

Traditional border talks set

by Bill Hess

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Most non-Natives tend to think of Alaska Natives as people who in the past just lived where they happened to be, nomads who did not really have a territory, complete with boundaries, of their own which they could lay claim to. Tribal

government leaders in seven villages in Western Alaska disagree with that notion, and are getting together this Thursday to map out their traditional boundaries.

"We have always had our traditional boundaries which we honored and abided by in the villages since time immemorial,"

explained Sheldon Katchatag, a member of the Indian Reorganization Act council in Unalakleet, where the meeting will be held.

"Those boundaries were abided by until statehood," Katchatag continued. "but people from the Western culture, (Continued on Page Eight)"

Tribal boundaries to be discussed

(Continued from Page One)

they don't recognize the boundaries or abide by them. They don't take the time to find out." Katchatag said that the IRA leaders of the seven villages will map out their traditional boundaries on paper, making it clear to anyone what they are.

"There are certain powers, and rights of our tribal governments which we have never given up," said Katchatag, adding that once the boundaries are set down, the IRA governments in the different villages will have a clear area to assert jurisdiction.

Other villages which will be attending the meeting include Stebbins, St. Michaels, Shaktoolik, Koyuk, Kotlik, and Ungalik. Katchatag said that Elders who grew up with the knowledge of the traditional boundaries will be involved in determining where they are.

"We hope to regain a lot of control our people seem to feel they have lost, or they have allowed to go dormant," Katchatag said. "Hopefully, we will be better able to manage problems we have with non-Natives going in and extracting resources in

areas where we should have control."

Katchatag did not elaborate on all the powers the villages would want to assume. Tribal governments in the Lower 48 often exercise a great deal of powers within their reservations. Many tribes have their own police and court systems, although they operate with some restrictions.

Different tribes have also taken over control of fish and game, resource management, and have levied taxes on non-Indian businesses and oil and mineral companies working within the boundaries.

Doug Mertz of the Alaska Attorney General's office, contended that the tribal governments would be powerless to exercise jurisdiction over whatever areas they map out.

"Our position all along has been that IRA's do not have jurisdiction over geographical areas," Mertz said. "they may have some authority over their own members, but not over other people, and not over land."

Mertz discounted any comparison to reservations in the Lower 48. "This is one of the critical factors" he argued.

"Those are reservations, recognized by the federal government. In Alaska, There is no such recognition, except for the village of Metlakatla."

As they have become increasingly more outspoken, tribal leaders have argued that their powers exist with or without federal recognition. They argue that the tribal governments predate the federal government, and that even in Alaska Native Land Claims Settlement Act of 1971 didn't place any limitations on jurisdictional powers.

It was intended to settle Native land claims in Alaska. Katchatag and many other proponents of village tribal governments have been challenging the legality of ANCSA, which Katchatag noted was passed without the consent of the governments.

During recent overview hearings of the Alaska Native Review Commission in Anchorage, Katchatag went so far as to propose that the IRA council of Unalakleet declare ANCSA null and void.

The council has not yet taken up his proposal, but when it does, there are expectations the village government will move

cautiously on the matter. Several attempts were made to contact Weaver Ivanoff, president of the council, for comment on the upcoming meeting and Katchatag's proposal, but all were defeated by the state's satellite telephone system.

Katchatag said the boundaries of Unalakleet included the entire drainage area of the Unalakleet River and its tributaries. Punishment for violating the boundaries could sometimes be harsh.

"Traditionally, if someone was out subsistence hunting, trapping or fishing, and he found someone from another village in an area where they were not supposed to be, he could run them off immediately, or even kill them on the spot," Katchatag said.

Among the powers tribal governments will be considering would be what they could do now to exercise more jurisdiction over traditional uses of fish and game. Although the state must abide by a controversial law which gives subsistence users priority to wildlife resources, many tribal governments advocates would like to see more control in local Native hands.