of the East and West.

Even when the Yavapai were finally allowed to return to portions of their aboriginal territory in the late 1890's, the evidence suggests that this decision was influenced by the interests of non-Indian coal mining operations in the Mineral Strip at San Carlos and possibly of Gila River Valley interests in a San Carlos Dam.

Dr. Montezuma's correspondence explicitly suggested that the benefits of a dam and of a source of high

quality domestic water were motivations for the removal policies of the first half of the 20th century. Subsequent events seem to support Dr. Montezuma's analysis. The conflicts of interest of key actors in the removal effort add further weight to the argument.

This basic relationship can be seen throughout the 20th century in dam cases. Berkman and Viscusi (1979) have specifically stated that government agencies are not responsive to Indian people's need because they do not have to be. Indian lands are picked for dam sites not only because they are geographically suitable but because Indian communities have been politically weak. Fort McDowell's success in fighting Orme Dam is a unique case of success due to the building of political strength through alliances in many public sectors.

In the case of Orme Dam, who would have benefitted is a predictive question - not a matter of historical discovery. Officially, Orme Dam was to provide essential regulatory storage for the Central Arizona Project. The CAWCS study determined that the efficiency of CAP distribution would be increased by 10-15% while Orme could have required up to 40% of the total CAP cost. As for flood control benefits, the Army Corps could not justify Orme economically from the general public's point of view. However, certain businesses would have been provided with windfall benefits from

Orme's protection of the riverbed downstream: those firms that owned land in the river bed had bought it at very cheap prices because it could not be developed. With Orme in place the value of that land would rise significantly because it could then be used for developments, such as residential subdivisions, hotels and industrial parks. Orme would also have provided benefits to interests that profit from development in the Salt River Valley (construction firms, utilities, developers, financial institutions). The public however, would derive generalized benefits at best. These benefits would be based on the theory that what is good for businesses that profit from growth is good for all Arizonans. As Powers points out (1978), this correlation must be demonstrated in each case rather than asserted. The public, however, would pay the costs and Fort McDowell would suffer the costs directly.

Similar to the CAWCS, hydrological engineering studies of Kinzua Dam suggested that for the public goal of flood control the most efficient solution was not Kinzua. Morgan's analysis stated that the major beneficiaries of Kinzua were not the public but the mines and industrialists who owned plants in Pittsburgh and who received low-cost water as a result of the construction of Kinzua dam.

As noted previously, local business interests expected to control the hydroelectric power benefits from the Missouri Basin dams. Even these local interests were, in several cases, pushed out by stronger regional utilities. The James Bay Dams provide a parallel in which many of the profits will be made by utility companies in the U.S. by selling power to the dense urban centers of the Northeast.

Much of the benefits of Coolidge Dam went directly to non-Indian farmers near Coolidge. The cotton growers in Stanfield and Pima county received significant benefits in increased property values from Tat Momolikat. A similar argument could be made for Painted Rock Dam and the agribusiness interests in Welton-Mohawk.

The Navajo-Hopi case, like Orme, is controversial and complex. Hostilities have flared between the two tribes and feelings of historical enmity seem to play a part. However, the initial impetus for the JUA legal cases in the 1960's was the increasing commercial need for the coal and uranium under the Joint Use Area. Gilbert (1977) has suggested that non-Indian attorneys and governmental officials wanted to be able to influence leasing decisions in the resource rich JUA. In 1982 Peterson Zah made a campaign issue of the public relations and law firms that have made millions from the

dispute while tribal people suffer the costs.

In each case specific business interests have realized disproportionate benefits from removals. They are disproportionate because the costs paid by these beneficiaries are minor and their numbers are few. In many cases, even local business interests have 'lost out' to the larger industrial centers. This trend is a basic feature of the metropolis-satellite model. In the model, the locus of the metropolis continually gravitates to more highly urbanized and industrial centers. While local businesses in the West once grew on the expropriation of Indian resources (farmers, ranchers, local banking) these former powers of the metropolis find the resources they once used being expropriated by national/ international interests today. The cases of removal discussed in this research provide an opportunity to refine this theory in order to explain the development of Indian and non-Indian relations. Removal is the major means through which expropriation of Indian resources did and in some cases continues to occur; removal results in complete loss of control of key resources. Leasing, has been another, less absolute, mechanism. This research refines the model by investigation of the specific constraints and incentives of individuals in varying contexts: a small segment of

the population derives a majority of the direct benefits from the expropriation and exploitation of resources which in turn provides generalized growth to the metropolis.

