

Schlesinger's New Indian Wars

Imagine for a moment the response of the United States if a foreign power were to seize control over the bulk of this nation's natural resources — resources that are basic to the continued growth of our industry and agriculture. Imagine further that this foreign power actually prevented the development of those resources because such development was incompatible with that power's own economic and ideological interests.

The response would obviously be something close to a declaration of war, to which a majority of the U.S. population would offer its full support. "But America is one of the superpowers," you say. "No one would dare attempt that kind of sabotage."

Nevertheless, it is all too close to being true. But the "foreign power" involved isn't the Russians or the Chinese. It's not even the British — not directly, that is. Rather, the threat comes from citizens of the U.S. who have been led to believe that they comprise an "alien

nation" whose interests and needs are different — in fact, opposite — from those of the rest of the country . . . the "Indian" or "native American rights" movement. This formation and its political overseers are attempting to do through the courts what no world power would dare do directly.

The Schlesinger Connection

At a time when the nation is at a critical juncture in determining a national energy policy, the "native American rights movement" has been created as a key element of influence in that policy. While James Schlesinger is doing everything to eliminate high-technology energy sources, cut off oil imports, and "environmentally" strangle domestic energy production, the native American rights movement is organized to help by choking off access to strategic domestic energy raw materials, through a multitude of "treaty-rights" and

A New Turn To Terrorism

Since this report was written, several events have occurred that indicate the directions now being given to the native American rights movement.

On April 16, a 17-day seizure and shutdown by disgruntled Indians of Texaco's Aneth oil pumping station, located on the Navajo Reservation in Utah, ended with a coercive settlement forced on Texaco, three other major oil companies, and their subsidiaries by the Navajos. The occupation of the Texaco facility, which pumps 22,000 barrels of oil per day, is illustrative of a growing trend of Indian seizures to force out-of-court settlements for alleged industry infractions against Indians, under penalty of production shutdowns.

Certainly, the viability of inciting obstruction of development projects has been demonstrated previously. Didn't Alaskan Eskimo and Indian activities prolong construction and increase the cost of the Alaskan pipeline, while the Northern Territory Indians of Canada actually prevented the construction of the MacKenzie Valley natural gas pipeline altogether by threats of terrorism? The escalation of these tactics, however, sets the stage for full-scale terrorism directed at industrial and energy projects located on or adjacent to reservations.

Simultaneous to the Texaco seizure, the Navajo tribe sponsored a national Indian conference on the problem of white backlash to Indian rights claims.

The conference emphasized in particular that the one million native Americans, unlike other minorities, were seeking not *equal rights* but supposed *special rights* negotiated as sovereign nations a century ago. The continued inculcation of and adherence to an ideology that defines native Americans as distinct and sovereign entities is essential to the viability of the rights movement as a divisive force.

Furthermore, the conference explicitly endorsed the extortionist tactics of the Texaco seizure, giving credence to future such actions. Peter MacDonald, the Navajo chairman and leader of the Council of Energy Resource Tribes, an umbrella organization of 22 energy-rich Indian tribes, said in reference to the Texaco incident, "this may be indicative of how the nation's Indian tribes will deal with large corporations in the future over oil, gas, coal and other mineral production."

During the same week U.S. Senator James Abourezk urged the native rights forces to move from crime to treason. The South Dakota democrat advised Hawaiian natives to seek "freedom" from the United States and "set up a government in exile." This new "government" would determine who among the community was actually a native and eligible for reparations from the U.S. federal government. Abourezk, who made the statement while chairing the Senate Select Committee on Indian Affairs hearings, also endorsed the efforts of "native Hawaiians" to create a "self-sufficient" Hawaiian nation.

similar court actions. Not coincidentally, a key participant in the evolution of the native American rights movement has been James Schlesinger.

The extent of natural resources in jeopardy thanks to these legal actions includes no less than *50 percent or more of the nation's uranium; over 16 percent of the nation's coal, most of which is west of the Mississippi River; 35 to 40 percent of the nation's oil, undetermined amounts of natural gas; and extensive water rights* which are currently held in trust for native Americans by the U.S. Government.

