

How to Exploit and Destroy a People: The Case of the Alaskan Native

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"I am an American. My life expectancy is 34 years. Time is running out for me. I want my land now."

Charles (Etok) Edwardsen, Jr., is an Eskimo, one of a forgotten people struggling to break into the 20th century. Etok is president of the Friends of Alaskan Natives (FAN), a group devoted to helping the Native win compensation for past land losses and compete for the return of some of the land on which his ancestors freely hunted and fished, trapped, and foraged for subsistence. His competitors are powerful State and Federal Governments and super-rich private developers, all straining to be the first to claim the State's rich economic potential. The competition is now under consideration by Congress.

Etok is there to remind those who might otherwise forget that the Alaskan Native will no longer sit back and let American exploitation destroy his existence. He wants his fair share in the American dream of self-determination and prosperity, and he needs it now.

Stretched out across the half-million square mile vastness of Alaska, almost 55,000 Natives—Eskimos, Indians, and Aleuts—are living under conditions scarcely believable in the 20th century. They comprise one-fifth of the State's total population. Their 1966 infant mortality rate was more than twice that of white Alaskans. In 1963, the incidence of tuberculosis among Natives was 20 times the rate for the United States as a whole. One State official who recently conducted a survey of Kaltag village said, "Almost everyone I interviewed had suffered convulsions and diseases which may lead to brain damage."

Appalling health statistics are largely a result of overcrowded and insufficiently ventilated housing, impure water supplies, inadequate waste disposal systems, general malnutrition, and the Natives' unfamiliarity with sanitary practices. According to the Bureau of Indian Affairs (BIA), about 7,100 of the Natives' 7,500 dwellings need replacements. Part of the problem is that Natives cannot get loans without having title to their land, titles which they do not have. In Bethel, a crumbling remnant of a village, a Government fabricating plant is providing housing for the Natives to buy. While the BIA will subsidize some purchases, the average house, will cost \$9,500—more than most Natives can afford.

In 20 villages of northwestern Alaska, surveyors found that 799 households shared only 19 flush toilets, all but one in a single village. The remainder of the families use privies or indoor honeybuckets for human waste. According to Public Health Service (PHS) estimates, it will be 20 years, if Government funds continue at the present level, before all villages will have running water and flush toilets. Electricity, when it does exist in a remote village, is a luxury far beyond the means of most Natives.

Seven out of ten adults have less than an elementary school education according to the 1960 census (the white Alaskan median in 1960 was 12.4 years). Eskimo children, most of whom attend BIA schools, are taught to read textbooks that tell about Dick and Jane's family, but almost nothing about the tundra world of sky, birds, snow, and ice. The Caucasian teachers live in BIA luxury, segregated from the Natives. Despite a plan to erect new regional high schools in the western half of the State, there are only three high schools to serve 30,000 Natives. Young people who do go to high school must often travel thousands of miles. Only a small fraction of one percent have completed four or more years of college.

Largely due to lack of education and the seasonal work patterns, more than half of the Native work force is jobless most of the year; only one-fourth has continuing employment. These unemployment rates are the highest in the Nation. Permanent full-time village jobs at highest pay are typically held by non-Natives. State public assistance provides income to almost one-fourth of the village households; temporary relief programs are required to sustain about the same number, but usually for three months or less.

Ever shrinking resources for subsistence hunting and fishing and severe seasonal unemployment in the 178 villages—ranging in size from 25 to 5,000 population—have forced 25 percent of the Natives to migrate to larger population centers, there to try to find jobs in the white man's world as unskilled laborers. Overt discrimination has been illegal in Alaska since the passage of the so-called "equal treatment" bill in 1945. But, according to a recent report by the Federal Field Committee for Development Planning in Alaska, "If ranking of applicants is by years of experience, village applicants will probably fall to lower positions of preference. If written applications are submitted, the lesser education of the Native applicant reveals itself on the form. If aptitude tests or other screening devices are used . . . the Native may suffer the consequences of a cultural background different from that of the test writers. If accepted for work in the city, the rate of pay—given his lack of education and training—may condemn him and his family to a deeper poverty than if he had remained in the village."

