

The Political Process of Factionalism and Self-Governance at Santa Clara Pueblo, New Mexico

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FACTIONALISM was (and is) a persistent and dynamic process in the social and political relations within Pueblo society. Edward P. Dozier, a member of Santa Clara Pueblo and a cultural anthropologist, emphasized that in spite of internal dissent Pueblo communities have survived “as distinctive societies” (Dozier 1966, 172). He viewed factionalism as a component of conservative Pueblo culture:

The highly conservative nature of Pueblo communities indicates that the authoritarian, totalitarian characteristics of these societies are deeply rooted. It is opposition to the compulsory dictates of the Pueblo authorities which has brought about dissatisfaction and discord in the past as well as at present. Forced participation in all communal activities and the prohibition of all deviant behavior, though designed to discourage the rise of dissident groups, have often had the opposite effect and have resulted in frequent factional disputes. (Dozier 1966, 175)

Pueblo factionalism is difficult to untangle. For Pueblo people, it is a complex mix of issues inextricably connected with a religious ideology, land and property rights, governance, membership, individual civil rights in a communal society, youth education, language preservation, kinship alliances, resource management, and a common bond to a particular Pueblo community. It can be argued that Pueblo factionalism is essentially a political, economic, and social process of internal relations.

However, for other scholars (Linton 1940), federal bureaucrats (Kvasnicka and Viola 1979), and voluntary associations (La Potin 1987) of the late nineteenth and early twentieth century, factionalism was interpreted as a product of external pressures from a dominant white society. Colonial assimilation policies, such as boarding school education

for American Indian youth, were considered the direct cause of dissent and polarization in traditional society into progressive and conservative factions, rather than as an indirect cause or secondary stimulant to an internal political process. Under the paradigm of acculturation and the social evolutionary ideal of progress, societies with intensive factionalism (e.g., Santa Clara Pueblo) were evaluated as devolving and weakening communities. Factionalism was (and is) a controversial political experience for communities to adapt to and to survive.

In the summer of 1934, factional schisms at Santa Clara Pueblo in northern New Mexico led to a critical political moment. The Tewa village of approximately four hundred residents was in a political, economic, and religious gridlock. Four dissenting factions were split over the religious issue of moiety chief succession, plus related concerns on legitimate authority, federal finances, and community labor. Traditional solutions for managing internal conflict were unable to resolve the differences that divided the seventy-five households into four opposing groups. As part of a conscious effort to unite the factions under one legal system of governance, a constitution was adopted in 1935.

Traditionally, the resolution to extreme deviant behavior by Pueblo individuals or family groups who did not conform to the social controls of gossip (Cox 1970) or physical punishment was *fission* (banishment, establishing a new community, or joining an existing community) or *fusion* (reintegration into village society). Over time, however, the option of fission became more limited as a result of colonial settlement patterns, statehood for the New Mexico Territory, federal land management policies, and reservations established by executive order. In a changing political environment based upon private land ownership, citizenship, and taxation, there was no sanctuary of free land and water for those who opposed conservative Pueblo authority. Consequently, the congressional option of a constitution under the Wheeler-Howard Act of 1934 (commonly known as the Indian Reorganization Act or IRA) provided Santa Clarans with a new alternative—a non-traditional method to manage chronic factionalism.

This paper offers a partial political history of Santa Clara Pueblo by studying the process of factionalism within a long tradition of adaptive self-governance. Factionalism was (and is) a complex and persistent aspect of the internal politics of Pueblo society. At Santa Clara, factionalism played (and plays) a key role in the ideological shifts that often result in political, economic, and legal reform. Using select documentary accounts and recorded Santa Clara testimonies, this ethnohistory of Pueblo Indian self-governance traces the story of political strategies by a divided community seeking to find "unity."

THEOCRATIC AND TRANSITIONAL PUEBLO SELF-GOVERNANCE

In pre-colonial Pueblo society, a theocratic system of unwritten law, symbols, and meanings governed the Rio Grande Pueblo communities. The government and religion were (and continue to be) intimately interconnected, “so closely integrated that discussion of one cannot take place without bringing in the other” (United States Office of Indian Affairs and Service 1940, 86).

Pueblo theocracy was designed on an alternating system of two halves (moiety) led by two spiritual leaders (also known as head priests, moiety priests, peace leaders, kiva leaders, or *caciques*) who oversaw the civil and religious matters of the community. The cacique, who served a lifetime appointment, was selected “for his knowledge of sacred rituals, prayers, chants, and ceremonial procedures. . . he was supposed to be benevolent, honest, and temperate . . . in a sense father to the whole pueblo . . .” (Whitman 1947/1969, 13).

The Tewa moiety (or dual organization) is a socio-ceremonial institution sanctified in the emergence story that represents a complementary division of the community into halves—Summer people and Winter people (Parsons 1926/1994, 9–15). San Juan Tewa anthropologist Alfonso Ortiz further explained the sacred origin and journeys of the moieties and the names associated with these “antithetical institutions”:

In their myth of origin, the Tewa are said to have divided into moieties shortly after emergence from an underworld home in the north. Thereafter, the members of the Winter moiety are said to have migrated south along the east side of the Rio Grande, subsisting on game along the way, whereas the Summer people subsisted on wild plant foods as they migrated south along the west bank of the same river. Here the ancestors of the present occupants of the six Tewa villages divided. In each such instance, the segments included members of both moieties. This is why, according to the myth, each village has both Winter and Summer people today.

. . . The moieties today have a number of names, with the first pair being most commonly used:

Winter People	Summer People
Ice Strong People	Summer Strong People
East Side People	West Side People
Ice People	Sun People
Turquoise People	Squash People
	(Ortiz 1969, 389–90)

Each person in the village has an affiliation with either one or the other moiety, usually though not exclusively through the father’s side.

A moiety is not a kinship or descent group. Santa Clarans practice bilateral descent with inheritance following both lines of the parents (Hill 1982). Membership is voluntary and fluid. Individuals are free to change moiety affiliations at various times in their lives—a practice that is common for women at marriage, or for reasons of factional loyalty and ritual responsibility.

Pueblo theocracies in New Mexico “traced their form of government back to ancient times and organized their political and social life around a religious ceremonial year following basically religious rather than secular laws” (Deloria and Lytle 1983, 83). For Tewa pueblos that lived according to a ritual calendar of agricultural subsistence, the Summer cacique (*Poetunyo*) governed during the growing and harvest season from the spring to autumn equinox, and the Winter cacique (*Oyiketunyo*) governed during the ice and snow season from the autumn to the spring equinox (Dozier 1970). This mirrors the balance of subsistence activities in the Tewa social organization—the Summer side being associated with agriculture, especially corn, and the Winter side associated with the hunting of game animals (Ortiz 1969, 390). In alternating years, moiety chiefs in council with society heads selected men to serve as a governor (a civil administrator for external secular affairs) and a war captain (for compliance with traditional law and to lead during wartime). Religious leaders indirectly ruled through their appointed leaders, reserving their time for the spiritual welfare of the entire community.

Within the context of colonial domination, the Pueblos and other American Indian tribes adapted their indigenous system of governance to changing political conditions. Deloria and Lytle described this pragmatic response to culture contact as “transitional tribal governments” (Deloria and Lytle 1983, 89–99). Colonial indirect rule forced change in many traditional tribal laws and governance structures. One example of a transitional form (which relates to a later discussion of the 1935 Santa Clara Constitution) is the 1827 Cherokee Constitution, which, although modeled on the U.S. Constitution, interjected the concept of traditional chiefs. The Cherokees mediated indigenous and Anglo-European values within this innovative “transitional” legal charter by preserving select aspects of traditional leadership and borrowing new political forms. Consequently, they satisfied a dual need to survive as a distinct culture and to cooperate with colonial administrators.

Within the context of three colonial administrations, Southwestern Pueblos had a unique legal status in their historical relations with Spanish, Mexican, and American governments (Cohen 1941, 383–400; Spicer 1962). Unlike nomadic tribes in the Southwest (Apache, Navajos, and Utes), Pueblo people lived in settled agricultural villages with per-

manent architecture, with a formal system of law and order based upon religious authority and leadership. Colonial administrators and missionaries who actively debated the legal status of diverse American Indian peoples regarded Pueblo people as comparatively more “civilized” (more akin to European peasant society) and treated them more favorably. It is significant and uncommon in colonial relations that Pueblos owned their lands in fee simple title. Unlike most American Indians in the East, Southwestern Pueblo people were not relocated, but remained on limited portions of their traditional aboriginal lands—from the early *reduccio* policies of the Spanish land grants to later executive order reservations established by presidential decree. Pueblo residents were considered non-taxable and therefore non-voting “citizens” with certain aboriginal rights to self-government (Rosen 2003).

As “autonomous” political communities (Cohen 1941, 393) with territorially defined traditional lands, Pueblos were able to retain with limitations their inherent right to self-governance amid numerous colonial, territorial, and state legislative policies (i.e., Treaty of Guadalupe Hidalgo, 9 Stat. 922 [1848] regarding citizenship, New Mexico Enabling Act [1912] on legal and citizenship status of Indians, *United States v. Sandoval*, 231 U.S. 28 [1913] defining Indian country and American Indian tribes, Pueblo Lands Board on title to lands, 43 Stat. 636 [1924] and Wheeler-Howard Act, 48 Stat. 984 [1934] advocating constitutional governments).

In the early seventeenth century, a new transitional Pueblo government structure originated through a Spanish royal order. This law was written in response to several contrary petitions sent in 1619 to the viceroy, Marques de Guadalcazar (King Philip’s cousin, who administered New Spain from Mexico City). The problem was a power struggle between Spanish civil and political authority under Governor Juan de Eulate (who received the cane of office or *baston de su gobierno* on 22 December 1618 and ruled New Mexico Pueblos from Santa Fe until 21 December 1625) and Franciscan missionaries under Fray Esteban de Perea (who served as the religious custodian of New Mexico Pueblos during this period) (Bloom 1930). These two powerful factions argued over who had the higher authority to control Pueblo labor and tithes. To resolve the controversy, a Spanish royal order or *cedula* was issued; among other conditions, it instituted a new governance structure for Pueblos that would improve colonial relationships and protect local autonomy.

In 1621, King Philip of Spain, acting through the viceroy, mandated annual elections at New Mexico pueblos. On 1 January of each year, the pueblos were authorized to choose a governor and other public officials who would manage their sovereign local affairs, free from

Spanish civil or missionary influence, during the calendar year. The royal order written by Viceroy Marques de Guadalcazar to the custodian Fray Esteban de Perea on 9 January 1621 communicated the King's decision to hold annual elections in the pueblo, the criterion of majority rule in those elections, and the obligation to report the outcome to the governor in Santa Fe as confirmation of free elections (Bloom 1930, 294-95). Described in later accounts, this confirmation process apparently involved a ritual transfer of the Spanish cane of office given by the Pueblo governor-elect to the Spanish governor in Santa Fe, who then officially handed the *vara* to the Pueblo governor to verify his authority to govern locally (Davis 1857, 143).

Although this cedula was primarily concerned with settling factional conflicts between Spanish religious and civil rivalry over Pueblo labor and resources, the law changed the visible form but not the structure of Pueblo governance. As Dozier noted, "The Spanish authorities intended to displace the native governmental and ceremonial system by the introduction of a new set of officers, but such a displacement never took place in any of the pueblos. . . . Moreover, the appointment of some of the civil government officers . . . is merely the confirmation of officers already in the native ceremonial and political system . . ." (Dozier 1970, 190).

