

# Structural Racism, the USPS, and Voting by Mail On- and Off-Reservation in Arizona

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## Research Article

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### Abstract

During the 2020 election, voting by mail greatly expanded due to concerns with COVID-19. While voting by mail is relatively easy for most individuals, who have United States Postal Service (USPS) residential mail service, it is much more difficult for those with nonstandard mail service. In this article, we examine how decisions made by the USPS in the latter part of the nineteenth and early twentieth centuries have resulted in deeply entrenched structural inequities in the access to mail services on the Navajo Nation in Arizona when compared to rural nonreservation communities. Most (89 percent) of current Post Offices were established during the settler colonial period, during which sites were chosen primarily to advance military objectives and serve the interests of Anglo-American settlers. The resulting inequitable pattern of postal access remains, resulting in inferior mail service on the Navajo Nation and adversely impacting many aspects of life. Post Offices are fewer and farther from each other on reservation communities; there are fewer service hours; and we show in a mail experiment that letters posted on reservations are slower and less likely to arrive. This research fits within the growing body of American political development research on path-dependent processes and “spatial racism” within geography.

## 1. Introduction

The United States is in the midst of a period of racial reckoning, which has triggered a deeper exploration into the ways that the explicit racial animus of earlier generations may become embedded within even the most unlikely of governmental institutions. According to Pierson, there is a “stickiness of history” that impedes social change, even though the reasons for those structural relations is long gone.<sup>1</sup> Much of that stickiness is due to path-dependent processes that may have been started by what appear to be “small events” at an early stage, but once established, the tracks are reinforced and extremely difficult to dislodge.<sup>2</sup> In this article, we consider how small actions taken by the United States Postal Service (USPS) in the late nineteenth and early twentieth centuries helped set in motion a path-dependent process that established and reinforces dominant–subordinate political power relations that are still in existence today.<sup>3</sup>

We will argue that “small events”—decisions about where to establish Post Offices in northeastern Arizona—led to deeply entrenched structural inequities, such that people living on the Navajo Nation have far less access to mail service than do the largely white populations living in adjacent off-reservation communities. As we will show, mail service played an important role in the economic development of off-reservation communities, while the lack of mail service impeded such development on reservations. This lack also means that Navajo have less access to the ballot since Arizona is a largely vote-by-mail state. This case study illustrates the importance of both temporal sequencing and spatiality in creating an electoral system that privileges off-reservation voters, while erecting barriers to access for on-reservation voters. Arizona is a critical case for these dynamics, given that size of the Native American population on reservations is high relative to other states, and thus this group is an important political constituency, in current times at least. Northeastern Arizona is also very rural, representing the circumstances of many reservation areas, such as in Nevada and South Dakota. In subsequent sections, we describe historical processes involving the movement and displacement of different populations, as well as a locally driven process of Post Office placement, that have produced and reinforced a “spatiality of racism” whereby the differences in postal access have become a normalized aspect of life and are attributed to rurality rather than underlying structural racism.<sup>4</sup>

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<sup>1</sup>Paul Pierson, *Politics in Time: History, Institutions, and Social Analysis* (Princeton, NJ: Princeton University Press, 2004), 8.

<sup>2</sup>Paul Pierson, “Not Just What, but When: Timing and Sequence in Political Processes,” *Studies in American Political Development* 14 (Spring 2000), 75.

<sup>3</sup>According to Pierson, path-dependent processes go through three temporal stages: (1) an initial point where events set a particular trajectory in motion, (2) a period where that path is reinforced, and (3) A final stage where new events force that path to be dislodged. Pierson, “Not Just What,” 76.

<sup>4</sup>The term, “spatiality of racism” was coined by Laura Pulido, “Rethinking Environmental Racism: White Privilege and Urban Development in Southern California,” *Annals of the Association of American Geographers* 90, no. 1 (2000): 12–40.

In part we focus on the USPS because it is one of the least likely government entities to be identified as having embedded racially discriminatory practices. Most Americans likely share the view of Senator Tom Carper (D-DE), who described the USPS as the one government institution that treats all citizens equally by delivering mail to their homes.<sup>5</sup> Indeed, in its mission statement, the USPS commits to “provide prompt, reliable, and efficient services to patrons in all areas and shall render postal services to all communities.”<sup>6</sup> The USPS is especially lauded for providing rural redistribution—serving those in remote communities despite the far higher cost of doing so. Also, the USPS scores very high on measures of employment diversity and inclusion, with minorities composing nearly 40 percent of its workforce.<sup>7</sup>

While not discounting these positive attributes, there is another less laudatory USPS story with roots going back to the latter part of the nineteenth century. The expansion of the USPS into the West was part of what historians have labeled the “Great Reconstruction,” an effort by the federal government to regain control in the South and to defeat Native resistance to settler colonialism in the West.<sup>8</sup> These two aspects of the Great Reconstruction are inextricably linked. As Hixon writes: “The Civil War militarized the nation and empowered a generation of army officers and enlisted men who would wage an uncompromising style of warfare against the indigenes.”<sup>9</sup>

While a key element in subduing Native Nations, military force alone could not ensure that control of the territory was consolidated. There also needed to be demographic changes such that Anglo-Americans became the dominant population group—either by the extermination of Indigenous people or through an overwhelming influx of settlers. From its inception, the U.S. government used its control over the regulation and sale of public lands to direct and consolidate settlement in frontier regions. By encouraging targeted settlement, the notoriously “weak” American state by the early twentieth century was able to claim and secure control of a land mass nearly three times larger than the original territory claimed at the time of the founding.<sup>10</sup> Laws, such as the Armed Occupation Act, the Land Donation Act, the Preemption Act, the Homestead Act, and the Dawes Act, gave the federal government the authority to make available free or heavily subsidized land to settlers. These policies were a

way to incentivize the mass movement of Anglo-Americans to western territories and solidify their connection to the rest of the country. Territories would only be admitted to statehood after the settler population had consolidated its control and was a majority.<sup>11</sup>

From the 1860s onwards, the USPS was critical to Anglo-American settlement of the West. Its most obvious contribution was the provision of mail service, which facilitated communication among far-flung army outposts, as well as with Anglo-American settlements.<sup>12</sup> An important but less known USPS contribution was their mapping of the country. Topographers, employed by the USPS, created regional maps of every part of the country. Their maps of western territories helped in settlement of the region.<sup>13</sup> The expansion of Post Offices also made possible economic networks that linked together miners, ranchers, and the military.<sup>14</sup> The pattern of mail service with roots in the settler colonial period<sup>15</sup> is still largely in place. Most (89 percent) of current Post Offices were established prior to 1920, during the settler colonial periods.<sup>16</sup> There continues to be much worse mail service in Native communities, which adversely affects Native people’s ability to vote by mail. We believe this is an example of what Rana describes as the unrecognized but “living legacy” of settler colonialism.<sup>17</sup>

In this article, we show that the historical development of the Post Office matters for modern-day outcomes by analyzing differences in access to Post Offices and the quality of mail services for people living on the Navajo Nation and those living in nearby off-reservation communities in northeastern Arizona. The Navajo Nation encompasses 27,425 square miles, more than two-thirds of which are in Arizona, with the remaining territory in Utah and New Mexico. We focus on the three Arizona counties—Apache, Navajo, and Coconino—that include parts of the reservation. Navajo Nation territory makes up at least 60 percent of the land mass in Apache and Navajo Counties and a smaller portion in Coconino County.<sup>18</sup>

Navajo living on the Arizona portion of the reservation have a median household income of \$25,827, which is roughly half of the

<sup>5</sup>Tom Carper U.S. Senator for Delaware, “Carper Fights the Trump Administration’s Foolish Efforts to Privatize the U.S. Postal Service,” news release, July 26, 2018, <https://www.carper.senate.gov/public/index.cfm/2018/7/carper-fights-the-trump-administration-s-foolish-efforts-to-privatize-the-u-s-postal-service>.

<sup>6</sup>United States Postal Service, *Comprehensive Statement on Postal Operations—2010 Comprehensive Statement on Postal Operations, 2010 Performance Report and 2011 Performance Plan*, accessed December 9, 2022, <https://about.usps.com/strategic-planning/cs10/welcome.htm>.

<sup>7</sup>United States Postal Service, *Workforce Diversity and Inclusiveness* (Washington, DC, 2021), [https://about.usps.com/strategic-planning/cs09/CSPO\\_09\\_087.htm](https://about.usps.com/strategic-planning/cs09/CSPO_09_087.htm).

<sup>8</sup>Elliott West, *The Last Indian War: The Nez Perce Story* (New York: Oxford University Press, 2009); Elliott West, “Reconstructing Race,” *Western Historical Quarterly* 34, no. 1 (April 2003): 6–23; Stacey L. Smith, “Beyond North and South: Putting the West in the Civil War and Construction,” *Journal of the Civil War Era* 6, no. 4 (November 2016): 566–91; Cameron Blevins, *Paper Trails: The US Post and the Making of the American West* (New York: Oxford University Press, 2021), 20–26.

<sup>9</sup>Walter L. Hixon, *American Settler Colonialism* (New York: Palgrave Macmillan, 2013), 113.

<sup>10</sup>According to Frymer, the territorial expansion had three interrelated phases: (1) the federal government asserting legal sovereignty through signing agreements with other nations to relinquish their claims, (2) the removal of Indigenous peoples from those lands, and 3) the use of federal government land policy to incentivize the movement of settlers onto the territory to consolidate control. Paul Frymer, “A Rush and a Push and the Land Is Ours: Territorial Expansion, Land Policy, and U.S. State Formation,” *Perspectives on Politics* 12, no. 1 (2014): 119–44.

<sup>11</sup>Paul Frymer, *Building an American Empire: The Era of Territorial and Political Expansion* (Princeton, NJ: Princeton University Press, 2017), 23–24.

<sup>12</sup>Blevins, *Paper Trails*, 18–22.

<sup>13</sup>*Ibid.*, 54–55.

<sup>14</sup>Cameron Blevins, “The Postal West: Spatial Integration and the American West, 1865–1902” (PhD diss., Stanford University, 2015).

<sup>15</sup>Settler colonialism is an effort by a colonizing population to seize land and resources controlled by an Indigenous population. The Indigenous population is either moved to a less desirable location or exterminated, allowing members of the colonizing group to settle on the territory. Patrick Wolfe, “Settler Colonialism and the Elimination of the Native,” *Journal of Genocide Research* 8, no. 4 (2006): 387–409. In more recent research, Rana argues that the United States created a settler empire where the narratives about the national identity over the past century have shifted from embracing the vision of a white settler nation to one that embraces the “American creed” of civic inclusion, but that requires collective amnesia and obfuscation about both the past and contemporary economic and political structures that continue to embody the hierarchies that perpetuate inequalities. Aziz Rana, *The Two Faces of American Freedom* (Cambridge, MA: Harvard University Press, 2010); Aziz Rana, “Colonialism and Constitutional Memory,” *University of California Irvine Law Review* 5 (2015): 263–88. For more on the philosophical implications of settler colonialism in the United States, see Adam Dahl, *Empire of the People: Settler Colonialism and the Foundations of Modern Democratic Thought* (Lawrence: University Press of Kansas, 2018).

<sup>16</sup>Jean Schroedel, Melissa Rogers, and Joseph Dietrich, “Inequalities in Vote by Mail for Native Americans the US West: The Historical Political Economy of Postal Service in Northeastern Arizona,” *Journal of Historical Political Economy* 2 (2022): 1–29.