The native American rights movement, which has catapulted into the news in the last year, is intent on securing autonomous control over those resources, while simultaneously pressing claims to yet more. The danger lies in the externally imposed ideology that has motivated that endeavor — for it actually pits “Indian tradition” against progress, so that technological development is necessarily seen as an “alien” intervention by an undesirable culture.

If the “needs” arising within this ideology are acknowledged in any way but clinically, as a false identity, it will further undermine the principles of progress on which this country was founded.

A summary history of the origins of the native American rights movement and the decidedly non-native institutions that control and shape it shows, first, how diverse backward tendencies were shaped into a synthetic belief structure and program, and second, how that in turn was given a coordinated political and institutional form that coheres completely with the environmentalist and zero-growth ideological attacks on the nation.

Setting Up The Movement

The native American movement's leading expression of the moves to achieve centralized control over the bulk of native resources now held in trust by the Government is the newly formed, Schlesinger-controlled Council on Energy Resource Tribes (CERT). The Council, which represents 25 energy-rich Indian tribes in the lower 48 states as well as Alaskan Eskimo and Indian tribes, was formed as a power block to “play a key role in the nation's future energy plans.” By amalgamating all energy-rich tribes under the CERT umbrella, individualized tribal negotiations for resource development can be influenced by the power block, whose specific purpose is to cartelize member resources.

The real purpose of the amalgamation is quite clearly delineated by CERT's chairman, Peter MacDonald, who states, “In many cases tribes are not going to lease out their resources . . . They may be forced to just sit on those resources.”

The initiating forces behind CERT are LaDonna Harris, wife of former Senator and self-styled “populist” Fred Harris, and John O'Leary, *the Deputy Secretary of Schlesinger's Department of Energy*.

Both Harris and O'Leary are known for their admiration for environmentalism and “alternate” energy sources. Like boss Schlesinger, O'Leary has worked his way up through almost every government energy agency, setting up antienergy networks in each. O'Leary

spent 1975 with the Mitre Corp., which plays a major role in assisting the Department of Energy in retailing regressive energy projects through special studies devoted to the “hazards” of nuclear development.

The O'Leary-Department of Energy connection extends directly into CERT through Edward Gabriel, a recent DOE retiree, who has taken the helm of CERT's Washington, D.C. office. Not surprisingly, then, the same policies of deindustrialization and destruction of advanced energy development which are rampant in Schlesinger's Energy Department form the policy basis for the Council.

Schlesinger himself is directly involved in molding the Indian organization into a power bloc. His involvement, however, is something of an apparent contradiction in his career. During his tenure in the Office of the Budget in the 1960s, he was actively considered as a potential new Secretary of the Interior by Richard Nixon. Schlesinger was adamant in refusing to allow Indians the right to “self-determination” as a federal policy. Now suddenly the energy czar sees innumerable benefits in allowing total self-determination to native Americans.

Schlesinger is now forming an interagency task force to focus on Indian energy matters which cuts across agency lines. The obvious purpose of the task force is to extend Schlesinger's influence into government agencies which are responsible for Indian affairs.

