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Relieved police in Memphis

"We knew they'd be mad... us outrunning them in that little old truck, with them in them big, fast cars," George Barnes, a 15-year-old black, of Memphis, Tenn., told Nashville Tennessean reporter Jim Squires. He was talking about the Memphis police officers he and two companions had led on a high-speed chase. The chase came to an end only when police blocked the road and Barnes, who had borrowed his father's truck, spun it into a ditch.

What happened next was that Barnes, Calvin McKissack, 14, and Elton Hayes, 17, were subjected to a terrific beating by police--a beating which killed Hayes and touched off three days of rioting in Tennessee's largest city. Barnes and McKissack might have died too, had it not been for the intervention of a black police officer, who, in Squires' words, "refused to go along with the hoax."

"The hoax" was an attempt by the police to cover up the beatings by claiming that Hayes had been thrown from the truck and had died from injuries. The city police, in fact, even filed a report to that effect. And, according to Squires, "hospital officials were told that the boys had rolled the truck over three times and that Elton and Calvin had been thrown from the vehicle. They were talking about possible murder charges against George, the driver." The police, Squires said, planned to damage the truck with a sledge-hammer to make its appearance match the report.

But the "hoax" came tumbling down, Squires reports, when Lt. T. R. Wilks, of the Shelby County sheriff's department, refused to go along. First, Squires reports, he stopped the beating of the black youths and ordered two of his deputies to take Barnes and McKissack to the hospital. Second, he refused to go along with the report that the truck had been damaged in a crash. "I've got to say in my report that the truck was O.K.," Wilks told the other officers--all of whom were white--according to a source quoted by Squires.

Subsequently, 25 city policemen--including two inspectors, a captain, four lieutenants and 17 patrolmen--were "relieved of duty" by Memphis police chief Henry Lux, pending the outcome of an investigation of the incident. The "relieved" officers, however, are simply not performing their duties. They have been ordered to stay at home, where they continue to draw full pay and benefits.

Takeover at Puerto Rican conference

A conference of 40 northeastern colleges and universities which was designed to pave the way for the opening of a Puerto Rican Studies Program at Princeton University was taken over by students Nov. 6-8, on the campus in Princeton, N. J.

Dr. Eduardo Seda Bonilla, director of the Puerto Rican Studies Program at Hunter College in New York and a participant in the conference said the original purpose of the conference was defeated by the take-over by some 200 students, most of whom were Puerto Rican. But he said that the meeting proved very interesting to both students and professors who were attending. Bonilla said the formal speech/workshop format for the meeting was scrapped by the students in favor of "rap" sessions between the students and professors. A number of white college administrators were excluded from the meeting.

Congressional black caucus to meet

The Congressional Black Caucus has scheduled a national black political strategy conference for November 18-20, at the Sheraton Park Hotel, in Washington,

D. C. Black elected officials from all over the country are expected to attend the three-day seminar. Planners of the confab hope to solidify a national black political strategy for 1972 and to shape local strategies for solving local problems. Topics of the workshop sessions -- which will be moderated by Caucus members -- include: black news media, federal and private grants, costs of war to the black community, law enforcement and corrections, and voter education and registration.

Health crisis in Chinatown

A statistical report on last August's Chinatown community health fair in New York "casts more shadows in an already gloomy picture of health conditions in the Chinatown community", reports the Community News Service. Health fair coordinator Tom Tam told CNS that statistics on medical tests performed on 1,542 Chinatown residents during the one-week street fair indicate serious diabetes, tuberculosis, syphilis and dental problems in the community. Tam also said that almost 60 per cent of the residents tested had no medical insurance at all, and less than six per cent are covered by Medicaid, the state's program of insurance for low-income families. Chinatown is a low-income area.

Complicating the problem, according to Tam, is the fact that 85 per cent of the people tested at the health fair speak no English, while very few doctors and hospital officials in the area speak Chinese. In two weeks, Tam's health committee will open a free health clinic, staffed with volunteers, and it plans demonstrations and lobbying efforts in support of the hiring of Chinese personnel at a new hospital to be opened next July in the Chinatown area.

Baptists squelch 'inflammatory' photo

The Southern Baptist Sunday School Board has cancelled 140,000 copies of the Baptist quarterly, "Becoming". The reason for the cancellation, according to Dr. James L. Sullivan, executive secretary-treasurer of the board, was a photograph showing three students from Hamline College (St. Paul, Minn.) talking to each other. One of the students was black (a male) and two were white (both females). Baptist officials said the picture was "subject to misinterpretation" and "potentially inflammatory." But Dr. Sullivan assured his critics that the Baptists would continue to deal "forthrightly" with the issue of racial reconciliation.

