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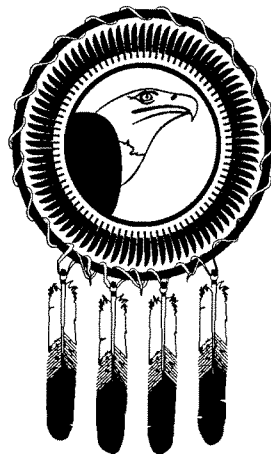
Renewing Beauty: Options for Navajo Land Management and Decision-Making

by

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Renewing Beauty

Options for Navajo Land Management and Decision-Making

Stanley Sylvan Byers

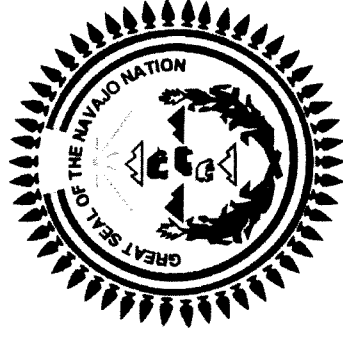
*In beauty I walk,
with beauty above me I walk,
with beauty all around me, I walk.
It is finished in beauty.*

Historic Opportunity



- Navajo land management has been under BIA control for 67 years.
- Regulations have not changed in 44 years.
- The land is the basis of traditional Navajo culture.
- Opportunity to reestablish the Nation's sovereignty and spirit

Problems to be considered



- **Population pressures increasing**
- **Need to expand infrastructure**
- **Amounts and distribution of rainfall highly varied and inconsistent**
- **Droughts common**
- **Difficult to plan long-term**
- **Livestock owners often get stuck in bad conditions. Need aid money for feed, water, etc.**
- **Disputes growing**

Principles of past land management practices on Navajo



Traditional practices

- Mobile
- Based on communication
- Flexible
- Developed over generations on Navajo

BIA regulations

- Immobile
- Based on carrying capacity
- Set policy
- Developed by federal government technical experts

Carrying Capacity



BIA

- Measurable and predetermined
- Not highly variable
- Dependent on state of land and number of animals
- Regulated by law that in practice remains constant over time.

Traditional

- Precise value unknown.
- Estimates made by continual observation & communication
- Highly variable
- Dependent on land, animals, and time
- Herders react individually, depending on conditions.



Traditional Herd Movement

• CAMP
 ⊙ PERMANENT CAMP

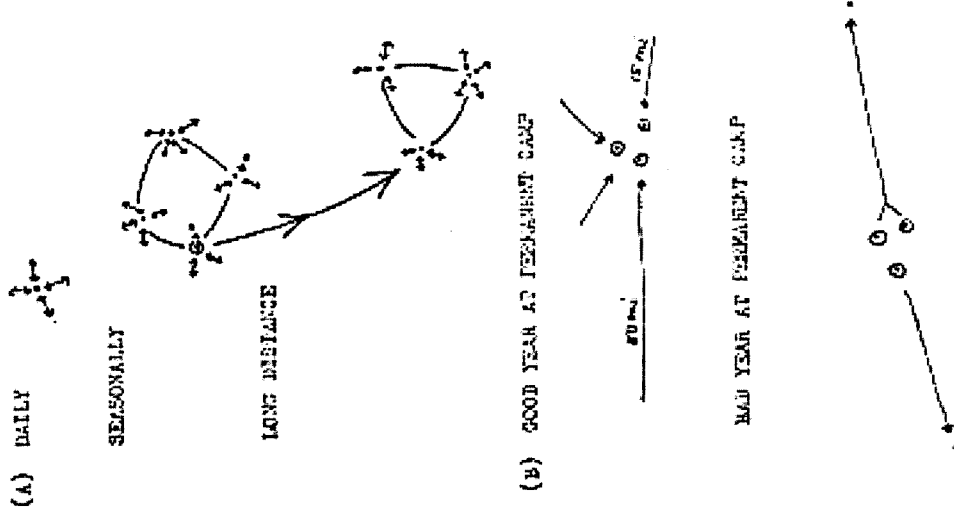


Figure 3-1 A Diagram of the Herding Mobility System

Source: Fanale, Rosalie. *Navajo Land and Land Management: A Century of Change*. Ann Arbor, Michigan: University Microfilms, 1982

My Land

I am sitting outside my hogan.

I am thinking.

Looking at the red rocks,

the ridges, the sheep,

the plants,

and all in my world.

I look at my parents.

*They are getting old, weak, and
limping.*

*There aren't any of my
sisters and brothers
around.*

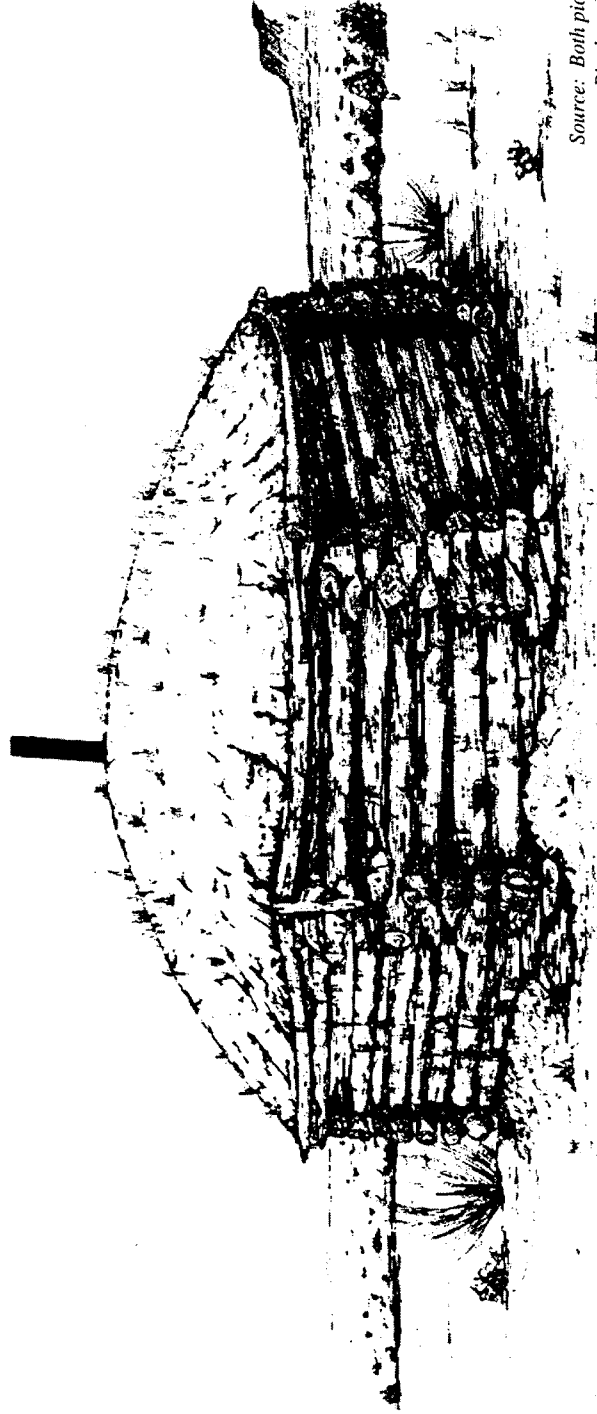
I am thinking

What will it be like here

In the Future.

-- Thomas Littleben

Grandson of Hashk'aan Ts'ósi



Source: Both picture and
poem, Bingham 1982

Introduction

This report is meant to provide information to be used by the Navajo government and others in discussing and deciding on the future of Navajo land management.

The land management decisions before the Navajo Nation are of great importance. The land is a fundamental part of Navajo life and its preservation is vital for securing a prosperous future for the Diné.

The report will first outline the options that are before the Navajo Nation. In order to assist in the selection between these choices, the report will start by providing an overview of the current

state of the land. It will then present a brief history of Navajo land use and how the land was affected by traditional



practices. It will look at the ways that these practices have changed and the consequent affects on the land. Included will be a brief history of the current BIA regulations.

Following will be an outline of the beliefs and principles on which the current BIA regulations and the proposed Navajo Nation Grazing Act (NNGA) are based. The report will discuss how a growing awareness and appreciation of traditional practices and knowledge are challenging these principles.

Several important parts of the NNGA will then be analyzed in more depth with a description of the strengths and weaknesses of some of the proposed changes.

Finally, recommendations will be made for next steps. This will include the consideration of goal-oriented holistic decision making. This process provides a way to begin looking at the Navajo land problems from a whole perspective and finding ways to combine the value of Navajo traditional land use with the modern changes and pressures that are currently being faced.

Reopening the Debate

The Navajo Nation now has an historic opportunity to create the first official Navajo land use management policy in the history of the Diné. The decisions that are made now will likely stand for generations and will determine the future conditions of the Navajo land. *The importance of this decision can not be overestimated.*

It is a time to be thoughtful and to consider all options carefully.

The options before the Navajo Nation are:

- (1) Wait and delay the passing of the NNGA, explore alternatives, possibly create new policy or modify NNGA**
- (2) Pass an amended version of the NNGA now**
- (3) Do not pass the NNGA at this time. Delay any further action on land management policy. Continue with current regulations.**
- (4) Pass the NNGA as it now stands.**

How should the Navajo decide which option is correct? The rest of this report is designed to provide information and suggestions to be used in this process.

Current State of the Land

Current conditions

Despite several attempts at conservation, Navajo lands have continued to degrade and today are in danger in many areas of becoming desert. Erosion has intensified and with every rain more of the remaining topsoil is lost and ends up in the rivers and clogging the dams. This can especially be seen in the washes. Over the last 20-30 years many of them have become deeper as the runoff from the rains carries topsoil away and carves out the washes' steep banks.

Because of this erosion, the land becomes less able to support the grasses that are needed and preferred by the livestock. Bare space grows between the plants and there are fewer root systems to hold the soil in place when the rains return. The greater open ground space also means there is less plant cover to hold the moisture in the soil. Therefore, the soil becomes dry and encrusted. This type of soil does not absorb water well and when the rains return there is a great deal of runoff. This increases erosion and makes the land less able to support plant life. This completes the cycle and continues the erosion.

As topsoil is lost, the type of vegetation that can grow under these conditions changes and plants such as snake weed, loco weed, and tumbleweeds begin

to take over. These plants dominate the root systems and use most of the remaining resources.

The result of these processes is that the land becomes less productive and less able to support livestock. As the productivity of the land is lost, the costs of raising livestock increases and the quality of the animals and their return value go down.

