

To the Editor:

We are elated that you are once again publishing such a fine news-worthy paper.

We wish you many years of continued success.

From,
Coral Frank
Holy Cross Stop and Shop
Holy Cross

Dear Tundra Times people:

I'm happy you are back in business. Good luck.

Sincerely,
Dortha T. Claypool
Petersburg

Dear Friends,

So glad you're back in business!!!

The Rev. Mark A. Boesser
Juneau

Talent in schools

When the curtains opened, we put the box on the stage. It was like a wooden coffin, holes had been cut out on each end. A white cloth was nailed to the bottoms of the front and the sides of the box. The cloth reached to the floor. There was a girl inside the box. Her head was outside of the hole to our left, her feet stuck out at the other end. We saw her smiling, we saw her feet moving. Two boys stood behind the box, one boy carried the biggest hand saw I had ever seen. He announced he was going to cut the girl into two part. While the other boy held the box steady, he began to cut about the middle. When the cut reached to where the girl's body lay, red blood splattered onto the white cloth. With each BUZZ of the saw, more blood appeared. The blood drained from the faces of many in the audience, as we watched in white-faced opened mouth fascination. When the screams began, one girl fainted. Her body slumped to the floor. Someone began yelling STOP! STOP THE SHOW! STOP THE SAW! The curtains closed. We sat their in stunned silence as friends and teachers ministered to the unconscious victim. Low voices could be heard as we gave voice to our thoughts. Never in our lives had we ever seen such a thing. Never in our lives had we even heard of such a thing.

When did this event take place? Not last week, not last month. It took place about 1937 or 1938 at the Eklutna Vocational High School, in a talent show, a home grown form of entertainment for students. Some might ask, "Did you ever read about the magic?" If we had, it did not register. It would be like reading "Vast herds of wildebeest roamed the Kahlihari." What is a wildebeest? Another form of tootookpuk?

What is Kahlihari? It was many years before television came to Alaska. More years followed, programming improved. We could watch vast animal herds roaming the savannas of Africa and South America. We could see for ourselves where before we just read about them.

I am so happy for today's generation of students who now have access to so many ways of learning about our world. Their schools are equal if not better than any in the nation. Whom do we thank? Molly Hootch and my cousin-in-law Mayor Eben Hopson, who could see such a bright future for his people. And others. Today if there are no photos or illustrations, the student can ask his computer. The computer will analyze the situation and in a minute print out the illustration in full color. Today, any grade school student is ready to tell you, "The was not blood. There was somebody behind that white cloth with a can of grape juice." That same student is ready to explain the "magic" for you. He will say, "That hand saw did not even touch the girl's clothing." What next? To learn about the many opportunities for Today's Student, read the *Tundra Times*. Learn to read and understand the newsletters and the annual reports of your Regional Corporation.

Irving T. Ungudruk
Sitka

Compact of Free Association

Dear Editor:

This is a response to the column by John Oscar of Tununak titled "Political Extremes in the Community" in the Oct. 28 issue of the New Tundra Times.

The Inuit, the Aleut, Athabascan, Eyak, Haida, Inupiat, Tlingit, and Yupik of Alaska, have inherent rights of self-determination and territorial sovereignty to all our territory, which we have used and occupied since time-immemorial. This includes hunting, fishing and trading rights inherent in our jurisdiction.

It is difficult for some people to fathom, in the likeness of John Oscar, that our hunting, fish and trading rights are not derived from the written word, but are inherent within ourselves.

Similar written campaigns of misinformation, disinformation and fear have been a stronghold for the assaults upon Alaska Native subsistence hunting, fishing and trading activities by the State of Alaska and its surrogates. This fear can best be countered with informed legal opinion. The State, through the McDowell decision and the Morry case, has committed genocide in the guise of the police powers of state management. Because of these two decisions, the Inuit are made crim-

inals for being who they are in State courts.

However, the State and its courts do not exist in a vacuum. The Federal Ninth Circuit Court is the "law of the land" as Sen. Daniel Inouye stated at the May 23 Subsistence Hearing in Anchorage. This means that the federal preemption doctrine has been maintained by the Ninth Circuit. In other words, the federal government supports who we are with all of our inherent rights intact. That is why we win in court when we have been harassed and then charged by the police powers of State management. In addition, the McDowell and the Morry decisions have now been outdated by the United States participation in the Genocide Treaty of 1988.

The Constitutional issues relating to the Genocide Convention are now applicable for the case of Alaska's recent Supreme Court opinions, McDowell and Morry. On Feb. 26, 1985, the Ninety-Ninth Congress of the United States conducted a hearing to settle legal issues pertinent to ourselves.