The Pueblos adapted to changes in Spanish colonial policies by substituting their customary appointments for the new roles of governor and other officers. As Parsons noted, "Pueblo office is ever ceremonial, the royal idea of divorcing Church and State was also resisted" (Parsons 1939, 1125). The January election on a secular calendar coexisted with their ritual calendar. Consequently, the installation of new Pueblo officials was celebrated on Kings' Day or Reyes Day (6 January), borrowed from the Christian calendar and celebrated with a traditional dance by the moiety groups. Secretly, the traditional governance pattern continued as the cacique, in consultation with other religious society leaders, nominated and appointed men from the pueblo to serve as governors. Under this mask of compliance, the caciques' power and traditional governance endured for four centuries under Spanish, Mexican, and American domination.

However, internal disagreements over the degree of strict cacique rule developed over time into what anthropologists Siegel and Beals termed *schismatic factionalism*, that is, "conflict between two well organized groups" (Siegel and Beals 1960, 399). At Santa Clara, schismatic factionalism occurred within the moiety structure (Dozier 1966) and later within the factions (Dozier Papers, Notes on Tewa factionalism 1967, Sg4, S6, F387).

Beginning with the Spanish and continuing through Mexican and United States administrations, the position of governor became more

powerful because of administrative ease and efficacy. During the 1930s ethnologist William Whitman, who conducted fieldwork at San Ildefonso Pueblo (located south of the Santa Clara Pueblo), described a Tewa governor's appointment and responsibilities as the head of civil affairs.

The highest authority is the Cacique or *Poan tuyo*, who stands in the relation of religious father to the group as a whole. To handle temporal affairs, disputes, and relations with the outside world, the Cacique appoints a Governor who is then duly elected by the Principales (former governors) and the Council (all the adult males of the pueblo). The Governor . . . is appointed each year. . . . Next to the Cacique he is the most important individual in the pueblo during his term of office, and his authority is seldom questioned. He settles disputes between individuals and is responsible for good behavior within the pueblo, and sits with other senior pueblo officers as a court to try cases of misdemeanor, crime, and witchcraft. He must oversee the digging of the irrigation ditches in the spring and the sweeping of the pueblo before dances. He controls the community funds, settles disputes relating to division of property and inheritance. He arbitrates questions concerning land and water rights. . . . The Governor also directs pueblo policy towards the outside world and acts as liaison officer between the Office of Indian Affairs and the village. (Whitman 1947/1969, 17-18)

The Pueblo governor's sacred and secular authority was symbolized and legitimized by the possession of three silver-tipped canes of office—the Spanish cane, the Mexican cane, and the 1864 “Lincoln” cane from the United States (for a history of the presentation of the Lincoln cane to mark the congressional affirmation of Pueblo land patents, refer to federal Indian agent's biography in Michael Steck Papers and Dailey 1989). During times of intense factionalism in New Mexico pueblos, when legitimate authority was frequently contested, possession of the canes of office became the criterion used by the Office of Indian Affairs to identify the official governor. Although pueblo members acknowledged the sanctity of the canes, they openly criticized any irregularities in the appropriate transfer or timely return of the canes plus any subsequent misuse of the power of the person holding the canes. Pueblo tradition required that the cacique give the cane to, and receive it from, the governors. However, in times of intense factionalism (such as at Santa Clara during the 1920s conflict over dual governors and the 1935 first popular election under the constitution), U.S. Indian administrators (Assistant Commissioner Meritt and United Pueblos Superintendent Sophie Aberle) mediated the crisis by handing the canes to the newly chosen governor.

Another traditional aspect of political relationships in Pueblo society was and is the “principle of unanimity.” In a theocracy in which



FIGURE 1. Edward S. Curtis, photographer. "A Santa Clara Man," 1905. Courtesy University of Pennsylvania Museum, Philadelphia. Negative #54-146979. *Oyegi-aye or Frost Moving*, a name given to a man from the Winter moiety, was presumably the Governor of Santa Clara in 1905. The pueblo Governor is holding the Spanish and Mexican canes of office and wearing a Teddy Roosevelt political button and unidentified badge. This photograph is puzzling because it represents a Winter governor during the Summer group's hegemony over pueblo governance from 1894 to 1935.

sacred and civil are to some extent indistinguishable, the conduct of council meetings can resemble ritual behavior in which proper mental attitude (to think good thoughts) is essential for decision-making that will benefit the pueblo at large (French 1948, 37). Consequently, unanimity is a cultural practice that is essential to continuity of Pueblo self-governance. Edward Spicer defined this principle of consensus as an arbitration process that was intended to use open discussion and debate to transform dissent to agreement at council meetings (Spicer 1962). The shared goal was community harmony and unity.

However, as French noted at Isleta Pueblo, when positions were strongly voiced by various members of the religious hierarchy and consensus could not be reached, conditions were ripe for factionalism. He observed, "If unanimity is impossible, the government of the pueblo is seriously hampered. Even after years of contact with white Americans questions are not settled in terms of majority rule. . . . When men of high prestige disagree, the ordinary members of the pueblo tend to divide and distribute their support among the leaders. Factions or political parties are formed. Membership in a faction may be determined by a man's kinship or religious affiliations, by the belief that his group is taking the correct stand, or that support of his group will benefit him most . . ." (French 1948, 37-38).

Spicer (1962) described the dynamics of the conflict resolution process in which factional differences were freely and openly discussed in order to build a common agreement on the issue. The council process attempts to arbitrate and transform dissent to achieve "unanimity." For example, on the issue of establishing Catholic missions in the Eastern or Rio Grande Pueblos, it is interesting to note how temporality affected unanimity. Spicer notes that unanimity could be defined in the early seventeenth century as "accepting Spanish domination, rather than agreement on the value and desirability of Christian devotions," and by the late seventeenth century as resistance exemplified by the Pueblo Revolt (Spicer 1962, 492-94). When consensus on controversial issues could not be reached, banishment or exile of nonconformists occurred. The forced departure of individuals, a family, or extended families who resisted Pueblo law was a common practice to maintain the conservative values of village life.

SANTA CLARA FACTIONALISM

At Santa Clara Pueblo, a Tewa community established in the fourteenth century in the northern Rio Grande Valley, factional conflicts and internal political upheavals were documented in the Spanish Archives during the eighteenth century (New Mexico State Records Center and

Archives) and in the United States federal Indian records from the mid-nineteenth century to the present (NARA RG 75). For example, an early account of a Pueblo governor's abuse of his authority was recorded in May 1788. Santa Clara Pueblo residents made a formal complaint to the Spanish colonial authorities about the continued physical assault of residents by their governor. When the matter was investigated, he was relieved of his office. The pueblo was authorized to select another governor to serve for the rest of the calendar year (Spanish Archives 2: 1372, microfilm, New Mexico State Records Center and Archives). A second example was the reconciliation of a banished Santa Clara. On 10 June 1853, during New Mexico Territory days, federal Indian agent John Ward reported on a common feature of Pueblo factionalism—fission in the form of banishment and fusion in the form of reintegration. In his diary, Ward wrote, "Three Santa Clara Indians here today to inform the Supt. that the people who left their Pueblo last week, in consequence of their not wishing to obey the authorities of their Pueblo, have all come back and have promised to behave themselves for the future—they have been admitted and their property returned to them" (Abel 1915, 346). This mid-nineteenth-century event illustrates that Pueblo banishment of individuals does not always result in a permanent alienation from the community and dispossession of goods. Apparently people could and did choose to come home. However, their property and lands were returned only when they complied with traditional laws.

In a rare treaty with the United States, ten pueblos attempted to create a political alliance in the summer of 1850. Prior to the treaty on 13 October 1849, leaders of various pueblos met with Indian agent Calhoun at Jemez Pueblo to discuss U.S. and Indian relations (Abel 1915, 44–46). On 15 November 1849, a delegation of Santa Clarans met separately with Calhoun in Santa Fe to inquire about extending the U.S. laws of commerce with Indian tribes to the Pueblos. They also complained about years of demands by the previous Mexican authorities. However, the Santa Clara leaders reiterated that the Mexicans "permitted, each, a separate government for every Pueblo—a separate and undisturbed political existence" (Calhoun to Commissioner Brown, 15 November 1849 in Abel 1915, 77–78). This was a significant statement of Pueblo autonomy and local sovereignty, which foreshadowed the terms of next year's treaty.

An unratified treaty of peace and friendship was negotiated by Indian agent James Calhoun (later governor of New Mexico Territory) between 7 and 16 July 1850 (Deloria and DeMallie 1999, 1267–70). In addition to five Keres pueblos and Jemez Pueblo, four Tewa pueblos were partners in the agreement—specifically Santa Clara, Tesuque,

Nambe, and San Ildefonso. Santa Clara's earlier declaration of local self-governance was reflected in section 5 of the treaty: "It is expressly understood and agreed by the contracting parties that the respective Pueblos are to be governed by their own laws and customs, and such authorities as they may prescribe, subject only to the controlling power of the Government of the United States" (Deloria and DeMallie 1999, 1267).

The two officials who signed for Santa Clara on 7 July 1850 were "Jose Antonio Noxango, GoBelnodol [Gobernador?]" and War Captain "Jesu Crux Noxango, Capitan de la guerra" (*ibid.*). (Noxango was probably Naranjo, a common family name in the Pueblo.) Tesuque and Nambe also delegated their governor and war captains to officially represent their pueblo, whereas San Ildefonso signatories included the cacique, governor, and principal. Although Congress did not ratify this contract, to my knowledge this is the only treaty in five hundred years of diplomatic history with three colonial administrations in which Santa Clara Pueblo was a signatory.

By the end of the nineteenth century, narratives of peace and friendship were replaced with accounts of discord and quarreling within Santa Clara Pueblo. Annual reports from U.S. Indian agents in 1883 and 1890 described the villagers as a poor and divided community that constantly fought among itself in either the cacique's faction or the governor's faction (Parsons 1929, 9 n. 2). The government school teacher at Santa Clara, Thomas Sublette Dozier, wrote to New Mexico attorney and historian Colonel Twitchell about the contentious conditions at the pueblo during the 1890s: ". . . you may remember the many suits that were brought by one faction or other of the Santa Clara Indians in the courts. In short, those Indians were then in the process of changing from one party to the other. By generality of the Americans cognizant of Santa Clara affairs the two factions were called then the New Party and the Old Party. These two factions kept things pretty well stirred up for two or three years beginning in 1893 and running into several years succeeding" (T. S. Dozier to Twitchell, 1 May 1921, Woodward Penitente Collection, folder 65).

The structure of the political conflict at Santa Clara during the nineteenth and twentieth centuries occurred along and within the Summer-Winter moiety system. Splinter groups or factions were referred to by non-Pueblo people as conservatives (or traditionalists) and progressives. However, the complexity of factions and the dynamic process of factionalism was more than a simple dichotomy (Lewis 1991). Resistance to traditional authority began as resistance by small kinship groups—a few individuals and their families (Aitken 1930; Hill 1982). Over time, distinct groups or factions with a number of members grew

and developed "at least partly along moiety lines" (Ortiz 1965, 395). Aitken was told by Santa Clarans about 1894 "schisms within schisms" in the Winter side. By the mid-1930s, there was a similar schism within the Summer side (Dozier 1960).

Factionalism frequently arose when an allegation was made of an offense against traditional (religious) law, such as the legitimate succession of caciques. According to an affidavit by a Santa Claran recorded in the 1930s (Hill 1982, 197-98), the progressive Winter party schism of 1932-33 occurred after the ailing Winter cacique (Severo Naranjo) recovered and rescinded his appointment of the right-hand man (Vidal Gutierrez). Upon the cacique's death, his son-in-law (Philip Dasheno) became the Winter leader. Consequently, there came to be two factions in the Winter side: those who followed Vidal Gutierrez (called either "progressives" or "conservative reactionaries"; Hill 1982, 191) and those who followed Philip Dasheno (called conservatives, traditionals, or the main group).

