

ALASKA HUNTERS SEEK TO END LAW GIVING NATIVES PRIORITY

By Wallace Turner, Special To the New York Times

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In a last-ditch struggle to hold on in the face of change, Alaska's sports hunters and fishermen have mounted a campaign to overturn a 1978 law that they argue favors the Alaska natives, the descendants of the state's Eskimos, Aleuts and Indians.

Both sides want to disown the strong racial overtones that run through the dispute, which will be the subject of a referendum in November. But the fact is that Alaskans for Equal Hunting and Fishing Rights is made up almost entirely of whites who resent what they see as favoritism to the natives, while the Alaska Federation of Natives leads the support for the current law through a group called Alaskans for Sensible Fish and Game Management.

More than \$1 million is being spent on the ballot question, which is expected to draw a total of no more than 200,000 votes on both sides.

This political struggle is another sign of the rapidly changing face of "The Last Frontier," as Alaska calls itself on its automobile license plates. Old Freedoms Are Disappearing

Limits are being imposed where once all was open. Within the memory of Alaskans who are not yet old, fish and game belonged to those who took them. A wilderness cabin could be constructed on any site that struck someone's fancy. Wild things and the wilderness had no owners, any more than did the clean air, the Arctic ice or the Northern Lights.

Gradually, limits have been imposed by such restrictions as fishing and hunting licensing, closed seasons, limits on the number of commercial salmon fishing permits and, in the last few years, the surveying of Alaska in preparation for establishing land titles to every one of the state's 300 million acres.

At the same time, the natives have emerged in more powerful economic

and political positions as a result of the Federal law that settled their claim to much of the land in Alaska. That claim was based on the contention that in 1867 the United States purchased political control of Alaska from Russia, not physical possession. The natives contended that they owned the land because only they had always owned and used it.

The Native Claim Settlement Act of 1971 provided \$965 million to the natives and set up a mechanism for them to get title to 44 million acres of land, all of which would be in the bush. Law Favors Subsistence Hunters

Meanwhile, the population growth and the growing ease of travel increased hunting and fishing to a point where it is approaching the limits of supply, a situation that may require that some hunters and fishermen be excluded. Native lobbyists led the effort that resulted in passage in 1978 of a state law giving priority to subsistence hunters.

Whites opposed the change. When they were unable to get the law repealed by the Legislature, they set the drive for the ballot question in motion.

"We had 2,000 petition circulators on the street," said Sam McDowell, a leader of the repeal drive. He and his supporters believe that, sooner or later, the law will block their access to fish and game.

On its face, the law does not favor natives, but opponents of the law believe that it is bound to have that effect. This is because the subsistence hunter must live in a rural, thinly populated area and must be able to show a customary and traditional pattern of hunting or fishing for food. This is almost a definition of the nonurban Alaska native. Law Is Called Unfair

"This is an unfair law that treats Alaskans unequally," said Kathleen Dalton of Fairbanks, a leader in the campaign to get the law repealed.

"I have lived in Alaska since 1949," she said. "I am a friend of the natives and I neither fish nor hunt. But this is symbolic of how far things have gone."

Resentment of the way natives have been able to use Native Claim

Settlement money for investments often comes up in arguments against the subsistence law. Mr. McDowell, for example, said a few months ago, "That poor-old-subsistence-native concept won't work with me, not when I read every day there they've spent another \$20 million for a drilling rig here or a hotel there."

Charles Johnson, president of the Bering Straits Native Corporation, who is chairman of the Alaska Federation of Natives subsistence committee, said supporters of the repeal move "are quite willing to divide this state racially to achieve their end." Will Not Be 'Disenfranchised'

Mr. McDowell said, "We're not going to allow these people who we gave \$1 billion and 44 million acres of land to disenfranchise us." From the native point of view, there is another aspect of this argument. It was expressed in an interview by Willie Hensley, an Eskimo born in Kotzebue, who now wears three-piece suits and is chairman of the board of United Bank Alaska in Anchorage.

One of his projects has been to attempt to regenerate the cooperative, mutually supportive way of life that Eskimos on the Bering Sea coast once had. A tool in this effort is to take Eskimo children for extended periods each year to live with older Eskimos in wilderness areas, where the children would be taught Eskimo ways of hunting and food preparation.

"What is at issue is a lot more than calories," he said. "And nobody is going to stop the Eskimos and Indians from hunting and fishing."

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