

Catalonia and the 'Europe of Regions'

Exclusive: Catalonia's bid for independence from Spain had a curious twist, a readiness to take its place within the supranational European Union, a further challenge to traditional nation-states, observes Andrew Spannaus.

By Andrew Spannaus

Political debate across Europe has been shaken by the clash between the pro-independence faction in the Spanish region of Catalonia, and the national institutions of Spain, raising thorny issues about autonomy, national sovereignty and the European Union.

The Catalans, who organized a referendum on independence that was formally prohibited and partially repressed by national authorities, are in fact just one of the regional groups around the continent which have consistently sought to lessen their ties with their respective national governments, with schemes that go from greater financial independence to outright secession.

Until just a few decades ago, such aspirations would have barely been considered realistic in the Western world, as nation-states have been the dominant political entity for centuries, with no intention to give up power over their territory or population.

Several factors have intervened to change the political environment since the beginning of the 1990s. First, there has been the promotion of the notion of ethnic self-determination by Western democracies. This has generally been used to urge political change in other areas of the world, often with geopolitical aims such as weakening strategic adversaries; there are numerous examples, from the former Soviet bloc and the Balkans, to East Timor and Tibet. Support for such breakaway movements in the name of democracy and human rights has opened the door for people in Western Europe to demand their own right to self-determination.

Second, is the strategy adopted by architects of the modern European Union to encourage acceptance of the abandonment of national sovereignty. This entailed a departure from the original form of the E.U. that was begun in the 1950s as a system of economic cooperation among Western European countries with a strategic aim.

In that initial phase, it was considered essential to foster a close alliance in order to counter the Soviet Union, and the United States even made increased European cooperation a condition for disbursement of Marshall Plan funds shortly

after World War II.

At the end of the Cold War though, the E.U. underwent a significant transformation, adopting the goal of gradually ceding national prerogatives to the supranational structures in Brussels and Frankfurt, ultimately seeking a sort of European-wide "United States of Europe." This idea was promoted by the political elites, but garnered only limited public support, repeatedly being rejected when actual votes were taken among the population, for example.

It's not difficult to understand why: countries would have to voluntarily give up their sovereignty to a political structure that, while formally managed by representatives sent from each single area, risked being led mainly by a permanent bureaucracy with little connection to, or understanding of, the diverse populations around the continent. The impression, still present today, is that the transatlantic political and financial establishment would centralize control, catering to the needs of only a small portion of the population.

A 'Europe of Regions'

One of the solutions that emerged was to promote the notion of a "Europe of Regions," i.e. along with the centralization of power on certain matters at the supranational level, there would also be a devolution of powers towards local authorities in other fields. The idea of emphasizing regional characteristics on an ethnic basis was not new, but it received renewed attention in the 1990s as avenues were sought to advance E.U. integration.

This had an effect on political movements that focused on local issues. An example comes from Italy, where the idea was trumpeted by Gianfranco Miglio, an Italian jurist and political scientist who was a leading proponent of regional autonomy. Miglio was a long-time supporter of a reorganization of nations into smaller entities based on different ethnic groups, in a situation where the state and borders would ultimately disappear, as he put it.

Miglio became the philosophical leader of the Italian "Northern League" for a time in the 1990s. The League began as a movement calling for secession of the wealthier regions of northern Italy from the center and south, cast as corrupt, inefficient and impossible to reform. Representatives of the League were elected to political positions throughout the North, but eventually also took on roles in the national government.

As the notion of secession proved to be unrealistic, the political world did however embrace the idea of greater federalism, understood as allowing regional governments more financial and administrative autonomy, for better or for worse.

Now the two largest regions of Italy's North, Lombardy and Veneto, are poised to

vote in a non-binding referendum in favor of greater autonomy on Oct. 22. The aim is not to move towards actual independence – a goal embraced by only a small portion of the population – but rather to convince the national government to allow the wealthy regions to keep more of the taxes they pay, instead of sending most of the money to Rome where it is redistributed based on national priorities.

“We want the cash,” a leading member of the Lombardy Regional Government told this writer on Oct. 3. “The referendum will strengthen us in our negotiations with Rome.”

This is the position supported publicly by Lombardy Governor Roberto Maroni, who makes no bones about his desire to shift resources to his own constituents rather than keep subsidizing other areas of Italy that are less efficient and more needy.

In a press conference three weeks ago, Maroni also jumped at the chance to declare his support for a “Europe of the Regions.” Despite aiming to capitalize on populist sentiment, he distanced himself from the nationalist, anti-E.U. sentiment spreading around Europe, expressed by politicians such as Marine Le Pen in France. Thus the push for local autonomy dovetails nicely with the increase of supranational power structures that weaken the nation-state.

A Divided Catalonia

The case of Catalonia is more contentious. The Statute of Autonomy went into effect in 2006, giving the regional institutions heightened power over numerous areas, from education and health to communications and transportation. In 2010, the Constitutional Court of Spain began to roll back the effects of the Statute in various fields, provoking the opposition that ultimately led to the referendum earlier this month.

Not all Catalans are for leaving Spain. Indeed recent polling suggests that there is currently not a pro-independence majority. This conclusion is disputed though, and in the regional elections of 2015 pro-independence parties received 48 percent of the vote, short of an absolute majority, but a plurality sufficient to give them control of the regional government. The result has been a clash between Catalonia and the national government of Spain, with the national police intervening physically to block the referendum on Oct. 1.

The conflict has also raised serious issues for the European Union. Catalan secessionists openly stated that as an independent state they intended to be a member of the E.U. What better way to advance the notion of a “Europe of Regions”?

