

ASNA Attorney Rebuts Tundra Times Editorial

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Gentlemen:

Our respect for Howard Rock is such that his editorial about Charlie Edwardsen's language demands a response. The editor indicates that the Alaska natives are making huge progress in the fight for their lands, but are they?

Secretary Morton recommended to the Senate Interior Committee that the land allocations be for the village sites plus a small area around them, but half of the villages already have title to their village sites and the others can get title merely for the asking. Chairman Aspinall wants all of the yield dumped into a new bureau to be governed by State of Alaska appointees plus some hunting privileges. The Senate Bill passed last year created two hundred corporations which will frustrate any yield to the people. The so-called billion dollars that the Congress is talking about is in actuality \$300 million dollars and will be spread out over so many years that no village will have enough money to do anything constructive with it.

Ramsey Clark and Arthur Goldberg did not testify before the Senate Committee two weeks ago and thereby missed an opportunity to arouse the conscience of the United States. The Arctic Slope Native Association and the Alaska Federation of Natives in December made an agreement on the allocation of land and money based on proportionate land holdings and so ASNA rejoined the AFN, but the AFN dishonorably reneged a month later on such agreement.

Western society seems intent on building the pipeline no matter what and certainly without settling the basic problem of native land claims. No native group in Alaska has any hard information about the environment impact of the pipeline on their homeland. Certain urban natives are willing to sell their birthright for a few jobs and contract opportunities.

The first positive act that Governor Egan performed was to apply for the haul road and for free gravel, some 80 million cubic yards of free gravel. Though President Wilson destroyed his

health in arguing for self-determination after World War I, the Congress and the administration are denying the Alaska natives any self-determination in the framing of the solution. Mr. Clark has publicly eulogized the Senate Bill of last year, etc., etc., etc.

The truth of the matter is that the Alaska natives are doing essentially nothing to arouse the conscience of the United States. Mr. Morton is so unimpressed with the native claims that he has reduced the land allocations in his recommendations to less than 80,000 acres. It is the view of the Arctic Slope Native Association that the Alaska natives are flunking. Worse, nobody is emphasizing the legal basis to the claim to the land; rather the emphasis in Washington and even by Alaska native leaders is related to need and to subsistence. The native approach is that the yield of the settlement should be divided on a population basis; this in turn injures their claim to legal rights.

It is in this posture that Charlie Edwardsen's words must be judged.

Society has learned from the discontent of minority groups, in the words of Harry Ashmore of the Center for the Study of Democratic Institutions, that:

"The progression among those who consider themselves embattled minorities has been from passive resistance, to aggressive but non-violent resistance, to the sustained use of very violent rhetoric, which inevitably sends some of the followers into the streets with guns, knives, clubs and dynamite...and this brings on the reaction from the larger community that must be expected, that is, the use of superior force to contain the overt violence."

Charlie Edwardsen in his bones was reflecting his feeling in the words he used. He was trying to tell society that society was flunking in its failure to focus on the native land claims problem in depth, that society was in the process of creating a monstrosity that would magnify the Cherokees' Trail of Tears a thousand fold.

The agony of Alaska businessmen (a minority as against the environmentalists of Washington, D.C.) is reflected in the rhetoric of Wally Hickel this week:

"We are rapidly approaching a civil war of priorities--neighbor against neighbor, man against need--over the preservation or

(Continued on page 4)

Rebuts Editorial . . .

(Continued from Page 2)

use of our resources."

I have a foreboding fear, an ominous one, that organized society is flunking so severely that uncontrollable forces will be expressed.

Very truly yours,
Frederick Paul
Attorney for
Arctic Slope Native Association