Spring 2025 Sabbatical Report:

The Grammar of Social Control: An Ethnohistorical Case Study of the Navajo Tribal Police, 1872-1959

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Introduction: Purpose, Goals, and Objectives

My primary purpose in applying for a sabbatical this past year was to provide myself with some much-needed distance and time away from the grind of teaching, perpetual curriculum assessment and revision, program coordination, and other institutional service. At the same time, I wanted to devote a substantial block of time and focus my intellectual energies on something more purely academic: research for the sake of curiosity and personal growth. I specifically hoped to re-immerse myself in the study of the history of the Indian police forces.[1] It is a topic I have been researching for roughly three decades and it has never been far from my thoughts. However, until my sabbatical this past Spring term, my career trajectory, which has included both teaching and non-teaching pursuits, left me with scant time to pursue this topic. I had to content myself, instead, with the occasional visit to a library or archives.

The sabbatical award provided me with the necessary space to clear my mind of anything else; re-familiarize myself with the topic to include a review of any recent literature on the topic I may have missed and revisiting my insights after thirty years of intellectual growth; and organize my findings and views in a written monograph that might contribute to the overlapping and inter-related fields of police studies, the history of criminal justice, Native American history, and colonialism studies.

My goals were ambitious. I planned to write a lengthy book in the span of a four-month period, travel to archives in Arizona and New Mexico to locate and procure photographs for the book and prepare a final manuscript for publication.

The audacity of my plan was, at least, grounded in a specific set of objectives, which I outlined in my sabbatical application and my belief that my research was largely complete. What I envisioned was a substantial but achievable writing commitment. I was also reassured in my confidence to complete the project by what I had already learned in the course of preparing the sabbatical application—namely that there was no new research to incorporate—and the knowledge that if awarded the sabbatical, I would have an entire term to organize my research

[1] I use the term "Indian Police" throughout this report to refer to federally controlled law enforcement organizations of any size, duration, or structure the purpose whose membership was primarily indigenous. Though the terms "Tribal Police" and "Indian Police" are often used interchangeably, I draw a distinction between the two and use the term "Tribal Police" to refer to law enforcement entities that are tribally controlled. The terms Indian and American Indian are legal terms that are used as appropriate to describe indigenous peoples generally or collectively in the context of federal law and policy and from the point of view of the federal government. Outside of this context, I use the terms Native or indigenous and refer to collective populations as peoples or societies. I avoid the terms tribe and tribal unless it is necessary to convey the perspective of U.S. Government officials or a people's legal relationship to the U.S. Government. In my manuscript, I use Navajo (Diné bizaad) terms and names whenever I am conveying the Navajo perspective. In this report, however, I use English terms throughout for sake of clarity and brevity.

and files in preparation for the task ahead. This would allow me to immediately shift to a schedule of intensive writing by the beginning of my sabbatical leave.

My sabbatical application provided my specific objectives in the form of a series of deadlines. During the term prior to the sabbatical, I planned to organize my research, which included conducting additional literature reviews and refining the outline of the manuscript as needed. Thereafter, during my sabbatical leave, I planned to write and revise an average of 1,000-1,500 words a day to reach my overall expected length of roughly 70,000 words for the manuscript. In the context of my working outline, in which I structurally organized the topic into two sections with ten chapters total, this plan conveniently had me writing one chapter per week. However, as I mentioned in the sabbatical application, I recognized that writing and editing do not necessarily occur along a predictable, linear path. I knew I would not be writing each chapter ordinally. I also did not expect that I would be completing chapters at a constant, predictable pace. Nonetheless, the completion of a chapter's worth of writing was my primary objective for each week of the sabbatical term.

The following is a brief summary of the monograph's content and organization as proposed in my sabbatical application.

- **Chapter 1** – An introduction of the topic, which includes a statement of the primary thesis, definitions of important terms and concepts and a historiography of related research to provide a context for thesis. This chapter would additionally describe the structure of the book and provide a summary of each chapter.
- **Chapter 2** – A comparative, historical analysis of the development of urban police in Eastern cities and development of the Navajo tribal police force established just a few decades later.
- **Chapter 3** – An overview of Navajo history and culture with a focus on the nature and evolution of social control.
- **Chapter 4 –** An investigation of the origins of the Navajo Tribal Police and narrative of law enforcement on the Navajo reservation from 1868 to 1883.
- **Chapter 5** – A narrative of the development of the Navajo Tribal Police from 1883 to 1934.
- **Chapter 6** – A narrative of the development of the Navajo Tribal Police from 1934 to 1959, which marked the final year of the Navajo Tribal Police as a Bureau of Indian Affairs entity.
- **Chapter 7** – A cognitive and comparative analysis of power and symbology as it related to the evolution of law enforcement in the United States generally and among the Navajo.
- **Chapter 8** – An analysis of the practical function and social role of the Navajo Tribal Police throughout the institution's evolution from 1872-1959.
- **Chapter 9** – An examination of the nature of traditional leadership in Diné society and its relationship to the establishment and development of the tribal police force.

- **Chapter 10** – A summary of key findings and an assessment of their relevance to our current understanding of the police, colonialism, and the history of Native Americans.