<sup>17</sup>Rana, “Colonialism and Constitutional Memory,” 268.

<sup>18</sup>See Table 1A in the Appendix for the sociodemographic characteristics of the three counties and how the counties compare to Arizona as a whole.

median household income for people living in the state.<sup>19</sup> When family size is taken into consideration, 21.8 percent of Navajo are within the Census Bureau's "severely poor" classification, which means having incomes that are below 50 percent of their poverty threshold. Another 19.3 percent meet the criteria for "poor," which means having incomes between 50 and 99 percent of poverty threshold, and 8.4 percent are "near poor," defined as incomes from 100 to 124 percent of poverty threshold.<sup>20</sup> Though they are entitled to social services, they face challenges in accessing services because there is very little public transportation,<sup>21</sup> and many do not have access to a running vehicle.<sup>22</sup>

Our research covers three historical periods: (1) the early establishment of inequitable mail service in the state-building period, (2) Navajo activism against abuses by trading post mail providers in the post-World War II and "Red Power" eras, and (3) the persistence and normalization of disparities into the contemporary period. We show that even very low-population Anglo-American communities gained full-service Post Offices shortly after settlement, but the USPS was much slower to extend mail services to the Navajo Nation and often did so through contractors rather than full-service Post Offices. Moreover, the off-reservation Post Offices were located in much closer proximity to one another, while those on the Navajo Nation were much more spread out. While Native activism was able to get some egregious abuses eliminated during the 1960s and early 1970s, there still are enormous disparities in the levels of service and access. We were able to document this by showing that the locations of current Post Offices, the differences in services and service hours (which strongly favor off-reservation, also rural, communities), and the quality of mail service are all very inferior on reservations compared with off-reservation communities. The inequities have real-world political consequences. Arizona is a largely vote-by-mail state, which means that reservation voters find voting much harder than do off-reservation voters in the same counties. Rather than recognizing that these inequities are due to ingrained structural and spatial racism, those in power have rationalized them as due to rurality. We address this contention directly by examining voting conditions for rural voters on- and off-reservation. As such, we believe that the politics of past eras are integrally tied to the construction of politics in the contemporary era.<sup>23</sup>

## 2. Post Offices and State Building

This study fits within the body of American political development scholarship, which focuses on "investigations close to the ground, to delve into the intricacies of political conflict and governmental operations in particular historical settings."<sup>24</sup> This examination of

a particular setting—the Navajo Nation and nearby off-reservation communities—will be used illuminate how the early state-building role of the USPS continues to affect contemporary life. Although the USPS generally reinforces the existing social and political order, there have been junctures when limited reforms became politically possible. Some extremely abusive practices were eliminated, but the basic pattern of mail service was left intact—what Pierson labels as "bounded change."<sup>25</sup> This is in keeping with Orren and Skowronek's point that government institutions can "promote, as well as inhibit political change."<sup>26</sup> But it also illustrates how difficult it is to make meaningful change after patterns have become an ingrained part of political life, which Pierson describes as "self-reinforcing sequences."<sup>27</sup>

The USPS has not received the degree of scholarly attention given to other governmental institutions that were obvious manifestations of state power in the West, such as the War Department, Agriculture Department, and Land Office,<sup>28</sup> but it would be hard to overstate the USPS's importance to the Anglo-Americans who were flooding into the West.<sup>29</sup> Postmaster John Wannamaker in his 1889 report described the USPS as the only government department that "touches the local life, social interests and business concerns of every neighborhood through its network of 59,000 post offices."<sup>30</sup> According to Blevins's historical and spatial analysis of Post Offices, there was tremendous growth in the number of Western Post Offices in the postbellum period, going from roughly 2,000 in 1864 to nearly 11,000 by 1889.<sup>31</sup>

At the end of the Civil War, the federal government's territorial claims stretched east-west from the Atlantic Ocean to the Pacific Ocean, but it lacked a meaningful presence in much of the West, particularly in the Great Plains, Southwest, and Mountain regions where large and powerful Native Nations claimed sovereignty.<sup>32</sup> Blevins describes the USPS's presence in

<sup>25</sup>Pierson, "Not Just What," 76.

<sup>26</sup>Orren and Skowronek, *Search for American Political Development*, 78.

<sup>27</sup>Pierson, "Not Just What," 14–15. There is a "status quo bias" in public life, which is purposefully built into the design of both public policies and political institutions. Paul Pierson, "Increasing Returns, Path Dependence, and the Study of Politics," *American Political Science Review* 94, no. 2 (June 2000): 262.

<sup>28</sup>It is important to recognize there is a substantial body of American political development scholarship, as well as histories of the USPS, but Blevins is the first to draw attention to its importance to settler colonialism and the Great Reconstruction in the West. For other studies, see Richard Kielbowicz, "Government Goes into Business: Parcel Post in the Nation's Political Economy, 1880–1915," *Studies in American Political Development* 8, no. 1 (1994): 150–72; Jean Schroedel and Bruce Snyder, "People's Banking: The Promise Betrayed," *Studies in American Political Development* 8, no. 1 (1994): 173–93; Richard R. John, *Spreading the News: The American Postal System from Franklin to Morse* (Cambridge, MA: Harvard University Press, 1995); Samuel Kernell and Michael P. McDonald, "Congress and America's Political Development: The Transformation of the Post Office from Patronage to Service," *American Journal of Political Science* 43, no. 3 (1999): 103–12; Daniel P. Carpenter, "State Building through Reputation Building: Policy Innovation and Coalitions of Esteem at the Post Office, 1883–1912," *Studies in American Political Development* 14, no. 2 (2000): 121–55; Wayne E. Fuller, *Morality and the Mail in Nineteenth-Century America* (Champaign: University of Illinois Press, 2003); David M. Henkin, *The Postal Age: The Emergence of Modern Communications in Nineteenth-Century America* (Chicago: University of Chicago Press, 2006); Winifred Gallagher, *How the Post Office Created America: A History* (New York: Penguin, 2016).

<sup>29</sup>Between 1815 and 1860, the non-Native population in the West increased from 1 million to 15 million (Hixson, *American Settler Colonialism*, 113).

<sup>30</sup>John Wannamaker, *1889 Annual Report of the Postmaster General* (Washington, DC: Government Printing Office, 1889), 3.

<sup>31</sup>Blevins, *Paper Trails*, 8.

<sup>32</sup>Consider, for example, the Great Sioux Nation, which at one point was the dominant power in a territory that stretched from the current state of Minnesota through the Dakotas to the Yellowstone River and into what is now Nebraska. See Richard White,

<sup>19</sup>Thomas Combrink, *Demographic Analysis of the Navajo Nation Using 2011–2015 Census and 2010 American Community Survey Estimates* (Flagstaff: Arizona Rural Poverty Institute, n.d.), 27, <https://in.nau.edu/wp-content/uploads/sites/212/Navajo-Nation-2011-2015-Demographics-Profile-.pdf>.

<sup>20</sup>*Ibid.*, 35.

<sup>21</sup>Megan Horning, "Border Town Bullies: The Bad Auto Deal and Subprime Lending Problem among Navajo Nation Car Buyers," *National Lawyers Guild Review* 73, no. 4 (2016): 193–231, [https://digitalrepository/unm.edu/law\\_studentpublications/1/](https://digitalrepository/unm.edu/law_studentpublications/1/).

<sup>22</sup>*Yazzie et al. v. Hobbs*, Case No. 3:20-cv-8222-GMS (D. Ariz. 2020), Emergency Motion for Preliminary Injunction and Declaratory Relief and Memorandum of Point and Authorities in Support Thereof (September 2, 2020), Document 9; *Yazzie et al. v. Hobbs*, Case No. 3:20-cv-8222-GMS (D. Ariz. 2020), Jean Schroedel and Bret Healy, Aff., 17.

<sup>23</sup>Karen Orren and Stephen Skowronek, *The Search for American Political Development* (New York: Cambridge University Press, 2004), 9, 203–204.

<sup>24</sup>*Ibid.*, 3.



the West as a “prerequisite for even rudimentary functions of government.”<sup>33</sup> Not only did the far-flung network of western Post Offices—what Bevins describes as a “gossamer network”—allow civilian and military leaders a means of communication across the vast territory, they also annually provided USPS headquarters with up-to-date maps of their service areas. Cartographers working in the Topography Office, which was created under Postmaster General Walter Nicholson in 1864, used this material to create high-quality maps of what had been uncharted territory.<sup>34</sup> For all of these reasons, the USPS arguably was the federal government entity most responsive to the needs of settlers, as they moved into ever more remote regions. Settlers could have a high degree of confidence that mail service would follow them wherever they moved.<sup>35</sup> The gossamer network is concrete evidence that the administrative reach of the federal government stretched across the entire continent. In the West, the USPS also was a “catalyst for developing many of our nation’s essential transportation networks,” such as roads and railroads.<sup>36</sup> It also provided services that were crucial for economic and commercial development, not only by allowing communication across long distances but also by providing rudimentary financial services in a region with few banks. For example, in 1880 there was not a single national bank in the entire Arizona territory, but there were already a handful of Post Offices that offered postal money orders, which allowed customers to make purchases without sending actual cash through the mail.<sup>37</sup>

### 3. Settler Colonialism and the Navajo Nation

Most of what constitutes the state of Arizona was ceded to the United States at the end of the Mexican-American War in 1848, with the remaining territory added by the 1853 Gadsen Purchase. Initially, it was part of New Mexico Territory, but in 1863 what is now Arizona became a separate territory: Arizona Territory. Unlike other parts of the West, much of the ceded territory could not be turned into public land and made available at minimal cost to Anglo-American settlers. Legal title was held by Mexican and Spanish ranchers and businessmen, which meant that Anglo-Americans had to purchase the land.<sup>38</sup> The federal government could not use the incentive of free or low-cost land to attract Anglo-American settlement. Although there were small numbers of Anglo-American settlers as far back as the 1830s, the discovery of gold and copper in the early 1860s and then silver in the 1870s sparked a huge influx of miners, but far fewer farmers and ranchers.<sup>39</sup> For substantial settlement to occur in northeastern Arizona, the following two conditions had to be met: (1) pacification of the Indigenous nations and (2) a means of subsidizing land purchases by Anglo-Americans.

“The Winning of the West: The Expansion of the Western Sioux in the Eighteenth and Nineteenth Centuries,” *Journal of American History* 65, no. 2 (1978): 319–43.

<sup>33</sup>Blevins, *Paper Trails*, 19.

<sup>34</sup>Ibid., 56.

<sup>35</sup>Ibid., 34.

<sup>36</sup>United States Postal Service Office of Inspector General, “The Postal Service: An Essential Building Block” [blog post], July 6, 2020, <https://www.uspsoig.gov/blog/postal-service-essential-building-block>.

<sup>37</sup>Blevins, *Paper Trails*, 123.

<sup>38</sup>Frymer, *Building an American Empire*, 202.

<sup>39</sup>For information about some of the early Anglo-American settlers, see Arizona Genealogy Trails, Genealogy Trails History Group, “Early Pioneers and Settlers,” <https://genealogytrails.com/ariz/bios-pioneers.html>; Robert Humphrey Forbes, *The Penningtons: Pioneers of Early Arizona* (Arizona Archeological and Historical Society, 1919).

