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UNIVERSITY OF CALIFORNIA,
IRVINE

Alaska Native People, Traditional Foods, and the Settler State: “Subsistence” and the Narrative
of Settler Belonging

DISSERTATION

Submitted in partial satisfaction of the requirements
for the degree of

DOCTOR OF PHILOSOPHY

in Anthropology

by

Forest Star Haven

Dissertation Committee:
Associate Professor Kris Peterson, Chair
Associate Professor Valerie Olson
Professor Justin Richland

2022

DEDICATION

To

My family and friends, both here and beyond

My millennia of ancestors, who did not know my name but did so much for me

My many teachers, in life and in the academy

Gunalchéesh, Háw'aa, T'oyaxsut 'nüüsm, Thank you

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VITA

Forest Star Haven

- 2011 A.A. in General Education, University of Alaska Southeast, Ketchikan
- 2013 B.A. in Social Science, University of Alaska Southeast, Juneau
- 2014-15 Teaching Assistant, School of Social Sciences, University of California, Irvine
- 2017-18 Adjunct Professor, School of Arts and Sciences, University of Alaska Southeast, Ketchikan
- 2018 Research Assistant, Herring Egg Distribution Project, Sealaska Heritage Institute
- 2018-19 Adjunct Professor, School of Arts and Sciences, University of Alaska Southeast
- 2019-20 Adjunct Professor, School of Arts and Sciences, University of Alaska Southeast
- 2020-21 Adjunct Professor, School of Arts and Sciences, University of Alaska Southeast
- 2021-Present Term Assistant Professor of Anthropology and Alaska Native Studies, University of Alaska Southeast, Juneau
- 2022 Ph.D. in Anthropology, University of California, Irvine

Field of Study

Alaska Native people, sovereignty, anthropology of food, settler colonialism, settler and Indigenous governance

ABSTRACT OF THE DISSERTATION

Alaska Native People, Traditional Foods, and the Settler State: “Subsistence” and the Narrative
of Settler Belonging

By

Forest Star Haven

Doctor of Philosophy in Anthropology

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Associate Professor Kris Peterson, Chair

Subsistence is a unique user-group category created in the 1970s to regulate taking of fish and wildlife resources for personal or family consumption. However, the initial intent for developing this use category was to codify protection of Alaska Native peoples’ hunting and fishing rights after they were dissolved in the 1971 Alaska Native Claims Settlement Act (ANCSA). In the decades following ANCSA, several attempts were made at the state and federal level to codify a protection for Native traditional food practices, yet each was met with strong resistance by state legislators, national and local sport hunting and fishing organizations, and a vocal White settler population. Through the mobilization of equal rights rhetoric, subsistence went from being a collective Alaska Native rights issue, to a liberal White settler rights issue, giving all Alaska residents the right to practice subsistence. This dissertation thus analyzes the historic development and contemporary manifestations of the subsistence use category in Alaska, and within the context of U.S. settler colonial state-making processes.

Data for this dissertation comes from ethnographic research conducted with Alaska

Native traditional food experts, from various Alaska Department of Fish and Game employees and Board of Fisheries members, from Native and non-Native individuals involved with commercial and other user group categories, and from public testimony at the Board of Fisheries meetings where regulations are proposed, deliberated, and created. Archival research of newspapers and news programs was also conducted in order to gain insights into public discussions around the subsistence debates during the 1970s and 80s. I then draw connections between settler rhetorical strategies and anthropological accounts during the 70s and 80s to contemporary public discussions around subsistence issues today. From this research a picture emerges of how subsistence comes to be a site for the construction of White settler belonging rooted in a longstanding liberal frontier mythology. Subsistence is thus an ongoing mode of assimilation mobilized through a settler colonial legal reconfiguration of an Indigenous practice that effectively eliminates its very indigeneity. Subsistence is also a site for the construction and naturalization of U.S. settler state making that utilizes multiculturalist logics to challenge Alaska Native peoples' sovereign rights.

Introduction: “Too Much Fish:” Settler Colonialism and the Making of Subsistence

It was our second trip out to Redoubt Bay, the closest subsistence¹ fishing area to the town of Sitka. The weather had been unusually warm and dry the past few weeks, which is worrisome for salmon streams, but does make the forty-minute boat ride in the open aluminum skiff much less brisk. Michael, Henry, Brian, and I all meet at the harbor around 6:00am and climb aboard the sturdy twenty-foot skiff with our sea bags, finding spots to sit that won't cause the boat to list during the ride. I've always loved this part: the early morning ride to the fishing grounds, precariously sipping coffee through ocean swells while we hope for a good day of fishing, and that the grounds won't be too crowded. It's cold out still, but the sky is a cloudless blue and the densely forested mountain islands promise to make this a particularly beautiful ride. The commercial gill net fleet is fishing the area along our path to the bay, so the journey requires a bit of maneuvering to navigate the rock piles and fishing nets lacing the water. After about twenty minutes, we're past the commercial grounds and heading into the bay towards the falls.

On this trip, I sit next to Michael, the captain, pouring him coffee if he needs it, and listening to the stories the terrain brings to his mind. Michael is in his seventies and has made this trip countless times, hunting deer, fur trapping, and of course, fishing. A few spots along the way he slows down and pulls closer to the beach, pointing to areas where he's hunted and regaling me with some manner of story, the content of which usually includes some combination of comedy and near-death-experience. He points to a grassy ridge to talk about a large buck he

¹ Within Alaska, “subsistence” is the general term used to describe hunting, fishing, gathering, and processing of endemic plant and animal food species for personal consumption. The term itself is contentious amongst many Native people as it does not encompass the cultural, social, and ideological complexity Alaskan Native people associate with such practices. Throughout this dissertation I will sometimes use the term “subsistence” and sometimes “traditional foods.”

shot in his youth. Or to a particular stretch of coastline where he had an uncomfortably close bear encounter. This landscape is layered with stories of him and his experiential knowledge of place.

It's not long before we reach Redoubt falls: a small waterfall, about thirty feet wide and anywhere from fifteen to thirty-five feet from the top of the falls to the ocean, depending on the tide. We always try to arrive before the tide changes, when it's reached its lowest point and will begin to rise. This is the best time, Michael says, because when the tide starts coming in, the fish start to rush the falls. There are only a few other people out there today since it's a weekday and most people are working. Redoubt Lake actually has two semi-adjacent waterfalls about a quarter mile apart. We decide to drop Henry and Brian off at the narrower falls around a rocky point and to the right of the lake, while Michael and I will fish the larger falls on the left. We pull slowly up the jagged rocky shoreline, and deposit them with their dip nets and fish bags then move over to our spot. Michael noses the bow of the boat right up to the falls and directs me to tie a line from the bow to an old log.

From there we spend the next few hours dip-netting sockeye. Most people dip-net from the rock ledges opposite our position. It's a treacherous spot to get to however and takes an incredible amount of strength and endurance to keep pulling fish from that area. I've seen more than a few people lose their balance there and slip into the water, left to fish the rest of the day in sea-soaked clothes. But Michael wants to fish directly from the boat rather than the rocks. It's a bit slower than the rock ledge but we manage to pull up about six or seven fish an hour. With each writhing fish, Michael swings the net attached to a ten-foot pole onto the deck of the boat. I twist the net hoop so the fish can't get free, then club it on the head with a gaff hook, pull its

gills, and place it in a five-gallon bucket to bleed out until I can string them on a line over the side of the boat.

About two hours in, Henry comes through the woods, to signal us they've caught their limit. We still had a few more fish to go so we signal them that we're not quite finished. The sound of the rushing falls prevents verbal communication, so we have to use hand gestures. We spend another two hours fishing until we reach our limit of twenty-five fish. Then we untie the boat and head back over to the other falls to pick up Henry and Brian. When we get around the corner, we can see they are still pulling up fish but from our angle it doesn't look like they have very many. "That don't look like no fifty fish to me" Michael remarks, noting the fish he sees tied to lines laying on the rocks. I nod in agreement, thinking I must have misunderstood their signals earlier. But as we pull up to the rock ledge, we begin to see that they did, indeed, have fifty fish. In fact, they had over one hundred, but had hidden them in the rock crevices so that an approaching vessel wouldn't be able to tell how much they had.

"Holy!" Michael exclaims "How much did you guys get?" "Not sure" Henry responds, "we tried to tell you we were done. You never showed up, so we just kept fishing." You can tell they are a bit nervous, as am I, and we work quickly to get the boat loaded so we can pull away from the rocks. I keep quiet, helping them pull the lines of fish aboard and into the large fish totes on deck. We quickly pull away from the rocks and motor over to a tie-off buoy around the point from the falls. Everyone is exhausted and famished, spooning smoked salmon spread onto slices of bread and coffee into cups to be quickly consumed and followed by a second helping. "Jesus you guys, we gotta get to work!" Michael grumbles. "Get this fish cleaned and in bags over the side of the boat before Fish and Game shows up and gives me a ticket!" He's agitated,

but also quite notably excited. We set to work, Michael directing us on how he wants the make-shift fish cleaning station to be set up. We find the knives, make cleaning surfaces and start cleaning. There aren't enough knives for all of us so I help by bringing up buckets of sea water every few minutes, rinsing the gutted fish, and putting them into the mesh bags to hang over the side of the boat into the water. It's also my job to count fish. After about an hour and a half I counted eighty cleaned fish with still quite a few left. Michael stands up and says "We've got way too much fish on this boat. I'm gonna see if they want to take some," nodding to a couple who had been unsuccessfully trying to snag salmon from their boat about 100 yards from us for the past hour. He calls them over and we hand them 15 uncleaned fish, which they are more than happy to take. Henry is a little bit annoyed, but Michael doesn't care: "It's my boat so it's my ass on the line. We still have plenty."

The whole time I'm helping, my eyes intermittently and nervously scan the opening of the bay, watching to make sure I don't see a Fish and Game boat coming. All in all, we caught 127 fish that day, including the fifteen we gave to the couple. The limit according to the number of permits on the boat was seventy-five. I should note that although I am Alaska Native, I was not supposed to be helping with any part of catching or cleaning the fish because I had given up my Alaska residency for graduate school tuition purposes. Michael was well aware of this but did not care. Soon, and once all the fish was cleaned and put back in totes, we were on our way. We were exhausted, covered in sweat, sea water, fish guts, and blood but deeply happy with the day's work. Thankfully, we made it home without a Fish and Game encounter.

After we got back to town and pulled the boat out of the water, I called my ride to meet us at Michaels house where we were going to divvy up the fish. As we are separating the fish

into plastic bags, I ask Henry and Brian what they're going to do with their share. Brian, a Tlingit, is giving his to his brothers and sister who live in Juneau and can't subsistence fish because it's an urban area. Henry, Haida, has been giving his away to friends, but this bunch, he states, will go to his children. I only wanted a couple, but after calling some friends and relatives I took twenty-five so I could give more away. As we're working, Michael phones his own friends and relatives to see who wants fish. A neighbor from down the street walks up to say hello and leaves with five salmon in a white plastic garbage bag. "Are you sure you only want twenty-five?" Michael asks me. "Yeah, I really just wanted a couple, but I have a few friends who want some." "Alright" he says, "well, just making sure. It'll all be gone by tomorrow. But we'll get more next time."

Michael is Haida, and although he has lived in Sitka since the 1970s, he was born and raised in Hydaburg, a small community with a population of about 350 people on Prince of Wales Island in southern southeast Alaska. He was raised from childhood practicing "what the Fish and Game people call 'subsistence'" but, he states, is really "just who we are and what we do." He transitions easily into talking about traditional food practices when he was young. The whole family would go out, aunties, uncles, cousins, grandparents, kids and for as long as was necessary to get what they needed. They always returned to town with extra, and there would be people at the dock to greet them and accept what fish, deer, seal meat or whatever else was available. In each of his interviews we talk about the importance of sharing traditional foods. "Sharing *is* subsistence. It's what we do" he'll often say. "It's what we've always done."

It's changed, he notes, since they started regulating things. When he was a child, the Alaska Department of Fish and Game didn't really exist. He and his family just got as much as

they wanted for themselves and the community. It was important for everyone. It was important for him to be able to share with everyone. It still is. But now, Michael states, it's gotten a lot harder to do things that way. People still need the food, but most don't have the means to get it. They don't have a boat, or they can't afford the cost of running one. Michael is retired and himself often struggles to pay for the fuel necessary to get to the fishing grounds. This struggle connects to his frustrations with the Department of Fish and Game regulations. The bag limits mean that he must make numerous trips to get the fish he needs for himself and those with whom he shares. It's more time, more fuel, more money.

He is quite happy to talk about his numerous encounters with Fish and Game officials. His stance towards them is decidedly adversarial. So much of their regulations just don't make sense to him. He's been ticketed a number of times for various infractions: having too many fish, taking them too far from the fishing site before cutting off the dorsal fin to indicate the fish are for subsistence, or for not writing down the number he's caught on his permit before cleaning the fish or leaving the fishing grounds. He's always quick to admit he was in the wrong, but also notes that these are "their laws, not ours." Temporality is an important component of his argument. He's agitated that his ancestors have been fishing and hunting these areas for thousands of years, and now, with a just over a hundred years of occupation, their laws take precedence.

As I go through the interviews, and think back on my time with him, I realize that he's quite proud of his numerous encounters with them. He notes that he's singled out a lot: He states things like "There were boats all around me and they, (meaning Fish and Game) come in and go straight to me." Or he'll make comments about being labeled as a "bad guy" because of how

much fish he gets. But his defense is always rooted in the imperative to share. It's just not right (in the sense of his morality which stems from traditional food ethics) to only get enough for himself. However, the bag limits, and the very ideology that underscores the state's definition of subsistence, is based on individual or household needs, rather than the needs of the community.

From Michael's perspective, "too much fish" is situated within the context of nonsensical state subsistence laws that constrain and limit his way of life. He only has "too much fish" because the state has granted itself the authority to determine how much is "enough." From the settler perspective, "too much fish" is understood within the context of individual needs, such that "too much fish" means that an individual has more than is necessary for *themselves*. At a fundamental level, settler regulatory regimes—and the settler population they represent—are incapable of understanding the role of sharing for Native people. Most of what makes foods important for Alaska Native people (inter- and intra-community, family, and Tribal relationships rooted in love and respect, the holistic wellness and well-being that stems from the entirety of traditional food practices, and the passing on of individual, communal, Tribal, and place-based knowledges), are illegible, and thus unmanageable. When food is conceptualized as *communally* situated, and when you are a harvester that has spent your life providing traditional foods to your community because of the loving obligations created and maintained through such practices, there is no such thing as "too much fish." It is an absurdity imposed by settler colonial management regimes rooted in liberalism and designed to protect resources from its own destructive extraction and greed.

Chapter Summaries and Organization

The story of subsistence politics in Alaska is not solely about protecting wild resources from the devastation of extraction. It is also very much a story of Alaska Native people fighting to express their sovereignty in the face of the violent thefts of land and culture that are inherent to settler colonial state-making processes. Alaska is a land wholly unique with regard to its history, geography, and political economy. The state’s relatively recent colonial history, unprecedented relationship between Native² peoples and the state and federal governments, unbroken inhabitation of traditional territories by Native peoples, and the sheer variety and volume of natural resources coveted by industrial capitalists have all shaped the contemporary politics of Alaska in ways unparalleled by other states.

Alaska is also home to a large number of distinct Native cultures, representing over twenty different languages, more than two hundred tribes, and spread across extensive swaths of land with wildly varying terrains. U.S. settler expansion into Alaska brought with it the assimilation boarding schools and policies that sought to eliminate all Native cultures. These violent processes worked to aid settler encroachment and land theft, and to facilitate extraction industries’ access to resources. In response, Alaska Native people have banded together over the last century in ways unprecedented to fight for civil rights, Tribal sovereignty, and aboriginal land-claims; and against the perpetual marginalization of our languages, knowledge systems, and cultural practices. While Alaska Native people are still fighting against marginalization in

² “Native” is the preferred general term when speaking collectively about the Indigenous people of Alaska and will be used throughout this dissertation, except in cases where a specific group is being discussed. Occasionally, I will use the term “Indigenous” when referring more broadly to Native American or global Indigenous issues. Finally, although I personally find the term “Indian” abhorrent when discussing Indigenous peoples in the Americas, it is a term commonly used within the context of federal policy regarding Native American people, and thus will occasionally be used within the context of federal law.

various forms, recent decades have seen a proliferation of Alaska Native art and language revitalization efforts, with increasing amounts of public and institutional support. What we have not, however, been able to change, is the paternalistic regulation and management of our traditional food practices—what the state calls “subsistence.” Indeed, anthropologists of Alaska Native people often note that subsistence is arguably “the most contentious and intractable political issue of Alaska’s modern history as a state” (Wheeler and Thornton 2005, 69).

The research for this dissertation is informed, in part, by my own expertise as a Ts’msyen woman born and raised in Southeast Alaska. I grew up in the Metlakatla Indian Community, a small, rural, Ts’msyen reservation on Annette Island. Some of my earliest memories are of digging for cockles during the winter low tides with my mother, or of scrambling along the rocky shorelines in spring in search of black seaweed and gumboots. This personal history gives me an experiential understanding of Southeast Alaska’s dynamic ecosystem, and a healthy respect for just how impetuous this terrain can be. Southeast Alaska is all steep mountain fjords, steely blue ocean, and evergreen trees. There is very little flat land here. However, for the Tlingit, Haida, and Ts’msyen people who have inhabited this temperate rainforest terrain for well over 10,000 years, it is home. In fact, my ancestors thrived here. We were expert seafarers, and woodworkers, using the massive red and yellow cedar to build clan houses, canoes, bentwood boxes, and clan art; and to weave baskets tight enough to hold water. We spun wool from mountain goat fur mixed with red cedar bark, and wove Raven’s Tail and Chilkat blankets, creating the most complex weaving styles in the world. The area that is now called southeast Alaska, is mostly Tlingit Aaní (the traditional territory of the Tlingit people), with a few of the southernmost

regions being Haida territory. However colonization and missionization brought Ts'msyens and more Haidas permanently into the region over a century ago.

Alongside my experiential expertise, I have been conducting ethnographic research for this dissertation since 2010. This includes interviewing traditional food experts in various communities as well as hunting, fishing, gathering, and processing foods with Ts'msyen, Haida, and Tlingit people in Metlakatla, Ketchikan, Hydaburg, Klawock, Juneau, and—for the past four years—Sitka. In order to better understand the settler perspective on subsistence I have also conducted interviews with Alaska Department of Fish and Game (ADFG) employees and officials, including members of the ADFG Board of Fisheries (BOF). I also attended or listened to the 14-day BOF meetings in 2018 and 2022 where proposals on subsistence and other resource uses are submitted, debated, deliberated and codified. In addition, I interviewed people working for commercial fisheries lobbying groups, who tend to be the most vocally opposed to subsistence protection proposals submitted by Tribes. Finally, I interviewed individuals who attended the BOF meetings and had an obvious interest in subsistence or commercial fisheries proposals. It should be noted that there are certain species in, and regions of, Alaska that are managed by the federal government rather than the state.³ However, because most Native people's traditional food resources fall under state management in the region where this research was conducted, I focus predominantly on state management regimes.

In Chapter 1, I discuss Alaska's history in order to demonstrate how colonial and industrial capitalist interests have uniquely shaped both the development of Alaska as a state, and

³This is discussed in more detail later in the dissertation.

the contemporary relationship between Alaska Natives and the state and federal governments. First, for well over one hundred years, Alaska Natives were subject to the imperial colonialism of Russia. Although Russian colonization was certainly impactful, the effects were primarily limited to coastal areas, and in most cases, did not involve the usurpation of vast swaths of land. This all changed however when Alaska was acquired by the United States near the end of the nineteenth-century and settler encroachment on Native land began to dramatically increase. Further, the political economy of Alaska has been profoundly shaped by federal government and outside industry interests, which have had a firm hand on politics and management regimes since acquisition by the U.S. In fact, as I will demonstrate, timber, fishing, mining, and later, oil industries were the primary reason that a Native land claims settlement in Alaska took so long, and ultimately the reason they were settled. This history moves through the series of events that led to the rise of organized Alaska Native political movements focused on land claims and subsistence rights, including the series of state and federal legislations that left Alaskan Natives in a lingering state of disenfranchisement up until the signing of the Alaska Native Claims Settlement Act in 1971. An in-depth historical portrait of Alaska's state formation is imperative for understanding the contemporary trajectory of settler colonial expansion, as well as Alaska's unique Native land claims settlement all of which play a critical role in understanding contemporary subsistence politics.

Chapter 2 focuses specifically on the 1971 Alaska Native Claims Settlement Act (ANCSA). This landmark settlement extinguished all existing land claims, and aboriginal hunting and fishing rights in exchange for land and monies to be used in the establishment of Native-owned corporations. Historically, federal Indian policy oscillated between establishing or dissolving reservations and (semi) sovereign tribal nations, depending on whether the current

political climate was in support of self-determination or assimilation. ANCSA however was a wholly new form of federal Indian policy meant to propel Alaskan Native people into the “modern” world through a complex process of corporatization. Rather than making the various tribes of Alaska their own nations through Tribal recognition and the establishment of reservations, ANCSA transformed Alaska Natives into corporate shareholders whose access to—and utilization of—the land and its resources is partially mediated by regional corporate interests. Such mediation has had a profound effect on both the lives of Alaskan Natives, and the current political climate of the state, making ANCSA pivotal to contextualizing contemporary state and Native politics. Finally, I will discuss the varied critiques of ANCSA that proliferated in the decades following, with a focus on those Native concerns left unaddressed by state and federal legislation, namely subsistence. Because ANCSA dissolved aboriginal hunting and fishing rights, the decades following the Act saw—through a series of legislative Acts—the transformation of Native hunting and fishing rights into the “subsistence” use category that is now the right of all Alaskan residents.

Chapter 3 focuses on some of the economic fictions of food sharing that were created through the state and anthropological renderings of the subsistence use category. Because most of the data used to regulate and manage subsistence stems from the work of anthropologists, I will discuss the anthropological research on subsistence to demonstrate the way particular frameworks of meaning come to be mobilized—both by anthropologists and the state—and in a way that obfuscates the dynamic significance of traditional foods to Alaska Native people. Because the subsistence debates of the 1970s and 1980s often focused on the economic needs of rural communities, economic need came to be seen as the primary motivating factor for subsistence protections. I will thus incorporate ethnographic and autoethnographic data on

traditional food sharing in order to counter the impoverished narratives of “economic need” that so often come to be mobilized in discussions of subsistence.

Chapter 4 will focus on organized efforts by Native people to protect traditional food resources outside of state processes, and in order to draw attention to the inadequacies of state management regimes. I will then analyze the rhetorical strategies employed by White urban hunters and fishers in the 1970s and 80s to successfully transform Native traditional food practices into “subsistence,” effectively working to extend those rights to all Alaskans. These rhetorical strategies and logics enacted contemporary legal regimes, shaping how “subsistence” is currently managed, regulated, and understood. As such, my ethnographic research with fisheries management officials, and commercial industry lobbyists demonstrate how those same rhetorical strategies continue to be mobilized by White settlers today in public debates over subsistence management concerns. Drawing out this connection highlights how many Alaskan settlers continuously work to delegitimize Native claims to subsistence—and thus to sovereignty—by appealing to multiculturalist ideologies, utilizing frameworks of White settler loss, and employing rhetorics that conflate Native and settler belonging.

As will be discussed throughout this dissertation, maintaining access to traditional hunting and fishing grounds has been a primary concern for Alaskan Natives since the beginning of settler encroachment. Currently, however, hunting, fishing, and gathering in Alaska are controlled by a complex web of rules and regulations, and although they were initially formulated because of Alaska Native concerns, competing settler interests have fought every effort to establish a Native subsistence priority. As it stands now—and with a few exceptions to be discussed later—current regulations situate subsistence as a practice that is the individual right of any Alaskan resident, effectively ignoring—and in actuality usurping—Native claims to

their sovereign rights to access traditional food resources. This dissertation thus analyzes the myriad formations of “subsistence” and subsistence politics through the lens of settler colonial theory. Such an analysis will illuminate how U.S. settler state making is enacted within the context of Alaska and specifically through the legal, anthropological, and public renderings of subsistence. Since a fundamental tenet of settler colonial theory is that it is a hierarchical formulation fundamental to state structuring, we must first understand the processes of Alaska state formation, which will be taken up in the following chapter.

Chapter 1: Alaskan Colonialisms: Assimilation, Disenfranchisement, and Delays

Introduction: From Russia to the United States: The Transfer of Colonial Power

Alaskan Native peoples were some of the last Indigenous groups in North America to experience the full effects of colonizing forces. Initial contact with missionaries and Russian traders in search of sea and land mammal fur began in the 1740s. Yet at that time, Russians had little interest in creating permanent settlements (Banner 2007; Huhndorf and Huhndorf 2011). In 1799 Russia claimed Alaska as its possession and although the increasing presence of fur hunters, traders, and missionaries brought disease, conflict, and the seeds of reliance on Western goods to Native people inhabiting the coast, much of the interior of the state remained unimpeded by settlement attempts until the beginning of the twentieth century (Huhndorf and Huhndorf 2011; Langdon 1991).

From 1799 to 1867, the fur trade was monopolized by the Russian-American Company, a joint stock company authorized by the tsar (Hixson 2013). While Russians had enslaved many Unangax and Yupik peoples living along the southwest and south-central coast of the state (Huhndorf and Huhndorf 2011), encounters with the Tlingit in southeast Alaska proved much more tumultuous. The coastal dwelling Tlingit had acquired rifles from previous exploration expeditions and—initially—violently resisted Russian attempts at settlement, effectively confining Russian traders to small forts built for their own protection (Hixson 2013). Southeast Alaska was a strategic location for access to sea otters coveted by fur traders. It is also a place of expansive fjords, fierce wildlife, and impetuous weather, making it a region in which most Russians had not the knowledge or skills required for long term survival. Because nearly all Russian holdings had been “sites only of trade, not of settlement, . . . neither the imperial government nor the [Russian American] company ever had any influence upon the mode of

division of lands between said Natives” (Banner 2007, 292). Further, and because Native knowledge and labor was essential for their endeavors, Russians rarely attempted to hinder or control access to Native people’s hunting and fishing grounds.

Russian colonization of Alaska thus primarily took the form of imperial colonialism, albeit with only a relatively small portion of the Indigenous population being subjugated for labor.⁴ Eventually, necessity facilitated the formation of a somewhat uneasy alliance between Tlingit and Russian hunters: the Russians needed the hunting and seafaring skills of the Tlingits to acquire furs (sea otters are elusive and could only be successfully hunted from kayaks); and the Tlingits had acquired a taste for Russian trade goods, thus becoming more amenable to hunting sea otters for trade (Hixson 2013). By the 1830s and 1840s diseases introduced by traders, explorers, and missionaries had done more to weaken Native populations than any mode of Russian colonial governance and most Alaska Native people were still functioning as organized, self-governing Tribes. However, due to the increased reliance on Western goods, Natives along the coast began to move into temporary settlements and away from villages to trade their labor (Hixson 2013; Huhndorf and Huhndorf 2011). Beginning in the mid-1850s, however, Russia began to lose interest in maintaining its presence in the region (due in part to the decline in sea mammal populations), becoming amenable to the eventual sale of Alaska to the

⁴This is not to say that Russian occupation wasn’t violent or fundamentally impactful. There are extensive bodies of work discussing the deleterious impact of Russian colonization (see, e.g., Grinëv 2013, 2020; Haycox 2002; Luehrmann 2005). Rather, the mode of Russian colonization employed in Alaska was very much about extraction of furs for the benefit of the Russian fur trade. While Russian influence was not confined solely to the coast, Russian fur trade was. Russian missionaries had some success establishing a presence in interior villages along major rivers and the western coast of Alaska. Their presence in southeast Alaska, a region inhabited by most of the U.S. settler populations prior to WWII was, however, quite minimal. Further, while Russian missionaries were intent on converting the Alaskan Natives they encountered, Empress Catharine II was concerned with the treatment of Native populations in Alaska and forbade coercive tactics in her support of missionary efforts. Assimilation was thus not necessarily a goal of either Russian missionaries or Russian settlers, who themselves were only interested in Native knowledge and labor insofar as it would assist their acquisition of furs. Russian missionaries, while certainly having a lasting influence in particular regions of Alaska, only moderately influenced the day-to-day lives of Native people (see Banner 2007; Borneman 2003).

United States (Hixson 2013).