When push came to shove though, the E.U. institutions found themselves forced to warn Catalonia that it would not receive any preferential treatment even if it were to become independent. After an initial embarrassed silence, the European Commission aligned itself squarely with the position of the Spanish government, showing that in times of crisis the prerogatives of nation-states still prevail.

It's ironic that just as voters throughout the West are supporting populists calling for a return to national sovereignty, in opposition to the end of political and economic borders as preached by globalization, the other flank used to weaken nation-states, that of regional autonomy and self-determination, is now causing problems precisely for those who promoted it.

Andrew Spannaus is a freelance journalist and strategic analyst based in Milan, Italy. He is the founder of Transatlantico.info, that provides news, analysis and consulting to Italian institutions and businesses. His book on the U.S. elections *Perchè vince Trump (Why Trump is Winning)* was published in June 2016.

Puerto Rico's Continuing Health Crisis

President Trump and his team stress the positive about their response to Hurricane Maria's devastation of Puerto Rico, but people are dying because the island's health care system remains crippled, reports Dennis J Bernstein.

By Dennis J Bernstein

More than two-and-a-half weeks after Hurricane Maria devastated Puerto Rico, the U.S. territory continues to face a humanitarian crisis with people lacking basic needs, such as food, clean water, electricity and medical supplies. Doctors say they don't have what they need to save lives, with unnecessary deaths occurring especially among the elderly, the infirm and those on respirators and other kinds of electronic life support systems.

The island's healthcare system remains hobbled with about 80 percent of the island without electricity and cell phone service. Many residents also lack potable water.

Meanwhile, residents of the island of Vieques, which was used as a bombing range by the U.S. military for decades, face the added fear of the toxic military waste that has been churned up and may have been spread around and released into the local environment by the high winds and heavy rains from the hurricane.

I spoke on Oct. 6 with Attorney and Human Rights Activist Judith Berkan, who has lived in San Juan for decades, about the tragic and deadly situation that remains for tens of thousands of Puerto Ricans.

Dennis Bernstein: First of all, what can you tell us about the aid situation?

Judith Berkan: The situation continues to be extraordinarily bad. The first week or week and a half after the storm there was basically no distribution of aid. Communities, however, were coming together, displaying typical Puerto Rican solidarity.

But we need additional aid. We need things like the FEMA tents, which have arrived on the island but have not been distributed. Many people have lost their homes, but even those who still have their homes cannot stay there because the aid is not there. It is really a problem of distribution. There are communities that have never seen a federal person yet.

Although the water has receded in most parts of San Juan, there is an extraordinary amount of debris around and a large number of mosquitoes, which has created a public health problem. Only about ten percent of the population have electricity. In mountain communities there is absolutely no distribution. It is clear that there has not been a commitment to really deal with this crisis.

There have been stories about there being 9,000 containers at the port a couple days ago. Some of that has gotten out, not a lot. It is going to FEMA distribution centers and then from there to get to the community it really depends on community initiative.

Dennis Bernstein: Could you describe for us everyday life there on the island?

Judith Berkan: When you try to communicate with someone, you never know if you are getting through. The first few days, if you wanted to get gas you had to wait in line for eight or ten hours. The ATM machines are still pretty hard to get to. Everything takes ten times longer. People in isolated areas have to walk for hours to get to a grocery store and when you get there, there is not a lot available. The gas problem has been considerably resolved.

Health issues are dramatic. The hospitals don't have diesel for their generators, you can't get prescriptions filled. There is still fecal matter in the water in people's homes. It is a pretty dire existence and the long-term health effects are going to be dramatic.

Dennis Bernstein: Could you talk a little about President Trump's latest insult to the Puerto Rican people?

Judith Berkan: It was racist and arrogant. It is very hard to describe how that was received in Puerto Rico. It started with his tweet that the Puerto Rican people were just waiting for things to be done for them. Then he comes here and says this is not a real catastrophe. When you compare the federal response to that in Florida and Texas, it is hard not to see racism on the part of the government.

Dennis Bernstein: Do the people there have any say in how the island will be reconstructed?

Judith Berkan: For a long time now, we have been resisting the gentrification of the entire island and an economic model designed for the pleasure of outsiders. We need people in the United States on a more macro level to support our community efforts to resist gentrification.

We are very afraid that relief money will go toward policies of privatization and displacement of people from their ancestral homes. We are demanding from the federal government more relief effort and more control of this relief by the people of Puerto Rico.

For the last year we have been under the yoke of the Fiscal Control Board, which has the power to reverse fiscal decisions made by the government. For example, the decision as to whether we should pay off a bondholder or make sure a school stays open. Another power of the board is infrastructure projects. They locate public assets, whether they be forests or buildings, and put them up for sale.

Our great fear now is that the money that is coming in will not be used for the benefit of the Puerto Rican people but to contribute to this privatization model.

Dennis Bernstein: I would like to get your response to the confrontation between the mayor of San Juan and President Trump.

Judith Berkan: The mayor did the right thing in focusing attention on what was really going on here. What she was saying was what we were all feeling. And the response from Trump was both racist and misogynist. Here was a small but strong Latina woman basically speaking truth to power and the response was outrageous and hurtful. While you may hear of Puerto Rican politicians who are Democrats or Republicans, the distinction is irrelevant to local politics. This is not a partisan maneuver against Trump.

Dennis Bernstein: As someone who would like to see the island be for the people, what would you like to see happen in the short run and then long-term?

Judith Berkan: I have lived in Puerto Rico for forty years. This is an

incredible people. If we organize on a community level, this could be a new beginning for us. We can reconstruct but the funds have to be here and we have to be in control. We have an opportunity to redirect our usage of land, to work toward community land ownership. We must redirect our use of power sources, moving from coal to solar power.