The U.S. military strategy in the Indian Wars was akin to the scorched earth policy pursued by General William Tecumseh Sherman in his march to the sea in Georgia.<sup>40</sup> In 1862, General James Carleton was ordered to subdue the Mescalero Apache, Navajo, Kiowa, and Comanche. He summed up his approach in the following: “All Indian men ... are to be killed whenever and wherever you can find them. The women and children will not be harmed, but you will take them prisoner.”<sup>41</sup> His subordinate, Colonel Kit Carson, was able to convince the Mescalero to surrender in late 1862 and be moved them to Bosque Redondo, a desolate site in northwestern New Mexico.<sup>42</sup> Carson then turned his attention to the Navajo, against whom he waged a “scorched earth siege across the winter of 1863–1864, during which starvation became a tool of war.”<sup>43</sup> The military burned crops and homes and destroyed food supplies, killed cattle and sheep, and poisoned water sources.<sup>44</sup> Surrendering Navajo were marched 300-plus miles to Bosque Redondo (called Hweeldi by Navajo) on what is called the Long Walk. Individuals who complained during the trek were shot by soldiers.<sup>45</sup> Many more died from disease and lack of food while at Bosque Redondo.<sup>46</sup> By November 1864, there were over 8,500 people imprisoned, but the marches continued (fifty-three in total) for three years.<sup>47</sup> Finally, in 1868 Navajo leaders signed a treaty that allowed them to return to a reservation that was defined by four sacred mountains: Mount Blanca, Mount Taylor, Mount Hesperia, and the San Francisco Peaks in what is now called the Four Corners region where Arizona, Utah, New Mexico, and Colorado meet.<sup>48</sup>

Even though armed conflicts with Indigenous nations largely had ended by the mid-1860s, there was limited Anglo-American settlement due to the lack of public land as an incentive. Also, much of northeastern Arizona, the parts that subsequently became Coconino, Apache, and Navajo Counties, was ill-suited to agriculture, having poor soil and subject to drought, flooding, hail storms,

<sup>40</sup>In fighting against the Sioux led Plains Indians, General Sherman focused in exterminating the buffalo, which were the main food source of the Indigenous peoples. At the start of his campaign, estimates placed the number of buffalo at 30 to 60 million, but by the turn of the century, there were only 325 left in the entire country, and according to the 1890 Census, there were only 228,000 Native people left. Erin Blakemore, “Native Americans Have General Sherman to Thank for Their Exile to Reservations,” *History Stories*, October 28, 2018, <https://www.history.com/news/sherman-war-on-native-americans>.

<sup>41</sup>Kathy Weisner-Alexander, “General James Carleton’s Operations in New Mexico,” *Legends of America*, December 2020, <https://www.legendsofamerica.com/carleton-operations-new-mexico>.

<sup>42</sup>The U.S. government described Bosque Redondo as a reservation, but Native peoples describe it as a prison or internment camp, where they were held as prisoners (National Museum of the American Indian, “Native Knowledge 360: Bosque Redondo,” Smithsonian Institution, Washington, DC, 2019, <https://americanindian.si.edu/nk360/navajo/bosque-redondo.cshtml>).

<sup>43</sup>Kate Nelson, “150 Years After the Long Walk,” *New Mexico Magazine*, June 2018, <https://newmexico.org/nmmagazine/article/post/to-touch-the-soil>.

<sup>44</sup>Anne Constable, “The Long Walk: A Tragedy Unobserved 150 Years Later,” *Santa Fe New Mexican*, August 21, 2014, [https://santafenewmexican.com/news/local\\_news/the-long-walk-a-tragedy-unobserved-150-years-later/article\\_22f697c9-5cb0-5fed-bbfc-696e56d](https://santafenewmexican.com/news/local_news/the-long-walk-a-tragedy-unobserved-150-years-later/article_22f697c9-5cb0-5fed-bbfc-696e56d).

<sup>45</sup>More than 200 Navajo died while on the Long Walk, including one young woman, who stopped to give birth and was shot. Anton Treuer, *The Indian Wars* (Washington, DC: National Geographic Press, 2016), 274.

<sup>46</sup>Ian Barnes, *The Historical Atlas of Native Americans* (New York: Chartwell Books, 2015), 195.

<sup>47</sup>See Broderick H. Johnson, *Navajo Stories of the Long Walk Period* (Tsaile, AZ: Dine Press, 1973) to gain an understanding of how Navajo view this period.

<sup>48</sup>The ancestral homelands of the Navajo.

and high winds.<sup>49</sup> As such, few Anglo-Americans were initially interested in settling this part of Arizona territory.

Leaders of the Church of Jesus Christ, Latter Day Saints, however, viewed the remoteness and sparse Anglo settlement as desirable traits<sup>50</sup> and decided to subsidize Mormon migration to northern Arizona. In 1873, the first Mormon group was sent out to what is now Coconino, Apache, and Navajo Counties. Upon return, they reported that the land was unsuitable for farming, but Brigham Young sent a second party in 1876. When they said farming would be difficult but feasible, Young decided to subsidize Mormon settlement. The Church purchased large swaths of land, which they divided into smaller parcels that were then allocated to male Mormon settlers. The prices varied according to the desirability of the land, and loans had to be paid back over time to the Church.<sup>51</sup> The Church also became involved in lawsuits over title to lands granted to railroads and still held by Mexicans.<sup>52</sup> Nearly all of the off-reservation communities still in existence in northeastern Arizona were originally established by Mormons. There were many other Mormon settlements that failed and were abandoned.<sup>53</sup>

#### 4. The Establishment of Post Offices

As noted earlier, the USPS facilitated the military occupation of the West. In keeping with that role, some of the earliest Post Offices (1857) in the territory were located on military forts, such as Fort Defiance and Fort Buchanan, which were established to fight Navajo and Apaches, respectively, and other early Post Offices carried mail from their communities to military forts and camps.<sup>54</sup> With the end of military conflicts, there was a huge expansion in the number of Post Offices. Nearly all of the off-reservation Post Offices were established in Mormon agricultural settlements, the exception being those started in mining towns.<sup>55</sup> Most of the other reservation mail service was provided by trading post operators.

Although the spread of postal service was a visible expression of state power, the impetus for its development was atypical. Rather than flowing from the core outwards to the periphery, the impetus for change was generated by local demands. As Blevins notes, “The western postal system was dominated by local demands, local

conditions, local politics, and local actors. By and large, officials in Washington did not decide when or whether to expand the nation’s rural postal infrastructure.”<sup>56</sup> The USPS had no official guidelines for approving requests, and nearly all requests from local communities were approved, although the appointments of postmasters typically reflected the wishes of local politicians and their intermediaries in Washington, DC.<sup>57</sup>

It is not easy to find records of early Arizona Post Offices. USPS postal regulations required that reports about the specific location be filed prior to the opening of a Post Office, but many of the early records of Arizona Post Offices are either missing or incomplete. The pace of settlement and retrenchment was incredibly rapid, which made postal record keeping very difficult.<sup>58</sup> We used four different sources to identify and cross-check the Post Office establishment dates.<sup>59</sup>

Nineteenth-century Post Offices typically were adjuncts to existing businesses. They provided an additional source of income, but most generated less than \$100 a year in compensation. However, Post Offices brought in customers for their other businesses.<sup>60</sup> For example, the Ganado postmaster in 1885 was paid \$16.92 and the Houck postmaster earned \$12.29,<sup>61</sup> but both were owners of trading posts and generated increased business from offering mail services.

Post offices in mining towns often operated for short periods—only as long as it took to extract ore. The high rate of failure in agricultural settlements also resulted in the closure of many Post Offices. We were able to identify 100 Post Offices that were opened in Arizona territory between 1856 and 1879, but only sixty-six were still in operation on January 1, 1880.<sup>62</sup> In the three counties (Apache, Navajo, and Coconino) relevant to this study, eight Post Offices were established prior to 1880. The Defiance Post Office closed in less than a year, while another in a community called Apache was in existence for two years (1873–1875). Three Post Offices were established in Mormon agricultural settlements in Brigham City (1878–1882), Sunset (1876–1887), and Saint Joseph (1878–1924), but only the last settlement survived for an extended period.<sup>63</sup>

One of the most important USPS developments was residential mail delivery. Congress authorized it for urban areas in 1863, but it took more than three decades to be offered in any rural areas. Rural free delivery was very popular and made it feasible for people to limit their trips to Post Offices, which lessened the incentive for every small community to have its own Post Office. The rural free delivery system was expensive—by 1914, it was running up \$40 million deficits every year.<sup>64</sup> Yet providing that service was

<sup>49</sup>William S. Abruzzi, “Ecology and Mormon Settlement in Northeastern Arizona,” in *Case Studies in Human Ecology*, ed. Daniel Bates, Sarah H. Lees, and Susan H. Lees (New York: Springer Science & Business, 1996), 365–92.

<sup>50</sup>During much of its early history, members of the Church of Jesus Christ, Latter Day Saints (LDS) were subjected to hostility from people opposed to their teachings and economic competition, resulting in their continually moving to escape violent attacks. This culminated in their trek to Utah territory in 1846–47, where they became the first permanent Anglo-American settlers in the Great Basin. While making this their headquarters, Church leaders regularly sought to settle other remote parts of the West. The first agricultural settlement in Arizona was established in 1864 by Mormons in what is now part of Mojave County. James H. McClintock, *Mormon Settlement in Arizona: A Record of Peaceful Conquest of the Desert* (Phoenix, AZ: Manufacturing Stationary, 1921), 77.

<sup>51</sup>Probably the best non-LDS history of Mormon settlement of Arizona can be found in a book written by the Arizona state historian in the early twentieth century. See McClintock, *Mormon Settlement of Arizona*.

<sup>52</sup>McClintock, *Mormon Settlement in Arizona*, 112.

<sup>53</sup>As part of this project, we researched the origins of every community that had a Post Office prior to 1920, including those that were only open for short periods of time. The in-depth history of Mormon settlement in Arizona, written by the state historian, James McClintock, was an invaluable resource that traced the histories of every Mormon settlement, including those that lasted only a short time.

<sup>54</sup>Alan H. Patera and John S. Gallagher, *Arizona Post Offices* (Lake Grove, OR: The Depot, 1988).

<sup>55</sup>McClintock, *Mormon Settlement in Arizona*; Abruzzi, “Ecology and Mormon Settlement.”

<sup>56</sup>Blevins, *Paper Trails*, 33.

<sup>57</sup>Ibid.

<sup>58</sup>Patera and Gallagher, *Arizona Post Offices*, 5.

<sup>59</sup>The USPS historian strongly recommended the Patera and Gallagher book, which provides county-level data with detailed descriptions of each location, establishment dates, closing dates, and relocations. We cross-checked that data with what was available at the USPS postal finder ([www.usps.com](http://www.usps.com)); the USPS Arizona Postal History (<https://www.postalhistory.com/postoffices.asp?state=AZ>); Blevins’ data set (Blevins, “The Postal West” and Blevins, *Paper Trails*); and Richard W. Helbock, *United States Post Office Series*, 8 vols. (Los Gatos, CA: Smashwords, 2021).

<sup>60</sup>Blevins, *Paper Trails*, 98–100.

<sup>61</sup>Patera and Gallagher, *Arizona Post Offices*, 19–21.

<sup>62</sup>Ibid., 234–44.

<sup>63</sup>Arizona has the more ghost towns than any other state. Katie Lawrence, “Not Many People Know about This Mormon Ghost Town Hiding in Arizona,” May 3, 2019, <https://www.onlyinyourstate.com/arizona/mormon-ghost-town-az>.

