Digging Earth: The Politics of the Extractive Industries on Indigenous Lands

Catherine Bernard
SUNY College at Old Westbury
New York, USA
bernardc@oldwestbury.edu

This paper functions as an introduction to the panel Digging Earth: The Politics of The Extractive Industries on Indigenous lands. It addresses the historical and colonial background linked to the takeover of indigenous lands in North America, settler colonialism, the role of the Treaties and indigenous resistance. The coal and uranium mining on Diné and Hopi nations, and the resistance from Diné and Hopi grassroots organization to the exploitation of their ancestral lands are highlighted.


1. INTRODUCTION

Extractivism is a mode of accumulation that started to be established on a massive scale five hundred years ago. The word economy—the capitalist system—began to be structured with the conquest and colonization of the Americas, Africa and Asia. (Acosta, 2013, p. 62)

From the myth of the El Dorado and the start of the colonial exploitation of earth resources on indigenous lands on the American continent, to the present 21st century worldwide demands for rare minerals that sustain new technologies, the extraction of earth resources has been strategized to meet the demands of industrialized countries. Deep sea mining is the next frontier for the extraction of rare earth elements, while a lucrative space industry is developing plans for asteroid mining.

On indigenous lands and communities, forms of predatory extractivism have contributed to the plundering of natural resources, land and water. The extraction of minerals and other resources are allowed by governmental and local policies and fostered by international treaties and regulations that profit from their exploitation. Mostly destined for outside exportation, these resources rarely profit local economies. The mining, extraction, storage and disposal of minerals are issues that lie at the heart of the concept of sovereignty in indigenous nations world-wide. This concept was violently attacked during colonization and reclaimed by indigenous nations throughout a history of resistance to colonialism and visible recently through the activism of grassroots movements.

Nick Estes:

Prophecy told of Zuzeca Sap, the Black Snake, extended itself across the land and imperiling all life, beginning with the water. From its heads, or many heads, it would spew death and destruction. Zuzeca Sapa is DAPL—and all oil pipelines trespassing through Indigenous territory. But while the Black Snake prophecy foreshadows doom, it also foreshadows historic resistance and resurgent Indigenous histories not seen for generations, if ever. (2019, p. 13)

The specific history of Native American resistance in the United States illuminates the ties of the history of extraction with the first colonial expeditions, a process that culminated with the establishments of reservations and the containment of indigenous populations in spite of the resistance from indigenous people throughout northern America in what are called the Indian wars.

2. THE TAKEOVER OF INDIGENOUS LANDS IN THE UNITED STATES: A VERY BRIEF HISTORY

2.1. Early settlers and land occupation – The first American revolution

In 1540, after traveling through what is now the state of Arizona, Francisco Vazquez de Coronado’s expedition arrived in what is now New Mexico. The expedition was based on the rumoured existence of the seven cities of Cibola, a legend connected to that of El Dorado, the fabled land sought after by Spanish armies during the 16th century throughout the northern part of South America, today Colombia, Venezuela and the Amazonia. In spite of
high hopes to find cities made of gold, what Coronado came upon were the adobe towns of the ancient Puebloans. Among those, were the villages of the Zuni and Hopi people who, despite fighting against the advance of the Spaniards, couldn’t stop them. In lieu of gold, Coronado discovered rich turquoise and copper reserves, and soon after the Spaniards and their missionaries occupied the land of the Puebloans, attempting their subjugation and conversion.

It was the first attempt at mapping the route for the further expansion of the Spanish conquest of indigenous territories in the southwestern region of North America. Several waves of conquistadores followed Coronado. In 1595, Juan de Onate came from Mexico with 500 settlers and thousands heads of livestock in another attempt to gain control of the region. In 1599, the Acoma people led by Zutacapan fought against the conversion to Catholicism, religious persecution and the rule of encomiendas. Encomiendas, conferred by the Spanish crown to the colons and enforced by Onate, gave the right to impose forced labor on indigenous people. The battle ended with the victory of the Spaniards who massacred Acoma people.

Soon after, Spain established a governorate in Santa Fe led by Pedro de Peralta who, in 1610, built the Palace of the Governor still standing today. By the 1630’s a few hundreds of Spanish settlers, including missionaries, had established about twenty-five missions in Nuevo Mexico. The entire region proved however to have only few minerals resources and the colons turned to the rule of encomiendas to grow their economy and enforce their presence.