Traditional grazing practices

It is estimated that livestock herding first developed among the Navajo around 1696. It was then that thousands of Pueblo Indians from along the Rio Grande fled Spanish soldiers. Many of the Pueblo refugees joined the Navajo in the Dinétah region near the upper San Juan River. With them they brought animals and their knowledge of agriculture, animal husbandry, weaving, and pottery.^{iv} By the mid-1700s the Navajo had small herds but were not raising large numbers of animals and relied heavily on agriculture and gathering to supply their needs. Toward the end of the 18th century this began to change and by the early 1800s the Navajo economy shifted and became largely dependent on herding. How and why this shift occurred is still a topic of significant debate. One possibility is that warfare with the Spanish, Commanche, and Ute, among others, forced Navajo farmers to switch to herding livestock. It allowed them to move their herds to safety if needed.^v From this time until the beginning of the 20th century, Navajo families were largely nomadic and moved with their livestock herds. This was

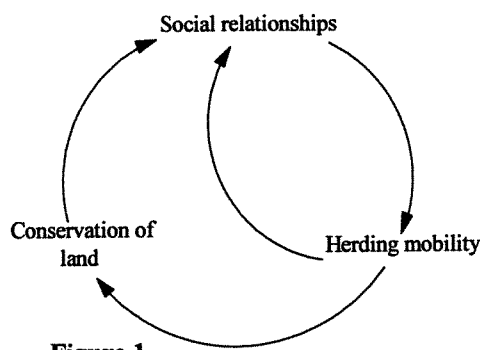


Figure 1

done several times a year in order to take advantage of the best grazing lands and to allow used lands to recover.

Besides warfare concerns, the direction of movements were dependent on the climate and the

condition of local environment. If the land they had been grazing began to

show signs of overuse, herders would move on to other areas to let the land recover. The resting areas were generally respected by other herders and were not used.

The circle in Figure 1 illustrates how social relationships and invitations increased herding mobility. Families whose grazing area was healthy would invite other family and/or clan members to bring their herds and share the productive land. As the animals were moved, the young were instructed by their elders on how to herd. Through this education they gained a greater connection with the animals, the land, and their family. At the grazing camp each of the families would contribute to the work that needed to be done. The time that was spent together in this way improved communication and solidified familial ties. This is illustrated in Figure 1 by the link from *Herding mobility* to *Social Relationships*.

The other effect of this sharing of land was that it allowed overused land to rest and recover. The cycle was finally completed when invitations could be returned and the families could gather again to graze upon the restored land.

These customs fostered both cooperation and greater social harmony. This was particularly seen in that it provided protection against drought and an unstable climate. If the area that a family was living was subject to a prolonged drought they were able to make a long distance move to a family or clan member's land where conditions were better.

The communication benefits were not only seen among family members. As families moved their herds, information would be exchanged among those who crossed paths, about grazing conditions in the different parts of the Diné Bikeyah. By talking with each other it was determined which direction to go, and where the land was poor and needed to be left alone. This sharing of information created a complex and valuable communication network.

The concept of mobility was central to the Navajo culture. It allowed the Navajo to adjust to an extremely varied climate and to maximize the use and productivity of the land. It also supported a complex kin structure that in turn encouraged greater mobility.^{vi}

Lastly, the land was not only important for agriculture and grazing but also as a home for diverse wildlife and plants. Sacred herbs were gathered for ceremonies and prayers were sent out over the land to the six sacred mountains.^{vii} It has become very difficult for the herbs to be found. They now only grow in isolated areas in the mountains.^{viii} The dividing of the land has also stopped the prayers from flowing between the sacred mountains. Fanale writes, "It is as if, now, it is physically impossible for prayers to be said."^{ix}

The patterns of mobility were the secret to the herding practices. By constantly moving in different directions the herders only used each specific piece of land for a short time and then allowed it to rest. Herders closely monitored the condition of the range and when the grass became overused it was time to move on.

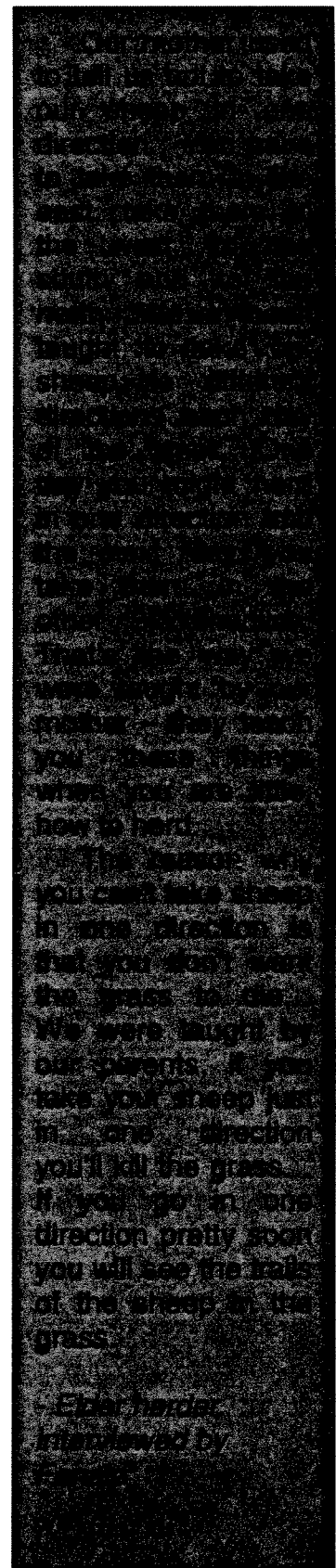
According to interviews done by Fanale (1982),

“herding mobility was three-tiered:

- (1) daily herding in different areas;
- (2) seasonal camps; and
- (3) long-term, long distance moves.

One central concept used in teaching the young can be applied to all three: to herd in different directions.”^{xi}

These patterns can be seen below in a drawing created by Fanale from the comments of older Navajo ranchers.^{xii}



(A) DAILY

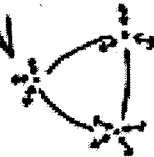


• camp
⊙ permanent camp

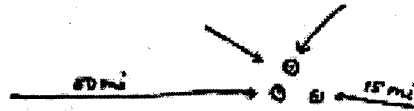
SEASONALLY



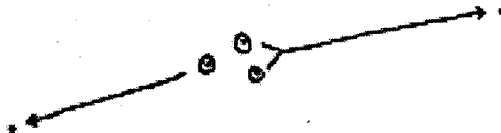
LONG DISTANCE



(B) GOOD YEAR AT PERMANENT CAMP



BAD YEAR AT PERMANENT CAMP



families in one area might visit different areas or combine their herds and move together

Figure 3-1 A Diagram of the Herding Mobility System

How Did a Mobile Existence Affect the Land?

The flexible and mobile structure of traditional Navajo grazing practices were well adapted to the varying and unpredictable conditions and allowed Navajo herders to adjust their behavior to the climate. This is a very important point to make since the traditional methods are nearly completely opposite in practice to the regulations imposed by the BIA. This will be expanded on later.

For the land, the traditional practices meant that heavily grazed land was rested and the herds were moved to richer areas. Stories from elder Navajo suggest that under these practices the land flourished. The elders describe a range of high productivity where grasses were plentiful and grew to heights of four feet or more. It is often said that the grasses were so high that the grazing animals would be lost from sight.^{xiii}

In 1928, an engineering survey was done in connection with the Boulder Dam. This survey suggested that severe erosion was occurring on the Navajo reservation and the silt carried in the rivers could threaten the functioning of the dam.^{xiv} It was decided that overgrazing on the Navajo reservation was the problem and that the number of livestock on the reservation would need to be reduced by half. In addition, the new Commissioner of Indian Affairs, John Collier, believed that because of the erosion, the Navajo were in danger of destroying their land and culture.

Collier's answer was to introduce a voluntary livestock reduction program in 1933. The voluntary policy was not followed and so the program was made mandatory in 1935. Using strong-arm techniques, the mandatory program was brutally successful and by 1940 halved the livestock population.

The basis for this level of reduction and the reasoning behind the subsequent grazing policies are questionable. They were based on the belief that the Navajo did not understand how to care for the land and did not plan for the future. If the government did not take charge, the Navajo would overgraze all of the land and destroy the range. Some officials within the government disagreed, but it was not enough to change the result.

The subsequent government policies were based on the theory of carrying capacity^{*} and restricted movement. These concepts are covered later in greater detail.

^{*} CARRYING CAPACITY is the principle that each defined area of land is only able to support a limited number of animals. This limit is called the carrying capacity. If it is exceeded, it will cause the land to decline.

After the establishment of the government policies, the erosion and degradation of the land continued. Some say that it made the problem worse.

In 1956, the current grazing regulations were passed. These regulations were created by a joint effort of the BIA and the Navajo Nation government, but left control to the BIA. Unfortunately, the policy was based on the same beliefs as the livestock reduction program and did not help any of the

problems. Grazing districts were set up to restrict overgrazing by keeping herds in designated areas. This often forced herders to stay on land that was already overused and unproductive.

Over time the Navajo families became less mobile, and now, except for a limited number of livestock owners, are usually based in one home and do not travel with the herds. In fact, the majority of the population no longer owns animals. The economy has shifted away from livestock to wage labor, welfare, and dependency on non-renewable natural resources.

Since the 1930s, despite the large reduction in livestock, the land has continued to degrade and the carrying capacity has fallen. These claims are based on observation and interviews since few surveys have been done and there is little or no data available. Under the government regulations the carrying capacity was supposed to be adjusted on a regular basis in response to the condition of the land. *This has not occurred since 1936.*^{xvi} Other possible causes of the continued degradation of the land include changes in climate, namely lower precipitation levels.^{xvii}

The decline of the land continues to be attributed by some to poor practices and a lack of understanding of land management among the Navajo.

However, protected areas outside of Navajo, that have been heavily managed by the National Park Service under large budgets and the latest science, have also continued to degrade and show little difference from the Navajo lands.^{xviii}

Under the current policies the land will continue to turn to desert. When the mining resources run out, the land will be barren and there will be little to nothing left.

However, the land still has great resilience and potential. By learning from the traditional methods, the land can recover and again provide both an economic and cultural resource to the Navajo people.