Indians meet in crisis atmosphere

The National Congress of American Indians holds its 28th annual convention in Reno, Nev., this week (Nov. 14-20) in an atmosphere of crisis. NCAI, to begin with, is beset by internal problems so severe that many Indian leaders were

predicting a year ago that the organization--the oldest in the Indian world--would die. But it has survived, sustained in part, ironically enough, by the severity of the national problems confronting Indians. Many Indian leaders believe that these problems center around the failure of the Department of the Interior and the Bureau of Indian Affairs to implement President Nixon's Indian policies. That failure is expected to be a major topic of discussion at the NCAI gathering, which is expected to attract some 2,000 national Indian leaders. Another major issue will be the admission of urban Indians into the organization. In the past, NCAI has been open strictly to tribal and reservation Indians, and there has been a widening rift between its membership and the Indian inhabitants of the nation's cities. But during the past year, NCAI found itself allied with the urban-based American Indian Movement (AIM) in opposition to old-line bureaucrats within the Bureau of Indian Affairs. The alliance sparked tentative hopes that some sort of working unity could be achieved. AIM, at its own convention near St. Paul, Minn., late last month, acknowledged the need for a united Indian voice.

RRIC publication expansion

The board of directors of Race Relations Information Center, meeting in Nashville on Nov. 1, named Jim Leeson as executive director. The board also elected Leeson to the board of directors and named two other new board members: Ken Morrell, executive vice president and editorial director of the Nashville Banner, and Dr. Ernest Q. Campbell, professor of sociology at Vanderbilt University.

Leeson has been editor of the center's publications, a post he will retain. The new executive director has reorganized the editorial staff and has announced plans to expand Race Relations Reporter. Beginning in January, the first issue of Race Relations Reporter every other month will be a 32-page magazine, featuring comprehensive articles reporting and analyzing racial developments in the nation. Other issues of the Reporter will continue in newsletter form. In the reorganization of the editorial staff, Frye Gaillard was named assistant editor for the magazine editions of Race Relations Reporter. Mrs. Pat Braden was appointed assistant to the director and will be assistant editor for Reporter newsletters. Leeson succeeded Robert F. Campbell, who resigned the director's post in October to become editor of the Gainesville, Ga., Daily Times.

Indian population growth

Speculation has it that there were roughly one million Indians living in what was to become the United States when C. Columbus arrived here. Of course the number began to decline precipitously following that event, until 1950 when the Indian population was figured to be about one third of the original. But the trend has been reversed. According to 1970 Census statistics the Indian population of the U. S. has doubled in the past 20 years and is growing at four times the rate of the white population. Experts attribute this to major improvements in the public health program for Indians. They say the average Indian life span has increased by four years and the infant mortality rate is down by half. In 1950 the Indian infant mortality rate was 63 deaths per 1,000 live births. The figure is now 31, still nine above the white infant mortality rate.

Miss. Blacks Fail To Gain Control

BY JACK WHITE

Mississippi's grass-roots black political movement fell far short of its goals in the Nov. 2 general election. Blacks failed to bring a single Mississippi county under their control, to increase significantly the number of black local officials, or to add to their token representation in the state legislature.

Of 284 blacks who sought office on the local level, only 44 were successful, on the basis of incomplete returns. Twenty-nine of those candidates beat white opponents, while 15 were unopposed for such offices as constable and justice of the peace. Blacks won only a handful of countywide offices.

Among the defeated were civil rights leaders Aaron Henry and Fannie Lou Hamer, and incumbent Claiborne County Chancery Clerk Geneva Collins. Among the few winners in the generally abysmal election were Robert Clark, the only black member of the state legislature, a black tax assessor and circuit clerk in Claiborne County, and a black coroner in majority-white Clay County.

At this time, it is impossible to explain fully the lack of success, but a number of contributing factors may be cited:

- The white power structure ran scared, campaigned harder than ever before in a general election, and turned out a larger percentage of the white vote than in any previous general election.
- Blacks were subjected to physical and economic intimidation, both before and during the election.
- Black candidates were denied certain rights and privileges, such as adequate numbers of poll watchers and challenges on election day.
- Many local slates of black candidates suffered from badly organized, under-financed campaigns.
- In some counties, such basic items as sample ballots listing the names of black office-seekers were not available.
- The campaign strategy that projected Charles Evers's candidacy as a mechanism for pulling out the black vote was unsuccessful.

Immediately after the election, Evers and civil rights attorneys began investigating alleged abridgements of the rights of black voters and candidates in several majority-black counties, with an eye toward challenging those elections. The focus of the investigations is on Humphreys County, where a black county supervisor candidate was assaulted in a polling place by a white voter.

Kermit T. James, a tailor by trade, sought election in the Midnight-Louise supervisorial district of Humphreys County. He told RRIC that on the morning of the election, he received reports that his poll watchers were being kept out of the Midnight polling place. The polling

place was the office of James's opponent, Robert Harris, the incumbent supervisor.

James went to the polling place to cast his ballot, he said, and after doing so, attempted to find out from election manager Johnny Hamilton why his poll watchers were being excluded. During his conversation with Hamilton, James said, he was struck twice on the arm by a white farmer, Terry Walter. James punched Walter in return. James said he would file assault charges against Walter.

The dispute over the poll-watchers was eventually resolved, James said, when attorneys for the Lawyers Committee for Civil Rights Under Law contacted the U. S. Department of Justice, which in turn contacted Mississippi Attorney General A. F. Summer, who in turn contacted Humphreys County officials and ordered them to let the poll watchers in.

James lost the election.

The incident was among the most extreme examples of the types of problems black candidates and volunteers campaign workers faced throughout the election.