<sup>64</sup>United States Postal Service Office of Inspector General, *Rural and Urban Origins of the U.S. Postal Service* (Report No. RISC-WP-19-007, August 26, 2019), <https://www.uspoig.gov/sites/default/files/document-library-files/2019/RISC-WP-19-007.pdf>.

(and is) a key part of the USPS mission to provide service to all parts of the nation.

### 5. The Link between Trading Posts and Post Offices

As of January 1, 1920, there were sixty-five Post Offices operating in the three counties we studied: twenty-five in Apache County, twenty-six in Navajo County, and fourteen in Coconino County. Fifteen of these were located on the Navajo Nation, while another seven were on the Apache, Hopi, and Havasupai reservations, with the remaining forty-four postal locations serving off-reservation and in the still heavily Mormon communities.<sup>65</sup> Most of the Post Offices located on the Navajo Nation were part of a trading post system started by Mormon settlers and which at one point included several hundred locations that offered merchandise in exchange for livestock, farm products, and Native crafts. Some trading posts only lasted for a short period, but others lasted for long periods.<sup>66</sup> The USPS had contracts with trading post owners who were authorized to provide limited mail service. Compensation was based on the volume of their work.<sup>67</sup>

The Ganado trading post, established by John Hubbell in 1876 and which included a Post Office from 1883 onward, was one of the most successful businesses on the Navajo Nation. Yet in 1909, Hubbell only earned \$243 from its USPS contract.<sup>68</sup> During their heyday (1870–1950), trading posts were centers of community life on the Navajo Nation, nearly as significant as the chapter houses.<sup>69</sup> Having a Post Office increased the influence of the trading post owner. Often times the Anglo owner would be asked to read the letters since many Navajo, particularly the elderly, had limited English. As life on the Navajo Nation became increasingly linked and dependent on the broader American society, the influence of traders increased.<sup>70</sup> The wide-ranging power and influence of the non-Navajo trading post owners can be seen in Hubbell's description of his place in the community as "everything from merchant to father confessor, justice of peace, judge, jury, court of appeals, chief medicine man and de facto czar."<sup>71</sup>

The Second World War brought about a new sense of group consciousness among Native Americans.<sup>72</sup> A very high percentage of Native men served in the military—on some Arizona reservations as high as 70 percent of those from 18–50 years of age—and those men were committed to making changes when they returned home.<sup>73</sup> The war, according to Cornell, acted as

"catalyst," sparking a movement for full citizenship rights.<sup>74</sup> In the late 1940s and 1950s, Native veterans served as plaintiffs in a number of lawsuits challenging state laws that disenfranchised nearly all Native Americans.<sup>75</sup> One of the major problems identified by post-WWII Navajo activists comprised exploitative practices by trading post operators. While some trading post operators had gained the respect of Navajo, others were charged with "taking advantage of their customers." Many of the worst offenders found it difficult to get tribal approval for their leases to be renewed. This resulted in some posts being forced to close and others being bought out by Navajo.<sup>76</sup>

Starting in the late 1960s, there was another upsurge in Native activism, which has been labeled the "Red Power" era. There were very public protests, such as the 1969 occupation of Alcatraz Island, the Trail of Broken Treaties in 1972, the Wounded Knee Standoff in 1973, and the Longest Walk in 1978, as well as was an upsurge in local activism. One of the most influential activist organizations on the Navajo Nation was a nonprofit called Southwest Indian Development (SID).<sup>77</sup> In the late 1960s, SID researchers did an in-depth study of the social and economic power of the trading post system on the Navajo Nation.<sup>78</sup> There were still more than 100 trading posts spread across the reservation—some with good reputations and others with very bad reputations. At a time when the average annual income for a four-person Navajo family was \$1,500, a figure well below the government-defined subsistence level, trading posts put mark-ups of 30–120 percent on essential commodities compared to prices for comparable goods in the nearest off-reservation stores. Without transportation, many Navajo were unable to travel to off-reservation stores. According to tribal leaders, traders were making a profit of roughly \$20,000,000 every year.<sup>79</sup>

According to the SID study, the owners of trading posts with mail service were able to use their positions as intermediaries with the Anglo world to exert control over their customers. Many abuses were a direct result of Anglo-American trading post owners having physical control over the mail. Some of the trading posts had USPS contracts designating them as official postal locations, but the SID researchers found that local postmasters created unofficial and non-USPS-sanctioned Post Offices at other trading posts.<sup>80</sup> Traders acted as translators for customers who could not read letters and documents sent via the post. Because they received the mail, some owners were able to exercise power by refusing to pass government and employer checks on to recipients; instead, they required the person to accept scrip that could only be spent at their trading posts rather than dollars.<sup>81</sup> The researchers heard stories about traders who lied and told Navajo that a check had not arrived, thereby forcing the

<sup>65</sup>Patera and Gallagher, *Arizona Post Offices*, 234–44.

<sup>66</sup>Kara B. Kelley, "Ethnoarchaeology of Navajo Trading Posts," *The Kiva* 51, no. 1 (1985): 19–37; Mike Easterling, "Past and Present Still Meet at a Handful of Four Corners Trading Posts," *Farmington Daily News*, June 3, 2019, <https://daily-times.com/story/news/local/2019/06/03/four-corners-trading-posts-navajo-tribe-teec-nos-pos-fruit-land-new-mexico/1230365001/>.

<sup>67</sup>Patera and Gallagher, *Arizona Post Offices*, 6.

<sup>68</sup>*Ibid.*, 19.

<sup>69</sup>*Navajo Times*, "50 Years Ago: Trading Posts Face End of Operation," May 8, 2020, <https://navajotimes.com/50years/50-years-ago-trading-posts-face-end-of-operations>.

<sup>70</sup>Southwest Indian Development, *Traders on the Navajo Reservation: A Report on the Economic Bondage of the Navajo People* (Ramah, NM: Ramah Navajo Press, 1969), ii.

<sup>71</sup>*Navajo Times*, "50 Years Ago."

<sup>72</sup>While serving in the military, Native men developed cross-tribal ties. In 1944, Native veterans, acting on this sense of shared interests, created the National Congress of American Indians to lobby the government. For more on the history of Native activism, see Paul Chaat Smith and Robert Allen Warrior, *Like a Hurricane: The Indian Movement from Alcatraz to Wounded Knee* (New York: New Press, 1996).

<sup>73</sup>Patty Ferguson-Bohnee, "The History of Indian Voting Rights in Arizona: Overcoming Decades of Voter Suppression," *Arizona State Law Journal* 47 (2015): 1109.

<sup>74</sup>Stephen Cornell, "The New Indian Politics," in *American Indians and U.S. Politics*, ed. John M. Meyer (Westport, CT: Praeger, 2002), 9697.

<sup>75</sup>Jean Schroedel and Ryan Hart, "Vote Dilutions and Suppression in Indian Country," *Studies in American Political Development* 29 (April 2015): 9–10.

<sup>76</sup>*Navajo Times*, "50 Years Ago."

<sup>77</sup>Southwest Indian Development (SID) was one of the Saul Alinsky–style antipoverty/activist organizations that originated in the 1960s and early 1970s. Much of their efforts were directed at reforming schools, but they also did studies, such as the one examining the influence of trading posts. Jean Schroedel, *Voting in Indian Country: The View from the Trenches* (Philadelphia: University of Pennsylvania Press, 2020), 170–71.

<sup>78</sup>John Lewis, the former director of the Inter-Tribal Council of Arizona, provided the authors with a copy of the SID trading post study.

<sup>79</sup>Southwest Indian Development, *Traders on the Navajo Reservation*, ii.

<sup>80</sup>*Ibid.*, 10.

<sup>81</sup>*Ibid.*, 4–5, 11.



individual to buy on credit at high interest rates.<sup>82</sup> The following example illustrates the ways that some traders used their having USPS mail service to control community members.

The trader takes the Navajo customer alone in the back room, opens his check for him, and gives him the check for endorsement, reclaiming it immediately thereafter. The trader does not ask if the customer wants to pay on his bill, but credits the check to his account, leaving the Navajo with little or no cash. The trader is aware of his domination over the people and exercises it to such an extent that the community is terrified of him.<sup>83</sup>

Shortly after the SID study was completed, the *Albuquerque Journal* wrote about a Navajo woman who was threatened by a trading post operator holding a knife when she refused to turn over her railroad retirement check.<sup>84</sup>

Because of the long distances to other trading posts or off-reservation grocery stores, it was not feasible for unhappy customers to take their business elsewhere, leading to what the report described as an “economic stranglehold on the community.”<sup>85</sup> But the SID authors found that these discriminatory practices had become so normalized that many Navajo “think the traders are doing them a favor by allowing them a trade slip or a few dollars whenever their welfare check comes in.”<sup>86</sup>

The publicity generated by the SID study triggered an investigation by the Federal Trade Commission, which documented the same litany of abuses, particularly those caused by mail service being controlled by Anglo-American trading post owners.<sup>87</sup> As a result of these efforts, many truly egregious abuses were eliminated. Also, a few additional postal provider sites were opened in places that were under control of Navajo, such as in chapter houses,<sup>88</sup> but the reforms fell far short of ensuring that people on the Navajo Nation had mail service comparable to what was provided to people living off-reservation. As of January 1, 1980, the number of places providing mail services to people living in Apache County, Navajo County, and Coconino County had increased to 78, but less than a quarter of those locations were on the Navajo Nation.<sup>89</sup> This meant that the Navajo still had to travel farther to reach postal locations than did other people. Also, most of the reservation locations were not full-service USPS-staffed Post Offices, but were contracted providers that offered fewer hours and services.

## 6. An Overview of Current Mail Service in Northeast Arizona

The Navajo Nation has what the USPS classifies as nonstandard mail service, which means they receive far less mail service, including no residential mail delivery. People living on the Navajo Nation must travel from their homes to access all mail services, thereby incurring travel costs, as well as paying an annual fee for a Post Office Box (PO Box). It also means that people without cars often get their mail only sporadically. Mail sent to

individuals without PO Boxes is classified as General Delivery and held for a maximum of thirty days and then disposed or returned to sender.<sup>90</sup> Many of the off-reservation communities have residential mail service, which means they have much less need to travel to Post Offices.

Apache County, Navajo County, and Coconino County have a combined land mass of 39,839 square miles. Much of the nonreservation land is federally protected national parks, monuments, and forests.<sup>91</sup> There are only forty-eight Post Offices and another twenty-five postal provider offices. Postal provider offices are akin to the nineteenth-century Post Offices located in trading posts and other businesses. Postal provider offices are an adjunct to another business and staffed by non-USPS contractors, who provide fewer services and typically much shorter hours. In what follows, we compare postal facilities on the Navajo Nation with those on the nonreservation territory. This entailed excluding from consideration the nine locations that are on tribal lands controlled by the Apache, Hopi, and Havasupai Nations, which also were subjected to settler colonialism but are outside the parameters of this project.<sup>92</sup>

The historical legacy of Navajo Nation mail service being provided at trading posts is carried forward into the contemporary period in that most mail service on the reservation is still provided by contractors, not the USPS directly. There are only eleven USPS Post Offices on the Navajo reservation, but there are fourteen postal provider offices. The area with least access to postal services is an 870.7 square mile section in the northeastern part of Apache County. It includes the Navajo Nation communities of Dennehotso, Mexican Water, and Rock Point. There is not a single Post Office in the entire territory and only two postal provider sites, which have very limited hours of access (fifteen hours a week in Dennehotso and twenty hours a week in Rock Point). Prior to the opening of the Dennehotso provider site in 1977, there had only been the single Rock Point location.<sup>93</sup>

In contrast, most of the off-reservation mail service is provided by full-service Post Offices. There are twenty-eight Post Offices and only eleven postal provider sites in off-reservation communities. Nearly all full-service Post Offices currently operating off-reservation in the three counties were started by Mormon settlers,<sup>94</sup> but that is not true for any of the off-reservation postal

<sup>90</sup>United States Postal Service, “What Is General Delivery” (October 25, 2019), <https://faq.usps.com/s/article/What-is-General-Delivery>.