Our claim to jurisdiction is inherent and it is for the Natives to determine the destiny of our territory and not the territory to determine, from afar, the destiny of the Natives. Inuit hunting, fishing, and trading rights have not been yielded to Russia nor to the U.S. during peacetime, at war, nor through the conveyance of a treaty. In *U.S. v. Winans* (198 U.S. 371), the Supreme Court found that the right to resort to the fishing places in controversy was a part of larger rights possessed by the Indians, upon the exercise of which there was not a shadow of impediment, and which were not much less necessary to the existence of the Indians that the air they breathed. In other words, the principle of law in effect is that there has not been a grant of rights to the Inuit, but rather a grant of rights from ourselves, a reservation of those not granted. And, this principle of law includes our inherent hunting and trading rights and "commercial fishing" rights.

The case for the Inuit in Alaska is on a stronger footing than the Indians of the Lower 48 who have been victimized by the Marshall

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Trilogy. These three cases are titled *Fletcher vs. Peck*, *Johnson vs. McIntosh*, and *Worcester vs. Georgia*. Two recent cases, *Tee-Hit-Ton* and *The U.S. vs. Arco* found that the Tlingit People and the Inupiat People were not protected for the loss of their property under the Fifth Amendment of the U.S. Constitution. Therefore, under their own majority in exclusionary rulings by the U.S. Supreme Court, we now have a cause of action for the recognition of ourselves as a distinct people under the Genocide Convention which is now the supreme law of the land. Unfortunately, there are State standard bearers such as state incorporated instruments and malpracticing attorneys contracted within the Native Community of Alaska who have pledged themselves to be loyal to the State process regardless of the constitutionally protected treaty rights of the Natives. This endemic behavior is associated with lucrative contracts from the State to prolong their own employment at the cost of our own federally protected rights.

The first time that the U.S. recognized our inherent rights was in the Russian and American Treaty of 1824 which was entered into force by the advice and consent of the U.S. Senate on Jan. 11, 1825. This was the Convention Regarding Navigation, Fishing, and Trading on the Pacific Coast. More recently, the Alaska Statehood Commission, in its 1985 report, has reinforced the legal status of Alaska Natives as entitled to the rights and privileges offered by the U.S. to exercise their own plebiscite to determine the following options: 1) Complete independence, 2) Articles for the Compact of Free Association, 3) Maintenance of status quo of our present relationship with the United States. This Statehood Commission Report was supported by an affirmative vote by the citizens of Alaska.

The acquisition of the territories of Alaska and Hawaii have been outside of the scope of the U.S. Constitution. We, the Inuit of Alaska, and the Hawaiians of the Republic of Hawaii, have chosen to relieve the constitutional crisis of the U.S. for their illicit acquisition of our territories. Our deplorable experience of forcible incorporation has created an environment of subservience for a once self-governing, proud, and viable People. The riches of the Alaska Native People have been substituted for welfare payments in the form of poor education, dilapidated housing, food stamps, contaminated water, and poor municipal hand-outs. Instead, our wealth has been stolen with the acquiescence of our own poorly educated Native people who have transformed their own ill-gotten gains for self-maintenance through the politics of fear. Our wealth has gone to foreigners for

the lack of will of our own people.

We, the Kasigluk Elders' Conference, have chosen to adopt the Articles of Free Association as an international acceptable form of self-government for the former territory of Alaska and its original owners. This concept of "The Compact of Free Association" is derived from Article 73e of the United Nations Charter. The General Assembly Resolution 1541 states the criteria of a legitimate free association relationship as follows:

"Free association should be the result of a free and voluntary choice by the peoples of the territory concerned expressed through informed democratic processes. It should be one which respects the individuality and the cultural characteristics of the territory and its peoples, and retains for the people of the territory which is associated with an independent State the freedom to codify the status of that territory through the expression of their will by democratic means and through constitutional processes.

"The associated territory should have the right to determine its internal constitution without outside interference, in accordance with due constitutional processes and the freely expressed wishes of the people. This does not preclude consultations as appropriate or necessary under the terms of the free association agreed upon."

As of this date, the Natives have been left completely out of the economic benefits of our own natural resources exploited within our territory. This occurred for the very reason that Alaska Native People are not Americans for the purposes of the Fifth Amendment of the U.S. Constitution as *Tee-Hit-Ton vs. U.S.*, *U.S. vs. Arco*, and *Re John Manook* verified. This misfortune reversed itself when the United States adopted the Genocide Convention on November 4, 1988. We have been denied one trillion dollars of our natural wealth. With a Compact of Free Association, we will use the exclusionary aspect of constitutional decisions to our economic advantage for the maintenance and enforcement of the Supreme Law of the Land, as provided for in the Genocide Convention and supported by the Code of Inuit Offenses Against the Peace and Security of Mankind.

This process of the Compact of Free Association will be executed in the likeness of the U.S. Constitution as derived from the Iroquois Confederacy. The U.S. Constitution has a civilizing effect upon its citizens.

Charles Edwardsen, Jr.

Counselor to

Kasigluk Elders' Conference

Kasigluk, Alaska

Editor's Note: For a complete copy of Mr. Edwardsen, Jr.'s letter, write to the Tundra Times.