Robert Steingut, a New York businessman, and Bruce McAllister, a New York lawyer, came to Mississippi as volunteer poll-watchers. They were assigned to a precinct in Dekalb, a town in Klan-strong Kemper County. They arrived in Dekalb at 2:30 a.m. on Nov. 2, but decided to leave when they were greeted by a carload of armed white men, who followed them for several miles at high speed. They returned later, however, and performed their poll-watching duties.

Another volunteer, black attorney Robbie Dix, was assaulted in the Putnam polling place in Humphreys County during the tally of the votes. His attacker was a white election official. Two of Dix's teeth were chipped and will probably have to be removed.

Two white college students barricaded themselves in the polling place in High Hills in Scott County after being threatened by whites who threw rope over a tree and said "this is for you." The students remained in the polling place until nearly midnight. The FBI, contacted by the Evers staff, determined that they were still alive, but refused to escort them. "They're in no danger," an agent told one of Evers's attorneys. Asked if they would bring the students out, the agent replied that "we're not a transportation agency," the lawyer said. The students were eventually rescued by local blacks, after whites who had been poised on the highway leading up to the polling place went home. The students were shaken, but unharmed.

Apart from these kinds of intimidation, black voters and candidates were presented with a number of institutional problems, which surely worked against them. Mississippi law is ambiguous on whether independent candidates—which virtually all of the blacks were—are entitled to poll watchers. An opinion by Summer shortly before the election held that they were not entitled to poll watchers, but a compromise was worked out, partly through the mediation of the U. S. Department of Justice, which permitted the independents to post two poll watchers in polling places. The decision worked its way down to local election officials slowly, at best. In many polling

places, black poll watchers did not get into the polling places until after 9 a.m. Significant numbers of black voters turned out early (the polls open at 7 a.m.), when the black candidates had no one there to observe what was going on. The problem was particularly acute in majority black counties such as Holmes and Madison.

There were also widespread reports that black observers were excluded from the vote tallying, or, if permitted in the room where the count was taking place, not allowed to look at the ballots as they were being read.

Black illiterate voters were not permitted to take assistants of their own choosing into voting booths. Instead, they were assigned assistants by the usually white election manager. Rims Barber of the Delta Ministry told the *New York Times* that one black voter posing as an illiterate in Panola County had his ballot marked incorrectly by a white assistant.

Polling places in many districts were unmarked and unadvertised and were located in private businesses. Some of the polling places were located in places where white racists traditionally meet. An example is the polling place in Louise, a one-horse town in Humphreys County where a 51-year-old, one-armed black man was beaten to death by eight whites last year. The black voters of Louise were expected to enter an addition to the gas station where Klansmen have reportedly held their meetings for years. There was no flag or sign to indicate that the gas station was a polling place. At the door of the polling place a burly white man in a pick-up truck, complete with gun-rack, looked over every black voter as he walked in. And inside the poll, which had only one doorway, a white election official referred to black voters as "boy." There were an insufficient number of voting booths, so many ballots were marked on tables, against walls and in corners.

The pattern, with some exceptions, was a series of minor harrassments rather than gross injustices, according to one civil rights attorney. But the cumulative effect of all the little incidents was devastating, the lawyer said. He agreed with Evers, who branded the election a "steal." Evers said he would support challenges of county elections, although he would not appeal the result in his own race.

The Department of Justice concluded that on the whole the election was "substantially fair," according to a spokesman. The entire voting rights section of the Justice Department's Civil Rights Division was in the state, observing events in 24 counties. In addition, there were federal observers from the U. S. Civil Service Commission in 16 counties, and federal examiners, who are empowered to receive complaints, in 36 counties. The spokesman said the department was still investigating the elections in several counties, and that it was possible some federal action might be taken.

Evidence is abundant that the power structure in Mississippi ran scared during the campaign. For the first time in the memory of long-time political observers, Mississippi's U. S. Senators returned to the state to campaign for the Democratic nominee, William Waller. Sen. James O. Eastland, didn't even come back to Mississippi during his own last campaign.

This high-powered campaign on the part of whites was countered by that of Evers, who had support from such

national figures as John V. Lindsay and former Attorney General Ramsey Clark. It is unknown what the effect of these visitors was on the outcome of the campaign. Certainly a visit by Lindsay or Clark would not persuade white Mississippians to vote for anybody, much less a black man.

As the campaign progressed, there were increasingly frequent and more bitter complaints against the Evers campaign strategy by local black politicians. They felt that money paid for television spots might have been better spent by allocating it to local organizations. Evers is said to have raised and spent about \$125,000 on his campaign: \$40,000 for television and about \$20,000 for bringing in large numbers of out-of-state campaign workers. Contributions from the Evers campaign to those of local blacks were few and far between.

"He went on an ego trip," said one black close to Evers, "and forgot what the campaign was all about. He really started feeling he could become governor." In the heat of that enthusiasm, the source said, Evers concentrated less and less on assisting local organizations.

Some local black politicians have even gone so far as to accuse the Evers candidacy of hurting the chances of local hopefuls. Jimmy Smith, who managed the campaigns of Claiborne County blacks, is among those who lean in that direction. He feels that the Evers campaign scared whites so badly that they turned out in record numbers—99 per cent in his county—and that the high white percentage hurt black aspirations. And he maintains that had he had more money than the \$4,000 that was spent in Claiborne, "we could have done a lot more of a lot more things—rallies, parties, fish fries," that would have resulted in more black votes.