Activities

PREPARATION

As planned, I began to organize my research materials in preparation for the process of writing. This included everything I had previously written or presented on the Navajo Tribal Police and decades of notes I have made on the subject, as I stumbled across new information or was sparked by some news or event to consider the topic from a different perspective. It included, as well, notes and materials I have made or collected while preparing lectures for my classes on adjacent topics like the history of law enforcement and comparative justice systems. Finally, this preparation effort involved assembling a massive amount of physical and electronic documents—books, articles, primary source materials—and organizing those materials into a usable reference.

This step was the most labor-intensive due to the sheer quantity of these materials and my proclivity for keeping copies, versions, and even formats of essentially the same documents in multiple folders across several drives. Many of these drives were old internal drives from long obsolete computers and back-up drives that I long ago retired due to their limited storage capacity. To facilitate this work, I upgraded my desktop and dramatically increased my storage capacity. I then moved the contents of every storage device I owned onto a single much larger drive, where I began the process of eliminating duplicate files while organizing everything into a manageable and intuitive system. It was slow going, but I managed to complete everything prior to the end of the winter term.

This assembly and organization of materials was a necessary first step, but I also discovered that engaging in this work had the added benefit of refamiliarizing me with the material. In order to properly categorize these materials for later retrieval and reference, I found myself browsing their contents to remind myself why I collected them in the first place. Had this not been necessary for the task of organization, or if I had skipped the organization step, it is unlikely that I would have taken the time to review these materials beforehand. Doing so facilitated the later process of writing and editing.

At the same time, while immersed in the source material, I conducted an updated review of the relevant literature. I began this project with an expectation that very little research would be required for this project. other than the occasional verification of a specific citation or investigation of a loose end. My previous research and collection efforts over the years have been thorough if not exhaustive. In preparing my sabbatical application, I had conducted a

review of recent literature to see if there was anything new or anything that might have escaped my attention. As I mentioned above, I found nothing new in this search; however, I did discover that much of what I had taken years to accumulate from various library stacks and microfilm/fiche collections, special collections and archives, was now accessible online and, in some cases, easier to navigate and search. This development allowed me to gain access to some publications and documents that were previously beyond my reach. I was aware of and used these sources of information but was forced to do so through the lens of other authors who, I could only hope, had seen them in person and were interpreting them correctly and in full context. My access to these sources did not substantively change any of my insights but did increase my confidence in them.

Beyond that revelation, I did not discover anything new that I would have to assess and incorporate into my planned thesis.

WARNING: The following two paragraphs depict a person ignoring well-known best practices for safeguarding computer data. Highly empathetic readers may want to skip ahead.

During the final weeks of the winter term, just weeks before the start of my sabbatical, my computer began responding slowly to simple tasks. Most of these tasks required an internet connection and I have what I would generously call spotty internet service. I therefore gave the issue little thought. The problem became more pronounced over the next several weeks and at a certain point, it was clear to me that the issue was something more significant than an unreliable internet connection. However, as I was busy preparing for final exams and other last-minute tasks related to program administration, I decided that I could ignore it for a few more weeks until the conclusion of the term. It was annoying but otherwise not preventing me from doing my work. Moreover, my computer was less than a year old and still under warranty. I reasoned that I was too busy to properly troubleshoot the issue myself and that invoking the warranty would likely leave me without my primary workstation for several weeks or more.

This turned out to be a mistake. The problems were symptoms of a failing hard drive which read its last byte during finals week. Only when I physically removed the drive did I discover/remember that it was the one piece of hardware I carried over from my previous PC because it 1) had significant storage capacity; 2) had all of my files on it; and 3) was working just fine.[2] Because it was not part of the new PC I bought, it was not under warranty. To make matters worse, I was not backing up that drive while I was in the process of reorganizing its content. I still had copies of the files elsewhere, but I had irretrievably lost all of the work I had done to organize them over the previous several months. At the start of my sabbatical term, I was forced to re-accomplish most of that work.

[2] In defense of this last bit of reasoning, I had never previously experienced a hard drive failure. These were, to my mind, rare events that only happen to people with AOL email accounts.

Another unanticipated impediment to my sabbatical goals arose out of my role as a program coordinator. I was aware of the enormity of the task I was taking on. To increase the likelihood that I would meet my deadline, I planned to begin writing during the winter term. This turned out to be impossible for the reasons I describe above, but even absent that unfortunate event, I would have found it difficult to find adequate time to write given my program coordination duties. I found that in preparing for my own upcoming absence, I suddenly had additional administrative work to do. Responsibilities that I would have normally completed later in the spring, were pushed up to the winter term instead. I had not anticipated this increase in workload and found that it left me with less time than I had anticipated and diminished the mental focus I would have needed to devote to writing.

In the spring, after re-accomplishing the task of organizing my materials, I began the writing process by dissembling the papers I had previously written on the Navajo Police for graduate seminars and professional conferences. These consisted of two seminar papers covering different periods of time. The first addressed the establishment of the first force in 1872, its dissolution, and then reconstitution in the 1880s. The second paper covered the development of the force from 1887 to 1934, two dates associated with significant shifts in federal Indian policy, which influenced the nature of the Navajo police.

