



# UNIT 6

Land Rights



# *The Alaska Native Claims Settlement Act: Relationship with the Environment*

## *Land Rights*

In 1880, Chief Kaawaa'ée, a Tlingit of the Aak'w K̄wáan, led Joe Juneau and Dick Harris to gold. Prior to the gold find, the non-Native population in Alaska was less than 400. After the discovery, thousands of miners and settlers arrived. This put pressure on Tlingit land.

The *Organic Act* of 1884 established a land district (a type of administrative land division) and branches of government in Alaska. The law gave title to land held by non-Native people in the new territory, but did not allow Alaska Natives to acquire title to their land.

The first duty of the new land office was to give legal title to mining claims. A number of Tlingit people attempted to file mining claims, but were denied because they were not United States citizens. Although the Tlingit still owned southeast Alaska under aboriginal title (a common law doctrine that the land rights on indigenous people persist even after settler colonialism), they did not benefit from wealth generated by the mineral resources.

Soon, sawmills and salmon canneries were operating in Tlingit country. This was at a time when the Tlingit had barely enough salmon to feed themselves. The few Tlingit who found jobs in the salmon canneries were paid less than other workers and did not receive benefits given to imported employees.

By the late 1800s, Alaska was the world's leading salmon producer. Several salmon-packing companies formed the Alaska Salmon Industry, Inc., to represent their interests in Washington, D.C. Through this organization, the salmon industry influenced policies and laws affecting Alaska fisheries.

Federal legislation passed in 1889 outlawed aboriginal traps and weirs. Non-Alaskan companies dominated the fishing industry. Traps owned by non-residents accounted for more than half the annual salmon harvest. The traps became a symbol of “outside” exploitation to the Tlingit as well as to the increasing number of settlers.



Auk Village, 1886, PO046-6, Richard Wood Photograph Collection. SEALASKA HERITAGE INSTITUTE ARCHIVES.

The Tlingit hired Willoughby Clark, a lawyer from Wrangell, who sent a letter to the President of the United States on January 21, 1890 complaining of white intrusion on subsistence resources and seeking title to Indian lands.<sup>1</sup> Chief Shakes VI (Gush Tlein) of the Naanya.aayí clan (Shtax'héen K'wáan) at Wrangell was selected to represent the Tlingit people in the subsequent court case.<sup>2</sup> The Tlingit asked the United States to recognize their hereditary rights of ownership to the land and streams. They also asked that they be allowed to govern themselves and their local affairs. These requests were ignored.<sup>3</sup>

Ten years later, in 1899, several clan leaders would send Gaanaxádi Clan Leader Yash-Noosh (also known as George Johnson, Skookum Johnson and Gut Wein) of the T'aaku K'wáan to present a petition to Congress. Yash-Noosh stressed that Native people were the real owners of Alaska. He asked that the fishing and hunting grounds be protected for future generations. He also requested schools for their children and reservations for their families. Secretary of the Interior Ethan A. Hitchcock advised the Senate that, “the

extension of the reservation system to the Alaskan Indians generally is undesirable and should not be inaugurated.”<sup>4</sup>

By 1890, the foreign population had surpassed that of the local Native population. The census of that same year reported 4,393 white people and 3,645 Native people living in Southeast Alaska. Just as Native people were becoming outnumbered in their homeland, so too were their lands disappearing. In 1907, the Tongass National Forest was established. This preserve alone, which totaled 17 million acres, consumed almost the entire 23 million acre ancestral homeland of the Tlingit. Not 20 years later, the Glacier Bay National Monument was established, which seized another 3.2 million acres from the Tlingit. By 1925 Tlingit land had shrunk by over 88%, and it would be a long time before they would get a small portion of it back.

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1 Nora Marks Dauenhauer and Richard Dauenhauer, *Haa Kusteeyí, Our Culture: Tlingit Life Stories* (Seattle: University of Washington, 1994), 121.

2 *The Tlingit and Haida Indians of Alaska v. The United States*. Decision Number 47900. U. S. Court of Claims. 7 Oct. 1959.

3 Rosita F. Worl, “History of Southeast Alaska Since 1867,” in *Handbook of North American Indians: Northwest Coast*. William C. Sturtevant, ed. (Washington DC: Smithsonian Institution, 1990), 152.

