

Ramsey Clark's Statement At Hearings on Behalf of AFN

August 6, 1969

(Excerpted)

Resolution of the claim of Native Alaskan peoples to the vast northlands that largely remain their home, will be the last chapter in a long, sad history. Our nation seized much of an immensely wealthy continent displacing, decimating, subjugating, and segregating aboriginal tribes. A steady course of expansion toward a manifest destiny brushed Indian nations aside by violence, deception, hostile environment and sometimes well intended treaty from Massachusetts and Virginia through Oklahoma, South Dakota, and California. Solemn agreements reached by the Father of our Country

with the Seneca Nation in the 18th Century yielded to a Kinzua Dam in upper New York just as a 20th Century contract securing waters of the Ahtanum River for the Yakimas gave way to irrigated orchards in eastern Washington. Through most of our history with insignificant exception our foreign civilization having crossed the Atlantic and established itself on the Eastern Seaboard, crossed the continent of North America taking what it wanted on its terms. As inexorably as a glacier we moved every obstacle in our path.

Perhaps the dynamics of history were such that nothing else

was possible. It may be that no vision or compassion or leadership could have altered the course of events. But throughout, there was dim realization of wrong, a gnawing desire to be just. Still one treaty yielded to the next, one reservation to another more remote. We had our way.

... Now comes Alaska and an historic opportunity. Whether the chance will be seen and seized is for the representatives of all our people—the Congress. Only a sense of history, of where we have been, where we are and whither we tend will provide the vision needed to fulfill this glori-

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ous opportunity.

This last chapter must be the best—even as it is the biggest. In absolute numbers, there are 60,000 native people. Their proportion of the total population of the area involved, and indeed of all identifiable descendants of aboriginals in the 50 States, is close to 20 per cent. Most significantly, perhaps, is the proximity in time of Congressional action and the most traumatic dispossession, not a century and a half, or even half a century, but contemporaneous. All combine to make this last hope the best: to show that we can learn from history and that we are a just and generous people.

As Alaska is different, so is its history and its native peoples. The most vigorous climate supporting human life within our nation forged, as did the North wind the Vikings, a courageous, strong and self-reliant people. When Western civilization reached Alaska in the person of Russian nationals, the three great indigenous groups of natives, Aleuts, Eskimos, and Indians, were thriving. From that day to this they have never fared as well. Not even their population has attained again its earlier dimension. Then, free of pestilences and human violence brought by our civilization and the deep deprivations into their sources of subsistence, bear, seal, salmon, caribou, the Eskimo ranged hundreds of miles over barren tundra, Aleuts voyaged scores of leagues through icy waters among the islands reaching the Eastern hemisphere, the Indians covered the forests and central southland of the Alaska peninsula. All thrived.

Though intrusions were great and newly imposed hardships substantial, Western civilization did not dispossess and relocate the native people of Alaska as it had virtually all the other continental states. Native villages, perhaps fewer, some relocated, most smaller, remain much as they were, generally where they were. There are no vast plains in Alaska that have yielded to the plow. There is no great urban sprawl. Industry does not occupy large land areas. Nearly all of the lands of the State remain in public custody. The natives occupy and use the great majority of all of occupied and used lands of the State, while the whites generally live in the cities—Anchorage, Fairbanks, Juneau. There has been no substantial conflict between native use and occupancy of these lands and the expan-

sion of our modern urban industrial society because we have not acclimated to their northland. The discovery of vast oil reserves changes all this. Now the conflict arises and now the issues of ownership, possession, and use must be resolved.

The direct impact of present and future oil development on the lives and manner of living of the native people is immense. On one hand, the whole fragile ecology that has supported them is risked. On the other, the way they live daily will be profoundly changed.

. . . The major question is whether our governments will permit the exploitation of these immense riches to by-pass the hardy people who have always lived there. Will we in the 1970's further encroach their capability to continue their native ways, increasing their impoverishment and dependence? Will we finally in our time, subject them as the most hostile natural elements never could to the paternal care of remote and misunderstanding government that has failed throughout its history in its efforts to care for or give independence to its native populations?

