



# Global Nonviolent Action Database

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## Navajo and Hopi tribes campaign to remain on Black Mesa lands and protect it from coal mining, United States, 1993-1996

5 August

1993

to: 1 April

1996

**Country:** United States

**Location City/State/Province:** *Black Mesa, Arizona*

**Location Description:** *Reservation lands of the Navajo-Hopi tribes*

**Goals:**

To remain on their land

To stop Peabody Coal from mining the area

To protect the water from harmful mining effects

## Methods

**Methods in 1st segment:**

- 120. Withholding or withdrawal of allegiance
- 173. Nonviolent occupation

**Methods in 2nd segment:**

- 120. Withholding or withdrawal of allegiance
- 173. Nonviolent occupation

**Methods in 3rd segment:**

- 120. Withholding or withdrawal of allegiance
- 173. Nonviolent occupation

**Methods in 4th segment:**

- 120. Withholding or withdrawal of allegiance
- 173. Nonviolent occupation

**Methods in 5th segment:**

- 120. Withholding or withdrawal of allegiance
- 173. Nonviolent occupation

**Methods in 6th segment:**

- 020. Prayer and worship
- 047. Assemblies of protest or support
- 120. Withholding or withdrawal of allegiance
- 173. Nonviolent occupation

**Additional methods (Timing Unknown):**

- 002. Letters of opposition or support
- 015. Group lobbying
- 020. Prayer and worship
- 139. Noncooperation with conscription and deportation
- 141. Civil disobedience of "illegitimate" laws
- 171. Nonviolent interjection
- 172. Nonviolent obstruction

## Classifications

**Classification:**

Defense

**Cluster:**

Democracy

Environment

Human Rights

National/Ethnic Identity

**Group characterization:**

- Hopi
- Navajo

## Leaders, partners, allies, elites

**Leaders:**

Roberta Blackgoat

**Partners:**

Not known

**External allies:**

Not known

**Involvement of social elites:**

Not known

## Joining/exiting order of social groups

### Groups in 1st Segment:

- Hopi
- Navajo

### Groups in 2nd Segment:

### Groups in 3rd Segment:

### Groups in 4th Segment:

### Groups in 5th Segment:

### Groups in 6th Segment:

**Segment Length:** 5.5 months

## Opponent, Opponent Responses, and Violence

### Opponents:

Office of Surface Mining and Reclamation Effects (OSMRE), the Bureau of Indian Affairs, the Department of the Interior, the state of Arizona, and the Federal Government

### Nonviolent responses of opponent:

Not known

### Campaigner violence:

Not known

### Repressive Violence:

Not known

## Success Outcome

### Success in achieving specific demands/goals:

3 points out of 6 points

### Survival:

1 point out of 1 points

### Growth:

1 point out of 3 points

### Notes on outcomes:

After the campaign ended, Navajo were still living on their land. As a consequence of poor mining habits intoxicating the water supply, Peabody's mining permit was revoked. However, Peabody continued mining and water conditions did not improve.

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The land on the Big Mountain reservation has been disputed by the U.S. Government and the Navajo and Hopi tribes since 1882. This area in Black Mesa, Arizona, which was extremely rich in sulfur coal deposit, attracted mining companies and the government due to the potential profit. Mining began on the Navajo and Hopi land and started to increase greatly by the 1970s. Congress signed a relocation act in 1974, which would allow one company, Peabody Coal, to mine this area uninhibited. The reservation lands of Black Mesa were then to be used as strip mining sites for private U.S. mining companies.

Since 1974, Navajo and Hopi peoples received a lot of pressure from the government and mining companies, Peabody Coal in particular, to relocate. The U.S. government issued laws reducing Navajo and Hopi ability to keep livestock on their land. They

also offered \$5000 to those who willingly gave up their homes and moved elsewhere. Despite all the government pressure, by the 1990s, there still remained about 300 Navajo and Hopi families who had refused to leave.

Despite the government pressure, Navajos and Hopis, already sharing government protected land, lived amicably and struggled beside one another in order to protect the land their people shared. The struggle between the government and the indigenous tribes continued through the '90s but escalated on 5 August 1993 when a federal judge ordered the remaining Navajo to either relocate or sign a lease that would give them squatter's rights on the land for the next 75 years. The Navajo ignored the order and continued living on the land—neither relocating nor signing a lease.

From 1993 to 1996, the 300 Navajo families stood their ground and occupied their land against government wishes. They also ignored the continued orders demanding that they either choose to relocate or to forfeit their rights to the land and become squatters. In response, in November of 1993, the Bureau of Indian Affairs (BIA) began daily raids of livestock in order to push out the remaining Navajo and charged increasingly large sums to release the livestock.

In the meantime, Peabody Coal had mined the area since 1968 and continued to do so as the tribes fought to stay on their land. To transport the coal, Peabody created a slurry pipeline that used natural reserves belonging to the natives. This act dried up fifty springs and poisoned water, killing livestock and threatening the lives of the Navajo. Navajo elders took actions in order to combat the advancing mining. El Elders Pauline Whitesinger and Roberta Blackgoat, in particular, were known for their decades of resistance, for tearing down fences, for confronting the BIA, and for ignoring official demands and turning away government workers who tried to persuade them off their lands.

In 1993, Peabody bulldozed at least four Navajo burial grounds. The Navajo blocked bulldozers with their bodies, tore down fences, turned away government officials, wrote numerous letters and emails, lobbied for government attention, and raised awareness among the Navajo people using the internet and frequent meetings. It is unclear when several of these tactics were employed. In addition, Navajo peoples filed several lawsuits in response to unfair land use by Peabody, for water rights, and against Peabody's violation of federal mining laws. Peabody carried on with their normal practices despite objections. Peabody Coal cited studies backed by their own funding that indicated that their mining practices were in no way damaging the environment.

On 11 March 1996, a federal judge ruled the activity of Peabody as an infringement on human and environmental rights of local residents. Peabody's pipeline was found guilty of violating the National Environmental Policy Act and the Surface Mining Control Act. Thus, the judge revoked Peabody's mining permit. He found that the tribal councils, the OSMRE, and BIA were disregarding the basic rights of the people in this area for profit's sake. Peabody appealed the decision and continued fighting for reestablishing mining access after this ruling.

When the deadline, 1 April 1996, finally arrived most of the remaining families had not complied with the courts. The Navajo remained in their original homes, though as many as fifty families had accepted the proposal by the government. The courts took no action against the remaining families.

On 26 September 1996, the U.S Congress passed the Navajo-Hopi Settlement Act, which would require all Navajo to relocate by 2000. In 1996, a group of Hopi and Navajos travelled to the London Stockholders meeting of Hanson's Ltd. to protest Peabody Coal's presence in Black Mesa. Lord Hanson ordered his security guards to throw out the tribe representatives. Before doing so, resistance leader, Roberta Blackgoat offered a prayer. Today, families still refuse to acknowledge the various land acts. In regard to Peabody Coal, the Department of Interior Office of Surface Mining (IOSM) granted a permit to Peabody Coal to allow the continuation of operations in Black Mesa on 22 December 2008. However, after reevaluation due to an appeal from Navajo and Hopi peoples, the Department of IOSM withdrew this permit granted to Peabody on 8 January 2010. This was a success for the tribal and environmental organizations.

## Research Notes

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