In 1680, the Puebloan people, unified around the leadership of Po’pay of Ohkay Owingeh (San Juan pueblo) rose against the Spaniards’ occupation. Puebloans and their Navajo and Apache allies captured Santa Fe, overturned the Spanish rule and established indigenous sovereignty for twelve years. The Franciscan missions were burnt and the colons fled south to Mexico. The historians of the Puebloan remember the insurrection as: “the first American revolution”. Soon however, the systematic conquest organized by the British colons in the East would follow.

2.2. Manifest Destiny and Treaties

The 1784 original boundaries of the first thirteen colonies expanded rapidly from the Eastern Seaboard towards the Pacific. Following the purchase of Louisiana by President Jefferson in 1803, settlers annexed close to 2 billion acres of indigenous territories, most of them west of the Missouri River.

This systemic takeover was legalized by a 1823 Supreme Court decision that defined the rights of the United States to the Indigenous lands. Indigenous people were given only “occupancy rights” to their lands. They were thus considered as politically non-existent, with no title to the land. In addition, armed with the “Doctrine of Discovery”, an early colonial framework sanctioned by the Christian church. The annexation process became known as the “Manifest Destiny”, a phrase coined in 1845, describing the God-given right to settlers and their government to expand their domination throughout North America.

One of the primary means that helped consolidate the western expansion was the system of the treaties. After the first treaty was signed between the Lenape people and the US government in 1778, the pace accelerated and by the end of the treaty-making period in 1871, 370 of them were ratified. While the language of the treaties is diverse, some common features included a definition of land boundaries, the preservation of hunting and fishing rights and a guarantee of peace. In some treaties, the federal government agreed to provide education, healthcare and other services to indigenous tribes and to manage and protect indigenous resources such as land and timber. Most importantly, treaties also recognized the autonomy of indigenous governments on their land. In 1830, however, the Indian Removal Act required all indigenous tribes to relocate west of the Mississippi River and spearheaded the disregard of the obligations set by the treaties. The duty of protection was quickly transformed into a coercive system under which the US government could remove indigenous populations from their lands and manage indigenous assets in a trust. (Taylor, 2019)

By the last quarter of the 19th century, the notion of autonomous tribal governments was deemed incompatible with the politics of expansion, the idea of a unified new nation emerging from the civil war and nationalist ideals. Politicians, land-hungry settlers, ranchers, mining and railroad companies found tribal sovereignty an obstacle to the development of an economy based on profit. In 1871, the Congress passed the Indian Appropriations Act, under which indigenous autonomy was denied.

At the end of the 19th century, white America hunger for new lands continued to grow and led to wars with the indigenous people of the Great Plains and eventually to the “second great removal” of indigenous people from their lands. In 1887 the federal government implemented an allotment system—the Dawes Severalty Act—breaking up the reservations into parcels of land allotted to indigenous families on the model of white farming and property, in effect destroying the indigenous
traditional agrarian system. Boarding school education became mandatory, implementing a cultural genocide that has been only recently acknowledged, along with the systematic mistreatment, torture and murder of Indigenous people. The recent discovery of unmarked graves of thousand children near boarding schools in Canada in the provinces of British Columbia and Saskatchewan testifies anew to the spread of this systemic destruction.

The growing consensus about the illegitimacy of independent tribal nations in modern America not only fueled the abolition of tribal land ownership through allotment, legitimized federal government forced cultural assimilation policies and presaged the U.S. Supreme Court’s 1903 ruling in Lone Wolf v. Hitchcock, which recognized Congress’s power to abrogate existing treaties with Indian tribes. (Hirsch, 2014)

The full takeover of indigenous lands in the US was thus achieved by the early 20th century through treaties, laws, forced conversion and education, wars and genocide. It led, among other colonial practices, to the lucrative development of mining industries that continues today.

3. DIGGING AND MINING THE SOUTHWESTERN US

The preservation of land and water is fundamental to most indigenous cultures, along with the use of sustainable practices. Land and water resources are often linked to sacred and culturally significant sites. The people of the Four Corner region --where New Mexico, Utah, Colorado and New Mexico meet-- entertain rich and complex relations with their environment as they consider themselves stewards of the land. The traditional use of sustainable practices has been seriously compromised as these lands have been particularly impacted by industrial-scale mining exploitations. In addition, many sites considered sacred by the local communities of Ute, Diné, Hopi and Zuni people have been destroyed.