<sup>91</sup>Nearly 39 percent of the land in Arizona is federal government land. Congressional Research Service, *Federal Land Ownership: Overview and Data* (R42346, February 21, 2020), 10, <https://fas.org/sgp/crs/misc/R42346.pdf>. Apache County includes parts of the Petrified Forest National Park and Canyon de Chelly National Monument. Navajo County includes parts of the Apache-Sitgreaves National Forest, Navajo National Monument, and the Petrified Forest National Park. Coconino County includes parts of the Coconino National Forest, Apache-Sitgreaves National Forest, Glen Canyon National Recreation Area, Grand Canyon National Park, Kaibab National Forest, Prescott National Forest, Sunset Crater Volcano National Monument, Vermillion Cliffs National Monument, Walnut Canyon National Monument, and Wapatki National Monument.

<sup>92</sup>The excluded Post Offices are McNary, Supai, Second Mesa, Polacco, Keams Canyon, Hotevilla, Kykotsmobi Village, White River, and Fort Apache. Those Post Offices are included in our data analysis section: “A Comparison of Voting Access: Reservation and Non-Reservation Voting Precincts.”

<sup>93</sup>While we have not been able to confirm that opening of the Dennehotso postal provider site was a response to publicity generated by the SID study and Federal Trade Commission report, the timing makes it likely.

<sup>94</sup>The Grand Canyon Post Office was established to provide mail services to tourists, who started visiting prior to the 1919 designation of the site as a national park. While not all of the other off-reservation USPS Post Offices were started during the settler colonial era, all were started in communities whose original settlers were part of the Mormon settlement of northeastern Arizona.

<sup>82</sup>Ibid., 10.

<sup>83</sup>Ibid., 8–9.

<sup>84</sup>Jack Anderson, “Navajo Plight Continues,” *Albuquerque Journal*, February 1, 1970 (as in Southwest Indian Development, *Traders on the Navajo Reservation*, appendix A).

<sup>85</sup>Southwest Indian Development, *Traders on the Navajo Reservation*, 7.

<sup>86</sup>Ibid., 11.

<sup>87</sup>Federal Trade Commission, *The Trading Post System on the Navajo Reservation* (Washington DC: U.S. Government Printing Office, 1973).

<sup>88</sup>This has been one of the recommendations offered by the Federal Trade Commission (ibid., 41).

<sup>89</sup>Patena and Gallagher, *Arizona Post Offices*, 234–44.

provider sites. Those were established to provide limited mail services to tourists visiting the many national parks and forests that make up much of the counties' land mass. A possible exception is the Silver Saddle Center postal provider site located in Flagstaff, which also has two USPS full-service Post Offices—and has residential mail delivery. We were unable to find records of its establishment date.

See Table 1 for a summary of the different types of postal sites on the Navajo Nation and in nearby nonreservation communities.<sup>95</sup> Locations for which we could not find establishment dates are listed at the bottom of each column. The multiple Flagstaff and Sedona Post Offices are listed together, but we only have single establishment dates. Sedona is located on the border between Coconino and Yavapai Counties, and there are Post Offices in each of the counties.

The most obvious take-away from even a cursory examination of Table 1 is the enormous disparity in the numbers of Post Offices on and off the Navajo Nation. Even though the Navajo Nation includes roughly half of the land mass in the three counties, there are many more Post Offices in the off-reservation parts.<sup>96</sup> A key factor in these discrepancies is that prior to the passage of the Indian Citizenship Act in 1924, politicians had little incentive to provide services to Native Americans. However, gaining citizenship did not translate into being able to vote. Arizona state laws, like those of most states with large Native populations, had other ways to statutorily exclude them from voting.<sup>97</sup> Even though providing mail service to rural areas has never been cost effective, members of Congress have viewed it as an important part of their constituency service, which means that once established, Post Offices are difficult to close, despite current USPS budgetary woes.<sup>98</sup> Budget constraints also make it difficult to justify the opening of new Post Offices. The end result is status quo bias and a normalization of geographic disparities in postal access that are rooted in historical processes and reflect a form of unrecognized structural and spatial racism.<sup>99</sup>

<sup>95</sup>The postal locations on non-Navajo reservations are not included in Table 1. Interestingly, these other reservation populations have only full-service Post Offices as opposed to postal provider offices.

<sup>96</sup>The disparities are even greater if one excludes federal lands (e.g., national parks, forests, and monuments) that do not have residents.

<sup>97</sup>In 1884, the Supreme Court in *Elk v. Wilkins* held that even fully assimilated Native Americans were not U.S. citizens, but had a status akin to that of American born children of foreign ambassadors, who were excluded from birthright citizenship. While some Indigenous people gained a path to citizenship in exchange for giving up large swaths of tribal land under the 1901 General Allotment Act and the 1906 Burke Act and through military service in World War I, it was only in 1924 with the passage of the Indian Citizenship Act that all American Indians and Alaska Natives born within the country's borders were given U.S. citizenship. Schroedel, *Voting in Indian Country*, 21–22.

<sup>98</sup>The USPS differs from other federal government agencies in that the 1970 Postal Reorganization Act mandated that it be budgetarily self-sustaining, which means that it is required to not only cover the full costs of providing mail service to all parts of the nation, but it also must generate enough revenue to fund the pension costs of former employees. This means that every year the USPS runs billions of dollars in deficit. See United States Postal Service Office of Inspector General, *Federal Budget Treatment of the Postal Service* (August 27, 2009), <https://www.uspsig.gov/documents/federal-budget-treatment-postal-service>.

<sup>99</sup>There is a growing body of scholarship among geographers on the reproduction of racial disparities within geo-spatial landscapes. See Audrey Kobayashi and Linda Peake, "Unnatural Discourse: 'Race' and Gender in Geography," *Gender, Place & Culture* 1, no. 2 (1994): 225–43; Audrey Kobayashi and Linda Peake, "Racism out of Place: Thoughts on Whiteness and an Antiracist Geography in the New Millennium," *Annals of the Association of American Geographers* 90, no. 1 (2000): 12–40; Catherine Nash, "Cultural Geography: Anti-Racist Geographies," *Progress in Human Geography* 27, no. 5 (2003): 637–48.

## 7. Mail Services and Economic Development

Although there has been some research on the importance of mail services to economic development among Anglo-American settlement in the West, there are indications that the continued privileging of mail services to off-reservation communities and the dearth of such services on the Navajo Nations has economic consequences in the contemporary period. The USPS Inspector General described mail service in rural areas as "a lifeline, providing connections with government, commerce, and each other."<sup>100</sup>

While an in-depth study of the linkages between mail services and economic viability is beyond the scope of this article, we believe there are reasons why it is particularly important for people on the Navajo Nation. Many Navajo do not have access to the internet, which means they need mail service for routine business practices, such as paying bills. In fact, 38 percent of residents do not even have electricity in their homes.<sup>101</sup> Vadum-Lemp used GIS mapping to examine travel distances to Post Offices on the Navajo Nation. He found that 49 percent of the reservation population had to travel more than 30 miles one way to access mail. Then he compared two census-designated places (CDPs), Dilkon and Joseph City, in Navajo County. Joseph City CDP is just south of the Navajo Nation border, while Dilkon CDP is north of that border. Each has a similarly sized population<sup>102</sup> that resides in "closely packed houses on a rural terrain," but no one in Joseph City CDP must drive for more than ten minutes to reach a Post Office, while everyone in Dilkon CDP needs to drive more than thirty minutes.<sup>103</sup>

We looked more deeply into the access to mail services in the two CDPs and then considered the degree of economic activity in each. As noted by Vadum-Lemp, the Dilkon CDP population cluster does not have easy access to mail services. Residents either have to travel 37 miles to an off-reservation Post Office in Winslow or, if they want to stay on the Navajo Nation, they must travel to the closest location for mail service, a postal provider site in Leupp. But that site has limited hours of access, and most importantly for business, the Leupp postal provider does not allow people to send or receive money orders.<sup>104</sup> In contrast, the population cluster in Joseph City CDP has a full-service Post Office in the town of Joseph City, as well as easy access to two additional full-service Post Offices in Holbrook and Winslow that are 12 and 21.6 miles away, respectively. Finally, we tried to get a rough estimate of the degree of economic and commercial activity in each location by looking at business directories. The Joseph City Business Directory provided contact information for a

<sup>100</sup>United States Postal Service Office of Inspector General, "Looking Overseas for Ideas to Preserve Rural Post Offices" [blog post], March 30, 2020, [uspsig.gov/blog/looking-overseas-for-ideas-to-preserve-rural-post-offices](https://www.uspsig.gov/blog/looking-overseas-for-ideas-to-preserve-rural-post-offices).

<sup>101</sup>Nicholas Vadum-Lemp, *Delivery Dine-ed: Vote by Mail vs the Navajo Nation* (May 27, 2021), <https://mapgallery.esri.com/submission-detail/60b7a7134508b50019836c744>.

<sup>102</sup>According to the 2020 census, the Dilkon CDP population is 1,194, while the Joseph City CDP population is 1,307.

<sup>103</sup>Vadum-Lemp, *Delivery Dine-ed*.

<sup>104</sup>As noted earlier, postal money orders are an important channel for conducting small-scale business transactions, particularly among people without other means of conducting business via the internet. We found that all full-service Post Offices in Navajo, Coconino, and Apache Counties offered this service to their customers, but it was less commonly offered by postal providers. Only two off-reservation postal providers (Silver Saddle Center and Lake Powell Mart) did not offer money order services. However, Silver Saddle Center is in Flagstaff, where there are three full-service Post Offices, and Lake Powell Mart is in Page, which also has a full-service Post Office. In contrast, there are four postal provider offices on reservations (Leupp, Rock Point, Shonto, and Gap Trading Post) which do not provide money order services, and none of these places are near locations offering money orders.



**Table 1.** Types of Mail Providers on the Navajo Nation and Nearby Off-Reservation Communities and Their Establishment Dates

Navajo USPS Post Office	Off-Reservation USPS Post Office	Navajo Postal Provider	Off-Reservation Postal Provider
Fort Defiance	Springerville	Leupp	Parks
1856	1879	1905	1914
Ganado	St. Johns	Lukachukai	Mormon Lake
1883	1880	1916	1925
Tuba City	Show Low	Rock Point	Marble Canyon
1884	1880	1926	1927–35, 1965
St. Michaels	Williams	Tonalea	Tusayan Gen Store
1902	1881	1926	1934
Chinlee	Snowflake	Tees To Chap. House	North Rim
1903	1881	1930–1934/	1947
Kayenta	Taylor	Many Farms	Munds Park
1911	1881	1961	1962
Sanders	Flagstaff 1	Kaibita	Sun Valley
1915	1881	1966	1963
Cameron	Flagstaff 2	Shonto	Petrified Forest
1917		1966	1966
Window Rock	Flagstaff 3	Dennehotso	Northern AZ Univ.
1936		1977	1967
Pinon	Winslow	Tsaile	Silver Saddle Ctr.
1952	1882	1978	
Teec Nos Pos	Holbrook	Red Valley	Lake Powell
1961	1882	1981	
	Nutriso	Nazlini	
	1883	1986	
	Pinedale	Blue Gap	
	1888		
	Concho	Gap Trading Post	
	1890		
	Heber		
	1890		
	Pinetop		
	1891		
	Fredonia		
	1892		
	Greer		
	1898		
	Eager		
	1898		
	Grand Canyon		
	1902		
	Sedona 1		
	1902		
	Sedona 2		

(Continued)

Table 1. (Continued.)