A third paper, which was published in a conference proceedings, was historiographical in nature. Using the Navajo Tribal Police as a case study, I proposed a new cognitive framework for understanding and discussing Native American history—an alternative to the extant models of assimilation and acculturation.

Because all three papers were written as stand-alone treatments of some aspect of the larger subject, there was significant overlap and redundancy in their contents as each had to additionally provide a necessary context for the subject generally. These papers also represented my earlier approach, in which I placed more emphasis on the influence of federal Indian policy on the development of the Navajo police than I now believe was present. In other words, none of the papers could serve as chapters of a larger monograph. I instead reorganized the information contained in these three papers, and distributed it, as appropriate, into chapters in accordance with my proposed outline. This served as my starting place for all but chapter six. In that chapter, I planned to include coverage of a time period I had researched, but for which I had not yet written anything.

WRITING

My process was simple. I spent time writing on the parts of the larger work that dominated my thinking at any given moment. I did not attempt to complete the chapters ordinally, and I often worked on sections of different chapters throughout a single day, as the information in one section sparked some revelation as to how I might present the content of another chapter. My primary goal was to produce 1,000-1,500 words of writing per day.

In general, my approach to writing involves a lot of preparatory research, analysis, and note-taking. Throughout this preparation, I begin drafting an outline to give structure to my thoughts and developing understanding of the topic. Once I begin writing, I conceptually view my notes as pieces of a jigsaw puzzle. The outline is the image of the completed puzzle on the box top, serving as my guide, and my goal is to arrange and fit the pieces, one by one, until I have assembled a picture that matches the one on the box. There is much more to this metaphor, but I will just conclude it here by adding that I know the work is finished whenever I have run out of pieces to add.

The outline, which is meant to guide my writing, is always a work in progress, even through the writing stage. As it often happens, I find myself revising the outline as the process of writing reveals flaws in my thinking or structural problems in my presentation of the subject. This project was no exception and fairly early on, I came to the realization that I needed to change my presentational approach.

I always envisioned this work as a traditional history of the Navajo Tribal Police.[3] That is, I saw the telling of the story of the Navajo Police as a chronological narrative. I planned to cover the period of their development as a federally controlled force, beginning with the social context out of which the force was conceived, to the establishment of the first force in 1872, and through its continual development until 1959, when control was ceded to the tribe.

My methods, on the other hand, were ethnohistorical. Ethnohistory is an interdisciplinary approach that utilizes the methods of both history and cultural anthropology to overcome historians' methodological reliance on documentary evidence. Native America had no written culture, and therefore no documents, so most of what historians have written about Native American history has been written from the perspective of Europeans and American observers and participants. Ethnohistory provides an alternative to traditional historical methods, using oral history and other anthropological approaches to tease out indigenous perspectives.

Ethnohistory, however, poses organizational problems because the methods are less widely accepted and understood. As a result, ethnohistorical methods often require more explanation and analysis. For example, my study relies on linguistic evidence in partial support of my assertion that the Navajo had positive views of the police. In addition to explaining the evidence and its significance, I must also provide some background on the method, applicable research, and any other aspect of its use that would help make a case for its veracity and the appropriateness of its application to the discipline of history. This additional work is necessary but also challenging because it impedes the flow of the historical narrative.

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[3] Criminal Justice is a field of study but not an academic discipline in the traditional sense. It comprises the study of multiple subjects related to the topics of justice, crime, and social control from the perspectives of a variety of academic disciplines, including history.

Strictly chronological narratives provide a more intuitive sense of cause and effect and are therefore easier to follow. Topical approaches are more likely to confuse the reader by jumping back and forth between time, but they allow for a more in-depth analysis and explanation of concepts that are novel or complex. Choosing either approach involves a certain amount of redundancy of information from chapter to chapter and the choice is one I have struggled with. My original outline for this project reflects a compromise between the two approaches.

- Chapters 1 and 10 were, respectively, designed to be a traditional introduction and conclusion to the work.
- Chapters 2 and 3 were broadly topical but used an internal chronological structure.
- Chapters 4 through 6 were strictly chronological.
- Chapters 7 through 9 were strictly topical, with more in-depth analysis of relevant concepts and evidence.

Early on in the process of writing, however, while fleshing the content of chapter two, I came to a realization that my comparison of the Navajo Police to urban municipal forces of the same era, while necessary to my thesis, was concealing something more profound. At the time, I was simply trying to add a bit of informational context to my description of the Navajo Police as an example of a colonial police force—that is, a force designed for the purposes of controlling population in the service of some colonial (fundamentally economic) aims. As I considered how to succinctly define the nature of a colonial force, I began to suspect that this concept, as developed by a variety of social science disciplines, was so definitionally vague as to be useless.

My thesis, which is a broader critique of the ideas of assimilation and acculturation that have dominated Native American history, has always been based on the accepted categorization of tribal police as colonial police. My thesis accepts that categorization as a reality when viewed from the perspective of the colonizer, but I argue that the colonized, in some cases, viewed these institutions differently and, as participants of the institution, functioned in a way that made the institution, objectively, something other than a colonial police. Now I was confronted with the possibility that I had nothing definitionally solid on which to ground my discussion of the Navajo Police. This led me to temporarily pause my writing and focus instead on a more in-depth review of the literature on colonial policing.