Religious conflicts such as this incident had (have) direct consequences in factional politics. In 1935-36, Gutierrez's group voted for an IRA constitutional government, whereas the cacique's group was against it and "withdrew entirely . . . and refused to participate in the voting" (Hill 1982, 200-01). These factional differences challenged the traditional system of alternating governance between the moieties. The ritual transfer ceremonies were interrupted during sustained dissent (Dozier 1966, 179). Instead of the reciprocal pattern of the annual transfer of power when two caciques alternated in appointing and installing governors, each moiety claimed hegemony for several years (fifteen- to forty-year reigns).

Santa Clarans interpret factionalism within the cultural context of traditional law: "Factional disputes arise from either a religious base or an economic one. In the past the two reasons or causes were fused—that is given the integrated nature of secular and religious affairs it was not possible to isolate out purely religious or secular causes for the disputes" (Cleto and Severo Tafoya, interview with Edward Dozier, ca. 1967, Edward P. Dozier Papers).

For example, compulsory community work cleaning the irrigation ditches in the spring was a recurring issue in the factional conflicts at Santa Clara Pueblo during the 1920s and 1930s. The factions interpreted ditch work from differing value systems. To a traditionalist (in either moiety), ditch work was a *ritual obligation* to be performed in a cooperative spirit for the welfare of the entire community to maintain the spiritual balance of life. To a progressive (in either moiety), ditch work was an *economic hardship* for landless heads of households who did not benefit as non-agricultural wage earners. To a federal Indian

administrator, community labor was an indigenous and *legitimate tax* imposed on pueblo members for public works projects.

SCHISMS AT SANTA CLARA PUEBLO

The pattern of cyclical rule of the pueblo by alternating moieties ended in 1879, when one side ruled over civil affairs for multiyear terms—the Winter side from 1879 to 1894 and the Summer side from 1894 to 1935. Each side claimed total control of ceremonial and civil decisions over pueblo residents during their separate reigns.

The Winter side appointed all governors from 1879 to 1894 for a fifteen-year period. The Summer side successfully petitioned the U.S. agent about this political monopoly. The agent somehow took the symbolic and ceremonial canes of office from the Winter governor and gave them to the other party, thereby officially recognizing the Summer side as the *de facto* government for the next forty years. The Summer side ruled exclusively from 1894 through 1935 (copy of letter from Freire-Marreco to Hewett, 28 January 1911, National Anthropological Archives, courtesy of Mary Ellen Blair, Albuquerque). In a biography of the 1939 Governor, Joseph Filario Tafoya (a Winter progressive), historian Joseph Sando (from Jemez Pueblo) recounted what he learned about Santa Clara factionalism, the 1894 schism, and the change in traditional Pueblo governance:

Santa Clara Pueblo . . . [has] been involved in a conflict between the Winter and Summer moieties (the two basic governing groups) since 1894. In the past it had been the custom in each Tewa Pueblo for the two moieties, Summer and Winter, to alternate seasonally in governing religious and secular affairs of the pueblo. Under the pueblo system, the Winter moiety directed governmental and ceremonial affairs from fall to the spring equinox, while the Summer moiety was in charge for the remainder of the year.

As the result of an incident which occurred in the late summer of 1894 at Santa Clara Pueblo, some of the members of the Winter moiety, who were in the minority, became a dissident group. Subsequently, the opposing Summer moiety, which was in charge of affairs when the controversy arose, refused to transfer authority to the Winter moiety when the time came that fall. Consequently, the Summer moiety remained in power year-round for forty years, having in its possession the governor's cane, while their opponents, the Winter moiety, had only the lieutenant governor's cane. (Sando 1998, 65–66)

These schisms created significant political and social changes at Santa Clara. The traditional succession alternating between Winter and Summer governors, which was practiced for centuries, even during the structural changes of Spanish and Mexican colonial administration, came to a

halt. Both the Summer and the Winter sides broke with tradition and refused to return the governor's canes to the appropriate cacique. Without the canes of office as the spiritual and secular symbol of legitimate authority, a governor has no power to rule the Pueblo community.

As a consequence of dissent and deep schisms, membership in moieties and factions, which had always been fluid, became volatile. Families were torn over factional ideologies and family loyalties. These historical schisms, including the epiphenomenon of "dual governors" (1924 to 1929), created uneasy social relationships and enduring political animosities. Disagreements persisted over legitimate authority, compulsory community ditch work, compulsory participation in religious ceremonies, assignment of individuals for federal wage work, tribal finances, and an individual's control over his crops (such as who determines the time for planting and harvesting, and who can use the federal government's agricultural equipment). Although everyday village life continued, it did so with less cooperation and trust.

Several researchers, including Santa Clara scholars, observed adjustments and innovations in Pueblo life as a result of factionalism. W. W. (Nibs) Hill, a University of New Mexico ethnographer who worked at the pueblo during the 1930s and 1940s, noted that each moiety "dug its own well . . . on the banks of Santa Clara Creek, about fifty feet apart" (Hill 1982, 41). The seriousness of the breach in reciprocal relations between moieties was evident when the Summer side erected a second kiva in 1879 (Swentzell 1976, 42-43). A Santa Clara scholar and architectural historian, Rina (Naranjo) Swentzell commented on this and other changes in dances, community work, buildings and plazas:

The large plaza dances which required participation of the whole village ceased to be performed, and the proper performance of ceremonies assigned to the bear, hunt, war and clown associations was impossible. Seasonal activities such as irrigation and harvesting requiring community cooperation also were affected. Village solidarity was lost, and the inability to live in close quarters with the undesirable neighbors would explain the scattering of living areas and also the decline of two story structures.

Not only was the intra-village conflict responsible for the increased Pueblo size but it was also the reason for the building of a second kiva which was a radical departure from the traditional Tewa Pueblo structuring. The summer group withdrew from the one common kiva and constructed a new ceremonial structure to the west of the original plaza. . . .

A third plaza began to develop in the area of the new kiva. . . . Since the foot race path lay within the space of this second plaza, the area was conceivably easier to incorporate. (Swentzell 1976, 42-45)

During the late nineteenth century, when the Winter side governed exclusively, there was resistance from the Summer side. This constant feuding was well known to other pueblos and to federal agents. Special Agent Henry R. Poore complained about the general condition of New Mexico pueblos in 1890 in the Department of Interior's census. He agreed with Agent Pedro Sanchez's 1883 report of Santa Clara as "fighting always among itself" and reported that the small community of 225 persons was "divided by party controversies," land issues, and related court cases (United States Department of the Interior 1894, 414, 427).

British anthropologist Barbara Freire-Marreco, who lived in the pueblo from 1910 to 1913 and studied village government, described the 1894 schism and federal involvement in internal Pueblo affairs: ". . . in 1894, after a bitter struggle and successful appeal to the American authority, the Summer Side secured the power to appoint a governor and war-captain, and has held it ever since. Thereupon the Winter Side (led by an extremely able man, Francisco Naranjo) announced a definite schism; they could not secede and found a new village—though there was talk both of secession and of expulsion—for there was no free land to go to; so, they would be *in* the pueblo but not *of* it" (Aitken 1930, 385–86). As a result of the first major schism in 1894, the Winter progressive party (*Kweneh* in the Tewa language refers to progressives) emerged under its leader, Francisco Naranjo. The attitude of dissenters at Santa Clara Pueblo was summarized by the motto to "be *in* the pueblo but not *of* it" (Aitken 1930, 386).

Pueblo governance became ineffective to the extent that there emerged "two political communities within a single society" (Nagata 1977, 148). The central authority of the governor to enforce custom was challenged and viewed as illegitimate by a growing number of households affiliated with the progressive side.

However, the political fragmentation or schismatic factionalism (Siegel and Beals 1960; Dozier 1966) within this small village of related kin did not result in the establishment of a new settlement (though it was briefly discussed at the time), or in the territorial demarcation of the village (as in San Ildefonso's North Plaza and South Plaza factions), or in exile. This internal segmentation produced a novel effect that would be played out within the village and "without exodus" (Parsons 1929, 15). This strategy counters the evolutionary model of fission for a village society (through voluntary or involuntary migration) to preserve homogeneity of values within the community. Several households of nonconformists refused to leave their pueblo, even though there was no structure to arbitrate dissent on this scale. Conflicts persisted through various forms of trial and error for decades. Finally, in 1935, a

political alternative emerged by accident through timely federal legislation that could be adapted to unite the factions.

For forty years (1894–1935), however, the Summer conservatives (*Hadje* in the Tewa language refers to the conservatives) ruled the pueblo. With the exception of the position of lieutenant governor's being filled by the Winter side, they refused to recognize and invite the other side to participate in council meetings. Andres Gutierrez recalled the "old days" of Summer side rule in an address to the governor's party in 1935: "When we of the Governing Summer Clan were all united and did not in fact notify the Winter Clan, the Progressives. We did not want them to be notified in any pueblo business—we notified very few" (Dozier Papers, "An Address of Andres Guttierex made to Miss Sergeant and to those attending the meeting of the Governor's Party on July 24, 1936," Sg3, S2, F72).

This bitter schism changed the ritual life of the pueblo. Dozier summarized scholars' observations (Aitkin, Jeancon, Parsons, Sergeant, Hill):

The most important result of the schism was the breakdown of community co-operation. The co-operative activities of the two moieties in communal ceremonies such as the transfer rituals disappeared. The large plaza dances, which required the participation of the whole village, ceased to be performed. . . .

Since membership in the esoteric associations was drawn from members of the village as a whole, without regard to moiety affiliation, their proper performances of ceremonies and retreats was also seriously hampered. . . .

The factional split did not disturb the important moiety associations, since there were always two of these, one in each moiety. These associations retained their membership and continued their ceremonial activities. . . . Moiety and Kachina initiations and kiva ceremonials continued to be performed, but the latter were only pale reflections of the elaborate ceremonies conducted when the village was united. (Dozier 1966, 179–80)

By 1902, the conditions were no better. Clara True, a government school teacher at Santa Clara and an active supporter of assimilation policies and Winter progressives, wrote to the superintendent of the Santa Fe Indian School describing the internal conflict: "Santa Clara is so divided against itself that there is no head to appeal to. Nearly half of the people acknowledge no tribal regulations and wholly ignore the gubernatorial proclamations. These, however, are the better class of Indians, really held together by Francisco Naranjo. They will not participate in the secret dances, of which the present governor is a strong advocate" (NARA RG 75, True to Crandall, 28 November 1902).

The contemporary relationship of federal bureaucrats to the lead-

ing men of the different parties was a source of upset. Governor Leandro Tafoya protested OIA policies, saying,

When Mr. Crandall writes a letter here enumerating names—in the recent letter designating what men should meet for council in Santa Fe—kindly write Leandro Tafoya’s name *first* and not last. The name of Francisco Naranjo was written first in the communication referred to. Leandro Tafoya protests against a repetition as Francisco has not been prominently before the public for five years.