Theories of grazing and land management

Basis for BIA and NNGA Grazing Regulations

There seems to be little basis for the federal government policies on livestock reduction and grazing that were developed in the 1930s. Some range surveys were completed in 1936 but this was after the livestock reduction program had been established. There is slight relevant data that supports the decisions. Fanale writes, "The basis for the report [on range conditions] was probably a two-week trip to limited areas of the reservation at the height of summer (when things tend to look worst)"^{xix}

The principals of the policies were based on the succession model.^{xx} This model is rooted in the belief that the land has a set "carrying capacity" or limit to the number of animals it can support. As long as there are fewer animals than the carrying capacity then the land will be able to recover sufficiently from grazing pressures.

Therefore, on overused land the number of livestock should be reduced or removed completely. This will allow the land to rest and the grass to grow again. In order to control the number of livestock on a piece of land, fences should be used to restrict movement of herds and protect the areas that need rest from further use.

More recent research is suggesting that in dry climates, like the Navajo Nation, this is exactly the wrong response.^{xxi}

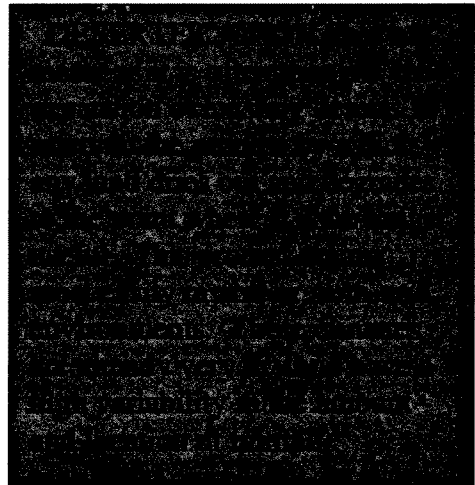
The Value of Traditional Knowledge

The interactions between the environment and its human and non-human inhabitants are highly complex and require a management approach that takes into account ecological, social, economic, and often religious dynamics and customizes them to fit the local challenges.

In particular, any new activities should draw on local knowledge that, over long periods of time, has adapted to the regional climate.

Historically, colonial powers around the world have used their control to impose versions of “modern” rangeland management on “backward” cultures that they saw as unable to care for the land. This was considered necessary to prevent desertification^{xx}. They employed the same measures that they knew to work in their own environments and assumed that the mobile and reactionary practices of indigenous herders were primitive and unsophisticated and caused the land to deteriorate.

What was not appreciated was that the “primitive” practices of many local herders had been developed over generations, centuries, and even millennia. The herders had become extremely well adapted to responding to often erratic local climates, and in recognizing the connections between the people, the animals, and the land.^{xxii}



Now, after watching the modern practices fail repeatedly, international organizations, governments, and other policy-making agencies are beginning to recognize the value of the traditional methods.

Traditional vs. current concepts of carrying capacity

The base of the current regulations is the belief that each piece of land has a limit to the number of animals that it can support, a carrying capacity.

Ultimately this is true and was also well understood by traditional herders.

The difference between the old and current methods lies in how carrying capacity has been understood and implemented.

Under the BIA, it has been assumed that the carrying capacity of an area of land can be accurately predetermined. This is done by technical experts who are called in to conduct range surveys. Through analysis of parameters such as the amount and type of vegetation, the amount of rainfall, and the condition of the soil, an estimate of the carrying capacity can be made.

A distinction should be made at this point between the estimated and real carrying capacity. The estimated carrying capacity is a best guess, based on the range surveys, of the real carrying capacity. It can only change if a new survey is completed. The real capacity of the land is the true number of animals that an area can support *over a given period of time*. The real carrying capacity is *always changing* and depends on the climate, the intensity of use, and the length of time the land is used, and how much time it has to recover.

In a stable climate, an estimated carrying capacity has some merit and can be valuable. However, on Navajo, it is a fixed approach to a constantly changing problem. There are many important questions that remain unanswered.

- How often do range surveys need to be done to adequately monitor the land? How expensive are they? Are they worth the money? (Very few surveys have been done on Navajo due in large part to the high cost.)
- How does the land change over time? What are the natural flows and connections that can not be observed by simple short-term surveys?
- How does the land react to significant changes in climate, like short heavy rains and flash flood, or long drought?
- How does the amount of time that livestock use the land affect productivity and regrowth?

The BIA regulations do not take these essential questions into account.

Instead policies are created which are based on a set estimated carrying capacity which does not reflect the extreme variability of the real capacity.

Livestock owners are given permits for a set number of animals. This number may have no relation to the real carrying capacity that is dependent on the changing climate and land conditions.

In contrast, we saw earlier that time and change are integral to the traditional herding methods. It was understood that no one knew what conditions the future would bring. Since the climate conditions were always changing, herders could not know how many animals the land could support at any given time. Herders depended instead on constant observation to know when the land was reaching its capacity. When it was, they would move on to better areas.

This reactive movement can be seen in Fanale's diagram on page 18. During good years, when carrying capacity was high, other families would be invited to graze their herds. During bad years the herders knew that the land's carrying capacity had changed and they need to move to another place.

What can we learn from these lessons?

It should first be recognized that *a return to the traditional practices is neither possible nor desirable*. On Navajo, a combination of several pressures is preventing the traditional methods from being practiced. These new pressures include rapid population growth, an unstable economic base, a changing social and labor system, a bureaucratic government, and the continuing loss of traditional knowledge, customs, songs, and prayers.

These are tremendous pressures that will not be alleviated by returning to a traditional nomadic herding existence. What the traditional practices and knowledge *can* do is provide lessons to be used in developing grazing policies that will help to restore the land.

Some of these lessons are:

- (1) The environment is unpredictable. *It is not possible to accurately measure the real carrying capacity*. Any grazing policy should include measures that allow herders to easily respond to and learn from changing range conditions.

(2) Working together is crucial. It not only allows the land to be used in a responsible and fair way but strengthens societal and family bonds and provides insurance against hard times.

(3) The land is resilient and valuable. Grass once grew on the Navajo plains that reached over 4 feet in height. It can do so again and would be a great and continuing resource for the Navajo.

Grazing regulations

Current regulations

The current regulations were instituted in 1956 by a joint BIA/Navajo effort. However, there is little evidence that the regulations were based on relevant ecological analysis, local herding knowledge or practices, or the Navajo culture.

The current regulations and the NNGA are instead based on theories of carrying capacity, permitting, and grazing districts. These measures were meant to improve the health of the land and the livestock and the prosperity of the Navajo people.

Instead, the land has continued to degrade and the carrying capacity has dropped.

Proposed regulation – NNGA

Definition

The Navajo Nation Grazing Act (NNGA) is the newly proposed regulations for the management of grazing and land use on the Navajo Nation. It is based on the Navajo Grazing Regulations instituted by the Federal Bureau of Indian Affairs (BIA) on April 25, 1956.

The NNGA “attempts to combine the existing grazing laws and practices into one document.”^{xxiii} The act also serves to transfer a greater responsibility for

land and grazing management from the U.S. government and BIA to the Navajo Nation.

History of Navajo Nation Grazing Act

During the drought of 1996 there was not enough grass and livestock owners were running out of feed for their animals. The owners asked the Navajo government for financial assistance to help them feed their herds.

The Navajo government did not have enough money. An agreement was reached with the U.S. Department of Agriculture (USDA) to obtain corn. However, the corn still needed to be processed and was expensive. The Navajo government also had to decide on a way to distribute the corn. It decided to only give it to those with a valid grazing permit.

Many of the livestock owners did not have permits or had more animals than their permits allowed. The Navajo Nation Department of Agriculture (NNDA) could only give enough feed for the number of animals on the permit. It was felt that to do otherwise would be to condone having too many animals.

Because of the very little grass or water and the limited amount of corn, many animals died.

Navajo President Albert Hale requested that the grazing regulations be revised in response to the problems emphasized by the drought. These problems included both a continued worsening of the land and also administrative and political concerns.

The land problems included advanced desertification, or drying out, of the land, the inability to feed domestic livestock, and not enough water. It was felt that these problems were largely caused by a lack of enforcement of the grazing regulations and livestock owners having more animals than they were permitted, if they even had a permit. The methods of herding were also changing and causing problems. For example, more owners were using trucks and other motorized vehicles instead of horses to herd their animals. This causes great damage to the land.

These problems continued as least partly because local elected grazing officials were often related to the livestock owners and did not want to force them to follow the regulations. It is important to the officials that they maintain enough support to be re-elected. One interviewed grazing official stated, "When family members come and say that they can not meet the regulations, we usually turn our eyes away. We need to think about the next elections."

Economic pressures were also being felt from outside livestock traders who have been able to dictate prices at sale. The NNDA felt that something must be done to change this so that owners could receive a fairer return on their animals.

The administrative problems concerned adjusting to a growing and changing population and handling the increasing number of disputes involving the land. These had to do with both permit disputes and the problem of building infrastructure (TV and utility lines, etc.) on permitted land. If the Navajo

Nation was going to “keep with the times”^{xxiv} it was going to be necessary for a process to be created that would allow these disputes to be handled in an effective way.

The above concerns were largely drawn from 10 public scoping sessions held in June and July of 1997, as part of the development of the NNGA. These sessions were designed to provide a way for the public to contribute and to make its voice heard. According to the NNDA, the administrative problems of disputes arising from a growing population and the installation of infrastructure were the main concerns of the public that attended the meetings.

The final considerations were political. The Navajo Nation Department of Finance was pressuring the NNDA to revise the grazing regulations because they could not afford to pay every year for emergency feed and water for livestock owners. The NNDA also stated that those that did not own permits (95% of the Navajo population) were saying that they felt too much money was being spent on supporting the permit holders. The non-permit holding public felt that the money was not returning to the Navajo government and that it was being wasted on poor livestock.^{xxv} U.S. federal government agencies (Environmental Protection Agency) were also directing the NNDA to revise the regulations.

The NNGA was drafted by the NNDA and published in the Navajo Times on September 18, 1997. Following this there were approximately 140 additional

public meetings and presentations around the Nation to introduce and explain the NNGA. All input from these meetings and the public scoping sessions was recorded and is available from the Navajo Nation Department of Agriculture.^{xxvi}

Proposed Solutions/Changes

The NNGA was created in order to take care of the problems that are mentioned about above. The following is a brief overview of how some of these problems are to be addressed in the NNGA and the strengths and weaknesses of the regulatory changes. This analysis does not cover all changes proposed by the NNGA. For further proposed changes see the copy of the NNGA in Appendix A.

Permits

New regulation:

The BIA would continue to control permitting. However, under the NNGA this would be done on a contract basis with the Navajo Nation Department of Agriculture (NNDA).