The allocation of money caused some division among Evers's advisers. Fred L. Banks Jr., a Jackson lawyer who serves as Fayette's city attorney, was among those who raised the question about whether the money should have been given to local organizations, particularly in those counties where statistics indicated that blacks would have a chance of winning. His views were not accepted.

Evers and most of those who were advising him, believed that his campaign would garner 250,000 black votes. That massive vote, he felt, was the key to victory for local black office-seekers. That turned out to be fallacious. Evers's tally was approximately 160,000.

There is some evidence, as yet incomplete because official results have not yet been compiled, that blacks voted for Evers but either forgot the names of black local candidates, were intimidated from voting for local candidates or simply did not file complete ballots. No one has yet offered full explanations for black voters' failure to support their local candidates.

The *Jackson Daily News*, which believes that it is Mississippi's "greatest newspaper," offered this explanation for the black failure: "The election, in our view, proves that an historic relationship of paternalism of the whites for the blacks still exists in Mississippi; that the blacks look upon the whites for leadership, for guidance, for favors, for loans, for friendship."

The explanation was part of a *Daily News* editorial of Nov. 4, which twice mentions "outside agitators," and "nosey liberals." It was accompanied by a cartoon of a gigantic black hand reaching down out of the sky, crushing

"most black candidates" to the ground. In the previous day's editorial cartoon, a black hand representing Evers reaches up plaintively through a pile of ballots.

Younger black leaders are already studying the election, in hopes of coming up with a plan that will result in more success in the next general election in 1975. Some, like lawyer John Brittain, feel that blacks might form a real political party to replace the present loose coalition of local organizations, many of which stem from the old civil rights days. Others, like defeated state representative candidate Cleve McDowell, of Drew, feel that blacks must build their local strength in order to get some kind of deal from the state Democratic party. And Evers, who seems to be in a state of semi-shock at the failure of the black vote to materialize, is already making noises about running again. His campaign manager, Ed Cole, is said to be considering a race against U. S. Rep. Charles H. Griffin next year.

Another factor complicating an analysis of the election was the 18-to-20 year old vote. These new young voters' ballots were collected in separate boxes and have not been added in with the official tallies. They had only one day to register before Mississippi's July 2 deadline—and many didn't make it. But a ruling by Justice William J. Brennan in September ordered that they be permitted to register and cast their ballots, which will be held until the U. S. Supreme Court rules whether they are valid for this election. The chances are that the court will rule that the ballots count. In some close races, such as that of Mrs. Collins in Claiborne County, the 18-to-20 year old votes could reverse the outcome of the election.

The grass roots political movement has been dealt a severe blow by the dismal results of the 1971 elections, but it is still a long way from being dead. Evers probably said it best of all: "White folks, we may be beaten, but we ain't defeated."

Alaska Natives Criticize Bill

BY STEVE NICKESON

This spring when President Nixon sent his version of the Alaskan Native Claims Bill to Congress, the conservative administration joined liberals in speaking of justice and self-determination for 60,000 Alaskan natives. The liberal press, although it had some reservations about details in the bill, was favorable and referred to the measure as "generous" in that it gave control of 40 million acres of land to Alaska's Indians, Eskimos and Aleuts, plus from \$925 million to \$1 billion in a cash settlement with the natives.

But closer to home the enthusiasm for the bill begins to fade by increments:

• Doug Jones, assistant to Sen. Mike Gravel (D-Alaska) said, "What's possible is what you have to work with." He felt that given the possibilities at this time, the bill is a good one, although some natives did not think it was altogether generous.

The Alaskan Native Claims Bill, which has been praised as giving the Indians, Eskimos and Aleuts of the 50th state a benevolent and just settlement on their land claims, recently passed both Houses of Congress, with the Senate favoring the bill 75 to 5. Differences between the House and Senate versions are now being ironed out in a joint Senate-House Conference Committee. The bill is a product of both the natives' cultural ties with the land and the need for American economic growth. The major question is whether the native claims legislation is a humane and just settlement or simply a means of opening up Alaska and its original inhabitants to extensive exploitation.

• Don Wright, president of the Alaskan Federation of Natives (AFN), the major native lobby group, said the bill will open up "the biggest land grab in the history of the U. S."

• William (Willie) Willoya, an Eskimo and a 20-year veteran of native land claim controversy, said if the bill were to have the same effect on white people as it will on the Alaskan natives, it would be declared unconstitutional immediately.

On the surface the bill has the approval of almost everybody including the AFN, liberal and conservative politicians, Alaskan oil interests, white entrepreneurs, plus a verbal guarantee from President Nixon that he will veto the bill if the final version does not meet with the approval of the AFN. (Most observers say that the Senate, which takes pride in such a magnanimous bill, will promptly override the veto.) But below the surface is controversy and confusion that has a look of permanence. This fear and turmoil results from the fact that the Native Claims Bill is a strange hybrid product of two sets of history, alien to each other and often in opposition. First there is the natives' need for a large subsistence land base; second, the white man's growth economy.