The leading man of the pueblo is Leandro Tafoya, therefore write his name first hereafter. (NARA RG 75, Tafoya to Crandall, 12 December 1902)

Law and order became a highly contested issue in internal and external relations. By 1909–11, governors from all of the New Mexico pueblos including Santa Clara complained “that they no longer have sufficient authority for keeping order in their pueblos” because of the application of state and federal criminal laws to Pueblo communities. At a general council at Santo Domingo on 20 January 1911, the delegates assigned Santa Clara leaders to compose a joint petition. They dictated it to a young British anthropology student, Barbara Freire-Marreco, who was studying village government at the request of Santa Clara elders. She recorded the All Pueblo Council’s petition to restore the governor’s authority—to direct public works projects, to hold courts, and to maintain internal law and order. The document records the common political and social conditions at Pueblo communities at the turn of the twentieth century.

1. We all request that the President and Congress will maintain our authority to enforce the public works which are most necessary in the pueblos, because without them we cannot maintain our families and live in cleanliness and decency.

These are: to work on the common ditch; to repair the church and cemetery; to work on the public roads; and in some pueblos, to herd the horses. In each pueblo the people can decide how they wish to work on the ditch, whether universally, or by acreage, or by heads of families; as we have amicably agreed in this pueblo of Santa Clara. But we cannot enforce these necessary public works unless we are able to inflict punishment on the disobedient.

2. We all desire that the President and Congress will authorise [*sic*] us to hold courts as before to settle disputes which arise between members of the same pueblo, as, for example, about boundaries, water, timber, and quarrels between married couples. In our courts the governor, principales and officials settle these cases without any cost, and both parties are generally satisfied. But we cannot judge these cases unless we can punish those who do not obey the orders of the court.

3. We all desire that the President and Congress will authorize us to punish disorders and drunkenness in our pueblos. We all agree that drunkenness is the cause of almost all disorder and disobedience, and we are all resolved to put it down, if the President will maintain our authority.
4. We have discussed what sort of punishment it would be right to ask the President and Congress to authorize. There are many kinds of punishment in old times, but one seems to us the best, namely, to impose the task of work for the benefit of the whole pueblo, (For example, when a man has been drunk, the council orders him to cut so many posts to fence the common pasture, or, to bring wood and stones to mend the ditch). This is the punishment which we have imposed of late years, and this is the only punishment which we wish to use in future. (Dozier Papers, unpublished Aitken manuscript, ca. 1944, folder 149)

Santiago Naranjo, a Summer conservative who served as governor seven times (1907, 1911, 1912, 1916, 1920, 1923, 1924), was a major political figure of the times and a "firm fundamentalist for the old, true, *good way*" (Bandelier and Hewett 1937, 95). Although he agreed that the pueblo's severe beatings of offenders should stop, Naranjo questioned why U.S. officials undercut Pueblo authorities' right to discipline its members in more acceptable ways (Dozier Papers, unpublished Aitken manuscript, ca. 1944, folder 149). The ambiguity of federal Indian policy and tribal sovereignty was confusing and contested at local and regional levels.

DUAL GOVERNORS AND TEWA ORATORY AS POLITICAL DISCOURSE

Factionalism in several New Mexico Pueblo communities is well represented in the anthropological literature (Aitken 1930, Whitman 1940, French 1948, Fenton 1957, Spicer 1962, Dozier 1966, Hill 1982). However, Elsie Clews Parsons, who wrote and subsidized several anthropological monographs of Rio Grande Pueblo societies during the 1920s and 1930s, gave only passing mention to the political conditions of dual governors and factional rivalries in a rare anecdote.

In November, 1926, a Winter man told me that for two years they had had two governors, one for the Winter people, one for the Summer people. The Winter people's governor has no *tenienti*, he has war captains. Later, a Summer man denied that there was more than one governor. He was Victoriano, a Summer man. Inferably the Summer people do not recognize the governor of the Winter people. There might well be need of two governors, for it is reported that the two

“classes,” as the moieties are called at Espanola, will not work together on the ditches or roads. The American engineer at work on the wells found that in setting up the windmills the two “classes” would not work together. Benina of Nambe who visits in Santa Clara reports that the Summer and Winter peoples won’t look on at each other’s dances, “they won’t even peep outside.” In view of the meager attendance I have noted at dances at Santa Clara I incline to credit this gossip. (Parsons 1929, 105–06)

During the Summer side hegemony, from 1924 to 1929, Santa Clara experienced an unusual dilemma in Pueblo governance. Two concurrent governors, a Summer governor and a Winter governor, claimed to be the rightful civic leader of the pueblo. These dual governors were manifestations of intensive factionalism—a political competition over legitimate authority and succession.

With no agreement on leadership, Santa Clara suffered not only internally but also in external relations, because there was no one clearly authorized to represent the pueblo with federal Indian bureaucrats. U.S. government records (NARA Denver, RG 75) document this political dilemma and federal intervention into pueblo affairs. In 1924, the Office of Indian Affairs received “a petition from a delegation of the Santa Clara Indians wherein they ask modification in certain practices existing in that Pueblo, and especially that of selecting the Governor of the Pueblo” (Burke to Crandall, 13 December 1924). Their official response was positive, indicating that the time was ripe for a democratic and representational form of government at Santa Clara, particularly with the recent congressional legislation on Indian citizenship (43 Stat. 253) and the Pueblo Lands Board (43 Stat. 636). Commissioner Burke believed it was time for them to be “united in purpose and thought” (Burke to Crandall, 13 December 1924).

In October 1927 the assistant commissioner of Indian affairs, E. B. Meritt, attempted to arbitrate the controversy over tribal government through field jurisprudence and “judge-made law” (Rusco 2000, 28–32, 116). At an assembly convened by Meritt at Santa Clara, the two Governors formally presented their cases. Their persuasive speeches as community leaders are examples of *oratory as political discourse* (for a discussion of *tumabe*, the formal Tewa speech-making and traditional advice-giving, refer to Norcini 1995, 68–69; for Jemez factionalism and oratory, refer to Ball 1990, 144–45).

The conservative Governor, Juan Jose Gutierrez from the Summer side, described factionalism as a “Mexican” influence on Pueblo behavior. He believed that unity was possible only if the community returned to traditional values of “the past” and “olden times.” This meant acknowledging him as the legitimate governor.

This pueblo has two parties; there are two governors and we never can do anything in harmony together. As we are now in two factions, this one governor he never does agree to our old ways and customs. As to ditch work or any other community work, as the way he wanted to work is just like the Mexicans do, just according to the head of the family; the ones that have land they are the only ones that work under his own factions, and we want us today as we are to the village, to take our rights, to pick it out as to the olden times. In this village as to those that work, as many men in one family that are able to work, they will work when the time comes for cleaning or doing ditch work, for us to take the right and take it up in the future as long as God is willing to give us our lives. As in pueblos, why there is community lands, woods, grass, stones or any timber, everything that is in the community ways of doing it to our rights as in the past, it has been regulated that way in this village, and as to my party they are working the same ways as in the olden times. And this don't suit me; there is one only that ought to be governor in the village, not two. . . .

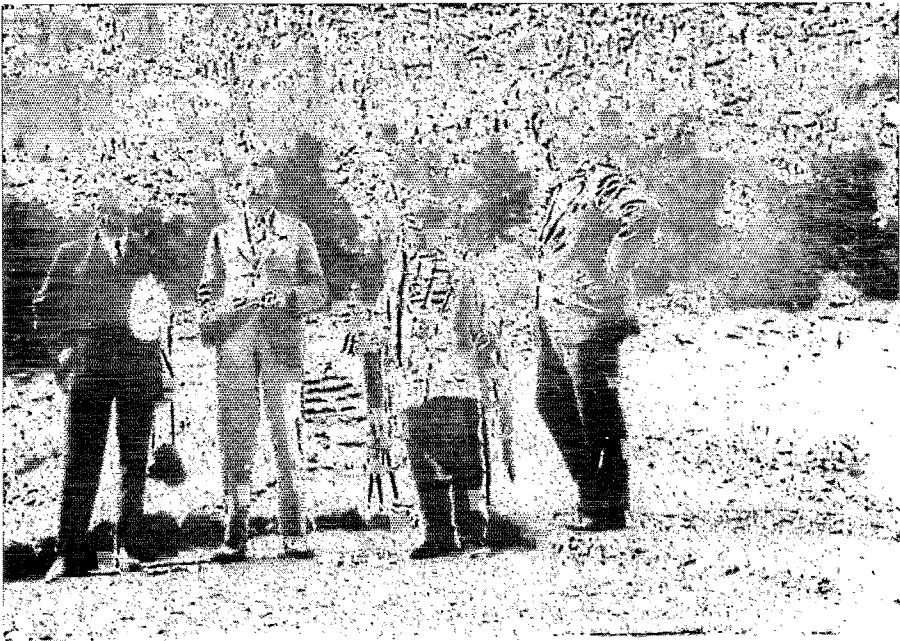


FIGURE 2. Odd Halseth, photographer. Governor Juan Jose Gutierrez at Puye cliff dwellings with three unidentified men, possibly from the Department of Interior, ca. 1910s–1920s. Courtesy of Palace of the Governors (MNM/DCA). Negative #50814. Gutierrez served as governor several times between 1901 and 1928. He is carrying the governor's canes of office, which represent the sovereignty of the pueblo. The canes are held by the governor at special village events and for official government occasions.

And this is what I want, is to be just one Governor in one pueblo and to obey us. This is all I wish to say. (John Collier Papers, 1922–68, microfilm reel 29, 2: 468, pp. 3–4)

The progressive Governor, Desiderio Naranjo, used persuasive discourse to show how the Winter side had respected the procedures of the BIA to settle this dispute. He advocated a policy that the landless men would not be required to work on the ditches. Naranjo also promoted modern values, including BIA education, technology, and women's roles.

I will talk now as you want me, asking me about this governorship. It is about three years past we received a letter from the Commissioner and he ordered Mr. Crandall and Mr. Safford, Inspector, to come to this village and make a settlement between the factions. And we had a council here, and what we wanted at that time was to elect a man and vote for him for governor, and the man that we would elect was to be a man that has some education in him for him to run the affairs of this village, and we want him but the other faction don't agree. So nothing occurred that day, and Mr. Crandall and Mr. Safford told us to get together and hold a council and maybe we would come to some conclusion. We had a meeting that night but we never agreed, and the other faction wants just the old ways. As to the ditch work, all the boys have to work in the ditch whether they have lands or no lands, and now we are poor and there are some boys that are married and have no lands to work on and they have to work outside to support their families, and that is what we are doing, we are not agreeing to it just because they have to work outside to support their families and work for us without doing any ditch work. Now according to the regulation of this village, sweeping the village is just once a year. We are not opposed to any affairs of the village. What don't agree with us is for all to get out, women, children; the men are sweeping the village and the women carrying the dirt out on their backs and that doesn't suit us very well. It may be all right a hundred years ago the time when we didn't have no wagons or teams to throw the trash out, but now we have teams and wagons to haul the trash out of the village. It is not necessary for the women to get out and sweep the village, they have plenty to do at home. And the children ought to be in school, that's what doesn't suit us very well. We are not opposed to any other community work, we are ready to work as we have done. (John Collier Papers, 1922–68, microfilm reel 29, 2: 468, pp. 6–7)

Their discourse on factionalism offers evidence of the complexity of political opinions in Santa Clara during the 1920s. Traditionalists invoked the sanctity of past, the "old ways and customs," as a fixed charter for community governance that should never change. Gutierrez believed in traditional solutions to the problem of factionalism when he stated that "as to my party they are working the same ways as in the olden times." The conservatives believed that "real" Santa Clarans act

as one community, they do not act like aliens—they do not behave “like Mexicans do, just according to the head of the family.” The conservative governor took an authoritarian position to validate ritual obligation or “rights” (i.e., to perform community ditch work and to obey the dictates of the governor). In general terms, the conservatives rejected change and modernization.