Strengths:

The Navajo Nation would have greater control of the permitting process.

Weaknesses:

The recording system for the permits is still not clear. There are still many old and outdated permits that are being held by livestock owners. The

records, if they are still available, are being held by the BIA in off-reservation offices. With the BIA continuing to administer the process, significant change is not likely.

Enforcement of Permits and Regulations

New regulation:

Enforcement would be increased primarily in two ways. First, all of the 98 elected Grazing Official positions currently on the reservation would be discontinued. They would be replaced by 40 Land and Livestock Management Officers who would be hired as full-time employees of the Navajo Nation. The new Officers would be required to have a college degree in agriculture, animal science or another related field.

In addition, a “three strikes” policy would be created. If a permit holder is found to be in violation of the regulation of the as 3 times then his/her permit will be taken away. See Figure 2.

Officials at the NNDA stated that along with the increased enforcement there will be an extensive effort to educate permit holders on the new regulations. Livestock owners would be given some room and time to adjust to the new policies. The extent or length of this period of flexibility was not specified.

Strengths:

The new policy will eliminate the re-election pressures that current grazing officials are feeling. By establishing the new Officers as full-time employees

of the government they will be able to enforce the regulations with less fear of losing their job. It is also hoped that it will reduce non-enforcement due to family ties.

Increased educational requirements for the new grazing officers will provide them a strong background that should hopefully help to increase their effectiveness on the job.

A "three strikes" policy could provide a consistent and viable method for the NNDA to enforce grazing regulations. It would take permits out of the hands of habitual violators and redistribute them. This would help to reduce irresponsible grazing practices that at times have had costly and even dangerous consequences. A strong program of education will be necessary if these benefits are to be realized.

Figure 2

Violations

Section 750

Except as otherwise provided, persons are prohibited from causing or allowing to cause the following acts upon Navajo Nation lands:

- A. Grazing livestock whose presence poses an immediate danger to the health or safety of the public;
- B. Grazing livestock within a restricted area closed to grazing;
- C. Grazing, driving, or causing to drift livestock;
- D. Grazing, driving, or causing to drift livestock without an approved crossing permit, or within the specified date and time of the crossing permit;
- E. Grazing livestock in excess of the authorized animal units of a valid grazing permit;
- F. Grazing livestock in violation of a valid grazing permit and brand approved by the Navajo Nation;
- G. Herding or driving livestock with a motorized vehicle, quadrunner, three-wheeler, motorcycle, or other prohibited vehicle; or
- H. Violation of any provisions of the Navajo Nation Grazing Act.

Each day of a violation is considered a separate violation. Violations on different pieces of land are also considered a separate violation.

Section 752

- 1. Non-use for a period of two years;
- 2. Non-compliance with this Act;
- 3. Failure to appear at court or administrative hearings, and meetings related to the permittee's grazing permit;
- 4. Failure to submit requested documents related to the permittee's grazing permit;
- 5. Undertake anti-social behavior that adversely affects provisions of this Act;
- 6. Failure to participate in livestock tally counts;
- 7. Failure to pay grazing fee; in accordance with section 716 of this Act.
- 8. Conduct activities that result in animal abuse and/or neglect; or
- 9. Falsify grazing-related documents, including tally counts

Penalties

First violation:	Fine not to exceed \$100
Second violation:	Fine not to exceed \$200
Third violation:	Grazing permit cancelled and a fine of \$500

Weaknesses:

The community ties of locally elected grazing officials also have benefits. By being from the area they have a better understanding of local conditions and difficulties and have more of a personal interest in seeing that the community is taken care of, and they are responsible to residents if it is not. The new grazing officers would ultimately only be responsible to the NNDA in Window Rock and may not be from the communities they are serving. This could lead to problems of acceptance, communication, and understanding. This could particularly be a problem if the new regulations are introduced and there is resistance from rural permit holders. The officers could be seen as extensions of the government and not accepted or acknowledged. There is fear among some that a greater enforcement of the grazing regulations will cause a strong backlash in rural areas where government has traditionally not played a large role.

Because of the tougher hiring requirements that include having a college degree, it may be difficult to find qualified candidates for the new positions, particularly among the Navajo population, where there is low rate of college education. This would mean that more of the government jobs would be going to non-Navajo individuals during a time of high unemployment on the Navajo Nation. To make matters worse, the overall U.S. economy is currently experiencing record low levels of unemployment. It is likely that to recruit 40 qualified candidates will require a significant investment in recruitment and salaries. There is also a question of whether only 40 officers can adequately

monitor an area the size of the Navajo reservation. This problem will be aggravated if not enough qualified candidates can be found.

Land Conservation

New regulations:

The NNGA would not change the principals of carrying capacity, grazing districts, and permitted land use areas that were instituted by the BIA in the 1930s and 1950s in order to conserve the land. The NNDA has stated that it believes that the continued degradation of the land is due to population pressures and people not following the regulations. The NNGA is designed to improve the administrative procedures in order to deal with the growing population and to achieve greater adherence to the regulations by improving education and enforcement. Through these measures, it is believed that there will be an improvement in the condition of the land.

Included in the violations is also the banning of the use of motorized vehicles in the herding of livestock. This is in response to the extensive damage that has been caused by increasing numbers of livestock owners using trucks and other motorized vehicles, instead of horses, in order to herd their animals. By destroying vegetation and creating new "roads" the vehicles increase erosion and degradation of the range.

Strengths:

Beyond decreasing the number of motorized vehicles, there are few long-term positive effects of the new regulations. However, improved administrative

procedures should help deal with growing conflicts and disputes in the short-term.

Weaknesses:

The NNGA is based on the current BIA regulations and would continue to use many of the same policies that have not worked in the past. The NNGA does not address the fact that the principals of carrying capacity, grazing districts and permits were introduced by the BIA and are almost completely opposite of traditional Navajo land use and culture and are not applicable in the Navajo climate (see discussion of historical land use above). There is a great deal of evidence that suggests that these regulations have been one of the main reasons for the problems that are being seen now.

Since the current regulations have been in place, the condition of the land has continued to worsen, disputes have increased, communications have broken down between families and clans, and most people, especially the young, have lost their connection with the land.

When asked, NNDA officials agreed with the legitimacy and importance of these issues and that the NNGA does not directly address them. Political forces were given as the reason that greater changes could not be made.

“People do not want to talk about controversial issues. They are used to the ways things are. If you try to change things they say that you are messing with their livelihood.”

If the NNGA is passed, this cycle will continue and the land will be further degraded. Until policies are created that include considerations of not only the physical environment but also the social and spiritual well-being of the Navajo, then only the symptoms and not the problems will be addressed.

Lack of financial resources for the NNDA

New regulation:

In order to pay for the “administrative processing of grazing permits and fees, program operations such as the Navajo Nation Brand Office, Range Management Office and the Office of the Administrative Law Judge and the cost sharing of agricultural conservation projects costs”^{xxvii} the NNGA will establish a grazing fee of \$1.50 per animal unit per month. One animal unit is equal to five sheep units.

The NNGA will also end government provision of herd health care and medication. It is felt that there is not a balanced flow of funds between the government and the livestock owners. Owners are receiving public funds but there is little money returning to the government. According to the NNDA, this is consistent with the views expressed by the attending public at the scoping meetings.

Also, in order to reduce costs and liability risk, the NNDA felt it was necessary to restrict herd health activities. The liability risk arose from the possibility that when administering medicines, officials may make mistakes that could harm the animals.^{xxviii}

Strengths:

The establishment of grazing fees will offset recent NNDA budget reductions and allow the agency to improve its administrative capacities. It will also help to address the concerns of non-permit holders who feel that tribal funds are being disproportionately allocated to the 5% of the population that owns a permit. By most comparisons the amount of the fees is on the lower end of the scale and is not an unfair tax.

Weaknesses:

The amount of the tax may not be unfair but it may be unrealistic. The majority of permit holders are older and already living in poverty. One of the main reasons that regulations are not being followed is that to do so would be financially impossible for many of the livestock owners.

Older owners are often unable to herd on their own or even ride horses. They must hire ranch hands to help them. This increases their costs significantly. This problem will be made worse if they are not allowed to use motorized vehicles. *Extensive analysis should be done of the effects on livestock owners of establishing grazing fees.* The cancellation of herd health care by the government will create even more costs.

If the effects of these increased costs are too severe it could cause owners to cut more corners in order to keep their herds. This could have negative effects on herd health and productivity, making problems worse. If owners cannot afford to keep their herds, the number of owners and animals may

drop as herding becomes less profitable. This will reduce the amount of fees that are collected and make it difficult for the NNDA to fund its new programs. This could then have negative effects on overall grazing issues.

Holistic Management

The state of the land on the Navajo reservation has continued to degrade despite repeated attempts to improve its condition.

The land is currently in an advanced state of desertification and is showing no signs of improvement.

This should not be a surprise given the same difficulties that other people and governments, both rich and poor, have had in controlling desertification on their lands.

Large areas in Africa, Asia, South America, and the United States are all affected by the same problem.

As the statement in the adjoining box makes clear, almost all attempts at solving the problem with conventional methods have failed. The reason for this is that they are based on trying to figure out what actions to take without having a clear understanding of what the goal is. So, actions are often taken

An international committee of 13 arid lands scientists from nine nations have urged their colleagues to determine why years of effort to improve life in the world's dry regions have failed. Scientists must clearly tell global political leaders why those efforts failed, they said. It has become gravely evident that with a few exceptions, the welfare of the people occupying many of the arid lands and the health of the underlying resources of air, water, soil and biota are continuing to degrade. It is not a simple matter of additional funds or of new technology or of further research along conventional lines. The central challenge is to translate our accumulated experience into approaches that see people in their environment whole, and embody that view pervasively in new activity and policy.

-Statement issued at the 1985 International Arid Lands Conference. Sponsored by the University of Arizona, United Nations Environmental Science and Conservation Organization (UNESCO), the US Agency for International Development, and the American Association for the Advancement of Science¹⁹⁸⁵

that do not agree with the goal.

Holistic management is an attempt to take into account all parts and interests of a problem and to make decisions based on whatever overall, or holistic, goal is trying to be reached.

The key is the holistic goal. By determining and focusing on what it is that all parties can agree on, then the ways of getting there can be tested.

The tests are a few simple questions designed to make sure that the proposed action will have the affect that is wanted.

