

A Native preference is the only solution

by Paul Swetzof
for the Tundra Times

The Alaska Federation of Natives has gone behind the backs of Native people in endorsing a state constitutional amendment which would provide a rural priority for the "subsistence" taking of fish and game.

OPINION

What right do they have to go behind closed doors and make a decision to lobby in Juneau over the fate of hunting and fishing rights for Native people?

AFN has been running around saying they would do nothing until the Native community has had a chance to develop a consensus. Their talk is, once again, at odds with their actions.

Who cares if their president, Julie Kitka, says that the constitutional approach looked the most viable with the governor and lawmakers working to get the necessary two-thirds vote to get it on the November ballot?

Native people haven't had a chance to determine whether this is the way we want to go. What if we decide we want an amendment to the Alaska National Interest Lands Conservation Act, providing for a Native preference?

AFN, acting in concert with the state, would destroy our wishes for other options which we may choose. AFN went off and did their thing even before the Alaska Native Coalition statewide gathering of tribal government representatives had a chance to

discuss this issue and help to develop a Native consensus from the villages.

A bill introduced by state Rep. George Jacko, D-Pedro Bay, appears to be supported by AFN. But it could have the unacceptable result of taking us back to the status quo, which village people already have had enough of.

Jacko's legislation would allow a "subsistence preference" based on rural residency, traditional use or dependence on fish and game for food. It doesn't even provide for a preference based on a cultural — Native — priority. The state would likely always take the most restrictive approach to this proposed constitutional amendment.

Rural residency doesn't work because there is always going to be a battle over who and what is rural. Customary and traditional use won't cut it because the children may not be considered customary and traditional users, not to mention some of our adults.

Dependence on fish and game won't work because the state would determine who is dependent, which means that a needs-based preference would be in place which would be dependent on income.

Isn't it great that AFN is endorsing a constitutional amendment so that the non-Native majority can determine, by majority vote, the future of Native people's absolute right to a hunting and fishing priority in our homelands?

Nothing, in my opinion, will provide for all of our people except a Native preference. We cannot revert back to the status quo where some of us get hunting and fishing rights, while others of us don't.

Our cultural survival is at stake,

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regardless of what AFN and its attorney advisor Don Mitchell think. We have to stick together. If we don't abide by the rule "all for one and one for all," the many Native people, both village and urban, will not be able to legally hunt and fish and eventually we'll all lose the priority.

However, whatever we decide on must be by consensus of the Native community, not a vote of the AFN board.

That AFN would even consider getting into bed with the state, and especially the Cowper administration, is an outrage. In commenting on this situation, Gov. Steve Copwer says he doesn't think a Native preference is "politically viable."

Why would he? He's opposed to a Native preference and has proven this by fighting Native people's customary and traditional hunting and fishing rights in the courts.

AFN has no right or authority to go to the very people, the state administration and Legislature, who have committed themselves to the destruction of Native self-

determination and Native hunting and fishing rights. You'd think that their cultures are at stake instead of ours.

Although far from certain, a Native preference may not be a politically viable position to the non-Native population in Alaska. However, the U.S. Congress may not care if a Native priority is popular among non-Natives in Alaska, so long as it's not unpopular with their constituents.

It seems to me to all come down to the same old thing: Divide and conquer. Which one of us is willing to accept hunting and fishing rights for ourselves at the expense of these same rights for other Native people?

Obviously AFN is, but I suspect they're by themselves. A Native — cultural, if you prefer — preference is the only way all of us, not just some of us, will be able to hunt and fish, thus assuring the cultural survival of all of our villages, and subsequently all of our people.

I'm committed to opposing anything AFN, the Cowper administration, the Legislature or anyone else does which is not the result of statewide Native discussions and consensus, and which does not guarantee that all of our respective peoples have the same rights.

We can no longer stand by and allow two classes of Natives, those of us who have a priority right to hunt and fish, and those who don't. You can always bet that if the state eliminates one village, that the villages which are left are their next targets.

If AFN wants to lobby for what all of our villages agree we want, that's fine. And I'll be the first to pat them on the back. But they can't be allowed to run wild any longer.