Beyond that, we have to take the yoke of colonialism off our backs, whether that means independence or federation with other Caribbean states. As the economic models have been imposed through the Caribbean, they have devastated the region. Decisions have to be based on the needs of the Puerto Rican people rather than the needs of colonial power.

We are very thankful here for the outpouring of support. We really appreciate that people are paying attention to Puerto Rico. This is a long, ongoing struggle and it will continue for many years to come. It is important to have your support.

Dennis J Bernstein is a host of “Flashpoints” on the Pacifica radio network and the author of Special Ed: Voices from a Hidden Classroom. You can access the audio archives at www.flashpoints.net.

A Silenced Israeli Critic

Although the U.S. news media’s fancies itself the world’s “gold standard,” it operates with stunning hypocrisy and huge blind spots, none bigger than its fawning coverage of Israel that ignores critics like Miko Peled, notes Rick Sterling.

By Rick Sterling

Despite the U.S. media’s extensive coverage of Israel, what Miko Peled says is seldom heard by Americans, although he was born in Jerusalem and comes from a famous Israeli family. Peled’s grandfather was one of the signers of the Israeli founding documents. His father was a soldier in the war which led to the creation of Israel and later a senior army general during the 1967 war. And one of Peled’s nieces was killed in a suicide bombing attack.

However, in contrast to what one might expect, Miko Peled is a voice of sharp criticism of Israel and Israeli policies. He does not mince his words. Israel is a “settler colonial state” and Israel does NOT have a “right to exist” as an apartheid state with preferential treatment based on ethnicity.

Peled does not speak in the abstract; he gives specific examples to demonstrate what he says. Palestinians in the West Bank have no consistent running water while settlers enjoy unlimited drinking water plus swimming pools and water for green lawns. The situation in Gaza is even worse. The two million residents of the tiny Gaza strip endure horrific conditions. Babies with medical conditions die while just a few miles away, Israeli babies with the same conditions will live.

Peled does not limit his criticism to the "Occupied Territories," He says all of the state should be called Palestine with equal rights and opportunities for all. Peled pokes fun at the claims that Jews anywhere have a "right to return" because of a supposed 2,000-year-old claim and entitlement. These claims are based on the Old Testament not scientific history.

In contrast with the myth, most Israeli citizens have zero DNA connection to the region. Peled humorously points to the irony of Zionists who claim a 2,000-year-old "right" to the land as they deny and denigrate the rights and claims of Palestinians who were expelled in 1948 and after.

As Peled explains, most Israelis are quick to tell Palestinians to "get over it" despite the fact that Palestinian claims are well documented and only go back 70 years, not 2,000. Unknown to most Americans, about half a million Palestinians languish in Lebanon, waiting for the time when they return to their villages in Palestine from which they were expelled in 1948 and after. The actual history of those events has been clearly documented by the Israeli historian Ilan Pappé.

But Peled is not entirely pessimistic. Indeed, he thinks that it is better that the pretense of a "two-state solution," which has been used as an excuse to justify the current situation, is openly dismissed by President Trump and Israeli Prime Minister Benjamin Netanyahu. Things are now clarified, leaving two paths to the future. One, a supremacist "democracy" for Jews and continuing occupation and oppression for the Palestinians or, two, a one-state democracy for all.

Peaceful Resistance

While acknowledging that most Israelis today reject the idea of equality for Palestinians, Peled recalls how quickly the change from apartheid to democracy happened in South Africa. He says if they could overcome apartheid in South Africa, why is this not possible in Israel/Palestine?

In the 1980s and early 1990s, the international Boycott Apartheid campaign helped to end open racism in South Africa. Around the world, there is a similar peaceful and non-violent campaign pressing for the end of open racism in Israel.

It's called "BDS" for Boycott, Divestment and Sanctions. The goal is to pressure Israel to abandon its apartheid policies just as South Africa did.

Making clear his own stand, Peled wore a large BDS button on his lapel. For those who mistakenly believe that Israel is a progressive force internationally, the reality is that Israel was one of apartheid South Africa's closest allies.

For taking the stance he does, and especially because of his family roots, Miko Peled has been vilified and threatened. It takes great courage to follow his beliefs as he has. His family is apparently with him.

In his memoir, *The General's Son: Journey of an Israeli in Palestine*, he describes how his mother refused to take furniture or property of Palestinians who had been expelled from Jerusalem in 1967, as many other prominent Jewish families were doing.

Peled describes his father's evolution from military general to an advocate for peace and respect for Palestinians. And he describes the reaction of his sister and how she blamed Netanyahu and racist policies for the death of her daughter. Miko Peled demonstrates courage and integrity. Through his writing and speeches, he exposes racist policies in Israel and the U.S. He seeks a better future even if it sometimes appears hopeless and provokes slander and personal threats against himself.

On Oct. 6, Peled spoke in Lafayette, California, in an event sponsored by Mt Diablo Peace & Justice Center (MDPJC) with co-sponsorship by Jewish Voice for Peace and others. Peled's book is published by [Just World Books](#). A [video](#) of his Lafayette presentation, including the introduction by St Mary's College Professor Hisham Ahmed, is posted at the Mt Diablo Peace & Justice Center [website](#).

