

No time to hedge on subsistence

It was with dismay and agitation that I finished reading your September 30, 1981 subsistence editorial, entitled "United we stand Divided we fall." Upon first reading and analysis, it appears to have started and ended intact. A closer analysis, though, revealed fundamental errors in presentation and logic. Such a conclusion as yours — one of a subjective argument based on incorrect data — must be reconsidered, or Alaska Native people will be the ones to suffer.

Subsistence, the substance of your editorial comments, is indeed a "volatile issue." An event which took place between the time of the editorial and the present day only proves how volatile the issue of subsistence really is. Your more recent edition of October 7, 1981 included the notice that the Inupiat Community of the Arctic Slope has withdrawn from the Alaska Federation of Natives (AFN) because they cannot be a party to AFN's subsistence position. And yet in your earlier editorial you pointed out AFN's need to continue to remain "banded together" and to take a "united stand," as in the days of the pre-Alaska Native Claims Settlement Act of 1971 (ANCSA). You stated, in your September 30 editorial, that Alaska Native groups should "contact AFN with ideas, not with notifications of withdrawal."

The "Tundra Times" should know that the Natives of Alaska were not always unified during the congressional juggling days that ended in ANCSA. The Inupiat of the Arctic Slope, to which I proudly trace my heritage, have historically disagreed with AFN on key issues and at crucial times. The Inupiat of

the Arctic Slope temporarily withdrew from the AFN during the final drive for a settlement, with the feeling that the proposed settlement wasn't equitable enough. Important changes were made in AFN's position, allowing the Arctic Slope Native Association to rejoin AFN.

The Inupiat have always been ahead of their time, and we are again. Now is not the time to hedge and compromise. An all-out push for stronger subsistence laws, all fair to Alaska Natives, should be made, and the AFN, the "voice" for Alaska Natives, should take the lead.

Not only are Natives traditionally divided at key times, we are not united now. If anything, AFN is going to have to present both their more moderate position as high-level Native bureaucrats, and also the "common person's" viewpoint. AFN needs a multiple level position truly representative of Alaska Natives. Just as the Black people's National Association for the Advancement of Colored People (NAACP) must be composed of a mesh of viewpoints in order to be truly representative, so must the AFN. I realize the line must be drawn somewhere in order to retain effectiveness, but it is obvious that now is not the time.

I further believe that the Inupiat Community of the Arctic Slope should sustain its stance of non-participation in the Alaska Federation of Natives until the federation proves its flexibility to accept ideas by expanding its position.

We are at a crucial time in our history, which the "Tundra Times" and the AFN have only superficially addressed. The majority of Natives, I feel, do not know that it states in black-and-white in the annals of Congress a law of utmost

importance: "All aboriginal titles, if any, and claims of aboriginal title in Alaska based on use and occupancy, including submerged land underneath all water areas, both inland and offshore, and including any aboriginal hunting or fishing rights that may exist, are hereby extinguished."

So reads Section 4, Part (C) of the Alaska Native Claims Settlement Act of 1971, Public Law 92-203. The Alaska legislature responded by enacting the State Subsistence Act. The repeal of the state's subsistence laws is now the aim of a group of Alaskans, and it is in response to this pressure that AFN has developed a position.

The steps to be made to alleviate the burden on Alaska Natives are two-fold. First, we do need to develop a united front that is more encompassing in scope — the Inupiat community has once again demonstrated this to be true. Second, we must realize that the federal government, contrary to what it and the State of Alaska believe, has a trust responsibility greater than the state's subsistence laws or lack of them.

I also believe that this federal trust responsibility is even greater than the Alaska Native Claims Settlement Act. An act so damaging should and must come up for the option of repeal, or major modification. Those Native corporations not wanting such an option can let their intent be known. Those Native corporations that want such an option, that of rejecting the tenets of ANCSA and regaining "aboriginal hunting and fishing rights" and having existing land title set up in a "permanent fund" type of land bank (this partial remedy has already been discussed), can have such an option. In any case, the people should

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decide, not the corporate leaders, bankers and consultants who receive and spend the money that represents our land.

In the end, one major subsistence law is not the issue; it is only symptomatic of an ominous problem. We need to look towards changing ANCSA in order to protect our "aboriginal rights" that no law can take away.

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