The General Mining Act of 1872, signed by then president Ulysses Grant, acted as an incentive to promote settlement in the frontier lands and opened federal public land to private ownership. This law still allows today’s private companies to negotiate the extraction of minerals from Indian reservations that are considered federal lands. Their presence in the southwestern US is highly visible in the open pits and the excavated flank of mountains that punctuate the landscapes.

3.1. The exploitation of Black Mesa – Sustainable responses

Black Mesa figure prominently in the founding narratives of both Diné (Navajo) and Hopi nations. For the Diné, Black Mesa is a sacred female mountain named: Female Pollen Range, where the ceremonies and esoteric rituals of the Blessing Way are regularly performed. The Hopi conduct pilgrimages to springs and sacred sites on Black Mesa, where they gather plants, minerals and ponderosa wood for ceremonies. Many ancient Diné and Hopi graves are located on Black Mesa. It is also an important geological site where the main aquifer and natural springs that supply Hopi villages and Diné populations are located.

For years, Black Mesa was at the centre of a large controversy between Diné, Hopi and the directors of the Peabody Coal Company. In 1966, the Hopi and Diné tribal councils sold the exploitation rights of the minerals and the underground water to the company for a meagre price. The contract was negotiated by lawyers working for an electricity consortium grouping about twenty companies that serviced the energy needs of the urban zones in the Southwest. For more than thirty years, billions of gallons of water were pumped from the aquifer to cool the mining equipment and wash the mineral.

The depletion of drinkable water renewed ancestral conflicts between the two people who had to share what had become an insufficient resource. During the 1990s, the springs on the Hopi territory, sole source of drinking water became almost completely dry. The exploitation of the mine also included the 1977 displacement of thousands of Diné to allow the expansion of the mining activities of the Peabody corporation.

![Figure 1: Black Mesa mine map. Source: https://intercontinentalcry.org/navajo-and-hopi-under-threat-from-more-coal-mining-on-black-mesa/](https://intercontinentalcry.org/navajo-and-hopi-under-threat-from-more-coal-mining-on-black-mesa/)

During the decades of the exploitation of the coal mines, the mineral was used to supply electric power in several parts of the Southwest, including Las Vegas and Phoenix, the largest cities in the region. Located in the desert, they consume extraordinary amount of energy to sustain the casinos and gambling industry in Las Vegas and feed power to the suburbs of Phoenix. In this context, it is important to point out that near 40% of the Diné people do not have access to running
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water on their territory and must walk several hours to get to water points. Close to 30% of Diné households do not have electricity and use gas lamps. This is also true for many houses on the Hopi territory.7

Figure 2: Black Mesa Trust logo. Source: https://www.blackmesatrust.org/

Hopi and Diné communities have engaged in several forms of resistance to the practices of the Peabody corporation. Black Mesa Trust, founded in 1998 by Vernon Masayesva, a Hopi leader of the Coyote clan, organized actions and protests against the exploitation of Black Mesa. Eventually, under the pressure of the Black Mesa Trust and other community organizations, the mine closed in 2005 although cleaning and rehabilitation have not yet been completed. For years the mine provided some revenues to both populations and for this reason, its closure was opposed by some. It was however completely shut down in 2019.

Grassroots groups such as Black Mesa Trust, the Black mesa Water Coalition, an organization composed of both young Diné and Hopi activists and To Nizhoni Ani “Sacred Water Speaks” created by a group of Diné are working together to rehabilitate the sites and develop sustainable economic projects of renewable energy to replace the mining jobs.

The first initiatives to bring renewable energy to the reservations were led by the Hopi Solar Electric Enterprise in 1987 and another called Native SUN. the Navajo Tribal Utility Authority (NTUA) has created an affordable rental system to provide solar power to Diné households since 1999. Together these efforts have opened new economic and sustainable opportunities in the region.

3.2. Uranium mining and storing

During the 1940s, uranium was discovered on several indigenous territories, including the Diné nation. From 1948 to 1986, four million tons of uranium were extracted from Diné lands. More than 1000 mines and four uranium mills were built during this period.

The work of Diné artists Will Wilson and Steven Yazzie testifies to the issues surrounding the rogue uranium exploitation on the Diné nation that have created grave health hazards and disregard the complex and rich history, artistic legacy, and cultural significance of Diné land and culture. Both artists address the specific relations of landscapes with history and the sacred while pointing to the effects of uranium mining on the Diné communities.

Figure 4: Navajo Miners near Cove, AZ, Courtesy of the Navajo Nation Museum, Window Rock, Arizona.