The U. S. government recognized the natives' need when it purchased Alaska from Russia in 1867. Eighteen years later when territorial government was established there, Congress acknowledged that need again by saying the natives would not be disturbed in their possession of any land they claimed or used, or occupied.

But as Alaska began to outgrow its status as an economic liability, Congress grew less and less benevolent. Seven years before the territory was granted statehood the sovereign chiefs of all Alaskan native villages submitted formal claim on 340.7 million acres. Nothing came of their efforts. The 340.7 figure has been used as a bargaining tool ever since.

When Alaska became a state in 1958 the federal government allowed it the right to select 103 million acres from the public domain and again reasserted the natives' rights to land. But the natives were never given formal title to the land; their claim was only that they used it and occupied it.

When the economic potential of Alaska came clearly into focus early in the last decade it became obvious that

formal title to native lands had to be established. In 1966 Secretary of Interior Stewart Udall stopped the transfer of 12 million acres of federal land to the state and halted the issuance of new federal oil and gas leases on Indian land until the land claims were settled by Congressional action. Little was done until the situation was brought to a head by the Atlantic Richfield discovery of the huge oil reserves around Prudhoe Bay on Alaska's far northern shore in 1969. The state promptly auctioned off oil exploration rights on another extensive tract of North Slope land, thus bringing in a swift \$900 million by simply ignoring Eskimo occupation and use of that territory. Later that year the U. S. Court of Appeals ruled that land used by natives for hunting, fishing and camping, even if only on a seasonal basis, was *not* vacant and could not be claimed by the state government. The fact was clear: Development of Alaska's mineral and timber resources, not to mention the construction of the 48-inch Trans-Alaskan pipeline from the North Slope to a deep water port in the south, was contingent on the settlement of the land title situation.

In 1970 bills for native land claims began to appear in Congress, most of them patterned after that drafted by the AFN, which called for:

- 60 million acres to be allotted to villages, individuals and native corporations.
- A \$500 million cash settlement from the federal government to be distributed over a nine year period at four per cent interest.
- Perpetual two per cent royalty on leasable minerals and a perpetual two per cent share of federal revenue from the sale or lease of timber, surface resources and certain minerals on the public domain.
- Subsistence use rights on some federal and state lands. This right would extend for 100 years on land in the public domain and for 25 years on land patented by the state.
- Establishment of one statewide native corporation to oversee disbursement of money, plus 12 regional business corporations to administer land and money and 12 regional nonprofit corporations to provide services related to community development.

One of the first bills to be sponsored by House or Senate members was the one drafted by Wayne Aspinall (R. Colo.) chairman of the House Interior Committee. Aspinall's short lived bill provided the natives with clear title to only their village sites plus no more than three times the acreage of the village sites. It gave them subsistence use rights but no title to a maximum of 40 million acres, plus \$1 billion cash settlement. Of the cash settlement, \$500 million would come from a direct federal appropriation and \$250 million each from state and federal mineral revenues.

The two slightly different bills that passed the House and Senate fall somewhere between the AFN bill and Aspinall's. Both provide for native title to 40 million acres of land and \$500 million federal cash allotment. Both put a ceiling on the amount of mineral royalty revenue that will go to the natives (\$500 million in the Senate, \$425 in the House.) The House bill has no subsistence use rights provision and the Senate version offers an option (to be voted on by native referendum) giving subsistence use rights for a maximum of five years, which could be termi-

nated any time at the discretion of the Secretary of the Interior.

Aside from the differences in the House and Senate Bills, both promptly abolish all aboriginal rights to claim further land and the rights to hunt, fish and gather berries and fuel in the natives' traditional ways. The AFN bill attempted to protect the natives in these areas, but with very slight success.

"The bills are designed to make capitalists out of all Alaskan natives," was the comment heard over and over again from native sources. They spoke as if that were about the best they could hope for. They also talked about the impending destruction of native culture and made many comparisons between the native claims bills and the disastrous reservation termination programs in the "lower 48" states during the 1950's. They see differences only in the degree of sophistication between the intent of the bills that will probably be signed into law before the year is out and Aspinall's earlier and stingier offering. They also see ignorance in almost every sector about what is going on and what is needed.

Willie Willoya stated and repeated, "I will stake my life's blood on the fact that 99 per cent of the Alaskan natives (especially the 70 per cent of them who live in rural areas) do not know what is going on down here (Washington)."

On the other hand, Don Wright said one of his major problems is fighting the ignorance of all but a handful of politicians about the conditions and needs of the Alaskan natives. Wright explained those conditions. He said a large share of the natives are nomads. They must travel in the spring to the low coastal areas for fish and migratory water fowl, and then in the summer there are inland berry gathering areas. When fall approaches the natives must travel to hunting camps for big game and then to the main village for the winter. It is a strictly subsistence life; cash is scarce; the modern American marketplace is unknown.

Wright also explained how the Native Claims Bill would end that. First, about 3,000 hunting, fishing and berry gathering areas will fall outside the land areas to be selected by the villages. And even on the natives' land claims state hunting and fishing laws will soon be imposed. After the villages have selected approximately one half of the 40 million acres, the state government will be given until 1984 to complete its selection of the 103 million acres stipulated in the statehood act. To date the state has selected only a fraction of the total amount. In the meantime, individuals will be given a chance to homestead 160 acres of their choice from the village lands. Following the completion of the state's selection, the 12 regional business corporations (in which all natives will own stock) will select the remainder of the 40 million, ". . . if anything is left," Wright said.