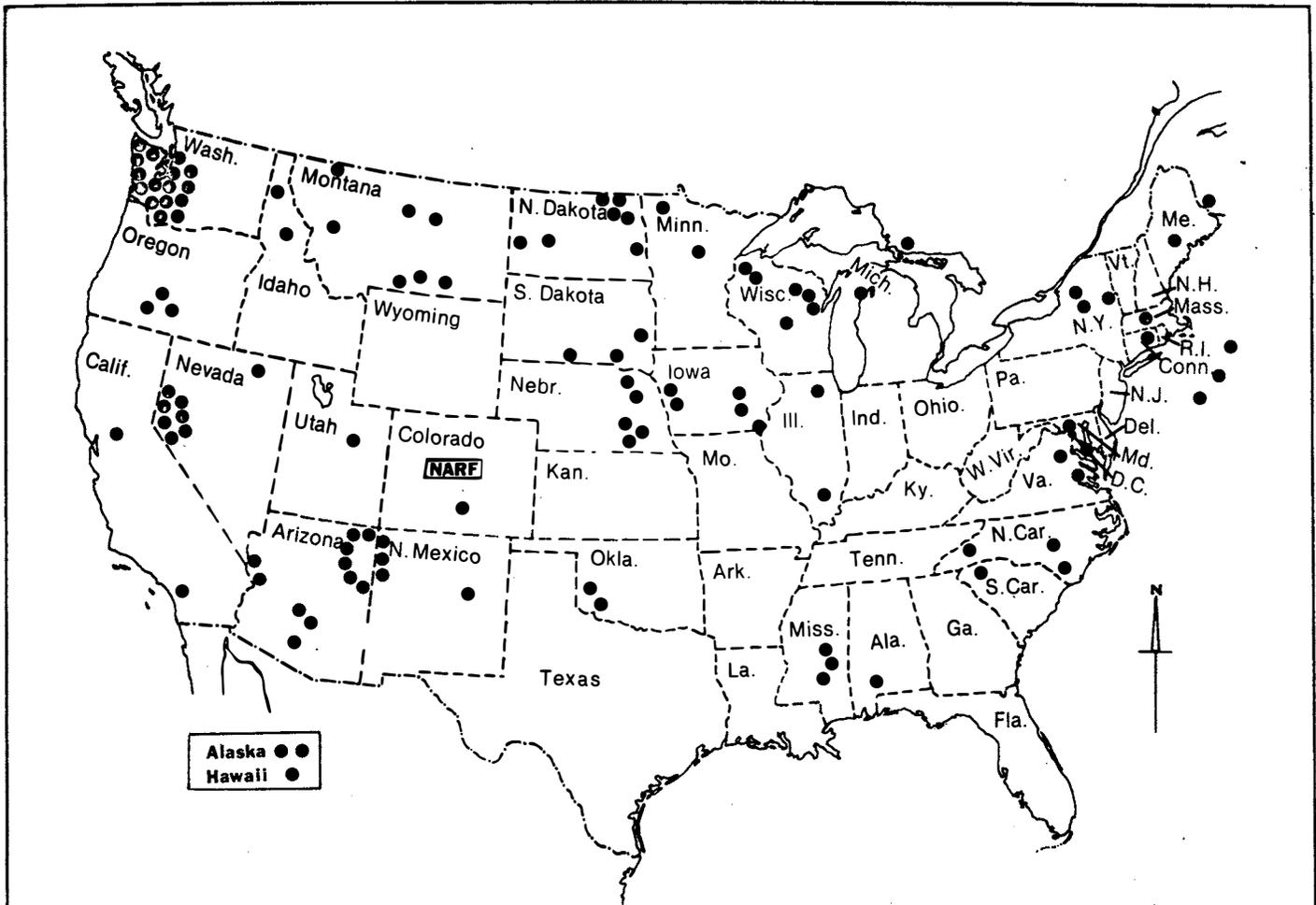
The Fight For Control

The Department of Interior and its relevant administrative arm, the Bureau of Indian Affairs (BIA), are charged with the federal government's exclusive trust responsibility to native Americans. The Bureau is responsible for fiduciary control of Indian lands, monies, and resources held in trust by the United States. In that capacity, the Bureau is responsible to assist native Americans to realize maximum benefits from their resources and encourage the development of their potential as American citizens through the provision of social and educational opportunities. BIA now has final authority to approve or disapprove contractual arrangements made by third parties with Indians for the development of their resources.

Since the adoption of the American Constitution, a battle has raged over Indian policy between republican and anti-republican forces. The two irreconcilable policies which have been in conflict through two centuries are assimilation and retribalization. In the 20th century alone, Indians have been bounced back and forth between the two policies numerous times. It is sufficient to identify the shifts in policy to bring the current situation into perspective.

The government policy of assimilation, in effect since the 1880s, was undercut by New Deal reformists in 1934. An Indian Reorganization Act (1934) emphasized the distinctions setting Indians apart and called for the preservation of tribes and reservations as distinct cultural entities. This policy, which was fully coherent with New Deal endeavors to glorify communal, labor-intensive projects at the expense of industrial expansion, reinforced the rural, labor-intensive Indian economies.

