

My turn: by Sylvia Carlsson

Berger's Report: Effective or Not?

The Inuit Circumpolar Conference will be receiving former Canadian Justice Thomas R. Berger's long-awaited report entitled "Village Journey" this week. A press conference has been scheduled for Monday, September 16, in Anchorage for official release of the document.

Berger was hired by the ICC to conduct an investigative analysis of the Alaska Native Claims Settlement Act two years ago, and his work took him to 55 villages and communities throughout Alaska and the Lower 48 states. He listened to the testimony of approximately 1500 Alaska Natives and non-Natives during the course of the study, and his report is based largely on the statements he heard.

The report, which is published in book form, will retail commercially for \$16.95 per copy and will not be distributed generally until mid-October. A limited number of paperback copies have been in circulation in Anchorage for about a week.

"Village Journey" is 203 pages long, cover to cover, and includes many interesting photographs of village life in rural Alaska. It takes the average reader two or three nights of intensive study to digest the report, and perhaps longer to ponder the significance of it.

There will be few surprises in this report for those who followed the two-year mission of Thomas Berger and his entourage. Berger has been telling us all along through the various media and other public forums what he intended to write in his report. He left virtually no room for speculation about his leanings toward Sovereignty and Tribal Governments because throughout his investigation, at least in Alaska, he either attached himself visibly to the cause being promoted by the United Tribes of Alaska, or they affixed themselves to his mission.

Berger's report cannot be dismissed lightly by anyone directly or indirectly affected by ANCSA, because it is a reflection of the sentiments held by a significant number of Alaska Natives whose lives have been influenced by an Act of the United States government. Berger listened to the people, to their frustrations and fears, to their emotions and anxiety about the future and the land. If his statistics prove sound, and there is some question about that, the report will give a fair sampling of how the average Alaska Native living in rural Alaska feels about ANCSA and the corporations it spawned, and the current leadership being provided as we continue the final implementation of the Act, which will culminate in 1991.

Berger's words in "Village Journey" are not kind to ANCSA and the proponents of that piece of legislation, but no one expected them to be otherwise. Rather, his report gives credence to the single-minded hue and cry for re-tribalization of Alaska Natives by UTA, for the rejuvenation of the *Indian Reorganization Act*, as it can be applied in our state, and for the declaration of Sovereignty by Alaska Natives. Again, he was expected to do just that. But that is all Berger's report really does.

Berger's recommendations, if carefully studied, are simply unrealistic and surprisingly give the impression that he lacks a fundamental understanding of our system of government.

But the report itself does at least provide our leadership with more documentation than they had before, and in that respect, it could be more helpful to a degree to those whose responsibility it has become to find remedies for the legal problems of ANCSA. The Alaska Federation of Natives, our corporate as well as cultural leaders could, after all, use all the help they can get. "Village Journey," however, should be given no more and no less weight than any other piece of information available.

Berger, in his report, states: "It strikes me once again that the attempt to reproduce corporate America in these small villages is a strange idea." And so he recommends turning the clock back, so to speak, to find more equitable and just solutions, which end up clearly based on some socialistic notion.

Former Canadian Justice Thomas R. Berger comes from a background and a country where socialism is better understood, and so his recommendations fit better from that perspective.

We, however, are in America — not Canada — where capitalism is alive and well, like it or not. Berger's recommendations and attendant remarks, looked at through an American framework are almost "pie in the sky," and to some of us his ideas are strange indeed.

"Village Journey" will no doubt be a hot seller in the months to come and will probably line someone's pockets with a few bucks in that grand old capitalistic style of making a profit, but in the final analysis will Berger's report be effective or not, for Alaska Natives? It is, no doubt, for history to judge.

Berger is a former Canadian Justice with what some consider to be awesome credentials, and his words, therefore, should command some thoughtful attention. Berger, however, should have been less pedantic in his approach, more objective in his investigation, and more practical in his recommendations. It seems odd that he's willing to jeopardize his credibility for this cause.

Long after Berger is gone from the Alaskan Tundra, Alaska Natives will still be struggling to find answers to the complex problems of making ANCSA work for us, of facing the hard realities of life, and of fashioning practical solutions for protecting our lands and our futures.

The well-intentioned words of the good Justice Berger will not save us from the uncertain future that so many of us seem to be afraid of. If we are to ensure our own destinies as Alaska Natives, as well as we humanly can, relying upon our own strengths and recognizing our own weaknesses, and learning from our own mistakes, it is a job we must do for ourselves — and we had best get on with it.