

September 1978

ALASKA NATIVE LAND CLAIMS BIBLIOGRAPHY

By Victor Fischer

In December 1971, the United States Congress enacted a law to settle claims of Alaska's Natives--Eskimos, Indians, Aleuts--to virtually all the land in Alaska. In its importance to the future of the state, the claims settlement ranks with Alaska statehood in 1959, and the discovery of the giant oil field at Prudhoe Bay in 1968. Both of these major events were also key factors in Natives winning a settlement after a century of government inaction.

In the 1867 Treaty of Purchase with Russia and in subsequent legislative enactments, the United States government pledged itself to protect and deal with the property and other rights of Alaska Natives. For over one hundred years, this pledge was unkept. In the meantime, the white man's society was increasingly impacting and encroaching on the lives of Alaska Natives, and increasingly upon their land and subsistence resources. When the State of Alaska, which had been granted around 104 million acres (over 42 million hectares) by the federal government, began to select land Alaska Natives considered their own by aboriginal use and occupancy, the Natives organized and managed, through legal and political devices, to bring all land disposal and much resource development to a standstill. With the Prudhoe Bay discovery and proposed construction of a 789 mile (1,273 kilometer) pipeline traversing Native-claimed lands, pressure mounted upon both the federal and state governments to resolve the claims expeditiously and with finality, resulting in the Alaska Native Claims Settlement Act of 1971.

Prepared for presentation at Seventh Northern Libraries Colloquy sponsored by Centre d'Etudes Arctiques, Paris, France, September 19-23, 1978. Professor Fischer is with the Institute of Social and Economic Research, University of Alaska, 707 "A" Street, Suite 206, Anchorage, Alaska 99501, USA.

Under the settlement act, Alaska Natives received the right to select about 44 million acres (close to 18 million hectares) of land and were to be compensated nearly one billion dollars for claimed lands that they did not receive.

The principal vehicles for administering the settlement are regional and village business corporations in which all enrolled Natives were issued shares of stock. Based as it was on the just emerging federal policy of Indian self-determination, this method was a major departure from the traditional treatment of American Indians as wards of the federal government.

In the nearly seven years since the settlement, Alaska Native regional corporations have assumed a substantial role in the economic life of Alaska. They own several of the largest hotels in the state and control far-flung fisheries enterprises. They have built major office buildings, acquired extensive urban real estate, and have established construction companies and other enterprises. They are engaged in banking, petroleum development, mineral exploration, and forest product utilization. All in all, it is a fascinating story that is only in its beginnings.

General Coverage

Robert D. Arnold's Alaska Native Land Claims (6) is the only published work that provides a comprehensive overview of conditions and events that led to the claims settlement. It describes in detail the land and monetary provisions, and discusses early implementation of the settlement act. Published by the Alaska Native Foundation, the book was prepared principally for use as a high school text and is thus accompanied by a student workbook (19) and a teacher's guide (20). The book does not, however, suffer from the disadvantages of many school texts; it is well written, carefully supplemented with good illustrations, and quite suitable for adult reading. Not surprisingly, it reflects a sympathetic and positive view of the land claims movement and

its legislative outcome.

In Alaska Native Land Claims, Arnold and a group of contributors recreate the stage that was set for Native land claims by describing what is known about the early settlement of Alaska, the coming of the Russians during the 18th century, the many decades of neglect under U.S. dominion after purchase of Alaska in 1867, and the increasing pressures resulting from economic development and expanding non-Native settlement. The book also provides the reader with a legal and political context in which the land claims struggle was fought, and describes the legislative background of key provisions of different proposals considered in Congress. The final half of the volume explains the organizational and distributional aspects of the major monetary and land benefits resulting from the settlement, and describes the different regional and other institutions established pursuant to the settlement act. As can be seen, this book covers the field and, for the present, is the fundamental work on Alaska Native land claims.

A recent study of Native self-government in Alaska (23), prepared for the Canadian government by University of Alaska political scientists Gerald McBeath and Thomas Morehouse, also gives comprehensive treatment to land claims. In clear and concise fashion, the authors review the status of Natives at the time of Alaska statehood, examine the critical change agents, and describe the claims movement and its outcome. In addition, the study analyzes related aspects of Native participation in local and regional governance.

Background to Settlement

In 1967-68, a massive report to assist U.S. Congress deliberations on land claims legislation was prepared by the Federal Field Committee for Development Planning in Alaska (34). The 500-page study describes each region of Alaska in great detail, highlighting geographical, social, economic, and political aspects

of Native existence and subsistence. The report also includes detailed reviews of lands and resources in Alaska and of the legal environment and implications of Native land claims.