In 1867, the U.S. acquired Alaska from Russia with the Treaty of Cession. Although there were some concerns over the benefits of “Seward’s Folly,” the purchase was generally supported because Alaska was seen as a land with untapped potential (Bailey 1934); moreover, the purchase would anchor U.S. power in the northern Pacific (Hixson 2013). The purchase of Alaska came at the same time the U.S. Congress shifted from establishing Native American treaties and reservations, to implementing assimilation policies (Huhndorf and Huhndorf 2011). The treaty granted U.S. citizenship to all Russian settlers living in Alaska. Yet the only mention of Native people is in Article 3, which states that, “The uncivilized tribes will be subject to such laws and regulations as the United States may, from time to time, adopt in regard to aboriginal tribes of that country.”⁵

Immediately, however, discussions began as to whether Alaskan Native people qualified as “American Indians.” Based on the argument by then commissioner of the Office of Indian Affairs, Francis Walker, Alaskan Native people were considered “likely of ‘Asiatic origin’...thus shifting the basis of Indigenous rights from occupation of the land prior to colonization (a criterion Alaska Natives certainly fit) to racial typology. Federal Indian law,...[the commissioner] maintained, should not be ‘extended unnecessarily to races of a questionable ethnical type, and occupying a position practically distinct and apart from the range of the undoubted Indian tribes of the continent’”⁶ (Huhndorf and Huhndorf 2011, 389). This strategy effectively shifted the status of Alaskan Natives from being rightful owners of the land—which

⁵ Proclamation of March 30, 1867, 15 Stat. 542

⁶ The primary reason for the federal government’s decision to cease signing treaties and establishing reservations with Native peoples was because it was both costly and ineffective (i.e., relationships between the U.S. and Native American populations continued to be tumultuous if not violent, see e.g., Banner 2007), this was most likely a move made to circumvent responsibility for the over 60,000 Alaskan Native inhabitants of Alaska.

would have made the treaty with the Russians illegal (Burch 1979)—to mere migratory occupants with no means to establish claims to their home territories. Further, by distinguishing Alaska Natives from American Indian tribes, the management and care of Alaska Natives would not fall under the jurisdiction of Indian Affairs but would instead come under the purview of the Bureau of Education.⁷

It should be emphasized here that The Treaty of Cession or any other form of legislation afterwards never established or signed treaties with Alaskan Native people. However, the Treaty of Cession not only dually disenfranchised Alaskan Native people—who became at once unrecognized as “American Indians” *and* unrecognized as U.S. citizens—it also set the tone for nearly all legal and social encounters between Native people and settlers into the future. That is, the settlement and expansion of the U.S. into Alaska would happen on terms established by the U.S., not the region's hundreds of Indigenous nations.

Further, upon U.S. acquisition of Alaska, the federal government took no measures to establish any sort of territorial government or system of land allocation. It only installed a small group of U.S. Army soldiers in the southeast Alaskan town of Sitka (Banner 2007). Since Alaskan Natives were only mentioned in the Treaty of Cession to exclude them from the rights afforded to the Russian settlers, on-the-ground decisions regarding what to do with Native people fell largely into the hands of the military (Banner 2007), who was tasked with subduing the Indigenous population; or they fell under the jurisdiction of the Bureau of Education, which was tasked with assimilating them.⁸ The commander of the Department of Alaska (as it was known),

⁷ The coastal Alaska Natives were considered by most explorers and American surveyors at the time to be generally friendly, less “savage,” and thus more amenable to assimilation. For a detailed account of the decision to establish the control of Alaskan Natives under the Bureau of Education, see Haycox, (1984).

⁸ The Bureau of Education delegated the task of assimilation to various Christian denominations who were given funds and entire regions of Alaska to “reeducate” Native people. This history is far too complex for the purposes of this dissertation but see Barnhardt (2001), Mitchell (1997), and Williams (2009a).

General Jefferson Davis, was instructed to model relations between the U.S. and Alaska Native peoples after Russia and Britain. Davis focused more on occupation and command of small strategic regions, and thus kept confrontations with Native people to a minimum (Banner 2007).⁹ U.S. policies regarding Native Americans which used treaties, land payments, and the establishment of reservation lands, were increasingly seen by policymakers and army officials as costly failures (Banner 2007). Alaska was viewed as an experimental clean slate upon which to inscribe a wholly new form of Indian policy that focused on the goal of assimilation (Banner 2007; Huhndorf and Huhndorf 2011; Williams 2009a).

As to be expected, Alaska Native populations were highly dissatisfied with the land transfer from Russia to the United States (Banner 2007; Burch 1979). The Tlingit were adamant that they had allowed the Russians the *use* of the land, not ownership over it, so they never recognized the sale as valid. As Banner (2007, 298) notes

[t]he American assertion of sovereignty over Alaska was strange and new from the native perspective, but of course from the American perspective it was backed by centuries of tradition. From the sixteenth century onward indigenous people had never been understood to possess the power to withstand a claim of sovereignty by Europeans or their descendants.

The issue over aboriginal land rights would continue to be a bone of contention between Alaskan Native people and the state and federal governments well into the twentieth century. While the purchase of Alaska would bring the U.S. considerable wealth, it would bring Alaska Native people a new era—and new mode—of colonization. One which slowly and insidiously stripped them of their lands, their cultures, and eventually, their aboriginal hunting and fishing rights.

⁹This is not to say there wasn't violent conflict. The military had, for example, taken up the tactic of bombing entire Native villages when residents refused to surrender men who were accused of murdering White settlers. In each case, however (Angoon in 1882, Wrangell in 1869, and Kake in 1869) the killing of White settlers was noted by Native people as retaliation for the unaddressed murder of one of their own Tlingit community members (see Kiffer 2007).

For 17 years after the Treaty of Cession, Alaska remained an essentially lawless district.¹⁰ Settlement during this period was slow, primarily because those who came for fishing and mining industries could not yet legally own—thus settle—the land. This was not, however, due to mere oversight of the faraway “frontier.” Rather, numerous scholars note the degree to which resource extraction industries played a dominant role in Alaska’s development—or lack thereof— as a district and territory (e.g., Borneman 2003; Eitemen and Smuts 1951; Gruening 1955; Mitchell 1997). Quite often, those members of Congress who were pressed by settlers to establish some form of law in Alaska (at least with regards to land ownership), were also the very same businessmen who benefitted from extraction practices unbound by law or regulation (Borneman 2003). Eventually, under pressure from settlers “and the prodding of several presidents” (Gruening 1955, 350), Congress finally passed the Organic Act in 1884 to establish a territorial government, and to extend federal mining law, previously established in the contiguous U.S., to the newly acquired territory. As far as the settler population was concerned, the Act did very little in the way of establishing any meaningful governance structure. For, while it provided “a governor, a federal district judge, four lower court judges, ...and appropriated \$25,000 for education,” the Act also “forbade the establishment of a legislature, the creation of counties and the application of land laws” (Gruening 1955, 351). Further, lack of a proper tax structure meant that there could be no legal juries, and thus no way of meting out justice in accordance with American legal procedures. Even the territorial Governor “was given no powers, no funds and no means of transportation to travel over the vast domain he was charged with administering” (Gruening 1955, 351). As such, while it appeared on paper that a legal framework was being established in Alaska, on the ground it was toothless because of paltry

¹⁰ however, see Coates, 1987 for a discussion of congressional intervention in territorial development

funding allotted to develop a regulatory infrastructure.

Fighting Settler Expansion

Native land claims were then becoming an increasing concern for Native people. Section 8 of the Organic Act stated that “the Indians or other persons in...[Alaska] shall not be disturbed in possession of any lands actually in their use or occupation or now claimed by them, but the terms under which such persons may acquire title to such lands is reserved for future legislation by Congress.”¹¹ The Organic Act thus established the unofficial template with regards to Native land claims in Alaska: it began a pattern of non-settlement that would continue through numerous legislative Acts for nearly the next one hundred years; it provided some language by which Native people could stake a claim to “lands actually in their use or occupation or now claimed by them”;¹² and, as noted by Burch (1979), it made it so that Native claims would not be settled by the court, but by legislative action.¹³

It was not until several years after the Organic Act was passed that there were more significant spikes in the settler population. Salmon fishing began to expand alongside growing interests in timber and mining. Pressure from settlers began to increase because they still had no means of legally acquiring land for themselves. In 1891, Congress finally allowed U.S. citizens to establish townsites and businesses, and also to apply to purchase 160-acre lots. Later, in 1898 President McKinley extended some U.S. Homesteading law into the region. These pieces of

¹¹ The Organic Act, 23 Stat. 24

¹² The Organic Act, 23 Stat 24

¹³ Contemporaneously, Congress passed the Dawes General Allotment Act in 1887, which put assimilation into federal policy. This Act sought to dissolve reservation lands—and thus Native American sovereignty—by breaking them up and parceling them out into individual allotments. Anything “leftover” would be open to private, non-Native ownership. Although not inclusive of Alaska Native peoples, the Dawes Act belied the overall sentiments at the time regarding Native Americans: they were no longer to be treated as wards of the state or separate nations with which to treat, but rather were to be brought into the fold of American society to open up more land for development.

legislation helped facilitate the movement of more timber, fishing, and mining companies into Alaska which in turn promoted the growth of towns around these resource areas. Although a boon for those settlers and industries wishing to establish a foothold in Alaska, many of the resource rich areas were directly on or near Native villages, including their traditional hunting and fishing grounds.

By the end of the 19th century, Alaska Native people had already been trading with and working for Russian, and later American, settlers for well over 100 years. Along the coast, most had begun to move closer to White settlements and away from villages to trade their goods and labor (Hixson 2013; Huhndorf and Huhndorf 2011; Mitchell 1997). As mentioned previously, the Organic Act did come with the stipulation that rights could not be granted to lands currently inhabited by Native peoples (Banner 2007). This meant that technically Alaskan Natives could not be removed from any land they currently inhabited. However, the Act did not address rights to land not currently in use, nor did they address the issue of prior ownership of lands now occupied by settlers. The 1890s legislation that allowed for the establishment of townsites and homesteads brought settlers directly to areas belonging to Native Tribes. Because seasonal migration for jobs meant Native people had to leave their village sites temporarily unoccupied, settlers and resource extraction outfits would simply burn down the villages in their absence and move in.¹⁴ Tribal representatives were explicit that they had not abandoned their villages but were left with no legal recourse for reclaiming lands stolen in their absence.

Settler encroachment further exacerbated land claim issues when gold was discovered in 1896 in the Canadian Yukon. Beginning in 1897, the Klondike gold rush brought an estimated 200,000 people through southeast Alaska on their way to the Yukon in search of riches

¹⁴ This happened as late as 1962 to the Tlingit village on Douglas Island near Juneau. See the [Douglas Indian Association](#) website for further details.

(Huhndorf and Huhndorf 2011; Hixson 2013). Although the dreams of striking it rich happened for only a few, many decided to stay, finding work in timber or fishing, and effectively pushing already marginalized Native people out of these jobs (Hixson 2013, Mitchell 1997). In 1898, frustrated by their ever-increasing loss of land, food resources, and access to jobs, a group of Tlingit Chiefs met with then Governor John Brady in Juneau. Transcripts of the meeting make plain their grievances in pleas for remuneration or assistance in staving off continued settler intrusions on Tlingit land.¹⁵ Persistent encroachment on traditional hunting, fishing, or gathering grounds, coupled with severe environmental impact from extraction practices meant that many Native Alaskans could no longer return to their traditional means of survival.

Along the southeast coast, the salmon industry was responsible for some of the more devastating damage to Alaska Native subsistence. In 1878, two salmon canneries opened in southeast Alaska. By the beginning of the next century, 48 canneries and 39 salteries were in business (Andrews 1918). The efficiency of the traps used to capture salmon directly at the stream mouth began to devastate salmon populations within just a few years. As early as 1889, concerns about overfishing had reached the capital and Congress passed the Alaska Fisheries Act which banned the obstruction of salmon streams. However, very little effort was put towards enforcing this legislation: only one officer and three assistants were assigned to patrol all fishing areas of Alaska. According to Borneman (2003) the officers were reliant on transportation to the fishing grounds by the very cannery operators they were meant to be policing. Further, while this Act was meant to control industrial fishing methods, it also meant that Native subsistence fishing methods were outlawed.¹⁶ Native people complained vigorously to local authorities regarding the

¹⁵ See Hinckley (1970) for a complete—albeit problematically footnoted—transcript of the meeting.

¹⁶ While Alaska Native people had been using fish traps and weirs for millennia, archaeological and ethnographic evidence of traditional fishing methods show that weirs placed directly in the mouth of streams were always to allow for considerable escapement. Further, stone fish traps—large circular holding ponds near the stream mouth which trapped

depletion of salmon stocks, especially those considered vital for village survival (Banner 2007). These complaints, however, were almost never addressed.

As previously noted, despite Congressional recognition of Alaskan Native rights to stay on inhabited lands, in practice, nascent industries along with the settlers that followed them often ignored these policies. The Organic Act which had allowed for staking mining claims had provided a loophole for acquiring lands already occupied by Native people. Missionary Charles Replogle (1904, 30) noted that

it sometimes happened that a mining claim would be located for no other purpose than to hold the surface rights on which to build a town. If the Indians occupied the land, their rights were ignored and the company would claim all the rights to the surface grounds; have a patent issued, declaring the ground unoccupied, and then maliciously force the Indians to pay rent or tear down their cabins and move elsewhere.

Indeed, mining lawyer Thomas Shephard (1909) noted that when it came to tracts of land deemed desirable by white settlers, one would find unusually large claims covering whole areas that any trained eye would recognize as not being suitable for mining. Thus, although in policy lands owned or occupied by Native people were supposed to remain undisturbed, Banner (2007) notes that on the ground, Alaska was treated like *terra nullius*. Loss of land, no access to land title, and the extreme effects of commercial fishing, hunting, trapping, timber and mineral extraction brought backlash from Native people who had never been consulted on, let alone did they authorize, the sale of their land. At every turn they were being pushed out of their very means of survival.

The Interior Department, which was tasked with overseeing and approving settler claims, generally supported Native land occupancy. However, Alaskan territorial officials did little to

salmon as the tide receded—were always positioned adjacent to, rather than directly in front of, the mouth of salmon streams. Such methods were sufficient for provisioning surrounding villages, while allowing enough escapement to keep the salmon returning in healthy numbers each year.

hinder encroachment on Native lands. This is because Alaskan officials were predominantly in support of industry expansion, viewing “the new commercial land uses as unambiguous progress over traditional [N]ative uses” (Banner 2007, 310). Indeed, Governor Sheakly, in communication with the Bald Eagle Mining Company, noted that Native people “can not nor must not stand in the way of the development of the country, as no one is more benefited by such development than himself” (qtd. in Banner 2007, 310).

Although the treaties afforded to “official” American Indians were primarily tools of conquest, they offered at least some legal protection to Native groups pressing for land and sovereignty (Case and Voluck 2012). Alaskan Native people, however, signed no treaties with the United States government. Thus, they had no legal claim with which to press for land, sovereignty, and aboriginal hunting and fishing rights. Although reserve lands had been recognized by Congress through the Organic Act in 1884, these were not technically reservations, and did not constitute actual ownership of land or any form of sovereign jurisdiction over it.

In 1906, Congress passed the Alaska Native Allotment Act (ANAA) which was designed to give individual Natives plots of land. Reminiscent of the Dawes Act, the ANAA attempted to ameliorate land claims issues (through assimilatory methods) by dissolving collective tribal action and land claims. Metcalfe (2014, 4) notes however that “the processes [was] so onerous and the bureaucracy so disinterested that...most Natives knew nothing about the program—and those who did found many obstacles to submitting allotment claims.” Further, it is speculated that because individual allotments did not mesh with traditional conceptualizations of property rights—which were communally based¹⁷—the ANAA failed to spark interest with a majority of

¹⁷ There is a considerable body of work within North American anthropology that discusses the incommensurability of Western and non-Western conceptualizations of property. McClellan et al. (1987) for example note how Yukon First

Native people (Hixson 2013; Metcalfe 2014).

The ever-increasing rate of Native people being pushed out of their lands, jobs, and means of subsistence, all happened in a climate of Jim Crow-like segregation and blatant discrimination that became increasingly common throughout the state (Cole 1992; Metcalfe 2014). It was, for example, common to see business signs stating “No Dogs or Indians Allowed,” and most Native children were still not allowed in public schools. In 1915, several Athabascan chiefs in the interior began to assert aboriginal title to protect traditional hunting and fishing lands against settler claims and in an attempt at preventing a new railroad project from crossing their territory (Huhndorf and Huhndorf 2011, Hull and Leask 2000). Around this time, tribes in Southeast Alaska banded together to form the Alaska Native Brotherhood (ANB). The ANB was the first Native coalition in Alaska,¹⁸ made up of “well-educated” Tlingit, Haida, and Ts’msyen men—and later women, who formed the Alaska Native Sisterhood— from southeast Alaska. Most ANB members had been educated at the Sitka Training School (AKA Sheldon Jackson), one of the foremost assimilation-style missionary schools in the region. Although many have criticized ANB for supporting assimilationist agendas (e.g. Cole 1992; Philp 1981), others have noted that members of ANB and ANS were interested in social equality and adhered to assimilationism only in so far as it supported efforts towards equality (Metcalf 2014).¹⁹ Indeed,

Nations people have until very recently considered themselves *part* of the land. Land use practices thus were dictated not by one person or group’s ownership of it, but instead through a complex web of relations based on kinship, and processes of reciprocity and obligation to the land, plants, and animals. Nadasdy (1999, 2002) notes that this complex system of land ownership, because it is conceptualized as “beliefs, values, and practices” that must be translated into a Western legal framework, often ends up being unsuccessful in properly configuring ownership outside of Western notions of property. See also Basso 1996; Biolsi 2005; Searles 2010; Verran 1998

¹⁸ ANB also purports to be one of the first pan-Indigenous organizations in the world.

¹⁹ In fact, ANB and ANS was instrumental in the passage of the Alaska Anti-Discrimination Act which was the first piece of legislation of its kind amongst U.S. territories and states. The Act—although supported by then Governor Gruening—would not have passed had it not been for decades of organized efforts by the ANB and ANS (Williams 2009b). A first attempt at passing the bill failed in 1943. However, because of the efforts of two Native women, Elizabeth Peratrovich (Tlingit) and Alberta Schenck (Inupiat), the bill garnered enough support to pass in 1945: “Eleven years before Rosa Parks refused to give up her seat on a bus in Montgomery, Alabama... Alberta Schenck... was arrested in Nome in 1944 for daring to sit in the 'white only' section of the local theater” (Cole 1992: 430).

many were noted for their continued practice of traditional Native values and to use their closed-door meetings as an opportunity to speak Tlingit (Metcalf 2014). Despite its myriad criticisms, ANB was crucial to slowing the encroachment of settlers on Native lands through the development of strong ties to sympathetic politicians around the state, and through mobilizing several legal actions against state, federal, and industry groups.

Fighting Industry Control

While Native Alaskans were banding together to protect their land, the settlers themselves were fighting for their own enfranchisement. As mentioned earlier, it wasn't until 1884, nearly twenty years after the purchase of Alaska, that some meager semblance of government was installed in Alaska. It was then another fifteen years before any serious legislation for Alaska began, and even then, was carried out by men in Washington D.C. who knew little about the state. Further, the few rules established to prevent overexploitation of resources often proved unenforceable because of inadequate infrastructure. For example, Andrews (1918) notes that although legislation meant to regulate the salmon industry began in the 1880s, the rules were often openly flouted simply because of inadequate policing. It wasn't until 1912 that Congress signed the new Organic Act, transforming Alaska from a district to a territory. The Act, however, was still far more restrictive than other territories especially with regards to settler land rights because it "denied...[settlers] control of basic natural resources, the fisheries and wildlife; forbade their enacting basic land laws, [and] establishing their own judiciary" (Gruening 1955, 352; see also Andrews 1918) instead keeping the control of these resources in the hands of the federal government.

The delays in territorialization, the insufficiencies of the Organic Act, and the establishment of unenforceable industry regulations was not, however, solely a matter of

oversight or ignorance on the part of the federal government. Rather, as Gruening (1955) and others (Haycox 2002) have noted, this was the direct result of efforts by outside industry interests who benefited from practicing resource extraction in a predominantly lawless region. The salmon fishing industry, for example, was based primarily out of Seattle and had garnered a significant amount of political power in Alaska. Haycox (1990, 36) notes that “[salmon] industry investors had worked with Washington legislators for years to guarantee stability in the Alaska economy, a stability that benefitted Seattle shippers and merchants as well.” The hand of the salmon industry was far reaching, indeed, as any Acts in support of resource extraction or land claims, would immediately lose Congressional support if not first agreed to by the salmon industry (Haycox 1990).

The Push for Citizenship and Native Land Claims

While Alaskan settlers were using the territorial designation to formulate a legislative body, Alaskan Natives—with the help of the ANB— were lobbying for citizenship. Although Alaskan Natives were granted U.S. citizenship under the Indian Citizenship Act in 1924, it was not until 1931 that the federal government finally and officially recognized Alaskan Natives as American Indian populations (Huhndorf and Huhndorf 2011), placing them under the authority of the Bureau of Indian Affairs and bringing federal Indian policy to Alaska. In 1934, mostly due to the failure of the Dawes Act either to promote assimilation or alleviate the poor living conditions of Native American people, President Roosevelt signed the Indian Reorganization Act (IRA), and subsequently the Alaska Reorganization Act (ARA) in 1936. Influenced by the growing acceptance of cultural pluralism, the IRA “encouraged the use of reservations as homelands where tribes could engage in self-government and cooperative economic activity” (Philp 1981, 309). Alaskan Natives had no reservation lands on which to organize or express

self-governance however, so the ARA allowed for the establishment of self-governing villages, and for Alaska Native groups to borrow money from the federal government to combat the effects of the Great Depression (Haycox 1990; Philp 1981). Further, this act was used by the Department of the Interior to establish five reserve villages, and to hold hearings to determine fishing and land rights for Natives living in Southeast Alaska (Philp 1981).

The ARA was not without opposition, however. Secretary of the Interior Harold Ickes and Indian Commissioner John Collier worked hard for the establishment of reservations under the Alaska New Deal and as a means of securing lands for Alaska Natives. However, not only was the act “poorly administered and inadequately funded by Congress” (Philp 1981, 310)—something that had become a pattern in the legislation of Alaska—but the establishment of reserve lands met with immediate opposition by white settlers, industry lobbyists, and the Alaska Native Brotherhood (ANB). After the Indian Citizenship Act, the ANB began to focus on improving the overall conditions of Native Alaskans through promoting assimilation, supporting the expansion of rural education, and by lobbying for anti-discrimination laws (Metcalf 2014). Local ANB leaders opposed the establishment of reservations for fear that it would promote segregation and hinder their efforts at modernizing Native people, ultimately stymieing the achievement of social and economic equality. Further, most reservations in the U.S. at the time were terribly underfunded, with subpar health and education infrastructures, and extremely high rates of poverty, making them undesirable models for the settlement of Alaskan Native land claims. Instead, most Native people supported the ANB’s stance on reservations, choosing instead to wait for a more favorable land claims settlement (Haycox 1990).

For Ickes and Collier, however, the ARA was an opportunity for Alaska Native people to protect their lands, especially hunting and fishing grounds. Ickes and then well-known lawyer

Felix Cohen put considerable effort into convincing Tlingit and Haida people in Southeast Alaska to file for reservation status to be applied to their territories through the ARA. By 1944, 56% of the fish traps authorized for use in Southeast were owned by half a dozen major fish processing outfits located outside of Alaska, making it nearly impossible for smaller, Native owned canneries to turn a profit (Philp 1981). Ickes and Cohen convinced Native people in Southeast that establishing reservations would transition much of these sites back to Native ownership.

Native efforts to establish reservations met with immediate opposition from the salmon industry. Lawyers representing fish processing companies, and the newly established community Chambers of Commerce in both Juneau and Ketchikan gave strong testimony, using alarmist rhetorical strategies to argue why Native people should not be granted reservation lands: businesses would lose their investments, the public's ability to navigate waterways would be threatened, towns would lose tax incomes, and settlers would lose their lands “acquired in good faith under the Alaska Homestead Act” (Philp 1981, 323-324). Settlers further argued that reservations would only serve to promote segregation, turning back the clock on the “progress” that had been made between Native and non-Natives despite the fact that segregation was already a problem throughout the state (see, e.g. Cole 1992).

Not only was testimony of settlers tactically effective, but Native testimony about traditional areas was also painted as inconsistent and unreliable. It was repeatedly argued that Native people had abandoned the villages and fishing sites now in use by settlers and the salmon industry thus could no longer claim them as their own. It should be pointed out that the abandonment teleology has been – and continues to be – one of the most commonly used arguments to dispossess Indigenous people of their lands and Tribal status. Colonization and

assimilation expressly worked for centuries to disconnect Native people from their lands and cultures. When legislation arises that would allow Native people to regain land or Tribal status, they must prove that they've managed to maintain use of lands that were taken from them or are still operating as Tribes despite all efforts by the state to disband them.

In hindsight, Philp (1981) argues that the expansion of the IRA and ARA into Alaska was a mistake because it stoked animosity between Native and non-Native Alaskans, while simultaneously delaying the resolution of aboriginal land title issues that would have eventually secured “social justice” for Alaskan Native people. Ultimately, the ARA and its proponents failed to establish any lasting land rights and left open the perpetual question around sovereignty and access to traditional hunting, fishing, and gathering grounds.

World War II and the Timber Boom: The Path to Statehood

Meanwhile, although the fishing, mining, and timber industries maintained a steady influx of settlers in the early decades of the twentieth century, World War II brought yet another settler boom. President Roosevelt and Canadian Prime Minister King determined that a chain of landing fields and military bases with a road system connecting them to the contiguous U.S., were needed to defend the pacific Northwest from the Japanese (Borneman 2003). In a short span of time, the population of Alaska ballooned with the influx of over 100,000 military personnel, causing a major decline in game animal populations from overhunting (Boreman 2003). Spurred on by the Japanese attack on Pearl Harbor, numerous military bases were built around Alaska along with over 1500 miles of road, some of which was on Native lands. Especially along the Aleutian Chain, entire Native villages were forcibly evacuated—and often without prior notice—after being deemed “vulnerable to attack” (Borneman 2003). These villages were immediately burned. Their Unangax occupants were shuffled aboard ships tasked

with relocating them to camps in Southeast Alaska. These “camps” were actually abandoned canneries or mining outfits often completely isolated them from any functioning communities. They were so far removed both geographically and culturally from their home territories, removal made new Unangax occupants essentially refugees in a foreign land (Borneman 2003).

Shortly after the influx of military installments, and partly because of a nationwide shortage of newsprint paper, eyes turned to timber as the next potential boom in Alaska. In 1947 Congress passed the Tongass Timber Act that allowed for logging in the Tongass National Forest established by the federal government at the beginning of the twentieth century. The U.S. Forest Service, and timber and fishing lobbyists pushed hard for access to the valuable trees (Haycox 1990). The debates leading to the final passage of the Tongass Timber Act are complex (see Haycox 1990 for further elaboration). However, in essence the Act would ultimately authorize timber lease sales in the sixteen-million-acre forest. The capacity to extract the trees depended (somewhat) upon the determination of the land claims suit then in litigation between fourteen Tlingit and Haida villages and the federal government. The government established the Tongass National Forest without compensation or land allotments to the fourteen Tlingit and Haida villages existing within its boundaries (Haycox 1990; Metcalfe 2014). As far as the U.S. Forest Service was concerned, all land designated as National Forest was under its jurisdiction. This enabled the Forest Service to fully support the development of the timber industry, “claiming ownership of the forest trees and all forest resources, regardless of any land rights” (Haycox 1990, 27). This put Native groups in opposition with the Department of the Interior, which was (uncharacteristically) in support of safeguarding Native lands and the satisfactory settling of Native land claims.

While there was considerable debate regarding how and to what extent the claims should

be settled, the lynchpin for the Act came when salmon industry lobbyists expressed their support of timber extraction (Haycox 1990). Initial drafts proposing a settlement that would allocate ten percent of timber sales to the Tlingit and Haida—and thus officially recognize villages and surrounding subsistence grounds as belonging to Native people—was immediately opposed by the salmon industry who decried that it would jeopardize the regions where cannery salmon traps were in place. Due primarily to the forces of industry, which saw any land claims settlement as detrimental to economic development, the bill passed Congress authorizing the sale of timber on any “‘vacant unappropriated, and unattended land’ within the forest, and all receipts from such sales would be put in escrow, ‘maintained in a special account in the Treasury,’ pending final determination of the extent of Indian claims. In the meantime, nothing would be construed ‘as recognizing or denying’ the validity of such claims” (Haycox 1990, 37). The Tongass Timber Act did not go so far as to officially deny that the Tongass belonged to the Tlingit and Haida people residing there. However, it did utilize what at this point had become an established pattern of non-settlement regarding Native land claims. As logging began in the Tongass, debates over aboriginal title and access to traditional hunting and fishing grounds continued, with both the ANB (which became an official organization during this period and is still in operation today) and Tlingit and Haida as the primary Native organized groups spearheading debates. Although Tlingit and Haida would finally win the suit in the U.S. Court of Claims in 1949, they were awarded only \$7.5 million dollars (which they did not receive until 1965) for the taking of the forest resources; the issue of Native land title to village sites, however, remained unsettled, as both the federal and territorial governments considered Native land claims to be in direct opposition to development.

While these resource struggles were taking place, the Alaskan territorial government was

lobbying strongly for statehood, and was eager to begin land selections for economic development. Although a push for statehood had been - to varying degrees - ongoing for years, the non-settlement of land claims coupled with resistance from various industry lobbyists had successfully stalled statehood. Indeed, from the perspective of non-Native Alaskans, one of the primary pushes for statehood was a desired increase in rights, and the shaking off of what many Alaskans considered the U.S. federal government's colonial hold on the state that marginalized both the citizenry and the economy (Schwaiger 2005). The Alaska Statehood Act was finally signed into law in 1958 with the inclusion of Native groups' hard fought disclaimer clause: under Section 4 of the Act "future citizens of Alaska disavowed 'all right and title...to any lands or other property (including fishing rights), the right or title to which may be held by any Indians, Eskimos, or Aleuts (hereinafter called natives)...or is held by the U.S. in trust for said natives.'" (qtd. in Metcalfe 2014, 83). This allowed Alaska to push forward with statehood, appeasing territorial interests, while not fully denying claims to aboriginal title - a move that would have incensed lobbyists for Native rights that had begun to garner national attention.