In a State with one of the highest per capita incomes in the Nation (family incomes in 1967 averaged more than \$10,000 or about \$3,629 per person), median rural Native family income, excluding the few villages where incomes are high, is estimated today at about \$2,000 annually. Actually, these figures understate the extent of poverty. Arctic climate, remoteness, sparse population, small volumes of ordered commodities, limited competition, and high wage and transport costs all contribute to giving Alaska the highest cost of living of any of the States. Basic commodities cost 23 percent more in Anchorage than in Seattle in 1963 and up to 74 percent more in northern villages.

Once upon a time the Alaskan Native—immortalized as the smiling, parka-clad, igloo-housed Eskimo—freely ranged over all the land. It was a difficult existence that often skimmed dangerously close to the edge of survival, but subsistence living had always been a way of life to the Alaskan Native. Then one day the white man appeared, bent on selfishly and carelessly exploiting the natural resources the Native had so lovingly conserved, upsetting the delicate balance between the Native and his land, and tempting the Native with glimpses at another world through the glossy windows of a Sears Roebuck catalog and the infamous American movie. Along with the white man came strange ideas of private land ownership, titles, and tenures.

It is estimated that at the peak of the whaling years, \$14 million worth of whales were extracted from the Arctic. As the supply of whales was cut off, the population of whaling villages sank. In one way or another, over 300 villages have completely disappeared. From 1799 to 1867, the Russian American Company stripped the coastlands of fur seals and other animals. The Nome goldrush brought with it not the white man's economic development, but the burdens of an alien culture—tuberculosis, gonorrhea, the BIA, the church, greed, and graft. Fishing interests depleted the salmon runs so that in many areas the Natives can no longer count on fishing as a livelihood. Indeed, fishing with traps—a traditional method of fishing and the Native's only adequate means of gathering enough fish—is now illegal for Natives in virtually all Alaskan waters. The industrialists who did build village canneries too often hired outside laborers rather than Natives. The result is that today the land will not support subsistence living. The white man has substituted a Western wage economy for the Native subsistence economy without providing cash-earning jobs.

Some Natives think a partial answer to their deprivation is the Native-owned and -operated fishing cooperative. One such group, the Kuskokwim Co-op, made up of fishermen living on an average cash income of about \$500 a year, last year contracted with a Japanese firm that agreed to buy their entire catch at an excellent price. After the Japanese ship had been cleared by Customs, Immigration, Agriculture, and Public Health agencies and U.S. consular authorities in Japan, the then-Governor Walter Hickel intervened to force the Japanese to cancel their agreement on the grounds that the contract violated the North Pacific Fisheries Treaty—this in spite of Federal assurances that no violation threatened and the precedent of a similar arrangement in 1967. Left at the last minute without a means for disposing of their fish, a substantial volume spoiled and was seized by health officials.

Among those currently standing in the way of Native progress are the oil companies, titillated by a January 1968 oil find at Prudhoe Bay on the North Slope. Already a 140-mile-wide stretch has been divided for exploration by private oil companies.

Besides interfering with fishing rights and damaging Native family homesites, the oil companies employ almost no unskilled or semi-skilled labor and would rather pay hardship wages to outsiders than train easily available Natives for technical jobs.

The State, of course, would like to control as much potential oil land as possible in order to lease it and collect the approximately 16 percent royalties. Once the State or private industry has control, both the land and probably the revenue from it will be forever lost to the Native.

Perhaps the most flagrant violation of Native rights and land claims can be laid to the Federal Government. As an old Alaskan patriarch said in field hearings on land claims before the Senate Interior Committee, "Did it ever occur to you that maybe you were buying some stolen property when you bought the lands from the Russians?"

The Northwest Ordinance of 1787 provided that: *The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and in their property rights and liberty they never shall be invaded or disturbed.*

Yet the Government's first official action upon purchasing Alaska from Russia in 1867 was to provide in the treaty that U.S. citizenship, and implicitly land rights, should be withheld from "the uncivilized native tribes."

In the Alaska Organic Act of 1884, Congress hedged the all-important land issue by declaring that while the Indians (all Alaskan Natives are legally classified as Indians) should not be disturbed in their use or occupancy of the land, "the term under which such persons may acquire title to such lands is reserved for future legislation by Congress." A special Commission was appointed to report "what lands, if any, should be reserved for their (Native) use."