That review, unfortunately, confirmed my suspicions. I found that research on colonial policing is alarmingly limited and random, and that colonial policing as type, remains an ambiguous concept. As a result of this revelation, I felt I had little choice but to expand the scope of this monograph to include a discussion of the nature of colonial police to include a literature review for context.

As I was doing this work, it became apparent that my outline would need to be restructured somewhat to accommodate the addition of this material. In what I might best describe as an epiphany brought about by my temporary focus on the larger topic of colonial police studies, I

realized that a traditional historical framework was too constraining for the subject I wanted to present. I decided to abandon that approach altogether and instead package my research as a monograph on police studies.

This began with a rough outline but evolved as I returned to the writing process. The table below shows the most recent version of that outline, reflecting the structure and organization of my current draft. For comparison, the column on the left provides a summary of the outline I proposed in my sabbatical application and the column on the right contains the current outline.

Old Outline	New Outline

Chapter 1 – An introduction of the topic, which includes a statement of the primary thesis, definitions of important terms and concepts and a historiography of related research to provide a context for thesis. This chapter would additionally describe the structure of the book and provide a summary of each chapter.	**Chapter 1** – *Introduction*
	• Literature review expanded to include an analysis of Indian Police scholarship and popular portrayals
	• New theoretical framework
	  o Recognize and avoid assumptions
	  o Cultural creolization

Chapter 2 – A comparative, historical analysis of the development of urban police in Eastern cities and development of the Navajo tribal police force established just a few decades later.	**Chapter 2** – *The Evolution from Social Control to Policing*
	• The Nature of Law Enforcement in Pre-modern times
	• Modernity
	• Modern Police
	• Colonial Police
	• Comparing and defining the police
	  o Role
	  o Function
	• Definitional Problems
	  o Both views of modern police and the view of colonial police assume culture is monolithic
	  ▪ They are ethnocentric and assume dissimilar cultures share the same symbology
	  ▪ They ignore human agency and diversity

Chapter 3 – An overview of Navajo history and culture with a focus on the nature and evolution of social control.	**Chapter 3** – *Modernity in a Microcosm: The Evolution of Social Control among the Navajo*
	• Spanish Period
	  o Colonial Policies
	  o Spanish/Navajo relations
	• Mexican Period

	○ Colonial Policies (continuation of Spanish policies) ○ Mexican/Navajo relations (evolution of policy toward Navajo) • American Period ○ America Inherits the Consequences of Colonial Policies ○ U.S. Federal Indian (Colonial) Policies ○ American/Navajo relations • Navajo Military Defeat ○ Scorched Earth Warfare ○ Removal and Incarceration ○ The Final Treaty and Return to Dinetah ○ The Beginning of the Political and Cultural Integration of the Navajo • Nature of Regional Disorder (comparison of U.S. disorder at same time period?) ○ Slavery ○ Trade ○ Land dispossession ○ Open warfare • The Need for Police ○ Traditional Navajo Social Control ○ Witchcraft ○ Evolution of Traditional Social Control ○ Use of Military ○ Colonial Police: Creation in response to need or natural development of colonial policy?
Chapter 4 – An investigation of the origins of the Navajo Tribal Police and narrative of law enforcement on the Navajo reservation from 1868 to 1883.	**Chapter 4 –** *Indian Police Forces—an Origin Story* • Military • Peace Policy? • OIA/BIA • Inter-Departmental Conflict • Creation of the Indian Police Service, 1878

	• Problems with the chronology and other assumptions
Chapter 5 – A narrative of the development of the Navajo Tribal Police from 1883 to 1934.	**Chapter 5** – *Early non-Navajo Tribal Police Experiments (organization, function, and cultural differences* • Lighthorse among the Five Civilized Tribes • Early Indian Affairs police on the Great Plains • Other Early Experiments
Chapter 6 – A narrative of the development of the Navajo Tribal Police from 1934 to 1959, which marked the final year of the Navajo Tribal Police as a Bureau of Indian Affairs entity.	**Chapter 6** – *The Evolution of the Navajo Police in Historical Context* • The 1872 force (OIA Era) o Whose idea was it? o Organization: What was it (police force, military scout force, continuation of headman leadership appointments under a different name?) o Purpose: Duties and Expectations o Jurisdiction • The 1888 force (Dawes Era) o Organization o Purpose: Duties and Expectations o Jurisdiction • The 1930s force (Collier Era) o Organization o Purpose: Duties and Expectations o Jurisdiction • The 1950s force (Termination Era) o Organization o Purpose: Duties and Expectations o Jurisdiction • 1959 and Self-governance
Chapter 7 – A cognitive and comparative analysis of power and symbology as it related to the evolution of law enforcement in the United States generally and among the Navajo.	**Chapter 7** – *The Nature of the Navajo Police: Expectations vs Function* • Treaties—The Language of Expectations o Provide clues into the nature of the Navajo Social and Political Systems under the Spanish, Mexican, and American eras