Dobyns and Euler (1961) have suggested ways for reducing the 'costs' to Indian communities of development projects planned by non-Indians. In "Ethnic Group Land Rights in the Modern State" they argue that benefit sharing from a project and sensitivity to cross-cultural differences would be more likely to elicit tribal approval of projects on tribal lands. They cite the Hualapai case in which a continuing share of the hydro-electric power that would be generated if a dam is built in the Colorado River has been promised to the Hualapai tribe; and it seems the tribal council has tentatively supported the project. This project would require a small portion of the reservation and would not relocate any community members. Furthermore, the dam's major purpose is hydroelectric production. If the tribe would share in this benefit then it could be seen as a joint venture rather than a development project for non-Indians on Indian land.

However, Dobyns and Euler's proposition that tribal support can be garnered as long as tribes share in the benefits of a project needs to be qualified. Benefits, in most cases, mean cash in exchange for use and

development of natural resources. If a significant amount of the tribal resources are committed in the development, the benefits can only be translated into personal income of tribal members by:

- o a per capita distribution, or
- o additional developments that require small amounts of land but employ tribal members or create opportunities for tribal members to develop businesses.

'Significant' is evaluated by whether or not there is enough land or resources remaining to use the cash compensation to provide for long-range development.

Tribes as well as nations have a difficult time transferring cash to personal income in a way that multiplies or leads to permanent benefits, that is, skill and educational improvements, and investments for real income and lifestyle development. Usually such transferral is attempted through jobs. Many tribes have supported on-reservation projects that promise to provide jobs for community members. Consequently, tribal opposition to specific projects does not mean that tribes or tribal members do not want or need capital or cash. This research has argued that opposition by tribes to certain development projects is a result of the fundamental value of the natural resource base as the essential 'capital' necessary for long-term development. The value of particular lands is

not the same for all people. The value of land is often spoken about in metaphorical and religious terms by Indian peoples. This expression seems appropriate as tribal identity, and livelihood flow from the land. Part of this broad metaphorical concept of value is that land is important in very practical terms as well. Dobyms and Euler (1961) argue that benefits may provide compensation for the value of land. Diamond, Fenton and Sturtevant (1954) suggest that alternate lands may also provide compensation. In some cases an appropriate mix of cash, long-term benefits and in lieu lands may provide adequate compensation for loss of current lands. In the case of Fort McDowell and Orme Dam so much of the land base would have been lost that a considerable amount of in lieu land would have been required even to begin to provide affirmative relief. In this particular case, the lands lost are essentially unique due to the combination of location, physiography, hydrology and history. There simply are no available lands of equal economic potential and value to the Yavapai of Fort McDowell.

The refusal by Fort McDowell community members to accept the Bureau of Reclamation offer suggests that the offer did not provide sufficient compensation; it understated the real costs:

From an economic point of view, the amount of compensation which would convince the Yavapai to voluntarily surrender their lands and their homes would be the appropriate measure of the costs involved. (Powers 1978:41)

How can the value be estimated? This task is a planning and policy issue similar to decisions made daily on the value of life by courts and insurance companies. Legal economist Peter Aronson summarizes the issue in this way:

The land could be condemned, but you have to understand that when you do so, you are underestimating the cost of the project. You are paying what it is worth to you and using the law to take some property that has a higher value than you are willing to pay. If you did not have the law behind you it would be called theft. (Aronson as cited in Witherspoon 1981)

Can the value of reservation land be quantified as the theory of 'fair market value' assumes? In many cases the answer will be no. As Powers and Aronson suggest, one test is acceptance of an offer, without coercion or deceit, by the owner.

If reservation land is undervalued by cash compensation for the market value and not the use value, then the tribe actually pays or suffers the burden of the unequal deal. This research suggests that insufficient compensation leads to long-term commitment of national resources in human services and redevelopment costs. These long-term costs far exceed the fair market value. Furthermore, the longer the

payment for these 'costs' is deferred, the more basic and difficult it becomes to deal with the consequences, as it is now generally done, through bureaucratic programs. These long-term costs are difficult to quantify, but they are nonetheless real and substantial.

The Uniform Relocation Act is based on the incorrect assumption that the consequences of relocation are the same for all people. While the stresses of relocation are similar, there are also significant differences. The uniformity in the Act is in procedure only -- not in consequence. The distribution of benefits as well as costs is unequal. This research argues that these consequences are predictable. In the case of national relocation policy, social science data and analysis argue that the interest of all publics would be better served by unifying the consequences through review and changes in eminent domain policies. These changes should be based on the premise that when the value of land to the owner cannot be compensated, those lands cannot be taken in the name of an unmeasured public good.

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