However, following World War II, which aborted this policy, the Eisenhower Administration attempted to re-



The map provides a graphic view of the scale of Indian litigation and claims negotiations being carried out by just one group, the Native American Rights Fund as of January 1976, the date of the NARF's latest available report. More recent information indicates that the number and impact of NARF legal activity could easily have increased as much as 10 percent since that date. This map of course does not account for the hundreds of other actions brought by the U.S. government, private law firms, and other Indian legal organizations.

The Rights Fund, a Denver-based Indian public interest law firm, was set up by the Ford Foundation, and is at the center of national Indian legal efforts by virtue of its tacit coordinating role. Moreover, the Fund serves as a revolving-door "personnel bureau" for government agencies dealing with Indian affairs, as well as a legislative drafting service to rewrite federal law and regulations favorable to Indian interests. The Fund has also taken an active role in accelerating the development of the Alaskan and Hawaiian native rights organizations.

introduce a policy of assimilation, to bring Indians into full status as American citizens. That policy was totally scrapped by the Kennedy Administration at the behest of its anti-industrial faction.

An Old British Technique

The key features of the ideology which defines the American Indian, Eskimo and Hawaiian rights movements is an identity which negates national and universal human purpose in favor of the equality and sovereignty of distinct subcultures (tribes) and the reification of each tribe's discrete "needs" based on the maintenance of primitive "traditions," as rights in themselves. Those traditions include Stone Age economies, superstitious religions, and a return to the "natural" tribal state.

This ideology is not unique to the native American population. It has been demonstrated time and again, in India, Africa, Canada and elsewhere, that the incitement of backward ethnic, religious, and cultural tendencies provides an effective divisive tool against a sovereign nation, without direct involvement by the forces who benefit from the resulting instability. The age-old adage "divide and conquer" appropriately describes the real value of this sociological phenomenon. And no one wielded it more effectively than the "cultural-relativist" British Empire.

In the case of the native American movement, the panorama of involvement by social self-help agencies, universities, and foundations and other funding organizations points directly to British financial interests as the prime benefactors of economic destabilization and de-industrialization in the United States.

Indians and British Lawyers

In the mid 1950s, the University of Chicago, which was the birthplace of both the Indian movement and the anti-nuclear movement, hosted a conference of social scientists and anthropologists to hammer out an alternative Indian policy that was coherent with their claim that assimilation was an unworkable solution, that Indians, no matter what their history of contact with the dominant society, only incorporate traits of that society within older "covert patterns of Indian life." This not-so-subtle racist finding, reinforced by a predetermined "scientific" study of the Indian population, was the basis for future reintroduction of those "old patterns of Indian life."

In 1961, under the tutelage of the environmentalist Steward Udall, then Kennedy's Secretary of the Interior, a new policy of retribalization was implemented on the basis of "recommendations" from the Fund for the Republic (headed by Robert Hutchins), the parent organization of present-day terrorist policy centers like the Center for the Study of Democratic Institutions and the Institute for Policy Studies. The Fund warned that congressional termination of government responsibilities to Indians, "may tomorrow call for the payment of unanticipated indemnities." How perceptive the Fund was.

With the route opened in the Administration, Hutchins's former command post, the University of Chicago, held another conference to overcome Indians' traditional reluctance to work together as a group, and began introducing the notions that all Indian existence was threatened by a common enemy — government and "big business." The result of the conference was a demand for tribal sovereignty.

Folk-Song Army

Furthermore, the conference erupted in a classic confrontation between young and old Indians, which resulted in the creation of the National Indian Youth Council. The Council, which became the rallying point for young Indian dissidents who were impatient with tribal leaders, was the recruiting ground for future terrorist and left insurgent operations (under the banner of "Red Power"). The Youth Council aimed to neutralize and replace older Indian leadership, and has had primary responsibility for the growing number of local militant uprisings on Indian reservations. It has been bankrolled by the Field Foundation, an Institute for Policy Studies funding conduit for a number of kinds of networks.