This Commission's report eventually led to the 1906 Alaska Native Allotment Act authorizing the Secretary of the Interior to assign up to 160 acres of non-mineral lands to Native family heads. Such allotments are as well-suited to food-gathering families as most BIA schools are relevant to Native life. As of today, about 15,000 acres have been allotted under this Act. This acreage, together with about 500 acres owned in fee simple, constitutes the entire titled estate of the Alaskan Native.

In the early 1900's the Federal Government began withdrawing large reserves of land. Today 360 million of Alaska's 375 million acres belong to the Federal Government. Eighty-five million of these acres are presently withdrawn from Native use because they are being kept as petroleum reserves, wildlife refuges, National parks, or forest areas.

Withdrawal meant that Natives were losing their land, usually without being consulted and always without hope of compensation. The case of the Kenaitzi tribe is typical. In the late 18th century the Russians started moving in on their land to set up fur factories. It was not long before the white man decided to dip into the excellent Kenaitzi salmon runs. About 1945 oilmen started stampeding the land in the aftermath of the big Swanson River oil strike. Whatever land the tribe had left was taken over by the Department of the Interior for the 1,730,000-acre Kenai peninsula moose range. The peninsula has since been opened up to oil drilling and real estate development. The Kenaitzi have the legal status of squatters in Alaska cities.

The Eklutnas lost part of their land in the mid-1930's when 378,000 acres were set aside for a reservation, as provided for in the Johnson-O'Malley Act. (Six reservations have actually been incorporated under this Act.) The adult Natives were to vote on whether they wanted a reservation, but somehow the instructions about voting were not made clear to them, so the land was withdrawn. Anchorage slowly spread out over more of their land; the Alaska Power Administration took 5,000 acres to build a dam, the military set up Fort Richardson, and the State took over a gravel pit area. Today the Eklutnas have about 1,800 acres and have to get permits to cut wood on their ancestral hunting grounds.

While such "robbery" will continue until the land claims issue is settled, in 1935 Congress passed a landmark act providing that the Tlingit and Haida tribes of southeast Alaska could sue in the Court of Claims for payment for

lands taken from them by the Federal Government. Thirty-three years later the Court did indeed award the Tlingit-Haida Indians \$7.5 million for the 18 million acres of lost land.

The only other group that has successfully enlisted the courts in their cause is the Tyoniks, living across from Anchorage on Cook Inlet. A few years ago the village was so close to famine that Anchorage pilots flew rescue missions to aid them. Then in 1962 they received a Court of Claims settlement for \$14 million. The Tyoniks hired outside consultants and have provided decent housing for all their people, built a far better school than BIA funds alone would have allowed, set up a sanitary, convenient water supply, and contracted with private physicians in Anchorage to treat the village people. They have even set aside funds for land investments in Anchorage and for high school scholarships.

The Alaska Statehood Act of 1958 provided that the State keep hands off any land, the right or title to which is held by Natives or by the United States in trust for them. This provision, however, is of little help to a people whose aboriginal rights have never been formally recognized.

Also of little help to the Native is a provision that voting is contingent upon an ability to read and write English. While this law has not been enforced, it remains a potential threat to native voting.

The Act also permitted the State to select approximately 103 million acres from the public domain over 25 years. As of now the State is in the process of selecting about 12 million acres, and about six million have already been patented to the State or to private individuals, including the North Slope oil strike areas and areas where there are major transportation facilities, railroad or highway systems, and good access by ship. As usual, the Natives are frozen out of all State-selected land.

The land claims issue has been the rallying point for emerging Native awareness and activism that in 1966 resulted in the joining together of eight separate Native Associations into the statewide Alaskan Federation of Natives (AFN). Other groups such as FAN, more aggressive and mistrustful of the "system" than is the AFN, have also emerged. Such groups are waiting to take over the Native cause if the land claims issue is not resolved quickly and equitably.

State officials admit that up until the emergence of visible activism, the plight of the Native was invisible to Alaska's white population. Officials in Juneau evidently knew the BIA and Public Health Service were pumping millions of dollars into Alaskan villages—43 million in 1968—but no one was investigating the returns.