Despite disclaimers that land selections would be put on hold until Native land claims had been resolved, officials of the newly formed state immediately began to proceed with oil lease sales and land selections. Some land selections included entire Native villages (Huhndorf and Huhndorf 2011; Metcalf 2014). Moreover, several massive federal government proposals emerged,²⁰ which directly threatened large swaths of traditional subsistence territories. Native people around the state began to organize regional cooperative associations to protest the land

²⁰ The first was Project Chariot (ca.1959-62) proposed by the U. S. Atomic Energy Commission which potentially threatened large tracts of land inhabited by Native people in northwest Alaska; the second was the "Duck Crisis" in 1961, when Fish and Wildlife officials decided for the first time to start enforcing the Migratory Waterfowl Treaty, severely limiting Native hunter's capacity to hunt ducks; and the third was the Rampart Dam Project proposed by the U. S. Army Corps of Engineers that would have flooded seven Athapaskan villages and several million acres of prime subsistence hunting territory (Burch 1979).

selections. In the far north, a group of Native people from Barrow formed the North Slope Native Association to protest state land selections within their territory by asserting aboriginal title to 60 million acres north of the Brooks Range (Metcalf 2014). Native organizations and protests began to make potential investors in developing Alaska's natural resources wary, causing them to not initiate operations until land claims issues were resolved (Haycox 2010). In 1966, and in response to Native protests over the state's massive land grabs, Secretary of the Interior, Udall, suspended oil leases in the North Slope and implemented a statewide freeze on land selections.

Less than a year later, however, oil was discovered in Prudhoe Bay. Considered then to be the largest oil reserve ever discovered (see Alexander and Van Cleave 1983), the identification of this massive reserve would forever change the shape of both the Alaskan state and Native land claims herein. Because of the location of the reserve, oil extraction would require building a nearly 800-mile-long pipeline to Valdez for transportation to refineries, running through numerous territories currently claimed by Alaska Natives. Prudhoe Bay oil thus provided the necessary catalyst for the absolution of Native land claims issues. These events led to the signing of the Alaska Native Claims Settlement Act (ANCSA) in 1971, which wholly restructured Alaska Native peoples' relationships to land, resources, state and federal governments, and each other.

Not only did Alaska Natives find themselves up against the behemoths of industry, but often too did the White settlers themselves. For those concerned with owning property and creating communities with all the infrastructure that entails, it took nearly a century of lobbying in order to achieve statehood. Thus, while Native people were experiencing the exterminating and usurping powers of settler colonialism, the White settlers were experiencing internal colonialism as the federal government kept them on the periphery of citizenship, in order to keep

the land “free” and unregulated for industry exploitation.

Chapter 2: Making the Settler State: Assimilation Projects and the Legal Rendering of “Universal” Subsistence

It was my first interview with a non-Native NGO involved with fisheries in southeast Alaska, and I was nervous. I had acquired the director’s name from another interlocutor and simply cold-called for an appointment. During our initial phone conversation, he was to-the-point, asking questions about who I was and my affiliation before agreeing to the interview. The office where the interview took place was in a small, single-story building a few miles out of town. As I didn’t have a car or the budget for a taxi, I brusquely walked the two miles out to the office, arriving just a few minutes before the scheduled appointment time. A bit red-faced and shimmering with sweat, I was told by a friendly woman at the front desk to wait in the reception area and that the director would be with me shortly. From the couch I could see through a window directly into his office. I had never met the man before but knew it was him speaking on the phone from behind his desk as I had seen his face on the organization website. After a few minutes he hung up the phone, walked out of his office, and told me he was ready for the interview. He was tall, thin, and pale, with piercing blue eyes that belied sharpness, intelligence, and a noticeable amount of wariness. I’m always slightly nervous when I first meet a potential interlocutor for an interview, and in light of his somewhat abrupt nature on our previous phone conversation, this occasion was no different. Since most of the people I was interviewing in this town were unfamiliar to me, I had taken to the tactic of telling people (alongside my academic affiliation) that I was originally from Metlakatla, Alaska. This implicitly achieved two objectives: It informed potential interlocutors that while I was an anthropologist, I was not of the un-informed, un-Alaskan types that, I had been told, often showed up looking for answers to questions that are irrelevant to the people they question; and, it also informed my interlocutors of my particular subject position—a Ts’msyen woman raised on a reservation who will bring to the conversation some personal knowledge of the topic. It did not take long for me to notice that with my Native interlocutors, this tactic greatly facilitated the building of relationships and opened doors for me that would have otherwise remained shut. In some cases, however, it armed the individual with a preconceived idea of who I might be and what I might be looking for. That is, an opportunity to challenge non-Native people’s right to practice subsistence. It became clear to me as soon as we began to speak that the disclosure of my subject position had, in this instance, put the interlocutor on the defense. When I asked him if I could record the interview, he was silent, eyeing me with some suspicion to which I immediately responded with the assurance that I was not a journalist, this was not an expose’, and that his anonymity would be ensured. Once he agreed and I had turned on the recorder—and before I could ask a single question—his first statement was “I have a freezer full of salmon and venison. I’ve been involved in hunting and fishing since I moved to Alaska thirty years ago, and it is how I feed my family.” This simple statement had a powerful effect. It was a proclamation. An oft employed and effective tactic of equivocation in which he was making sure I understood that his claim to subsistence resources was equal to

mine and everyone else that resides in Alaska.

Introduction

The above vignette demonstrates a particular mode of conflation that often accompanies discussions surrounding subsistence foods in Alaska. That is, they are viewed not only as a resource, but a resource made available to *every person* that is a legal resident of the state. Under the law, it does not matter if you have lived there for two years or for fifty, nor does it matter if you are a member of one of the over two hundred Native Tribes who have lived in Alaska for millennia.²¹ All that is required to obtain equal access to subsistence foods is becoming a resident of the state wherein you are granted the state constitutional right to hunt, fish, or gather subsistence foods on state land for the purpose of feeding yourself and your family.

It is, of course, never that simple. Subsistence can only be practiced in specific areas, and is regulated differently depending upon whether you are on state or federal land.²² Both state and federal management, however, are underscored by—and thus represent—certain simple yet powerful ideologies: the assumed right of authority to regulate Native people’s access to these foods, and the conflation of difference inherent to the liberal democratic ideal of multiculturalism.

As a resource valued by both Native and non-Native populations, subsistence food represents a nexus of competing ideologies.²³ For Alaskan Natives subsistence foods are

²¹ I use the term “tribes” instead of “nations” within the context of Alaska because while there are over 200 federally recognized tribes in Alaska, they do not have reservations or collectively owned trust lands (the Metlakatla Indian Community is the one exception). All land allotted to Alaskan Natives through ANCSA was dispersed between the 13 regional corporations created through the Act. The land is thus managed by the tribal corporations, rather than by tribal councils as is normally the case on federal reservations.

²² About 60% (222 million acres) of Alaskan land is owned by the federal government.

²³ Some foods are more representative of this than others. Salmon, for example, is a highly contested, and thus heavily regulated, resource because not only is it a significant source of subsistence foods, but there is also a large commercial and sport fishing industry that competes for access. Other foods, such as seaweeds, berries, or clams, technically fall

grounded in concepts of family, community, well-being, health, and sharing. However, within the regulatory framework of the Alaskan state, subsistence is an individual right, the practice of which indexes a particular Alaskan identity associated with fortitude, perseverance, self-determination, and the capacity to provide for oneself and one's family.²⁴ It is, essentially, a logic deeply rooted in the founding and formative mythology of Alaska as "the last frontier," and one that is fundamentally connected to Whiteness and settler colonial expressions of sovereignty, recognition politics, and geopolitics.

In summation, up until the 1970s, Alaska Native people had found themselves continually fighting both industry and settler expansion into their home territories, including valuable (often to all concerned parties) hunting, fishing, and food gathering areas. In fact, and especially prior to World War II, when industry and settler interests were primarily confined to the southern coast of the state, it is often noted that most Native people only joined the land-claims fights because of concern over maintaining access to traditional hunting, fishing, and gathering areas (Metcalf 2014). Further, the federal government, far removed from the realities of Alaska life, often made decisions based upon previous federal Indian policy (which never really applied to Alaska Natives), or according to the interests of timber, fishing, mining, or other resource extraction industry interests which worked directly against Native land claims settlements. However, in most cases, they made no decisions at all, instead opting to push settlement off to some unspecified future date. That date finally came with the signing of the Alaska Native Claims Settlement Act (hereafter, ANCSA).

This chapter thus focuses on settler state-making in the aftermath of the Russian and initial U.S. colonial encounter. It specifically analyzes ANCSA, signed by President Nixon in

under the category of subsistence but are rarely monitored, most likely because they have no commercial value.

²⁴ This topic will be discussed at greater length in chapter 4.

1971. ANCSA is significant for several reasons: it is the first piece of Native land claims legislation of its kind, establishing regional and village-based Tribal *corporations* rather than reservations; and, it was, at its core, a massive push for assimilation seeking to once and for all propel Alaska Native people into the folds of modern corporate capitalism. ANCSA was also designed so that Native corporations would have little choice but to extract the natural resources on their lands in order to remain solvent. Because it dissolved the aboriginal hunting and fishing rights so fundamental to Native land claims issues, ANCSA was the impetus for almost three decades of court battles and legislative actions around the subsistence issue.

ANCSA, signed just over a decade after Alaska officially became a state in 1959, thus marks the legal and policy shift away from imperial colonialism and into the patterns and attributes of settler colonialism. A primary difference between these two colonial formations is that in the former, an imperial metropole sets up a colony of citizens in a region from which it wishes to extract resources, while in the latter, the land itself is the resource desired, often as a means of disconnecting from an imperial metropole (Veracini 2010; Wolf 1999), or—as in the case of Alaska—as a means of expanding a burgeoning empire. Settler colonialism draws on very specific legal and policy strategies as primary tools of statecraft: the expression and restriction of sovereignty, the politics of recognition and multiculturalism, and articulations of geopolitics.

In this chapter, I first detail why and how Alaska is a settler state, which much of the literature outside of Native Studies does not recognize. I then turn to a longer discussion of ANCSA in order to detail historical and conceptual state formation wherein, through the development of the “subsistence” use category, the meanings of “Native” and “settler” became embedded in a fictional equality which made—and continues to make—settler colonialism possible. The discursive complexities have been foundational to the state’s ongoing Native

assimilation projects, facilitated in large part through the restructuring of traditional food practices into the regulatory framework of “subsistence.”

Settler Colonialism in Alaska

Settler colonial state-making processes inherently require assimilation. One of the primary facilitators of assimilation in Alaska is the regulation and management of traditional foods. Because existing scholarship rarely makes the connection between Alaskan settler colonialism and historic and contemporary forms of assimilation, it is important to situate my arguments within the existing literature. As such, this section will focus on how settler colonialism is understood more generally, and how it is—or more often is not—discussed within Alaska.

Unlike imperial colonialism, settler colonialism has vastly different systemic relationships between settlers and Indigenous populations. Within imperial colonialism, the metropole maintains its position of political and economic power, only building infrastructure and inserting what force is necessary to control access to a desired resource. As Horvath (1972) points out, imperialism exerts control but without the establishment of permanent settlements separate from the metropole. In contrast, “settlers” are migrants who eventually achieved domination of their new home and as such are a requisite phenomenon of colonialism.

Power is maintained in imperial colonialism, as Wolfe (1999) notes, by creating a hierarchical system of relations between the colonizers and the indigenes wherein the Indigenous population is subjugated but indispensable as a source of labor. Settler colonialism, however, is grounded in the construction of a very different form of social relation. Because the goal of the settler colony is to acquire land for settlement it is “at base a winner-take-all project” (Wolfe 1999, 163). That is, the legitimacy of the newly formed nation can only be established through

elimination of the indigenous population and their already existing nations. This process of elimination requires more than the physical removal or death of the indigene; it requires ideological, legal, economic, political, and cultural structuring that legitimizes settler claims to space through the delegitimization of Indigenous claims. This, Wolfe (1999, 163) notes, is what makes settler colonialism “a structure, not an event.” Recognizing settler colonialism as the structural foundation upon which the settler nation is built means that in order to understand its articulations, we must look at the myriad points of tension that manifest within relationships between the settler state and Indigenous peoples.

Within Alaska, although “colonization” as a concept is threaded throughout the literatures pertaining to studies in Alaskan history and culture, it is rarely analyzed or qualified. Instead, it is most often employed as a general term to connect contemporary manifestations of Native disenfranchisement and struggles to historic colonial events. Further, despite the growing recognition of settler colonialism as a form distinct from imperial or other forms of colonialism, there is a dearth of literature within Alaska that connects settler colonial logics to Alaska Native and state relations (except, see Kersch 2021; Voinot-Baron 2020). What little research there is tends to fall within postcolonial, neocolonial, or internal colonial frameworks.

One of the larger bodies of work that discuss, or at least allude to, colonialism is in relation to the Alaska Native Claims Settlement Act (ANCSA).²⁵ Most often, however, scholarly works discuss ANCSA through a brief synopsis of the Act in order to contextualize its role in facilitating resource extraction. Dombrowski (2001, 2002, 2014), for example, focuses on the politics of “indigenism,” claiming that the growing currency of Indigenous identity is tied to both the corporatization of Indigenous groups through ANCSA and to the workings of industrial

²⁵The particularities of ANCSA will be discussed in detail later in this chapter.

capitalism. This “growing currency” allows timber companies to circumvent environmental laws by supporting timber extraction on Native lands. In this way colonialism works through Native corporate sponsored resource extraction on Native land, while simultaneously conscripting Native people for labor. Thornburg and Roberts (2012) show how ANCSA is more about facilitating resource extraction through exploitation than it is about fostering good relations between Native people and the state.

A majority of scholarly works, however, focus on the economic relationship between rural and urban Alaska within the framework of internal colonialism. Dryzek and Young (1985) analyze rural northern Alaska's peripheral relationship to the economic "cores" of urban centers like Anchorage and Fairbanks. In this model, the urban core exploits the rural periphery for resources and labor, thus benefiting by keeping these regions economically depressed. In this way “the periphery becomes, for all practical purposes, an exploited colony [where] [a]cculturation ...lead[s] to increased dependence, self-deprecation, and the self-fulfilling low expectations” (Dryzek and Young 1985, 125).

Ritter (1979) also employs the ‘internal colonialism’ model for rural and urban Alaska, but as a means of understanding “ethnic solidarity” against modernization theory’s evolutionary model that predicted the weakening of ethnic bonds through the expansion of industrialization. Anders (1983) combines the internal colonialism model with a discussion of ANCSA to demonstrate how ANCSA's corporate structuring of regional and village corporations propagates the marginalization of rural economies, maintaining their peripheral position to urban centers. Pels (1997) notes however, that the problem with the internal colonialism model is that it overlooks the "lasting legacies of colonialism" because the "discussion[s] of the colonized ...[give] way to discussion[s] of minority ethnic groups" (Pels 1997, 175; see also Barth 1959;

Thomas 1994).

The above works focus on the strengthening or weakening of "ethnic" or cultural bonds, with little or no attention aimed at the state's continuous role as a colonial power. Rather, the motivations come from an assumed desire for economic gain by urban inhabitants, or corporate and industry interests. In fact, most scholarly works pertaining to ANCSA typically historicize colonization, instead focusing on the assimilatory nature of the Act (Anders and Anders 1986; Bowen 1990; Flanders 1989; Fuller 1976; Hirschfield 1992; Huhndorf and Huhndorf 2011; Sambo 1994). The commonality between these works is a tendency to focus on the economic implications of contemporary state and Native governance rather than how these structures connect to broader systemic efforts to assimilate Native people into Western society *through* settler colonial processes of elimination.²⁶

Moreover, most of the literature on colonialism in Alaska uses a postcolonial analytical framework that views colonization as an historic event beginning with Russian fur traders and ending somewhere after the expansion of missionary assimilation schools in the early twentieth century. During this latter period, Alaskan Native people began to mobilize over land claims, civil rights, and subsistence rights especially through organizations like the Alaska Native Brotherhood (ANB). By the 1920s, citizenship had been granted to Alaskan Natives, and Tlingit William W. Paul became the first Alaskan Native to be elected to the territorial legislature. I point this out because it appears that for many scholars, this was the point at which "colonization" was no longer an active phenomenon in Alaska, as examples of colonization

²⁶ The few economic discussions that move away from ANCSA focus mostly on the colonial relationship between Alaska and the United States (e.g. Gruening 1955; Rogers 1958). These works generally point to the "colonial patterns of exploitation and development" by focusing on the extensive role of industry in shaping Alaskan resource management policies and delayed statehood. These discussions, while important for demonstrating the state has been treated like a colony of the U.S., come predominantly from the White settler perspective and thus rarely, if at all, mention Native people.

generally come from a time prior to the above-mentioned events.

Within these works, an historical accounting is made and then a specific contemporary phenomenon is discussed as an outcome of these events. They are not viewed as ongoing colonial projects. Coddington (2011), for example, uses the concept of “haunting” to discuss how colonial histories work as specters within the present. For her, “the connection between colonial histories and present-day practices of the state take shape as a ‘spectral geography’” (Coddington 2011, 744) and can be seen in the ways that early relocations due to tuberculosis outbreaks effectively disbanded certain tribes, eventually disqualifying them from federal recognition criteria. Although a critical argument for Tribes seeking federal recognition, the concept of “Spectral geography” still locates colonial events in the past, and thus cannot account for ongoing colonial projects administered by the state.

Other works employ a sort of quasi-settler colonial, or neocolonial approach. Edwards (2011) highlights how the employment of terms that describe the ‘remote’, ‘empty’, and ‘sparsely populated’ landscape of Alaska are tools of colonial capitalism which facilitates nuclear testing by erasing Indigenous populations. Through “nuclear colonialism’s” rhetorical erasure of Native people from the landscape, the state is able to justify the destruction of environments and the exploitation of resources. This work reflects one of the core tenets of settler colonialism—the elimination or erasure of Indigenous people—but does not cite or specifically discuss settler colonial literatures. Similarly, Williams’ (2011) research on public education in rural Alaska highlights how the Euro-centric curriculum is out of touch with local forms of valued knowledge, leading to high drop-out rates and increased rates of alcoholism. Education is thus a “gatekeeping mechanism that propagates a system that negates Indigenous identity” (Williams 2011, 194). She cites the cause, however, within a neocolonial state

government influenced by oil and gas industries. By devaluing rural living, the state justifies cuts in spending on rural social services (including education) that in turn allow for tax breaks to resource extraction industries. While her analysis is certainly accurate, she does not connect the devaluation of Indigenous identity to the broader processes of erasure and elimination that are provided by thinking within a settler colonial framework. Further, and while she does briefly discuss the Alaska Native Claims Settlement Act (ANCSA) insofar as its failure to fund or effectively lobby for better education programs in rural areas, she discusses it only as part of an undefined "neocolonialism."

These works thus index the ongoing nature of colonial power, but within a narrow, localized setting that does not necessarily scale to broader settler colonial processes and eliminatory logics. While they do shed some light on the complex nature of colonization in Alaska, most discussions pertaining to Native people point to, rather than analyze colonialism. Instead, colonization and colonialism just *is*. Further, the term is employed— almost always within the colonizer/colonized binary— to speak *both* about the relationship between Alaska Natives (colonized), and Russia *and* the United States (colonizers). However, while imperial colonialism is an adequate analytic to employ when discussing early encounters with Russian traders, it is troublesome to use it exclusively throughout Alaska's history. For example, the pre-statehood history as outlined in the previous chapter reveals that not only were Native people fighting to keep their land, but the early settlers themselves were in a colonial relationship with the United States, having to continually lobby against industry interests that tried to keep Alaska as lawless and available to industry as possible.

That is, the settler population *and* the Native populations experienced a similar form of colonialism in that they were both exploited (although in different ways, at different times, and

to differing degrees) as labor for resource extraction (the Alaskan Native populations by Russia, and settler populations by the U.S.). However, settler colonialism is also at work with regards to the relationship between the settler population and the Native population, *and* between the Native population and the state and federal government. So, on one hand American settlers had to legitimize themselves in the settler colonial sense both physically and rhetorically via eliminating Native people from the land; But they also had to push for legitimization of those claims by the U.S. Congress. It appears, then, that there are different modes of colonialism at work throughout Alaska depending on the time frame and subject group in question. Settler colonial theory thus provides an important—yet critically understudied—avenue through which to better analyze the tensions between Alaska Natives, the settler population, and the settler state.

Subsistence as Assimilation

One arena which illuminates contemporary settler colonial processes and concomitant eliminatory logics of settler state-making is the regulation and management of subsistence food resources. Briefly,²⁷ Alaska has four user groups for all wild endemic plant and animal resources in the state, as managed by the Alaska Department of Fish and Game (ADFG): commercial, sport, personal-use, and subsistence. Although the subsistence use category stems directly from Native peoples' fights for aboriginal hunting and fishing rights (Wheeler and Thornton 2005), the state has structured the subsistence use regulations such that it allows *all* Alaska residents the right to hunt and fish to feed themselves and their families. However, as Wheeler and Thornton (2005) note, the bag limits for fish and game animals are rooted in liberal logics of individual need that do not account for the communal nature of traditional food practices.

²⁷ The full history and complexity of traditional food resource management regimes is discussed in greater detail later in this chapter

Confining communal traditional food practices into the individual needs logic of subsistence often has crippling effects. Many of my interlocutors complain bitterly about having to stop when the fishing is “hot” because they’ve reached their daily bag limit.²⁸ In these cases, even if the fishing is good and could potentially mean a salmon harvest sufficient for wide distribution in one or two trips, they must work within the legal confines of bag limits that force numerous trips to subsistence fishing locations. That is, fishermen and fisherwomen must spend more time—and money for fuel—repeatedly taking their boats out to the grounds rather than acquiring what is necessary in just a few outings. For those on a budget, which many traditional food practitioners are, it quickly becomes cost prohibitive to fish within these regulations. On more than one occasion, and with several different contributors, we caught well over the legal limit, always followed by a nervous boat ride home hoping to avoid the ADFG or State Troopers. Although salmon was given away after every successful fishing trip, those with whom I fished—who stayed within the bag-limits—very often limited the amount shared. The time and expense of numerous trips is simply too great to continue fishing after household needs are met, prompting a reprioritization of one’s catch to focus on individual rather than community needs.

Still others have pointed to issues with hunting and fishing “seasons” that restrict access to important traditional foods to specific times of year. Deer hunting for example is only allowed from August 1st to December 31st each year. To get caught hunting outside of this imposed time frame, is to risk confiscation of the animal and of all gear (rifles, boats, motors), as well as fines into the thousands of dollars. For many, these hunting and fishing seasons mean they are unable to consume the amounts they deem necessary for their health and causes issues when needing a particular game species out of season for potlatches or ceremonies. Many communities have had

²⁸ A bag limit is the number of fish or game a person or household is allowed. This number varies by area, species, and time of year.

to give up potlatching in the winter and instead must wait until the summer so they can legally acquire the food necessary for these important events.

What is fundamentally at issue in the above examples is the imposition of a settler state resource management regime that refuses to recognize—and thus allow for—the fluid practice of traditional foods in a way that imbricates them with cultural values. Across nearly all interviews conducted for this research, sharing of traditional foods is noted as an integral component of traditional food practices (see also Langdon 2021, Lee 2002, Thornton 2019). If one analyzes the state’s refusal to set bag limits that allow for shareable harvests through the lens of settler colonialism and the history of state assimilation practices however, the restrictive nature of subsistence regulations takes on a more nefarious undertone. It is no secret that the assimilation policies of the U.S. were brutally effective in almost eradicating Indigenous languages, religions, and cultures. Nearly anything that would reaffirm people’s Indigeneity, and thus reestablish relations to their families, Tribes, lands, and waters, were violently suppressed. Under the banner of assimilation, Indigenous peoples’ entire ways of life were almost completely dismantled in only a few generations. By establishing—and refusing to change—the regulatory framework of subsistence to allow for the full cultural expression of traditional food practices, the state is slowly eradicating a relational mode of being that connects Alaska Native people to land, water, animals, and ultimately each other.

To fully comprehend the above argument, one must first take an in-depth look at the Alaska Native Claims Settlement Act (ANCSA), which was the key instrument of assimilation for the state. The Act also ushered in successive legislation that created and codified “subsistence.” In what follows, I describe how ANCSA facilitated the making of the settler state. Here I show that a deeper consideration of the contemporary workings of colonialism in Alaska

must connect the historic acts of disenfranchisement, encroachment, and delegitimization of Alaskan Natives to contemporary colonial processes that construct relations between government, industry, and Native interests. Examining the myriad formations enabled through ANCSA can help understand how Alaskan state interests articulate a broader, ongoing settler colonial project administered by the United States.

The Alaska Native Claims Settlement Act: Assimilation through Corporatization

Inextricable from Native people's continued fight for their land is their struggle to maintain their traditional hunting, fishing, and gathering practices—what the State now calls “subsistence.” As was demonstrated in the previous chapter, questions around aboriginal land title, sovereignty, and subsistence rights were consistently brushed aside to make way for settler encroachment and economic development from the very moment the U.S. purchased Alaska from Russia. McNabb (1992, 86) notes that “[t]he Treaty of Cession (1867), the Organic Act (1884), and the Statehood Act (1957) deliberately failed to resolve issues of aboriginal land and political rights in Alaska. Indeed, the language of each law shows that government authorities acknowledged the fact that those rights had never been fully defined.” However, at nearly every turn, industrial, state, or federal interests forced delays in land claims settlement. Meanwhile, decades of encroachment by missionaries, settlers, and outside business interests chipped away at the foundations for land claims through forced assimilation and slow but steady encroachment. Despite the growing political force behind a land claims settlement, the Statehood Act's refusal to directly address aboriginal title made it appear as if, yet again, the issue would remain undetermined.

However, the state land grabs and federal development projects that followed statehood

spurred the creation of a new Native cooperative organization: the Alaska Federation of Natives (AFN) was founded in 1967 with the sole task of bringing hundreds of Native tribes together to fight collectively for land claims (Burch 1979). Serendipitously, AFN was founded just prior to a massive oil discovery in Prudhoe Bay. This event not only facilitated the eventual settling of land claims in Alaska, but it also helped shift the state's and resource extraction industries' stance on the issue. Although aboriginal land title was historically viewed as a hindrance to development by territorial, state, and industrial powers, the land freeze that resulted from the state's controversial land selections after statehood made potential investors wary of development on contested lands (Haycox 2010). The potential of the Prudhoe Bay oil reserve—and its requisite infrastructure—would require a massive investment, shifting both state and oil industry to support settlement (Hanrahan and Gruenstein 1977). Because over half of the land in Alaska was under federal jurisdiction, a land claims settlement such as ANCSA was appealing for the state because it meant that at least some of the land would not end up under federal control (Harrison 1972).

Once the complicated work of negotiating ANCSA began, AFN was tasked with consulting Congress during the drafting process. In 1971, four years after the Prudhoe Bay discovery, ANCSA was signed into law by President Nixon. The final settlement extinguished all existing claims of aboriginal title, subsistence hunting, and fishing rights in exchange for \$962.5 million and 44 million acres of land. The monies and land awarded in the settlement were then to be divided amongst twelve regional, and more than 200 local village corporations. Although ANCSA was the largest Native land claims settlement in U.S. history, it extinguished aboriginal claims to the remaining 325 million acres. Further, the 44 million acres granted to the newly established Native corporations is beholden to both federal Indian law *and* State of Alaska

corporate law.

At the time ANCSA became law, it was simultaneously heralded for the size of the settlement and the unprecedented level of involvement in its drafting by Native people. It has been noted, however, that Alaska Natives had no real power to accept or reject the terms of the Act. In fact, ANCSA granted very few of AFN's original requests, and was signed into law *before* the AFN voted to support it (Metcalf 2014). Huhndorf and Huhndorf (2011) note that although a majority of Native people were less than satisfied with ANCSA, it was accepted by Native leaders for four primary reasons: the settlement took place during the termination era when Congress was in the process of dissolving the tribal status of over 100 Native American tribes in the contiguous U.S., therefore the recognition of the over 200 tribes in Alaska seemed impossible;²⁹ the federal government had at this point a long history of violating treaties, making this option much less palatable; considering the history of non-settlement between the state and federal governments and Alaska Natives, people worried that if they didn't accept some settlement at that time, they would end up with nothing; and, many recognized that a congressional act could be changed, whereas a treaty could not, leaving open the possibility to later alter ANCSA's terms. Indeed, through AFN, Native people mobilized immediately after ANCSA's passage to begin addressing sovereignty and subsistence rights that had been left unaddressed for over one hundred years (Huhndorf and Huhndorf 2011).

ANCSA and its Problems: Law and Policy Perspectives

ANCSA is extremely complex and has garnered a number of publications—especially by

²⁹ In 1994, Congress signed the Federally Recognized Tribal List Act officially recognizing the 229 Tribes in Alaska. The State of Alaska, however, did not officially recognize the 229 Alaskan Tribes until July of 2022.

scholars of Indian law—explaining the legislation (e.g., see Anderson 2016, Case 1978, 2005; Case and Voluck 2012; Fuller 1976; Harrison 1972; Haynes 1975, 1976; Hirschfield 1992; Landreth and Dougherty 2011; Lazarus and West 1976; Marston 1984; Mass 1982; Thompson 1999). However, there is a considerable body of work from policy anthropologists—which often lack ethnographic fieldwork data—yet, which provides an important if only partial view of the effects of ANCSA. ANCSA mandated an unusual Indigenous identity in order to make Native land claims more palatable to the state. The U.S. bypassed the 19th century reservation model that characterizes the settler state’s rendering of Tribal (and thus, state) relationship to land and resources. Rather, under ANCSA, Tribal communities’ relationships to land would be mediated by corporations.