The questions are:

- **Cause and Effect** – Does this action address the root cause of the problem?
 - **Weak Link**
 - **Social** – Could this action, due to prevailing attitudes or beliefs, create a weak link in the chain of actions leading to your holistic goal?
 - **Biological** (used only when dealing with problem organisms) – Does this action address the weakest point in the life cycle of this organism?
 - **Financial** – Does this action strengthen the weakest link in the chain of production?
 - **Marginal Reaction** (used only when comparing two or more actions) – Which action provides the greatest return, in terms of your holistic goal, for the time and money spent?
 - **Gross Profit Analysis** (used only when comparing two or more enterprises) – Which enterprises contribute the most to covering the overheads of the business?
 - **Energy/Money Source and Use** – Is the energy or money to be used in this action derived from the most appropriate source in terms of your holistic goal?
 - **Sustainability** – Will this action lead toward or away from the future resource base described in your holistic goal?
 - **Society and Culture** – How do you feel about this action now? Will it lead to the quality of life you desire? Will it adversely affect the lives of others?
- Source: Alan Savory Center for Holistic Management website, www.holisticmanagement.com

Not all of the questions are appropriate for every decision. If this is the case, then they can be skipped. The process should only take a few minutes. If the proposed action does not make it through the questions then it should be revised or dropped.

The NNGA is a good example of where holistic management is a helpful analysis tool.

Intelligent and experienced people developed the Act with the best of intentions. Why will it not work?

The NNGA was written to address selected concerns of the government and the public, as heard in the public scoping sessions. However, it does not look at the problem of land management as a whole, only in parts.

A holistic goal did emerge from interviews conducted for this report. It was that everyone understood the importance of the land and wanted to see it restored, along with the pride, independence, and sovereignty of the Diné.

With this as the goal, test the proposed actions of NNGA (and the actions of the current regulations) against the questions listed above. You will find that they do not pass.

As an example, take the concept of granting individual permits and test it.

Question 1: Does this action address the root cause of the problem?

Answer: Granting permits does address the root cause of the problem. However, we will soon see that it does not address it correctly.

Question 2: Could this action, due to prevailing attitudes or beliefs, create a weak link in the chain of actions leading to your holistic goal?

Answer: The social link was selected since the problem of grazing is principally a societal one. Looking around Navajo we know that permits have caused a weak link. They have separated the land and the people. This has caused fighting and disputes that are a major problem on the reservation.

At this point we already know that the action does not pass the test, but we will continue on to look at the other questions.

Question 3: Is the energy or money to be used in this action derived from the most appropriate source in terms of your holistic goal?

Answer: The current funds to administer the permits come from the Navajo federal budget. There is a valid claim that this significant amount of funds is going to only 5% of the population and a high return is not being seen.

The grazing fees proposed in the NNGA addresses this issue and are not unreasonable when compared to other such fees on similar rangelands. However, because of the poverty that exists on Navajo and the lack of an exemption for this in the proposal, it is possible that the grazing fees could have some very negative effects. This should be examined before enactment of the measure is considered.

Question 4: Will this action lead toward or away from the future resource base described in your holistic goal?

Answer: Permits have been one of the bases of the current regulations since the 1930s. In that time the land has continued to decline. Since the NNGA continues this action and does not directly address land conservation problems, it should be expected the land would continue to degrade under the NNGA.

Question 5: How do you feel about this action now? Will it lead to the quality of life you desire? Will it adversely affect the lives of others?

Answer: This of course depends on who you talk to. However, because the population is growing and the number of permits is limited, it is unlikely that the majority of people can be accommodated. This is of course already seen on Navajo.

From walking through these questions we can see that the action of permits does not pass the test. If tried, many of the other current and proposed policy actions under the NNGA do not pass either.

Once an action is determined *that does pass* all the questions, it should be tried. However, it should be assumed to be wrong. The effects of the action are watched carefully and if it does not work it is revised or dropped. This feedback mechanism is extremely important. It is the equivalent of a Navajo family choosing to graze in one direction and always watching the grass and talking with others about where the healthy land is and where it needs to be rested. By paying close attention to the result of choosing to go one way they can decide whether to keep going that way or to change direction.

Neither the current regulations nor the NNGA have a reliable feedback system. Under the current regulations the land was supposed to be surveyed on a regular basis and the carrying capacity would be adjusted to changing conditions. The carrying capacity measures have not been changed since the 1930s. It is highly optimistic to think that the NNGA amendment process every 5 years, based on the same types of proposed surveys, will fare much better.

Conclusion

The Navajo are currently at a point of both great importance and potential. For the first time in 67 years the Nation has the opportunity to decide how it will manage its own land. The implications of this should not be underestimated. The Navajo land is the tribe's greatest natural renewable resource and forms the base of traditional Navajo culture.

For the past 67 years this resource has been neglected by inadequate policies established by the BIA. For 67 years the grass has slowly gone away. "It lost interest" after the 1930s' livestock reduction. With it went the soil and the water and the ability for the Navajo to make their living from the land.

Now the Navajo Nation can start claiming that ability back. In fact, it must; for reasons of economic security, cultural well-being, and environmental protection.

Economic security: Soon the mining wealth will be depleted and the Navajo will need to turn to other resources. The land is the only natural resource that has the potential to be a significant and sustainable source of income for the tribe. If the land is not preserved now, what will the Navajo do when the mining funds run out?

Cultural well-being: As the Navajo, as a sovereign people, move forward into the next millenium, many things will change. Other societies all over the world are also experiencing rapid shifts in their cultures as modern technology and population growth continue to accelerate.

However, it is our cultural roots that hold our societies together. There is still great value and knowledge in the traditional ways. On Navajo, these traditions are based on the Navajos' connection with the land.

When the land is lost so will the traditions of the Diné. Already many of the prayers and songs have been forgotten. If the land is not conserved these trends will continue.

Environmental protection: All natural things are connected to the land. If the land can be improved then it will start the process back to environmental health. If the grasses can be lured back it will spark interest in the soil and the water, and the land will have the potential to regain its glory.

However, if the land continues to degrade and turn to desert, the wildlife will leave, the wells will dry up, the water will be clogged with silt, and the droughts will be worse. These things are already happening. They will become worse if the right decisions are not made.

The right decisions will only be made if:

- the decision-making process looks at the problems from an overall perspective;
- the interests of all affected parties are considered;

- all parties are committed to the process;
- there is learning from traditional practices and knowledge of the local environment;
- a feedback process is included that allows the Navajo to learn and to adjust policies and practices in the face of an extremely variable climate;
- and the decisions are based on Navajo beliefs and customs and not the incompatible regulations of the BIA.

Hope for the future

Despite the problems that exist and the difficulties ahead, there is much reason to see hope in the future of the Navajo. The culture is still strong and there are many that are accepting the challenges that they see before them.

It is to these people and the strength of the Diné spirit that this report is dedicated.

Appendix

The proposed Navajo Nation Grazing Act

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- ⁱⁱ Navajo Nation Department of Economic Development
- ⁱⁱ Lindig, Wolfgang and Helga Teiwes. *Navajo*, 1991
- ⁱⁱⁱ Kluckhohn, Clyde and A. Kimball Romney. *Navaho Value Orientations*, 196-?
- ^{iv} Bailey, Garrick and Roberta Glenn Bailey. *A History of the Navajos*. Santa Fe, New Mexico: School of American Research Press, 1986. 14
- ^v Ibid, 17
- ^{vi} Kuznar, Lawrence A. *Traditional Pastoralism and Development: A Comparison of Aymara and Navajo Grazing Ecology*. Ethnoecology: Knowledge, Resources, and Rights. Ed. Ted L. Gragson et al. Athens and London: University of Georgia Press, 1999. 74-89.
- ^{vii} Fanale, Rosalie. *Navajo Land and Land Management: A Century of Change*. Ann Arbor, Michigan: University Microfilms, 1982 292
- ^{viii} Personal interview with Navajo Nation Department of Agriculture officials. March 10, 2000
- ^{ix} Fanale, Rosalie. *Navajo Land and Land Management: A Century of Change*. 292
- ^x Ibid
- ^{xi} Ibid
- ^{xii} Ibid. 105
- ^{xiii} Distant Thunder. Videocassette. Bureau of Indian Affairs Range Management, 1999
- ^{xiv} Kelly, Klara and Peter Whitley. *Navajoland: Family and Settlement and Land Use*. Tsaile, AZ.: Navajo Community College Press, 1989. Cited in Kuznar, 1999
- ^{xv} Ibid
- ^{xvi} Personal interview with Navajo Nation Department of Agriculture officials. March 10, 2000
- ^{xvii} Fanale. 164
- ^{xviii} Personal interview with Allan Savory, Founding Director of the Allan Savory Center for Holistic Management. March 11, 2000
- ^{xix} Fanale, 220

^{xx} Clements, F. *Plant succession: An analysis of the development of vegetation*. Carnegie Institute Publications, 241. 1-512. Cited in Sidahmed, Ahmed E. *The rangelands of the arid/semi-arid areas: Challenges and hopes for the 2000s*. Key-note address to Symposium D: Range Management. The International Conference on Desert Development in the Arab Gulf Countries. KISR, Kuwait 23-26 March 1996.

^{xxi} Box, Thadis. *A Viewpoint: range management and the tragedy of the commons*. Rangelands, 1995. 17(3): 83. Cited in Sidahmed

Heady, F.H. and R.D. Child. *Rangeland ecology and management*. West View Press: Boulder, CO., 1994. Cited in Sidahmed

Savory, Allan and Jody Butterfield. *Holistic Management: A New Framework for Decision Making*. 2nd Edition. Washington, D.C.: Island Press, 1999.

Schacht, W. H. *A new approach for range condition assessment is needed*. Rangelands, 1993. 15(6): 245. Cited in Sidahmed

^{xxii} Sidahmed

^{xxiii} Proposed Navajo Nation Grazing Act, Section 1; p. 1; August 1999

^{xxiv} Personal interview with Navajo Nation Department of Agriculture officials, March 10, 2000

^{xxv} Ibid.

^{xxvi} For more information, contact Navajo Nation Department of Agriculture, Window Rock, AZ.