As Natives awoke to the dangers threatened by State land selections and were encouraged by the success of the Tlingit-Haidas, they accelerated their protests against land selections. Native land claims today cover virtually all of the State—overlapping both federally held public domain as well as State-selected land. Two years ago, Secretary of the Interior Stewart Udall, unable any longer to deal with the conflicts among State selections, Federal withdrawals, and AFN-backed Native claims, froze the processing of additional State land selections.

Alaska's continued economic development, now strait-jacketed by conflicts over the title to three-quarters of the land, as well as the welfare of her Native people depends on a fast, fair claims settlement and a lifting of the freeze. Settlement in the courts is far too long a road. Furthermore, there has never been a land award in an aboriginal suit. The solution lies with Congress.

Hunting and fishing sportsmen fear giving the Natives too much land; oil interests want to exploit as much of the State as possible; and the Agriculture and Defense Departments blanch at the prospect of turning over national forest or petroleum reserves to Natives. But the vast majority of the State's population favor officially recognizing Native rights. Indeed, it is now the official policy of the United States, as stated by President Lyndon Johnson in March 1968, that our goal must be full participation for the Indian in the economic, political, and social life of modern America.

It is not likely that Congress will rule on Alaska land claims before next year. Spurred into action by pressure to lift the freeze, however, Congress held hearings on the issue both last year and this year. The outline for settlement has already been roughed in:

· The Field Committee, author of a new 565-page blueprint for settling land claims and providing for economic, social, and educational benefits, suggests that the Natives receive title to 47 million acres, a cash settlement of \$100 million initially in Federal monies plus participation in Federal and State oil and mineral revenues over the next 10 years up to a maximum \$1 billion, and a single, statewide management corporation to administer these assets for the first 10 years. Thereafter this corporation would become a Native shareholder corporation. The corporation would provide loans and grants to Natives for housing, health, and educational betterment as well as make investments.

The Federal Field Committee report, *Alaska Natives and the Land*, was drafted at the request of Senator Henry Jackson, Chairman of the Interior Committee, and formed the basis of Senate and House bills. These bills, however, allot only 20,040 acres of surface land to each village.

· The AFN is asking for 40 million acres, a cash settlement of \$500 million out of the Federal treasury over 10 years, and a perpetual 2 percent, open-ended royalty on all Federal oil and mineral revenues in the State.

· FAN feels a more equitable settlement would include up to \$5.6 billion, 133 million acres, a perpetual 5 percent of oil and mineral revenues, and immediate and total Native control of any development corporation.

· Countering Native and Congressional proposals that Indians be given a share in oil and mineral revenues, Interior Secretary Hickel has proposed the Natives be given 46,080 acres per village, including subsurface rights, and \$500 million out of Federal monies parceled out over 20 years. The Administration proposal does not mention establishment of a Native corporation.

· While the State has not made its position on land claims officially known, Governor Keith Miller endorsed the revenue-sharing plan in principle but has not yet committed himself to the proposal.

According to Senator Jackson, "There appears to be broad agreement among the parties that a legislative settlement should include provisions for land grants, money compensation for lands taken," and creation of administration and adjudicatory bodies. Proposals, however, differ widely in their potential benefit to the dispossessed Native. While half a billion dollars seems a large sum, it figures out to about \$8,000 per capita or about \$1.40 to \$1.50 per acre for land the Natives claim. Considering the lack of transportation facilities, the great material needs, and the fact that most villages will be starting virtually from scratch in building an economic base—in short, considering the need for rehabilitation of an entire area—half a billion is barely adequate. Since statehood the oil industry alone has pumped \$1.3 billion into exploration and industrial development in Alaska and is prepared to spend \$900 million more to build a 48-inch pipeline to carry Northern Slope oil across 800 miles of Alaskan wilderness.

Hickel (who in House hearings in 1968 admitted that one billion dollars would be inadequate if compensation for land were figured at fair market value) reasons that the Natives would be wiser to accept a flat \$500 million settlement rather than to gamble with a percentage of oil and mineral revenues—a gamble that is not in any way deterring oil company investment. Although mineral reserves are not fully explored, all indications are that coal and oil alone will return hundreds of billions of dollars when fully developed. Indeed, since some estimate that the oil fields will not be pumping up to full capacity for 10 years or more, it would be cheating the Natives to give them a 10-year revenue sharing limit. Revenue sharing, of course, should apply to the mineral wealth of the State's inland and surrounding waters as well as of the land.