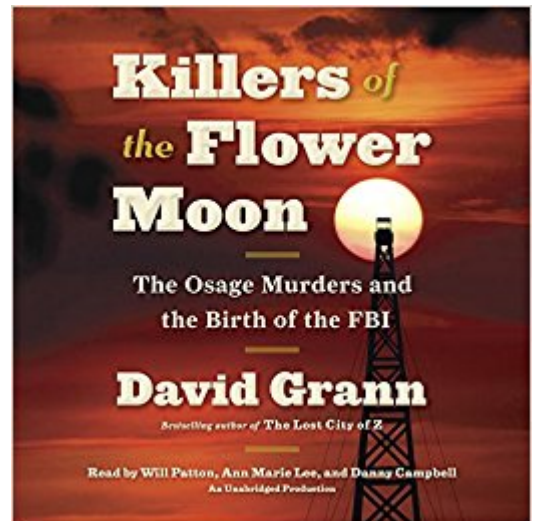
Rick Sterling is an investigative journalist based in the San Francisco East Bay. He can be contacted at rsterling1@gmail.com

The Osage Indian Murder Mystery

Exclusive: The European arrival in North America led to genocide against Native Americans along with various schemes to steal their land by both government and individual murderers, as James DiEugenio explains.

By James DiEugenio

White America has deployed any number of subterfuges to steal land from the Native Americans, with a favorite tactic being the signing of treaties that were voided whenever it became convenient – and especially when the Native American land was found have something valuable in it. Then, the deal was “renegotiated” or the U.S. Army arrived to slaughter some tribe for going “off the reservation.”



But there were also more local strategies, hatched by greedy operatives and enforced by targeted killings, such as the murders of Osage Indians at the heart of a new book by David Grann, *Killers of the Flower Moon*.

The Osage Indian nation dated back to well before the formation of the United States, when the Osage roamed through what are now four states (Kansas, Missouri, Arkansas and Oklahoma). After the Louisiana Purchase in 1803 when the new U.S. government “bought” vast tracts of territory west of the Mississippi River from France and after a series of negotiations, the Osage ceded 52 million acres in return for the U.S. government’s protection from other tribes. But the Osage had more to fear from the white men.

In 1870, the Osage were ultimately pushed onto their final destination, the north central portion of Oklahoma, where they lived by subsistence farming and by leasing land to ranchers for grazing. Under the agreement negotiated by Chief James Bigheart, the land was owned by the Osage though administered by the U.S. government. Bigheart also negotiated a deal in which the Osage maintained mineral rights to their land.

That proved important because oil was discovered in Osage County making the tribe relatively wealthy due to a system called headrights. This meant that each tribe member would be allotted royalties from both the sale of the oil leases and also for a percentage of the extracted petroleum. Since some of the bidders on the leases were people like Frank Phillips, George Getty and Frank Sinclair, the auctions on some leases would begin at \$500,000 and end at over \$1 million.

In 1923, in just one day, \$14 million in oil leases were sold: over \$200 million in today's dollars.

This wealth helped transform Osage territory; with the main villages – Fairfax, Hominy, and Pawhuska – becoming the equivalent of Western boomtowns. Horses and wagons were replaced by Model T Fords; one-level wooden frame stores gave way to five-story brick office buildings; telegraph offices were replaced by blocks and blocks of telephone poles and wires.

Envious Whites

By standards of the time, the Osage Indians became rich; some employing servants, living in large homes, even purchasing grand pianos. In other words, the Osage began behaving like rich white Americans, but – because they were Indians – their displays of wealth provoked a backlash in the U.S. press. For instance, in writing about the auctions, a journalist for *Harper's Monthly* asked, "Where will it all end? Every time a new well is drilled the Indians are that much richer. The Osage Indians are becoming so rich that something will have to be done about it." (Grann, p. 76)

Two things were done. First, the federal government instituted a system of guardianships. This meant that each Osage tribe member could be deemed "incompetent," and that necessitated a guardian be appointed to the case. As Grann notes, this appointment was nearly always based on the quantity "of Indian blood in the property holder; or what a state supreme court justice referred to as 'racial weakness.'" (ibid, p. 78)

Congressmen would study and analyze expenditures made by each individual Osage and criticize the amounts spent on certain items. At times these assessments echoed Rudyard Kipling's famous dictum about England bearing the white man's burden for colonized natives, or as Grann quotes a congressman:

"Every white man in Osage County will tell you the Indians are now running wild. The day has come when we must begin our restriction of these moneys or dismiss from our hearts and conscience any hope we have of building the Osage Indian into a true citizen." (ibid, p. 79)

Therefore, in 1921, not only were the Osage limited by needing approval from their guardians for expenditures, but limits were placed on how much they could annually withdraw from their trust fund. Practical exceptions like having medical bills or wanting to send children to private colleges did not matter. As one can imagine, this guardian system also provided ample opportunities for embezzlement of the Osage "trust" funds.

The second method that the local power structure utilized to control the Osage

wealth was exercised through a legal loophole. That loophole specified that the Osage trust funds could be passed on through family inheritance. What this meant was that if an Osage woman married someone outside the tribe, her husband could inherit her wealth.

A Killing Spree

But there was even a more sinister side to these arrangements. Osage women started disappearing and people who dared investigate started turning up dead.

In May 1921, Mollie Burkhart began to worry about Anna Brown, her missing sister. Three years earlier, her sister Minnie had died at age 27 after a brief, mysterious illness. And about a week before Anna's disappearance, a man named Charles Whitehorn, another Osage, had vanished. Whitehorn's body was soon found at the base of an oil derrick. He had been shot execution-style with two bullets between the eyes. (ibid, p. 14)

A few days before her disappearance, Anna had gone to see a play with Mollie's husband, Ernest Burkhart, and his brothers Bryan and Horace. Ernest assured Mollie that Anna would show up soon. But Anna never returned alive. Her body was found by a boy out squirrel hunting at the edge of a creek. She had been killed by a .32 caliber bullet to the rear of the skull. (ibid, p. 19)

Because local authorities seemed reluctant to investigate her sister's murder, Mollie turned to a man named William Hale, who was a pallbearer at Anna's funeral. Hale had been a prosperous rancher in Osage county for two decades, a reserve deputy sheriff and a political ally of the county prosecutor. Hale once said, "I will always be the Osages true friend."

