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The recording begins mid-sentence with a man who wonders how one justifies making a statement like that. Another man answers that he agrees with Jim Hurley in saying that the document itself creates no barrier for development and the speaker thinks it's a good thing. There are a number of intervening forces that are frustrating the process, however. His perspective was on how well the intent [of constitution] was carried out and what some of the intervening factors were.

[More discussion about the intent of the constitution in guiding the legislature.]

2:10 Helen Fischer [?] says that she would like to make one more comment about cooperation between the state, government and Native land claims. She agrees with Mr. McCutcheon's remarks about legislative part versus constitutional law.

A man's voice says that he was really trying to look at the issue from the perspective of what prevented some good work on the constitution from coming true. He thinks that the document works because it doesn't have the kind of provisions in it that would stop cooperative structures.

3:57 [Jeff Welzene talks in favor of wilderness values, selective cutting of timber instead of clear cutting, and how Alaska wastes their resources.]

The chairperson says that quality of life has been addressed by many people and it is expressed in constitution through political liberty and freedom of the land.

6:50 Another man argues that protection of wildlife doesn't necessarily mean halting economic activities. He talks about recycling metals and he thinks that mining products aren't wasted but will be used time and time and again.

8:24 George Sundborg introduces himself and says that before his selection as a delegate, he worked in the Alaska Development Board as a general manager. It embodied the beliefs of the people of territorial period who felt that development

was really important. That sentiment was shared by convention delegates because they felt the need for an economic base in Alaska.

From current days' perspective, it's easy to say that constitutional convention delegates weren't aware of all the facets of environmental protection that people are aware of today. It is unreasonable to expect that they would have written the natural resources article from today's point of view.

10:37 The speaker thinks they did well and wants to respond to Dr. Weeden's comment that delegates were newcomers. He points out that most of delegates had been to Alaska more than 27 years by 1955 and they were high quality people. [Talks more about how Alaskan the delegates were.]

12:09 They did overlook the impact of Native claims and they didn't think of it at all. Their only Native member was Frank Peratrovich who was an Indian from Klawok and the speaker isn't sure if other Natives ran for positions as delegates. [Talks about the election process that was awkward and perhaps discouraged Native people.] Alaska Native claims surprised all of Alaskans.

Development of Alaska's resources has made it possible for the state to thrive and for the university to exist. [Applause, chairperson thanks Mr. Sundborg.]

14:55 Mr. Martin is given a turn to speak. He talks about how Alaska owes federal government for the times when it has helped Alaska, but thinks that they need a conscientious way of paying back. They need an attitude of constructive provincialism, which means that they shouldn't adopt knowledge that was developed in lower latitudes.

16:45 Since 1955-1956, they have learned things and the language of the natural resources article looks archaic to the speaker. More knowledge has come from the University of Alaska, and rewriting the article might be appropriate. Renewable resources are a dynamic pool of resources with productivity that is low in northern environments and that should be recognized somehow.

18:32 In hindsight, section 1 should mention subsistence and say that the state will protect productivity, the habitat, and values of ecosystems upon which people in Alaska have direct dependency on. The speaker doesn't know how that should be worded.

Another man says that section 4 can be read in a way that it seems to be on side of conservation. The resources that belong to the state should be developed from sustained yield principle but defining it has proven difficult.

21:08 Mr. McCutcheon says that the previous arguments are covered in Section 2 that talks about development and conservation and can be applied to any kind of an ecosystem.

Another man says that he wanted to underscore the notion of traditional. Alaska and northern Canada have high degrees of dependence on renewable resources.

22:51 It's important to look at whether the constitution has prevented legislature from passing legislations that only benefit a few. The basics of constitution would be the same if it was written now, except for some legislative articles.

Jim says that section 11 seems very legislative to him.

25:06 Another man says that there's no question about that. The interesting thing is that those sections are there because people insisted on having them included. They are doing more damage than good for the people they are trying to protect.