Imminent developments of oil with probable lease bonuses in excess of a billion dollars this year and royalty values of many billions directly threatens villages, environment and promises an overall and all desirable development that will deprive Native Alaskans of their heritage if foresight does not preserve it now. The wealth nature has stored in Alaska provides the opportunity for Congress to meet the legal and moral obligations of the nation and solve the major social problems of poverty, poor health, inadequate housing, unemployment, the lack of educational opportunity for a whole area without calling on the rest of the nation to provide the means. All that is needed is effective action now.

The native people of Alaska are a proud and stoic people. They do not seek charity. They do not want welfare. They want what they have had from time immemorial—the use of their native land and the independence it gave them. They need opportunities today unnecessary before the advent of our civilization, however. The Congress will not wish to ignore this. Our failure to realize and meet newly created needs through the history of our relations with Indian people is the reason for their plight and our bad conscience.

. . . The opportunity of the Congress today includes an imaginative solution of the major economic and social problems of Alaska, the fulfillment of a high moral duty of the nation and the full satisfaction of the land claims of Native Alaskans.

Everyone concedes our obligation to the Alaska Natives. Everyone concedes that obligation to be great. All want a just settlement. Both the Executive branch of the Federal Government seeking primarily through the Department of the Interior and the State through its Governor—recognize obligations in the hundreds of millions of dollars. Both recognize the need to grant a land base. Too little land and too little money—a token—would be tragic. We know what is needed. We know what must be done in the long run. If we do not do it all now the last chapter in our history of dealing with native people will end as our first began—with injustice.

The native people of Alaska must have a land base adequate to their support and growth. This is their native land. They love it. In every real sense, political, legal, and moral, it was once all

theirs.

. . . Land along will not suffice. We are on this planet together and our influences on each other are inescapable. Native people must have the means of developing themselves, of building and growing to participate in, compete with and protect themselves from technologically advanced mass populations. They must have power, wealth and opportunity or their fate will continue the tragic history of native populations in the United States.

Almost incredibly, the power, the wealth, and the opportunity are available without cost to the general treasury, or the American taxpayer. It can be done by granting to them less than the value of that fraction of what was theirs that they are now of the Alaskan population. Preserve from undeveloped resources for Alaska Natives less than one-fifth of what was once theirs and their future, independent of paternalistic bureaucracy, is assured. They are 20 per cent of the citizens. Grant them 10 per cent of the land—the places they live and use—40 million acres. Of the remaining 90 per cent of the state grant them a 2 per cent interest in gross production of all minerals. How the State of Alaska participates is for the State and ultimately the Congress. Surely, it will not shirk its duty, or fail to appreciate the generosity of Congress in its Statehood Act, or of nature which bestow its priceless treasure.

. . . The most tragic thing is to sever native people from the resources where they live. To see Indians huddled in poverty in hogans and shacks among oil derricks, gravel pits, open face mines—the wealth of the land pulled right out from under them and they left with nothing.

. . . For these reasons, and further because of the very great challenge nature presents where Alaskan Natives live, the idea of Native Development Corporations is as exciting as it is innovative. Substantial, well-financed development capabilities not merely token play businesses, can give the Natives whatever opportunity there is for their independence in the new technological environment that is coming. With the dual purpose of profit and service to its public, the Native people, more and more the role of major corporation in our society, regional development companies sensitive to vast local variations in need and opportunity, can go to work to develop resources including the greatest resource—people.

Well-planned business corporations for the dozen distinct geographic and demographic regions and service corporations responsive to the people served and controlled by them can improve health, build houses, educate, and employ. Finally, they can afford for the first time a wise and courageous native people a meaningful opportunity for self-determination—preservation of the old way or assimilation into the new—or, perhaps if either is to be, to do both.

. . . Finally, all will profit from the liberation of talent and valuable human resource that so clearly exist among the Native people of Alaska. All will be enriched by the preservation of their incredibly vital and stoic character and their assimilation into the world of the last third of the 20th century.

Will we be known as a people who went to the moon, but bypassed the clear duty and ready opportunity to find the way to justly resolve the last native claim in their history?

The Congress should act boldly and now.