^{xxvii} Navajo Nation Department of Agriculture; Navajo Nation Grazing Act, Section IV *Establishment of Grazing Fees*, p. 74

^{xxviii} Personal interview with Navajo Nation Department of Agriculture officials, December 16, 1999

^{xxix} As cited in Allan Savory, *A Solution to Desertification: Holistic Resource Management*, Paper 27a, March 1989

Further resources and readings:

Baars, Donald L. *Navajo Country: A Geology and Natural History of the Four Corners Region*. Albuquerque, New Mexico: University of New Mexico Press. 1996

Bingham, Sam and Janet. *Between Sacred Mountains: Navajo Stories and Lessons from the Land*. Tucson, Arizona: Sun Tracks and the University of Arizona Press. 1984

Bingham, Sam; Eddie Lee, Rex Lee Jim, and Rock Point Range Management Project. *Living From Livestock: Range Management and Ranch Planning for Navajo Country*. Chinle, Arizona: Rock Point Community School. 1984

Bingham, Sam. *The Last Ranch: A Colorado Community and the Coming Desert*. New York, New York: Pantheon Books. 1996

Goodman, James M. *The Navajo Atlas: Environments, Resources, People, and History of the Diné Bikeyah*. University of Oklahoma Press. 1982

Lipps, Oscar H. *Little Histories of North American Indians: The Navajos*. 1909. rpt. *A Little History of the Navajos*. Albuquerque, New Mexico. Avanyu Publishing, Inc. 1989

Navajo Nation Historic Preservation Department. *Papers from the Third, Fourth, and Sixth Navajo Studies Conferences*. Window Rock, Arizona. 1993

Pollock, Floyd A. *A Navajo Confrontation and Crisis*. Tsaille, Navajo Nation, Arizona: Navajo Community College Press, 1984

Preston, Douglas. *Talking to the Ground*. New York, New York: Simon and Schuster, 1995

Reno, Philip. *Mother Earth, Father Sky, and Economic Development: Navajo Resources and Their Use*. Albuquerque, New Mexico: University of New Mexico Press. 1981

Roessel, Ruth and Broderick H. Johnson. *Navajo Livestock Reduction: A National Disgrace*. Tsaille, Navajo Nation, Arizona: Navajo Community College Press, 1974

Wilkins, David E. *The Navajo Political Experience*. Tsaille, Arizona: Diné College. 1999

Young, Robert W. *A Political History of the Navajo Tribe*. Tsaille, Navajo Nation, Arizona: Navajo Community College Press, 1978

Traditional Land Management Process



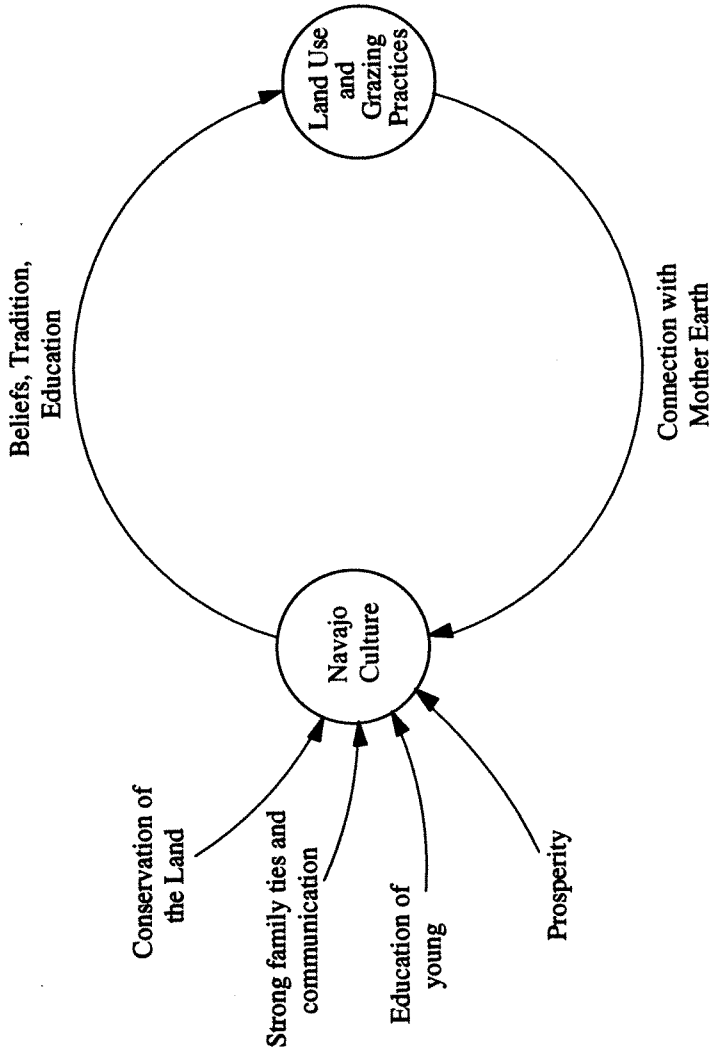
This diagram illustrates the nature of traditional decision-making and learning.

The elements on the far left are some of the values and goals that made up Navajo culture. Under the guidance of the cultural beliefs, traditions and education of this culture the land was cared for using certain practices.

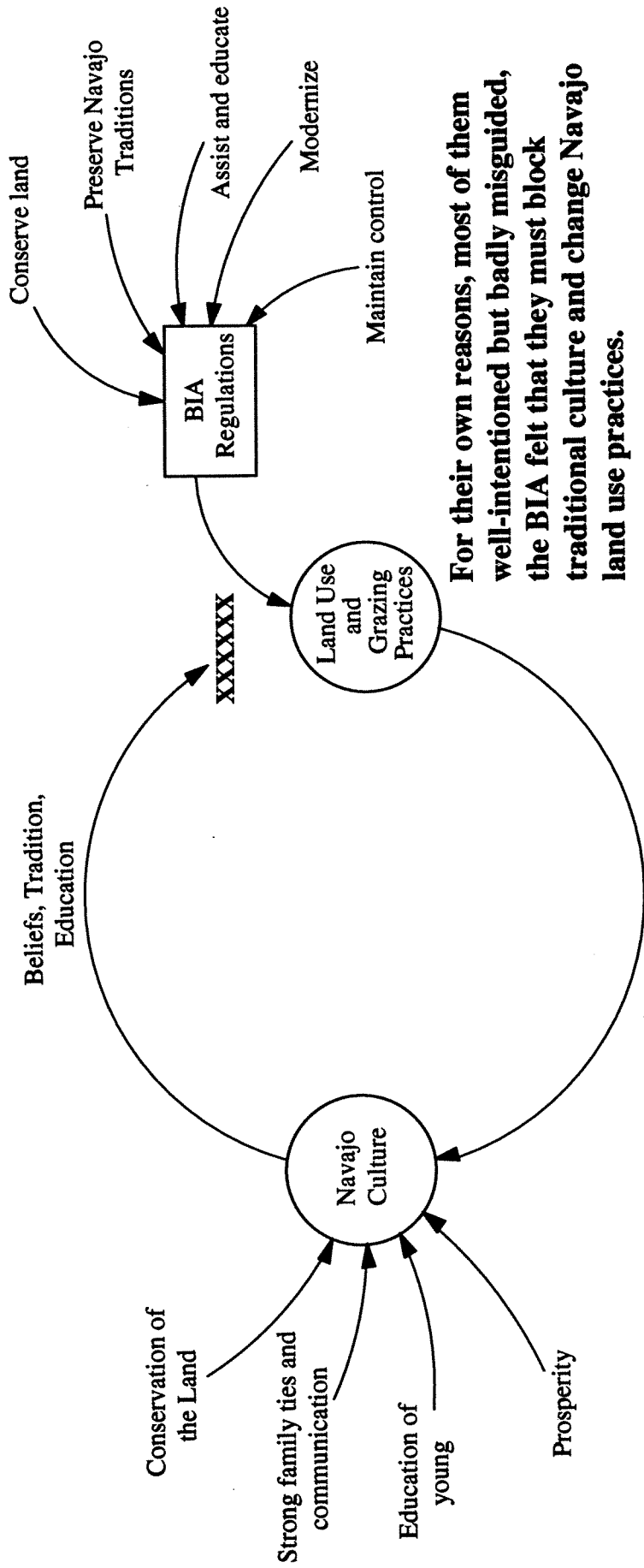
From these practices the Navajo gained a connection with Mother Earth and learned to recognize when the land needed to recover.

This learning process then affected beliefs and tradition and helped to shape the culture.

The cycle endlessly repeated itself and was the basis for how traditional land use and culture were created.



Land Management Under BIA



For their own reasons, most of them well-intentioned but badly misguided, the BIA felt that they must block traditional culture and change Navajo land use practices.

However, there is no connection between Mother Earth and the BIA regulations. They could not adjust to her signals or learn. As the land was hurt, it hurt the Navajo culture.

Connection to Mother Earth

Proposed Uniform Grazing Act



- **Based on current BIA regulations and concepts of carrying capacity, fencing, and primary use areas**
- **Designed to primarily address public concerns and increasing land disputes caused by a growing population**
- **Establishes grazing fees in order to fund new programs**

Proposed Uniform Grazing Act



- **Does not address incompatibility of current management policies to the local climate and traditional grazing practices**
- **Does not recognize the value of traditional practices.**
- **Does not directly address issues of land degradation or spiritual and cultural loss**
- **Does not have a way to incorporate changes and learning. No feedback system. Inflexible.**
- **Continues to use concepts that have not worked for 67 years**



Options

- **Wait and delay the passing of the UGA, explore alternatives, possibly create new policy or modify UGA**
- **Pass an amended version of the UGA now**
- **Do not pass the UGA at this time. Delay any further action on land management policy. Continue with current regulations.**
- **Pass the UGA as it now stands**



Which option is best?