A number of other works provide useful background analyses. Early Alaska history is greatly detailed by H.H. Bancroft (7). A broad economic history and much demographic detail are presented by George Rogers (29), and pre-US population data are carefully examined by Svetlana Fedorova (13). The role of the federal government in Alaska's development is probably best, though polemically, analyzed by former Alaska Governor and Senator Ernest Gruening (11); a less critical coverage of the early American presence in Alaska is given by J.P. Nichols (25). Her inattention to Alaska Natives may be remedied by reference to Diamond Jenness (21), who examines Alaska Eskimo administration as part of a more sweeping review of northern administration.

Structuring the Settlement

J. Brady's "Native Land Claims" (9), published in 1967, provides the first comprehensive statement of land claims issues and gives a good overview of the initial settlement proposals being promoted by various interests. With this as background, there are several excellent and at times exciting accounts of the subsequent events that led to the settlement act of December 18, 1971. The close interaction between land claims and the politics of oil is set out by M.C. Berry (8). She traces the interplay between the various special interests, both national and Alaskan, and acquaints the reader with the personalities and machinations at the political center of the land claims struggle, particularly between 1969 and 1972. The book is vivid in these descriptions, largely because Berry covered a major part of these events as a reporter for Alaska newspapers in Washington, D.C.

Another analysis of the political process of shaping the claims settlement is found in Clifford John Groh's honors thesis

(16). The study is based on numerous official records and dozens of interviews, including comments by former White House aide John Erhlichman and others about President Richard Nixon's support of the Natives' cause.

An unpublished work of somewhat different emphases is a senior thesis by Thomas G. Cleveland, Jr. (10). He approaches land claims as a student of politics, showing principal interest in organizational forms, political processes, and group and interest interaction. Although using secondary sources throughout, Cleveland brings some interesting perspectives to bear on the concept of self-determination and its relevance to claims settlement implementation.

A more personal and popular account is Hugh Gallagher's Etok (14), which looks at land claims through the eyes of Charlie Edwardsen, an Arctic Slope Eskimo who played a leading role in events both on the Alaska and Washington scenes.

There are, of course, voluminous official U.S. Congressional records covering the hearings and deliberations that accompanied legislative consideration of the claims, and they will not be enumerated here. Anyone wishing to pursue these sources can start with the bibliographies compiled in Berry, Cleveland, Groh, or McBeath and Morehouse.

ANCSA Implementation

Copies of the Alaska Native Claims Settlement Act (ANCSA) with amendments through 1977 (33) can be obtained from the Alaska Native Foundation (ANF) (a).

Other information on congressional oversight and other hearings related to ANCSA implementation and amendment can be obtained from the U.S. Congress or through ANF (a).

A series of studies and reports were sponsored by the Alaska Native Foundation to help facilitate carrying out provisions of ANCSA. Principal among these are studies on general ANCSA implementation (24), establishing a financial management system (5), and analysis of some of the more technical provisions of the act (31). Others deal with tax exemption of Native lands (28), region-village relations (27), subsistence hunting and fishing (15), planning and budgeting guidelines for villages (11 & 12), and general information on Alaska Natives (2 & 4). ANF also addressed higher education (30) and Native manpower requirements for land claims act implementation (22).

An extremely important periodical -- The Alaska Native Management Report (3) -- was published by the Alaska Native Foundation from August 1972 to June 1978. This semi-monthly newsletter, generally consisting of eight or twelve pages, covered all aspects of Native land claims implementation: federal regulations, information on land transfers and money disbursement, activities of regional and village corporations, and a variety of other informational and statistical data. Each issue contained a major article on some topic of major importance to regional and village corporations. Unfortunately, the external financial support for the Management Report expired and the publication was discontinued.

Periodical coverage of Native Alaska has also been provided by Alaska Industry (1). This monthly magazine is geared to the interests of the business community, and it has done a generally excellent job providing information on the economic and organizational activities of Native corporations, with emphasis on those established at the regional level. Periodically (every six months in the past), Alaska Industry has provided a survey of the twelve regional corporations, with monthly issues reporting on selected interim developments.

Few of the books written on Alaska in recent years have yet to examine closely the developments that followed the land claims settlement. A recent exception is Lost Frontier: The Marketing of Alaska by R. J. Hanrahan and P. Gruenstein (18). The authors, both social critics working with consumer advocate Ralph Nader, look skeptically at Native corporate development, particularly as they perceive Native leaders being coopted into an alien corporate world while Native villagers and what remains of their culture are left further behind.