The criminal failure by the US government and the mining companies to disclose the risks of uranium mining also omitted to present health reviews to the mine workers. Most of the thousands of tunnels and pits, now abandoned, have been left unsealed and radioactive waste piles remain on the Diné territory as families live near the sites. Much of the water is contaminated. The grave ecological problems caused by the poisoning of the water in
the region have tragic consequences on the health of Diné and Hopi people.\textsuperscript{8}  

\textbf{Figure 5:} Abandoned Uranium sites, Navajo nation.  
\textit{Source: https://www.epa.gov/navajo-nation-uranium-cleanup}

The example of Mount Taylor is most telling.\textsuperscript{9} One of the four sacred mountains of the Diné people, it is also a significant pilgrimage site for several others: Hopi, Zuni, Acoma and Laguna people. Mount Taylor was first dug for uranium from the 1960s to the 1980s. As the price for uranium decreased sharply in the early 80s, its exploitation was stopped. Since 2010, renewed efforts have been led by the Texas-based Rio Grande Resource Corp. In 2007, a coalition of several pueblo people along with the Diné, represented by several native organizations such the Navajo Preservation Fund and the Laguna-Acoma Coalition for a Safe Environment, succeeded in obtaining the closure of the mine and the denomination of Mount Taylor as a Traditional Cultural Property. Mount Taylor is protected from further attempts at exploitation, at least for now; several groups affiliated with large companies have since applied for new permits of exploitation.

\textbf{Figure 6:} Clean up the Mines!  
\textit{Source: https://cleanupthemines.org/}

In addition to uranium mining on indigenous lands waste management systems to store nuclear waste have been implemented in New Mexico and Nevada on or near reservations. The Waste Isolation Pilot Plan (WIPP) in Southeastern New Mexico receives nuclear waste from all over the US. It is part of what is called the “New Mexico nuclear corridor” because of the proximity of nuclear sites such as the Sandia National laboratory, and the Los Alamos laboratory. The WIPP is the only storage for nuclear waste in the continental US, a deep geologic long-lived radioactive waste pit that receives the detritus of national nuclear weapons production. It is buried half mile underground in deep salt deposits.\textsuperscript{10}

\textbf{Figure 7:} WIPP signage, New Mexico.  
\textit{Source: http://www.clui.org/ludb/site/waste-isolation-pilot-plant-wipp}

The Mescalero Apache and Yakima people, who live near the WIPP site, have long protested attempts to build additional nuclear waste storage facilities near their lands. In 1992, members of both nations went to Washington to protest what they called the latest form of exploitation of Indigenous people by the US government. Among them was Juanita Makil, grand-daughter of the Apache leader Geronimo.

\textbf{Figure 9:} Yucca Mountain repository seal.  

Yucca Mountain is a 7-mile-long volcanic ridge located on the Western Shoshone nation and is considered a sacred site for both the Western
Shoshone and Paiute people. The Western Shoshone call it Snake Mountain. It is a place where prayers are said to rise from the mountain. For the Paiute, Snake Mountain is a source of spiritual and cultural knowledge. Ancient burial sites are also located on the mountain. Funding for the construction of the facility was stopped under the Obama administration, following protests from the Shoshone and Paiute and their non-native allies. It is only temporarily closed, and pression from the nuclear industries to restart the Yucca Mountain project is still on the table.

4. CONCLUSION

The histories of mining on Diné and Hopi lands are only two illustrations of the many predatory activities of the rogue extractive industries on indigenous lands globally. Examples abound. They attest to the tacit agreement among the large capitalist economies that the world is entirely commodifiable for their benefit. Entangled with neo-colonialist practices, large mining industries are responsible for a large share of the damages caused on the ecological systems on these lands. The over exploitation of the land and the water point to their disregard and enact de facto the takeover of the commons — our commons —.

In these ecocidal times, opposition to the merciless disregard of the extracting industries for ecological balance and the disempowerment of local communities has been mounting. In northern America, it is relayed by a number of grassroots and activist groups such as the Indigenous Environmental network, American Lands Alliance, Idle No More, Zero Hour, Grassroots International, the Pachamama Alliance and many others.11

As local indigenous populations and their allies organize protests, they compel their respective governments to acknowledge their presence and demands. Author Nick Estes, a member of the Lower Brule Sioux nation, sends a prophetic message in Our History is the Future. He traces the traditions of indigenous resistance in the US against the history of settler colonialism, while pointing to the efforts by native people to protect sustainable modes of relating to the environment and to uphold their historic values for clean land and water for all. If these efforts may seem futile to some in the face of the enormous powers deployed by corporations and governments, the question is: what would happen if activists were not engaged in countering the noxious and destructive operations of the mining industries? If the political and geopolitical issues stemming from the current situation continue to be ignored, the unsustainable pillaging of Pachamama will continue, destroying the lands and resources of millions and hastening the road to the ecocide we are foretold.