In essence, the land allotment will turn nomadic subsistence hunters into stationary subsistence farmers or ranchers who, according to both Wright and Willoya, will be stuck with a plot of land that is incapable of supporting an existence or even paying the taxes on itself. (This estimate is corroborated in the October, 1971 *Legislative Review*, published by the Indian Legal Information Development Service. A report on the legislation in the *Review* stated that much of the land open to village selection is in

barren upland territory with a poor economic potential at best.)

The situation will be helped only in part by the cash settlement. All of the money will be allotted to native corporations. Part of it will be used by the non-profit service organization for community development of schools, sewers, housing, etc. A good deal of this will filter down to the individual through employment opportunity. But the only direct benefit from the cash settlement to the individual will be in the form of dividends from corporation investment.

Under these kinds of provisions, Willoya sees in the near future the abandonment of the land by at least 20,000 formerly rural natives. Of course this will contribute to the growth of the already existing native ghettos in Fairbanks and Anchorage. It was looking forward to such a future that led Willoya to say the House version of the bill ". . . looked like it was a project put together over the weekend by some sixth grade class."

"This bill calls for the extinction of our basic rights," Willoya said, "it is a decision of great magnitude made entirely by the Congress without the consent of the people."

He said that it was only at the last AFN convention held in the early part of October that the rural natives had any idea that their land claims would lack trust status and thus would be subject to taxes and possible purchase by non-native interest. According to the *Tundra Times*, a small weekly published by Alaskan natives, the convention was a stormy session featuring charges and countercharges against the AFN leadership by rural natives. The meeting finally ended with a resolution to support Wright and the other members of the organization's board of directors in their push of the passage of the AFN bill. For all purposes the AFN version of the bill is dead; however, Wright and other AFN leaders have remained in Washington in the hope of making the House and Senate versions as strong as possible.

Willoya said that despite the resolution of support the rural natives were still upset by the dangers they have only recently discovered in the legislation. This is due in large measure to the fact that the AFN's board of directors is composed almost entirely of young urban natives who are out of touch with their rural constituency. Another factor of discontent mentioned by Willoya was the AFN's sudden reversal of policy, which occurred with the election of Don Wright as president.

He said that until 1970 the AFN was concerned primarily with cultural preservation; maintaining the native way of life was placed above economic considerations. This policy rested on gaining title or subsistence use rights to a large area of land. But following the election of Wright, Willoya said, the AFN's priorities switched to economic growth—the aspect of the Native Claims Bill that is most foreign to the rural natives.

In Washington Don Wright, a friendly, down-to-earth man, explains the Native Claims Bill with obviously mixed feelings. In one moment he talks in anger of "termination" and the death of native culture, of the powerful oil lobby and the community development racketeers who are already showing up in villages, carpetbags in hand, ready to take advantage of the potentials in the bill.

But at the same time he sees good in the establishment of village schools and services such as the building of new,

much-needed housing, streets, sewers and service institutions.

Wright looks like a man caught squarely between a rock and a hard place. On one side it is certain that he has gotten wind of the rumors that many Alaskan natives intend to make it pretty warm for him on his return to the state. But then too, he has been in Washington long enough to read the writing on the wall, which hints at the inability of 60,000 ill-educated and barely united Alaskan natives to stand for long in the path of world's strongest economy.

At times Wright appears not as a lobbyist pushing for native rights, but as a reluctant volunteer negotiating the surrender of his people to an alien marketplace. This, however, accounts for only one side of the Alaskan Native Claims Bill's ancestry. The other part can be found in the administration, the House and the Senate.

It is generally conceded that the oil interests were getting impatient at the delays caused by debate over the claims legislation. In 1970 Sen. Henry Jackson (D. Wash.) had guided through the Senate (with the support of Senators such as Kennedy and McGovern), a bill giving the natives 10 million acres and a cash settlement. While many conservatives viewed this as far too generous, it was considered an insult by the natives. Not really gaining the approval of any party, the bill died for lack of action in the House. Meanwhile, oil waited with a lot of 48-inch pipe on hand but no clear go-ahead for the expansion of the North Slope reserves or the construction of the pipeline.

Most observers say the Nixon administration was beginning to share oil's impatience and in the spring decided to opt for large land concessions in order to get the claims out of the way as promptly as possible. Secretary of Interior, Rogers C. B. Morton, took the administration bill to the House and was quoted in the press praising its generosity. It must be remembered that shortly after his appointment to the Interior position, Morton was in Alaska plugging a land settlement plan similar to the Aspinall bill much to the pleasure of the Alaskan State Chamber of Commerce. That fact indicates the administration had had a major change in heart somewhere along the line.

But the oil lobby's participation in shaping the present legislation is hard to discern. In the words of Marty Lobell, a professional oil lobby watcher on the staff of Sen. William Proxmire, "Oil is keeping a very low profile on this issue." So low in fact that there are no real visible signs of the lobby being anywhere near the House version.