Native Corporation Reports

Each of the thirteen Native regional corporations (one of them serving Natives outside the state who are not enrolled to the twelve Alaska-based corporations) issues annual reports that include general information on its activities and financial status. Copies of reports may be obtained from individual regional corporations (c). Some corporations, however, are very reluctant to make copies available to other than their shareholders and those having business-related reasons.

Tundra Times

Finally, I call to your attention an enormously rich source of information about the first stirrings among Alaska Natives, the political struggles that led to the settlement, and the implementation of the act itself. I cite it last only because it has not been readily available except in Alaska and a few libraries in the United States. This source is the Tundra Times (32), a weekly newspaper published until this month in Fairbanks, now with principal offices in Anchorage.

In the years 1962 through 1971, the Tundra Times reported not only on issues of land rights (and other matters affecting Natives) but was itself a factor in the successful search for settlement. Eskimos, Indians, and Aleuts in the distant reaches

of the state had through its pages a means of communicating with one another and forging a unified movement.

Over the 16-year life of the newspaper, more than ten thousand pages have been printed. Although even these volumes are incomplete in being a truly comprehensive portrayal, they are the single best source for serious researchers on the story of Alaska Native land claims. And anyone who wishes to follow this story in the future would be wise to start now accumulating copies of this voice of Alaska Natives.

Future Information

There are two other means of keeping track of land claims settlement implementation. The Alaska Native Foundation (a) will most probably remain the focus of Alaska Native land claims related studies and information dissemination. It has recently shifted its principal focus from assisting regional corporations to helping the 178 Native village corporations existing under the complex terms of the settlement act. The ANF staff undertakes to keep current with land claims developments, even though its publication of the Management Report has ended. Also, it has launched, in cooperation with other Native organizations, a survey of historic records relating to the settlement act.

Another source of continuing information is the Bureau of Indian Affairs, Department of the Interior (b). But the limited role assigned to it by the act--enrollment of eligible Natives, certification of villages and groups, and conveying payments to corporations--generally defines the kinds of information it may have available.

Alaska Native Land Claims Bibliography

1. Alaska Industry. Monthly magazine, April 1974 to present.
(Box 4AA, Anchorage, Alaska, 99509, USA.)

2. Alaska Native Foundation. Alaska Native Corporations: A Status Report. 1977.
3. _____. Alaska Native Management Report. August 1972 to June 1978.
4. _____. Alaska Natives: A Status Report. 1977.
5. _____. An Analysis of the Alaska Native Claims Settlement Act to Facilitate Design of a Financial Management System. 1973. (\$35.00).
6. Arnold, Robert D. Alaska Native Land Claims, Rev. ed. Anchorage, Alaska: Alaska Native Foundation, 1978. (\$15.95).
7. Bancroft, Hubert H. History of Alaska 1730-1885. New York: A.L. Bancroft and Co., 1886.
8. Berry, Mary Clay. Alaska Pipeline: Politics of Oil and Native Land Claims. Bloomington: Indiana University Press, 1975.
9. Brady, Judy. "Native Land Claims." Alaska Review of Business and Economic Conditions, Vol. IV, No. 6 (November 1967). College, Alaska: University of Alaska, Institute of Social, Economic and Government Research.
10. Cleveland, Thomas, Jr. Native Corporations of Alaska: Potential Vehicle for Native Self-Determination. Unpublished B.A. thesis, Princeton University, 1976.
11. Coopers and Lybrand. Budgeting Guidelines for Village Corporations. Alaska Native Foundation, 1975.
12. _____. Planning and Programming for Villages. Alaska Native Foundation, 1975.
13. Fedorova, Svetlana G. Ruskoye Naseleniye Alyaski i Kalifornii (Russian Population of Alaska and California). Moscow: Nauka, 1971.
14. Gallagher, H.E. Etok: A Story of Eskimo Power. New York: G.P. Putnam's Sons, 1974.
15. Getches, David. Trouble Ahead: Some Questions and Answers About the Future of Subsistence Hunting and Fishing for Alaska Villagers. Alaska Native Foundation, 1975.
16. Groh, Clifford John. Oil, Money, Land and Power: The Passage of the Alaska Native Claims Settlement Act of 1971. Unpublished honors thesis, Harvard University, 1976.