- **Take time to understand scope and consequences of the decision.**
- **Understand UGA – what are the implications? What are the strengths and weaknesses?**
- **What are the alternatives? Have they been explored?**
- **Ask questions**



Holistic Management

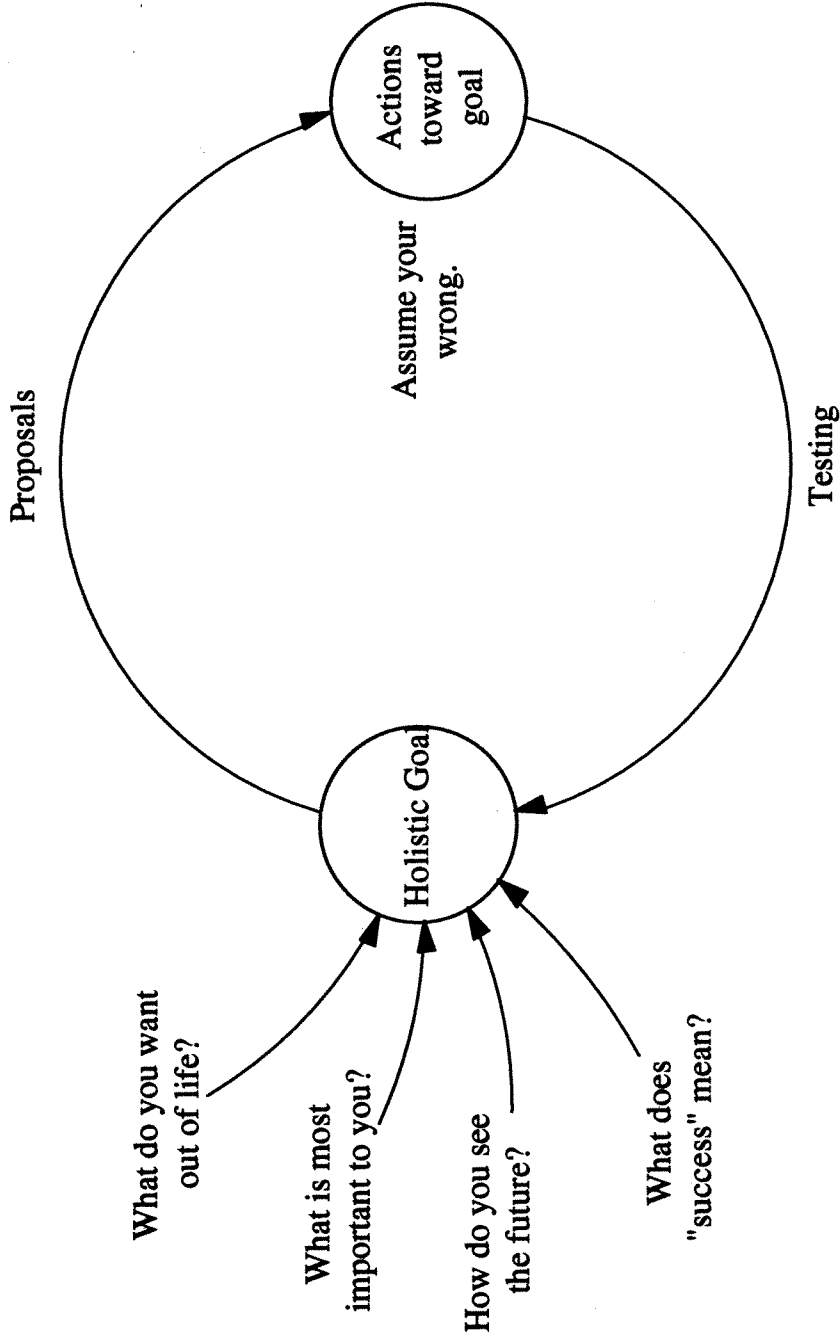
- **Highly compatible with traditional Navajo culture and land management practices**
- **Process for making decisions based on fundamental beliefs and goals**
- **Addresses additional issues of water, wildlife, tradition, respect, teaching, and spirituality**
- **Has been used successfully around the world and in the United States to improve land management decisions**
- **Promoted by the US Department of Agriculture**

Holistic Management



- **Not the only method or alternative**
- **Method worthy of consideration and exploration**
- **Nothing to lose, plenty to gain**

Holistic Land Management



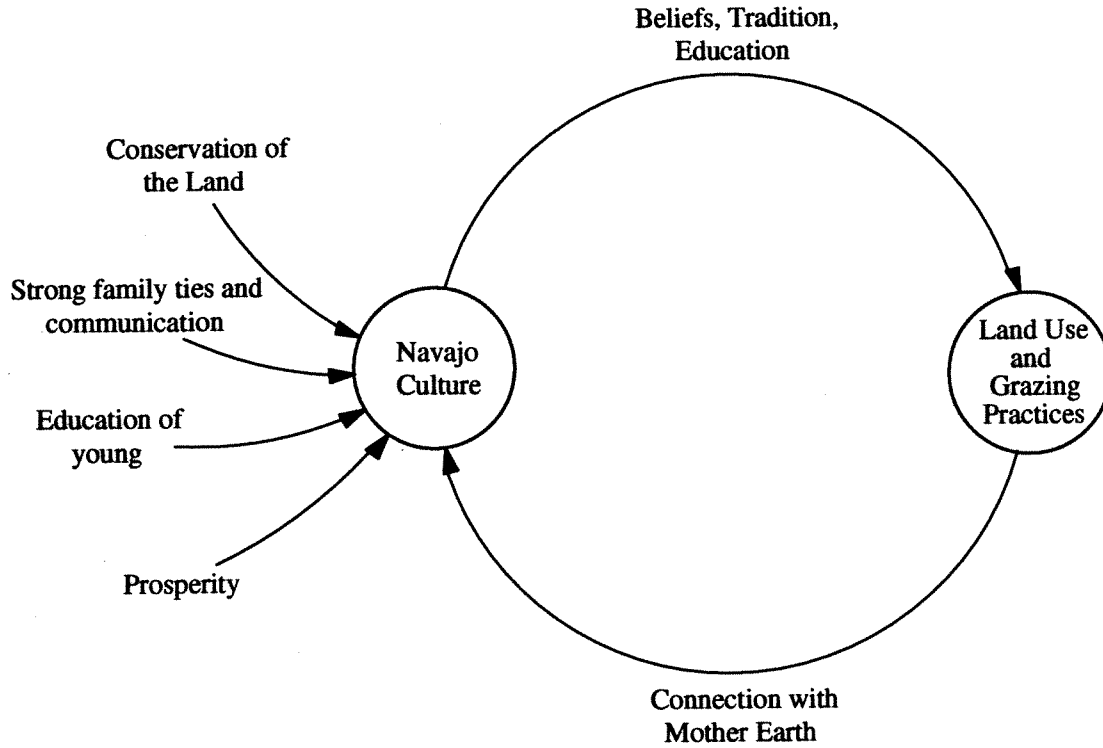
By comparing diagrams it can be seen that Holistic Land Management is very similar to the traditional land management processes.

By asking the questions on the far left a holistic goal is formed. This is the most important part of the process.

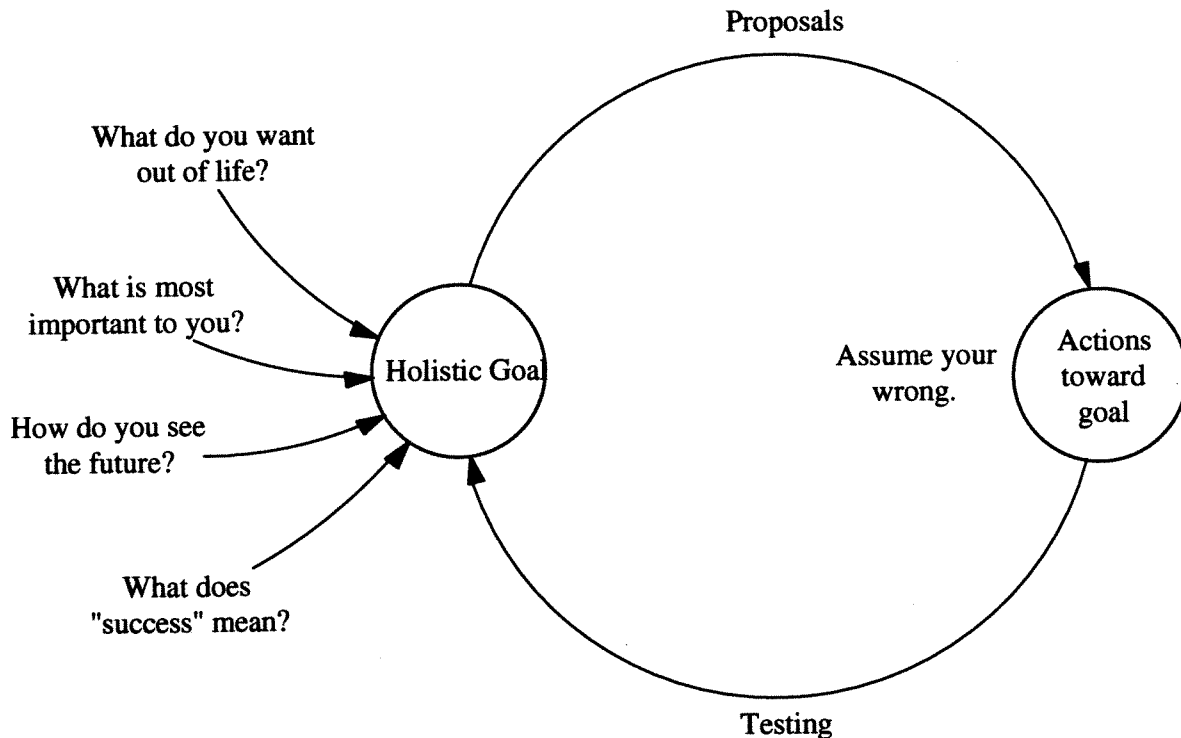
This goal guides proposals for actions to take to reach the goal. Once an action is taken, it is assumed to be wrong.

By assuming this the actions can then be tested to see if they help the process move towards the holistic goal.

