

NATIVE AMERICANS AND ENVIRONMENTALISTS SHOULD WORK TO BUILD ALLIANCES,
THE GASQUET-ORLEANS ROAD AS A MODEL

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Fifth California Indian Conference, October 12 - 15, 1989.
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Throughout the Western United States, basic federal land policy has tended to benefit timber, mining and ranching interests. These same interests are often the cultural descendants of the pioneers who displaced and decimated Native American peoples. Federal land policies in the 19th century favored giving away Western lands to miners and settlers until abuses against the land and consolidation of ownerships under corporate control caused a public outcry. From 1878 until 1886, large tracts of redwood timberland were fraudulently claimed under the Timber and Stone Act in Humboldt County (California) alone. Born in the heart of the redwood country, in Arcata, California, S. A. Puter, wrote Looters of the Public Domain, a personal history of his involvement in the process, while serving hard time for his crimes (Puter, 1907).

Pioneer lumberman A.B. Hammond, founder of the timber company that would become the Louisiana-Pacific Corporation late in this century, was the beneficiary of land and timber grabs that stretched from Montana to the North Coast of California.

Congress also gave millions of acres of Western lands to the railroads to induce them to link the coasts of North America. The extension of these rail lines was directly linked to the decimation of the bison on the great plains and the destruction of the plain's Indian's way of life (Beck and Haase, 1989). Congress distributed the lands to the railroads by granting title to alternating square mile tracts of public lands over great swaths of the Western U.S., a pattern that made no ecological sense then, and one that causes ecological problems today.

The Sierra-Pacific Corporation, a major purchaser for Forest Service timber in Northern California and a major player in its environmental politics, is also the largest timber company in the state due to its recent acquisition of the lands granted to the Southern-Pacific Railroad by the Federal Government.

Collectively these corporations and the interests they represent exert an awesome effect on land use activities on both private and public lands. The development of western timber has resulted in the stripping away of as much as 80% of the ancient forests in the Pacific Northwest (U.S. Fish and Wildlife Service, 1989), and according to forest scientist Jerry Franklin, the region's remaining ancient forests are being cut away at a faster rate than the current pace of logging off the forests of the Amazon (Franklin, 1989).

Today it is widely accepted that the continued large scale unchecked exploitation of the global environment has dire ecological ramifications. If theories of global warming prove accurate, for just one example, the habitat for 86 million people in Bangladesh will continue to disappear under the waters of the Bay of Bengal and the Ganges River (Myers, 1984).

In the United States the evolution of environmental philosophy and law has arisen with the expansion of the conservation, environmental and ecology movements of the 20th century. The assumptions beneath these movements are not inherently in conflict with the goals of Native American efforts to protect and preserve traditional cultural sites and the overall biological integrity of the Earth's living systems. In fact, George Perkins Marsh's landmark volume of historical ecological analysis, Man and Nature, written in 1864, linked the decline of empires to ecological degradation. Marsh

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also contrasted systems of land ownership and tenure from usufruct to absolute. Usufruct ownership has been described as being most like Native American land tenure systems where a right may be held to use but not abuse the land, a particular place or resource. The more absolute concept of land ownership in the United States and many other western countries has historically given owners the right to use or dispose of land as a commodity (Cronon, 1983). Marsh saw this concept as being at the root of the destruction of the productivity and sustainability of the land.

Thoreau described the inherent productivity of the land, or nature, in a different way when he wrote: "...in wildness is the preservation of the world" (Thoreau, 1862). The teachings of Thoreau, Marsh and other poets, authors and scientists gave rise to various "new" perspectives on the use of the land, air and waters, as well as the relationship of humankind to nature. More recently, environmental philosophers, such as Arne Naess, have described these various perspectives as "streams of environmentalism" (Devall, 1980). Research on the various reasons that people favor protecting wildlife, for example, reveals that their primary motivation for doing so may be described as being aesthetic, dominionistic, ecologicistic, humanistic or moralistic.

As the close of the 20th century rapidly approaches and magnitude of the change that our technological society and absolutist attitudes has wrought on Nature becomes more painfully apparent, there is a convergence underway of perspectives, groups and cultures on the need to protect the inherent productivity of the Earth's natural process and function.

Opposition to the proposal by the U. S. Forest Service to build the Gasquet-Orleans (G-0) Road and to log thousands of acres in the midst of

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lands held sacred by three tribes of Northwestern California Indians provides a useful example of this convergence. Coalition building around this issue has stalled the road plan and stopped the logging for more than a decade.

Interests in this coalition had varying motivations. For Native Americans the goals were to achieve protection for sacred places, establish a stronger concept for their religious freedom and to exercise their sovereignty. For environmental interests the goals were to protect anadromous fisheries, wildlife, unique plant communities, to protect non-vehicular recreation opportunities, to establish wilderness, to reform the activities of the Six Rivers National Forest, to curb the rapacious appetite of a energy and capital intensive timber industry and to protect Native American cultural sites.

The courts blocked the construction of the G-0 Road for various reasons, and Congress ultimately preserved much of the land in contention as part of the Siskiyou Wilderness it established in 1984. However, the Forest Service was successful in appealing one cause of action, the Native American religious freedom issue to the U. S. Supreme Court, on the grounds even halting a federal "project of marginal utility" to protect a non-exclusive Native American use of the National Forest would violate the establishment clause of the U.S. Constitution. The agency prevailed.

What Native Americans had hoped would be a ruling that would provide some universal protection for their sacred places, from the depredations of federal pork barrel projects, became another symbolic defeat (Falk, 1989). But was this rare victory for the Forest Service real, or was it in reality a Pyrrhic one?

In spite of a tragic loss in the Supreme Court, the causes of action raised by environmental co-plaintiffs still block completion of the road, and legislation introduced in the wake of the case (HR 1546) offers hope for more meaningful protection of critical traditional Native American use areas throughout the United States, by adding the tests of the G-0 Road case as an amendment to the American Indian Religious Freedom Act (Udall, 1989).

Passage of HR 1546 will not come easy because mining, ranching and logging interests still have awesome influence in the U.S. Congress and those interests believe that the passage of this measure will give Native Americans veto power over their extractive uses of public lands (Matheson, 1988). Senators and Congressmembers are, unfortunately, reluctant champions of Indian causes both because they have few if any Native American constituents, and because the complexity of Indian issues makes it difficult to find the "right" side of the issue (Moore, 1989).

It would considerably advance the prospects of HR 1546 if Native Americans and environmental groups could build a stronger coalition to press for passage of the measure because Senators and Congressmembers do have many environmentalists in their districts who do vote.

Environmental activists in many parts of the world are currently working with many indigenous peoples to protect their homes from the destruction wrought by an uncontrolled mix of capital and technology. Here in the United States, all too often, such groups view each other as adversaries or with suspicion. Some Native Americans may give higher priority to establishment of sovereignty than to protection of the land, and they may perceive some environmentalists to be more interested in locking up the land than in Indian sovereignty. Even among environmentalists issues of

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priority, style and purity are a source of division. But, as Denis Hayes said recently of such differences between various environmental activists, in the face of global ecosystem decline, "We really don't have time for stylistic crap" (Hayes, 1989).

Increasingly, it strikes me that it is the spirit of the land that brings us together and that it is the words that tear us apart. I submit to you that we can and must do better than that if we are to protect our mother Earth!

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