17. Gruening, Ernest. The State of Alaska, Rev. ed. New York: Random House, 1968.
18. Hanrahan, John, and Gruenstein, Peter. Lost Frontier: The Marketing of Alaska. New York: W.W. Norton & Co., 1977.
19. Hays, Lydia L. Alaska Native Land Claims. Teachers Guide. Alaska Native Foundation, 1976. (\$3.50).
20. _____. Alaska Native Land Claims. Student Workbook. Alaska Native Foundation, 1976. (\$6.00).
21. Jenness, Diamond. "Eskimo Administration: V. Analysis and Reflections". Montreal: Arctic Institute of North America, Technical Paper No. 10, July 1962.
22. Kleinfeld, Judith; Jones, Peter; Evans, Ron. Land Claims and Native Manpower: Staffing Regional and Village Corporations under Alaska Native Claims Settlement Act of 1971. Anchorage: Alaska Native Foundation, and Fairbanks: University of Alaska, Institute of Social, Economic and Government Research, 1973. (\$2.00)
23. McBeath, Gerald A., and Morehouse, Thomas A. Alaska Native Self-Government. Ottawa: Department of Indian and Northern Affairs, 1978.
24. Nathan, Robert R. Associates. Implementing the Alaska Native Claims Settlement Act. Prepared for Alaska Native Foundation, 1972.
25. Nichols, Jeannette Paddock. Alaska: A History of its Administration, Exploitation, and Industrial Development During its First Half Century Under the Rule of the United States. Cleveland: Arthur H. Clark Co., 1924.
26. Olson, Dean. Critical Turning Points for ANCSA Corporations. Alaska Native Foundation, 1977. (\$1.50).
27. Price, Monroe, E. Region - Village Relations Under the Alaska Native Claims Settlement Act. Alaska Native Foundation, 1975. (\$3.00).
28. _____. The Tax Exemption of Native Lands Under Section 21(d) of the Alaska Native Claims Settlement Act. Alaska Native Foundation, 1977. (\$1.50).
29. Rogers, George W. The Future of Alaska. Baltimore: The Johns Hopkins Press, 1962.
30. Rudd, Lisa. Higher Education Needs in Rural Alaska. Alaska Native Foundation, 1974.

31. Touche Ross & Co. A Technical Analysis of the Alaska Native Claims Settlement Act. Prepared for the Alaska Native Foundation. Anchorage, 1974.
32. Tundra Times. 1962 to present. Address: Tundra Times, 639 I Street, Anchorage, Alaska, 99501. USA.
33. U.S. Congress. Alaska Native Claims Settlement Act (P.L. 92-203) and amendments (P.L. 94-204, 94-456, and 95-178).
34. U.S. Federal Field Committee for Development Planning in Alaska. Alaska Natives and the Land. Washington, D.C.: Government Printing Office, 1968.

Addresses of Organizations

- a. Alaska Native Foundation. 411 West Fourth Avenue, Anchorage, Alaska 99501, USA.
- b. US Bureau of Indian Affairs, Alaska Area Office, 709 West 9th Street, Juneau, Alaska 99801, USA.
- c. Alaska Native regional corporations:
 - Ahtna, Inc., Drawer G, Copper Center, Alaska 99573
 - Aleut Corporation, 833 Gambell Street, Anchorage, Alaska 99501
 - Arctic Slope Regional Corporation, Box 129, Barrow, Alaska 99723
 - Bering Straits Native Corporation, P.O. Box 1008, Nome, Alaska 99762
 - Bristol Bay Native Corporation, 445 E. 5th Avenue, Anchorage, Alaska 99501
 - Calista Corporation, 516 Denali Street, Anchorage, Alaska 99501
 - Chugach Natives, Inc., 912 East 15th Avenue, Anchorage, Alaska 99501
 - Cook Inlet Region, Inc., P.O. Drawer 4-N, Anchorage, Alaska 99509
 - Doyon, Ltd., Doyon Building, First and Hall Streets, Fairbanks, Alaska 99701
 - Koniag, Inc., P.O. Box 746, Kodiak, Alaska 99615
 - Nana Regional Corporation, P.O. Box 49, Kotzebue, Alaska 99752

Sealaska Corporation, One Sealaska Plaza, Juneau, Alaska 99801.

Thirteenth Regional Corporation, 1800 Westlake Avenue N., Seattle,
Washington 95109

Addendum - New Publication

Since Alaska's purchase from Russia in 1867, the U.S. government has maintained a special relationship to Alaska Native, as it has to the various American Indian tribes. When Congress enacted the 1971 land claims settlement, some observers believed that this relationship was being terminated. However, a new study sponsored by the Bureau of Indian Affairs concludes that the Alaska Native Claims Settlement Act did not curtail continued entitlement of Alaska Natives to economic, social, and other benefits provided under other statutes and legal principles.

Case, David S., et. al. The Special Relationship of Alaska Natives to the Federal Government: An Historical and Legal Analysis. Alaska Native Foundation, 1978.