The concept of revenue sharing has precedent in other Federal legislation. For instance, 90 percent of the revenues from leasable minerals on Federal lands go to Alaska. The Secretary of the Interior, however, must answer to the Bureau of the Budget, which traditionally opposes such open-ended, precedent-setting arrangements. There is good reason to fear that the Bureau of the Budget opposition will squelch Native revenue sharing.

Some Congressmen advise giving the Natives only surface rights to the land around their villages. But others believe that Natives should have the same rights to their land as other Americans. Should they discover minerals or oil on their land, they are entitled to lease it out to developers and reap the royalties for themselves.

Besides title to the lands they actually occupy, Natives require an adequate amount of land to set up an economic base. They must also have the right to use additional lands and water for hunting and fishing and for maintaining their traditional ways of life. According to the Federal Field Committee report, "If grants to meet subsistence needs are to be made which recognize varied subsistence ratios between people and acres of land, then a minimum of 60 million acres would be required."

There are also the questions of who will get first pick of the land—the Natives or the State—and whether the sizable Federal withdrawals will be open for claims. It would be discriminatory to inhibit Native competition for developed land, much of which the State has already appropriated. Many historic village sites, some of the most usable acreage in the State, and many potential mineral reserves are presently imprisoned within Federal withdrawals.

The Natives have proven by their participation in government—several Natives are now serving in the State legislature—by the example of the Tyoniks, and by the organization of five Native cooperatives, that they will be ready and willing to assume control of their own affairs.

Native groups hope to control land and water resources so that their management of them can be used to create jobs for Natives and end the tradition of reserving the good jobs and high profits for outsiders. Native managers might be more devoted to maximizing their assets than would Federal or State management agencies facing many more conflicting policy objectives and constraints. It is therefore important that the money the Natives do receive does not go into an inactive, all-but-invisible trust—as has too often been the case with settlement money given other Indians but is used to set up a corporation owned and eventually fully operated by Natives.

It is also important that their money come to them soon and in large enough chunks to be useful. Even a healthy allocation, when spread out over several years, is not likely to do the Natives much good. And according to former Alaskan Governor and U.S. Senator Ernest Gruening, "The BIA must be kept completely out of the administration of the settlement. The Bureau has been the single-most retarding influence on Native people because of its desire to perpetuate itself and keep the Natives as wards."

The concept of limited Federal involvement and of land, revenue, and management in the hands of Native stockholders is an approach to solving Indian claims that has never been tried in the lower 48. Should this experiment prove successful, it could form the framework for broader legislation that would forever free American Indians from the paternalistic, discriminatory wardship of the Government and the BIA.

Time is running out for Alaska's Natives. If they are truly to get their share of economic opportunity and social justice, Congress must act quickly and generously. While the Native voice is growing steadily louder and stronger, the land battle is becoming more frantic and the stakes are shooting higher. Alaska's population has been booming since World War II as a result of the influx of non-Native settlers. Oil-rich Alaska is now aflutter with the prospect of new jobs and expanded incomes. Resource developers are becoming more and more a major economic force in Alaska. The State itself is anxious to gain control of as rich a natural storehouse as possible. After the enactment of the land claims bill, all Natives' claims in the State will be extinguished. According to Alaska's lone Representative in the House, Howard Pollack, "Alaska's Natives face an uncertain future while their land claims remain unresolved."

There is a real danger that, even in the face of accelerating economic development, the Native will remain on the economic sidelines. Representative Pollack warns: "Native rights may be swept aside under pressure of what at the moment may appear to be a higher and better use."

A just settlement could eliminate poverty among Alaskan Natives and give them control over their own affairs—in fact, make them equals in their own land. Anything less will only perpetuate the Government-produced and -directed tragedy now being played out on the vast stage of Alaska's snowy wilderness.

DEBORAH MOVITZ

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[\[Alaskool Home\]](#)

