

Visit prompts Native debate

by Paul Swetsol

Dale Samlin, Executive Director of the Alaska Inter-Tribal Council (AITC), implied in an interview that the interests of AITC and the Alaska Federation of Natives (AFN) are in conflict. Dale brought up a point which is worth exploring.

There is no question that AITC, which represents Native tribal

governments, and AFN, which represents the interests of Native corporations, were established for different reasons. The question is will these two organizations complement or compete with each other. The answer, in my opinion, has not been answered.

AITC's main mission is to promote tribal government sovereignty, which includes the critical issues of "Indian" country, tribal

government jurisdiction over lands and people in "Indian" country and subsistence. AFN's main mission is to promote the profitability of the 13 for profit Native corporations and serve the varied interests of the regional non-profits.

There is no question that over the last few years AFN has become an advocate of tribal government recognition and Native

Page 12, please

Native debate . . .

Continued from page 7

subsistence rights. The problem has been that AFN has often promoted solutions which it thought were politically possible while often ignoring the actual desires of Native people. It appears to me that this paternal attitude has begun to change. AFN, to its credit, has been supportive of subsistence and sovereignty issues developed by Native tribal governments and their legal advocates, such as the Native American Rights Fund.

All of this bodes well because, if it continues, there is no question that Alaska Native organizations can speak with one united voice. This is a big if.

The question of tribal recognition, which, within the next few weeks (trust me on this) will shortly become an undisputed reality, and

Native subsistence rights are major goals of AITC and are relatively non-threatening issues which has been embraced by AFN. The all important final issue, jurisdiction over Native lands, will determine if AITC and AFN can work in harmony or exist in conflict.

Because of the Alaska Native Claims Settlement Act (ANCSA), all of the lands in Alaska were taken from us and then approximately nine and one half percent of those lands were conveyed, in somewhat equal amounts, to the Native for profit regional corporations and village corporations. No lands were conveyed to Native governments. ANCSA, however, did not terminate or speak to the issue of "Indian" country or jurisdiction in Indian country. It is the position of virtually all Alaska

Native tribal governments, most Native organizations and the great majority of Alaska Natives that our Native lands which were conveyed to the corporations legally remain "Indian" country and our Native governments have the same jurisdiction over these lands as any recognized Native tribe in the lower 48 has over lands in their possession. Herein lies the rub.

The corporations have fee simple title to the land and, for all practicable purposes, these are the only lands we have left. If they feel that jurisdiction over the lands threatens their ability to use the land to turn a profit, or threatens other non-specific use of the land, will the corporations resist tribal jurisdiction or will they take the high road and, for the sake of all of us and our future generations, work

with us to make tribal jurisdiction a reality and resolve the sovereignty question. The jurisdiction question will tell once and for all if AFN is an ally or adversary of our tribal governments. It is the issue which will determine if AITC and AFN can speak with one voice or will assume the old adversarial role that many of us, myself included, pray is a thing of the past.

One suggestion which may serve to diffuse conflict would be for AFN to initiate a study among all of its regional and village members to determine which corporation lands have a high economic value, which have little potential for economic development and which have both high subsistence and economic value. If the corporations could then actively work to have the lands with little eco-

nomic value transferred to tribal ownership a good deal of potential conflicts may be avoided. Dissenter's rights may be a minimal problem because with low economic value comes low dollar value. Most corporations could handle paying off the dollar value of lands with little economic value by, for example, finding the land to be worth no more than a dollar an acre. I'm certain there are many other good ideas floating around.

Whatever happens, it is important that the jurisdictional question be answered soon. We need to determine if AFN is on board or not. Personally, I pray with all my heart that we all will be able to speak as one and our lands, and thus our cultures, will be able to live on forever.