	(assuming that the terms represent a compromise between what colonial officials wanted and what they might reasonably expect)
	• Tasks—An Insight into the Agent's Concerns and Priorities
	  ○ The Agent's "muscle" and show of force
	  ○ Enforcing reservation boundaries (i.e., keeping Navajos from leaving reservation)
	  ○ Preventing raids and returning stolen livestock
	  ○ Compulsory education
	  ○ Moral offenses
	  ○ Non-law enforcement tasks and services
	• Function—An Insight into the policeman's concerns and priorities

Chapter 8 – An analysis of the practical function and social role of the Navajo Tribal Police throughout the institution's evolution from 1872-1959.	**Chapter 8** – *The Navajo Police in Social and Cultural Context*
	• Political considerations
	• Social considerations
	• Philosophical/Religious considerations
	• The Importance of personalities
	  ○ Manuelito
	  ○ Keams
	  ○ Bennett
	• Power Centers
	  ○ Headmen
	  ○ Healers
	  ○ Women
	  ○ Agents
	  ○ Military Officials
	  ○ Interpreters

Chapter 9 – An examination of the nature of traditional leadership in Diné society and its relationship to the establishment and development of the tribal police force.	**Chapter 9** – *Cultural Creolization: A Framework for Understanding Cultural Change in a Colonial Context* • The term defined and explained • Viewing the development of the Navajo Police through the lens of cultural creolization.

	• The functional role of the Navajo Police over time.
Chapter 10 – A summary of key findings and an assessment of their relevance to our current understanding of the police, colonialism, and the history of Native Americans.	**Chapter 10** – *Conclusion* • Summary of key points • Discussion of the study's relevance for colonial police studies

The structural re-organization was significant; however, these changes are, for the most part, non-substantive. With the exception of broadening the scope of the work to include a discussion of the nature of colonial police, I provide the same overall content, make the same arguments, and present the same thesis I proposed in the sabbatical application.

With the completion of this new outline, I returned to the writing process. I made steady progress over the Spring sabbatical term and into the summer months with no further distractions or obstacles.

Another goal for this project involved a search of archives in Arizona and New Mexico for additional photographs I might include in a published work. In June, I made a trip to Flagstaff and Tucson, Arizona where I made visits to the special collections archives at Northern Arizona University and University of Arizona respectively. I then traveled to New Mexico where I visited the University of New Mexico special collections archive in Albuquerque and the State Archives in Santa Fe. Unfortunately, none of these resources had additional photos.

In the early stages of this project when I was refamiliarizing myself with the literature, I did run across some relevant photographs that I hope to include if possible. Several are housed in the Smithsonian. The others are in private hands. I plan to reach out to the Smithsonian and to locate and contact the copyright holders of the other photos, if possible, to obtain images and copyright approval to use them in my monograph.

I ultimately canceled plans to visit the Navajo Nation where I had intended to visit Crownpoint and Window Rock, both located in the eastern portion of the reservation which is located in New Mexico. Crownpoint is the headquarters for the Navajo Division of Public Safety and the location of its police academy as well as the location of the main campus of the Diné Technical University. Window Rock is the capital of the Navajo Nation and the location of the main campus of Diné College. At the time I made these plans, my only purpose was to introduce myself, explain my research, establish contacts, and possibly be pointed to additional resources of which I was yet unaware. My decision to cancel the plans was based in part on my belated progress on the manuscript.

More significant, however, was my discovery that there is an incomplete and unpublished biography of Chief Manuelito buried in a collection of land-use records held in the Navajo Nation archives. Manuelito was a central figure in the establishment of the first police force in 1872. At the same time, I learned that access to the land-use records is restricted and requires the approval of the Navajo Attorney General. Unfortunately, by the time I learned of their existence, I felt it was too late to request this approval and arrange the trip. While I have no guarantee that this biography contains anything new or useful, I cannot discount the possibility, so I hope to arrange a special trip to the Navajo Nation in the near future to find out.

Results and Outcomes

At the time of my writing of this report, I have completed approximately 69,000 words. This word total represents six completed chapter drafts (chapters 3-7 and 9 of my updated outline) and three partial chapters of varying states of completion (chapters 1, 2, and 8).

These numbers reflect the work that I accomplished over my sabbatical term and subsequent summer break. As such, they are meaningful to me as a metric of my progress toward my goal. They will be much less meaningful to the reader of this report. To provide a better sense of what I accomplished during my sabbatical leave, I will use this section of the report to provide a summary of my monograph, including a context for its conception and development, and my key points and observations.

My thesis, which I began to develop decades ago as a graduate student, originally began as an exploration of the origins of the Navajo police and its depiction by historians. As an undergraduate at Northern Arizona University in Flagstaff, I lived on the border of the Navajo Nation and developed an interest in their history and culture. A few years later, as a graduate student in U.S. West History at the University of Nevada, Las Vegas, I found a way to combine my interest in the Navajo with my interest and background in criminal justice. I was already aware that the Navajo Nation operated its own police force, and in one of my first graduate seminar papers, set about to explore whether there was something worth researching in the tension between traditional culture and the nature of modern policing. It turns out there was.

After some preliminary reading and research, through which I discovered what is still the most influential treatment on the subject of Indian police—William Hagan's Indian Police and Judges—I began to focus on Hagan's depiction of early Indian police as a progressive force and vanguard in the efforts of the U.S. to civilize the Indian. His view of the Indian police was positive. In the context of the then current research to which I was being exposed, Hagan's description now meant that Indian police were viewed as the bad guys. Not only did they reject their own culture, but they served as literal agents of assimilation.