With the passage of the Economic Opportunity Act of 1965, elements in the Kennedy Administration began a widespread campaign to introduce the synthetic identity worked out by the University of Chicago and the Fund for the Republic. Under the guise of the "War on Poverty," Indians with minimal or no contact with American society were targeted by OEO-VISTA volunteers. The goal was to reintroduce heteronomic cultural tendencies and place growing emphasis on the maintenance of backward traditions to ensure the future of the Indian as a distinct entity. Technology was posed as a threat to the fantasy of the idyllic life in harmony with nature that had purportedly been enjoyed by Indian forefathers. Who says the buffalo's gone?

However, without earlier activity around Indians by American-based British law firms, the "War on Poverty" could never have been the divisive factor it was. Until the 1960s, total authority, including resource allocation for the benefit of Indians, was centered in the Bureau of Indian Affairs. In order to really inculcate a synthetic identity, it was necessary to usurp the Bureau's authority and introduce influence from other Government agencies.

The law firm of Fried, Frank, Harris, Shriver and Kampelman, whose partner Sargent Shriver had already secured the reins of the Office of Economic Opportunity, began a congressional lobbying effort to secure resources for Indians outside the Bureau. The result of that effort was a federal "set-aside" policy that mandated that most federal agencies allocate resources solely for the benefit of Indians.

Fried, Frank, which made its original money pursuing Indian claims cases against the government for activities on behalf of Indians that were supposedly nonetheless injurious to Indians, is directly linked to British Rothschild financial interests in the United States, Canada and elsewhere. The firm continues to maintain its influential position as chief counsel to more than 12 Indian tribes.

The most significant evidence of the firm's humanitarian aims is the fact that Fried, Frank is the chief counsel to Rio Tinto Zinc, the Rothschild-owned mineral cartel, which seeks to control international uranium resources. Fried, Frank partner Sam Harris is the chairman of the board of Rio Tinto.

To choke strategic international uranium production and so force an advantageous market price for its own mining operations in Africa, while securing control over other national uranium reserves, Rio Tinto utilized the service of the Rothschild-directed Friends of the Earth environmental organization to block the export of Australian uranium. Not only did the accommodating "Friends" leak planted information of an international uranium price-fixing conspiracy by Rio Tinto, which has enmeshed Westinghouse, the U.S. government, and numerous other uranium industries in a diversionary and protracted legal action over the escalating price of uranium, but the Friends also bankrolled a synthetic Australian aborigine movement, which has since been successful in blockading the mining of uranium by embroiling the Australian government in land challenge cases.

Fried, Frank and Rio Tinto's sincerity in helping oppressed minorities and liberation movements is best shown in their use of the Congress of Racial Equality, founded by a Fried, Frank partner, to recruit mercenaries to protect RTZ uranium mines in Namibia from Angolan liberation fighters.

The Legal Strategy

With the false identity burgeoning among the Indian population, the next phase began — to institutionalize the ideology into a political and legal movement. By taking

advantage of the government's historic and counter-productive policy of dealing with Indian issues on a case-by-case basis, usually in a time of crisis, the movement's legal onslaught was designed to not only force negotiated settlements but flood the courts with precedent-setting rights claims.

In 1966, the OEO set up a legal program which reached into every area of poor rural and urban life to, in effect, establish the rights of the lumpenized. OEO established specialized Indian legal programs to complement its already entrenched community-control programs reinforcing every aspect of backwardness.

In 1968, through direct policy and financial input from the Ford Foundation, a legal strategy was formulated to secure Indian rights in the courts. The long standing policy of seeking financial remuneration for "historic wrongs" done to Indians was for the most part dumped, in favor of a plan to secure "lost rights," even if it is land bought by settlers 200 years ago, now the site of thousands of homes, industries or water, for example that provides irrigation to the nation's vegetable garden, the Southwest.