However, in the Senate bill there is a small, afterthought sort of provision that allows the federal government to keep ownership of a north-south corridor from 10 to 12 miles wide for the purposes of recreation and transportation. It's the ringer. That's where the pipeline goes. According to Jim Wickwire, an attorney for the Arctic Slope Native Association (part of the AFN), Sen. Jackson pushed for this provision in committee and won out over the protests of Alaskan Senators Stevens and Gravel. Wickwire, who is from Jackson's home state, said that not only was Jackson interested in improving his Indian image, but he would also like to pick up some conservation support.

Thus the corridor was proposed. One implication was that the State of Alaska could not be trusted to oversee the

construction and maintenance of the pipeline. And also, if anything went wrong along the line the oil would be dumped on a federal recreation area and not on state or private land. The federal government would be able to take the loss and repair the damage with more facility than anyone else.

The conservationists were not impressed. They thought it was a sop. Lobell said the corridor does not come close to answering the major problem. The pipeline's proposed passage would cross no less than five earthquake zones. For his part, Wright only wishes that the land claims could be settled and well into the works before any pipeline is built. Reports from Alaska say construction will begin in the spring.

But no matter how low oil's profile was in all this, the conservationists spotted its presence behind the bill and organized the only united effort against the bill's passage. In the house hearings the ecology-minded organization, Friends of the Earth, joined with the American Rifle Association and 10 other groups in testifying against the bill. They knew it would open up oil expansion and held that the pipeline would be a danger to the ecology. In the *Congressional Quarterly's* report on the House committee hearing, there was no mention of what the conservationists thought of the natives' right to land. For the most part their testimony went unheeded, which was fine with Wright, who flatly states that the conservationists don't know what they are talking about.

"Alaska is the most conservation-minded state in the union," Wright said and pointed out that the last state legislature passed a "gutsy" land-use bill and established a strong environmental protection commission.

But conservation and ecology are the least of the native leaders' worries at this time. Willoya talked of returning to Alaska to help educate and prepare his people for their sudden merger with 20th century economics. He and other leaders are also apprehensive about the effects of the migration of about 15,000 oil pipeline workers from the south in the spring. They have to worry about those politicians in Washington, D. C., like Wayne Aspinall, who still think the land and cash settlement, administration support notwithstanding, is "outlandish and too large." And they have to worry about the carpetbaggers.

Richard La Course, the Washington correspondent of the American Indian Press Association, found a potential carpetbagger in a Bureau of Indian Affairs attorney. La Course describes the meeting in the Winter, 1971, issue of the National Congress of American Indians's *Sentinel*. The lawyer, operating under his stated philosophy that "You can only allow a culture to exist in certain perimeters," shared in the drafting of the House version of the bill by authoring the section that extinguished all ancestral and aboriginal hunting and fishing rights in Alaska.

This man plans, when the bill is finally law, to move to Alaska and be admitted to the bar. From there he will propose legislation setting a ceiling on the number of lawyers who can be allowed to practice in the state. And from that point he considers his potential to be limitless, or as he said, "If there is one thing lawyers have, it is a keen smell for money."

BIA Old-Liners Appear Victorious

BY FRYE GAILLARD

A major reorganization of the Bureau of Indian Affairs appears in the offing, but the changes which seem most likely to prevail are expected to bear little resemblance to those requested by BIA Commissioner Louis Bruce and demanded by Indian activists and tribal leaders.

Early in October, Bruce made it known that he wanted key personnel adjustments, upgrading the status of the "new team" of Indian activists he brought into the Bureau and reducing the power of some important opponents (mostly non-Indians) of his reform program.

Later the same month, Bruce was speaking to an Indian audience in Portland, Oregon, and he was asked a number of very specific questions centering on the fate of several "new teamers." His interrogators were concerned in particular about BIA community services director Ernest Stevens, deputy director of economic development Leon Cook, and director of operating services Alexander McNabb.

Bruce did not really answer the questions directly, but he implied strongly that Stevens would be promoted to associate commissioner for education and programs (the third highest post in the Bureau), that Cook would be made director of economic development, and that McNabb would be allowed once again to assume control over Indian self-determination contracts, which had been removed from his jurisdiction several months earlier.

The commissioner appears to have made his statements in good faith. These were, after all, things that he wanted to do, and he was empowered, theoretically at least, to run the Bureau. Furthermore, the measures he supported were backed enthusiastically by nearly every important Indian leader in the country, and the young Indian bureaucrats he wanted to promote were deeply committed to the Presidential policies under which he had attempted to administer the BIA. And on top of that, President Nixon himself had pledged only a few days earlier to "shake up the Bureau, shake it up good," so that his policies might be more fully implemented.

But Bruce was also under considerable pressure from old-line and middle management bureaucrats within both the BIA and the Department of the Interior. In the end, he agreed to some compromises.

One of the earliest casualties of such compromise was Leon Cook, who was, as one new-teamer put it, "probably the last person in the world that the old-liners wanted to see promoted. . . . And they got their way." Cook, as those who know him concede with admiration or resentment, is perhaps the most outspoken member of the new team. He says exactly what he thinks, often ignoring any pretense at diplomatic niceties, whether he is talking to old-line bureaucrats, congressional aides, newspaper reporters, or Louis Bruce.