Hagan's analysis, however, was purely speculative. He provided no evidence that tribal police members abandoned traditional culture. In some instances, he inferred it from some of their

actions. More often, ethnocentrism and presentism led him to simply presume it to be true from the circumstances.

Hagan's work was clearly problematic, but then again, I was viewing it with the benefit of hindsight some thirty years after its publication. To be fair, when it was published in 1966, it was groundbreaking work for its coverage of a topic that had never been researched. Its problems, moreover, reflected the mainstream views of the discipline.

Prior to the 1960s, Native Americans were portrayed as foils to or curious background characters in the history of the United States. Their assimilation into American society was described as both a positive process and an inevitability. The broader political and social movements of the 1960s and '70s led to a greater interest in the history and culture of Native America as well as a rejection of the old value system and belief in American exceptionalism. Hagan was active at the peak of that shift, but his perspectives on Native American history were firmly ensconced in the earlier worldview.

One of the most important developments to come out of this historiographical shift was the challenge to the prevailing view of assimilation as a positive or inevitable process. Prior histories described tribal societies as first fighting assimilation but then accepting and even advocating for it. Historians, however, appeared to be looking for evidence of what they viewed as a supporting an assumption that Native Americans either recognized the futility of fighting progress or recognized the superiority of American culture. They did not probe the process of assimilation and often ignored evidence that did not fit this overall narrative.

In the 1960s and '70s, younger historians began to focus on the same historical events, but from the perspective of Native Americans. They conducted research from a presumption that Native America was not a monolith. Tribes were culturally diverse and had unique experiences that shaped their responses. Moreover, like any other society, tribes were made up of individuals with their own individual experiences, views, and motivations. This wave of younger historians, many of whom were themselves Native American, also began to dismantle the depiction of assimilation, replacing it with an acculturation model that encompassed the concept of assimilation, but focused on the degree to which tribes and individuals with a tribe assimilated to American culture. They also sought out evidence of Native people's rejection of American culture as well as evidence of tribes and individuals who simultaneously adopted aspects of American culture while maintaining traditional lifeways.

The focus on acculturation gave rise to a paradigm in Native American historiography in which colonial (i.e., imperialistic) policies, either by design or by default, led to the political and social splintering of tribal societies into two distinct factions that historians have labeled "traditionals" and "progressives." The former vigorously defended the old ways while the latter advocated for adoption of American institutions, beliefs, and practices. The individual actors in this drama might, and probably did have a variety of motives for their advocacy, but the dichotomous view of traditional and progressives had an elegant simplicity about it and it has led many scholars to

assume that the difference of opinion over whether to adopt or reject American culture was a source of conflict within the tribes—one that eroded tribal cohesion and perhaps sped the process of assimilation. In light of this view, perhaps it was only natural that Hagan and other writers, viewed the Indian police—an institution which was clearly established with the intent of supporting assimilationist goals—as an obvious example of and flashpoint for this conflict. In all historical accounts, early Indian police have been depicted as de facto progressives on the basis that they were tasked with enforcing government policies. These accounts further assert, without providing any evidence, that the tribal police were condemned by the traditionalists among them.

From my perspective as a former law enforcement officer, I knew from experience that the behavior of individual officers does not always match the values or expectations of the institution they work for. There was no reason to believe that individual officers held progressive beliefs or that they enthusiastically carried out the Indian Agent's orders, if indeed, they carried them out at all.

As a student of Navajo history, I knew just enough about Navajo culture to recognize that a conflict of opinion would not necessarily lead to political conflict within the tribe. I was therefore not convinced that factionalism was a problem in Navajo society let alone that the existence of a tribal police exacerbated it.

Moreover, the acculturation model seemed to me to be nothing more than a nuanced version of assimilation. At the very least, it seemed to logically imply the inevitability of assimilation. Neither model reflected the reality that culture is dynamic. Both are premised on the assumption that culture is static and that intercultural contact presents participants with a binary choice between acceptance or rejection of the culture (or acceptance or rejection of specific cultural traits). Moreover, even historians who were viewing Native American history from the perspective of acculturation, interpreted cultural change in the context of colonization as a unidirectional process rather than an exchange. In this imaginary world, only the colonized ever made or were forced to make choices about accepting or rejecting cultural traits.

In reality, contact between two cultures always involves the potential diffusion of cultural traits in both directions. Colonizers are exposed to and adopt or integrate aspects of the colonized culture as well, and the result, at a societal or regional level, is the development of a new, hybrid culture. Among the Navajo, the general response to intercultural contact with the Spanish and Mexicans, and then later, the Americans, was more nuanced. They seemed to readily adapt aspects of material culture but rejected more fundamental threats to their beliefs and social practices. When they did choose to adopt non-traditional traits, they often did so within the context of their traditional lifeways. For their part, many of the Spanish, Mexicans, and Americans who came into prolonged contact with the Navajo also integrated or adopted Navajo perspectives and material culture. Even the casual visitor will note that the American Southwest has a unique regional culture—an amalgamation of the various sub-cultures that comprise it. The actual process at play was not one of adoption of the dominant culture by the Navajo, but one of

adaptation to circumstances in which all of the individual cultures involved in this contact, over time, evolved into something new. Cultural anthropology refers to this process as "cultural fusion" and it is the central concept of my monograph.