This tactic, known as the "key-case strategy," was formulated, with the help of the Ford Foundation, to build a pyramid of Indian legal-case law, starting with the most innocuous claims, to establish precedents for those claims which represent real threats to the nation's industrial and agricultural infrastructure. The common thread in this strategy is to reinforce tribal jurisdiction without controlling influence from the government.

The principle of the key-case strategy was taken from the legal theories of Felix Cohen, a legislative reformist in Roosevelt's New Deal Administration, who was the "Father of Indian Law" and the founder of Fried, Frank. The principles elaborated in Cohen's *Handbook of Federal Indian Law* negate any generative quality of law, any reason behind a law, and instead interprets facts as determinants of a static law. Through a literal interpretation of the Founding Fathers' intent in creating the government-Indian trust relationship, Cohen then rationalizes that all law that does not conform to the interests of Indians as Indians amounts to an atrocity which must be undone.

In 1971, the Ford Foundation — whose experience and intent in bankrolling population-control programs, like the Institute for Race Relations' "black power" community control projects, is notorious — provided \$1.2 million in seed money to establish the Native American Rights Fund. The foundation is equally well known for providing funds to notable environmentalist legal fronts, including the Natural Resources Defense Fund and the Environmental Defense Fund.

The Native American Rights Fund, a public interest law firm for Indians, actually implements Ford Foundation policy directives through the selection of appropriate cases which will contribute to the growth of "Indian law reform," while discouraging those cases which will jeopardize that plan. The Fund has been the principle force behind most Indian claims cases in the last seven years. The stated objective of NARF is to "assure the survival of tribes as separate peoples . . . by defending and extending treaty rights."

The Indian legal maneuvers have the immediate effect of large-scale economic disruption.

Land Claims cases, which are currently going on in numerous northeastern states, have totally paralyzed the real estate markets in claims areas, preventing home owners, industries, and states from buying or selling land, not to mention the potential liability that could be imposed on those same landowners for "100 years of trespassing." For example, Alaskan land claims significantly contributed to stalling the completion of the oil pipeline as well as escalating the costs.

Water Rights cases, potentially the most dangerous of all cases, have had various impacts and results, including endangering irrigation, hydroelectric power, and high-technology industrial projects. The Indian water-right argument is based on a 1922 Supreme Court decision called the Winter's Doctrine, which essentially states that the original inhabitant of the land has a primary and paramount right to the water on or under that land whether he uses the water or not, before any other can use it.

This doctrine includes a prohibition on depriving the primary water-owner of his rights by means of diverting the flow of water at its source (i.e., dam) when it is not on the claimant's land. Already various Indian tribes are mooting a planned challenge to rights over approximately 50 percent of the water flow of the Colorado-Arizona dam project which will not be completed until 1985. Eventually, this diversion project is scheduled to provide water for six parched southwestern states.

To further add to the climate that poses resources development as inimical to Indian "interests," the Institute for Policy Studies' front organizations like the Youth Project have provided resources and manpower to carry out "scientific" studies of the impact of development on tribal life. Youth Project-funded studies have already found that the development of coal on the Navajo and Northern Cheyenne Reservations is detrimental to "traditional" native activities. As a conduit of funds for major foundations, Youth Project is one of many which are peddling these planted impact studies.

The Rights Fund also serves as a revolving-door personnel agency for the Interior Department, Bureau of Indian Affairs, and the Justice Department to benefit the legal strategy. As one floating ideologue put it, Indian advocate attorneys in NARF, Justice, and BIA are a "tight little group . . . all thinking the same thing."

The Donner Foundation is notable here in that it provides funds for all components of the native American legal infrastructure, including the Indian, Hawaiian, and Eskimo branches, as well as directly interfacing parallel nationalist movements in Canada through the Donner Canada Foundation.

The Terrorists

While the legal apparatus developed, its terrorist counterpart also blossomed. The American Indian Movement, created in 1968 with Department of Health, Education, and Welfare and Department of Housing and Urban Development Administrative funds, was originally a self-policing organization to patrol urban Indian ghettos. In 1971, the Ford Foundation and the Institute for Policy Studies began funding AIM under

their "oppressed minority" projects. Within two years, AIM erupted as a terrorist organization.