And one of his strongest opinions, significantly, concerns Bruce. He has little respect for the commissioner. "Commissioner Bruce, of course, knows this," explains Ernest Stevens, "and while his opinion of Lee is fairly

high, he was no doubt more willing to compromise because he knew Cook was not really one of his men."

Thus, when Bruce sent his recommendations for personnel changes to the Department of the Interior for approval, Leon Cook's name was not on the list. In response, Cook quit. "There was just no daylight," he said. "I was willing to stay in the Bureau as long as I felt I could accomplish something. But they had me boxed in, and there was just no point in sticking around." His resignation is effective the middle of this month.

But if Bruce viewed Cook as essentially expendable, his view of Ernest Stevens was far different. He urged that Stevens be appointed associate commissioner for education and programs, which, coupled with other changes the commissioner wanted to make, would have made Stevens third in command in the BIA, with authority over economic development, education and community services.

The other major change supported by Bruce was the abolition of the post of associate commissioner for support services, now held by Harrold Cox, an old-line, white bureaucrat. The elimination of the position would not only undercut Cox's influence, it would have also assured the seniority of the programs side of the Bureau—the division of the agency with the most direct contact with Indian people, and the one that, under Bruce's plan, would have been run by new-teamer Ernest Stevens.

In addition, the elimination of Cox would increase the power of Alexander McNabb, a key new-teamer who now works under Cox, even though the two of them don't see eye-to-eye philosophically or get along personally. Under Bruce's plan McNabb would have reported directly to the commissioner and would have been given responsibility once again for Indian self-determination contracts. The contracts, under which the Bureau agrees to pay Indian tribes or groups to control services and programs for themselves, have been considered a key part of Bruce's reform efforts. But when responsibility for them was taken from McNabb early last summer, activity on the contracting front all but ceased.

When these changes were proposed and sent to the Interior Department for approval, the word was that they would be officially announced "momentarily." But as the moments stretched into a month, it became clear that many of Bruce's ideas would never be approved. "Once the commissioner's compromise proposal got to Interior, some people over there like Bill Rogers and Wilma Victor began compromising with the compromise," said Ernest Stevens. "And now very little of it is left."

Stevens has little regard for Miss Victor, the special advisor on Indian affairs to Interior Secretary Rogers Morton, or for Assistant Secretary William Rogers. He sees both of them as being hostile to Bruce's reform program.

Whether or not the hostility to the reform is spearheaded by Rogers and Miss Victor, it clearly exists, and informed sources say that much of Bruce's plan will be ditched. For one thing, Stevens is not expected to be made associate commissioner. That position, instead, will be abolished. In addition, McNabb's power is not expected to be increased, nor will contracting be turned back over to him. It does appear likely that Howard Cox's authority will be reduced, but the most significant

For about a year, a battle has been raging between old-line bureaucrats and youthful reformers within the Bureau of Indian Affairs. The controversy peaked slightly more than a month ago, and the Nixon Administration promised that the reforms would go through. But since that time, pressure and press coverage have declined, and in the ensuing calm the old-liners appear on the verge of a final victory. (For background, see RRR, Vol. II, No. 18.)

effect of the reorganization will be to substantially increase the power of Deputy Commissioner John O. Crow.

Crow was the target of demonstrations at the BIA last September 22. Protestors from the American Indian Movement (AIM) tried to make a citizen's arrest of him for "crimes against the Indian people." And Navajo tribal chairman, Peter MacDonald drew widespread applause from Indian leaders when he called Crow the "tool" of those who have interests hostile to Indian interests.

Many Indians, in short, view Crow as a leading saboteur of reform. And under the proposed reorganization, all department heads in the Bureau will report directly to him.

All this has been too much for some new-teamers. At least two have resigned—Leon Cook, and Browning Pipestem, a BIA legal advisor. In addition, McNabb and Stevens say they are not sure how much longer they will be around. "I have a few battles to fight right now," Stevens says, "but I won't be here forever, and neither will Sandy McNabb."

Stevens is becoming disillusioned and even a little bitter, and much of his disillusionment is focused upon Louis Bruce. Slightly more than one month ago, Stevens told RRIC, "I near worship the commissioner." But now he says, "I almost hate Louis Bruce for what he has done to Louis Bruce. He had a chance to be the greatest Indian in the history of Indians. But he didn't take it. He could have fought this thing. He could have told the people in Interior, 'this is my program and you are going to approve it.' And if they didn't he could have gone straight to the President. There are a lot of us in the Bureau and a lot of Indians around the country who would have backed him all the way.

"But you have to understand the Commissioner also," Stevens adds. "He is a gentle and decent man. People need to have a little of the shit in them, and he just doesn't. He craves peace above all, and he has been in a virtual war zone for nearly a year. Whenever the old-liners hold the peace carrot out in front of him, he lunges for it. But after too many lunges, there is now very little left of his program."

Franklin Ducheneaux, an Indian legal advisor to the National Congress of American Indians, put it another way in an interview with the American Indian Press Association. "Sure Louis Bruce has a heart," he said, "but it is connected neither to his backbone, nor to his brain."

But Bruce's image will not be the chief casualty of the pending reorganization. More important, many Indians