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Digging Earth gathers contributors that discuss the work of individual artists, are artists themselves, activists or cultural practitioners whose work look critically at the systemic exploitation of natural resources and their consequences on indigenous lands and who highlight sustainable and alternative strategies to counter the mindless plundering of the earth.

Jamie Allen’s Infrastructural Unrest scrutinizes a growing nexus of knowledge, awareness and activist practices that questions the contemporary problematic of infrastructure and global logistics. The 2020 Canadian pipeline and railway protests, the Wet’suwet’en blockades, a series of blockades across Canada in solidarity with indigenous land defenders, are examples of ‘infrastructural unrest’.

Erich Berger’s practice explores the materiality of information, information and technology as artistic material. Deep Time, Deep Futures and the Politic of Scales examines how Berger’s interest in issues of deep time and hybrid ecology led him to work with geological processes, radiogenic phenomena and their socio-political implications in the here and now.

The artist collective DesertArtLab is an interdisciplinary environmental arts collaborative established in 2010. Their work promotes Indigenous/Chicanx perspectives on ecological practices, food sovereignty, self-determination, and climate change. DesertArtLAB’s projects activate public space through participatory artworks and support the restoration of desert environments and their foodways through zero irrigation regrowth projects.

André Mintz and his collaborators focus on artistic engagements with mining landscape as sites where memory and identity intersect with the sociotechnical. Can We Still Remember Those Mountains? Breaking the World Into Pieces: Art and Mining Landscapes in Minas Gerais reflects also on how the Anthropocene is inscribed on these landscapes. With Ruins Across the Atlantic: Speculations on the Colonial and Mythological Genealogies, Juan Pablo Pacheco Berajano discusses the route followed by the Atlantis-2 underwater fibre optic cable, the entanglement of the internet with colonial history and submarine ruins and connect the Atlantis-2 cable with the mythological city of Atlantis. Diné artist Will Wilson’s project: Connecting the Dots for a Just Transition addresses remediation following uranium extraction that has poisoned Dinétah and impoverished its people. It shapes a platform for voices of resilience, wisdom and a vision advocating the transition to restorative systems of economy and memory making.
5. REFERENCES


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1 Conquests in South and Central America territories were already well underway in Peru, Ecuador, Colombia, Mexico.

2 In 1455, Pope Nicholas V established the policy that authorized the conquest of all non-Christian territories, known as the Doctrine of Discovery. The newly established US government justified the takeover of any newly “discovered” territories. The annexation process became known as the “Manifest Destiny”, a phrase coined in 1845, describing the God-given right to settlers and their government to expand their domination throughout the North American continent.

3 “Manifest Destiny” was first used by journalist John O’Sullivan in the New York Democratic Review in 1845. O’Sullivan wrote in favour of the U.S. annexing Texas, a region that the U.S. recognized as independent of any other nation.

4 Indigenous populations in the Western states were settled and forced to move to reservations: Western people were moved to South Dakota. Southern people were moved to Oklahoma.

5 The General Allotment Act, also called Dawes Severalty Act, (February 8, 1887), is a U.S. law providing for the distribution of Indian reservation land among individual Native Americans. The result of the allotment act was to break tribal social structures. In addition, a provision of the act allowed any “surplus” of land to be made available for public sale to ranchers or settlers.

6 The slurry obtained by the treatment of the coal has contributed to the ecological damage on and around Black Mesa.

7 It is also true that the decision of not using electricity in some parts of the Hopi land is voluntary, prompted by the traditional respect for the values of the ancient Hopi way of life.


10 In 2014, one of the burial chambers in the WIPP released americium and plutonium particles. The nuclear accident raised the awareness among the non-native population of the serious danger posed by the proximity of the WIPP to Carlsbad and received attention from the federal government. A town of 30,000 people on the edge of the Chihuahuan desert and close to the Caverns National Park, it attracts thousands of visitors each year.

11 For a list of indigenous grass roots organizations, see: https://sacredland.org/indigenous-environmental-network/