The implementation of the corporate model, in lieu of establishing reservations, was met with mixed feelings, but for many was seen as a way to usher Native people into the “modern” world. In general, the Act was structured as follows: To create the Native corporations, twelve regions were established in Alaska based generally upon already existing Native cooperative associations. Within each region, local village organizations were transformed into small corporations falling under the purview of their respective regional corporations. The regional corporations received approximately half of the monetary settlement and land allotment. However, they held subsurface rights to the entire forty million acres. Village corporations received the remaining monies. But they held only surface rights to their individual allotments out of the remaining twenty million acres,³⁰ while also receiving some revenues from the regional corporations. However, at this time the Tribes in Alaska did not have federal

³⁰ Two of the 44 million acres was to be selected specifically for the designation of special sites including cemeteries, historical places, or lands considered to have some form of cultural value.

recognition, and the corporations are not considered Tribes.³¹ Thus Alaskan Tribes would not qualify for any of the federal funding programs through the Bureau of Indian Affairs and would instead be reliant on the state or Native corporations to provide funding for community infrastructure and social services.

All Alaska Natives were required to incorporate into their associated village and regional corporation within two years.³² All Native people born by 1971 would then become shareholders in their associated Native corporation. The regional corporations would be tasked with investing or disbursing funds to village corporations and individual shareholders as well as overseeing and assisting the village corporations in their land selections and spending plans. A final major responsibility of the regional corporations was to operate their businesses for profit. As Burch (1979, 11) notes “these mandated powers and responsibilities ensured that the regional corporations would be the dominant Native organizations to be established under the Act.” Although the regional corporations were mandated to operate as for-profit entities, the village corporations were given the option to operate as non-profit. This, it was said, would allow the village corporations to operate at a “grass-roots level” (Burch 1979, 11) that would see to the administration of localized concerns.³³

As for major concerns of the Act, four areas garnered the most criticism after implementation: enrollment, stock alienation protections, tax structure, and subsistence. Enrollment determined eligibility for benefits, as well as how much land and monies should be

³¹ Tribes in Alaska would eventually gain federal recognition but not until the mid 1990s.

³² This was later extended due to several issues stemming from enrollment processes and criteria. Also, a 13th “regional” corporation was created to allow the incorporation of Alaska Natives not living in the state. This 13th corporation was given some monies to establish a headquarters in Seattle, but they were not given land.

³³ It would take many corporations decades before they were able to make enough profits to fund community needs. Sealaska, while having intermittent profitable years, has only in the past decade—through a complete restructuring of their organizational goals—seen consistent profits.

awarded to each region. The criteria to determine eligibility had two primary stipulations. First, under section 3(b), “Alaska Native” was defined as any U.S. citizen who has at least one fourth degree of Alaskan Indian, Eskimo, or Aleut blood, *or* if not in possession of proof of blood quantum, someone recognized as Native by other Natives. Second, under section 5(a), was that the person had to be living when the Act became law on December 18th, 1971. Although the first criteria allowed for some flexibility to accommodate Native people in rural areas without blood-quantum certification, the second meant that anyone born after the Act became law, could not become a shareholder.

The enrollment stipulation had potentially disastrous implications when considered within the context of tribal membership. When, for example, a Native American Tribe is federally recognized, criteria for enrollment and tribal status are determined by the Tribe itself. Further there is no cut-off date for enrollment in a federally recognized Tribe. Once the Tribe is established, they enter into a particular type of relationship with the federal government wherein it effectively becomes like a state with their own court system and tribal government (Kancewick and Smith 1990). Not only does this allow for the perpetuation and expansion of the Tribe over time, but it also qualifies them for grants and services provided through the Bureau of Indian Affairs.

ANCSA, however, was a new form of Indian legislation. It was at once meant to allow for greater Tribal “self-determination” while also avoiding what was seen by many as the establishment of a costly relationship with the federal government (Bowen 1990). The effect of the second enrollment criteria—that one must be living at the time the Act was implemented in 1971—meant that soon an entire generation of Native people born post-ANCSA would become

disenfranchised (McNabb 1992).³⁴ These criteria led some scholars to question the degree to which this new form of land settlement actually allowed for any meaningful expression of Native sovereignty (Blurton 1984; see also Hirschfield 1992).

Another major concern of the Act was the stock alienability restriction which forbade the sale of shareholder stock for twenty years. This restriction was, Congress noted, meant to protect corporations from losing control to outside interests during the initial transitional period of the Act. However, by the 1980s, and due to several issues, many of the village and regional corporations were operating at a loss. As the end of the twenty-year restriction loomed close and with a number of Native corporations already facing bankruptcy,³⁵ the possibility of losing control of corporations and their land allotments to non-Native interests became an ever-greater possibility. For most Native people at that time, shares of corporate stock were representative of both their tribal affiliations and their personal stake in the land (Bowen 1990; Walsh 1985). Quite simply, “[i]f non-Natives gained control of the land, Native ownership would be lost” (Bowen 1990, 397), leaving Natives in a worse position than they were prior to the Act. That is, the way ANCSA was initially structured, if the regional corporations were unable to generate profits within the first twenty years and had to file bankruptcy, they could end up back in the hands of the state or be sold to any prospective buyer regardless of ethnicity.

³⁴ Now, fifty years after ANCSA, the term used to refer to those disenfranchised Native people is “afterborns.” While some corporations have established a shareholder classification system that allows those born after 1971 to become shareholders at the age of 18, most still have not. Instead, shares can only be passed on to one’s kin after the original shareholder is deceased.

³⁵ The explanations for this are myriad and depend on the corporation. However, the reasons noted for lack of success include (but are not limited to): lack of proper business skills in existing Native populations at the time the Act was implemented (although this has been disputed by Dombrowski 2001); most of Alaska had not yet been properly surveyed so land selections for the implementation of development projects was stalled; the infrastructure to deal with enrollment processes was wholly inadequate thus stalling enrollment and allocation of funds; an economic downturn in Alaska in the late 1970s; and, disputes over land selections that cost the Native corporations a considerable amount of money in litigation *and* forestalled their ability to implement resource extraction operations (for various detailed discussions, see Anders and Anders 1986; Bowen 1990; Flanders 1989; Karpoff and Rice 1988; McNabb 1992).

Further, while ANCSA corporations were initially exempt from the requirements of major federal securities laws and had immunity from state and local property taxes (Walsh 1985), these protections would also come to an end in 1991, as outlined in the Act. Considering the precarious state of most of the ANCSA corporations by the 1980s, the tax immunities became an increasingly important measure for protecting land. Indeed, by 1986, two of the thirteen regional corporations had already filed for bankruptcy (Anders and Anders 1986). The primary concern was, because of the delays in land selections due mainly to a lack of surveyed land, most of the corporations had not yet received their full land allotments by the mid-1980s, let alone had time to develop them to generate capital. In 1991, however, the corporations would be forced to pay taxes on *all* land holdings, including undeveloped land. Walsh (1985, 233) notes that “While a number of the regional corporations and larger village corporations could probably meet some level of property taxation, many of the smaller village corporations will be unable to bear even a small tax burden in their large land holdings.” By the mid-1980s the AFN and its constituents knew that if they wanted to keep the corporations, and the lands allotted to them, under Native ownership, they would need to lobby Congress to amend the Act.

The AFN and its supporters successfully challenged the stock alienation, tax protection, and eligibility restrictions on grounds that the purpose of the restrictions had not yet been fulfilled. As noted previously, by the mid 1980s, many of the corporations were still struggling to stay afloat, let alone turn a profit. This meant that while Alaskan Natives were now corporate shareholders, their shares had yet to yield much in the way of benefits either for individuals or communities, most of which were still in states of poverty, living in communities with inadequate facilities. Bowen (1990, 398) notes that

Many Natives who had been forced to accept a corporate structure as the device for holding their interest in 1971 never became completely familiar with the nature and

practice of the corporate system. Before ANCSA, the Natives were primarily engaged in hunting and other outdoor trades. It was the establishment of the ANCSA that sent Natives to compete with Wall Street (Bowen 1990, 398).

Congress agreed with AFN and in 1987 and 1991, modified ANCSA such that undeveloped land would not be taxed, and that stock alienation and eligibility could be determined by the individual organizations through a majority vote (see Bowen 1990; Dombrowski 2001; Karpoff and Rice 1989; and McNabb 1992).

Questionable Benefits: Further Critiques of ANCSA

Besides those works that point to the specific problematic sections of the Act, a considerable amount of scholarship speaks more generally about that Act's implications. Anders (1983) and others point to increased social tensions within Alaska as a result of the Act. Some of these tensions include increasing animosity between Native and non-Native residents in Alaska (Anders 1983). In the decades during and after the signing of ANCSA, many non-Native Alaskans—especially those newly arrived for the oil development boom—were publicly opposed to the Act, decrying “Indian welfare” and believing that Alaska Natives had been “given” too much (Haynes 1976). However, many Native people were wholly unsatisfied with the Act, noting that they had in fact lost much more than they had gained. The President of the Tanana Chiefs Conference was quoted ten years after the act had passed saying “I get tired of these newspaper articles [that say] they gave us 44 million acres and a billion dollars. They didn't give us shit. They stole it [from us], and the only time they were interested in settling it was when they found a few barrels of oil” (qtd. in Borneman 2003, 471).

Still others point to the inherent contradictions within ANCSA itself, and which create tensions unique to the corporate environment. Anders and Anders (1986), citing research

regarding corporate environments, notes that most corporations are formulated with some sort of founding ideology, which in turn is reflected in the atmosphere and goals of the company. ANCSA, however, was created not because Native people desired to build corporations, but because they were given no other choice. Others note that the work necessary to make ANCSA corporations profitable necessarily usurped—because it is inherently incompatible with the cultural needs and values of Native Alaskans (Anders 1983; Anders and Anders 1986; Bodley 1982). This is accompanied by a more generalized skepticism regarding whether community corporations can survive within a global economy while still attending to the needs and concerns of local populations (see, e.g., Case 1978; DeMan 1982; Mass 1982). Some outright reject the viability of market-oriented approach in lieu of the promotion and maintenance of subsistence-oriented economies (Anders 1983; Berger 1985).

ANCSA has also worked to effectively modify Native people's relationship with the land. With earlier establishment of treaties and/or reservations, tribal members became the communalistic wards of the land, held in trust by the federal government. In effect, this gave each tribal member a say in land management. With ANCSA however, Native Alaskans went from being tribal members—albeit without federal recognition—to corporate shareholders, effectively shifting leadership and leadership goals towards the motivation for profit. However, as recently as September of 2021, William Hensley, an Alaska Native educator and political leader who was part of the original AFN convention to establish ANCSA, stated on the “Native American Calling” news podcast that protection of traditional hunting, fishing, and gathering areas was the *only* reason Native people fought so hard for a land claims settlement.

The implementation of the corporate model which required extraction of natural resources for profit, however, immediately put corporate goals in direct opposition with their

Native shareholders desire to maintain subsistence food practices (Anders 1983; Dombrowski 2001, 2002, 2014). The use of a corporate model has thus been critiqued for being incommensurate with the communalistic values of Alaska Native cultures (Huhndorf and Huhndorf 2011). Although most Alaska Natives live in communities where home ownership falls within the realm of Western conceptualizations of property, (i.e., the house belongs to one person), hunting, fishing, and gathering takes place in areas known to, and utilized by the entire community. As such, the lands upon which people hunt fish and gather are not considered any single person's property, rather these are communally shared places, the products of which, are often distributed out into the community or other areas of the state (Langdon 2021, Thornton 2019). However, as Dombrowski (2002) notes, the resource extraction practices required for corporate profit often end up deleteriously affecting traditional subsistence areas.

Although some corporations have tried to move away from natural resource extraction in recent years, a lot of environmental damage has already been done with large swaths of ANCSA land in southeast Alaska subjected to clear-cut logging during the 1970s, 80, and 90s. Even today, community members in Yakutat are fighting with their own village corporation over clear cuts happening on sacred sites and traditional hunting grounds. Compounded with the environmental impact, many rural Native people have little choice but to work for the extraction outfits that are destroying or degrading their land. Limited employment opportunities in rural areas means many Native people are forced into a Faustian bargain: they must work for logging or other extraction operations in order to pay for the fuel and materials necessary to practice subsistence (see, e.g., Dombrowski 2002).³⁶ Further, a majority of extraction industries only operate during the spring, summer, and fall which are prime food harvesting times. Indeed,

³⁶ Fuel, and all other store-bought goods must either be barged or flown into most rural communities in Alaska which exponentially increases their costs.

during field research there were several occasions where plans to go to Hyaburg for subsistence sockeye fishing were interrupted by the arrival of an overseas logging ship. These massive cargo ships, typically only in port for five to ten days, arrive intermittently throughout the spring and summer. Upon their arrival, the ships will often hire local residents to assist in loading the logged trees for transport overseas. Unexpected arrival of these ships would thus prompt a phone call from my interlocutors telling me we're postponing the fishing trip because they needed the money and had to "work the ships" while they could.

Numerous economic studies in certain rural areas have also shown that while jobs made available through many of the resource extraction outfits did somewhat increase median household incomes, they have not ameliorated economic inequality (Kruse, Kleinfeld, and Travis 1982). It is important to note here that most of the resource extraction on ANCSA land and by ANCSA corporations was contracted out to non-Native operators (Anders 1983; Dombrowski 2001; Naylor and Gooding 1978). They also note that while these outfits provide employment, they do little if anything to aid in diversified economic development, often being the sole source of employment in a particular area (DeMan 1982; Dryzek and Young 1986). Further, because most natural resources are finite, rural communities often experience boom and bust economies with only short-term prosperity that quickly fades once the resource is depleted (Anders 1983; DeMan 1982). These studies highlight how ANCSA has actually done very little to improve the lives of rural Alaskans as much of the economic and cultural development programs of the regional corporations are concentrated in urban areas (Dombrowski 2001, 2002; Hozid 2014; Huhndorf and Huhndorf 2011; Olson and Tuck 1979; Williams 2011).

Perhaps most important is the assimilationist nature of ANCSA in that it works much like early termination-era federal Indian policy. McBeath and Morehouse (1994, 112) note that

ANCSA is the “equivocal product of the overlapping termination and self-determination eras of federal Indian policy. It seeks the language of self-determination, but it does so with a distinct accent of termination and assimilation.” Fuller (1976) and Walsh (1985) both compare the protective clauses in the 1887 Dawes Act with those in ANCSA to demonstrate their assimilationist goals. The Dawes Act sought to assimilate Native Americans by breaking up reservation lands into individual allotments, forcing them into agriculture and farming by dismantling communal land ownership. Similarly, ANCSA proposed to assimilate Alaskan Natives by forcing them, their relationships to land, and their social values into the dynamics of corporate capitalism (Chance 1990; Huhndorf and Huhndorf 2011; Thornton 1998, 2002). While the protective clauses of ANCSA were stated as being there to “protect” the corporations from outside interests during a transitional period, the eventual removal of those protections would open the land and resources to anyone with the means to acquire them. The ANCSA protections are almost exactly like those in the Dawes Act. For ANCSA, the sale of shareholder stock could not happen for twenty years. The Dawes Act restricted the sale of individual land titles to non-native people for 25 years. As Fuller (1976, 269) notes “[b]oth pieces of legislation arose during a period of economic fluctuation and uncertainty and were promulgated at a point in history when Indian-white contact was at a precarious stage with regard to social adaptation. In addition, integrating the [N]atives into the dominant white culture was an expressed goal of each settlement.”

Further, both Acts had the support of major industry moguls with interest in land development: during the era of the Dawes Act, it was the railroad industry (Fuller 1979); during ANCSA it was oil. Ultimately, these Acts were designed so that should Native people fail to prosper under their terms, the land and its resources would be open to acquisition by non-

Natives. As Fuller (1976) notes, both Acts created potentials for Native people to lose land under the guise of “settlement” and both were meant to incorporate Natives into the folds of U.S. society. While the above is important for recognizing the assimilatory intent of the Acts, the author’s primary focus is on how the corporate model and tax protections of ANCSA were meant to assimilate Native people in the same way that the Dawes Act used land allotments and taxation. Scholarly discussion on ANCSA’s role in the creation and development of the “subsistence use” category in Alaska is rarely, if ever analyzed within the context of assimilation.

Not all analyses of ANCSA corporations have been negative, however. Puller (1992) highlights how many of the village corporations have been able to address high alcoholism and suicide rates in rural villages. This is achieved not only through funding western approaches to care that focus on mental healthcare and addiction treatment, but also by funding cultural revitalization programs that foster “cultural pride” as a way of counteracting the more deleterious effects and intergenerational traumas of colonization. Cultural revitalization programs have proliferated not only in rural but in urban Alaska as well. Sealaska, the regional ANCSA corporation for the southeast area, recently founded the Sealaska Heritage Institute, a non-profit wing of Sealaska focused on language and art education, repatriation work, and publishing books and graphic novels aimed at the transmission of language and oral histories. Still others note that besides the above-mentioned benefits, ANCSA corporations have started scholarship programs to increase Native enrollment in higher education, while also lobbying for local and state political candidates who support Alaska Native issues (Worl 2003).

An overwhelming majority of the discussions around ANCSA have been critical, however. Especially in recent years, there have been increasing dialogues around the formation

of a Native elite, consisting of upper- and middle-class Native people predominantly living in urban areas. Hozid (2014, 287), for example notes that these elites tend to benefit disproportionately from services provided by ANCSA corporations, leaving poor and working-class Natives to be “twice-marginalized:” once for their perceived racial inferiority within White settler society, and again for their low socioeconomic status amongst elite Alaska Natives.

ANCSA and the Subsistence Debate: A New Mode of Assimilation

One final component of ANCSA that has arguably garnered the most attention—both in the academy and in the public— is Native people’s subsistence rights. Although ANCSA extinguished all aboriginal hunting and fishing rights on non-ANCSA land, Congress was clear when passing the Act that they expected the State of Alaska to protect Native people’s hunting, fishing, and gathering rights (Case and Voluck 2012; Huhndorf and Huhndorf 2011). Debates immediately began in the public sphere, led primarily by sport hunting and fishing organizations. These past and ongoing debates were supported by unsubstantiated policy statements from the state (*Tundra Times* 1977a), which often utilized arguments rooted in modernity which predicted the “inevitable decline” of Native subsistence needs (ibid.). For example, in 1971, RurALCAP, a task force created to address issues of poverty in rural Native communities, put extensive efforts into gathering input from these same communities on how best to manage Native subsistence (*Tundra Times* 1976). This resulted in five different community-developed briefs that proposed the establishment of village subsistence hunting zones. They were submitted to the State Board of Game and each was rejected (*Tundra Times* 1977b).

Seven years later, Alaska passed the State Subsistence Law, which “established a priority

for subsistence over all other uses of fish and game, but [did] not define subsistence users.”³⁷ The state’s codification of a subsistence priority which omits a clearly defined subsistence user is significant for two reasons: one, it bears striking resemblance to earlier tactical responses to Native land claims issues which repeatedly promised to protect Native lands but always fell short of codifying protections into law; and two, it is demonstrative of the state’s unstated yet well-proven adversarial stance when it comes to Native aboriginal rights. That is, all that makes up the lands and waters of Alaska are here for the benefit of the settler state, regardless of any Native claims. This is often covered up via a multicultural discourse that masks inequality between users.³⁸

Later, in 1980, the Alaska National Interest Lands Conservation Act (ANILCA), which expanded national parklands and established special protections over 157 million acres of federal land in Alaska, was signed into law. ANILCA was originally meant to address the subsistence concerns of Native people that went unaddressed in ANCSA (Case and Voluck 2012; Lee 2002).³⁹ However, Congress caved under pressure from the State of Alaska and commercial and sport users who continued to be strongly opposed to a Native subsistence priority (Case and Voluck 2012; Thornton 2002; Wheeler and Thornton 2005). Instead, the Act ended up establishing a subsistence priority on federal lands in times of shortage. This meant that subsistence users would be the last user group to have restricted access should a resource become scarce. The state established a rural preference for subsistence resource use, meaning that

³⁷ <https://www.nps.gov/subjects/alaskasubsistence/education.htm>

³⁸ This will be discussed in greater detail in chapter 4.

³⁹ At this point sport, commercial, and subsistence use categories had been delineated by the state and federal government with regards to wildlife. Eventually another category was added under “personal use” for those who were hunting, fishing, or gathering foods near urban areas where “subsistence” was not legally allowed. Each of these different user groups requires a different sort of permit or license; has different rules and regulations to follow with regard to the specific resource in question (e.g., fishing will have different rules than hunting); and these rules vary depending on the area of extraction (e.g., fishing in one stream will have a different set of regulations than another stream).

“subsistence,” as a particularly motivated form of resource extraction, could only be practiced in rural areas. This did not apply specifically to Alaskan Natives per se, but rather to residents living in rural areas where access to market goods are scarce, unreliable, and expensive.⁴⁰ The federal government was then prepared to allow the State of Alaska to continue managing subsistence resources on federal land through the Alaska Department of Fish and Game (with federal oversight) as long as the state established a rural subsistence preference that aligned with the federal policy (McNabb 1992). While the state initially complied, this decision was immediately challenged in the state courts by urban sport hunting and fishing enthusiasts in 1986; they argued that it was unconstitutional to allow preferential access to subsistence resources. In 1989 the Alaska Supreme Court declared the rural preference unconstitutional, making Alaska out of compliance with ANILCA. Again, the multicultural equal access fiction trumped Native claims. Thus, in 1990, the federal government began the work of assuming management of fish and game resources on all federal lands in Alaska (McNabb 1992). As it stands today, there is a “dual management system” where the state of Alaska manages subsistence resources on state land, and the federal government on federal land. In effect, this means that there are two completely different sets of rules and regulations pertaining to subsistence dependent upon one’s residency, the location, and the species in question.

As this section has demonstrated, ANCSA has had a profound and altogether unique hand in shaping the lives of Alaska Natives, and the very political economy of the state. ANCSA was, in implementation and effect, a social experiment meant to expedite the assimilation of Native people into Western society, while simultaneously freeing up disputed lands for development

⁴⁰ At the time, just over half of rural Alaska was made up of Alaska Native residents, however since the passage of the Act, the demographic has shifted. Now, less than half of rural Alaska is made up of Alaskan Natives (Wheeler and Thornton 2005).

and resource extraction. While Alaskan Native people, both through organized groups, and individual acts of protest, have fought hard over the decades to stave off settler, industry, state, and federal governments' unceasing attempts to usurp land and resources, the end result has been drops of victory in a sea of acquiescence. There is a perpetual sense of "working with what one is given" rather than any major feeling of accomplishment, with each new piece of legislation immediately followed by organized efforts to modify or counteract their negative implications.

These organized efforts have led to the relatively strong civil, cultural, and political presence of Alaska Natives throughout the state, in another sense, the inherently assimilationist nature of the Act has led to a number of conflicting social positions amongst Alaskan Natives. Rural residents often resent what they see as the uneven distribution of benefits received by urban residents, especially when profits made by regional corporations come from extracting resources from rural areas. ANCSA has also led to the rise of a Native elite, who are most active in the realm of corporate and state politics, and who are sometimes accused of no longer connecting to the communities they are meant to serve. In essence, many rural Native people feel exploited by both the state and ANCSA corporations, both of whom benefit from extracting resources from their home territories while doing little to benefit these communities. Further, and from the very beginning of U.S. settler expansion into Alaska, Native people have been trying to protect their access and capacity to maintain traditional subsistence food practices. However, rather than ameliorate these concerns by directly addressing them, ANCSA failed to implement a satisfactory subsistence policy, allowing instead the concerns of settler interests to dictate Native people's access to their foods.

Conclusion

In contrast to much of the scholarship on Alaskan Studies, I have argued that ANSCA and

each successive federal act following it, renders Alaska a settler colonial state, par excellence. Moreover, Alaskan settler colonialism is energized by the deeply ingrained ideology of White supremacy that is inherent to U.S. settler society. The means through which this supremacy is normalized constitutes a particular set of predominantly unquestioned assumptions about rights: the right to access land, the right to “develop,” to extract resources (and people) from the land, and to determine, through the propagation of a particular moral order, how and by whom that land is used. Highlighting the various ideological and material means by which settler colonialism works demonstrates its discursive nature and the ways it is imbricated with myriad aspects of the U.S. state and society. As both discursive and material phenomena, however, settler colonialism inevitably leaves traces despite all efforts to conceal or normalize them. As a framework predicated on the founding relationship between Indigenous people and settlers, these traces manifest at specific points of tension or ambiguity between Indigenous peoples and state expressions of power.

Subsistence foods remain as one of the most prominent points of tension between Alaska Native people and the state. While the issue is certainly complex, it is also fundamentally about the state’s assumed right to regulate Native peoples’ access to food on land and within waters that have belonged to Alaskan Natives for millennia. Quite simply, the state and federal government did not codify subsistence protections for Native people because they did not have to. As was noted in the previous chapter, by the time the U.S. began colonizing Alaska, government officials realized that establishing reservations—and thus recognizing Indigenous people's sovereign rights—caused problems by hindering access to resources on Indigenous land.

By perpetually promising protections while forestalling codification, time was offered to assimilation efforts focused on boarding schools and the forced reliance on wage labor which

worked to weaken Native people's claims to lands, resources, and their very identities. Christianity and assimilation boarding schools had done much in the first 100 years of U.S. occupation to dismantle Indigenous religions, arts, epistemologies, and languages (Williams 2009a).⁴¹ Yet many Alaska Natives were still living in rural areas and thus still practiced those traditional ways of being that they were able to maintain despite all efforts made to eradicate them. Strong bonds within and between Native communities were often facilitated through food sharing practices so crucial to thriving in Alaska's tempestuous terrain (Langdon 2021, Thornton 2019). However, many of those Native people who were able to overcome the hurdles of western-centric education and obtain college degrees were using that education to fight for Indigenous rights rather than to accept assimilation as the ideal goal. The education system meant to bring about cultural elimination began to be used against the settler state allowing Native people to (sometimes) effectively push back against state land grabs.

However, the continued influx of settlers that accompanied earlier extraction industry booms had effectively taken over large swaths of Native land, including major traditional food hunting, fishing and gathering areas. Although *terra nullius* may not have been written into federal policy on Alaska, Banner (2007) notes it was very much the on-the-ground reality during the initial decades of U.S. expansion into the region. Thus, by the time ANCSA was signed in the 1970s, early settler homesteads were now well-established towns and cities, the occupants of which were 2nd and 3rd generation settlers fully convinced of their rights as "Alaskans" to all of Alaska's resources. By establishing a "subsistence" use category that culminated in transforming traditional food practices into a residential right, the state and federal government took what was *always* an aboriginal rights issue based on millennia-long inhabitation of the region and turned it

⁴¹ There were once over 20 distinct Indigenous languages in Alaska. Currently only two are still actively being transmitted in the home.

into an individual right that reset the significance of temporal occupation to begin at the Treaty of Cession. This critical settler colonial move demonstrates the logic of destroying to replace (Wolfe 2006) par excellence.

So far, I have provided only a partial view of the issues relating to ANCSA and subsistence, a majority of which stems from legal scholars or policy anthropologists who discuss ANCSA within a political context rather than from an ethnographic perspective. However, to fully understand the implications of ANCSA, and Alaskan Native people in general, one must understand subsistence. The next section will do just that by analyzing how subsistence has been discussed by anthropologists both within and outside the context of ANCSA. I will then provide ethnographic evidence from my research to demonstrate the inadequacies of these discussions for properly contextualizing the meaning of traditional food practices.

Chapter 3: Anthropology, the State, and the Economic Fictions of Traditional Food Sharing

Introduction

Subsistence has a long and complex political history in Alaska. Like ‘extraction’ and ‘natural resources,’ it is a settler term that enables the state to make legible (and grant itself) full authority over Indigenous foodways. It does so via a powerful act of conflation. Ushered in by settler populations who became increasingly vocal concerning their own hunting and fishing interests, “subsistence” shifted from being an “Alaska Native” issue, to a “residency” issue, permanently altering the terms of the debate.

This chapter analyzes food within the context of Alaska’s unique colonial history; it considers the collision of colonial and Indigenous ideologies and how expressions of power are re/negotiated. It does so by first detailing the legal dispossession of Indigenous subsistence, as well as the discipline of Anthropology’s (perhaps unconscious) complicity with such dispossession. The chapter also draws on extensive field research and autoethnography pertaining to traditional food practices. The ethnography helps to rethink and retheorize sharing practices that are lost on both the state and anthropological theory. Thus, this chapter seeks to analyze subsistence foods not just as a way of understanding “the Natives,” but as a way of analyzing the colonizing state, and how its control of food indexes the historical and drives contemporary colonial processes.

Missing from materialist and quantitative state discourses and anthropological analysis is how the practice of sharing uniquely situates Indigenous traditional food practices. This chapter draws on ethnographic field research to argue that the dynamics of traditional food sharing is multifaceted and interconnected. Therefore, the overall goal of this chapter is to move the discussion of traditional food sharing beyond just its material movements by providing a more

complex explanation of material food distribution. Thus, I will discuss the material movements of food by focusing on distribution and consumption in order to emphasize those areas of food sharing that are often missed in anthropological and state discourse,⁴² and in order to expand our understanding of all that is shared along with the foods themselves.

State Codifying of Subsistence: The Board of Fish and Game

Immediately following the 1971 Alaska Native Claims Settlement Act (ANCSA), work began to build the Trans Alaska Pipeline that would transfer the newly found oil 800 miles south to Valdez. Communities along the pipeline route saw massive spikes in population (Coates 1991). Not only did the oil industry jobs bring a dramatic population increase, virtually overnight there were thousands more hunters and fishers descending upon Native peoples' traditional food resource areas. This began devastating the already strained fish and game populations (Coates 1991).⁴³ These new settlers carried with them the ideology that Alaska and its resources were theirs by right as American citizens and found support for this ideology within the state government, the Boards of Fish and Game, and the predominantly White commercial and sport user groups. For the state to acquiesce in any way to Indigenous people's request for protections was a threat to their presumed inherent authority and supremacy.