Navajo USPS Post Office	Off-Reservation USPS Post Office	Navajo Postal Provider	Off-Reservation Postal Provider
	Lakeside		
	1906		
	Chambers		
	1907		
	Vernon		
	1910		
	Joseph City		
	1924		
	Overgaard		
	1938		
	Page		
	1957		

broad cross section of businesses, twenty-five in total.<sup>105</sup> We were unable to find any directory for businesses in Dilkon. In fact, all we could find were listings for two gas stations. While we are not claiming that lack of mail service is responsible for the inequities in economic activity, it is hard not to believe that it has played an important, albeit unrecognized, part.

## 8. Voting by Mail in Arizona

Since 2007, Arizona voters can be part of the Permanent Early Voting List (PEVL), which means they are automatically mailed ballots in every election. It also is possible for non-PEVL voters to request ballots for individual elections.<sup>106</sup> The ease of voting by mail has resulted in high levels of voting by mail—typically around 80 percent, but the state in its vote tabulations does not distinguish between early voting and voting by mail.<sup>107</sup> It is much easier for whites in Arizona to vote by mail than it is for Navajo. Whites have 350 percent more access to residential mail delivery.<sup>108</sup> Navajo voters also have the option to vote in person, which for some entails traveling up to 400 miles round trip to reach their assigned polling place on Election Day.<sup>109</sup> In the past, some of those voters would have been able to cast a ballot at a different, albeit closer, polling places, but that is no longer possible.<sup>110</sup>

<sup>105</sup>US Business, “Browsing Joseph City, AZ Businesses,” [https://us-business.info/directory/joseph\\_city-az](https://us-business.info/directory/joseph_city-az).

<sup>106</sup>While Arizona is in the midst of changing some of its election laws, PEVL currently appears to be safe. It is impossible to know whether that will change at some point in the future, but in this article we are assuming that voting by mail will still be available via PEVL, as well as for non-PEVL voters who request a ballot on an election-by-election basis.

<sup>107</sup>*Democratic National Committee v. Reagan*, 329 F. Supp. 3d 839 (2018).

<sup>108</sup>*Democratic National Committee v. Hobbs*, 948 F.3d 89 at 17–18 and 23–24 (9th Cir. 2020).

<sup>109</sup>Stephanie Woodard, *American Apartheid: The Native American Struggle for Self-Determination and Inclusion* (New York: IG, 2018), 45.

<sup>110</sup>The Supreme Court in its recent ruling, *Brnovich v. DNC*, allowed Arizona to implement a law requiring such ballots to be thrown out. Writing for the 6–3 majority, Justice Alito acknowledged that the out-of-precinct policy harmed Indigenous and other minority voters, but characterized the racial disparity as “small in absolute terms.” Native American Rights attorney Jacqueline De Leon pointed out a fallacy in his use of statistics in that 2,000 people is a small number compared to the total population in the state, but

Arizona has a strict receipt deadline requiring ballots be received by the county recorder by 7:00 p.m. on Election Day, which places the state in the middle category of ballot receipt deadlines. There are two states (Mississippi and Louisiana) in the strictest category that require ballot to be received prior to Election Day and seventeen in the least strict category that allows ballots received after Election Day to be counted under certain circumstances. New Mexico, which also includes parts of the Navajo Nation, has the same Election Day deadline as Arizona, but Navajo voters in Utah can have their ballots counted up to fourteen days after Election Day, provided there is a pre-Election Day postmark.<sup>111</sup> There is political science research showing that Arizona’s strict ballot deadline has much greater adverse effects on Native American voters compared to white voters.<sup>112</sup> Moreover, Navajo voters live further than white voters from Election Day polling places and had travel times of forty-five minutes to two hours to reach Post Offices.

## 9. Yazzie et al. v. Hobbs

Shortly before the 2020 election, some Navajo voters went to court arguing that Arizona’s strict ballot receipt deadline resulted in reservation voters having less access to voting and fewer days to cast mail-in ballots than off-reservation voters due to slower mail service, in violation of Section 2 of the Voting Rights Act. Plaintiffs asked the judge for a preliminary injunction to require county recorders in Coconino, Apache, and Navajo Counties to

that it might constitute an entire tribe. Jessica Douglas, “Supreme Court Ruling Fails to Protect Indigenous Voters,” *High Country News* (July 16, 2021), <https://www.hcn.org/articles/indigenous-affairs-law-supreme-court-ruling-fails-to-protect-indigenous-voters>.

<sup>111</sup>National Council of State Legislatures, *VOPP*: Table 11: Receipt and Postmark Deadlines for Absentee Ballots (July 31, 2020), <https://www.ncsl.org/research/elections-and-campaigns/vopp-table-11-receipt-and-postmark-desdline-for-absentee-ballots.aspx>.

<sup>112</sup>Ansolahehere examined the ballot rejection rates due to late ballot arrivals to county recorder offices in six Arizona counties (Cochise, Coconino, Graham, Greenlee, Maricopa, and Santa Cruz Counties). The rejection rate for white voters was 0.9 votes per 1,000 as opposed to 7.1 for Hispanic voters and 7.9 for Native American voters. Stephen Ansolahehere, “Expert Report in *Voto Latino et al. v. Hobbs*,” No. 2:19-cv-05685-DWL (D. Ariz.) (February 20, 2020), 22.

count ballots postmarked prior to Election Day if they were received within fourteen days (i.e., the same as in Utah).<sup>113</sup>

The plaintiffs' attorneys brought in evidence showing that voters on the Navajo Nation had less access to mail service than voters in Holbrook, Flagstaff, and St. Johns, which are the county seats of Navajo, Coconino, and Apache Counties, and less than in Scottsdale, which is in heavily urban Maricopa County. They posted letters from Post Offices in those off-reservation locations and from on-reservation postal locations<sup>114</sup> and used USPS tracking to find the distances traveled and times for letters to reach county recorder offices. Off-reservation letters generally followed reasonably direct routes and reached their destinations within the USPS standard of one to three days for first-class mail. In contrast, letters posted on the reservation traveled long distances (up to 917 miles) and took a much longer time to reach their destination, in some cases six to ten days. They argued that these delays made it much harder for Navajo to meet the strict ballot receipt deadline. While voters in off-reservation communities could request a mail-in ballot on the last day allowed by state law (October 23) and have plenty of time to fill it out and return the ballot, voters on the Navajo Nation making the same request on the same day could not be confident their ballots would arrive by the deadline.<sup>115</sup>

While not disputing any of the evidence provided by the plaintiffs, Arizona District Court Judge Murray Snow denied their request and said they had failed to sufficiently show a disparate burden and that the problems could be due to rurality rather than discrimination against a protected class.<sup>116</sup> On appeal, the Ninth Circuit Court did not consider the question of whether disparities were due to rurality and instead affirmed the lower court ruling on the grounds that the plaintiffs had failed to show "a concrete and particularized harm" to themselves, since they had filed as individuals rather than it being a class action of the Navajo Nation.<sup>117</sup> Although the plaintiffs did not gain relief for the 2020 election, the question of whether they had less access to voting by mail due to their living on the Navajo Nation or due to rurality was left unresolved. Judge Snow speculated that it was possible that non-Navajo rural voters were equally disadvantaged but did so without providing any evidence that poor mail service was common in other rural areas.

## 10. An Assessment of Rurality in Post Office Inequities

The historical development of the Post Office matters for outcomes today for equal access to voting, a protected right. Given that most voters in the state vote by mail, particularly in rural areas, it is crucial to examine whether their access to vote by mail is equitable. In particular, it is important to document that mail access is unequal for those on reservations even in comparison to rural off-reservation communities. The next sections address the conditions for vote-by-mail access in the present

day, which is a function of the long-run inequalities in mail service for Native Americans on reservations that we have documented in the first part of our analysis.

In order to assess Judge Snow's contention that rurality could explain disparities for Native voters, the first step is to identify an objective measure of rurality that can be used to distinguish between rural and nonrural communities. This turns out to be less straightforward than one might wish.<sup>118</sup> There are three different U.S. government definitions of a rural community: (1) census places with populations up to 2,500, (2) census places with populations up to 10,000, and (3) census places with populations up to 50,000.<sup>119</sup> Nearly all of Apache, Navajo, and Coconino Counties meet the stringent definition of having census places with populations no greater than 2,500.<sup>120</sup> When the Census Bureau provides population numbers for communities, they typically provide figures for both census designated tracts and city/town figures. Typically, the city/town figure is higher, so that is what we are using in this figure, except where it is not given.

In his ruling, Judge Snow described St. Johns, Holbrook, and Flagstaff as cities (i.e., nonrural places) and not relevant comparisons to the reservation communities that had poor mail service. But only Flagstaff (population 71,202) does not fit within the government definition of rurality. While neither St. Johns with a population of 3,500 and Holbrook with a population of 5,037 fit the strictest government definition of rurality, both clearly meet the second strictest definition of having populations of 10,000 or fewer. St. Johns and Holbrook are considered rural according to the eligibility requirements of nearly all federal government programs. They are both part of the CMS (Centers for Medicare & Medicaid Services) Rural Health Clinics program and the Federal Office of Rural Health Policy grant programs. Both places are considered medically underserved rural areas. St. Johns is designated rural by the rural-urban commuting areas (RUCAs) by census tract.

In what follows, we examine the quality of mail services provided to people living on- and off-reservation in Apache, Navajo, and Coconino Counties. Since there is no single definition of rurality, we included communities that fit within the different tiers used to assess degrees of rurality. Most of the Navajo Nation postal locations fell within the strictest definition of 2,500 or fewer population. We specifically included extremely rural off-reservation postal locations in order to test Judge Snow's hypothesis. See [Table 2](#) for the communities, populations, and population density.

It is worth noting that the two Post Offices (Nutrioso and Concho) with the greatest degree of rurality as measured by population size are off-reservation. If Judge Snow is correct, one would expect those locations to have less mail service than the small population communities on the Navajo Nation. But this fits with Pierson's "stickiness of history," in that the two communities have full-service Post Offices, dating back to between 1883 and 1890. Moreover, the fact that these full-service Post Offices are still in existence, while higher-population reservation communities go without full-service Post Offices is consistent with the views expressed by geographers that racism has a spatial character

<sup>113</sup>*Yazzie et al. v. Hobbs*, "Emergency Motion for Preliminary Injunction and Declaratory Relief and Memorandum of Point and Authorities Thereof," Case 3:20-cv-08222-GMS, Document 9 (September 2, 2020).

<sup>114</sup>On the Navajo Nation, letters were mailed from Teec Nos Pos, Dennehotso, Ganado, Rock Point, Kayenta, Pinon, Shonto, Cameron, Tonaleas, Kaibeto, and Navajo Mountain.

