

Berger report may bring CBS 60 Minutes to Alaska

They have not said "no" but there have been unconfirmed reports that 60 Minutes will be coming to Alaska sometime this year and traveling to villages that Judge Berger visited in his two year study of Alaska Natives reaction to ANCSA.

"We don't make it a point to alert anyone where they're going," said Ray Brunette, Press Representative for CBS. He said if CBS made public their stories they would be bombarded with calls. Judge Berger concluded his study early this spring.

It was almost midnight on Sunday, 16 June 1985, when a weary Judge Thomas Berger and his editorial staff wrapped up the work of the Alaska Native Review Commission at his small downtown Anchorage office off "D" Street. The 250-page document, entitled Village Journey, was sent to Hill and Wang, a division of Farrar, Straus & Giroux in New York, for publication in September.

The largest study ever conducted of Alaska Natives, the 2-year, \$1.5-million inquiry addressed the effects of the Alaska Native Claims Settlement Act of 1971 (ANCSA) upon Alaskan Natives. It was sponsored by two international organizations of aboriginal peoples, the Inuit Circumpolar Conference and the World Council of Indigenous Peoples.

During Berger's travels, he listened to villagers in all areas of Alaska express their fears and concerns over two provisions of ANCSA. Children born after 1971 receive no benefits under the act, and have legally been severed from the inheritance passed down through countless generations. Protections aimed at keeping ANCSA stock out of non-Native hands and preventing taxation of undeveloped tribal lands expire in 1991. Berger heard many villagers suggest that the transfer of corporate lands to village tribal governments would protect them from taxation and alienation, and would give all Natives born after 1971 access to their heritage. He heard others speak of land bank protections and of amendments to the act sought by corporate leaders.

When Justice Berger, former Justice of the Supreme Court in British Columbia, was appointed to head the Commission in May 1983, his work on behalf of the indigenous peoples of Canada had already won him international recognition. He had conducted three Canadian royal commissions; the Royal commission on Family and Law, the Advisory Commission on Indian and Inuit

was instrumental in the inclusion of aboriginal rights in the new Canadian Constitution. Justice Berger is credited for using the royal commissions as a powerful new force in the Canadian political process with which he re-drew the political map of Canada.

In September 1983, the ANRC opened its Anchorage offices. Berger began writing his report

along the Yukon River, and in every major Alaska city.

In addition to the village hearing, two series of roundtable discussions were held in Anchorage, which also attracted international attention. Justice Berger assembled noted authorities on aboriginal law from throughout the U.S., Canada, Greenland, Europe, and Australia to discuss the technical aspects of

and village hearings were audiotaped and transcribed, filling over 750 hours of tapes and 95 volumes of transcripts. Scholars have remarked that analysis of such an enormous block of source material will keep them busy for several years to come. The original tapes and transcripts will be archived at the Elmer Rasmussen Library of the University of Alaska, Fairbanks.



Thomas Berger presides over the international session of the ANRC hearings. Also pictured are Peter Itinuar of Canada, Alf Isak Keskitalo of Norway, and Robert Peterson of Greenland.

Tundra Times photo

Health, and the Mackenzie Valley Pipeline Inquiry. The last, for which he is best known, cut short Canada's headlong plans for building the Mackenzie Valley Oil Pipeline and forced the Ottawa Government first to expedite the Northern issues of Native land claims and political development. His public intervention (personally opposed by Premier Trudeau)

in December 1983 when he attended the first of the village hearings—which constituted the backbone of the study—during a 70-degree below storm in the Western Alaska village of Emmonak. His inquiry took him to 61 other Alaskan Native villages. He listened to villagers along the Aleutians, on the Pribilofs and St. Lawrence Island, at fish camps

ANCSA including Native law and government sovereignty, subsistence, and the international aspects of aboriginal rights.

Both roundtable discussions

Copies are available at the ANRC office in Anchorage and after July 31 will be available at the Anchorage ICC office.