4 Ted C. Hinckley, *The Canoe Rocks: Alaska's Tlingit and the Euramerican Frontier, 1800-1912* (Lanham MD: University of America Press, 1996), 335.



## *The Alaska Native Claims Settlement Act: Relationship with the Environment*

*Excerpts from “WE OWN THE LAND” by William L. Paul (Alaska Native News Magazine).*

This is my first appearance before this august body for whom I have the greatest respect. The reason I have been so long in coming to address you is because, to tell the truth, I have been quite frightened. Rather surprising for a man of my experience. But you know, I’m approaching my second childhood. And so it takes so long to screw up my courage so that I might talk to you.

On the motion asking this board of directors to support the proposed Native land bill by “unanimous consent,” I have to object. Because when you look over the bill that lies before you, I doubt very much if you have the best of the many bills which have been brought before you.

We had a good bill in the very first instance. It’s entitled S 2020. That was a good bill. But you know, since that time we’ve been pushed back and pushed back and pushed back, until it has come to the point where nothing is left, but every white statesman who

comes before you says we have a good bill.

It reminds me of the story that is told about an Indian and a white man that went hunting in Oklahoma. They went out and came back with one turkey and one turkey buzzard. The white man said to the Indian, “I want to be fair to you, so I will give you a choice. You can have the turkey buzzard and I will take the turkey, or you will take the turkey buzzard and I will take the turkey, or I will take the turkey and you will take the turkey buzzard, now which will you have?”

---- (Break)

I want to offer one more amendment. On page three, paragraph five, line three, “no provision of this act shall constitute a precedent for reopening, renegotiating or legislating upon any settlement involving land claims or other matters with any Native orga-

nization.” The thing that the United States and our senators and our representatives want is to put an end to aboriginal rights. As far as I am concerned, **I WANT ABORIGINAL RIGHTS**. And I am only willing to give what I have to give up. And I am not going to propose a bill with less than what I want. If Congress wants to cut my wishes down, let Congress do it, but **Don’t go before Congress with a poor bill**. Something like the one that we have now.

There is one thing more. It seems to me that your leaders are coming before you as though they were afraid. As though they are bargaining from weakness. Basically, **WE OWN THE LAND**. And I’m not going to go before Congress and tell them I want only forty million acres. I want three hundred and seventy-five million, not eighty million, or sixty million, or forty million.

Now suppose the bill is defeated. How are you hurt? How long has that land stayed there? And it’s still here! And it’s still valuable and it is more valuable now than ever! How are you going to be hurt if this bill fails? So don’t be afraid.

In a way I am talking contrary to the opinion of my noble son (Frerdrick Payl, Attorney at Law representing Arctic Slope Native Association), but after all I have to talk to my own convictions. I think I have been in this Indian land fight longer than anybody else. And as I started from the very beginning, I have learned. The mistakes I made are the mistakes the Tlingit and Haidas made. The mistakes that the Tlingit and Haidas made are the mistakes



**William Paul, Sr. and Richard Stitt at an ANB Executive Committee Meeting, 1970, ALASKA STATE LIBRARY, HISTORICAL COLLECTIONS.**

that you have made and we are learning as we go along. One thing I have learned and that is this: **WE OWN THE LAND, IT IS OUR LAND**. The United States is bargaining with us. And the men that advise you to put that Alyeska pipeline through . . . it is not to your advantage to let that go through until the land question is settled. So don’t be afraid.

# The Alaska Native Claims Settlement Act: Background and Place-Based Activities

## TERRITORY



Show students the picture for “Territory.” Ask students to define this term. Ask them for examples. Continue to explain that a territory is a geographic area which has come under the authority of another government. A territory usually does not have the powers of self-government. (\*Using a map, Google Earth, or Google Maps, teacher can illustrate this concept by focusing in on Canadian and American territories.)

## EXPLOITATION



Show students the picture for “Exploitation.” Ask students what it means to exploit someone or something. Continue to explain that to exploit is to take unfair advantage of. Ask for examples of how Natives were exploited historically. Ask also about the exploitation of natural resources. How does this issue of exploitation relate to the history of Southeast Alaska?