The terrorist antics of AIM have brought national visibility and popular support to the campaign to secure Indian rights. However, that popular support consists primarily of individuals and organizations whose worldview has no room for technological development, and are themselves promulgating the same ideology among other native populations — that is to say, "liberals." A leading supporter of the Indian rights movement, the World Council of Churches, is responsible for introducing similar ideologies through its mission efforts in Latin America and the Caribbean.

At the same time AIM, through its auxiliary organizations, the Native American Solidarity Committee and the International Treaty Organization (which has nongovernmental status at the United Nations), directly interface a wide variety of terrorist organizations, including the Weather Underground and the July 4th Coalition, through interlocking membership.

Eroding the Republic

The Supreme Court recently ruled in no uncertain terms it will not entertain motions to increase tribal autonomy and jurisdiction. In its decision, the Court stated clearly that Indians had long ago given up the

right to extended jurisdiction when they came under the domain and protection of the United States.

However, in spite of the Court's decision, the country's constitutional principles continue to be undermined in local legal actions, negotiated settlements, and legislative reform. The U.S. Senate has recently re-established its oversight prerogatives. Under the Chairmanship of Sen. James Abourezk, the Congressionally mandated Indian Policy Review Commission returned its recommendations for congressional action this year.

The Committee has recommended full autonomy to Indian tribes, including total control over their natural resources. The report stressed the preservation of Indian culture and the abolition of the Bureau of Indian Affairs in favor of an autonomous government agency free from the conflicting interests of the Interior Department.

Abourezk, whose sympathies for zero growth are compatible with those of James Schlesinger, now chairs the Senate Select Committee on Indian Affairs, which is drafting the Review Committee's recommendations into legislation.

In short, some evil whiskey-running white faces are stirring up a new Indian War. But the war that must be fought is against the ideology which condones cultural divisiveness and antidevelopment sentiments, the zero-growth outlook of Mr. Schlesinger, Rio Tinto, and their friends.

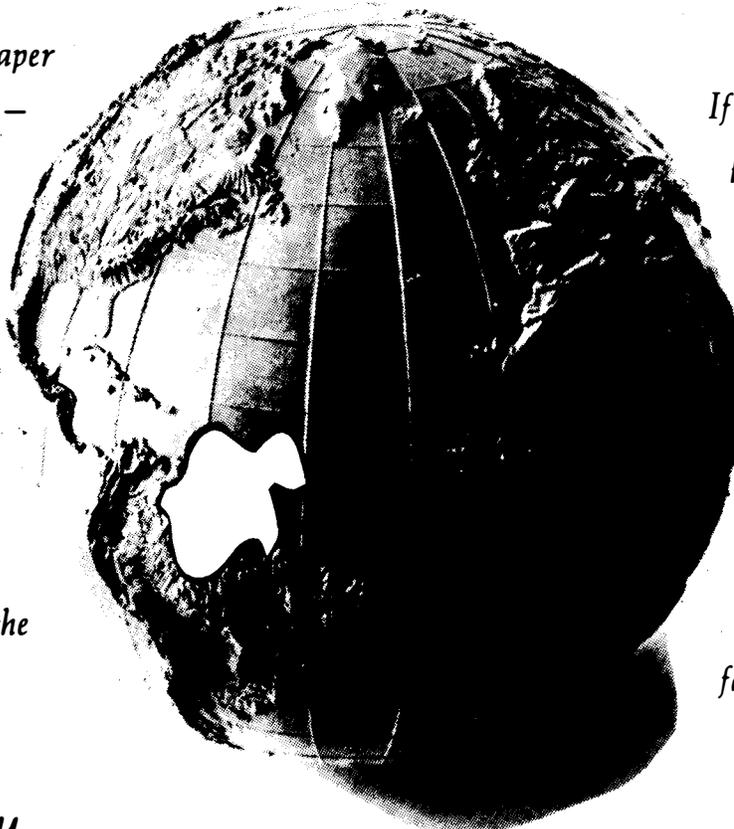
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