<sup>115</sup>*Yazzie et al. v. Hobbs*, Case No. 3:20-cv-8222-GMS (D. Ariz. 2020), Emergency Motion, Document 9; *Yazzie et al. v. Hobbs*, Case No. 3:20-cv-8222-GMS (D. Ariz. 2020), Jean Schroedel and Bret Healy, Aff., 5-7 and 16-20, appendix A.

<sup>116</sup>*Yazzie et al. v. Hobbs*, Case No. 3:20-cv-8222-GMS (D. Ariz. 2020), 5-6.

<sup>117</sup>*Yazzie et al. v. Hobbs*, Case No. 20-16890 (9th Cir. October 15, 2020).

<sup>118</sup>Zoe Nemerever and Melissa Rogers, "Measuring the Rural Continuum in Political Science," *Political Analysis* 29, no. 3 (2021): 267-86.

<sup>119</sup>United States Department of Agriculture Economic Research Service, "Arizona: Three Rural Definitions Based on Census Places" (no date), [https://www.ers.usda.gov/webdocs/DataFiles/53180/25557\\_AZ.pdf?v=0](https://www.ers.usda.gov/webdocs/DataFiles/53180/25557_AZ.pdf?v=0).

<sup>120</sup>*Ibid.*



**Table 2.** Postal Locations and Degree of Rurality

Navajo Nation	Population	Pop. Density	Off-Reservation	Population	Pop. Density
Tonalea	549	55.3	Nutrioso	26	83.9
Rock Point	642	45.3	Concho	38	84.4
Shonto	591	129.6	Pinedale	487	50.3
Teec Nos Pos	730	51.1	Marble Canyon	767*	
Dennehotso	746	75	Fredonia	1,314	179.5
Many Farms	1,348	165.4	Joseph City	1,366	187.3
Chinle	4,518	281.8	Springerville	1,433	242.1
Tuba City	8,611	960	Grand Canyon	2,004	149.6
			Overgaard	2,542*	215.5*
			Williams	3,023	69.6
			St. Johns	3,480	134.3
			Taylor	4,112	125.9
			Holbrook	5,063	291.4
			Sedona	10,339/2,842*	454.7*
			Flagstaff	65,870	1,031.3

Notes: Population density is number of persons per square mile. The Census Bureau combines Overgaard population and population density figures from those of hereby Heber, which also has a Post Office. The first Sedona figure is population for the entire city, while the second is for the part in Coconino County. Marble Canyon is an estimate drawn from the figures for Page, which is nearby.<sup>121</sup>

that is reflected across time.<sup>122</sup> In the sections that follow, we provide an in-depth analysis of the specific services and quality of services provided at the different locations.

Since the *Yazzie* case was about the access to voting by mail, we examine the USPS services that are most relevant to voting by mail. As such, we do not consider services such as bulk mailings and passport applications. We identified the following four factors directly relevant to voting by mail: (1) retail hours of operation, (2) hours of access to PO Boxes, (3) length to time for letters to reach county recorder offices, and (4) how the length of time affects the ability to meet the Election Day ballot receipt deadline.

## 11. Postal Service Hours

In areas without residential mail delivery, the degree of accessibility offered by Post Offices and postal provider offices is a crucial factor in whether individuals can vote by mail. As we have shown, there are far fewer postal locations on the Navajo Nation than in the off-reservation parts of Navajo, Apache, and Coconino Counties, but the hours of access to services and PO Boxes are also important. PO Boxes provide a secure way for mail to be held until it can be picked up, which helps ensure that an absentee ballot is not lost. This is particularly important for people without residential mail delivery. But not everyone is able to secure a PO Box, either because there is a shortage of available boxes or due to an inability to pay the fees required to obtain a box.<sup>123</sup> Individuals without PO Boxes must use General Delivery, which mean they must arrange trips to Post Offices or postal provider sites during their retail hours of operation. They also must pick up their mail

within a short time period or the mail is either destroyed or returned to sender.

Although USPS websites list hours of retail operation and times that patrons can access PO Boxes, we discovered that postal provider sites on the reservation were often open for fewer hours than listed on the websites. We also found that one of the off-reservation Post Offices closed one hour earlier than was listed on its website. To address this problem, we verified all of the hours via telephone calls in October 2020. See Table 3 for the weekly hours that each postal location is open for retail service and the weekly hours that people can access PO Boxes.

With respect to the provision of mail service on the Navajo Nation, one of the most surprising features is that access to both retail services and PO Boxes only appears to be loosely related to population. It makes sense that high population Tuba City, with an official USPS Post Office,<sup>124</sup> provides the best hours of PO Box access (98 hours per week) on the reservation. But the Post Office in Tuba City has fewer retail hours than Tonalea and Teec Nos Pos, which serve much smaller populations. The explanation is that the two postal providers have retail and PO Box hours that match the operating hours of their businesses.

Overall, the correlation between population and retail hours is  $p = 0.22$  and between population and PO Box hours is  $p = 0.25$ . Population density and retail hours are correlated at  $p = 0.23$  and  $p = 0.17$  for PO Box hours. Interestingly, these correlations differ depending on whether the location is on- or off-reservation. PO Box hours are not correlated with population and population

<sup>121</sup>U.S. Census Bureau, *Arizona: 2010 Population and Housing Unit Counts 10-19* (2012), <https://www.census.gov/library/publications/2012/ded/ecp-2.html>.

<sup>122</sup>Pulido, "Rethinking Environmental Racism," 12.

<sup>123</sup>The typical cost to rent a PO Box on the Navajo Nation is \$136 per year.

<sup>124</sup>It is worth noting that Tuba City was originally not included within the boundaries of the Navajo reservation. Instead, it was founded by Mormon settlers who wanted to do missionary work among the Navajo and Hopi, and the Post Office was established shortly after settlement in 1884. After having a series of conflicts with Navajo, including the burning down of a Mormon-owned wool factory, the Mormons left Tuba City in 1903 (McClintock, *Mormon Settlement in Arizona*, 99–100).

**Table 3.** Access to Mail Services On- and Off-Reservation

Navajo Nation	Weekly Retail Hours	Weekly PO Box Hours	Off-Reservation	Weekly Retail Hours	Weekly PO Box Hours
Tonalea	72	72	Nutrioso	10	168
Rock Point	20	20	Concho	38.75	168
Shonto	17.5	17.5	Pinedale	22	168
Teec Nos Pos	42.75	42.75	Marble Canyon	13.5	168
Dennehotso	15	15	Fredonia	35	168
Many Farms	35	35	Joseph City	32.5	78
Chinle	27.5	53.5	Springerville	41.25	168
Tuba City	40	98	Grand Canyon	35	119
			Overgaard	37.5	91
			Williams	35	168
			St. Johns	37.5	168
			Taylor	40	168
			Holbrook	32	78
			Sedona	38.75	168
			Flagstaff	45	168

density off-reservation ( $p = 0.16$  and  $p = 0.04$ , respectively), but are strongly correlated on-reservation ( $p = 0.66$  and  $p = 0.72$ , respectively). Retail hours are correlated with population and population density off-reservation ( $p = 0.40$  and  $p = 0.47$ , respectively), but not at all correlated on-reservation ( $p = 0.06$  and  $p = 0.07$ ). If the Post Office hours are demand driven (proxied by population and population density), we are not seeing consistent evidence to explain them as such. In short, the disparities cannot be normalized as being due to rurality.

The most troubling finding, however, is the very limited number of hours available to people, especially PO Box access for those living in Rock Point, Shonto, and Dennehotso. Unlike low-population off-reservation communities (Nutrioso, Concho, Pinedale, and Marble Canyon) that have twenty-four hours a day/seven days a week access to mail in their PO Boxes, people living in Rock Point, Shonto, and Dennehotso, respectively, have 20, 17.5, and 15 hours a week access. Only four off-reservation locations (Joseph City, Grand Canyon, Overgaard, and Holbrook) do not provide round-the-clock access to PO Boxes, but that is not available anywhere on the Navajo Nation. The average degree of PO Box access is 3.34 times larger off-reservation than on-reservation. The disparities clearly are not a function of rurality, as suggested by Judge Snow, but instead appear to be the result of discriminatory patterns that date back to early settlement. Table 4 shows the difference in access across reservation and nonreservation Post Office locations for retail and PO Box access hours, weighted by population and population. The last column of Table 3 summarizes the access disparities, with off-reservation access being between 2.1 and 9.9 times better than on-reservation sites, depending on the indicator.

### 12. A Comparison of Mail Delivery Times

The path-dependent process that was set in motion during the settler colonial era has largely remained intact, albeit with modest changes to address egregious abuses associated with the trading

post system. Yet there are still deeply ingrained spatial inequities and disparities in access to services, which are attributed to rurality even though the data do not support the explanation. The off-reservation Post Offices have become embedded within their communities, and the political cost of closing them or even cutting their hours would be considerable—hence the “stickiness.” Given that the USPS has been running deficits and facing calls for it to be privatized, expanding access on the Navajo Nation also would be politically challenging—again the “stickiness of history.” But one might expect there to be less evidence of historically rooted inequities once mail has been posted and is en route to its destination. At that point, one might expect that Judge Snow’s suggestion (that rurality is key) would become more plausible. One would not expect mail that originates on the Navajo Nation to take longer in transit than letters posted in rural nonreservation Post Offices unless the institutional racism is re-created every time USPS routes are updated.

Since mail delivery times cannot be tested in a laboratory setting where confounding factors are controlled, we collected real-world data through observational research where to the extent possible conditions in each setting are comparable. McKechnie

**Table 4.** Summary Values: Access Differences On- and Off-Reservation

	On-Res	Off-Res	Better Access Off-Res
Population weighted retail hours per capita	150	494	3.3×
Population weighted PO Box hours per capita	34	328	9.6×
Population density weighted retail hours per capita	27	267	9.9×
Population density weighted PO Box hours per capita	1041	2214	2.1×

**Table 5.** Urban Mail Delivery Times

Maricopa County Post Offices	Total Time	Verified Arrival?	Arrived by Deadline?
Tempe	23 hr, 14 min	Yes	Yes
Glendale	44 hr, 32 min	Yes	Yes
Scottsdale	23 hr, 58 min	Yes	Yes
Mesa	46 hr, 22 min	Yes	Yes

describes the data collection process as “systematic and purposeful,” allowing for the testing of causal relationships.<sup>125</sup> Our observational research of mail delivery was conducted in two phases: the first on October 26 and the second on October 27, 2020. The activities on each day were identical, the mailing of certified first-class letters to county recorder offices and then using USPS tracking to collect data on delivery times. A complete listing of sites and the tracking numbers can be found in Table 2A in the Appendix.

On October 26, we mailed letters from five urban Arizona locations in Maricopa County (Phoenix metropolitan area). We used these data to provide a baseline for urban times that would allow us to ascertain the difference between urban and rural postal delivery times. According to the USPS, the standard for first-class mail is one to three days. Then on October 27, we mailed the letters from the previously identified Post Offices and postal provider sites in Apache, Navajo, and Coconino Counties. October 27, 2020, was chosen because that is the date identified by the Arizona Secretary of State as the last day to mail in a ballot to ensure that it would reach the county recorder office by the November 3 ballot receipt deadline.

The observational data for the urban Arizona locations is presented in Table 5.

As can be seen from the data in Table 5, the USPS easily meets its one- to three-day standard for first-class mail delivery in urban Maricopa County. The letters from Tempe and Scottsdale arrived in less than one day, while those from the other locations took less than two days to arrive. As such, we can describe the baseline for urban Arizona locations as less than two days and use it as a benchmark for comparing rural locations on and off the Navajo Nation.