In contrast, the progressives used references to the current conditions (within the last three years versus “the old ways”) to make their argument for political and social change. Although agreeing in general terms to cooperate on community labor projects that benefited the entire pueblo, Governor Naranjo stressed the need to put away outdated ways and adopt modern ways such as “wagons to haul the trash out of the village” rather than “women carrying the dirt out on their backs.” He wanted women and children excused from hard labor. Landless men should not be forced to work on clearing and maintaining the irrigation ditches. Progressives were pro-education and wanted any candidate for governor to have “some education.” While agreeing on Pueblo community values, his party wanted the freedom to choose more modern methods and less traditional ways to achieve the same goals of Pueblo life.

In the end, the federal government’s arbitration of the problem of dual governors at Santa Clara imposed the following rule: there would be annual elections for governor to be held in December from a slate of two candidates, one from the Winter side and one from the Summer side. Each moiety would select the man it wanted to lead the pueblo for the coming year. No educational requirement was necessary to run for office. Meritt emphasized the “importance of the rule of the majority in our democratic form of government at Washington.” As a consequence of his field jurisprudence, the candidate who received the highest number of votes would become the governor. Interestingly, with no democratic precedent, the runner-up would become the lieutenant governor.

Meritt’s “judge-made law” unilaterally imposed an elective form of government on the reservation. His actions and policy of non-interference in Pueblo affairs are contradictory: “The Federal government at Washington has no intention of interfering with your form of Pueblo government. We want you to decide your internal matters affecting your community life in a way that will best serve all the members of your pueblo” (John Collier Papers, 1922–68, microfilm reel 29, 2: 468, p. 24). Apparently, he viewed his ad hoc problem-solving as non-interference in internal matters because the right to nominate candidates and vote for governor remained within the pueblo, not with the U.S. government. McCormick also said that “there is no one [who] wants to destroy your old system of government. As this pueblo has been

adrift for many years it seems that this is the only solution of the problem" (John Collier Papers, 1922-68, microfilm reel 29, 2: 468, p. 23). He cited the former BIA success at Isleta Pueblo when the superintendent created a local governance structure of six councilmen appointed by the U.S. and another six by the Tiwa governor. To federal Indian administrators, factionalism was an obstacle to assimilation. It was an aspect of "the Indian problem" that was their agency's mandate to solve so that their program of civilization (assimilation) would be realized.

Acting like a judge, Meritt made law on the factional issues raised by Gutierrez and Naranjo. His final ruling was to insure that there would be one governor at the pueblo. Both he and the Santa Clarans agreed upon the criterion of a governor who carries the canes as a symbol of legitimate authority. (In fact, however, the refusal to transfer the canes to the cacique during the following year's selection was a basic reason why the Summer side continued to retain its hegemony over the pueblo.) Because the conservative (Summer side) Juan Jose Gutierrez possessed the canes in 1927, he accepted the "elected" position as governor and invoked his authority with these words: "This is what the President gave us, this cane, and then when we went under the crown of Mexico they gave us one, and the Government they gave us another one, the Pueblos. With that to recognize as officials, that is what they are for them two canes. This year I am the Governor, they put me there and I have got both canes with me" (Juan Jose Gutierrez in John Collier Papers, 1922-68, microfilm reel 29, 2: 468, p. 13). Meritt's arbitration didn't resolve the factional disputes that were the foundation of the dual governor controversy for several reasons: there was no understanding of Pueblo political process and the need to go through the council process of discussion, persuasion, and consensus to gain local support; democratic elections were an alien political practice; and there was no secular tradition of a representative form of governance. Religion and politics were inseparably intertwined in Pueblo culture. Consequently, the Summer party continued its hegemony over pueblo affairs.

One year later, the conservative Governor, Victoriano Sisneros, described the complete dismantling of Meritt's provisional government process and a return to the Summer side's customary manner of appointing a governor by the cacique:

What I want to talk about is that agreement that was drawn up last year between the Governor of the old man [Juan Jose Gutierrez] and the progressive Governor [Desiderio Naranjo]. Now the agreement in the last part when I read it says to hold council before our election day comes. We had the old man call up the council from both factions. We were present there and he bring up this to the council. I

wanted to have letters taken that are going to vote for the Governor and the progressives party refused to give their names. They say that when the election day come then they will know who is going to vote, so then the old Governor bring up another thing. He bring up how about the other officials such as the Captain of War, and whether they want to serve these officials or not and he says "no" they don't want to serve them. So the old Governor told them that we are going to put in our officers as according to the old way and form of government and that is the way I got my appointment. . . . We did all we can to be united together but it was impossible. . . . I do no want, Mr. Meritt, to break up this old form of government we have in the pueblo. We want to go ahead and put in our officers as according to the customs. (NARA RG 75, Northern Pueblos Agency, entry 83, box 16, 064 Tribal Relations, Minutes of the United States Pueblo Council, Santa Fe, New Mexico, 7-8 November, 1928)

The conservative party (Summer side) criticized Governor Juan Jose Gutierrez for approving Meritt's decision without taking the matter to the council. To them, the agreement was non-binding. There was also an unspoken religious concern about the government proposal that could not be discussed with the BIA. If a Pueblo man talked openly about that ritual knowledge, "he would undoubtedly be found dead somewhere out on the prairie" (NARA RG 75, McCormick to Meritt, 6 January 1928, UPA entry 101, Box 1 General Correspondence, 065 Tribal Relations). When Meritt returned to Santa Clara a year later, he found the factional situation unchanged. The minutes of the 9 November 1928 meeting relate an ongoing and unresolved dispute over the two governor system.

In 1929, the conservative and progressive parties were ready to come together and vote on one governor. Superintendent McCormick of the Northern Pueblos Agency in Santa Fe made a report of the 2 January meeting and election that was held in the Santa Clara schoolhouse with federal oversight. Each party nominated one candidate for governor: the progressive party chose Herman Velarde and the conservative party chose Victoriano Sisneros (Lieutenant Governor in 1911, Governor in 1925, 1926, 1928). Many of the men who attended could not read or write English, which made voting a challenge to the federal officials on the Election Committee (C. E. Faris, Louis Warner, and government farmer Jeff DePriest). The committee resolved that there would be a "standing count"—the west side of the school room for supporters of Velarde, and the east side for supporters of Sisneros. Sisneros won over Velarde—44 to 29 with neither candidate voting. The victorious Victoriano Sisneros spoke to the group emphasizing God, peace, obedience, and closure to the controversy of dual governors:



FIGURE 3. Unidentified photographer. Summer Governor Victoriano Sisneros with his wife, Apolonia, at Santa Clara Pueblo, ca. 1920s. Courtesy of Palace of the Governors (MNM/DCA). Negative #30764. Sisneros was appointed the Summer governor at a time when factionalism resulted in a dual governor system. He was elected governor by a “standing vote” in January 1929.

"We are present this day to carry out the agreement left by the Assistant Commissioner of Indian Affairs, Mr. Meritt, and with the help of God on this day we all agree. On this day we elected a governor. We have listened to the talk made by our superintendent and we will work from now on together, and we can carry on our work by the help of God. If there is work to be done by my lieutenant-governor I expect him to carry out my orders, and if he does we can get along very peaceably" (NARA RG 75, McCormick to Burke, 3 January 1929, UPA entry 101, Box 1 General Correspondence, 065 Tribal Relations). A former Summer side Governor, Juan Jose Gutierrez, reiterated the power of customary authority as he diplomatically returned the lieutenant governor's cane of office to the superintendent.

We are going to put our officers according to the regulations of the pueblo custom, according to the duty of the Santa Clara community work. Anything necessary the orders will be given to the lieutenant-governor who must be present to the duty that he is called. The religious custom work called upon he would not be forced to attend. He has nothing to do toward this. And as this meeting is for the benefit of the whole pueblo, all are called to this meeting and have the same right to give their opinion. That's all my words. Thank you for so much that you have told us to do. I here hand you [Superintendent McCormick] the cane of the lieutenant-governor. That is all. (NARA RG 75, McCormick to Burke, 3 January 1929, UPA entry 101, Box 1 General Correspondence, 065 Tribal Relations)

The new Lieutenant Governor, Herman Velarde, pledged cooperation and reconciliation: ". . . we are going to go ahead and keep harmony and do our work. We work all together and be peaceful in both parties. If there are any difficulties they will have to be settled by the agreement made by Mr. Meritt, the Assistant Commissioner. We must abide by that and by the words of the governor, and we should keep it. . . . I am ready to help to defend my people, not only one faction, but both. I think this is all I have to say" (NARA RG 75, McCormick to Burke, 3 January 1929, UPA entry 101, Box 1 General Correspondence, 065 Tribal Relations). The cultural controversy over the ritual transfer of the cane of office was handled in a diplomatic fashion with a mix of Tewa tradition and U.S. Indian authority. The former Governor, Gutierrez, handed the cane to Superintendent McCormick, who gave it to the newly elected Governor, Sisneros, who presented it to the new Lieutenant Governor, Velarde.

This 1929 election was a notable event in Santa Clara political history. Although the long rule by the Summer side continued through 1935, it introduced a semblance of moiety balance by the innovation of a lieutenant governor position from the Winter side. The practice of an

election also prefigured a trend toward a representative system of governance. The 1929 procedure for electing officers was followed until January 1936, when the Pueblo voted in the first election of tribal officers under the constitution (NARA RG 75, Rhoads to McCormick, 12 December 1929, United Pueblos Agency, entry 101, Box 1 General Correspondence, 065 Tribal Relations). This small but significant step toward an annually elected slate of officers by popular vote foreshadowed a constitutional practice that the pueblo was to adopt six years later. However, it was a fragile and temporary peace. Superintendent McCormick knew that the issue wasn't fully resolved, yet was hopeful that "the pueblo may become united" in the future (NARA RG 75, Rhoads to McCormick, 12 December 1929, United Pueblos Agency, entry 101, Box 1 General Correspondence, 065 Tribal Relations).

WHEELER-HOWARD ACT (INDIAN REORGANIZATION ACT OF 1934)

By 1935, Santa Clara became the first of three New Mexico pueblos (followed by Isleta Pueblo in 1947 and Laguna Pueblo in 1949) to adopt a constitutional form of local self-governance under the Indian Reorganization Act. At approximately the same time as the "crisis of cooperation" at Santa Clara Pueblo, congressional legislation in June 1934 entitled the Wheeler-Howard Act (48 Stat. 984) was enacted to end the Allotment Act and to promote reform through American Indian self-governance and the adoption of constitutional governments. As a means to unify their community in the 1930s, Santa Clarans were considering models that would represent alternatives to their traditional theocracy. The timing of this federal legislation created an opportunity of mutual benefit for the Pueblo and the federal government.

The Wheeler-Howard Act, popularly known as the Indian Reorganization Act (IRA) of 1934, was an outcome of factionalism at the federal policy level over the General Allotment Act (Dawes Act) of 1887 (24 Stat. 388). Progressive reformers during the New Deal were redefining the relationship between the federal government and American Indian communities living on reservations. The legislative goals of the IRA were to revoke the Allotment Act, decentralize federal power, enhance the local authority of superintendents in the Office of Indian Affairs (OIA or BIA today), and promote the inherent powers of tribes to regulate their own economic affairs and home-rule (Rusco 2000). The reorganization of political relations between tribes and the federal government was based upon two new infrastructures: constitutions for self-governance and chartered corporations for economic development. Section 16 addresses the process of adopting a constitution under the IRA.