## CANNERIES



Show students the picture for “Canneries.” Ask students to describe what goes on at a cannery. Do you know anyone who works or has worked in a cannery? If they haven’t already explained it, tell them that a cannery is simply a factory where fish is canned.

## AAK’W KWÁAN



Show students the picture for “Aak’w Kwáan.” Ask students where the Aak’w Kwáan people lived. Were they Tlingit, Haida, or Tsimshian? Are any of you from the Aak’w Kwáan? Continue to explain that the Aak’w people lived throughout the Juneau area; including Berners Bay and Auk Bay and the surrounding areas. Tell students that whenever they are in Juneau they are walking on the land of the Aak’w Kwáan, and it is important to know this so they can be respectful.

# The Alaska Native Claims Settlement Act: Background and Place-Based Activities

## SAWMILLS



Show students the picture for “Sawmill.” Ask students what a sawmill is. What happens at a sawmill? What kind of work is done in a sawmill? Continue to explain that a sawmill is a plant where timber is sawed into boards. Ask students if they know anyone who works at a sawmill.

## PETITION



Show students the picture for “Petition.” Explain to students that a petition is a written request for a specific action, such as the need to change an existing policy or to pass a new law. Ask students if they can come up with any examples of a petition. Ask students if there is any school or classroom policy that they would write a petition to change.

## CENSUS



Show students the picture for “Census.” First, ask students if they know what a census is. What kind of data does a census collect? Continue to explain that a census is a procedure for acquiring and recording information about people in a given population. In the United States a census is implemented every 10 years.

## SHTAX’HÉEN KWÁAN



Show students the picture for “Shtax’heen Kwáan.” Ask students where the Shtax’heen Kwáan people come from. Continue to explain that Shtax’heen, like Jilkoot, is the name of a people and a geographic area. The Shtax’heen Tlingit people come from the area around the Stikine River and Wrangell Harbor. Ask if any of your students are from the Shtax’heen Kwáan.

# *The Alaska Native Claims Settlement Act: Background and Place-Based Activities*

## HEREDITARY



Show students the picture for “Hereditary.” Ask students what this term refers to. Continue to explain that hereditary means descending from an ancestor to a legal heir; passing down by inheritance.

## T'AAKU KWÁAN



Show students the picture for “T’aaku Kwáan.” Ask students where the T’aaku people come from. Continue to explain that T’aaku, like Jilkoot and Shtax’héen, are a people and a geographic area. The T’aaku people lived mainly along the lower basin of the Taku River just south of Juneau. Ask if any of your students are from the T’aaku Kwáan.





# Language and Skills Development

## LISTENING

### Here, There, Everywhere

Mount the vocabulary illustrations on the walls around the classroom. Group the students in the center of the classroom. Say a vocabulary word and the students should rush to that illustration. However, when you say a word that is not represented by an illustration on the walls, the students should sit down and hold one arm in the air. Repeat this process until all of the vocabulary illustrations have been identified a number of times.

### Major League

Group the students into two teams. Have the first player from team one stand in the center of the classroom. Give the student a ruler or another item that can be used as a baseball bat. You may wish to have another player stand at a safe distance behind the batter to retrieve the ball. Say a vocabulary word or a sentence which contains a key vocabulary word. Then, toss a Nerf ball towards the batter, saying a vocabulary word or sentence at the same time. If the vocabulary word or sentence is the same as the one used before, the student should swing at the ball. However, if the vocabulary word or sentence is not the same, the student should not swing.

### Nod and Clap

Mount the vocabulary pictures on the board. Point to one of the pictures and say its name. The students should nod their heads to indicate that you said the correct vocabulary word for the picture. However, when you point to a picture and say an incorrect name for it, the students should clap their hands ONCE. Repeat this process until all of the vocabulary pictures have been used a number of times in this way.

### Hop the Line

Make a masking tape line on the floor. Have the students stand on the line—their toes touching the masking tape. Have the students listen for a specific word or sentence. Say a number of other words or sentences, eventually repeating the word or sentence you said at the beginning of the round. When the students hear that word or sentence, they must hop to the other side of the line. When the students hop to the other side of the line, they should then turn around and place their toes on the line once again. Repeat this process using a number of different vocabulary words or sentences.