The Thesis

I propose that early iterations of the Navajo Police, which operated under the control of the federal government, were not colonial police forces in any functional sense. Police, which did not exist in any form in Navajo society, did not hold any symbolic value for the Navajo nor did they view it as a threat to their traditional lifeways. Instead, the Navajo appeared to readily accept this new institution and judge its merit from the perspective of economic opportunity. It was but one of several wage labor positions that became available to the Navajo after the arrival of the Americans. This economic opportunity, however, provided greater access to political power and status and the historical evidence suggests that the Navajo were able to use the police institution and its symbology to blunt American officials' attempts to assimilate the Navajo. Over time, the Indian policeman became another role which afforded a certain level of status and informal power in a changing Navajo society.

Key Points, Observations

1. There was a significant discontinuity between how U.S. officials expected the Navajo Police to function and how the police actually functioned. Moreover, the Indian agents who ostensibly directed and oversaw the activities of the Navajo police seemed to be aware that their orders were not always followed to their satisfaction but were nonetheless willing to overlook such breaches for the net positive that the police contributed to management of the agency. Navajo police, for example, did not rigorously enforce some treaty requirements, especially those that contravened aspects of traditional culture.
2. Members of the Navajo police did not, as historians and other writers imply, abandon traditional culture. Conversely, the record indicates that individual Navajo policemen retained an observance of traditional beliefs and lifeways throughout the period of this study. Similarly, the Navajo public at large did not view Navajo policemen as traitors. If public perception could be generalized in one direction or another, the evidence suggests that those selected to work for the police were viewed positively.
3. The evidence indicates that police work was viewed as a practical economic opportunity akin to and treated the same as other wage-labor opportunities. Moreover, the evidence further suggests that Indian police and U.S. Army Indian scouts were somewhat indistinguishable roles in terms of both the work they involved and how the Navajo viewed them.
4. I found no evidence that the police as an institution nor the material trappings of that institution held any symbolic meaning to the Navajo—either positive or negative.
5. There was significant overlap between those who served as policemen, those who might be viewed as informal leaders in Navajo society (specifically, headmen and medicine men, to use the terms of contemporary U.S. officials). All, including policemen, were viewed with a

degree of respect in Navajo society and exercised informal power. It is unclear from the evidence whether police were held in regard because many were also headmen or medicine men (i.e., respect was transferred to role of policeman) or if the new position, because of its proximity to the power of the Agent, attracted headmen and medicine men to it. Likewise, it is unclear from the evidence whether any Navajo's exercise of informal political power is derived from the person's economic or social status or whether it is primarily earned through an individual's personal charisma and oratory powers. I make a case for the latter.

6. Evidence indicates that the Navajo themselves were at least as influential (if not more influential) than U.S. officials in advocating for the appointment and funding of the first Navajo police force in 1872. I also argue that it is unlikely that next iteration of the force some ten years later would have been realized without the support of Navajo leadership.
7. Contrary to the generalizations and depictions of development of early Indian police forces, the characteristics, use, role, societal role and institutional development varied from agency to agency. Some of this variance was due to the Agent, his goals for the force, and his approach to administration. Some of the variance was the result of difference in the culture of the tribes themselves. The development of the Navajo police was somewhat unique as a result of both the Navajo's circumstances and their culture.
8. I propose that the Navajo police, and perhaps many other Indian police forces, illustrate an historical process of cultural fusion that I call "cultural creolization." It is a process by which cultural diffusion occurs attendant to prolonged contact between colonizers and the colonized. I borrow the idea of creole culture from folklorist Charles Joyner's *Down by the Riverside*, a study of the development of a distinct regional culture in antebellum South Carolina and was influenced as well by the perspectives of a few historians of Native America who focused on intercultural contact and have identified similar processes at work. Most notable among these are Richard's White's *Middle Ground*, Colin Calloway's *New Worlds for All*, and James Rhonda's *Astoria and Empire*. The general concept of cultural fusion is still relatively unexplored, but it is not entirely novel. What I propose, however, is a more literal interpretation of Joyner's term—one that invokes the linguistic process. A creole, in linguistics, occurs when two cultures have prolonged contact and the context of that contact involves unequal power dynamics such as colonialism. At first contact and for the first generation, when interaction is limited by the lack of a common language, both sides participate in an exchange of key vocabulary to facilitate communication. This vocabulary develops into a rudimentary language that linguists refer to as a "pidgin" language. Often, the majority of the vocabulary in a pidgin comes from the group that initiated and is actively maintaining contact. If contact persists beyond the first generation (that is, if children are born into an environment where pidgins are spoken), the children intuitively and collectively begin to apply grammatical structure to the pidgin language and over time, it develops into a creole language. Creole languages are fully developed, new native languages based on this process. They are generally characterized by a vocabulary consisting primarily of words borrowed from the colonizer's language and a grammatical structure similar to that of the

colonized language. In my study, I apply this linguistic concept to describe how cultural traits, in general, are integrated during the cultural changes that take place under colonialism. The colonizer "contributes" (forces upon the colonized population) its vocabulary (cultural traits). The colonized interpret and integrate these traits using their existing cultural worldview (grammar). The result is a cultural creole in which the colonized may appear to be assimilated but have instead the interaction results in a new form of native culture.