Sec. 16. Any Indian tribe, or tribes, residing on the same reservation, shall have the right to organize for its common welfare, and may adopt an appropriate constitution and bylaws, which shall become effective when ratified by a majority vote of the adult members of the tribe, or of the adult Indians residing on such reservation, as the case may be, at a special election authorized and called by the Secretary of the Interior under such rules and regulations as he may prescribe. Such constitution and bylaws when ratified as aforesaid and approved by the Secretary of the Interior shall be revocable by an election open to the same voters and conducted in the same manner as hereinabove provided. Amendments to the constitution and bylaws may be ratified and approved by the Secretary in the same manner as the original constitution and bylaws. (48 Stat. 984, section 16)

Congressman Edgar Howard of Nebraska added a provision to the bill (section 18) that required a referendum vote (Kelly in Wunder 1996, 299)—that is, each Indian tribe had to either accept or reject the legislation by a majority vote “within one year after the passage and approval of this Act.” The secretary of interior was instructed to call an election in which Indian voters would decide by “secret ballot.” Although not explicitly stated in the legislation, 30 percent of the eligible members became the standard used as the required majority for the referendum vote. Section 19 defined qualified Indian voters as “all persons of Indian descent who are members of any recognized Indian tribe now under Federal jurisdiction” and their descendants who resided on the reservation on 1 June 1934, plus “all other persons of one-half or more Indian blood,” who were at least twenty-one years old.

Scholar Lawrence C. Kelly quoted the cumulative tribal vote cited in the 1940 hearings of the Indian Affairs Committee, U.S. House of Representatives. A notable 252 tribes and bands participated in the referendum vote. The final count was 174 tribes that approved and 78 tribes that disapproved of the IRA legislation (Kelly 1996, 301). More than half of the 174 consenting tribes adopted constitutions (92). However, the majority (more than 60 percent) of all American Indian tribes and bands did not choose constitutions (Kelly 1996, 144).

The 1934 electorate for the referendum included the nineteen Pueblo communities in New Mexico. Eighteen pueblos voted for the IRA, and one pueblo (Jemez) voted against the IRA (Haas 1947, 18). Three pueblos (Santa Clara, Laguna, and Isleta) adopted IRA constitutions. Sixteen pueblos “refused constitutions because they believed the inflexibility of written documents would eventually weaken tribal cohesion and lead to factionalism” (Kelly 1996, 144).

Superintendent Chester Faris, one of the best “old-style Indian Agents” who “long before the Indian Reorganization Act, encouraged

tribal self-government and authority" (La Farge 1966, 156-57), reported on the referendum vote held at three (of the six) Tewa pueblos on 13 April 1935. Faris's telegram described the results to the Indian Office in Washington:

Referendum vote Wheeler-Howard Act April thirteenth three pueblos as follows San Ildefonso sixty two eligible fifty six vote for and four against absentees two no return stop Santa Clara two hundred eligible one hundred twenty three resident votes for and thirty two against absentee votes returned four for and three against in all one hundred twenty seven for thirty five against stop Pojoaque eight eligible seven resident votes for one absentee no return of total eligible two hundred seventy in three pueblos seventy per cent vote for application Act fifteen per cent against and fifteen per cent largely absentees no expression. (NARA RG 75, Outgoing telegram from Faris to Indian Office, Northern Pueblo Agency, entry 83, box 19, 143.1)

An official canvassing board composed of employees from the Northern Pueblos Agency (Estelle S. Popp, Walter R. Sheldan, Rosendo Vargas, and Chester Faris), charged to oversee compliance with regulations for the referendum, certified the results of the first popular vote in Santa Clara's political history:

<i>Santa Clara</i>	<i>For</i>	<i>Against</i>	<i>Doubtful</i>	<i>Total Voting</i>
Resident	123	31	—	154
Absentee	11	3	1*	15 (?)
Voting pop. 200	67%	17%	½%	84½%

* Doubtful ballots marked 0 in negative or *against* (a square was drawn on their report).

Sixty-nine women voted.

Source: NARA RG 75, entry 1012, box 37, United Pueblos Agency, F978, dated 17 April 1935.

Out of a total population of 400 residents at Santa Clara, 200 eligible male and female adults cast their ballots 127 for and 35 against the legislation. The high rate of voter participation (80 percent) more than doubled the required 30 percent minimum, and is evidence of the political involvement of Santa Clara women and of the movement toward popular suffrage in select Pueblo societies.

Voting was a novel experience for the majority of Pueblo people, but particularly for Pueblo women, who became politically enfranchised at the local level by U.S. congressional legislation at the national level. The canvassing board reported 69 women voters at Santa Clara, 29 women voters at San Ildefonso, and 2 women voters at Pojoaque for

the IRA referendum (NARA RG 75, entry 1012, box 37, UPA, F9787). Traditionally, a male theocracy of religious leaders governed political life. Pueblo women were generally excluded from direct political participation, although indirect influence, although probable, was generally not documented (cf. Maria Martinez's political influence at San Ildefonso based upon her economic wealth from pottery; Whitman 1940, 432-33).

In general, the IRA referendum had a significant impact on American Indian political histories and future tribal constitutional elections. It established several new legal precedents in Indian voting practices and political equity—a list of eligible voters based upon census records with a specific cut-off date, written ballots, voting by secret and absentee ballots, age requirements for voters, women's suffrage, and a required percentage for a majority vote (NARA RG 75, NPA, entry 83, box 19, 143.1). It also expanded the powers of tribal councils to hire legal counsel, to better control their tribal land and resource base, to consult with the secretary of the interior on financial appropriations prior to decision-making, and to conduct broad inter-governmental negotiations (section 16). As a result, the IRA has had a profound and long-lasting effect upon policies, procedures, and powers of modern tribal governments and political participation since 1935.

FOUR FACTIONS AND A "PLAN OF UNITY"

Although the ideas of a change in governance and popular elections were discussed by Santa Clarans prior to their constitution, a heated political environment arose in December 1934 with another schism and the emergence of a fourth faction—Summer progressives. Four factions emerged at the pueblo: Summer conservative, Summer progressive, Winter conservative, Winter progressive. In the 1894 schism, the Summer party had remained conservative. But with the final split, distrust and lack of cooperation intensified to a critical condition in social and political relations.

In the winter of 1934, the conservative Governor, Ologio Naranjo, refused to return his cane of office to the Summer cacique as traditional law required (Hill 1982, 199). The Lieutenant Governor, Nestor Naranjo from the Winter side, wrote to Commissioner of Indian Affairs John Collier, ". . . we have no idea who the governor is for 1935. A governor whose term of office expires is supposed to deliver the cane to the Summer Cacique. Signed Nestor Naranjo (Named by the Winter Cacique)" (Collier Papers, pt. 2, ser. 3, box 38, folder 27).

The orderly and legitimate transfer of power was a central issue in Pueblo factionalism. In a theocracy, transfer rituals were important because they connected sacred duty and legitimate authority to the governor during his one year of stewardship over the civil affairs of the

pueblo. With the lack of cooperation between the two moieties and among factions, the transfer ceremonies were disappearing (Dozier 1966, 179). The transfer of the canes from the cacique to the new governor was central to the conferring of authority. The transfer of the canes of office is a historical and contemporary issue that is sensitive and culturally significant. Historical conflicts arose in both moieties over this issue. When the Winter cacique Severo Naranjo became critically ill in the Santa Fe Indian Hospital, he transferred his authority to Vidal Gutierrez according to custom. But when modern medicine restored his health, Naranjo retracted his authority, and a new faction emerged under Vidal Gutierrez over the issue of legitimate transfer of power under traditional law (Collier Papers, pt. 2, ser. 3, box 38, folder 26, deposition of Tom Dozier, 1935).

Another organizational innovation occurred in 1934 under Governor Ologio Naranjo. A business committee was created to handle the complicated financial policies of the pueblo and federal government—such as timber sales, grazing leases, Puye admission income, irrigation projects, and the allotment of new lands from the Pueblo Lands Board. Although the members represented all of the factions, conservatives denounced it as functioning without legitimate authority and outside of traditional law.

The *Tewa Basin Study*, a federal government research effort of the U.S. Indian Land Research unit of the Soil Conservation Service (Region 8), described the factional environment at Santa Clara Pueblo from information on “economic surveys” collected during 1934 and 1935:

For more than a year now at Santa Clara, a secondary cleavage has developed between the cacique groups and their respective moieties. This four way cleavage has resulted in a political affiliation between what may be termed the lay element in the Summer and Winter groups, both being alienated from their own caciques. The power within the pueblo now rests with a majority no longer affiliated with the traditional chiefs. The situation is such that a move towards a new form of government would seem inevitable. To what extent the functions of the traditional chiefs will prove compatible with such a move, it is difficult to say. (United States Office of Indian Affairs and Service 1940, 97)

From a statistical demographic approach, Santa Clara factionalism reached a “critical mass” with multiple dissenting parties in 1935. Since the progressive groups in both moieties became a major segment of the population, the common practice of banishment (of individuals or small family groups) was not an effective way to settle factional problems because the loss of population would be too significant. The number of followers in the “non-conforming group [being] almost equal to conservatives—hence [they] remained” (Edward P. Dozier Papers, notes from

1940s investigation with W. W. Hill, Sg4, S6, F389). In the midst of a village-wide crisis, the stage was set for a new political direction as the four factions became aware of their combined strength and common ideologies as progressives and conservatives regardless of moiety affiliations. Although there was no consensus on continuing the traditional form of theocratic governance or changing it, each faction shared cultural values that kept them at the village without "exodus." These two core values were (1) a common Tewa identity, although differentially defined; and (2) a desire for social harmony and unity within the pueblo.

By the summer of 1935, an alliance was arranged *across* moiety lines by two progressive factions (Arnon and Hill 1979). This alliance between the Winter progressives and Summer progressives plus a consensus among all factions to find a way to unite the community created a political environment that was favorable to compromise and to seeking alternative strategies. One of the available options was to unite the pueblo under a new congressional bill that encouraged tribes to reorganize under tribal constitutions. It was a long and difficult road from schisms to an IRA constitution. However, eventually the 1935 Santa Clara Pueblo Constitution would incorporate the political dynamics of factionalism (tradition and innovation) into a representative and elective government.

In 1935 the federal government combined its Northern and Southern Agencies into a new United Pueblo Agency (UPA), a consolidated agency for the nineteen New Mexico pueblos. Commissioner John Collier hired two accomplished women through this agency to work with New Mexico Pueblo leaders: Researcher Elizabeth Shepley Sergeant and Superintendent Sophie D. Aberle, M.D. Sergeant in particular was pivotal in the consultation process with Pueblo leaders on the IRA reforms, particularly the writing and adoption of tribal constitutions that would create a new "government to government" relationship between the U.S. and American Indian tribes. Both women were single, earnest, and well-educated civil servants who supported New Deal reforms that promoted American Indian self-governance.