Native arguments about traditional foods having cultural significance were thus often—and successfully—countered with Non-Native people arguing the same thing. That is, fish and game were viewed as a “common property resource” that belonged to *all* Alaskans (*Alaska*

⁴² By distribution I mean a manner in which traditional foods are given to others (either fresh or processed) with no expectation that the recipient will consume the food with the distributor. Consumption, on the other hand, focuses on those occurrences in which traditional foods are consumed with others.

⁴³ Each new resource extraction boom had similar effects. It was mining and commercial fishing in the late 19th and early 20th centuries. Then the expansion of the timber industry and establishment of military bases during WWII. The Prudhoe Bay oil and pipeline project, and the opening of ANCSA lands for logging and other resource extraction jobs ushered in the next big population boom starting in the 1970s and lasting for several decades.

Review 45 1982). Arguments against Native subsistence protections were constructed in such a way as to portray Native people as a greedy, special interest group who was denying non-Native people of their “equal rights” to Alaskan resources (*Alaska Review 45* 1982). It was the “equal-rights” argument that initially led to ANILCA codifying a rural residency preference for subsistence, rather than protecting Native subsistence; and it continued, in one form or another as fights over subsistence played out over the following decades.⁴⁴

The rural residency preference was established by ANILCA only two years after the State Subsistence Statute which made subsistence the highest priority of use over other uses (e.g., commercial or sport). However, the state statute did not define who qualified as a subsistence user as ANILCA had, and there was a dramatic increase in subsistence users inundating hunting and fishing grounds throughout the state. The Boards of Fish and Game quickly responded, establishing regulations that aligned with ANILCA and codified a rural residency preference for subsistence on state land. This would, in turn, allow the state to continue managing resources on both state and federal land by aligning their management program with ANILCA’s mandates.

The rural residency preference, however, was immediately challenged by urban sport hunters and fishers on grounds that the Boards did not have the authority under the State Subsistence Statute to define subsistence users.⁴⁵ Following a lawsuit against the state by these same groups, the State amended the 1978 Subsistence Statute in order to codify the rural residency preference and keep the state in compliance with ANILCA. The sport users changed tactics and challenged the ruling on grounds that the preference was against the State Constitution’s equal access clause.⁴⁶ In 1989, the State Supreme Court agreed and ruled that

⁴⁴ The White supremacy inherent to the ideologies that underscored these court cases and codifications of subsistence will be taken up more in more detail in the following chapter.

⁴⁵ *Madison v. Alaska Department of Fish and Game*, 696 P.2d 168 (1985)

⁴⁶ *McDowell v. State of Alaska*, 785 P.2d 1 (1989)

the 1986 amendment was in violation of the State Constitution. This brought the state out of compliance with ANILCA. Thus in 1990 the federal government took over management of subsistence and all resources on federal lands and waters in Alaska, leading to the dual management system in place today.

These rulings were important for both public and academic discourse on subsistence. Following the State Subsistence Statute and ANILCA were a series of often arbitrary determinations of an area's status as rural or urban. While larger cities like Anchorage, Fairbanks, and Juneau were “obviously” urban, other areas were not so easily designated. Some urban designations were based solely on Board of Fish and Game members’ personal opinions (*Alaska Review* 45 1982). Nearly overnight many Native people suddenly found themselves excluded from traditional food practices because of newly established urban designations. With the state’s implementation of the rural residency preference in 1982, the Boards were then mandated by the courts to establish criteria for determining whether an area was reliant on subsistence, and thus qualified as rural. The Alaska Department of Fish and Game (ADFG) Division of Subsistence thus spent the next decade doing just that.

The Division of Subsistence (DOS), established by the State of Alaska under the 1978 Subsistence Statute, was given the behemoth task of traveling the state to acquire data so that subsistence could be regulated and managed. As a social science-oriented component of a resource management agency staffed primarily by biologists, the DOS was unique to fish and wildlife management agencies at the time of its inception (Fall 1990). Further, although it was meant to compile meaningful cultural data on subsistence use throughout the state, the predominance of the biological model for understanding and managing subsistence resources in Alaska persists, creating longstanding tensions within the department (Wheeler and Thornton

2005). The mandates for the DOS were to “document all aspects of subsistence hunting and fishing so that the provisions of state and federal law can be implemented” (Fall 1990, 70). Because there was so little quantitative data on the use of subsistence in rural Alaska, the initial decades of DOS research focused on collecting information on production, distribution, and consumption of subsistence resources based largely on household surveys (Fall 1990).⁴⁷ Thus began the expansion of literature which *quantified* Native people’s traditional food practices, permanently tying them to a concept of “subsistence” rooted in the rural economic needs-based framework that still persists to this day.

One of the most critical components of traditional food practices that remains only partially understood because of this paradigm is the role of sharing. It is my argument that sharing is the very foundation of traditional food practices. That is why restrictions and bag limits rooted in individual need are still the main point of contention with regards to state and federal management in rural areas.⁴⁸ Further, the history of legislation as it pertains to Native people have always been undergirded by a desire for their assimilation. However, with some exceptions, most Native people did not desire to be “assimilated.” While this seems like an obvious statement, it is often overlooked in many anthropological discussions of acculturation and adaptation, especially with regards to food. Simeone (1995, 48) notes that “Tanacross people have not simply succumbed; they have responded by accommodating when pressured to do so, resisting where possible, and integrating when they find it desirable.” This is a very important

⁴⁷ Later research in urban areas showed that there was indeed a vast difference in the annual quantities of resources used in rural versus urban households—ranging from 153 to 664 pounds in rural households and 16 to 40 pounds in urban households (Wolfe 1998). Although this is a substantial amount, total statewide subsistence harvests amount to less than four percent of the total harvesting of fish and wildlife resources in the state (Wolfe 2000).

⁴⁸ At the very least those bag limits allow for *some* sharing of traditional foods. However, currently around half of the Native population in Alaska lives in rural areas. As such, they are relegated to personal use fishing, or must travel to rural areas in order to practice subsistence. Not only does this mean that an increasing number of urban Native people are not learning traditional food practices, but they are also increasingly left out of the entirety of the sharing process.

point to make because it indicates the way contemporary indigeneity, within the context of Alaska's particular history, is an assemblage of traditional and contemporary values that, while partially informed by the forces of colonialism, are equally tempered by individual and group decisions regarding what is and is not acceptable. This points to much more dynamic articulations of power than the implied passivity of “adaptation,” or relationship binaries of colonizer/colonized.

Recognizing contemporary indigeneity as an agentic assemblage of contemporary and traditional values renders cultural expression itself as an act of resistance, a way of asserting agency via ongoing practices that are recognized for their cultural significance; even in the face of forces that seek to transform such practices into the economically mundane. Subsistence food may be seen as one such practice: on one hand management regimes grounded in liberalism and colonial ideologies actively work to reshape the dynamic and deeply communal significance of subsistence to fit into a Western ontology; and on the other are Native peoples whose involvement with subsistence is rooted in deeply historical yet dynamically informed conceptualizations of identity, relationality, and place, and which is perpetuated through practices that continue to embody these ideological and material formations.

In order to set the tone for a better understanding of traditional foods, what follows is a vignette of having a meal of traditional foods with my family.

A Story of Herring Eggs and the Complexity of Indigenous Sharing Dynamics

Spring is the most logical seasonal starting point to begin talking about traditional foods. Although one can find something to eat from the ocean, the beaches, or the forest through much of the year, spring is when the dormancy of winter living begins to subside and abundance returns after a sparse winter of grocery store food, jarred and frozen fish, and a few evenings of

cockles harvested from the winter low tides. It always seems to happen instantly. One day I step outside and everything is different: the sunshine is brighter, there is a new but not unfamiliar smell in the air that is vibrant and achingly fresh, and that bone brushing chill is finally gone so that I may shed the usual layers and go forth with lighter garments. The world has begun once again to exude that infectious vigor of spring. Everything and everyone are suddenly more alive and, quite noticeably, so are the fishermen. The herring will be spawning soon and the buzz of preparation for fishing fills the air, wafting into windows as the sounds of labor. The commercial fishermen and fisherwomen are working on engines and hydraulic systems, mending nets, drums, and shakers. The subsistence fishers are cutting large hemlock branches from trees, soon to be placed in the ocean and become a substrate upon which countless herring will lay their eggs. The window for herring fishery is open only a few hours to a few days, and commercial fishing must happen right before they spawn as it is the sac roe that is the predominantly desired product. As such the herring are caught in nets and their lives abruptly ended so the intact egg sac can be removed and shipped to overseas markets. For traditional subsistence fishing however, we desire the eggs after the herring have spawned, releasing their eggs in frothy waves along the rocky shoreline, and continuing their pattern of migration. What escapes the hungry mouths of countless sea birds, whales, sea lions, seals, and humans will remain alive in the ocean to continue their ancient line. The predatory mammals know well before we do when it is getting close. They too display a nervous, anticipatory energy, much akin to the last-minute bustle of their human counterparts. Once the fisheries biologists determine that the herring are almost ready to spawn, the commercial fishing begins: twelve to forty-eight hours of frenzied fishing before the horn sounds, echoing across the water to indicate the quota has been reached. In that

short time, tens of thousands of tons of herring will be captured and eventually sold to Japan.⁴⁹

The archaeologists and elders tell me that my ancestors used to eat herring, now very few of us do. We do, however, eat herring eggs. Just before the commercial fishing starts, subsistence fishers head out in droves. Dozens of skiffs in Sitka Sound—each carrying giant hemlock branches, some line, weights, and buoys—will head out to their annual spots to set the branches. It is an ingenious method for capturing the eggs, and hemlock has been the preferred substrate since time immemorial. Nowadays we use nylon rope instead of spun red cedar bark, and plastic buoys and motorized boats instead of inflated seal stomachs and cedar dugout canoes, but the result is the same. A weight is secured to the tips of a massive tree branch and a line with a buoy is attached to the opposite end. The apparatus is then tossed over the side, the weight slowly sinking the odd-looking trap until all that is visible is the bright orange buoy floating serenely on the water's surface. In a few days, the branches will be hauled from the sea with great effort, hopefully transformed and heavy with translucent beads of briny protein.

Every year, as far back as I can remember, two fifty-pound boxes of herring eggs on hemlock branches were sent to my grandmother's house from her cousin in Sitka. Mom would get the phone call, same as her sisters, and we'd drive down to Gram and Yaya's to get our portion.⁵⁰ This house, built by the hands of my grandparents when my mother was a baby, was once small but over time has grown in proportion with the generations. There is barely an inch of

⁴⁹Herring used to spawn all along the thousands of miles of Southeast Alaskan coastline, but any more there are only a few sparse patches except for Sitka Sound. Sitka Sound has the largest herring fishery and herring spawn in Southeast Alaska and is inundated by human and non-human animals during that short time of year. Although there are a few small fisheries still operational in Metlakatla and Prince of Wales Island, the only other place with a substantial spawn is Togiak in the northwest of the state.

⁵⁰ Yaya is the Sm'algyax (coast Ts'msyen) word for "old man" or "grandfather."

unadorned wall space and, instead, I am surrounded by the smiling faces of my family as they have grown and aged through the years. As I enter the house and walk towards the dining room, I can hear the happy chatter of my Aunties who,⁵¹ living right next door, have already arrived. Their voices and laughter are unmistakable, and they are just opening the box as we walk in. The dark brown, wax and cardboard fish box is filled almost to overflowing with a million minuscule opaque eggs coating the nearly invisible hemlock branches. One single egg is about the size of a pinhead and appears clear when looked at closely on the tip of a finger. *En masse*, however, they appear as thick, white clusters (fig. 1). The eggs will be equally portioned out between my grandparents, their siblings, my mom, and my two aunties to be stored in zip-lock bags and preserved in the freezer. As I step in to help, I see my grandmother sneak a bite, nibbling on a small cluster of eggs she has picked off the branches as she cuts them into more manageable portions. I do the same and she smiles, giving me a conspiratorial wink, happy that another generation enjoys these foods as she does. They really are quite fun to eat, like tiny rubber beads that make an audible “pop!” inside my mouth as I chew them, teasing my taste buds with the salty tang of the sea.

⁵¹ Aunties and uncles have an important familial role in Tlingit, Haida, and Ts’msyen cultures. They are much akin to a second set of parents. Also “aunty” is a much more commonly used term than “aunt” among Native people. There are a growing number of poignant and funny memes on Indigenous social media groups that highlight the unique role of Native “aunties.”



Figure 1: Herring eggs on hemlock branches. Photograph by author.

There will, of course, be a considerable portion kept out for a family dinner tonight so we can have a feast of them while they're fresh. This will also be an opportunity to eat up the last of the stored and processed foods from the previous year that will serve as an accompaniment to the main course. Once we have finished portioning out the eggs, Gram has taken her jar of eulachon grease out of the freezer to soften.⁵² The house is quieter now that my mother and Aunties have dispersed home to gather their contributions for dinner. Mom has volunteered to bring her last bag of whole smoked eulachons, a contribution of considerable merit releasing her from having

⁵² Eulachon grease is fermented fish oil made from the herring-sized eulachon or candlefish. There are only a few small eulachon runs left in the northwest coast, primarily due to mining pollutants and damage to the rivers where they spawn. Eulachon grease is a delicacy enjoyed by most northern northwest coast Native people, however there are only a handful of people left who know how to make it. It is not something that can be bought in a store but rather those who make it travel around coastal Canada and southeast Alaska where it is sold for approximately \$50 per quart. It is eaten on potatoes, like butter, melted on warmed herring eggs, or left out in a bowl as a dip for dried salmon or halibut.

to bring anything else. Aunty Kristine has a few jars of salmonberries and blueberries which will serve both as dessert and as an after-dinner palate cleanser.⁵³ Aunty Cyndi has volunteered her smoked coho salmon and will make a salad with her few remaining jars of last summer's beach asparagus.⁵⁴ While we await their return, Gram has tasked me with cleaning and quartering potatoes to later be steamed with half dried salmon and smothered in eulachon grease.

The house sounds are minimal for a short while except for the occasional clinking plate or dinging pan that is typical of kitchen work. Word spreads fast, however, and soon my cousins start to arrive with their little ones in tow and the familiar din of my family fills the house again. Of course, the youngest, two-year-old Judah, runs into the kitchen to make his entrance, knowing he will be greeted with gasps of joy and snuggles from his great-grandmother and his Aunty Forest. After he is sufficiently loved, and because the sky is blue and the day is warm, he runs through the kitchen and out the back door to play in the yard with the older kids while we finish our preparations. The long wooden dining table that stands between the kitchen and the living room is covered with newspaper and a dozen place settings, in the kitchen a pot of water and next to it, the potatoes, are both steaming. Then, as if by magic, the three sisters arrive almost simultaneously, and we set to it. The smoked eulachons and salmon are placed on top of the potatoes in Gram's giant bamboo steamer to warm them for the meal. The smell of smoked fish quickly fills the house, working better than a dinner bell to gather the family not already in the

⁵³ Salmonberries grow wild all over the northwest coast. They resemble a blackberry in size and shape but are bright orange or red in color.

⁵⁴ Beach asparagus is an edible succulent plant that grows along the tide line, usually during the months of June and July. As with most beach foods, it has a salty taste and is generally jarred plain, pickled, or can be frozen and later eaten with meals in a similar manner to green beans. It has earned its name because of its resemblance in shape to the more commonly known vegetable asparagus, although it is much smaller and thinner in size.

kitchen. The eggs themselves need almost no preparation and are the last thing to make ready for the meal. The berries, beach asparagus salad, eulachon grease, potatoes and smoked fish are placed around the table. Then, finally, the eggs are dipped briefly in steaming hot water, just long enough to warm them, and then placed in a large pan in the very center of the table.

Now the feasting can begin. I always go for the steamed potatoes and the eggs first: mashing the potatoes in a bowl and putting a large dollop of grease on top. While the heat from the potatoes melts the grease, I grab a handful of herring eggs, which I also smother with eulachon grease then sprinkle with soy sauce and eat with my hands. When I was younger, I used to pick every single hemlock needle out of the eggs before I would eat them. As I have gotten older however, and like the other adults, I have become accustomed to the piney taste the needles add and even enjoy it.⁵⁵ Next I will sample bits of everything else making sure—and despite all desires to do so—not to fill up too much on just one thing. The most memorable aspect of these special family meals—besides the food of course—is not so much the noise and bustle of the family gathering but is rather the absence of talking that occurs when we all begin to eat. I do not say “quiet” because, quite simply, it isn’t. Instead, it is noisy with the distinct sound of the mastication of herring eggs. It is something like crunching, but not so dry—more like a crunchy popping. It is unique and unmistakable and echoes in the mind long after the sound itself has stopped. That moment of non-silence, without fail, is always recognized by everyone at the table with a smile as we consume this most comforting of comfort foods in the presence of those we love.

⁵⁵ A nutritional analysis of northwest coast traditional foods done in the 1980s has shown that eating herring eggs on hemlock branches is higher in vitamin C than eating the eggs on kelp (Drury 1985).

These have always been my favorite meals, afforded a much higher honor than any typical holiday feast. The entire event is a joy. Everyone is there, laughing, joking and teasing one another, filling my grandparents' house with the signature guffaw of my family, complimenting each other on the quality of their contribution, and sharing new tricks or tips for processing that they will incorporate into future endeavors. So much is shared in these times. To someone observing from the outside, it may look like any other family dinner, and, on the surface, it is. Sometimes there is bubbling conversation, joking and teasing, or just plain old gossip. There is joy, some typical family irritations, but an overall jovial atmosphere. There is also something more going on below the surface. Some connection, an intangible thread, or maybe it's an echo. Something we understand without explication. Not a thought but a deep comprehension connected to our bodies through the combined sensory components of this experience. These moments are reminders that despite all the accouterments of modern life, we are Ts'msyen. Our blood and our bones, just like our ancestors, are made from the stuff of this unique part of the world. All these foods are from this ancestral place and as we consume them, we reinvigorate our deep connections to it through incorporating it into our bodies in the final action of a perpetual cycle of becoming. We are wholly nourished, not just in body and soul, but communally and familiarly with the entirety of this shared process.

Anthropology's Complicity with the Alaskan State

The above story is not based upon a single event but is rather an amalgamation of the many times I have eaten these meals with family and friends. It conveys a specific, unifying aspect of Alaska Native culture so that people can recognize its uniqueness while simultaneously

identifying with it in their own lives.

Further, and in line with Pink's (2006) discussion of experiential and sensorial anthropology, I have attempted to convey—as much as is possible in a textual medium—the manner in which the myriad sensory components involved with traditional foods entwine together to elicit affective responses and to inform experience. Each element of the story is meant to portray all those aspects of what it means to be Ts'msyen, or Haida, or Tlingit and how that is reified through food practices. The physical act of hunting, fishing, gathering, or in this case ingeniously trapping an otherwise elusive product, is made up of a complex interaction of the senses. There are the sensuous aspects of subsistence - the sights, sounds, smells and physical movements that are unique to each particular type of food gathering.

People's involvement with traditional foods begins very young and is sometimes the first solid food that a child consumes. As one grows older, we begin to accompany family and friends on expeditions all the while learning, through stories, observations, and experiences, how these foods are acquired, and the amount of work involved. As this understanding develops over time, the act of eating traditional foods begins to acquire more profound and complex meaning; the geographical knowledge and laborious aspect of traditional foods becomes more experientially personalized. The unique stories born of each year's expeditions grow and spread throughout our understandings of self and others.

Our nascent knowledge combines with that of our teachers in a process of deepening complexity until eventually, as an adult we are adept enough to eventually, and quite naturally, fill the role of teacher, sharing our knowledge and stories with the next generation. All of this comes together during the family meals when these foods are consumed. In these moments, the

process comes full circle, and we are nourished both physically and psychologically as *people of the land* from which we are fed.

While these long-held practices nourish both body and spirit, and—when allowed to happen naturally within the context of our own cultural values—also enrich our cultural knowledge and practices, our relationships, and our very identities, they remain intentionally illegible to the state and often misinterpreted by Anthropology. There are many aspects of traditional food practices that anthropologists have gotten right; and, at least in the last few decades, the anthropological research on this topic is (mostly) well-intentioned. Yet, because those well-meant treatises are with near ubiquity coming from the perspective of non-Indigenous anthropologists, they often fall short of properly locating the dynamic meanings of traditional foods. This is in part because they are not connected to the topic beyond their tangentially personal and/or academically motivated interests; and in part because they are focusing on those components of traditional food practices that are assumed to be most legible to state and federal management regimes. That is, it is the economic that management and anthropologists understand, so it is the economic that is emphasized. In what follows and using the words and actions of my many interlocutors, I endeavor to expand our understanding of traditional food practices by reexamining and reorienting the topic of sharing.

Although the previous autoethnographic story is not exactly the same for all Native people, each person who discusses with me what foods mean to them notes a similar history of consumptive experiences. That is, there is a commonality to all traditional foods that are reflected in every interview and interaction: traditional foods are fundamentally defined by sharing. However, anthropological discussions of subsistence tend to focus primarily on

traditional food's importance for supplementing the exorbitantly high cost of store-bought foods (Krieg et al. 2007; Kruse 1991), their health benefits (Drury 1985; Thornton 1999), or their often overdetermined "cultural value." Although such work is important for creating quantifiable data, the more nuanced dynamics of sharing tend to get overlooked by anthropological motivations to emphasize rural economic needs to argue against the state's individual needs-based system of regulation.

Langdon (2021) for example, discusses subsistence sharing with detailed distribution charts (among other things) that highlight how whales are divided up amongst those who participated in the hunting and processing. While his predominantly quantitative analysis does demonstrate the role of traditional foods for fulfilling community dietary and ceremonial needs, it is a predominantly material analysis of food movements that (re)iterates the economic value of subsistence for rural Native communities. That is, his and most discussions around sharing tend to follow the sort of classic anthropological heuristic: it is viewed as an economic function of ceremony, kinship, and generalized reciprocity.

This now paradigmatic conceptualization of traditional food sharing, however, is problematic because it iterates and reiterates that traditional foods are only important for Native people who fit within a sort of static culture concept. It portrays Native people and their foods in a way that these practices only appear to have value for the rural, the primitive, the "traditional" Native, leaving little room in the narrative for Native people that live outside of rural areas, or that do not fit the classic trope of the "traditional" Native person.

For the most part, this is because Langdon—a White, male anthropologist currently considered one of the foremost experts on subsistence in Alaska— is framing the value of traditional foods in such a way as to make them legible to state and federal management regimes.

Although important, the result is that the sharing of traditional foods is treated as a characteristic of, rather than foundational to, traditional food practices. I argue, however, that sharing is instead fundamental to its very nature, and is imbricated with every aspect of traditional food practices.⁵⁶

The way sharing is discussed, practiced, and understood amongst my interlocutors demonstrates that precisely what is shared—and thus what traditional food sharing means—is much more dynamic, complex, and imperative to what makes foods traditional than what most anthropological literatures portray. Traditional foods have sustained the Indigenous peoples of the Pacific Northwest for millennia. On first blush, their connection to our pre-contact lifeways is what constitutes them as “traditional foods.” Yet, for most of my interlocutors, what makes these foods so important beyond our ancestral connection is that they are so ubiquitously shared. Not just the foods themselves but also food knowledge, histories, and philosophies. In the words of my Haida interlocutor and friend Michael with whom I have spent hundreds of hours fishing, eating, and commiserating over traditional foods: “sharing *is* subsistence. If you’re truly a subsistence person, it’s not about you, it’s about sharing.”

This contrast between indigenous understandings of sharing and subsistence and those of recent scholarly works on subsistence emanates out of the early, Boasian style of ethnographic research on Alaska Natives; those early works most often approached subsistence from the position of salvage anthropology. Flaherty’s (1922) *Nanook of the North*, which sought to portray the “authentic” life ways of Eastern Canadian Eskimos, heavily impacted the early anthropology of arctic Alaska, driving the desires of many an anthropologist to document the

⁵⁶ Thomas Thornton’s recent book *The Distribution of Subsistence Herring Eggs from Sitka Sound, Alaska* (2019) is the only work to my knowledge that adequately represents the dynamics of sharing traditional foods. However, Thornton focuses only on herring eggs. He also argues that the sharing dynamics of herring eggs are unique to this particular traditional food. While some characteristics are unique to herring egg distribution (certain group consumption practices, and the breadth, volume, and timing of distribution), most of these sharing dynamics can be attributed to other traditional foods as well.

“traditional” ways of northern Alaskan Natives (Wheeler and Thornton 2005). The post-World War II development boom, which saw a proliferation of massive hydroelectric, mining, and oil and gas pipeline projects in Alaska, was accompanied contemporaneously by an overall shift in anthropology’s focus towards acculturation and modernization.

Especially considering Alaska’s recent colonization history and Native peoples' relatively limited interactions with the accouterments of the “modern world,” anthropological research began to focus on resource use by Native populations. Again, anthropologists came to Alaska in droves, and in the hopes of documenting (in order to salvage) “traditional” cultural ways before their inevitable destruction in the face of modernity (e.g. see Chance 1960, 1965; Hippler 1969; Hughes 1960; Milan 1964; Oswalt and VanStone 1963; VanStone 1962). Most of these works focused on the degree to which subsistence foods practices were still carried out in “traditional” ways, and their apparent level of cultural or economic significance in the face of modernization. With regards to the ubiquity of these models for understanding Alaskan Natives, Usher (1993, 104) notes that “The modernization/acculturation model...was then virtually the sole paradigm of social and economic development and a large body of anthropological literature appeared to support this case. In this view, the concepts of modernization and industrialization were virtually interchangeable.” Indeed, several scholars have noted the ways that the social evolutionism which undergirded modernization/acculturation studies have contributed to the current political predicament surrounding subsistence by (intentionally or not) supporting political and economic agendas for development (Dombrowski 2014; Usher 1993; Wheeler and Thornton 2005).

At least within Alaska, a primary reason for the proliferation of modernization theory and the focus on the economic components of subsistence are due to how so much anthropological research was funded by government and corporate entities. Chance (1990, xvi) notes that

[i]n the 1950s and 1960s, many sociocultural studies of Arctic Alaska were given substantial logistic and financial assistance by the US Office of Naval Research and its affiliated Arctic Research Laboratory in Barrow; the US Air Force supported Arctic Aeromedical Laboratory, and the US Atomic Commission. ... The basic task of the military was defense. And that defense included the need to determine the status of Alaska Native populations living within the military's defined perimeter of interest—including the Native's economic, social and political relations to one another and the outside world... Those anthropologists interested in undertaking such acculturation studies were welcome to apply for support. Those wishing to explore other topics pertaining to art, mythology, religion, or similar ethnographic subjects usually had to find their own support.

These parameters for research led to what many have noted is an unusually strong impact on public policy by applied anthropologists in Alaska (Feldman and Langdon 1983; Wheeler and Thornton 2005), which has inevitably shaped both the politics and scholarship of Alaska Native people.

As Wheeler and Thornton (2005, 72) note, subsistence regulations in Alaska were founded on policies that “essentially embrace[d] the assumptions of acculturation and development” all of which were undergirded by the “culture core” concept. Although these works portray subsistence as being a fundamental component of Alaskan Native cultures—something most Alaskan Natives would agree with today—it was always discussed as being on the verge of extinction due to the increased reliance on the Western goods that would inevitably usurp subsistence practices. As such, the implementation of modern technologies, and the concomitant need for cash, into traditional subsistence practices was often seen as “contaminating” the practice and thus the cultures themselves. Further, while subsistence has always been an Alaskan Native issue grounded in concerns over settler encroachment, subsistence policy in Alaska shifted the aims of management goals

to insure that impacts to ‘subsistence uses’ were minimized within the context of economic development. Moreover, racial and ethnic politics within the increasingly non-Native state of Alaska succeeded in redirecting the subsistence protections away from Alaska Natives, as envisioned in ANCSA and the [Marine

Mammal Protection Act] MMPA, and toward rural communities such that non-Natives would not be 'discriminated against' (Wheeler and Thornton 2005, 72).

Thus through a powerful act of conflation, ushered in by the voice of settler populations who became increasingly vocal concerning their own hunting and fishing interests, "subsistence" shifted from being an "Alaska Native" issue, to a "residency" issue, permanently altering the terms of the debate.

For the most part, research on subsistence using the framework of modernization and acculturation began to wane in the 1980s and 1990s. While development was still an important focus of anthropological research, these works shifted from the sort of "acculturation ecology" approach, to focus more on political economy and political ecology. Although still focusing primarily on the impacts of modern industrial economies and the implementation of wage labor on subsistence practices, most scholarly works focused on adaptation, rather than acculturation models. The thrust of these studies were an important shift in the anthropology of subsistence: while they still pointed to the deleterious effects of development such as disruptions in hunting patterns or increased burdens due to time constraints imposed by full-time jobs (e.g., Kleinfeld, Kruse, and Travis 1983; Wolfe et al. 2001), they also highlight the various ways that increased cash flow enriched subsistence practices by allowing for greater access to those goods that make subsistence easier and more efficient (e.g. Freeman et al. 1998; Kruse 1986; Wenzel 1995). This can, in turn, increase personal prestige and social status because subsistence is part of a cultural system, not just an economic one, and is connected to localized concepts of social and cultural value (Dryzek and Young 1985; Wheeler and Thornton 2005).