# Language and Skills Development

## SPEAKING

### Picture Outline

Mount the vocabulary pictures on the board. Draw a chalk outline around the sides of each picture. Review the pictures with the students. When an outline has been created for each picture, remove the pictures from the board (being certain to recall their original locations on the board). Number each of the outlines and call upon a student to recall the vocabulary word for the picture that goes with that outline. Repeat this process until all of the vocabulary words have been said by the students in this way.

### Picture Jigsaw

Cut each of the vocabulary pictures into four pieces. Mix the cut out pieces together and distribute them to the students (a student may have more than one picture section). When you say “Go,” the students should attempt to match the jigsaw sections they have to reproduce the original vocabulary pictures. When the students put the necessary pieces of a picture together, they should identify the picture by its vocabulary word. Continue until all vocabulary pictures have been put together and named in this way.



### High Roller

Give a die to each of two students. When you say “Go,” the students should roll their dice. The student who rolls the highest number on his/her die must then say a complete sentence about a vocabulary picture that you show. Repeat this process until many students have responded with sentences of their own.

### Make a Change

Say a sentence that contains one or more of the vocabulary words. Call upon a student to repeat the sentence, making ONE change in it. The student may add a word to the sentence, delete a word, change the tense, etc. Then, call upon another student to make another change in the sentence. Continue in this way until as many changes as possible have been made in the sentence. Begin each round with a new sentence.

# *Language and Skills Development*



## READING

### **Funnel Words**

Group the students into two teams. Give the first player in each team a funnel. Mount the sight words on the walls, board, and windows, around the classroom. Say one of the sight words. The students with the funnels must then look through them to locate the sight word you named. The first student to do this correctly wins the round. Repeat with other pairs of students until all players in each team have played.

### **Let's Read**

Read the text from this unit with the students. Ask them questions about the contents of the reading.

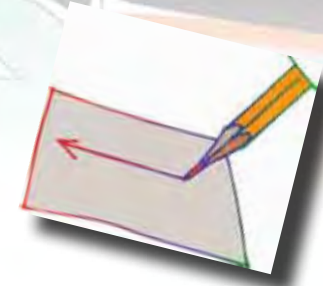
### **Checkers in the Blind**

Prepare a large outline on the chalkboard that contains twenty sections. Number each box in the outline. Have the students face the back of the classroom. Mount small sight words in selected boxes in the outline. Call a student's name. The student should say a number between 1 and 20. If the box with that number contains a sight word, say "Bingo!" The student should then turn around and read the sight word in the box. If the box named by the student does not contain a sight word, say "Pass." Continue until all of the sight words have been identified.

### **Sentence Completion**

Provide each student with a copy of the sentence completion version of the story. The students should read the text and say the missing words. When finished, review the students' work.

# *Language and Skills Development*



## WRITING

### **Numbered Pictures**

Mount the vocabulary pictures on the chalkboard and number each one. Provide each student with writing paper and a pen. Call the number of a picture. Each student should write the vocabulary word for the picture represented by that number. Repeat until all vocabulary words have been written. Review the students' responses.

### **Research**

Have the students do online research into the issue of Native Land Rights. Encourage them to look at the issue from many points of view. When the students have completed their research, each student should share his/her findings with another student and then with the class.

### **Sentence Completion**

Give each student a copy of the sentence completion version of the text. The students should write in the missing words. Afterward, review the students' work.

### **Flashlight Writing**

If possible, darken the classroom. Give a student a flashlight. Say one of the vocabulary words and the student should write that word with the light of the flashlight on a wall or on the board. Repeat until many students have had a chance to participate. An alternative is to provide each student with writing paper and a pen. Darken the classroom, if possible. Use the light of a flashlight to write one of the sight words on the wall or board. When you have completed the writing of the word, each student should then write the same word on his/her sheet of paper. Repeat until all sight words have been written in this way.

This activity may also be done in team form. In this case, group the students into two teams. Darken the classroom. Use the light of a flashlight to write one of the sight words on the board. When you say "Go," the first player in each team should rush to the board and use chalk to write the same word on the board. The first player to do this correctly wins the round. Repeat until all players have played.