9. Colonial (i.e., imperial) police are the products of the same forces of modernity that historians credit with the establishment of modern civil police in Great Britain and the United States in the early to mid-nineteenth century.
10. The term "colonial police" is inconsistently applied to a variety of law enforcement entities. In some instances, the definition is more limited to institutions established by colonial enterprises with the explicit purpose of controlling indigenous population in the service of colonialist aims. In other cases, that definition has been broadened to include any law enforcement entity whose mandate includes enforcing laws that indirectly support colonial policies or their vestiges. For instance, recent literature has categorized the slave patrols operating in the U.S. South as colonial police, despite the fact that slavery was, at that point in history, a legal institution in the United States and the colonial policies that contributed to it were the policies of another nation in which the practice was already banned. In this case, the definition of colonial policing appears to hinge on the aspect of oppression without regard to the nature of the relationship between oppressor and the oppressed. The definition varies too much to be useful for academic study. It also reveals a flaw in the current distinction between colonial police and municipal civil police. Municipal civil police (more commonly referred to as Modern Police Forces) are described as having evolved out of a response to rising crime rates. The fact that such forces were viewed with suspicion and not well-received by the public is telling, but the extant history implies that the public ultimately accepted their existence as necessary for the good order of society. They serve to protect the public from a small subset of its population that engage in behavior that harms the majority. In contrast, colonial police are generally described as administrative tools of the state, designed for oppression and control of the entire public. Their goal is to further the goals and power of the state at the expense of the public. This distinction falls apart in the face of considerable evidence that modern civil police have often also been used for the purposes of oppression and control, rather than for the benefit, of the people they police. I propose that a more meaningful and practical distinction is an institution's degree of legitimacy (i.e., the degree to which the society being policed recognizes and accepts the institution's presence).
11. The Navajo police did not exert an assimilating influence on the Navajo, as historians have characterized their role. Rather, they provided an institutional framework that was recognizable to U.S. officials and thus provided the Navajo with a means of appearing to assimilate. That cover permitted the Navajo to gradually integrate without abandoning their traditional lifeways.

Final Reflections

Sabbaticals have two purposes. The first is to provide faculty with a rejuvenating break from their customary work. This break facilitates the second purpose, which is to stimulate research and other creative activity. While some may view this arrangement as trading off one form of work for another, I see the research/creative activity requirement as an essential component of a process which provides faculty with a needed rest from the monotony of teaching, assessment, and service. At the same time, it encourages faculty to reconnect with the sense of curiosity and exploration that led them to academia in the first place. In my experience, rest is helpful, but rest alone does not inspire me to be a better teacher or renew me with a desire to teach. Intellectual growth does.

I share this opinion to explain that my sabbatical leave provided me with some much-needed time off from teaching and administrative tasks—the first and only such break I have had since I began teaching nearly thirty years ago.[4] The time I was able to devote to refamiliarizing myself with my prior research and writing the monograph renewed my interest in the subject in a way that will benefit my future students. I will, of course, find ways to incorporate specific knowledge from that research into my classes wherever it is relevant or useful. However, the primary benefit to my students will be indirect. They will profit from my renewed enthusiasm and curiosity for as well as my currency in the subject. It goes without saying—but I will say it anyway—anything that benefits the students, by extension benefits the college.

The written product, once published, will more directly contribute to the fields of police science, the history of criminal justice generally, and Native American history. Indian police is a legitimate subject of study for each of these fields, but all three have largely ignored it. If it does nothing else, it will fill a glaring gap in our knowledge of early policing in the United States. I hope and expect that it will do more than that.

The study is, first and foremost, a critique of Native American historiography and historical methods. Obviously, I am particularly interested in the institution of law enforcement and, for the reasons I state above, Indian police forces make a perfect subject and case study for a larger critique of Native American history generally.

Second, the study articulates and proposes a new conceptual model through which the discipline of history might view colonialism and its history. I explain that model in more detail in the preceding section, under “Key Points and Observations.”

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[4] Some people like to point out that teachers enjoy a three-month vacation each year. While I will concede that summer breaks—for those that don’t teach during the summer term—do prevent teaching burn-out, many if not most instructors use this non-contracted time to improve their teaching materials and curriculum, attend to other work-related tasks, or engage in professional development activities.

Third, the study includes an historiographical essay which seeks to place the history of Indian police forces into a broader context of the history of criminal justice, Native American history, and other disciplinary approaches to the study of colonialism. The purpose of this essay is to provide a starting point to the development of an interdisciplinary study of the subject.

Fourth, the study's conclusions suggest the possibility that modern civil (i.e., municipal) police and imperial (i.e., colonial) police forces are not distinct types but rather two endpoints of a continuum, with points along the continuum representing degrees of institutional legitimacy.

Finally, my study is a contribution to and partial correction of the history of Indian tribal police in the United States. As a case study of one such force, it will undoubtedly contribute to the already expansive study of the Navajo.