Throughout the history of the state and tandem anthropological responses that viewed or produced knowledge through the lens of settler sensibilities, aspects key to Indigenous subsistence that has been missed all along is the deeply complex concept of sharing, which I turn

to next.

Material Food Sharing and Distribution: Traditional Foods and Relationality

There are so many foods that are considered “traditional” or “subsistence” foods in Southeast Alaska: Deer meat, moose meat, salmon, halibut, sea cucumber, Dungeness crab, black and red seaweeds, beach asparagus, goose tongue, clams, cockles, sea urchin eggs, prawns, gumboots, herring and herring eggs, seal and seal oil, eulachons and eulachon oil, a wide variety of berries, and myriad plants the knowledge of which is only just returning due to its loss from colonization.⁵⁷ The variety of what constitutes traditional food staples varies by region and cultural group. As there are seven or eight distinct cultural groups in Alaska (depending on one’s perspective and who you ask), the list only applies to Southeast Alaska, which is the ancestral territory of the Tlingit, Haida, and Ts’msyen peoples.

There are a variety of contexts in which traditional foods are shared through distribution. These include distributing foods to Elders (done through Tribal organizations and local practitioners); distributing foods to others who don’t have the means to acquire them; distribution of First Foods or the First Harvest,⁵⁸ which is the act of sharing all or part of the very first hunted, fished, gathered, or harvested species;⁵⁹ distribution at potlatches or other important cultural gatherings where many family members will contribute traditional foods that will later

⁵⁷ During recent testimony at the Federal Subsistence Board’s Regional Advisory Council meetings, a woman providing comment on a proposal noted that Tlingit, Ts’msyen, and Haida people used to consume over 400 different foods from southeast Alaska. She also stated that now the average number of consumed food types is around 30.

⁵⁸ Some regions of the U.S. define First Foods as encompassing all of the foods eaten by the Indigenous people of a region prior to colonization (e.g. https://www7.nau.edu/itep/main/tcc/Tribes/tdk_ffoods).

⁵⁹ While some interlocutors describe First Foods this way, others note that sharing the First Food is about respect for the first salmon or other animal which has given its life to the person who acquired it. See Watson and Huntington (2008) for an excellent discussion of how this perspective is a critical component of Indigenous science and epistemologies.

be consumed by the attendees; distribution by those who are known and identify as major food harvesters; distribution in exchanges for use of gear or other services; distribution as a gift for holidays, or when traveling to see friends and relatives; and distribution to those simply because it is known that the recipient loves that particular food. These above reasons for distribution are not always discrete categories, and thus often overlap.

One commonality running through all these modes of distribution is the work it does for creating, maintaining, or reestablishing human relationships. Relationality is evidenced throughout people's interactions with traditional foods and comes up often in both interviews and distributive practices. What follows is a recent personal experience of reconnecting with a family member by receiving gifts of food.

A cousin of mine, B., found out I had moved to Juneau, and though we had spoken on the phone to plan a traditional food dinner, COVID concerns kept postponing our gathering. A few months later, upon learning that my mother was in town for the Christmas holiday, B. contacted her to offer her a gift of traditional foods. B. is my mother's age, in his early 70s, and I hadn't spent time around him since elementary school in our hometown of Metlakatla. Shortly after making arrangements to pick up the foods, I pulled into his snowy driveway and could see the light peeking through the door to his garage. Knocking gently as I walk in, I see him look up from his task: "Cousin! I'm just getting things together for you folks." B. is clean shaven, wearing glasses, only a few strands of white in his otherwise short black hair, and bundled in the type of outdoor clothing commonly worn in southeast Alaska in December. Slightly bent over the white chest freezer and holding a plastic grocery bag, he begins to inquire about our tastes before filling the bag: "Do you folks like cockles?" he asks, holding a vacuum sealed bag about the size of a hard-cover book that contains what appears to be an already cooked and cleaned portion of this delectable shellfish. "Absolutely!" I respond with a smile. "Ok good, I've got some cockles here for you." He puts a few frozen packages in the bag and starts to look around his garage. This space has much the same content as one would expect in the average garage: tools, cords, years' worth of accumuli organized with some care on rows of shelves. There is one section however that is dedicated to food storage. He's got two small chest freezers and several plastic shelves laden with a variety of jarred foods. He walks around, assessing his stock, and begins grabbing different foods off the shelf, each time asking if we eat them. "Do you like pickled gumboots?" Of course we do. "How about beach asparagus?" It's one of our favorites. Soon, I've got two grocery bags full of various traditional foods that I'll bring home and share with my mother. "Mom is gonna be so happy!" I exclaim as I prepare to bring the bags out to my car. "Good! Good! We're family, I'm glad I can share this with you. Your mom and I used to have a lot of

fun together when we were kids running around town” he tells me and reminisces fondly with a few stories about growing up so long ago in our little village. B then begins to chat about other people he knows in Juneau that are from our hometown. One young couple from home has begun going to him for tips on how to make smoked salmon. He is obviously happy that younger generations want to learn from him, his stories making it clear that he enjoys sharing his knowledge with others. Motivated by his pedagogical generosity and my own personal and academic desire to learn more, I mention that I’ve never gotten cockles in Juneau. “Well, I’ll be going out next month to harvest if you want to come” he responds immediately. “I’d love to!” I mention, as well, that I’ll be going to Sitka in the summer to get sockeye. A way of telling him that I’ll have salmon to share with him. “Oh, great!” he exclaims. “I’ll make sure the smokehouse is ready!” Caught up in the redeveloping connective tissues of our relationship, I suggest that “Maybe we can work on fish together.” B.’s smile brightens further, “Of course! Of course! I love showing people how to do this stuff.” We chat a bit more, making tentative plans for an upcoming cockle expedition. I hug him, thanking him for his generosity and saying once again how happy my mother will be. He is beaming, content with the joy he has just shared, and the seeds of connection planted with plans made for future food endeavors: “I know we’re cousins but, I like to think of it more like I’m your Uncle, if that’s ok with you.” I smile warmly at his familial gesture: “It is Uncle B., I like thinking of it that way too.” He follows me to the door, offering one more “Take care now!” while I get in my car. Backlit by the interior garage lights, I see him waving in my rearview mirrors as I navigate out the snowy driveway.

When I arrive home, mom is waiting in the kitchen with obvious excitement. “What did you get?” She asks, already poking her head into the bags I’ve set on the counter. There are frozen cockles, pickled gumboots, dried black seaweed, Hudson Bay tea, eulachon grease, beach asparagus, and smoked salmon. All treasured foods that, to the experienced knower, immediately demonstrate the generosity of his actions. “Is that eulachon grease?” she asks with awe and excitement. “Boy, that was sure nice of him, huh? It’s getting harder and harder to come by.” We split up the bounty so mom can take her food treasures back to Ketchikan with her. “He’s invited me to go dig cockles with him on the next low tides” I tell her. “Oh, good!” she smiles again, “I’m glad you have somebody here to show you where to go.”

The above vignette is deeply emblematic of so many experiences I and my interlocutors have with sharing traditional foods. In the decade of research conducted for this dissertation, many relationships have been forged with much the same script. Sometimes it was my first trip to one of the villages in those early years of research, accompanied by that now familiar nervousness of a first meeting. After our initial interviews and discussions, and upon determining they want to continue sharing their knowledge, I inevitably depart from initial encounters with some form of traditional foods. Sometimes, it is a jar of their kippered sockeye or a bag of

herring eggs, other times it's an entire grocery bag or cardboard box brimming with food. When I first went to Hydaburg to begin what would end up being three years of learning there, I returned home with a large plastic tote filled with nearly 50 pounds of fresh halibut, king salmon, Dungeness crab, smoked salmon, and venison roasts. It completely filled my small freezer and made me so happy that I had to post pictures of it on social media.

Distribution of traditional foods thus plays a crucial role in both building and reestablishing relationships. B. has known my mother since childhood and knew me well as a child growing up in Metlakatla. Other than interactions on social media, B. had not had personal interactions with my mother or myself in decades. Although he had initially hoped we could get together for a traditional food dinner—group consumption being the ideal means of reconnecting—time constraints did not allow it. In place of a shared consumptive experience, and because of our ethnic, familial, and community connections, B. offers these cherished foods to us. He tailors the gift with care, asking if we enjoy each food before putting it in the bag. As he cultivates his gift, carefully selecting the foods by inquiring about our preferences, he is creating something that my mother and I will greatly enjoy. I am able to verbally demonstrate my appreciation in that moment, but my mother is not. He knows, however, that she will be appreciative both because I verbalize her future happiness to him, and because he has known my mother since childhood. This cultivated gift is initiated by— and thus indexes— our historical familial relationships while also bringing it into this present moment. In this way, our relationships to each other have been renewed and strengthened through this act of sharing.

Even more, by sharing information about himself he is creating the opportunity for a deepening of our relationship through a potential for future food activities. Knowing it has been so long since we had spent time together, he talks about himself in relation to the foods he is

sharing, and which demonstrate their importance to him. The variety of foods he shares are emblematic of the breadth of his expertise, while his harvesting and gathering stories also establish himself as an active and knowledgeable traditional food practitioner. Discussing others with whom he has shared his foods and knowledge, in turn, informs me of his capacity and willingness to share his practical knowledge. His stories of teaching prompt me to respond with a desire to share future foods and food activities with him. By revealing to him my lack of knowledge for where to harvest cockles in Juneau, he is made aware of my desire to learn, and is happy for the opportunity to teach me. Further, my offer to share fish with him in the future demonstrates both my gratitude for his generosity, and further establishes a potential for future food engagements. His stories during this short time of receiving gifts, and my response to them thus establishes ground upon which to build a new relationship around traditional food activities.

Anthropological Renderings of Subsistence

These acts of building family and community connection via sharing, however, are not legible to state law and overlooked in much anthropological research. After ANCSA was signed, subsistence became newly codified via the State Subsistence Law and the Alaska National Interest Lands Conservation Act (ANILCA), and anthropological research on subsistence shifted, yet again, conceptually and theoretically. Although subsistence has always in one way or another been political, the above legislation cemented subsistence within the context of government, cultural, and economic politics. Despite apparent intentions to protect subsistence rights at the time ANCSA was passed, with ANILCA

Congress bowed to the pressures of urban sport hunting groups, and provided a subsistence priority based not on ethnicity or tribal affiliation, but rather on geography of residence. Thus while ANILCA, [in the same manner as ANCSA,] paid rhetorical homage to the vital role of subsistence in Native ‘cultural existence; (as opposed to non-Native ‘social existence’), in practice, both state

and federal governments sought only to define and regulate ‘subsistence uses’ (Wheeler and Thornton 2005, 74).

Since then, anthropological research on subsistence has generally followed two trajectories: One is from research by academic anthropologists who attempt to focus on certain ways that subsistence has meaning and value for Alaska Native people; and the other, is the proliferation of research conducted by social scientists working for the Alaska Department of Fish and Game (ADFG) in their Division of Subsistence (DOS), which a bulk of the research on subsistence comes from.

A primary goal of this DOS research in its earlier years was to create a greater understanding of subsistence patterns in order to establish the criteria used to determine “customary and traditional use.” These eight criteria, as described by Wolfe (1989, 1) are: (1) length of use; (2) seasonality of use; (3) means and methods of harvest; (4) geography of harvest; (5) means of handling, preparing, preserving, and storing; (6) intergenerational transmission of knowledge; (7) distribution, exchange, barter, and trade; and (8) diversity and reliance. These criteria, used to describe “patterns of use characteristic of rural Alaskan communities, especially Alaskan Native communities” (Wheeler and Thornton 2005, 76), have been used by both state and federal subsistence management agencies to define “customary and traditional use,” which is the use pattern distinguishing subsistence from sport and commercial uses. The establishment of these criteria are important because they point to a “*community-based*” rather than individually based use pattern (Wheeler and Thornton 2005); and they demonstrate how subsistence is a practice with dynamic meaning, far beyond simple economics (Wheeler and Thornton 2005). Further, and while this anthropologically oriented understanding of subsistence has been used by the state and federal governments to delineate “subsistence” from other wildlife use categories, this determination was made using data predominantly acquired from Native communities, while

simultaneously refusing to implement protections for Native subsistence practices. Instead, this data has been used to create regulations worded in such a way as to qualify *all* Alaska residents who hunt, fish, or gather for personal consumption in rural areas.

Because subsistence protections within the State Subsistence Statute and formulation of the Customary and Traditional use criteria tied subsistence to economic need, much early DOS research focused on the economic significance of subsistence for rural residents. I do agree with some of this early DOS research which demonstrates that rural areas are predominantly “mixed economies” (Wolfe and Ellanna 1983) or rural subsistence-based socioeconomic systems (Wolfe 1998), because they avoid some of the pitfalls of acculturation theory by emphasizing the “mutually supportive” nature of contemporary subsistence practices (Wolfe and Ellanna 1983, 252). Further, and importantly, this research also facilitated an overall shift in anthropological research away from acculturation models that saw modern technologies as a form of cultural contamination.

Some of DOS subsistence research also focuses on the domestic modes of production, efficiency of production, and inter-dependent household organization and sharing (Bosworth 1989; Callaway 1995; Ellanna and Sherrod 1984; Magdanz et al. 2002; Wenzel 1986; Wolfe 1986a, b, 1992, 1998). Wolfe (1987), for example, notes that extended families usually combine labor and resources to process subsistence foods in what he calls a “super-household.” The super-household is where most of the work takes place, and often the primary source of technological materials required for subsistence practices (e.g., they may, for example, be the only household in the extended family group with a boat). These households serve as a sort of distribution point where products, processed or not, will then be distributed to the family, friends, or those in need. Wolfe (1987) also notes a unique division of labor based upon this system, the

“30-70 rule,” where approximately 30% of the households produce about 70% of the subsistence products for each village. My time spent in Hydaburg and Sitka both corroborate Wolfe’s assertion. There were often people with whom we shared salmon, deer, or herring eggs who would not have had access to these foods without our distribution efforts.⁶⁰ However, despite the obviously communalistic nature of subsistence practices, ADFG’s subsistence regulations do not always adequately take these distributive practices into account.

Since the 1990s, the DOS subsistence research shifted more towards the publishing of technical papers, focused on specific resource use in response to regulatory issues.⁶¹ The technical papers that now predominate DOS research typically discuss quantities and use patterns of a particular species in order to analyze trends in use and consumption, or to report on stock assessments. These works represent a broader shift within the DOS towards quantitative analysis as the predominant source of data for subsistence management. Further, since all the DOS research was and is conducted for regulation and management purposes, they generally lack theoretical insights, or extrapolations of meaning beyond surface level descriptions.

Academic anthropologists have had other—albeit similar— theoretical interests. For example, the role of cash in subsistence economies has been heavily researched, however, with sometimes conflicting results. For some, market sectors and subsistence sectors are analyzed as competing forces (Dryzek and Young 1985; Naylor and Gooding 1978).⁶² However, while these

⁶⁰ In the past decade, many of the Tribes in Southeast Alaska have started their own subsistence programs which distribute traditional foods to tribal members. While important for putting traditional foods on the tables of Tribal members, the amount is limited to what that employee can obtain. Further, it means that the learning process that happens organically when people are getting the foods themselves with families and friends are disrupted.

⁶¹ This includes studies on feeding subsistence to dogs (Andersen 1992), Koyukuk River game harvests (Andersen, Utermohle, and Brown 1999), salmon harvests from specific rivers (Coffing and Utermohle 1999; Georgette 1999b), subsistence use of brown bear (Georgette 1999a; Thornton 1992), subsistence use of migratory birds (Georgette 2000), and subsistence use of harbor seals (Wolfe et al. 1999), to name only a few.

⁶²For example, in analyses of low job retention rates of Native workers in the North Slope, the interference of wage labor in subsistence practices is listed as one of the reasons for low retention (Kleinfield, Kruse, and Travis 1983).

studies point out how increased reliance on services which accompany development interfere with subsistence, they do not discuss how the development infrastructures themselves, including the influx of laborers, may also put strains in wildlife populations.⁶³ Most works however emphasize that rural communities relying on subsistence are integrated, "mixed economies," rather than competing market and subsistence sectors (Bodenhorn 1988).

The degree to which the mixture is "healthy" or "sustainable" is occasionally called into question (see e.g., Langdon 1986a, b, 1991; Orbach and Holmes 1986). Wheeler and Thornton (2005, 78) note, for example, that "benign integration" models often overlook how industrial capitalist economies are always inherently based on unequal accumulation and distribution. This scenario often results in environmental devastation to rural areas where wealth is extracted. So, although these industries do sometimes contribute to the economies of rural areas, extraction also very often takes place within or immediately adjacent to subsistence areas. Dombrowski (2001, 2002, 2014), for example, notes how in southeast Alaska lands have been heavily logged by ANCSA regional corporation Sealaska's development efforts, devastating traditional hunting and fishing areas. Thus, in many regions, the corporate development goals of ANCSA were initially positioned directly against the local subsistence goals of the rural communities they are supposed to serve (see also Anders 1983; Thornton 2006).

Others note that economic factors, while obviously of interest to government agencies and academic research, are of much less concern for the subsistence practitioners themselves. Nowak (1988, 44), for example, in an analysis of sea mammal consumption in Nunivak, notes

⁶³ Bodenhorn (1988, 173) notes that the distinction between market and subsistence economies is misleading, stating that this competing model "does not acknowledge the degree to which the two systems today have incorporated elements of each other: cash becomes part of subsistence when used to purchase hunting equipment as well as to pay the fuel bill; subsistence enters the market place when people catch and dry fish, make sleds, make *ulus*, sew parkas or sew walrus skins for *umiak* in exchange for money."

that

cost is not the primary factor that determines the sea mammals taken. What decides harvest size is the hard-to-define notion of need in terms of ‘desirability.’ Marine mammal hunting is looked at in terms of being a part of these people’s upbringing; a tradition that says ‘this activity is an important part of our past, and we still involve ourselves in the customs and habits that comprise hunting sea mammals.’

Although Nowak (1988) does note that gustatory tastes, its relatively low cost as a source of meat protein compared with store-bought meats, and other factors affecting decisions to hunt sea mammals, the primary significance of this practice lies in the more abstract realm of desire. Such measures of value are not necessarily quantifiable making it difficult—if not impossible—to fit them into the rational economic models so preferred by the government agencies tasked with regulated access to subsistence.

While other scholarly topics such as environmental damage, climate change, political ecology, and anthropologies of public policy, have been produced regarding the complexities of subsistence as a policy issue,⁶⁴ much of this research evaluates legal regulations, rather than broader political economic contexts within which subsistence policy is situated. Those that do focus on political economy emphasize the inherent power asymmetries in Alaskan politics, noting that rural subsistence-based Natives are a disempowered group who lack the tools to protect their rights through the current political process (e.g. Freeman 1997; Hensel and Morrow 1998; Morehouse and Holleman 1994; Osherenko 1988; Thornton 1998, 1999; Wolfe 1993).

Significantly, anthropologists have emphasized how subsistence is deeply connected to Native peoples’ concepts of identity, health, and cultural survival and significance of food

⁶⁴ On environmental damage, see Picou et al. 1999; on climate change’s impacts on subsistence practices, see Krupnick and Jolly 2002; on political ecology and anthropologies of public policy, see Caulfield 1988, 1992; Kelso 1982; Lonner 1981, 1982; Morehouse and Holleman 1994; Thornton 1998, 2001; Young 1992.

subsistence practices.⁶⁵ Most of these works highlight how seasonal and everyday interactions with foods invoke memories and histories, family and community connections, and complex processes of intergenerational knowledge transmission, all of which ties food to cultural ways of being and knowing. However, they have little (if any) impact on the economically oriented focus of subsistence regulations, which often represents “the antithesis of the Alaska Native...view and have no basis in [Native] law or in practice” (Wheeler and Thornton 2005, 70). One may, for example, look at the Alaska Department of Fish and Game website on subsistence and see statements recognizing the significance of subsistence practices (however it does so by conflating Native and "Euro-American" significance), yet the subsistence regulations continue to structure peoples access according to a liberal economic model of individual need.⁶⁶

Throughout all these works, sharing comes to be discussed as an attribute of the “rural subsistence economy,” either in order to critique the extraction industries supported by ANCSA corporations, or to highlight the economic and nutritional reliance of rural Native people on subsistence practices. Very little focuses on the network of relations that are supported by food sharing.

Traditional Food Distribution and Relationships: Barter, Trade, and Generalized Reciprocity Revisited

⁶⁵ See Anderson 1998; Fienup-Riordan 1986a, 1986b, 1990, 1999; Fogel-Chance 1993; Lee 2002; Simeone 1995; Thornton 2001; Usher 1976. See also Newton and Moss (2005) which, through a collection of stories, oral histories, and traditional food recipes, demonstrates how subsistence food is—in ways both simple and complex—recognized by Tlingit people as “our way of life.”

⁶⁶ Further, and despite the above mentioned body of work demonstrating the multifaceted significance of subsistence practices, there are few state agencies that incorporate subsistence into their welfare, education, or health programs (although very recently, several senior care facilities and rural schools have begun to incorporate subsistence foods into their meal plans); and economic policy centers still “do not recognize subsistence use as a legitimate component of the modern economy” (Wheeler and Thornton 2005, 82). This is in part because subsistence does not generate revenue for the state or federal governments (Case and Voluck 2012; Thornton 2001), but also a “result of the modern, compartmentalized bureaucratic state being ill-equipped to relate to the holistic, interconnected values embedded in the social economy of subsistence in Native communities” (Wheeler and Thornton 2005, 82).

The food most emblematic of traditional food relationships is herring eggs.⁶⁷ Herring once spawned along nearly all the coastline of Southeast Alaska (Moss 2010; Thornton et al. 2010). Due to more than a century of intensive commercial fishing, the only spawn of any significance in the Southeast region is in Sitka Sound.⁶⁸ Once the herring release their eggs, they will stick to any surface they encounter, and a predominant method for gathering the eggs is to capture them on hemlock branches, weighted and sunk in the ocean in strategic locations. This method of harvesting eggs has been used for millennia and a good spawn will completely cover the branches in thick white clusters. The egg covered branches are then hauled from the ocean and brought to shore where a massive distribution process ensues. Typically, upon the boat's return to the harbor, there is a line of people down the dock, waiting with plastic garbage bags or totes to carry their eggs home. The rest is cut up into more manageable sized branches, then placed in 50-pound wax and cardboard fish boxes to be shipped all over the state.

These herring egg distribution networks can last through generations and many interlocutors note sharing anywhere from 200 to 5000 pounds of herring eggs throughout the state (Thornton 2019). As one would expect, most people have a list of family and friends who are the main recipients. Also on their lists are elders (family or not), and people who don't have access to these foods. Further, it is common to send several hundred pounds to a single-family household in a different community. Such an amount far exceeds what one family will consume in a year. However, upon arrival, it is understood that the herring eggs will be portioned and distributed out to the initial recipient's own network, a near exponential expansion of sharing

⁶⁷ For a detailed account of the value and distribution of Sitka herring eggs as well as issues with the commercial fishery, see Thornton 2019.

⁶⁸ Herring reduction plants used to exist all over southeast Alaska and had severely reduced the herring stocks well prior to the establishment of the Alaska Department of Fish and Games. See Thornton 2019, and Thornton et al. 2010 for a detailed history.

connections. Brent is a Tlingit man in his 50s who at one time worked for the Sitka Tribe's subsistence food distribution program. He is well known in the community of Sitka for being a major herring egg harvester. When asked about sharing Brent states that "the most important benefit [of sharing] is it reinforces our relationships to each other; reinforces what [my auntie] said: 'We are all related.' ...It's important to share. Important to make sure that your people are well cared for."

When it comes to food distribution, who counts as "your people" is not solely determined by shared ethnicity—for foods are shared widely with each other across the different families, tribes, and clans (Thornton 2019)—nor is food only shared with those who have a preexisting personal, familial, or community relationship. Ernest, another Tlingit man well-known in Sitka for harvesting sharable quantities, describes sharing with an unknown woman while shipping out herring eggs at the airport:

there's no measurable value for a smile when someone appreciates your generosity. When you...see a tear coming down a full-grown woman's face. I'd never met her, [it was] in an airport crossing. I just said, 'Hey.' She said, 'Are those herring eggs? Can I have some? You wouldn't know what this meant if I could take some.' So strangers will get some. Lifelong friends will receive them, and family. There's a connection.

The connection Ernest speaks of here is multifaceted and is discussed in various ways amongst people who regularly distribute traditional foods. There is of course the connection that is made over their shared appreciation for this food, a very commonly mentioned motivation. There is, as well, the recognition of a shared indigeneity,⁶⁹ or a knowledge that because another person is Native, they will understand the implicit value of these foods, treating it with the appropriate reverence. But there is also the connection between high volume harvesters and

⁶⁹ With few exceptions, herring egg harvests on kelp or hemlock branches are consumed predominantly by Native people. Most non-Native people who appreciate herring eggs in this way were either raised in or married into a predominantly Native family.

persons who do not have access to these foods. Most often when distribution from high volume harvesters is discussed, it is within the context of “barter and trade.” However, the reciprocal dynamics that fall within this category are often not properly contextualized or understood.

While food distribution is in one sense used to build or maintain relationships between people based on shared appreciation, respect, duty, or caring, these same foods also enter exchange relationships often termed “bartering” or “trade.” Most of the work discussing barter and trade focus on how portions of harvested surplus may be traded for cash (this is not “selling” per se, but is framed as “they’ll give me some gas money for the boat”), or exchanged for a different traditional food product that the persons may not have access to because of lack of knowledge or access. So, for example, B. often trades portions of his smoked sockeye with friends and relatives in Anchorage who will send him smoked eulachons, or he’ll send halibut to friends in Hoonah who send him black seaweed.

Through barter and trade, people can expand their selection of traditional foods. Michael, notes sending boxes of herring eggs up to the interior of Alaska in exchange for smoked, dried salmon strips from the Kuskokwim River. Although he has access to salmon, and has his own smoking methods, the fish from this region is processed in a way that provides it with a unique flavor and texture he is unable to replicate at home. Not all smoked salmon is created equally, and most experts will tell you there are only a few people who know how to make “the best.”

Often the exchange isn’t immediate, and may not be reciprocated for many months, if at all. This form of generalized reciprocity, as it is anthropologically termed, tends to be the predominant narrative about food distribution networks that extend beyond kin and local community. However, my interlocutors and I find this sort of economic framing inaccurate because it assumes that the movement of foods are rooted in the expectation of something given

in return. Distribution is framed as an economic function or transaction. However, when my interlocutors discuss it, they note that there isn't always an expectation of something given back.

Matt, yet another major subsistence harvester from Sitka states:

Because I'm a big believer in what goes around comes around. Like I gave away herring eggs one year to somebody and then that Christmas...I got a bunch of jams and jellies from that person. I wasn't worried about it but it was so nice when I get them. It was like Oh man! Homemade jams and jellies. Yeah, twist my arm. But it comes around. And if it doesn't that year, maybe the next year. Or they'll do something way down the line... It's just something that's been handed down to me and it's been handed down to me freely so why not just share freely.

Matt is noting that recipients of his sharing do indeed return his generosity, but he also that it is not expected. What *is* expected—from his perspective—is that he shares with others because that's what he was taught to do, not because he's hoping to get something in return.

What is missed in the use of terms like “barter and trade”, or “generalized reciprocity” is that the expectations of sharing behavior are aimed towards oneself as a high-volume harvester, not necessarily towards the recipient of the shared foods. Ernest discussed sending five fifty-pound fish boxes of herring eggs to his son in a neighboring village. The man was not from that area, and while he did know some people there, his only tie to that community is his son. To be clear 250 pounds of herring eggs is far more than one person or family needs for a year. Ernest, however, knows this and sent that amount of eggs to his son anyway. The reason, quite simply, for this excessive amount is that he knew his son would then distribute the eggs to other people in his community. Ernest doesn't know the other people in the community, the same way he did not know the woman from airport who asked him for eggs. He does not, even cannot, have any expectation of a reciprocal obligation. What Ernest does know, however, is that people in that village love these eggs, most likely do not have access to them, and whoever receives them will be overjoyed at having been gifted this food. Ernest, much like Matt, and other high-volume

harvesters, are sharing because they feel *obligated to demonstrate care* for other Tlingit, Haida, and Ts'msyen peoples.

Jenna is a Tlingit woman in her 60s from Hoonah who has lived in Sitka for decades and works for the Sitka Tribe's subsistence program. She has been interviewed several times over the years about "barter and trade" and "generalized reciprocity," and has come up with her own term: loving reciprocities. Jenna states:

Sealaska's got us asking these questions, you know, but in many many situations,⁷⁰ it's not as though a person sends the [herring] eggs thinking 'oh I might get some fish in return' or whatever it is. These are loving reciprocities that just naturally happen because they have some, you know, and they're gonna be thankful. So it's not like anybody plans it but yeah I think that those relationships are strengthened over the course of time by that interaction.

Thus, for most harvesters extensive distribution is not solely motivated by an expectation of food reciprocation. Rather, they are themselves motivated to ensure that others have access to these foods. While the recipient of shared foods may be motivated to reciprocate the gift, the distributors themselves are not motivated by—or even expecting—something in return. It is the recipient that recognizes the effort and thoughtfulness involved with the foods that were given to them, and thus, if able, may show gratitude by sharing something in return. This is not an economic exchange, as it is often painted in discussions of "barter and trade" and "generalized reciprocity."