The inquest found that Bryan Burkhart was the last known person to have seen Anna alive. He said he brought her back to her home and never saw her again. His brother, Ernest Burkhart, said, "I don't know of enemies she had or anyone that disliked her." (ibid, p. 31)

After eliminating local outlaws and her former husband as suspects, the local Justice of the Peace closed the case in July 1921. He concluded that both Anna Brown and Charles Whitehorn had died at "the hands of parties unknown." (ibid, p. 35) That same month, Mollie's mother Lizzie also passed away. Bill Smith, Mollie's brother-in-law, became convinced Lizzie had been poisoned.

The mysterious deaths didn't stop there. In February 1922, a 29-year-old Osage named William Stepson died, also believed to have been poisoned. Five months later, Joe Bates, another Osage tribe member in his 30s also died of suspected poisoning. (ibid, pgs. 67-68)

With the death toll climbing, but the public and private inquiries yielding meager results, the Osage turned to Barney McBride, a wealthy white oil man whom they trusted and who was genuinely sympathetic to Indian affairs. He knew several people in Washington who might help.

The night McBride arrived in Washington, he stopped at the Elks Club to play billiards. As he departed, someone wrapped a burlap bag tightly over his head to silence him. The next morning, McBride's body was found near a culvert in Maryland. He had been stabbed 20 times, his head was bashed in, and, except for his shoes and socks, his body was stripped naked. The authorities suspected McBride had been followed from Oklahoma. The Washington newspapers called McBride's killing "the most brutal in crime annals in the District." (ibid, p. 69)

A few weeks later, the dead body of Henry Roan was found in his car. He had been a friend of William Hale, the rancher who had vowed to help solve the murder of Anna Brown. (ibid, pgs. 81-82)

But the killing spree only got worse. A spectacular explosion tore through the house of Mollie Burkhart's sister and brother-in-law, Rita and Bill Smith, the man who had voiced his certainty that Mollie's mother Lizzie had been poisoned. Rita Smith and a maid Nettie Berkshire died in the blast and Bill Smith died four days later.

That incident attracted the attention of a former prosecutor, W.W. Vaughn, who learned that a potential witness was in a hospital in Oklahoma City suffering from suspected poisoning, George Burkhart, a nephew of tribal chief James Bigheart. When Vaughn reached the hospital room, he met alone with the ailing man shortly before he died. Vaughn then called the Osage County sheriff and told him he now had all the information he needed and would take the first train to pass on the evidence to the sheriff. The sheriff asked him if he knew who killed Bigheart. Vaughn replied that he knew a lot more than that. (ibid, p. 94)

But Vaughn never arrived in Pawhuska to meet with the sheriff. He was dragged from his Pullman car and his body was found 36 hours later with his neck broken. Whatever notes he took concerning his interview with Bigheart had disappeared. With Vaughn's death, the official number of murders in the Osage case rose to 24. The local and state authorities seemed powerless to stop it. Whoever was running the plot seemed beyond the reach of the law.

Federal Attention

In the summer of 1925, the head of Washington's Bureau of Investigation decided it was time to intervene in a serious way. One of the functions of the Bureau,

which had not yet been named the FBI, was to investigate crimes on Indian reservations. The director was 29-year-old J. Edgar Hoover, who knew his position was tenuous. Hoover decided the only way to prevent more bad publicity was to call in a law enforcement acquaintance from the area and give him the power he needed to crack the case.

The man Hoover called upon was Tom White, a Texas Ranger for 12 years before joining the Bureau in 1917. Hoover offered White the stewardship of the Oklahoma City office and the freedom to select his own task force. Hoover made a good choice and was wise to give White the independence he needed.

White decided to pursue the conspiracy on two levels. He would stay in Oklahoma City as the public face of the inquiry. From there, he and his chief assistants – most notably John Burger – would review the files that had accumulated from all law enforcement agencies over the last four years. Secretly, White would employ a team of undercover agents who would slowly flow into the Osage area seeking to make friends and to find leads. One of these agents was John Wren, a Ute Indian.

White was interested in finding out if Bill Smith, the bombing victim, had revealed anything before he died. Through all his suffering and slipping in and out of comas at the hospital, Smith had managed to say that he had only two enemies in the world. They were William Hale, the rancher who had professed his devotion to the Osage people, and his brother-in-law Ernest Burkhart, Mollie's husband and Hale's nephew. (ibid, p. 152)

But there was something else White discovered during his inquiry into Smith's final hours. Before Smith died, David Shoun, a popular doctor in Osage County, got him to sign a document making Shoun's brother James, who was also a doctor, the administrator of Smith's dead wife's estate. (ibid, p. 153)

That document led White to uncover a massive system of graft and embezzlement, involving as much as \$8 million stolen from the Osage through the guardian system (or about \$112 million in today's dollars).