## *Primary Source History Activities: Land Rights*

Make a copy of “*We Own the Land*” excerpts for each student (Teacher can access the entire speech at <http://www.alaskool.org/>). Read aloud William L. Paul’s speech to the class while students follow along. Have students hold a writing utensil as you read.

***While you are reading:***  
(Teacher should put these text-coding features on front board)

- Have students draw a circle around that which they do not understand
- ? Have students put a question mark next to that which they have a question about
- ☆ Have students draw a star next to that which they think is important
- Have student draw a square around that which they want to remember

After reading, teacher should thoroughly address all of the above to receive feedback from students.

***Have students write a short reflection on what they have heard and read in the speech.***

*How does it make them feel?*

*What does it make them think about?*

*Do they agree with the sentiments in the speech? Why? Why not?*



## *Place-Based Activities: Alaska Native Heroes and Heroines*

*Have students choose one hero or heroine to research and write a report on:*

- Elizabeth Peratrovich
- Roy Peratrovich
- William L. Paul
- Dr. Walter Soboleff
- David Katzeek
- Nora Dauenhauer
- Richard Dauenhauer
- Father Michael Oleska
- Alberta Adams

*Have students use primary source documents in their research:*

- Proceedings from Sealaska Heritage Institute's Council of Traditional Scholars
- Dauenhauer collections
- Sealaska Heritage Institute's Archives
- Ph.D. publications

*Have students interview traditional scholars*

*Host a classroom oratory contest on land rights*

*Have students research and discover careers in land management (village, regional, and governmental levels)*

*Have students continually add new words and concepts to a word chart on the issue of land rights*



**Portrait of Elizabeth Peratrovich.  
ALASKA STATE LIBRARY PORTRAIT  
FILE.**



## *Reading and Writing: Sentence Completion*

### *Land Rights*

In 1880, Chief Kaawaa'ee, a Tlingit of the \_\_\_\_\_, led Joe Juneau and Dick Harris to gold. Prior to the gold find, the non-Native population in Alaska was less than 400. After the discovery, thousands of miners and settlers arrived. This put pressure on Tlingit land.

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Auk Village, 1886, PO046-6, Richard Wood Photograph Collection. SEALASKA HERITAGE INSTITUTE ARCHIVES.