Sergeant (1881–1965) was an independent writer and advocate of Pueblo rights. She was a Bostonian, a Bryn Mawr graduate (class of 1903) and freelance writer for newspapers and magazines. In her varied career, she was a World War I correspondent stationed in France for *The Nation*, a literary biographer (Willa Cather, Robert Frost), a founding member of the Pottery Fund in Santa Fe, a member and publicist for Pueblo rights (against the Bursum Bill) with such voluntary organizations as the New Mexico Association on Indian Affairs, and a part-time government employee (Elizabeth Shepley Sergeant Papers, Yale Collection of American Literature, Beinecke Rare Book and Manu-

script Library, Yale University Library and Elizabeth Shepley Sergeant Papers, Special Collections Department, Bryn Mawr College Library). "Elsie" Sergeant was assigned by Collier to collect objective field data for economic surveys of New Mexico Pueblos during 1934 and 1935 to better inform federal policy-makers on current Indian conditions. As a "Research Worker in Community Studies," Sergeant devised field methods that consisted of extensive door-to-door inquiries of Pueblo households, research collaborations with college-educated Indian assistants, and consultations with political leaders such as the governor, *principales*, Pueblo councils, and leaders of diverse factions. Her research work included projects at Tesuque, San Ildefonso, Sia, Santo Domingo, and Zuni Pueblos. In April 1935, Sergeant was working on a six-month government contract to conduct Pueblo surveys with the goal of gaining "a deeper factual and cultural understanding of Pueblo needs and possibilities, as affected by the new opportunities now offered to the Pueblo Indians by the government" (Collier Papers, Collier to Faris and Towers, 15 April 1935).

By July 1935, Sergeant was appointed as the federal facilitator at Santa Clara Pueblo to support the residents in finding their own solution to unify their divided community. She applied her research fields methods to the Santa Clara assignment by compiling (1) a household census, (2) a list of members in each moiety and four factions, and (3) an economic survey of landless males. She attended meetings of the constitutional committee as it discussed political solutions to factionalism. Two young Santa Clara brothers who worked part-time for the United Pueblos Agency assisted Sergeant—David and Edward Dozier (Winter conservatives)—who served in various capacities as interpreter, secretary, typist, field assistant, and driver. At a meeting of the governor's party, a Santa Claran and Summer progressive named Andres Gutierrez explained Sergeant's challenge at the pueblo: "Now it is up to you, Miss Sergeant. If you think of some way you can unite us in this Pueblo, it's your part now. I don't see how you can do it, because I am sure you don't understand our regulations and customs in this pueblo" (Dozier Papers, Andres Gutierrez, 24 July 1935, Sg3, S2, F72). She was apparently successful in the position of facilitator of the constitution. After it was officially adopted by the pueblo in December 1935, Patricio Gutierrez, representing one of the four factional leaders, complemented Sergeant: "Miss Sargeant has work[ed] hard for us Santa Clara Indians to help us get together; her work was accomplished. She is not taking interest only on one party, but for all the Santa Clara people" (Collier Papers, Gutierrez to Collier, 1 January 1936).

In addition to Sergeant and Special Attorney for the Pueblos William Brophy, another federal adviser in the Santa Clara constitution

process was Dr. Sophie Aberle (1899–1999). Aberle was a medical doctor trained at Yale University who studied health issues and children's mortality rates in minority populations. Collier selected Aberle as the first superintendent of the UPA in Albuquerque. Her duties included implementing new federal policies such as the Indian Reorganization Act, consulting with Pueblo governors and councils prior to planning federal programs, and supporting tribal self-governance. The attitudinal and policy changes in BIA administration were evident in the way Aberle worked with the Pueblos under her jurisdiction: "The policy of the Indian Service is to present all the facts of any case to the Indians and then let the Indians themselves decide what action is to be taken. . . . That the Pueblo Indians are well qualified to make their own decisions can be shown by numerous incidents" (Aberle 1948, 58). Santa Clara male leaders, who had both ritual and civil responsibilities, were unaccustomed to consulting with a woman who held a high government position. It was a divergence from Pueblo gender roles and political relationships. In planning for the inauguration of the first elected officers in 1936, the question who would transfer the sacred canes of office to the new governor was a serious one. To traditional Tewa elders, this was a ritual that legitimized the authority of the new officers, whereas to non-traditional elders, it was a secular occasion to invest the newly "elected" officials. Aberle and the Santa Clarans negotiated this diplomatic matter. It was a solution similar to the 1929 election (during the dual governors controversy), but with the added innovation of a new gender role. Aberle wrote about the simple and highly symbolic act of transferring power through the canes to the new system of governance: "On Wednesday, January 8th, a barbecue was held at Santa Clara at which a dance was given for the new Pueblo officers and Government officials. The Indians asked me to make the presentation of the canes to the officers. This I did since it has been, up to now, one of the controversial points and a matter of dissension in the village" (NARA RG 75, Aberle to Collier, 16 January 1936, United Pueblos Agency records entry 99, box 109, 053).

CONFLICT AND THE CONSTITUTION

In this final section of the paper, I will discuss the impact of factionalism on the crafting of a new form of self-governance at Santa Clara through written laws.

After a review of documentary materials, it appears that the adoption of a constitutional government was a pragmatic choice by an alliance of Santa Claran leaders to unify their divided community through new federal legislation. The pueblo's political vision was to limit (but

not extinguish) the power of the cacique, to provide written procedures and policies on the orderly succession of leaders, and to redistribute power to a larger number of participants (see Brown 2002 for constitutions in traditionally non-democratic societies). In order to survive as a community, all factions came under the jurisdiction of one legal charter. Although they did not set out to create a representative democracy with popular elections and women's suffrage, those were the outcomes of the constitutional process at Santa Clara.

When the pueblo agreed to discuss "a plan of unity through work on a committee," two representatives were chosen as delegates from each of the four factions (John Collier Papers, Sergeant to Collier, 16 September 1935). Invariably, the members of the constitutional committee were the acknowledged leaders of their groups: Patricio Gutierrez and Joseph Filario Tafoya for the Winter progressives; Nestor Naranjo and Agapito Naranjo for the Winter conservatives; John Naranjo and Cleto Tafoya for the Summer conservatives; and Anastacio Naranjo and Jose G. Naranjo for the Summer progressives. This appointment process for eight committee representatives was later mirrored in the Constitution, which specified eight council representatives.

How did the Pueblo leaders arbitrate the diverse interests of traditional factions and progressive factions within a democratic model of governance? The negotiation of factional conflict at Santa Clara is evident in three aspects of the Constitution and by-laws: (1) the principle of equity (equal representation, participation, and empowerment of factions and women in village governance); (2) strategic compromises to accommodate the coexistence of diverse ideologies and identities within the same political community; and (3) a "constitutional theory" to unify factions under one governance structure.

Principle of equity for factions and women

The experience of decades of schisms brought memories of competition for power among an increasing number of factions. By the mid-1930s, the moieties had internally fissioned into four parties that were constantly quarreling about each other's authority to rule the pueblo. Moral accusations against the "other" pueblo faction were common because each party was "regarded as illegitimate by those in the community that do not belong to it" (Nagata 1977, 148–49). However, through the powers of the pueblo council, all factions were legitimized and institutionalized as equal partners in the political deliberations of the pueblo. The Constitution directed that "[t]wo representatives shall be appointed to the pueblo council upon the date of the first election, for a term of 1 year by each of the four recognized parties now existing

within the pueblo, and in all future elections eight representatives shall be chosen in a manner to be prescribed by the council" (Santa Clara Pueblo Constitution, art. 3, sec. 5). Nominations for candidates for elected offices (governor, lieutenant governor, secretary, treasurer, interpreter, and sheriff) were to "be made by the recognized parties now existing within the pueblo" (Santa Clara Pueblo Constitution, art. 3, sec. 4). The underlying principle was political equity for all factions "existing within the pueblo." The pueblo council was a balance of traditional and non-traditional forms of governance—*appointments* by party leaders (including caciques) for council representatives and *elections* by adult members of the community for tribal officers. In popular suffrage, there was also equity for all adult members over eighteen years old regardless of gender or factional affiliation, including individuals without membership in any faction.

Equal opportunities to vote had unintended political outcomes for Santa Clara women. Historically, Pueblo women participated as voters for the first time during the IRA referendum of April 1935. It is probable that this enfranchisement was influenced by the Nineteenth Amendment to the U.S. Constitution, which established women's suffrage in 1920, only fifteen years prior to the IRA referendum and Pueblo Constitution. Under the Constitution, Santa Clara adult women not only gained the right to vote but were also eligible candidates for officers and council representatives. In a joint meeting of the BIA and the constitutional committee, the topic of female political leaders was briefly discussed. The minutes reported that William Brophy, special attorney for the Pueblos, raised this issue: "Mr. Brophy asked if the women would be allowed to hold office. Pat Gutierrez answered, if they are capable, they can become officers" (Edward P. Dozier Papers, Minutes of the Constitutional Committee, 28 September 1935, Sg. 3). The inclusive language of the Constitution allowed candidacy for office for all adult members of the pueblo who were nominated by their party. There were no gender distinctions specified in the Constitution. Although a probable result of the arbitration of factionalism and a U.S. amendment rather than a deliberate objective, this new political equity for Santa Clara women was a change from the former Pueblo practice, in which their influence was expressed indirectly through their male kin.

The position of Pueblo women in the political culture of their communities was discussed prior to the IRA referendum vote in select federal reports. Consider the BIA Circular 3010, a questionnaire on tribal government sent to superintendents on 12 July 1934, soon after the passage of the IRA. The Northern and Southern Pueblos Agencies responded to the following questions on the role of Pueblo women in political and economic affairs:



FIGURE 4. Edward S. Curtis, photographer. *Oyi'-san wi* or *Ice Terrace*—Santa Clara, 1905. Courtesy University of Pennsylvania Museum, Philadelphia. Negative #54-146978. This Santa Clara woman was presumably born into the Winter moiety, based upon her name. Pueblo women were not direct participants in the village's political affairs in 1905. However, Santa Clara women were given the right to vote and run for office in their 1935 constitution. Although no woman has served as a governor at Santa Clara, women have served as governors in two other New Mexico pueblos (Isleta, Nambe) during the late twentieth century.

Question 16. Do the women of the reservation have any part in tribal business matters? Do they vote? Do they participate in the meetings? Have they the right to hold office?

Northern Pueblos Agency:

"Women have little part in tribal business. They do not vote and seldom participate in the meetings. They do not hold office, though some women often have strong influence on pueblo politics."

Southern Pueblos Agency:

"The women of these pueblos do not have any visible part in tribal business matters. They do not vote or participate in any of the meetings and apparently do not have the right to hold office, as all of the affairs of the pueblos are conducted by the men, although it has been stated that unofficially the women have quite a bit of influence relative to pueblo matters." (NARA RG 75, entry 1012, box 37, UPA, F9787)

Although some Tewa Pueblo women today contest the historical tradition of a patriarchy and argue for the possibility of an earlier matrilineal society, the prevalence of a male theocracy in Pueblo ceremonial and civil governance is based upon general historical, ethnographic, and government accounts during five centuries of colonial rule. It does not in itself exclude the possibility of underrepresented changes in a pre-Hispanic social system at Santa Clara Pueblo. (Nor does it explain the existence of a former clan system with no apparent operational significance by the late nineteenth century [cf. Lange 1982, 178-79].) However, under the constitutional governance of 1935 the principle of equity in Pueblo political life became a reality for everyone when they united "for the betterment of the Pueblo" (Dozier 1990).

Accommodations to a politically diverse community

The vitality and legal status of factions as political parties were guaranteed in the Santa Clara Constitution. It allowed diverse interests and identities to coexist and fully participate in the political process. Although the Constitution did not end dissent in the pueblo, it provided a new legal framework for negotiating political differences within an equitable council setting. The four parties, through their elected and appointed spokespersons, could seek unity within a corporate governance structure. Their constitutional law tolerated a range of opinions within one shared value—the survival of Santa Clara Tewa society.