In reviewing the evidence, White thought it was odd that Hale was never considered a suspect in the murder of Henry Roan because Hale was the recipient of a \$25,000 insurance policy upon Roan's death. And employees of the insurance company said Hale had approached them to sell Roan the policy. When an agent suggested \$10,000 as the sum, Hale upped it to \$25,000. Since Hale was not a relative, he had to prove that Roan owed him money in order to collect on the policy of a man who was not yet 30. Hale produced a document that said Roan owed him the precise amount of the policy. White later found that the document had been doctored. (ibid, p. 159)

White also discovered another curious aspect of the Hale/Roan relationship. Hale had unsuccessfully tried to purchase Roan's mineral headrights. But the attempt led White to another lead. While studying the record of the murders, and the scam that Dr. Shoun had pulled on Smith before his death, White concluded that, with Mollie Burkhart's relatives dying off one by one, more and more headrights were ending up with Mollie, who was married to Ernest Burkhart, Hale's nephew.

Was this the objective of the conspirators? White reasoned that if he was right about Hale, it was time to turn to the criminal underworld for more information. In talking to local criminals who specialized in cracking safes, White came across a source who said he knew the man who had created the "box" – the nitroglycerine fuse and package – for the Smith bombing. It turned out that, while in the process of a jewel heist, this man had been killed by a local merchant. But, as White later learned, the robber was killed because Hale had tipped off the merchant. (ibid, p. 176)

Financial Motive

The case was broken when White went back into the files and discovered an informant named Blackie Thompson, who was half Cherokee. He told White that Ernest Burkhart and William Hale had tried to enlist him in the Smith bombing, but he was arrested for theft before the bombing was carried out. White confronted Burkhart with Thompson's sworn affidavit. When Burkhart still denied it, he had Thompson enter the room to endorse the document. Burkhart then admitted his role, saying that when he expressed reservations about the bombing, Hale said to him, "What do you care. Your wife will get the money." (ibid, p. 190) Burkhart also revealed the names of the killers who Hale had recruited to murder Henry Roan and Anna Brown.

Hale did everything to escape justice. He attempted to influence the grand jury, he tried to have his case moved out of federal court and into state court. He even hired an assassin to murder a key witness. But White heard about it before it could occur and confronted the accused assassin. Hale and three accomplices were eventually convicted.

In his book about the mystery, author Grann argues that if the victims had been white, Hale would have received the death penalty. But since they were Indians, the conspirators were sentenced to life in prison. Ernest Burkhart and Hale were eventually paroled. Hale later said, "If that damn Ernest had kept his mouth shut, we'd be rich today." (ibid, p. 248)

Shortly after Hale went to jail, White retired from the Bureau and became a prison warden. Hoover closed the case. But that meant the public never discovered who stabbed Barney McBride in Washington and who threw W. W. Vaughn

from that Oklahoma City train.

Grann looked up Vaughn's surviving descendants and was told that Vaughn's family was threatened not to pursue the matter any further. (ibid, p. 259) But they did, and information was passed on from one generation to another. Their major suspect was a local banker named H. G. Burt, who tried to embezzle money from Vaughn's estate and was later sued by his widow.

White had discovered that Burt and Hale were close associates. In fact, White had one informant who labeled Burt a murderer. And Burt had a motive for his involvement in the conspiracy. After George Bigheart died, his valuable headrights were passed on to Bigheart's daughter whose guardian was Burt. Burt also was on the train with Vaughn when it departed Oklahoma City and he reported Vaughn's disappearance. And, when Hoover sent Tom White to Oklahoma City to take over the case, Burt moved to Kansas. (ibid, p. 264)

At the end of the book, Grann looked up the records of Indian guardianships that the Bureau of Indian Affairs maintained. Two things struck him as revealing about these records. The first is the recurrence of guardianship rights to powerful people in Osage County like Burt and the owner of the local Trading Company. Some of these local luminaries had as many as 13 wards. The second curious matter was the number of wards who died mysteriously under guardianship. (ibid, p. 281)

After doing an inquiry into other cases in which the Bureau had information that did not lead to the Hale plot, the author concludes that the official number of Osage dead greatly exceeds the 24 named by the FBI. Grann believes that one of the most common forms of murder was through hypodermic needle overloaded with morphine. Then, cooperative doctors, like the Shoun brothers, would conceal the actual cause of death. (p. 290)

The book leaves the reader with the clear implication that the conspiracy to kill and rob the Osage was much wider than the one that Hale organized. As one authority on the case told Grann, "If Hale had told what he knew, a high percentage of the county's leading citizens would have been in prison." (ibid, p. 291)

James DiEugenio is a researcher and writer on the assassination of President John F. Kennedy and other mysteries of that era. His most recent book is Reclaiming Parkland.

Trump's Destructive Priority on Iran

President Trump's threatened "decertification" of the 2015 agreement to constrain Iran's nuclear program fits with his desire to negate all of President Obama's achievements but won't serve U.S. interests, says ex-CIA analyst Paul R. Pillar.

By Paul R. Pillar

Press reports indicate that later this week President Trump will "decertify" the nuclear agreement known as the Joint Comprehensive Plan of Action (JCPOA), relying on a clause in the relevant review legislation that permits the President to make such a declaration even if Iran is fully complying with the accord.

That Trump has decided on this course has nothing to do with the terms of the JCPOA, with Iran, or with Iranian actions; he has not advanced a convincing case, or even a coherent argument, as to how those considerations provide a reason to cashier an agreement that is working. His decision has nothing to do with any careful analysis of what would be the most prudent policy toward Iran or toward nuclear proliferation; the reporting indicates that he has resisted or ignored any such analysis of this issue that his advisers have tried to undertake. In fact, Trump's decision has nothing to do with U.S. interests.

Trump's action regarding the JCPOA conforms instead with a personal decision-making rule that has guided his actions on a variety of issues, foreign and domestic. It is a guideline that has provided a consistent streak in a presidency that otherwise has been filled with inconsistencies. That personal rule is to attack, and preferably to destroy, any significant accomplishments of the previous administration.