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**territory**

**exploitation**



**canneries**



**Aak'w Kwáan**

**sawmills**

**petition**




**census**

**Shtax'héen Kwáan**



**hereditary**



**T'aaku Kwáan**





# VOCABULARY PICTURES









## TERRITORY





## EXPLOITATION



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## CANNERIES

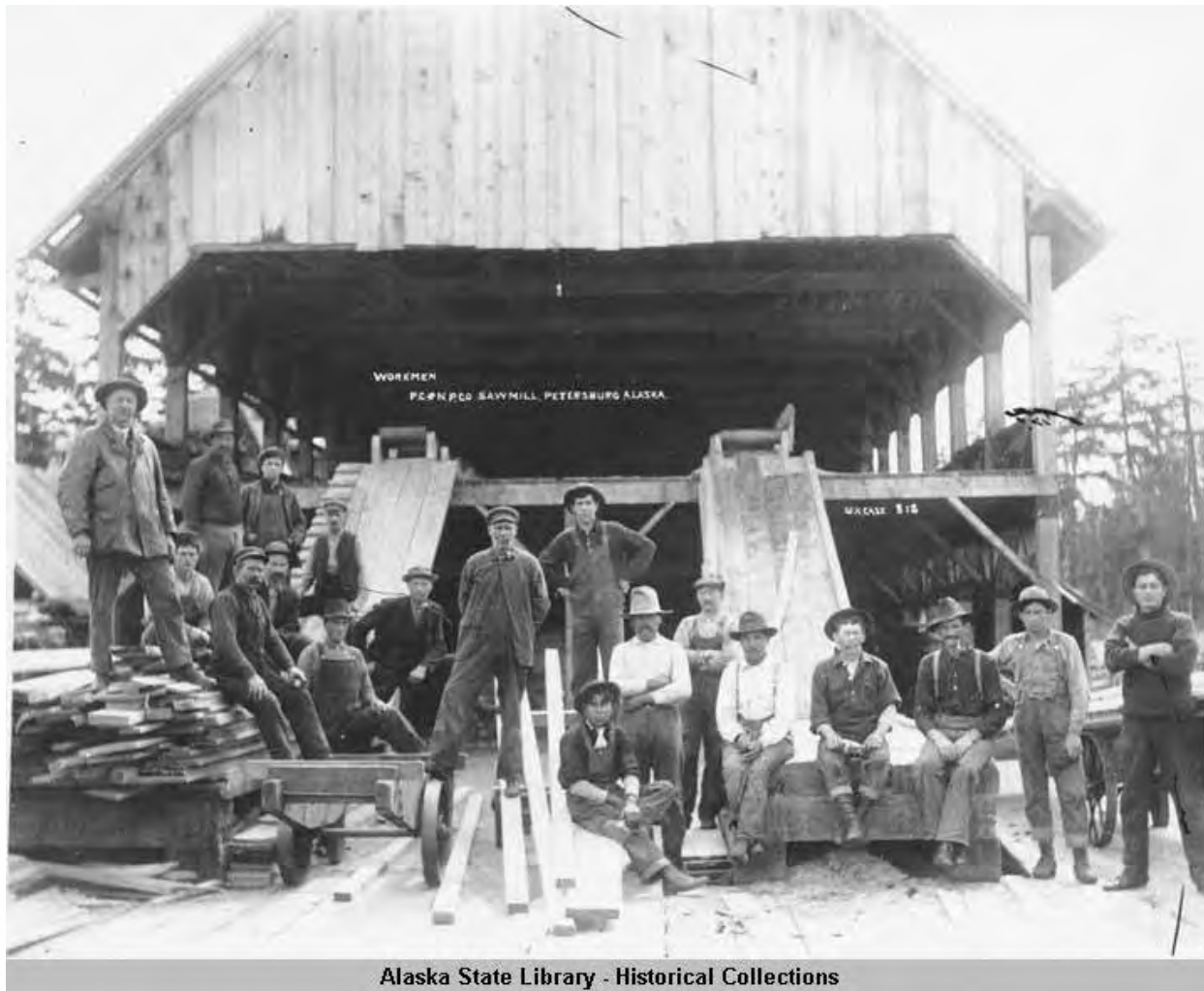


Alaska State Library - Historical Collections



## AAK'W KWÁAN







## SAWMILLS



Dear Trustees,

We, the undersigned, are unified in our belief that Castleton State College needs to improve athletics, academics and overall campus capabilities related to student life in order to remain competitive with other colleges, now and in the future. We agree that the Phase IV Student Activities improvements will benefit us and the college, and will make us even prouder as alumni. The Student Association endorses the proposed Phase IV athletics and student activities projects, along with the new activities fee of \$300 per semester, which is one part of the college business plan to financially support the projects. We support President Wolk as a representative of our general student assembly.

Office Held	Print Name	Signature
VP of Athletics	Nicole Leonard	<i>Nicole Leonard</i>
VP of Academics	Nicole McAllister	<i>Nicole McAllister</i>
Treasurer	Danielle Clark	<i>Danielle Clark</i>
Secretary	James Albright	<i>James Albright</i>
President	Cory Gray	<i>Cory Gray</i>
Executive Vice President	Lucas Roberts	<i>Lucas Roberts</i>
Chair in Sen.	Jo Harrison	<i>Jo Harrison</i>
Senator	Siemon Dennis	<i>Siemon Dennis</i>
Senator	Angela Russell	<i>Angela Russell</i>
Senator	Katie Miller	<i>Katie Miller</i>
Senator	J Trevor Arthur	<i>J Trevor Arthur</i>
Senator	Tessa Highter	<i>Tessa Highter</i>
Senator	Kathryn Nascembeni	<i>Kathryn Nascembeni</i>
Senator	Rebecca Heroux	<i>Rebecca Heroux</i>
Senator	Jazmin Averbach	<i>Jazmin Averbach</i>
Senator	Edward McCreilly	<i>Edward McCreilly</i>
Senator	Donna M. Sims	<i>Donna Marie Sims</i>
Senator	Alicia Pisciotta	<i>Alicia Pisciotta</i>