These gifts, distributions, and redistributions are, rather, about recognizing our relationships to each other through the shared appreciation of traditional foods. When one has access to high volumes of a particular food, there is an imperative to share with those who don't have that same access. This is—in part—because as many anthropologists have already noted,

⁷⁰ Sealaska is the regional Native corporation for Southeast Alaska that was established through ANCSA. They now have a non-profit component, the Sealaska Heritage Institute, that sometimes puts money towards researching Native issues.

traditional foods are viewed as communal (Lee 2002). They do not “belong” to any one person, regardless of involvement with their acquisition. However, the anthropological discussions of the communal nature of traditional foods always fall short of fully fleshing out what “communal” means. The communal nature of traditional foods is about more than just material belonging. It is about relational and intergenerational belonging bound up with our respectful obligations to each other that are materialized through food distribution. Traditional food sharing thus are markers of love, relationality, respect, and balance which are perpetuated through these distributive processes.

It is when we consume our traditional foods together with our loved ones, that those affective and epistemological dimensions are brought forward. Jenna, eloquently discusses the meaning of sharing during a family meal in her memories of her auntie’s house:

It would just be amazing when we’d arrive at her house because people came from a lot of different places in Washington to have a feast... We’d arrive and her table would be covered with layers of newspaper and water would be boiling on the stove, and there’d already usually be clams and crab on the table. And then all the stories would come out. If we were lucky, somebody from Alaska would actually bring all these delicacies to us and then they would tell us about the days that they went out and how they harvested, and who was with them. And all of these little pieces of information are important because when you believe that your food feeds your soul, all those people that touched your food, that imbued their love and respect into that food, it is one of the greatest gifts that we give to one another, the love that we feel for each other, the land and the food that we share. The respect that we give to the food is of the utmost importance.

There is so much that happens for our understanding of traditional foods and each other during these times when we are eating them together. For some, their memories of family meals with traditional foods are moments of critique, where—as Ernest notes— aunties and uncles “tell me what I did wrong” in recent harvesting efforts. This is not about criticism, however, but rather an opportunity for learning so that future endeavors will be better. Still for others, gathering together to consume foods is a time of recognition, reconnection, and reflection. Dean,

a Ts'msyen artist, originally from Metlakatla, but now residing in the city of Juneau discusses his own experiences with family meals centered around traditional foods:

it's almost like one of the ceremonies, the protocol that we go through when we have the herring eggs out at any meal, it's always that short conversation of recognition of where it came from. Which family members helped distribute it, and recognition of the fact that this is part of our tradition and our resources that we need to protect so that our children and our grandchildren, and their great grandchildren can continue to enjoy these foods.

Conclusion

What underscores all these acts of distribution and consumption are acts of love, respect, and obligations which are not adequately understood when analyzed through an economic lens. While the acts of distributing quantities of traditional foods are indeed important for economic reasons, I have tried to demonstrate here that sharing has much more complex meaning for Alaska Native people. However, nearly all discussions of sharing—both within state and anthropological renderings—fail to see the significance of sharing beyond its economic functions. This is in part because the settler state has constructed a rural, needs-based framework of “subsistence” that renders the affective value of traditional foods illegible to management regimes. But it is also because the anthropology of subsistence in Alaska has responded to the failings of state management using that same needs-based economic framework.

That is, critical affective, relational, and obligatory components of traditional food sharing are overlooked in the emphasis on food distribution's economic function. This repeated emphasis on the economic functions of traditional food sharing are, at their core, templates of salvage anthropology that has had so much influence on the anthropology of Alaska. That is, in part, because Alaska has always been somewhat cordoned off, both geologically and academically, from many of the contemporary conversations in Indigenous studies and anthropology. However, it is also very much because the anthropologists doing subsistence

research are never Indigenous to the communities they study. They cannot help but position their arguments within, around, and against what *they* know about the world. While they certainly gain experience with traditional food sharing networks, undoubtedly becoming a recipient or even a distributor in their ethnographic efforts, they have no familial, ethnic, or personal connection to traditional foods. Traditional foods thus cannot have meaningful significance for them beyond what it will do for their academic research and careers. Despite footnotes and prefaces to work that discuss their long-time relationships with Indigenous communities, we are ultimately still the “Other,” their Native objects of study. This, in turn, connects to why urban Native people are almost completely left out of anthropological discussions around traditional foods. Those Native people in urban areas for whom traditional foods still hold importance are absent because, quite simply, they do not fit the long-time anthropological constructions of the “Native.”

Underlying all research on subsistence in Alaska is a power dynamic both within systems of management and within varied trajectories of anthropological research itself. For example, a driving question for the economics of subsistence in anthropological research is basically “why do you continue to maintain involvement in this activity when there are (sometimes) more economically rational alternatives?” These research stances are grounded in the assumption that subsistence food practices are fundamentally about the ability to fulfill a basic biological need, reminiscent of Malinowskian functionalism. Such framings understand subsistence within the broader context of the colonial desire for development, and thus subsistence appears antithetical to that desire. The very fact that this question needs to be asked points to an ontological hierarchy implicit in the anthropological and government desire to understand the “why” of subsistence.

If the need to understand and regulate subsistence is the thing that is questioned (rather than the practice of subsistence itself) the focus of analysis can shift away from the now overdetermined "Native" subject, towards the historically informed systems of colonial power that underlie contemporary management regimes. State and federal subsistence agencies have consistently refused to implement a Native subsistence priority in Alaska. Further, they have done so by "recognizing"—if only rhetorically—the unique significance of subsistence to Native people, while simultaneously and actively conflating that significance to that of non-Native settler populations. It is this process of conflation that I turn to in the next chapter.

Chapter 4: Multiculturalism, Racism, and the Myths of Settler Belonging: Subsistence as a Site of Competing Sovereignties

Introduction

Sovereignty, in relation to Indigenous people, has been broadly debated, analyzed, theorized, and critiqued. Tribal sovereignty, generally understood as the inherent aboriginal right to self-govern, which pre-dated the formation of the United States, is most often understood to be tied to land. Although many Tribes in the contiguous U.S. were (often violently) removed from their ancestral territories on to reservations, these reserves at the very least granted Tribes *some* land over which to express their (semi) sovereign authority. The lands granted Alaska Native people through ANCSA however, are not federal trust lands—commonly called “Indian Country”—thus removing a critical component of a Tribe’s capacity to express their sovereign authority.

Tribal sovereignty is made even more complex when analyzed within the context of settler colonialism. Within the settler colonial framework, Tribal sovereignty comes to be much more than simple self-rule or Tribal, state, or institutional expressions of judiciary power. It is, especially with relation to the settler/Indigenous relationship, also about the creation and recreation of boundaries for sovereign expression. This takes place via the construction of competing temporalities of belonging and the (re)configuration of racialized relations and rhetorics. These boundaries of sovereign expression are always in flux and are entwined with both cultural and personal ideologies that may be expressed in everyday actions. As such, “sovereignty” has various meanings with multitudinous implications dependent upon the time, place, and subject group in question.

The fluctuating boundaries and expressions of sovereignty have important implications

within the context of Alaska, where Tribal sovereignty is not articulated through treaties and reservation lands. Rather it manifests through nascent legal solidifications of Tribal authority boundaries, intertribal coalitions like the Alaska Federation of Natives (AFN), and Native corporations. That is, because of the lack of Indian Country in Alaska,⁷¹ *sovereignty at the sociopolitical level must be expressed within and through the settler colonial state's political and economic system.* This sociopolitical reality has unique implications for quotidian expressions of sovereignty by Native individuals and groups. Such expressions of Tribal sovereignty are—with near ubiquity—positioned against the unceasing and multivalent strategies utilized by settlers and the settler state to justify colonial violence through paternalism, which solidifies settler concepts of belonging. This chapter seeks to better understand the complex ways that sovereignty is expressed and negotiated by both the Alaskan settler state and by Alaskan Native people by analyzing the mobilization of settler rhetorics utilized in the regulation and management of subsistence.

Underlying settler colonial rhetorics and structures of governance are ideologies rooted in White supremacy that are, especially in Alaska, tied to the narrative myth of the frontier. Veracini (2013) notes that the concept of the “settler” began as a formation separate from colonialism and locates its origins within early twentieth-century Americanist literature on pioneering and the frontier, and contemporaneous historiographies of colonialism. Noting that the rise of popular literature focused on the frontier came at a time when “the frontier”—that is, land imagined to be empty and wild, requiring order, exploration, and cultivation— and the “pioneering” efforts that went with it, were diminished to the point of vanishing, leaving only the fringes: those places that would never be settled yet would contain within them the Indigenous

⁷¹ The one exception being the Metlakatla Indian Community in southern southeast Alaska which voted not to join the ANCSA land claims settlement.

peoples that had been removed from White settled space. Where once the frontier facilitated pioneering and its accompanying ideology of “a gendered order, a focus on mononuclear familial relations and reproduction, and the *production* of assets transferable across generations,” all that remained at the start of the twentieth century were the fringes that “set the limits of the settler project” (Veracini 2013, 315).

The acquisition of Alaska thus happened at a time when settlement in the reckonings of the contiguous U.S. was nearly over, a dream of the past in the face of a land where no more “wild spaces” were left. In these narratives, “the frontier” was not only about land as a space yet to be explored and settled, but was also about the maintenance of a particular American liberal ideology for it provided the mythical foundations upon which one could become a self-made, property owning citizen. It was, in essence, a moral imperative fostered by the settler state to tame and bring order to the “wild frontier” (Seed 2001). Alaska, often—and still—referred to as “the last frontier,” thus offers that “final” space in which to inscribe upon oneself the visage of the persevering, self-made settler so intimately tied to the frontier myth.

The “last frontier” ideology however is not simply a historic phenomenon that at one time motivated settler expansion into Alaska; it is an ongoing and contemporary ideological formation that continues to underscore many settler identities and is reinscribed through the mobilization of “equal rights” rhetoric, especially as it pertains to legal categories of subsistence foods. Although some of the language has shifted, the ideologies remain the same, and have been and continue to be used as a means of dispossessing Native people not only of access to their lands and waters, but also their capacity to protect them. While initial dispossession came through encroachment, land theft, and assimilation boarding schools, it now takes the form of multiculturalism and equal rights rhetoric, shifting baselines of temporality that conflate settler belonging with Native

belonging, and the paternalistic management of Native people's access to lands, waters, culture, and each other. In these ways, settlers and the settler state enact and reenact their purported sovereignty, even in the face of all knowledge of Native people's inherent sovereign rights. These enactments work to perpetuate the myth of a "settled" state in which liberal logics are made to seem natural.

As I will show in this chapter, however, Alaska Native people have consistently refused the narrative of a "settled" Alaska. Through numerous actions—both quotidian and strategically organized—Alaska Native peoples have always sought to express their sovereignty, and these expressions are most often materialized specifically over traditional food struggles. What follows then is an autoethnographic vignette of experiences during a recent herring potlatch. This annual potlatch is an example of how Native people are turning to alternative means of expressing their sovereign authority to address concerns over mismanagement of important animal species by the state. I will then once again return to a discussion of the legal and public renderings of subsistence during the 1970s and 1980s in order to draw attention to the specific settler colonial rhetorical strategies mobilized during that era. Finally, I will discuss testimony from recent Board of Fisheries meetings to demonstrate how these same rhetorical strategies continue to be used to reify the state's continuous efforts and practices of settler expansion, belonging, and dominion.

Herring Egg Frenzy: Sharing, Love, and Respect as Protest

I imagine it must be difficult for people to understand how herring, a 6-inch-long silvery fish, could have such dynamic significance. Various species of herring have had economic importance throughout the world, and at one time Alaska was one of those places. Herring used to spawn along nearly every inch of coastline in the southeast region (Thornton et al. 2010), but

over a century of intensive fishing has reduced the spawn area to one place: Sitka Sound. There are a few small and scattered spawns left outside of Sitka,⁷² but if you have a commercial or subsistence interest in herring, Sitka is the place to go. Alaska herring is prized by the commercial industry for its sac roe which is shipped to Japan and sold as a culinary delicacy.⁷³ Alaska Native people also prize the roe, but eggs desired for subsistence are harvested and consumed after the herring have already released them and are shared with Native families all over the state (Thornton 2019). In recent decades, however, not only has the market for herring sac roe begun to decline but so too has the spawn in Sitka Sound. The result is an increasingly contentious battle over herring management rooted in long standing tensions between the Alaska Department of Fish and Game (ADFG), the commercial fishing industry, and Alaska Native people who are fighting to maintain access to traditional foods.

In most places, herring is designated as a forage fish. This means that herring is recognized as a sort of keystone species upon which a multitude of ocean and land-dwelling species rely. Because of its significance to the ecosystem, forage fish must be managed conservatively in order to ensure their abundance remains plentiful for both its more-than-human and human predators. Alaska, however, is a special case: it is one of the only places in the world that has not designated herring as a forage fish. Anthropologist and regional herring expert Thomas Thornton deems this fact both a legal and political absurdity (2019). The absurdity of herring fishery management politics, it turns out, would be the catalyst for my first experience with the frenzy of subsistence herring egg distribution.

My whole life I had wanted to see the herring spawn in Sitka. As my autoethnographic

⁷² There is a small fishery near Craig on Prince of Wales Island.

⁷³ The egg sack pulled from female herring of a particular age and size.

vignette in the previous chapter discusses, herring eggs have been a part of my life as far back as I can remember. These memories are deeply etched in my mind and created a long-standing desire to experience the Sitka subsistence herring egg harvest. On my third trip to Sitka in the early spring of 2019, I was finally going to be lucky enough to see the spawn. I had been in touch with various friends and family before my arrival to see if it might happen while I was there. I had tried to witness the spawn the year before but had left disappointed because the herring spawn was exceptionally weak in 2018. The commercial fishery was shut down early due to the lack of fish and the subsistence herring egg harvesters were in a dire mood because barely anyone got eggs. Those that did, complained of poor quality and thin egg distribution on the branches. Most felt bad because the little they did get was not enough to distribute to their family and friends around the state who relied on them for their eggs each year. This year, it seemed, things would turn out a bit better, if only for the subsistence harvesters. For the second year in a row, the commercial fishery closed early because there weren't enough herring in the commercial fishing areas. The subsistence zones, however, fared much better.

It was early April and I had flown from California to Sitka for the week to attend the Yaaw Koo.èex', a herring potlatch hosted by the Tlingit Kiks.ádi clan from Sheet'ka Kwaan (Sitka). This was to be the second year this particular Koo.èex' would be held. The previous year, the Kiks.ádi hosted the event in January—far too early for the herring, but just in time for the Board of Fisheries meeting where competing proposals for herring management were up for discussion. For years the Sitka Tribe of Alaska along with several other tribal organizations and Native individuals had been pleading with the ADFG Board of Fisheries (BOF) to reduce the guideline harvest levels used to determine the number of herring the commercial fishers can catch. Each year however, both industry lobbyists and ADFG scientists would testify that the

herring stocks were fine, and the reason for “apparent” reduced numbers was that “fish move.”

If you ask most local Sitkans, they’ll tell you the herring spawn has changed drastically. They’ll describe how the bay would at one time explode with life when the herring arrived accompanied by the birds and sea mammals who also take nourishment from the spawn. The entirety of Sitka Sound would turn foamy white and, I’d been told, you could just walk down to the beach and pick fresh eggs off the rocks. However, those that argue against a change in the herring fishery, mainly members of the Southeast Herring Conservation Alliance⁷⁴ and Silver Bay Seafoods,⁷⁵ are quick to dismiss this testimony as anecdotal, pointing to the soundness of fisheries science and repeated statements that Alaska fisheries are the best managed fisheries in the world. The Yaaw Koo.èex’ was thus an Indigenous protest organized by the Kiks.ádi to draw attention to the repeated refusal of the Board of Fisheries to respond to Native concerns over the decreasing herring population.

The event started in the morning as three red cedar dugout canoes each holding eight men and women paddled into the harbor about a half a mile from the Alaska Native Brotherhood (ANB) hall where the Koo.èex’ was to take place. Drummers and singers in full Tlingit regalia— red and black felt button blankets, priceless Chilkat robes, and skin drums— sang and drummed the canoes in with Kiks.ádi clan songs. Along with about fifty or sixty other spectators, I was there with my friend Jay, who had loaned me his mother’s woven red cedar bark hat to wear during the procession to the ANB hall. We stood on each side of the boat-launch as the occupants climbed out of the large cedar canoes, singing along. Once the canoes were emptied of their occupants, we began the slow procession through the streets of downtown Sitka, singing,

⁷⁴ A herring fisheries lobbying organization funded by commercial fisherman and processors.

⁷⁵ During the 2018 Board meetings, Silver Bay Seafoods gave its employees time off to attend the meetings and testify in support of the herring fishery.

drumming, and holding “protect the herring” signs. Typically, over the last few years, there is an often-grave seriousness that accompanies Native people’s discussion of herring. Today, however, the energy was high, and people were in good spirits. This atmosphere was certainly connected to the celebratory nature of the gathering but was also due to the fact that the subsistence herring egg harvest was better this year than it had been for a while. Upon entering the small, crowded hall, my eye was immediately drawn to a row of two large tables about twenty feet long, covered in visqueen and piled three feet high with herring eggs on branches. Jay and I found places to sit and watched as people at the table trimmed the branches. They were lifting the large hemlock branches covered in eggs, then clipping them into smaller portions to fit into gallon Ziplock bags. As I watched them place the bags into large plastic totes, I realized they were preparing them to be distributed to the potlatch guests.

Although Jay and I had both come to Sitka to attend the Koo.èex’ and lend our support, we were also there in hopes of scoring herring eggs for our friends and families. It had been several years since anyone in my own family had gotten any, and I had already received several gentle nudges from my mother to keep my eye out while I was there. Jay and I both decided before we arrived in Sitka that we would pool our resources and try to find as much as we could together. We each contacted as many people as we knew and waited hopefully for responses from our harvester connections. Shortly after our arrival at the Koo.èex’, and after hearing the Kiks.ádi Herring Woman story and blanket dedication, I received a call from my Haida salmon fishing friend, Michael. He had just returned from pulling his branches and had stashed about fifty pounds of herring eggs in a large black trash bag under the dock ramp for me. I scanned the crowd and quickly found Jay who was talking with one of the clan elders. “We gotta go! I’ve got some eggs waiting for us.” Jay immediately excused himself from the conversation and we found

someone to loan us a car to pick up our stash. It was cold enough outside that we could keep the eggs on a friend's porch, so we returned to the celebration and kept checking our phones. An hour or so later, Jay got a call from one of his connections, so we were off again. All day, we were in and out of the potlatch, borrowing cars and stockpiling eggs as different people called us upon returning from the spawning grounds. Throughout, and if we knew someone had more to share, we were sending our own text messages and making phone calls to send other seekers their way. We did this for over ten hours.

I've never experienced anything like it. I've hunted, fished, and gathered with various peoples all over Southeast for years. Although people express their love for all the traditional foods that are of this place, there is something different about herring eggs. Sharing has always been integral to my experiences with traditional food harvesting, but with herring eggs the desire for them, and to share them, feels more urgent. At one point during the frenzy of distribution, I posted a picture on Facebook holding a large branch covered in eggs (fig. 2). Within the hour I had at least half a dozen people, some of whom I barely knew, contacting me to see if I would send them eggs. As much as I wanted to help, this wasn't my harvest. The eggs I received were given to me by others, and it felt greedy to ask for more. In the end, Jay and I had accumulated about 250 pounds. Jay gave some to his Sitka family, but brought over 100 pounds back to Juneau where it is very difficult for most local Native people to come by.⁷⁶ I sent a fifty pound box to my mother in Ketchikan who would then distribute them to the rest of the family, and another fifty pound box to some elders who lived in my home village of Metlakatla and who were life-long friends of my late grandparents. For myself, I kept one gallon size freezer bag to bring back to California for when my mother was coming to visit, and I was perfectly happy with

⁷⁶Juneau did once have a healthy herring spawn population, but it was wiped out by commercial fishing in the 1950s and has since never rebounded.

that. The day felt immensely successful, like I had been able to do something important for people.



Figure 2: Picture of author posted on social media during Yaaw Koo.èex. Photograph by interlocutor.

During my fieldwork in Sitka the previous year, I had worked as a research assistant for the Sealaska Heritage Institute's Herring Egg Distribution Project. The topic overlapped well with my own research goals and allowed me to interview a large number of people who were known to be life-long herring egg harvesters. Upon revisiting those interviews after my experiences acquiring eggs with Jay, people's passion for the food and for the safety of the species makes even more sense. I have eaten this food my entire life, knowing its significance for our traditional family feasts, but until this trip, I didn't fully understand the imperative to share that accompanies the process of distribution.

The sharing imperative of herring eggs however is not only associated with distribution; it is also critical that they be consumed with others. In fact, it wasn't until I moved to California for graduate school that I realized I had never in my life eaten herring eggs alone. About a year

after I moved there, my mother sent me two small frozen bags of herring eggs through Fed Ex. She knew I was missing foods from home and sent this loving care package as a remedy for my homesickness. I was utterly thrilled to receive the box and could not wait to have it for dinner. I went through much the same process as described in the vignette of the previous chapter but with a bit less variety as there was only one mouth to feed. With great anticipation I prepared my dinner, the familiar ocean and earth odor of herring eggs on hemlock branches and eulachon grease filling my body and sat down in my apartment to begin eating. Although I was excited about this meal, something did not feel right. The olfactory indicators were present, but the auditory and visual components were wrong. There was no laughter, there were no stories, my family was not there to tease me in their loving way. And that wonderful moment of non-silence when we all stop talking and hear only the melody of herring egg consumption was absent. It was only me, alone with the sounds of southern California. The food, which is normally one of my favorite meals, tasted flat, almost as if there was something wrong, either with my taste buds or with the eggs themselves. In hindsight, the flavor *was* different, but it wasn't the fault of the food, nor of my deceitful taste buds. It was, rather, the unconscious knowledge that the setting was not right; this was not how it was supposed to be. The experience was wrong. These foods are not meant to be eaten alone.

Experiencing the unusual event of eating alone, taken together with the stories of the many herring egg harvesters and my own first experience with distribution bolstered my understanding of what is at stake with regards to the protection of the herring. When I conducted interviews with high volume herring egg harvesters, their discussions of sharing were data-driven. It was information regarding the channels of distribution: how much is sent out during peak harvest years versus low harvest years?; how is distribution prioritized?; What happens to

patterns of distribution when the harvest is low? All this information painted a picture of a complex web of relations that are created or nurtured because of the herring. That much was easy to glean. But it was not until I found myself involved with the sharing and distributive dynamics of herring eggs that I began to really understand why harvesters are so deeply troubled by the increasing precarity of the herring egg harvest. In the words of Tlingit herring egg harvester

Matt:

Kusteeyix. It's our way of life. It's who we are. It sustains us, it...breathes our ancestors into us when we eat it. When I eat [herring eggs] I think of my grandparents. I think of all the people that came before me that harvested and gave it to me. When I eat it I think of Sitka...[Sharing] is just a part of/it's ingrained in a lot of people that are born traditionally Native. It's just what we do. We share with others. We take care of each other. We don't let anybody go hungry.

Traditional foods are a critical component of how we demonstrate our love, care, and respect for each other. By sharing our food with others to whom it has similar value, we are fulfilling obligations of care that are integral to our identities as Native people. Sharing for high volume harvesters is thus motivated by such obligations to demonstrate and perpetuate caring intention.

The sense of urgency to protect the herring, and the profound loss felt by the Tlingit, Haida, and Ts'msyen communities when they can't give or receive herring eggs are strongly evidenced during the Board of Fisheries (BOF) public comment process. Every three years, the Sitka Tribe submits three or four proposals to the BOF requesting the commercial fishery be more conservatively managed. In response the commercial fisherman, processors, and their lobbying groups submit counter proposals (and counternarratives). Dozens of Native people testify about the importance of herring to our way of life. The BOF is a process, however, that is unable to attend to or even comprehend what herring means to the Indigenous people of Alaska. Despite BOF members' stated attempts to reach decisions that are "best for everyone," it will ultimately never be a process that works to protect the interests of Native people because it is at a

fundamental level about competing expressions of sovereignty.

Tribal sovereignty in the U.S. was never truly about recognizing the inherent authority of Indigenous peoples to govern themselves. Rather, Tribal sovereignty was about granting Indigenous people enough authority to be able to sign away their land. It was a way for colonial governing bodies to formalize land-theft and paternalism over Indigenous people who were never really viewed as human in the first place. Since the signing of the Declaration of Independence, we have been conceptualized as “merciless indian savages” (Jefferson 1776), our cultures, values, political systems, and kinship all deemed unintelligible and animalistic. While it would be unacceptable to say such words in the public today, the racialized logics that underscore such phrases still manifest themselves in the paternalistic management of our lands and waters. For example, the state’s perpetual refusal to codify any laws that would protect subsistence for Native people based on cultural value. To do so would be to recognize that Indigenous cultures have equal rights to exist alongside “White” culture, and it would as well be an admission of Native peoples’ equal sovereign authority. That is, any meaningful recognition by the state of Native peoples’ capacity to govern ourselves, would in turn call to question their own authority to control the land, water, and resources.

The Yaaw Koo.èex’ is thus a Tlingit response to the failures of settler governance structures to appropriately respond to herring issues after years of trying—and failing—to protect the herring through the BOF process. It is a community response, using relationality, love, and respect towards the herring that is illegible to settler narratives and governance structures. Such events are becoming increasingly more common in Alaska. We have learned that the state has never, and will never, do anything that serves the best interests of Native people. This is, in part, because as Harjo (2019) notes, the formalities of colonial governance structures are too

burdensome to support community-oriented actions that Native people require. They are steeped in formalities that “foreclose the possibility of communities enacting their wishes and ... can reproduce normative settler colonial governance structures that shift power from the collective of everyday folks to the elites, putting decision-making in the hands of a few” (Harjo 2019, 12). Thus, more and more community-oriented expressions of sovereignty are taking place in people’s everyday lives or through community engagements that can disrupt the formalities of settler governance structures.

How did colonial governance in Alaska emerge over time to become what it is today? The next section will (re)turn to that history, taking a more in-depth look at how the rural and urban designations came to be racially coded, and to show how White supremacist ideologies underscored the rhetoric of “equality” to successfully disenfranchise Native people of their aboriginal hunting and fishing rights.

“Subsistence: Who has the right?”: Alaska Board of Fisheries and the Ongoing Construction of Settler Belonging

“Subsistence: Who has the right?” is the title of an *Alaska Review 45* news documentary from 1982 highlighting the contentious public debates over subsistence throughout the state. The fifty-minute program tacks back and forth between two main perspectives. There is the Native perspective, which argues from the position of their rights to protect their cultures and very ways of life. The other is the settler perspective, represented by then Board of Fisheries members, and Sam McDowell, figurehead of the Alaskans for Equal Hunting and Fishing Rights organization. The tone of their statements sounds practical, righteous, and polished. It’s not “need” behind the fight to protect subsistence, they argue, but “greed” that underscores Native people’s motivations (*Alaska Review 45* 1982).

In previous chapters, I mentioned the role of urban sport hunters and fishers in shaping the state and federal government's efforts to define and regulate subsistence. There are, however, a few specific persons from this era who were the primary voice for settler rights, and who successfully mobilized a *settler equal rights* rhetoric to fight against Native subsistence rights. This section will focus first on Sam McDowell in order to demonstrate the way he represents a wide-spread and ubiquitous settler identity. I will then draw connections between his perspective and rhetoric to that of settlers today, by discussing public testimony from recent 2018 and 2022 Board of Fisheries meetings in southeast Alaska.

Sam McDowell was born in Missouri and moved to Anchorage shortly after WWII. His 2013 obituary⁷⁷ describes him as a “strong advocate for public access to recreational sites” and an “active advocate for subsistence hunting and fishing rights, fighting through the courts to ensure equal rights for legal resident Alaskans through the McDowell decision guaranteeing subsistence rights for all Alaskans wherever they lived or whatever their culture. His slogan was, ‘Equal Hunting and Fishing Rights for all Alaskans’” (ibid.). His obituary is, of course, a valorous painted picture of a persevering Alaskan settler with a deep admiration of Alaska’s “wilderness,” and a proactive and protective stance towards “equal rights.” His perspective is, on first blush, one that would be easy for the average (White) American to agree with. However, when positioned within the context of Alaska’s settler colonial history, and within the racial tensions at play during Alaska’s post-ANCSA period, McDowell’s equal-rights stance demonstrates a deeply White supremacist ideology, pitted strongly against Alaska Native people.

Throughout the *Alaska Review 45* documentary Native people are shown struggling to

⁷⁷ [Sam McDowell obituary, Anchorage Daily News](#)

practice subsistence in regions with diminishing fish runs,⁷⁸ in constant competition from commercial and sport hunters and fishers, some even getting arrested for fishing in traditional areas recently designated urban and thus no longer “subsistence” zones. At the time, and throughout the development of the post-ANCSA subsistence debates, McDowell was on the Board of Directors for the Alaskans for Equal Hunting and Fishing Rights. This group, funded in part by the Alaska Outdoor Council and other national sport hunting and fishing groups, represented the predominantly urban dwelling sport users in Alaska. They orchestrated and backed all the litigation brought forth by non-Natives to challenge subsistence rulings. Initially, they were incensed at the creation of the subsistence priority established in the State Subsistence Statute, proposing a ballot measure to have the entire statute overturned. This ballot was soundly defeated by Alaskan voters in 1982, leaving the subsistence statute in place.

Immediately, McDowell and the Alaskans for Equal Hunting and Fishing Rights sued the state on grounds that the BOF and Board of Game (BOG) did not have the authority to determine an area’s rural or urban status (i.e., where subsistence could be practiced). The state responded with an amendment to the statute granting the Boards that authority, so McDowell’s group changed tack. By 1986, the state had been managing subsistence under a rural residency preference to align with the federal ANILCA mandates. McDowell and the Alaskans for Equal Hunting and Fishing Rights decided that rather than attack the subsistence use category itself, of which Alaskans had already demonstrated support, they would instead attack the legality of the rural residency preference. The case went to the Alaska Supreme Court, which in 1989 agreed that the rural residency preference was in violation of the State Constitution's equal access clause.