This is the operational code that explains, better than any other explanation, the pattern of Trump's decisions on major issues. It is a pattern that in domestic affairs has most conspicuously included Trump's determination to destroy the health care system under the Affordable Care Act (ACA) as well as his undoing of salient measures of the previous administration involving, for example, environmental protection or the Deferred Action for Childhood Arrivals (DACA) program.

Undoing Obama's Foreign Policy

In foreign policy the pattern has included precipitate withdrawals from the Paris climate change agreement and the Trans-Pacific Partnership (TPP), despite

overwhelming support by other nations for continuing those agreements. It has included punishment-like downgrading of U.S. relations with Cuba despite the absence of evidence that the Cuban regime was responsible for whatever caused the mysterious health problems of U.S. diplomats in Cuba. Trump's posture toward the JCPOA is part of the same pattern.

When some of Trump's policies have appeared substantively inconsistent with the rest of his policies, explanatory consistency is restored if we think in terms of what was or was not considered a significant achievement of the Obama administration. There has been some head-scratching, for example, over the Trump administration's lifting of numerous economic sanctions on Sudan despite the lack of progress on problems such as the conflict in the Darfur region.

The lifting was a sensible acknowledgment by the administration that continued punishment for the sake of punishment was not likely to bring any better results – an acknowledgment quite at odds with Trump's postures toward Iran and Cuba. The difference is that, although détente with Sudan had begun under Obama, few people outside of government noticed. This was much unlike the opening of diplomatic relations with Cuba or the negotiation of the nuclear agreement with Iran, both of which were widely regarded as major features of Obama's foreign policy.

Trump's determination to destroy what his predecessor had wrought follows naturally from his demagogic campaign, which, as is generally the case with demagoguery, strove to portray every part of the status quo as horrible regardless of what may have been the actual state of affairs. Trump's inaugural address, in which he talked of "carnage" wracking the United States, formed a seamless transition from campaign to presidency.

Much of his subsequent effort has been aimed at making his campaign rhetoric appear true. This he has done mainly by lying, but also by using the powers of the presidency to destroy, impair, and impede. Reifying the rhetoric may appear to Trump to be almost all he has going for him in forming his own foreign policy legacy, given that his knowledge of foreign affairs does not appear to extend much beyond what he hears on Fox and Friends. If Trump has ever had a genuinely strategic thought about America's place in the world, it is hard to identify what that thought is.

Single-minded dedication to destroying whatever one's predecessor did is an awful way to make foreign policy. Regardless of legitimate criticisms one may have of what the predecessor did, a presumption that everything done was wrong is itself almost certainly wrong.

Even if one can think of a better way to have advanced the national interest, an

advance is still an advance. Abrupt reversal of anything significant done during the previous presidency has the added cost of damaging U.S. credibility in the eyes of foreign governments, who are left to wonder whether the United States can be trusted to stick to any of its undertakings and commitments.

We should not underestimate Trump's willingness to harm American interests as he pursues his self-assigned mission of destruction. The Trump administration's management of the Affordable Care Act is a glaring demonstration of that. That management is largely sabotage, through cuts in benefits and especially changes aimed at discouraging enrollment in the system.

Ignoring Harm

The sabotage has even included refusal to approve steps by Republican-controlled state governments to stabilize insurance markets and lower premiums. There is no possible explanation for the administration's posture other than as an attempt to make the health care system fail and thereby to make believable the rhetoric about the ACA being horrible, even if this means harming the coverage and ultimately the health of American citizens.

Similarly, we should not expect Trump to be bothered much about the harm caused by his approach toward the JCPOA, which will at a minimum isolate the United States as well as start a process that may reopen paths to an Iranian nuclear weapon that the JCPOA has closed.

Trump has been able to go on his destructive path not only because of his considerable demagogic talents but also because he has had enablers. These have included persons in his own party who seem willing to overlook just about anything in the way of presidential excesses as long as they get upper bracket tax cuts and conservative judicial appointments. There also are many in Congress, also in the President's party, who have followed the oppose-anything-Obama-did line, and particularly have done so with the ACA and JCPOA.

Recently there has been a bit more willingness even in that party to call out the excesses for what they are. This is exemplified not so much by the Secretary of State's colorful description of his President as a "f— moron" but rather the more thoughtful observations of Senator Bob Corker of Tennessee about Trump's international recklessness.

Corker, as chairman of the Senate Foreign Relations Committee, will be a key figure in what comes next for the JCPOA after Trump withholds certification. A subsidiary part of Trump's operational code is not to do dirty work himself but instead to goad others into doing it. Throwing things into the lap of Congress is part of that technique, as Trump wanted it to be with DACA. The review

legislation regarding JCPOA – although it was written more with a Democratic president in mind – turns out to be well-suited to Trump’s use of this technique. He can use withholding of certification as his personal statement of disapproval of the JCPOA while saying that his declaration does not constitute a violation of the agreement. By itself, it doesn’t.

But non-certification is an invitation to Congress – where Iran-bashing is always one of the easiest things on which to muster a majority – to enact sanctions that either would blatantly violate the JCPOA directly or would go so far down a road of negating the economic portions of the agreement that the Iranians would throw up their hands in disgust and pronounce the accord void.

The choice facing members of Congress regarding Iran is defined by the President’s driving, overwhelming obsession to destroy his predecessor’s accomplishments. Members need to decide whether they wish to be accessories to that obsession even though being so would mean dealing a major blow against nuclear nonproliferation, against hopes for reducing tensions in the Persian Gulf, against the full use of U.S. diplomacy to promote U.S. interests in the Middle East, against good relations with U.S. allies, and against U.S. credibility.