Ideally, both traditional Pueblo laws and non-traditional laws are respected within the Constitution. Civil law-making that was once the provenience of religious leaders was re-categorized as "secular legislation"

under the jurisdiction of the pueblo council (in consultation with individual party leaders prior to adoption). At the time, judicial power remained within a council format. However, the council's power to legislate extralegal matters was constrained by a section entitled "Common law of Pueblo": "With respect to all matters not covered by the written constitution, bylaws, and ordinances of the pueblo of Santa Clara, nor by those laws of the United States of America which are applicable to the pueblo of Santa Clara, *the customs and usages of the pueblo, civil, and criminal, as interpreted by the council, shall have the force of law*" (Santa Clara Constitution, art. 4, sec. 3; author's emphasis). These democratic checks and balances were repeated in the executive powers of the governor. He was responsible for enforcing "the laws of the pueblo, civil and criminal, written and unwritten," but any unjust actions could be taken up by the council, which served as a "trial court" for impeachment proceedings.

The Constitution contained many embedded compromises and evidence of attempts to negotiate factionalism and achieve community integration. The pro-education policies of the progressive factions were not enacted in the qualifications for officers, but there was agreement on the language requirement that all officers "be able to speak the Tewa language fluently." The divisive issue of community work (irrigation ditch work, cleaning the village, building roads and bridges) was settled more to the satisfaction of conservative factions. The governor's explicit duty was to oversee all community or public works (Constitution, art. 5). Each member was instructed to "attend to community work" unless that individual was a retired member at least seventy-five years old (By-laws, art. 4, sec. 3, "Old members of the pueblo"). The perennial question of crop damage by loose stock was settled with a procedure to contact the governor, who would notify the owners; he or the council would impose an appropriate fine if necessary (By-laws, art. 6, "Stock"). The council could also levy fines for intoxication (By-laws, art. 5).

A constitutional charter that accommodated and unified the diverse factions raises the question whether there was a "revolution" in the governance structure of the Pueblo. The answer is mixed. The Constitution introduced innovative secular ideas from the progressive parties and simultaneously preserved the traditional religious values from the conservative parties. The moiety structure of Summer and Winter sides remained, but members fissioned into multiple progressive and traditionalist subgroups. Kiva chiefs continued to appoint two council representatives for their conservative factions and continued to set annual goals. Traditional leaders also nominated a slate of conservative candidates for tribal officers to be elected by a majority vote of eligible adult voters. Progressive party leaders were free to choose their

own methods to appoint council representatives and to nominate candidates for officers to be elected by majority rule.

The Pueblo council under the Constitution shared qualities of earlier traditional councils of elders (*principales*). After 1935, the rule of consensus or unanimity was replaced by majority rule. However, consensus remained a cultural ideal. Written laws prescribed the terms of office and orderly succession of officers and council representatives for all parties. Consequently, constitutional procedures replaced the earlier hegemonies by the Summer and Winter sides.

Strategic compromises also allowed the non-territorial factions based on kinship to reintegrate within their community. The Santa Clara Constitution was the legal framework with federal status that created a corporate polity.

A constitutional theory of unity

Pertinent to the study of Santa Clara's charter for an integrated community, anthropologist Sally Falk Moore proposed that a "constitutional theory" explains a "model system within which political events supposedly take place" yet may actually "conceal real diversity" (Moore 1969, 382): "The fact that a constitutional theory is couched in terms of one repetitive idea does not mean that the whole polity is really operationally organized on the basis of only one principle. It suggests rather that *there are political reasons for emphasizing unity and minimizing diversity* by means of the *model*" (Moore 1969, 383; author's emphasis).

Accordingly, the Santa Clara Constitution can be understood as a rational, political theory that foregrounds unity in a landscape of factional diversity. It allowed for flexibility and intentional indefiniteness in procedural rule. For example, rather than specifying an exact selection process for representatives, the constitutional theory stated that future procedures should be made "in a manner prescribed by the council" (Constitution, art. 3, sec. 5). This legal ambiguity gave each party the discretion to select its own delegates for officers and representatives in its own way, thereby preserving each party's right to choose its own method of appointment. The goal to unify the pueblo was partially accomplished through the restraint that avoided over-regulation. This willingness to avoid conflict on ceremonial issues such as nominations was what Oliver La Farge referred to when he wrote to BIA's applied anthropologist, "By ignoring the method of selection of delegates from the 'parties' at Santa Clara, it was left possible for the conservative group to use the cacique-appointment methods, while progressive groups used election" (NARA RG 75, La Farge to Mekeel, 4 May 1936, entry 1012, Hopi, box 16).



FIGURE 5. T. Harmon Parkhurst, photographer. Governor Agapito Naranjo and his son Ben, January 1936. Courtesy of Palace of the Governors (MNM/DCA). Negative #3771. In January 1936, Winter conservative Agapito Naranjo was the first elected governor under the Santa Clara Constitution. Parkhurst identified the younger man as his son; however, a publication of the Office of Indian Affairs stated he was the Lieutenant Governor, Pascualito Baca.

Overall, the Constitution selectively blended tradition and innovation. It simultaneously preserved Tewa cultural traditions and introduced non-native ideologies. Theoretically, this hybrid created a political forum in which multiple dissenting voices could arbitrate differences under one legitimate system. This governance structure provided Santa Clarans with a way to operate “*both a traditional and constitutional form of government*” (Governor Denny Gutierrez, 10 March 2000 testi-

mony to the Senate Subcommittee on Forest and Public Land Management on the acquisition of the Valles Caldera, S. 1892).

Today, Santa Clara Pueblo continues to adopt political innovations that increase self-governance. It is the only American Indian tribe in New Mexico that operates under the federal Self-Governing Compact. The pueblo participated in a "Self-Governance Demonstration Project" with the BIA in the early 1990s. By 1994, Santa Clara tribal government unanimously voted to enter into a Compact and Annual Funding Agreement with the Department of Interior (DOI) under Title 2 of the Indian Self-Determination and Education Assistance Act (88 Stat. 2203). Also known as the Self-Governance Act, this congressional legislation established the legal basis for permanent tribal self-governance. It eliminates BIA regional offices as middle managers and transfers programs, financial planning, and accountability directly from the DOI to a tribal government. A Compact tribe can reduce the federal bureaucracy and enhance tribal self-governance. The adoptions of the IRA Constitution of 1935 and the Self-Governing Compact of 1994 are twentieth-century examples of how Santa Clara Pueblo strategically chose political paths that united factions and strengthened home rule.

IMPLICATIONS FOR RESEARCH

In fact, the Santa Clara Pueblo Constitution was a mechanism that united contentious factions as one polity under a new, written governance charter. In theory, the process of Pueblo factionalism was proved to be a persistent force with predictable and unpredictable outcomes dependent upon various conditions (particularly internal relations of power) by organized individuals or groups, a force that ultimately resulted in culture change. In addition, factionalism responded to threats against core values. Although colonialism may not have been a primary source of factionalism, policies that affected cultural values could (and do) quickly ignite internal conflicts, polarize attitudes, increase resistance, or create temporary alliances among and within pueblos (such as a proposed ban on Pueblo dances in 1921; refer to Jacobs 1996). However, external influences also present political opportunities that can be manipulated for the general welfare of the community.

Traditionally, the nonconformist behavior of Pueblo individuals and families (minor unorganized groups with few followers) was managed through advancing levels of internal social control—gossip, council, punishment, dispossession of property, and, ultimately, exile or banishment. Whitman, who conducted ethnographic research at San Ildefonso during the 1930s, suggested that factionalism and the regular occurrence of the fission of dissidents from the community might explain

the number of prehistoric pueblos (Whitman 1940). Pueblo leaders also attempted to control deviancy of tribal members through formal legal charges in the colonial court system. U.S. Indian agents and superintendents also argued their case against dissenters, particularly in matters that involved property and land. Under the right conditions of demographics and dissent, Pueblo factionalism has been shown to have the potential to evolve into political parties with legal status to govern, legislate, and adjudicate reservation matters.

Anthropology has historically interpreted Pueblo factionalism through models of culture change (acculturation, assimilation, ethnohistorical contact studies), and later through conflict studies. In the acculturation model, factionalism was reduced to a reactionary response by an Indian tribe in the face of external pressures from a dominant (usually white) society. For many anthropologists and federal Indian officials, factionalism (specifically at Santa Clara, San Ildefonso, Laguna, and Isleta Pueblos) was perceived as a societal weakness or devolution of political stability, a stage that preceded loss of traditional identity and inevitable assimilation—producing societies ripe for a governance change such as an IRA constitution. As time has shown, traditional Pueblo societies did not disintegrate. They made strategic choices, adapted, and endured as diverse, autonomous, self-governing communities with distinct colonial experiences and individual histories.

The study of American Indian constitutions under the IRA has been approached by scholars as a form of assimilation to white democratic society. There is a debate over BIA “model constitutions” as boilerplates for all tribal constitutions under the IRA (Taylor 1980). The criticism is valid to the extent that standardized legal language in the IRA legislation, such as that on the powers of the council, was commonly injected into tribal constitutions during the U.S. Department of Justice’s review of tribal draft documents. There are also cultural aspects to consider in any evaluation of a tribal constitution, such as the “translation” of indigenous laws and languages embedded in oral traditions and diverse forms of governance into a written legal charter.

However, case studies such as the 1935 Santa Clara Constitution under the IRA are reminders of how the complexity and pragmatism of local reservation politics affected outcomes. Factionalism influenced the structure and powers of the pueblo council. The diversity of opinions on authority, community labor, and finances during times of dramatic change created the need for new laws and new governance solutions. Political strategies of American Indian leaders can be underrepresented in an external analysis, probably because of insufficient data and lack of information on local significance and meanings. Recorded resistance to federal judicial changes in their original drafts is often underreported in

archival documents. Evidence of local discontent with federal Indian policies may be expressed in oral, not written, form as gossip, tribal oral histories, and family stories. Only in rare instances, such as Santa Clara's opposition to legal language and substantial changes in their September 1935 draft, do we learn of the objections to changing their hard-fought factional compromises—changes that remained in the final document because of lack of time to revise and resubmit to authorities before the community vote on ratification (Memorandum of Santa Clara Objections to the Washington Draft of the Constitution and By-Laws, 19 November 1935, RG 75, Tribal Organization Records Pueblo File, National Archives). Consequently, critical new interpretations of factionalism and tribal constitutions under the IRA would benefit from detailed legal histories and community oral histories. A critical reading of tribal constitutions as political texts would reveal an active commentary on reservation conditions when the document was written, revised, and adopted (cf. Brown 2002).

Over the years, indigenous scholars with an insider's perspective and cultural knowledge have contributed skillful and substantial corrections to anthropological theory on culture change. Santa Clara anthropologist Edward P. Dozier improved academic understandings of factionalism by reevaluating external pressures as only a partial rather than a primary cause of internal Pueblo dissent (Dozier 1966). His dissertation research at Tewa Village on the Hopi reservation in Arizona illustrated the social, linguistic, and ceremonial dynamics between two Indian cultures living in close contact for centuries. By shifting the subject of study from "Indian-to-white" relationships to "Indian-to-Indian" relationships, Dozier offered an indigenous perspective to acculturation studies that emphasized the survival of cultural traditions through selective adaptations rather than cultural loss (Dozier 1954).

This case study of self-governance at Santa Clara Pueblo in New Mexico offers ethnohistorical and ethnographic data on the power, process, and persistence of factionalism as a common element in Pueblo political culture. Future studies of factionalism from the analytical perspectives of anthropology and the law, constitutional ethnography, oral history, and post-colonial studies will revitalize our understanding of the complex political processes of American Indian societies. And finally, future collaborative research partnerships with tribal governments will contribute new data, theories, and interpretations on the diversity of American Indian self-governance.

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