A person says that the history of Alaska shows that people were very aware of the lifestyle in Alaska and they were attracted to Alaska for that. Constitutions in other states are very much like the one in Alaska and the man wonders if Mr. McCutcheon thinks that delegates had a practical attitude toward development or if there were discussions about the type of Alaska they wanted.

27:28 McCutcheon says that they were concerned with the practicalities of devising a document with which to run the state. Another man says that they liked Alaska as it was then and they didn't think Alaska would change. Another man thinks Jim is correct but that they also wanted to have a state with self-government and good quality of life although that wasn't discussed during the convention. The speaker thinks that it was a good article, given the time in which it was written.

28:44 Another man says that those years they knew they were unique but only now they feel the need to define that. Helen Fisher comments that delegates were very aware that they had to balance environmental protection and having to earn a living.

A man's voice says that they had 55 members in the convention, providing a broad selection of people. They had lots of people testify in the constitutional convention which brought in lots of technical knowledge. He remembers a didactic conversation that Mr. Gabrielson carried out, that talked about necessities of protecting the wildlife and how it should be done. [Break in the recording.]

31:12 It wasn't just a few people creating the document but a broad section of life in Alaska contributed. If the convention was held today, there might be more

concern over pollution but much of that section in the constitution is specific enough so that they could use legislation for doing “the thing” and not constitution.

Bob says he’s going to talk about how he would have written the constitution. [He dissects section 1 and says that there were balancing wheels that were appropriate.]

34:17 [Talking about wording of the constitution where it talks about settlement and protection of the land.] A man reminds people that constitutions are living documents that are open to interpretation by legislature.

36:53 A man wonders if there are parts to article 8 that inhibit application of policies and if Alaska needs to develop its style since they have joined the greater society of United States and of the world through resource development.

38:06 Another man says that it’s possible that sections 14 and 18 of the resource article may be used to maintain the right of public access to private lands.

[Yet another voice talks about access and navigable waters, and also land selections. He doesn’t see the need to change sections 18 or 14.]

42:13 [Another man talks about easements in federal law. The constitutional argument is whether or not the constitution makes it clear that it’s the state’s policy to make sure that access to any navigable waters would be a long-term effort.]

44:41 Rocky Rhodes from the University [of Alaska] introduces himself as a layman at interpreting constitution. [Talks about access to navigable waters, and public waters. Discussion about the topic.]

47:11 Eldor Lee introduces himself and says that he’s a delegate. He talks about article 8 section 3 that implies that the waters and the animals are for common use and mentions that section 3 doesn’t seem to apply to fish. Eldor says that he’s a fisherman who was born in Petersburg, Alaska, and that they have done a great injustice for fishermen in implementing legislature that deprived many fishermen, including the speaker, from their livelihood. [Talks about fishermen’s problems.]

51:30 [Discussing limited entry although nobody present was involved with it. Also discussing fish traps and the question about limiting them. [Yule] Kilcher talks about his problems with commercial fishing.]

55:51 The chairman says that they had a good example of putting “these things” into constitutions. Article 8 stated that waters, fish, and wildlife were common property.

56:49 Another man talks about underrepresentation of Native interest in the constitutional convention and the issue of subsistence. Native input might have affected the management of natural resources in a way that didn't impair existing subsistence practices. The speaker asks Tim if he thinks that the idea of existing subsistence practices could have been covered in the constitution and if that could be addressed. [Talking about resource development's impact on caribou herds.]

Tim says it could have been addressed.

59:58 Tim continues that he believes that perhaps traditional use could have been written into policy. He doesn't know if that should go to legislature or to constitution.

George Sundborg talks about how Native culture wasn't a big concern for the constitutional convention. When they were writing the constitution, they were thinking the kind of a society they knew. Sundborg thinks that the constitution was accepted by Native people, but notes that perhaps that was a result of their lack of participation. They were thinking about human rights and equality between white people and Native people.

[End of the recording.]