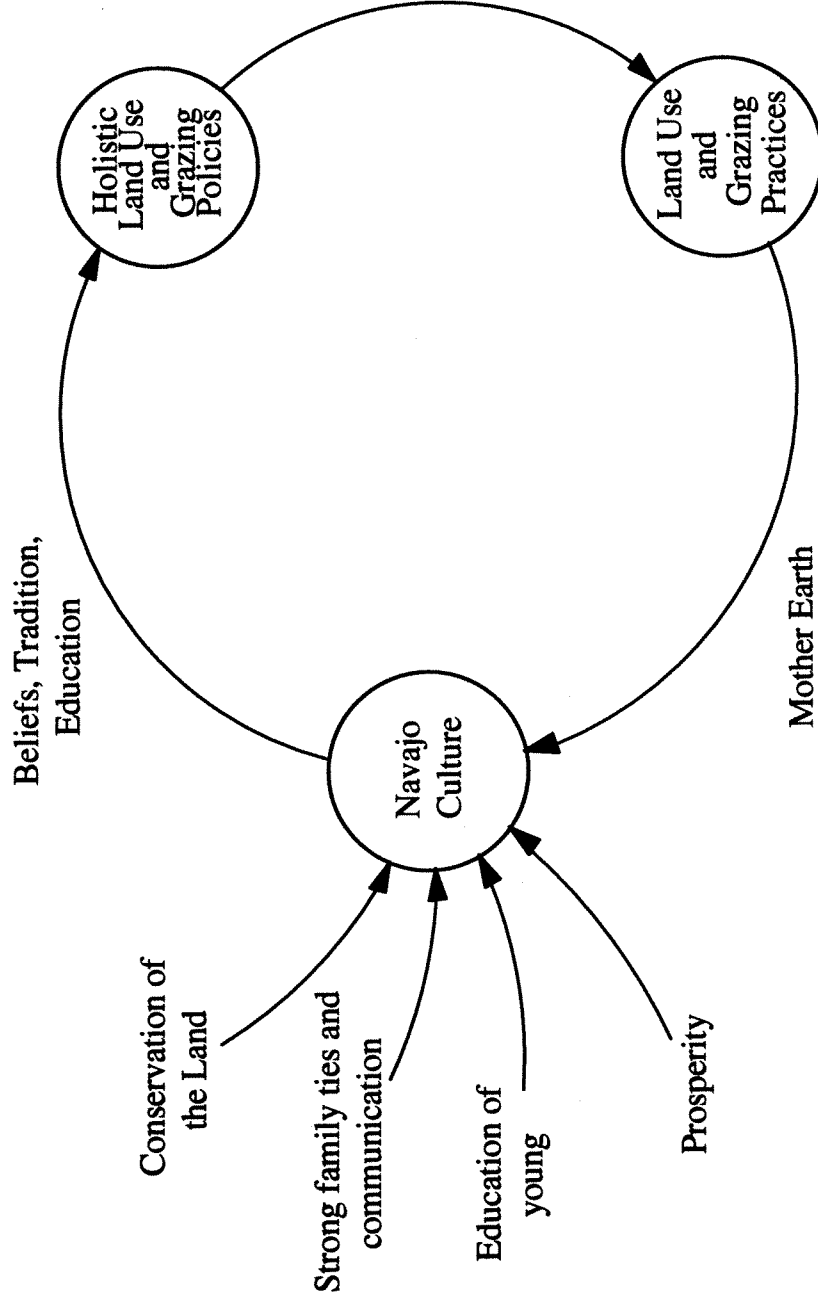
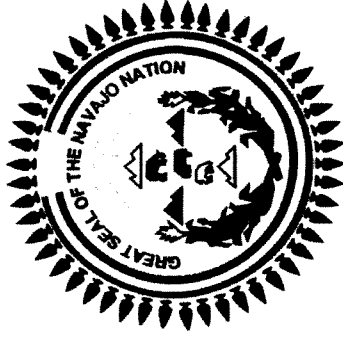
Traditional Land Use



Holistic Management



Navajo Holistic Land Management



Under Holistic Management and the circle of connection and learning would be restored.

This is because the policies would be based on Navajo culture. The policies would then manage the grazing practices.

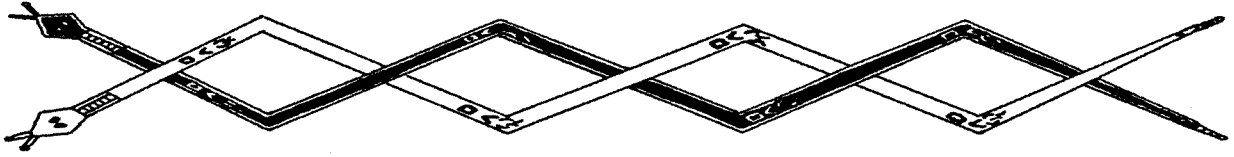
The culture would be affected (hopefully restored) by the practices and the response of Mother Earth.

Most importantly, the policies would be flexible and adapt to enhance and protect the culture.

Historic Decision



- **Should not be rushed**
- **The issue is not just grazing. It is about land management and how modern pressures affect the use of the Diné Bideyah**
- **Decisions should be based on Navajo beliefs and culture and reflect the strength of the Navajo spirit**
- **Choice vital to the future of the land and the people. Will affect generations to come.**



*Nothing killed it (the grass). It lost interest. When the government forced us to cut back our sheep, the grasses saw no reason to grow there, so they left. Then the sky had no reason to trouble himself with sending down rain, so we settled into drought, and a lot of other plants left. Some people argue that the sky became disgusted first over the sheep and let the grass die, but I think the grass went first. Either way, grass or sky, I understand how they felt. When they took the sheep, a lot of Navajos lost interest in life and left us, too.” – 90 year old Navajo woman as quoted by Sam Bingham in *The Last Ranch**

The traditional wisdom and knowledge of the nomads and the extensive livestock herders is becoming the center of attention. ...activities...should be built on the indigenous and traditional practices which have maintained the rangeland production down the centuries. - Dr. Ahmed E. Sidahmed, Technical Advisor, International Fund for Agriculture Development of the United Nations, 1996

Recommendations

The Diné are not alone. Native peoples in dry climates around the world are facing similar land management problems. Rangeland that was traditionally the base of the local culture was taken over by outside governments and managed using the modern principals of carrying capacity, fencing, and forced settlement. This management did not consider the knowledge of the indigenous cultures. Under it, the land and the people have suffered. It is the same pattern that is seen on the Navajo reservation today.

The Navajo stand at a historic moment in their history. With the debate over the Navajo Nation Grazing Act, the Navajo Nation has the opportunity to create the first-ever official Navajo policy of land management. This policy

will likely stand for generations and will have great effects on the future of the land and the Diné.

In an attempt to help the Diné to take advantage of this opportunity, the following suggestions are made to the Navajo Nation Council:

- (1) There is a fundamental incompatibility between the current BIA land management regulations and natural climate of Navajo. Lessons should be drawn from traditional practices to develop policies that reflect the natural environment and the strength of Diné beliefs and sovereignty**
- (2) The Navajo Nation Grazing Act, as currently proposed, should not be passed at this time. It is a continuation of BIA regulations and will not improve the state of the land.**
- (3) A representative committee should be assembled of all parties involved in making land use management decisions on the Navajo Nation.**
- (4) In order to overcome political divides and to assist in an efficient process of exploration, a holistic decision-making process should be considered.**

1. Regulations, Tradition, and the Land

Traditionally the land was the basis of Navajo culture. In modern times this has changed dramatically. BIA regulations have governed the land for the last 67 years. These regulations do not recognize the value of the traditional Navajo land management practices and are not applicable to the local climate.

Traditional practices were developed over generations in response to the high variability in the local rainfall. The adaptive methods allowed livestock

herders to use the land in a more productive and sustainable way than is currently being done.

As seen in the above quotation of Dr. Ahmed E. Sidahmed, the value of the traditional methods is now being recognized by even the large international organizations that have for so long dismissed indigenous knowledge. It is now time for the Navajo policies to recognize this value.

Under the current regulations the Navajo's connection to the land has been mostly lost. Navajo livelihood is now greatly supported by the economic funds from the exploitation of non-renewable resources such as uranium, coal, and other minerals.ⁱ These resources are running out and are predicted

to be gone by 2025.ⁱⁱ What will the Navajo do when this happens?



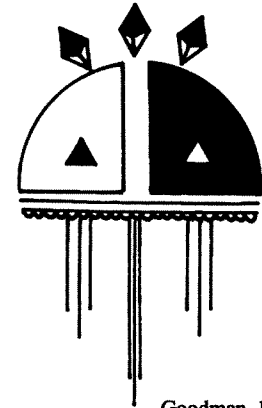
The land is the greatest renewable resource that the Navajo have. Unless effective policies are created that conserve the it, the Navajo will be left with very little when the mineral resources are gone. For the good of future generations it is vital that the Navajo act now to protect the land and its place in Navajo culture.

2. The proposed Navajo Nation Grazing Act (NNGA)

The NNGA is based on the current BIA regulations and is a continuation of the policies that have been unsuccessful for the past seven decades.

The NNGA proposal has made modifications to the BIA regulations in order to address the important issues of population growth, increasing permit and land disputes, and the financial sustainability of the regulations. But they do not address other fundamental problems. These include the already mentioned incompatibility of the current land management concepts with the local climate; related issues of water, wildlife, and erosion; and spiritual and cultural loss.

The NNGA has been developed through the hard work of the Navajo Nation Department of Agriculture (NNDA). This should in no way be forgotten. However, it should also not be used as a reason to enact regulations that will not improve the land and will continue the BIA mistakes of the past decades.



Goodman, 1982

3. Decision-making committee

It has been observed that many of the different parties on Navajo, from the NNDA to livestock owners to the BIA, are in agreement about the state of the

land, its importance to the Navajo culture, and in their desire to see the land recover. It has been political concerns and a lack of communication that has kept the Navajo from taking advantage of this basic agreement and making progress to improve the condition of the land. By creating a committee of representatives from each party, communication will be increased and political divides can hopefully be overcome.

The decision-making committee should include representatives of each body that has veto power over grazing decisions. It should also include those who are judged to bring unique and valuable knowledge to the process. The whole committee should not be more than 30 people.

Suggested parties to be represented include but are not limited to:

- Office of the President
- Department of Agriculture
- Livestock owners from each district
- Grazing committees from each of the districts
- Elder Holy Men
- Navajo Nation Council
- Navajo Labor Commission
- BIA
- U.S. Department of Agriculture
- Division of Finance
- Division of Community Development
- Division of Economic Development
- Office of Legislative Council
- Office of Ethics and Rules
- Others

5. Holistic Management

The problems of rangeland management are not simple and involve many differences of opinion and interests. Neither the difficulty nor importance in solving them should be underestimated. *It will require a long-term, on-going and committed effort.*

Holistic management is a decision-making process that is useful to help improve cooperation and understanding. Similar to traditional Navajo decision-making, it focuses on group discussion and experimentation in order to find solutions.ⁱⁱⁱ

The Allan Savory Center for Holistic Management in Albuquerque, New Mexico has offered to facilitate a preliminary discussion among all parties involved in Navajo land management decisions. The purpose will be to introduce holistic management and to explore alternative ways of finding solutions.

The Navajo Office of the President has accepted this offer but an official date has not yet been set. This date should be set immediately.

The Savory Center has worked in Zimbabwe, Australia, and the United States and is currently working with Assistant Secretary of Agriculture, Richard Rominger, at the U.S. Department of Agriculture to improve management decisions on a national level.

It is recommended by this report that the Navajo Nation leadership follow through with the Savory Center offer. It will be a step towards a range management solution that reflects the strength of Navajo sovereignty and spirit, and that restores harmony to the Navajo way of life.

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