According to Table 6, which includes data from the different postal locations in Apache, Navajo, and Coconino Counties, nine of the fifteen off-reservation postal locations arrived in less than two days and all of the off-reservation mailing met the one- to three-day standard of the USPS. Based on these results, the data confirm that voters mailing absentee ballots from off-reservation locations in the counties would not generally have problems meeting the strict Election Day ballot receipt deadline. The same, however, is not true for voters on the Navajo Nation. At least two attempts to vote by mail would not have been successful: Dennehotso, because the postal provider site did not

take mail on that day, and Many Farms, because the letter inexplicably was returned to sender instead of being sent to the county recorder office. Two other attempts, those from Tonalea and Tuba City, were listed as “out for delivery” but never shown as having been delivered. Thus, we were only able to verify that 37.5 percent of the letters mailed from postal locations on the Navajo Nation were successfully delivered, in comparison to 93 percent verified successful delivery from the off-reservation postal locations. Only the USPS tracking for one off-reservation location, the Grand Canyon Post Office, was marked as “out for delivery,” but never listed as having arrived. It is possible that the “out for delivery” letters arrived.

None of the on-reservation letters arrived within the two-day benchmark that we found for the urban locations, and all but one missed the USPS one- to three-day standard. The average tracking time was ninety-three hours for the Navajo Nation letters as opposed to fifty-six hours for the nearby off-reservation rural locations. Letters posted on the Navajo Nation took 1.7 times longer than adjacent off-reservation letters. Importantly, this is an underestimate of the time difference because in two on-reservation cases, Tonalea and Tuba City, the total tracking time ended without verified arrival of the letter.

At this point, Judge Snow’s contention that the limited access to mail services and poor delivery of mail on the Navajo Nation is due to rurality cannot be sustained. We systematically found evidence that off-reservation rural areas had far better access to the mail services necessary for voting (e.g., far more Post Offices and nearly round-the-clock access to PO Boxes), even in the lowest-population communities. We also found that letters posted from those off-reservation communities had delivery times that nearly matched the delivery times for urban locations. In contrast, the letters posted from on-reservation locations had much longer delivery times—generally outside of the one- to three-day USPS standard—and some did not arrive.

Moreover, these disparities in mail service negatively impact the ability of Navajo voters to access vote by mail in a manner comparable to other Arizona voters. Like the data provided by the plaintiffs in the *Yazzie* case, letters mailed in our experiment from the reservation took much longer (up to seven days) than those sent from off-reservation, albeit not the ten days that the *Yazzie* plaintiffs found with a letter mailed from Dennehotso.<sup>126</sup> During the 2020 election, the last date that a voter could request an absentee ballot was October 23. If a voter living in Rock Point made such a request on October 23, that ballot might not reach that voter’s postal provider site until October 30, assuming the county recorder’s office put it into the post immediately. Assuming the voter filled out the ballot and immediately reposted it, there still is a high probability that the ballot would not arrive in the four days required to meet the Election Day deadline. This, of course, is assuming that the postal provider site is open at the stated times and that the ballot is not returned to sender or otherwise lost in transit. In contrast, off-reservation voters, even those in the most rural communities, could have returned a ballot as late as October 31 and be confident it would arrive in time. The inequity in access to voting by mail is simply one aspect of the structural racism embedded in the historical processes in a most unlikely government entity, the USPS.

<sup>125</sup>Lynne McKechnie, “Observational Research,” in *The Sage Encyclopedia of Qualitative Research Methods*, ed. Lisa M. Given (Thousand Oaks, CA: Sage, 2008), 573–75. See also David De Vaus, *Research Design in Social Science*, (Thousand Oaks, CA: Sage, 2001), 34.

<sup>126</sup>Schroedel and Healy, exhibit A.



**Table 6.** Mail Delivery Times on the Navajo Nation and Off-Reservation

Post Office	On-Reservation?	Total Time Tracked	Verified Arrival?	Delivered by Deadline?
Tonalea	Yes	65 hr, 58 min	No	No
Shonto	Yes	68 hr, 32 min	Yes	Yes
Rock Point	Yes	164 hr, 45 min	Yes	No
Teec Nos Pos	Yes	98 hr, 50 min	Yes	Yes
Dennehotso	Yes	Postal provider closed	No	No
Many Farms	Yes	Return to sender	No	No
Chinle	Yes	95 hr, 46 min	Yes	Yes
Tuba City	Yes	63 hr, 25 min	No	No
Nutrioso	No	47 hr, 40 min	Yes	Yes
Concho	No	47 hr, 4 min	Yes	Yes
Pinedale	No	42 hr, 18 min	Yes	Yes
Marble Canyon	No	48 hr, 49 min	Yes	Yes
Fredonia	No	47 hr, 50 min	Yes	Yes
Joseph City	No	42 hr, 25 min	Yes	Yes
Springerville	No	48 hr, 42 min	Yes	Yes
Grand Canyon	No	64 hr, 15 min	No	No
Overgaard	No	43 hr, 40 min	Yes	Yes
Williams	No	44 hr, 35 min	Yes	Yes
St. Johns	No	47 hr, 35 min	Yes	Yes
Taylor	No	65 hr, 25 min	Yes	Yes
Holbrook	No	47 hr, 2 min	Yes	Yes
Sedona	No	49 hr, 37 min	Yes	Yes
Flagstaff	No	48 hr, 22 min	Yes	Yes

### 13. Concluding Thoughts

In this article, we consider the role of the USPS in setting a path-dependent process into motion and then continually reinforcing a track that has been very resistant to fundamental change. According to Pierson, path-dependent processes can be initiated by “small events” that occur at specific historical moments. We argue that decisions made by the USPS about where to establish Post Offices during the early period of Anglo-American settlement in northeastern Arizona were just such a “small event.” We show how the growth in Post Offices played a role in the U.S. military’s conquest and the subsequent consolidation of U.S. government control of the territory by facilitating Anglo-American settlement, in this case by Mormons funded by the Church of Jesus Christ of Latter Day Saints.

These early actions by the USPS with respect to the spatial location of Post Offices initiated a path-dependent process that empowers off-reservation populations while working to the detriment of people living on the Navajo Nation. The early growth in Post Offices reflected the patterns of settlement providing economic networks that linked Anglo-American mining, ranching, and agricultural communities together. The development of mail services on the Navajo Nation occurred more slowly and was often aimed at furthering the economic interest of Anglo-Americans, particularly trading post operators. There is a temporal aspect to what we uncovered, in that it has endured with only limited change across time. While there have been

some reforms to address egregious abuses related to trading post operators having control over mail being sent to Navajo, it has been “bounded change” that kept the basic pattern in place. But there also is “spatial racism,” in that people on the Navajo Nation have to travel much further distances to reach postal locations. The lack of residential mail service means they have no alternative way of receiving and posting letters. The quality of mail service, as measured by hours of operation, access to PO Boxes, and length of time for letters to reach their destinations, is markedly inferior on the Navajo Nation when compared to what is provided to off-reservation communities. The limited access to mail, as well as the failure to make money order services widely available, also contributes to inequitable economic development.

While the degree of access and quality of mail service has an impact on everyday life, it also affects electoral participation. More than three-quarters of Arizona voters typically vote by mail, which for most voters is quite easy, given they have residential mail service. Voting by mail is much more difficult for voters living on the Navajo Nation because they do not have residential mail delivery, and as we have shown, they have less access to Post Offices. Prior to the 2020 election, some Navajo voters went to court, arguing that disparities in mail service and delivery times were violations of the Voting Rights Act, but Judge Snow normalized the disparities by suggesting, without evidence, that disparities were due to rurality rather than racial bias. However, as we

have shown, there are very few differences between the quality of mail service provided to rural and nonrural communities that are off-reservation, but there are big disparities between the service provided to those communities and what is available for people on the Navajo Nation.

In our efforts to trace the history of Post Office locations in Arizona, we have focused on a narrow (albeit sprawling, larger than ten U.S. states) geographic location. Future research should also examine similar processes for Native people on reservations throughout the Midwest and western states. While the specific history of each state and tribe will differ, the broader concern with access to the ballot and vote by mail for individuals on reservations will likely prove similar. In 2018, two tribes in Nevada won an emergency injunction to place voting sites on the reservations due to rurality and sociodemographic hardship placing an undue burden on voters.<sup>127</sup> In the 2018 midterm elections, voters in North Dakota (with help from academics and nonprofits) were forced to create residential street addresses for reservations in order for voters to have access to mail-in ballots.<sup>128</sup> Native voters on South Dakota reservations report similar barriers to voting and vote by mail in particular.<sup>129</sup> The broader story of access to postal service and vote by mail will likely reveal similar discrepancies for marginalized groups around the nation.

**Competing interests.** Melissa Rogers and Joseph Dietrich have none. Jean Schroedel was an expert witness on the *Yazzie et al. v. Hobbs* case.

## Appendix

**Table 1A. Sociodemographic Characteristics of Apache, Coconino, and Navajo Counties**

	Arizona	Apache County	Coconino County	Navajo County
<b>% Native American</b>	4.6%	74.4%	25.9%	45.9%
<b>% White</b>	78.3%	21.0%	63.9%	46.2%
<b>Median Income</b>	\$62,055	\$30,480	\$58,085	\$38,897
<b>Poverty Rate</b>	13.5%	34.6%	15.8%	25.6%
<b>Employment Rate</b>	56.8%	34.1%	57.7%	41.1%
<b>% Bachelor's Degree</b>	30.2%	11.8%	39.6%	13.1%

**Table 2A. Postal Tracking Numbers for Mail-In Experiment**

Post Office	Tracking Number
Tempe	#70201810000058084068
Glendale	#70192970000188027128
Scottsdale	#70201810000058084044
Mesa	#70201810000058084051
Phoenix	#70192970000188027111
Tonalea	#70192970000188027142
Shonto	#70192970000188027425
Rock Point	#70192970000188027425
Teec Nos Pos	#70150640000637473058
Dennehotso	N/A
Many Farms	#70150640000514411296
Chinle	#70200640000043359917
Tuba City	#70192970000188027166
Nutrioso	#70191120000074953049
Concho	#70192970000033407310
Pinedale	#70173040000064181255
Marble Canyon	#70150640000488088517
Fredonia	#70191640000066485878
Joseph City	#70171070000071712951
Springerville	#70200090000148693481
Grand Canyon	#70191640000167840125
Overgaard	#70200090000142117716
Williams	#70192280000214421948
St. Johns	#7020009000048261285
Taylor	#70192280000073255128
Holbrook	#70190160000114559591
Sedona	#70192970000188027159
Flagstaff	#70192970000188027135

<sup>127</sup> *Sanchez v. Cegavske* (2016).

<sup>128</sup> Adam Willis, "Why Vote-by-Mail Could Depress Native American Turnout on North Dakota Reservations," *American Experience*, October 21, 2020, <https://www.pbs.org/wgbh/americanexperience/features/vote-mail-depress-native-american-turnout-north-dakota/>.

<sup>129</sup> Matt DeRienzo, "In South Dakota, Native Americans Face Numerous Obstacles to Voting," *The Center for Public Integrity*, October 29, 2020, <https://publicintegrity.org/politics/elections/us-polling-places/in-south-dakota-native-americans-face-numerous-obstacles-to-voting/>.