## PETITION



United States<sup>®</sup>  
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**2010**

**IT'S IN OUR HANDS**



# CENSUS





## SHTAX'HÉEN KWÁAN

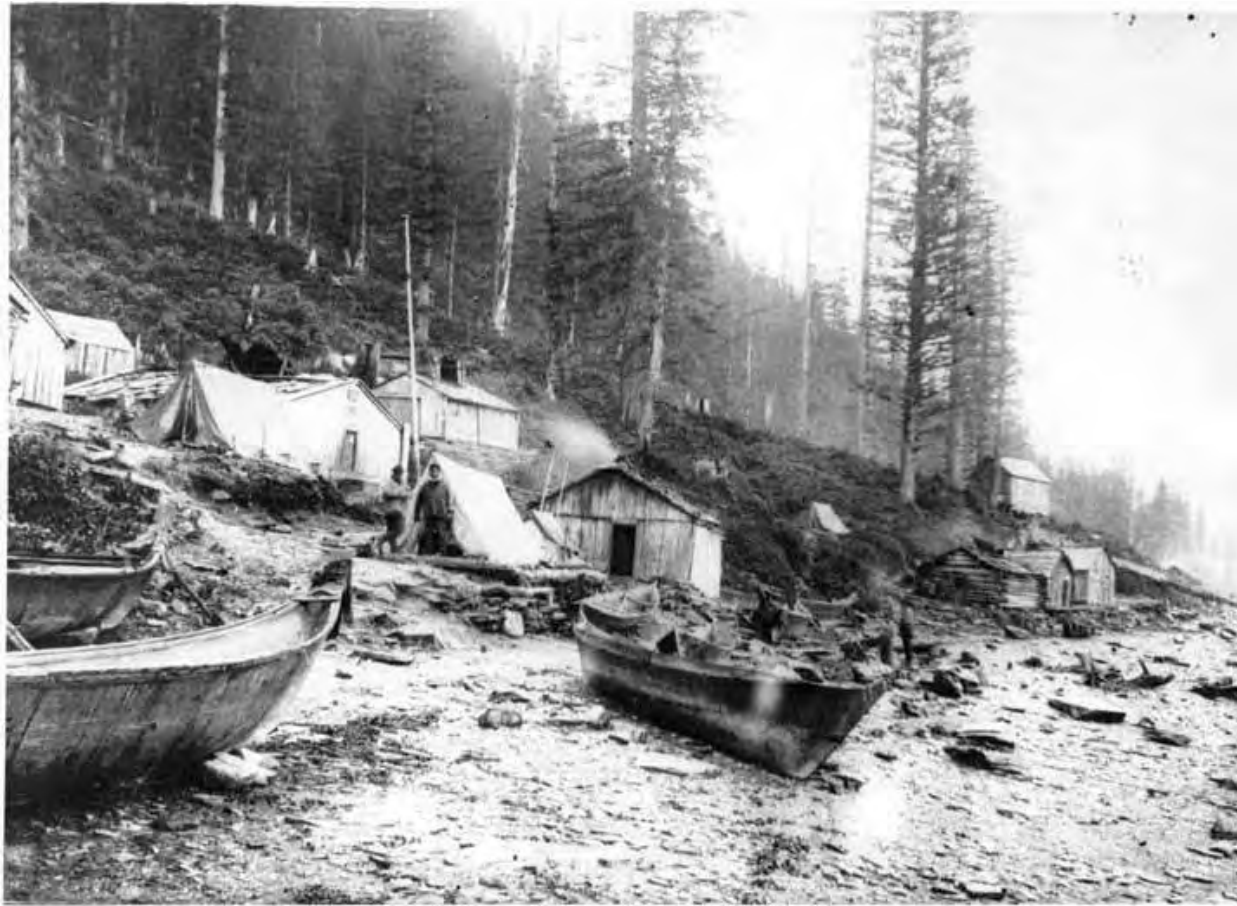




DNA



## HEREDITARY



Alaska State Library - Historical Collections



## T'AAKU KWÁAN