Paul R. Pillar, in his 28 years at the Central Intelligence Agency, rose to be one of the agency’s top analysts. He is author most recently of *Why America Misunderstands the World*. (This article first appeared as a [blog post](#) at The National Interest’s Web site. Reprinted with author’s permission.)

The Evil That Guns Do

On the defensive over the Las Vegas massacre, the NRA is trotting out some new arguments, such as the inevitability of evil, to deter any meaningful gun control, explains Michael Winship.

By Michael Winship

In the United States, you will hear madmen insist that: 58 dead and 500 injured in Las Vegas are the price of freedom; 49 dead and 58 wounded in Orlando, Florida, are the price of freedom; 27 dead and 2 injured in Newtown, Connecticut, are the price of freedom.

And so it goes. This truly is insanity. We can try to deal with that small percentage of the population who collect or own guns for hunting, target

shooting or security, but to claim as a constitutional right the possession of firearms intended for nothing less than brutal, gruesome warfare strains credulity. These are killing machines with no purpose other than to maim and destroy.

Of course, we've said this time and again and will doubtless say it again because the foolish cycle remains unchanging. Every time someone unleashes gun violence and takes multiple victims, we begin with adamant, genuine grief and a collective wringing of hands. Then we are told that the immediate aftermath is not the time to bring politics into a time of sorrow, and then that, yes, maybe we will look into the license to kill we permit with our lax gun laws. Then the flowers will fade, the candles will gutter, the memorials will be over and nothing will be done.

But beyond the horrific scale of the Las Vegas killings, there were a couple of things that struck us as different about this latest tragedy. Usually, the National Rifle Association goes into its bunker and assumes radio silence for a week or so after these mass murders take place, and as if on cue Sunday morning, NRA CEO Wayne LaPierre suddenly popped up on CBS' *Face the Nation*, blaming the violence not on the millions and millions his organization spends holding gun control at bay but, you guessed it, "the elites." He said:

"They all protect themselves with armed security. I mean, they criticize the NRA. You want to talk about irresponsible use of firearms? The No. 1 person teaching irresponsible use of firearms is all these elites' employer, the Hollywood television gaming industry. We spend millions teaching responsible use of firearms. They make billions every single day, teaching irresponsible use of firearms. They're so hypocritical it's unbelievable."

Limiting the Response

What was different this time was that just a couple of days after the Las Vegas deaths, for once the NRA seemed in favor of new gun laws, in this case forbidding the sale of the bump stocks that killer Stephen Paddock used to turn his semiautomatic rifles into automatic weapons that could spray the concert area below him with hundreds of bullets.

But hold on. What the NRA's carefully parsed statement actually said was that the group was urging the Bureau of Alcohol, Tobacco, Firearms and Explosives "to immediately review whether these devices comply with federal law. The NRA believes that devices designed to allow semi-automatic rifles to function like fully automatic rifles should be subject to additional regulations."

In other words, as John Cassidy reported at *The New Yorker*, "the NRA was looking

to convert a legislative threat into a regulatory issue. Since fully automatic weapons are already illegal, it wasn't giving up any substantive ground, and it was trying to prevent an open political debate in areas where it knows it is vulnerable."

So don't be fooled by their rhetorical camouflage. In truth, the NRA still wants to steer clear of any open debate in Congress that conceivably could change minds and even lead to other new gun control rules already widely favored by the public – like a renewal of the ban on assault rifles, universal background checks and a federal data base tracking gun sales.

Which leads to the second thing we noticed – the repeated use of the word "evil" to describe the deadly Vegas attack. It was "an act of pure evil," President Trump said the morning after. And Don Turner, president of the Nevada Firearms Coalition, state branch of the NRA, told Mary Louise Kelley of NPR's All Things Considered:

"Putting more new laws on the books is not going to stop it. This has been a conundrum humans have fought with since Cain and Abel. You cannot legislate compliance with evil. People are going to be evil. They're going to do evil acts for one reason or another, and there's not any laws in the world would stop them. If we had a total ban on guns, they would've used a semitruck or a bomb."

That the acts of mass murderers are evil is undeniable. The problem is that if you insist that civilization cannot avoid the generation of evil acts – that the force of evil is out of the control of mere mortals – you are throwing up your hands and shirking responsibility for taking action. It's a stinking cop out.

Bruce Clark, who writes the Erasmus blog on religion and public policy for The Economist magazine, notes that the emphasis on evil makes this assumption: "If evil is an inexorable feature of a fallen plane of existence, one that has been tainted from the very start of things by human sin, then no policy measures will ever remove it. The only response to evil is to identify it clearly, to avoid secular soft-headedness, and perhaps to mitigate its effects as and when they arise, without presuming to abolish it. In other words, gun control will not work."

You can't change fundamental human nature, the NRA and its allies shout. Wayne LaPierre proclaims, "[I]f we could legislate morality, we would have done it long ago." But as Clark concludes, "whatever you may think about the causes of badness in the world, it seems manifestly absurd to suggest that the legislator should not try, at least, to reduce the scope for evil to prevail."

We must continue to try. Yet given the nature of evil, why bother, LaPierre

suggests. He knows the answer. More guns. But only for “the good guys,” of course. Madness.

Michael Winship is the Emmy Award-winning senior writer of *Moyers & Company* and *BillMoyers.com*. Follow him on Twitter: [@MichaelWinship](https://twitter.com/MichaelWinship). [This article first appeared at <http://billmoyers.com/story/evil-guns-in-america/>]
