

Judge issues pro-tribal decision in *Venetie*; Knowles orders review of sovereignty stance

by Jeff Richardson
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Several significant developments regarding the issue of Native sovereignty have occurred in the last few weeks. These include a new review of the state's position on sovereignty ordered by Gov. Tony Knowles, and the banishment of a white resident from the village of Kipnuk by tribal officials.

Also, in Anchorage, Judge F. Russell Holland, issues a tantalizing partial decision in *Alaska v. Native Village of Venetie*. Holland, who had previously held that Alaska Native tribes do exist, recently affirmed that the people of Venetie, Arctic Village and other villages along the Chandalar River are among those tribes and have sovereignty rights in child custody proceedings. According to Attorney General Bruce

Botelho, the state will probably not appeal Holland's decision.

However, Holland has yet to decide whether Native-owned land constitutes "Indian Country," land over which tribes can exercise regulatory authority.

Although court decisions ultimately give Alaska Native tribes the clout they need to exercise real self-government, it doesn't hurt that the State of Alaska under the

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Knowles Administration may be much more receptive to power-sharing with tribes than previous administrations. Knowles has directed the Dept. of Law to begin a so-called "Native Governance Project," essentially a review of the state's officially hostile position on Native sovereignty.

The review fulfills a promise Knowles made during the campaign to re-evaluate the state's traditional resistance to Native self-governance, a concept based on the special trust relationship between tribes and the federal government and often perceived as threatening by state officials. While Knowles seeks better relations with the state and tribes, it's not clear what the outcome of the

review will be.

At least 27 assistant attorneys general, and possibly all state cabinet officers, will analyze the legal, political and social ramifications of recognizing tribes as sovereign governments with authority over tribal members in all areas except criminal matters.

Almost concurrent with the Knowles announcement came news that a white resident of Kipnuk, along with his Native girlfriend and their four children, had left the village after his banishment by the tribal council. Their departure followed two days of mediation by Alaska State Troopers. This and similar demonstrations of tribal authority have given a sense of urgency to the state's sovereignty review.