

Private security forces attack Native American protesters with dogs, pepper spray

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On Saturday, September 3, members of the Red Warrior and Sacred Stones Camps from the Standing Rock Sioux Tribe and their supporters, who have been peacefully protesting near the construction site of the Dakota Access Pipeline (DAPL) in Cannon Ball, North Dakota were attacked by private security forces hired by Dakota Access, LLC, a subsidiary of Energy Transfer Partners.

The private security force deployed attack dogs, pepper spray and physical force to repel protesters from the construction site. Six protesters were reportedly bitten, including a pregnant woman, a dozen were pepper sprayed, and multiple physical assaults were reported. Children and elderly tribal members were present during the attack, and a tribal member's horse was also bitten. State police posted at the site did not intervene when the attacks occurred.

Earlier in the day, during a gathering to commemorate the 153rd anniversary of the Whitestone Hill Massacre, there was a call to action by protesters to block bulldozers and construction crews from an area within the project location that had been previously surveyed by tribal historian Tim Mentz. The historian determined that the area contains nearly thirty burial sites, stone cairns, effigies and other historic features, some of which may be eligible for the National Register of Historic Places.

The attack comes one day after the Standing Rock Sioux Tribe filed additional evidence in federal court in their ongoing case against the US Army Corps of Engineers. The lawsuit alleges that the Army Corps neglected their legal responsibility to fully consult with the tribe during the permitting process. By neglecting this obligation, the agency violated the Clean Water Act, the National Historic Preservation Act and the National Environmental Policy Act. Shortly after the

lawsuit was filed, Dakota Access, LLC was made a party to the suit as well.

The Dakota Access Pipeline is similar in scope to the more notorious Keystone XL Pipeline but it transfers oil from domestic fields rather than from Canada and sends it to refineries in southern Illinois. Because the pipeline does not cross international boundaries, like Keystone XL, the DAPL was not subject to international treaty agreements or extensive environmental review.

Current federal environmental and cultural resource laws require tribal consultation and mitigation of any adverse effects caused by a proposed project receiving federal funds, federal licensure, or occurring on federally owned property. Lawsuits against federal agencies that may have violated these statutes often take many years to resolve.

Because construction on the pipeline commenced in early 2016 without these issues being resolved, the Standing Rock Sioux Tribe filed a preliminary injunction in federal court to force Dakota Access, LLC to temporarily halt the project to allow for a complete cultural resource survey. The case has been assigned to US District Judge James E. Boasberg. At a hearing on August 24, Boasberg said that he would issue a decision on the pipeline injunction on or after September 9.

The Dakota Access Pipeline crosses the Missouri River at Lake Oahe, one mile upstream from the Standing Rock Sioux Reservation. The Missouri River is the major source of fresh water in the region and an oil spill would not only destroy Standing Rock's water supply but would threaten agricultural production in one of the US's most fertile regions.

In addition to the environmental and cultural resource impacts, the tribe also views the construction of the

pipeline as a further violation of federal treaties that ceded the land through which the pipeline runs to native peoples. The Fort Laramie Treaty of 1868, for example, promised the Lakota (one of seven affiliated tribes within the Sioux Nation) ownership of the Black Hills and hunting rights to much of the Dakotas, Wyoming and Montana. The US military was supposed to prevent nonnative settlement in the region. Discovery of gold in the Black Hills, and settlement pressures created as a result of the Homestead Act of 1862 resulted in federal abandonment of many of these treaties by the 1880s.

Since protests began in July, the encampments have swelled to about 3,000 people. American indigenous tribes from as far away as Alaska and Hawaii have sent representatives, letters of support and symbolic gifts. Food, medical supplies and other necessities have arrived from supporters all over the world. Black Lives Matter activists and farmers from Iowa have also traveled to the camp to show their support, as have environmental activists and others. Several Hollywood actors including Shailene Woodley, Susan Sarandon and Leonardo DiCaprio have also voiced their support for tribe. Despite claims of violence by Governor Jack Dalrymple, a Republican, the protests have been entirely peaceful.

There is a general feeling of sympathy toward the plight of Native Americans among working people in the United States. This rarely finds expression in official politics however. Native Americans, who were only granted US citizenship in 1924, are more likely to be romanticized or used for public relations photo opportunities than have their concerns even remotely addressed.

While there are some significant urban populations, the vast majority of Native Americans live in extreme geographic and economic isolation in absolutely appalling conditions. Many on the reservations have no running water or indoor toilet facilities and those who live in decommissioned FEMA trailers are considered lucky.

Native Americans have higher rates of cancer, suicide, domestic violence and drug and alcohol abuse than any other population in the United States. Maternal and infant mortality and cervical cancer rates on American Indian reservations are surpassed only by Haiti. Native Americans are more likely to die at the

hands of the police than any other subgroup in the United States.



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