⁷⁸ Although the program is attempting an unbiased representation of the issue, it is apparent that the producers and editors are on the side of protecting Native people’s subsistence rights.

While McDowell and the Alaskans for Equal Hunting and Fishing Rights group are often mentioned in the literature on ANCSA, ANILCA, and subsistence during that era, there are no quoted statements from him. In fact, the 1982 news documentary was my first encounter with the particularities of his argument. Because they are so representative of settler ideologies at the time, it is important to quote his statements from the documentary at length. During his interview, McDowell argues that the Alaskans for Equal Hunting and Fishing Rights are not going to let the current administration

make second class citizens out of 85% of the people. If you took Alaska and shrank it down and you showed what we had access to before the D2⁷⁹ and what we had access to before the priority of subsistence, we had access to 100% [of the land and resources]. If you start eliminating the 44 million acres⁸⁰, if you start eliminating all the land that was set aside for the 15%⁸¹, you'll see that...the balance that's left over for us⁸² is probably no bigger than one of the smaller states. Did we come up here for this?...We didn't come to Alaska to become second class citizens. Now 85% of the people in the state⁸³ have been disenfranchised. Now what we're talking about, the message we have for the people in the state of Alaska is it's not subsistence, it's equal rights...What we want is a professional management of the resource, not political management... And I want you to know one thing, this is not racism to us, this is a case of equal rights, and professional management, and equal access. We support the personal consumptive use of the common property resource in this state. And we have got a long track record of proving that. For example, in 1935 it was the sportsman that stepped forward and passed the duck stamp because they knew the waterfowl in America was in trouble. We've been paying our duck stamp, and happily so, ever since. And that's what purchased millions of acres of wetlands and that's what protects and stabilized the goose and duck population in America. There's more ducks, more geese, more wild turkey, more deer, more elk and other species of game in America today than when Columbus landed here. It wasn't rural Alaska residents⁸⁴ that put them there. It was concerned Americans and sportsmen's dollars.

As an Indigenous person, and someone knowledgeable of the deeply violent and racist history of

⁷⁹ Code for ANCSA land mandates

⁸⁰ The amount of land granted to the Tribal corporations under ANCSA

⁸¹ Code for the Native population

⁸² By "us" he means the White, settler population

⁸³ Code for the non-Native population of Alaska

⁸⁴ Code for Native people

Alaska, this man's testimony is difficult to watch. There are various egregiously inaccurate, misrepresented, or outright delusional components of his argument. Despite his efforts to protest any racist motivations, the thin veil of "equal rights" rhetoric is insufficient to the task. One could write an entire chapter disarticulating and analyzing his statements. However, I will focus on just a few components in order to highlight the deeply racist undertones, and to connect them to discussions that still occur today.

First, and most apparent is the settler ideology of belonging, ownership, and unfair acquiescence that underscores his perspective. The beginning of his statement asks the viewer to envision Alaska as a White settler should—a vast land, devoid of Native people and ownership, its resources free and available for settler exploitation. Then, the viewer must reenvision it after the signing of ANCSA and the development of the subsistence statute. It is now miniscule, lessened, pictured as something akin "to one of the smaller states." His words almost effortlessly remove the deep temporal history of Native inhabitants, restarting the clock of rightful belonging to the moment of settler acquisition. He then reframes the land returned to Native people through ANCSA as a loss for White settlers, such that it is they who are losing rights to land, not the Native people. His next move is to use White settler loss to frame his primary argument: land loss and subsistence protections are in actuality disenfranchising the White population, pandering to the needs of the few "rural" residents.⁸⁵

This transformation of the language of loss, and the use of an Alaskan settler temporality, all framed within the logics of liberal multiculturalism are still utilized in contemporary arguments against Native subsistence interests. These tactics are often employed at the Board of Fish and Board of Game meetings during public testimony on pro-subsistence proposals

⁸⁵ Kurtz (2006) provides an excellent discussion of how throughout the process of Alaskan statehood and subsequent population booms, space became racialized to code "rural" as Native, and "urban" as White.

submitted by Tribes. During the most recent meetings for southeast Alaska in the spring of 2022, the first few days were specifically meant to deliberate on the competing herring fisheries management proposals submitted for the Sitka Sound fishery. The Sitka Tribe has been fighting for years to have the fishery restricted in order to protect the herring, and the commercial fisherman have been fighting back equally as hard to continue fishing. What usually happens is the Tribe submits several proposals to reduce the fishing quota, and the commercial industry lobbyists respond by submitting proposals that would restrict or limit the subsistence herring egg harvest. This has been happening for over two decades.⁸⁶

Public testimony at the BOF meetings is, much like the 1982 news documentary, compiled of two opposing camps. The predominantly—but not exclusively—Native testimony that supports a reduction of the fishery; and the predominantly—but not exclusively—non-Native testimony that opposes any changes to the fishery and wants the subsistence herring egg harvesters to be limited instead. The opposing sides echo much of the tone of the news documentary as well: the Native people talk about their inherent right to continue cultural practices, to express their Tribal sovereignty and Indigenous rights, and to protect the herring who “are leaving us” because they have been abused. The settler population, not all of whom are fishermen, talk of having already “given up” so much to the subsistence users, and of how their economic way of life is being threatened. Alaskan settler temporality is often used as well, with many White testimonials situating their expertise as third or fourth generation Alaskans and fisherman which is presumed to hold weight against the “anecdotal evidence”⁸⁷ of Tribal members who are speaking from over 10,000 years of Indigenous knowledge and science.

⁸⁶ There are several published works that go into exhaustive detail on the herring issue. See, e.g. Thornton 2019, Thornton et al. 2010, and Thornton and Moss 2021.

⁸⁷ Code for Indigenous knowledge

In the most recent 2022 meetings, Steve Reifenhohl, representative of the Southeast Herring Conservation Alliance—and the name on most proposals submitted in retaliation to the Tribe’s proposals— states: “I understand 9000⁸⁸ years of heritage, living close to the land, the sense of possession without boundaries and the pain of feeling displaced. Herring fishermen, many of whom are Alaska Native, feel the same way” (Board of Fisheries 2022). Here the displacement and loss narratives are entwined with settler temporality and belonging in order to conflate the vast differences between Native subsistence users and commercial industries. Others make statements warning the Board “not to lose sight of the similarities between commercial and subsistence: one for an economic way of life, and one for a cultural way of life,” (Board of Fisheries 2018a) in order to conflate the spheres of value being discussed. Still others urge the Board not to give in to the pressure of a “special interest group that has no sound science” (Board of Fisheries 2018b). The “special interest groups” he speaks of here are the Native people.

Farred (2008) notes that temporality and conflation are implicit in many conceptualizations of the settler self. In Farred’s reckoning, settlement on previously inhabited land presents a sort of “infinity” in that there will always exist for the settler a time prior to settlement in which the land was not theirs. For the settler

institutionalizing ‘civilization’ is a necropolitical act because it marks a historic death. Civilization marks not only the end of a mode of life (what the settler derisively labels “tradition”) but the death of a political so that it unsettles precisely because the land and its wealth are being expropriated—and, of course, redistributed. That is why the settler has to explain, in both critical and routine political moments, how it—as a polity—lives with the time before, the time that is not native to it in a land that does not and can never (fully) belong to it...the past is never at peace with itself. The past is the time and place to which unsettlement traces its haunting origins, making the past, in a canny way, the only time that matters. (Farred 2008, 799)

⁸⁸ It’s actually well over 10,000 years.

It is not just the Indigenous person who is defined by a specific temporality but the settler as well. This is because time always sets a limit for the settler, a preexisting moment that, regardless of all attempts to justify and obfuscate the violence of settler dispossession, will always remain as a challenge to the settlers' claim to land and water.

The hours of testimonials against Native subsistence protection proposals are rife with statements like those above. Although the dispossession of Native lands and waters is rarely discussed openly, there are slippages in my interviews with people from the White settler perspective.⁸⁹ Most often, Board members and others are careful to use language that aligns with state laws in a way that alludes to Native issues but does not explicitly frame it as such. Occasionally, however, their language will slip. For example, when interviewing White BOF members and commercial fisheries lobbyists, I sometimes heard them say “Native foods” but then quickly correct themselves with “subsistence foods.” Or, after they’ve relaxed in the interview, they’ll also relax their defense of the settler perspective and make statements that bely an understanding of Native rights issues. For example, Aaron, a White settler deeply involved with commercial fisheries and herring fisheries politics, at first talks around the subsistence issue, blaming the Tribe for their unwillingness to compromise, or noting they’re trying to “shut the whole fishery down” (neither of which are evident from either the history of Tribally submitted proposals, or from most BOF testimony).⁹⁰ Later in the interview, when I ask him why the topic of herring is so contentious, he states:

Well, I mean...I think that Alaska Natives [have] been here for 9000 years and then White men came in only the last couple hundred years and now that new culture is the

⁸⁹ I'm using the term “White settler perspective” intentionally here because there are many non-Native people who are cognizant of Alaska’s treatment of Indigenous people, and are thus generally supportive of—or at least sympathetic to—Native rights issues.

⁹⁰ The proposals have generally sought to reduce the guideline harvest level which is the percentage of herring the fishermen are allowed to take according to the predicted spawning population; or, to move the fishery farther away from the traditional herring egg harvesting areas.

dominant culture. And I think that there's part of the community that resents that and I think that there's always in our/in Western/in America, you know, with the free-market system there's winners and losers. There's people that have way too much money and there's people that don't have near enough and I think that in the communities in Alaska, it probably appears, and I think it's probably true that the white culture tends to have more of the resources than the Native communities. Or even within a community. There's certainly exceptions to that. I mean [J. C.] is a millionaire, a multi-millionaire. But I mean I think there's some of that human nature and history that's part of it and so there's anger. There's historical anger, and so fighting for control of that in other ways is a way to kind of push back.

Although Aaron does not discuss the racism, land theft, and violent assimilation efforts it took to facilitate the rise of the “new...dominant culture” he does—in a racist and obfuscatory way that blames unequal distributions of wealth on the “free market”—recognize that part of the issue is related to Native people fighting to express their sovereignty.

Tribal Sovereignty, Settler Colonialism, and the Construction of Race

For Indigenous peoples in settler states, racial politics is always imbricated with a particular geopolitical order focused on justifying settler land theft (Rifkin 2009). Tribal sovereignty thus serves to uniquely situate Indigenous people in a category quite distinct from other minority groups.⁹¹ As Teves, Smith, and Raheja (2015, 3) state “Native people have a distinct legal history with the U.S. court system that centers on sovereignty *between* the United States and Native nations rather than the subordination of Native people *within* the United States” (emphasis in original). Not only does this distinction often get lost in public understandings, the concept of Native subsumption to the U.S. is conscripted into the structure of many settler arguments used to justify Native disenfranchisement as was shown in the previous excerpts.

⁹¹ Indeed, the Supreme Court affirmed that being Native is not a racial classification when it ruled in *Morton v. Mancari* that it was not discrimination to implement a policy of preference for Indigenous hires within the Bureau of Indian Affairs because “Native peoples” is a description of members of a nation.

Although racism is certainly connected to the mistreatment of Indigenous populations, discussions of racism must also incorporate geopolitical settler colonial logics (Rifkin 2009). That is, the concept of sovereignty within settler colonialism immediately alters the terms of the relationship between White and Indigenous people. This is because what is at stake is not just a desire for social “equality,” but Indigenous people’s capacity to express their sovereign authority to govern themselves, which always disrupts the legitimacy of settler claims. Richard Day (2001, 184) points out that Indigenous articulations of sovereignty assert “a path to self-determination that involves neither a recovery of a partial remnant of a sovereignty lost in the past, nor a future project of a totalizing nation-state,” and instead are about recognizing and maintaining an unbroken continuum of sovereign expression prior to and since European colonization. It is this desire to assert the “unbroken continuum of sovereign expression” that most often motivates Alaska Native people’s fight for subsistence rights. Sovereignty is what motivated the start of the now annual Yaaw Koo.èex’ that began in Sitka in 2018; sovereignty is expressly stated in Native people’s testimony at the BOF meetings; and sovereignty has been threaded through Native protests against subsistence restrictions since the beginning of U.S. settler encroachment.

Settler attempts throughout the decades to paint their actions against Native interests as a fight for “equal rights,” not only demonstrates a denial of Native sovereign expression, it also works to illuminate their own White supremacy. Taylor (1994) notes that “Difference-blind” multiculturalism is by its very nature homogenizing because its goal is to position all members of society on an equal footing making it antithetical to individuality. However, what is at stake from the Native perspective is not a threat to individual identity, but rather the way “difference-blind” multiculturalism, glossed as “equal-rights,” is effectively using liberal individualism to disenfranchise an entire cultural group. Further, the “norm of equal recognition” in the context of

liberal democracy only recognizes those qualities considered to be *universally* shared (Taylor 1994), thus excluding the possibility for expression of group specific traits that fall outside of that boundary. It is, then, the settler's individual identity—and individual rights—that are threatened by Native people's collective right to express sovereignty over their traditional foods.

Byrd (2014, 175) notes that forms of cultural essentialism that stems from multiculturalism “collapses difference into smooth trajectories of inclusion and asylum that have depended upon narratives of the ‘vanishing native’ and indigenous dispossession.” Such narratives are a fundamental part of what Bruyneel (2013, 311) (via the work of Louis Hartz) calls “the American liberal colonial tradition” where the founding liberal myth of American exceptionalism and the self-made citizen, are utterly dependent “upon a disavowed relationship to the constitutive role of settler colonization in the foundation, development, and structure of the USA.” That is, multiculturalism obscures the important ontological and epistemological differences at stake by situating difference at the site of “culture,” viewed as either ahistorical, or in such a way that relegates the effects of history to the past, with no significance in the present.

Indeed, Kymlicka (2007) points out that multiculturalism is unable to address the collective rights-based agenda of Indigenous people *because* of its foundations in liberalism. Further, Glenn Coulthard (2014) rightly points out that supporters of the multiculturalist model leave unquestioned or implicitly accept the authority of the state to determine the legitimate boundaries of what can be acceptably recognized. That is, it is inherently problematic for the state to have the authority to recognize Indigenous rights when it is also the polity that is responsible for their dispossession (Coulthard 2014).

As Harjo (2019, 24) notes, the problems with state recognition are why many Native people are forgoing state governance structures all-together, because:

The onus is upon Indigenous troops to either lodge credible claims against the state or to defend themselves against actions of the state. There are two pursuits here: one is appealing to the structures that created the problem in the first place, and the other is crafting reductive spatial representations of the Indigenous community. The first pursuit is existence in a constant state of survival and action in response to larger structures that are producing the inequalities; the other is the production of narratives directed at the state apparatus for use in grievance claims that are stripped of the complexity of Indigenous communities, space, and places. In the first pursuit, Indigenous groups hurtle through the politics of recognition, arguing before the state in ways and in a language that the state will understand. A politics-of-recognition narrative requires Indigenous people to discuss themselves in terms of Western knowledge and taxonomies of land. These are hollowed-out narratives about Indigenous places that over time become naturalized stories and commonly received knowledge. Consequently, when communities structure their accounts within the terms of the politics of recognition, narratives of poverty, income, educational levels, etc. are retold and retrenched, sustaining a simplified and damage-based narrative about the community.

Harjo could very well be describing the issues with fisheries management of subsistence in Alaska. Not only are Indigenous knowledge systems and communal values illegible—and thus unrecognizable—to subsistence management regimes, Native peoples’ only recourse for protecting their lands and waters is appealing to the governance structures that are implicit in species decline in the first place.⁹² Furthermore, and as was discussed in the previous chapter, Native people are forced to discuss subsistence using “hollowed-out” narratives of economic need because of the high cost of living in rural communities. Economic need is practically the sole narrative that will motivate state and federal management regimes to support proposals in support of subsistence protections. Thus, rural economic need becomes a subsistence paradigm that in turn allows White settlers living in rural areas to justify their rights to access subsistence resources.

Ultimately, the “recognition” that accompanies Tribal sovereignty within multicultural narratives must also be concerned with the ways that liberal pluralism is imbricated with the

⁹² For example, as mentioned earlier, the collapse of herring populations throughout southeast Alaska is directly connected to massive overfishing that was allowed prior to and during the early years of ADFG fisheries management.

broader processes of Indigenous elimination. Pateman (2007, 40) notes, for example, that “the very fact that Native peoples and their governments are recognized means that the question of the legitimacy of the settlers’ creation of civil society always remains in the background.” This is significant in that it forces a critical analysis of the motivations behind—and effects of—recognition by the settler state.

Bhandar (2011) notes that identity is now highly bound up with rapidly shifting neoliberal concepts of ownership and property that are vastly different from that of the eighteenth and nineteenth century. Yet for Indigenous people, these outdated modes of ownership are still tied to contemporary Indigenous rights claims around land that “come to be reduced and articulated in the language of sovereign territory, nation and a concept of culture that is synonymous with unchanging, static traditions” (Bhandar 2011, 234-35). The effect is that recognition as it is practiced within liberal democratic states, has proven to have no *transformative* effects. Rather, it works to assuage the societal guilt of historical atrocities committed for the advancement of the state and to relegate the negative actions of the state to the annals of history (Coulthard 2014). In so doing, multiculturalism ends up reproducing systems of oppression, first through delimiting what can be acceptably recognized, that is, in Povinelli’s (2002) parlance, that which is not viewed as “repugnant” to liberal democracy; and second, by setting the limits of acceptable difference, multiculturalism effectively suppresses the nuanced means by which Indigenous people argue for and express their sovereignty, often in terms that are fundamentally at odds with the individualistic ideologies of liberal democracy (Holder and Cornthassel 2002; Johnson 2008; Moran 2002).

Bhandar also (2011, 227) notes that “The native subject, a creation of the settler, was (and remains) caught within relations of dispossession, alienation and ownership that do not

allow, in the absence of a dramatic rupture, for mutual recognition.” This is because recognition within the settler colonial context is bound up in a hierarchical formulation of state politics, which is in turn working to maintain their own spatial and temporal orders both upon and against those of Indigenous people.

Indeed, some scholars have argued that the conflation of race with issues of sovereignty is itself a form of settler colonial oppression because it draws attention away from the ways that Indigenous people are continually fighting against dispossession. Byrd (2014, 178) argues that to overlook the significance of sovereignty in differentiating the relationship between Indigenous people and the settler state is to commit a form of “equivalency” or “the assumption of a level playing field” that, according to Spivak (2009), is itself a tool of colonialism. Such discursive tactics portray a desired image of settler normativity: that of a settled and sovereign United States, free of conflict with its “prior” inhabitants which disavows the historic and ongoing acts of settler violence through “replay[ing] dispossession and settlement on a mnemonic loop” (Bruyneel 2015, 351). The subsistence use category, and all the narratives mobilized around it to conscript it into the rhetoric of White settler equal rights, or against it to conflate settler belonging with that of Indigenous people, is an Alaskan snapshot of a larger portrait of the United States’ mnemonic processes of settler belonging and normativity.

Conclusion

Within Alaska, “subsistence” has come to be imbricated with a localized, liberal settler ideology regarding non-Native residents’ rights to provide for their families from the land and situate their belonging. Knowledge and involvement with subsistence foods for many non-Native Alaskans is, like many Alaskan Natives, also a marker of identity. However, this identity is connected to the ideological formation of Alaska as “the last frontier,” and thus deeply bound up

with settler temporalities, and narratives of perseverance and belonging in the face of a “wild,” vast, and untamable space. Further, such forms of identification with subsistence practices connect strongly to what it means for people to “be Alaskan.” While that is not to say that *only* those residents who are involved with subsistence consider themselves Alaskan, but it is to say that *all* those residents who adhere to the White settler perspective use their knowledge and practice of subsistence as a marker of their Alaskan identity. It is, in fact, for many residents who immigrated to Alaska from the contiguous US, how they prove that they are Alaskan, much like the man in the opening vignette of chapter two. This leads to a number of important points regarding state and civil expressions of settler colonial ideologies: These settler ideologies are accorded significance over and above Native ideologies surrounding subsistence. Within subsistence management systems, land and its resources are conceptualized in a way that privileges settler ideologies over those of Native Alaskans. There are a myriad of ideological and material tools that are mobilized to conflate Native and non-Native claims to subsistence resources. Those tools work to inform (both officially and unofficially) the way state officials interact with, interpret, and respond to Native concerns over access to subsistence resources. Settler ideologies regarding who has rightful access to the land thus fundamentally shapes Native people’s access to it. Despite all our efforts to have our concerns addressed through state processes, they are almost never acted upon in a way that suits our best interest. Similarly to the Yaww Koo.èex, Alaska Native people are increasingly forming NGOs, Tribal cooperative associations, and other alternative traditional means of drawing attention to those issues that the state refuses to adequately address.

Conclusion: Love, (re)Connection, and Possibility

When you're harvesting you should be in the best possible frame of mind and try to be happy and the place that I know that brings on immediate, instant happiness is being home. And I feel it in every part of my being. And so to me that is more than enough reason to go home to harvest. (Jenna, personal communication, June 2018).

There is so much loving intention in our interactions with our traditional foods and with each other through them. So many ways that traditional foods have meaning for Native people that far exceeds the rhetorics that attempt to know, and thus delimit them. “Cultural significance,” just like “economic need,” is a term wholly inadequate to address the dynamic significance of our foods. How does one even begin to talk about what food means for us? What they do for us? I’ve conducted dozens of interviews, spent thousands of hours “in the field,” read innumerable works, all within the context of my own lifelong connections to these foods, yet still feel inadequate to the task. Despite all of the ways that love is demonstrated in our food practices, or stated in people’s discussions of food, I avoided writing about it. There is just so little space for it in academia. To employ an overutilized cliché, however, love prevailed, and continually returned despite my efforts to avoid it.

Recognition of the love threaded through traditional food practices did not come from me alone. Instead, it came (as it should) from all my Native partners in this research. Jenna, whose quote opens this chapter, and who also appears in Chapter 3, is most responsible for love's return. Jenna is a soft-spoken Chookeneidee Tlingit woman who works for the Sitka Tribe. Her memories of foods are, like many Native people, not a linear progression of repeated activities throughout her life; but rather are rhizomatic stories situated within her own experiences of learning as a child, and later teaching as an adult. Her stories are marked by intermittent and varied access to foods throughout her life as she moved around and outside the state. But, she

notes, she always goes home to harvest her foods. When I first revisited the recording of her interview where she uses the term “loving reciprocities” in the context of traditional food sharing, I felt as though someone had turned on the lights after years of grasping for the right words to frame the meaning of our foods. It’s not that I didn’t inherently know their association to love, but rather that the constraints of academia did not provide me the tools to discuss it.

Typically, food stories bring joyous memories of time spent with family and friends, harvesting, processing, or eating traditional foods. But, often, stories about foods would recall loss as we remember those family members with whom we hunted, fished, or gathered but are no longer with us. Yet, despite the sadness that accompanies these recollections of lost loved ones, our foods also bring them back to us as we remember things we learned with them or from them throughout our lives. There is an ethical practice specific to foods in Tlingit culture that is meant to reaffirm the connections to our ancestors and passed loved ones. If you are near a fire when eating traditional foods, you should throw a piece of that food into the fire for them. Not the scraps but the very best piece. This, it is said, keeps them fed and reminds them they are still with us. It reminds us and those who have passed that although they are gone, our love for each other is still here.

All aspects of hunting, fishing, gathering, harvesting, processing, sharing, learning, and consuming these foods are imbued in multifaceted ways with loving reciprocities rooted in our dynamic relations to each other. There is nothing “individual” about traditional food practices. No book from which you can learn what it is or how to do it. You must experience it. Be part of a family for which it has value. This is in part because our knowledge has always existed and been maintained through stories and oral histories that are passed on through our encounters with

the land, waters, and each other. Many of our stories, however, have been lost, or rather, been put to sleep because of the aggressive assimilation education forced upon our parents, grandparents, and great grandparents. These brutal “educational” institutions that entire generations of Alaska Native people were forced to attend, were completely devoid of love. In these institutions, Native people were taught to hate themselves, their languages, and their indigeneity, and to devalue their ties to the lands and waters. Our languages stopped being spoken, and our stories stopped being told. It became difficult to recognize the obligations we have to each other, and to remember the stories that taught us about our ancestors' knowledge of these obligations. However, despite all efforts made to eliminate those processes of relationality that have for millennia allowed us—both human and more than human—to thrive in Alaska, we have maintained these relationships, however tenuously. Sometimes it was through speaking our languages only in our homes to keep it secret; very often, however, it has been traditional food practices that have held us together, allowing us to pass on our knowledge, histories, and ethical engagements with the world.

Because of the 1971 Alaska Native Claims Settlement Act (ANCSA) all claims to aboriginal land title, hunting, and fishing rights were dissolved. Nearly every paper on ANCSA and the subsequent development of the subsistence use category notes that Congress intended that the state and the secretary of the interior were expected to protect the subsistence rights of Alaska Native people. That is, Congress expected the settler population who (with very few exceptions) have *always* fought against or ignored Native land claims and sovereignty, to protect our access to these important resources. We were assured, over and over, that our traditional lands and cultural practices would be protected, yet federal and state governments would never

codify Native subsistence protections into law. As I have demonstrated however, ANCSA's lack of subsistence protections was not an oversight; it was, in fact, a well-worn practice of both the state and federal governments to promise protections that never came. ANCSA didn't include a protection for Native subsistence practices because they knew by the time it was signed in the 1970s, too many settlers and tourists enjoyed hunting and fishing in Alaska. For tourists it's a life adventure. For settlers, it's become a way of validating their identities as persevering Alaskans who have "tamed" the last frontier (and its Native inhabitants) by using the wild resources of the land to feed themselves and their family. Subsistence, they say, is their right and it's necessary for their survival. As I've shown, however, this settler "equal rights" rhetoric is in fact a mask used to disguise the ongoing efforts to usurp an inherently Indigenous mode of being and conscript it into a now naturalized settler subjectivity.

A decade after ANCSA, ANILCA was supposed to finally implement Native subsistence protections, but failed because of the effective lobbying of urban sport hunters and fishers who successfully employed settler frameworks of temporality to conflate settler belonging with Native belonging. Currently, any resident of Alaska can practice subsistence, but only in rural areas, with a few exceptions made for some federally managed lands, waters, and species. Not only does this put undue pressure on the rural resources, but it also alienates urban Native people from traditional food practices. The result is that many have only a partial understanding of what these practices are, mainly because they are on the receiving end of traditional food sharing practices and are unable to be fully involved with acquisition, distribution, and the relationships those activities foster. Most are confined to personal-use, rod-and-reel fishing. One fish at a time, what a colleague of mine jokingly calls "White people fishing" makes the sharing of traditional

foods near impossible. So now we have entire generations of Alaskan Natives who are completely disconnected from this fundamentally Indigenous mode of being that connects us to the land, to our more than human cohabitants, and to each other. Entire knowledge systems, ethical engagements, and modes of relationality are being slowly restructured within the constraints of subsistence regulations. ANCSA did in fact give us some power to not disappear politically and economically, but at the cost of helping to dismantle one of our most valuable cultural resources: a system of knowledge and ethics, that is always fundamentally about love, respect, abundance, and the perpetuation of relationships, rather than extraction, individual and economic need, or profit.

The subsistence use category in Alaska only exists because since the moment the U.S. purchased Alaska from Russia, Native people wanted two things: We wanted to maintain control of our villages, and we wanted to protect our hunting, fishing and harvesting areas. Through processes of encroachment and repeated stalling of land claims resolutions, the state and certain portions of its settler population have taken what is and always has been the inherent aboriginal right of the Indigenous people of Alaska and transformed it into an Alaskan resident right.

This process of conflation and belonging is deeply imbricated with the frontier mythology around which many Alaskan settlers have constructed their identities. Veracini (2010, 14) states that within these frontier mythologies, “(t)he settler hides behind his labour and hardship (the settler does not dispossess anyone; he ‘wrestles with the land’ to sustain his family) . . . [and] enters a ‘new, empty land to start a new life;’ indigenous people naturally and inevitably ‘vanish;’ it is not settlers that displace them.” Thus, an integral component of settler colonial violence is the work of obscuring it: “Even when the settler colonial narratives celebrate

anti-indigenous violence, they do so by representing a defensive battle ensuring the continued survival of the settler community and never as a founding violence per se” (Veracini 2010, 78). These foundational frontier narratives, so often associated with White Alaskan settler identity, are inherently violent because they perpetuate the displacement and elimination of Indigenous peoples.

Further, it is a violence deeply bound up with White supremacy, and although often rendered invisible, is necessary for White identity in the United States. Aileen Moreton Robinson (2008, 85) explains that the “USA as a White nation state cannot exist without land and clearly defined borders, it is the legally defined and asserted territorial sovereignty that provides the context for national identification of Whiteness. In this way...Native American dispossession indelibly marks configurations of White national identity” (2008, 85). The transformation of Alaska Native people’s inherent aboriginal hunting and fishing rights into “subsistence” thus must be recognized as an ongoing attempt at oppression and dispossession indicative of U.S. White nationalism and supremacy.

As Taiaiake Alfred (2005) argues “Oppression has become increasingly invisible; [it is] no longer constituted in conventional terms of military occupation, onerous taxation burdens, blatant land thefts, etc.” (58), but rather through a “fluid confluence of politics, economics, psychology and culture” (30). Through the mobilization of settler “equal rights” rhetoric, they have structured subsistence regulations using the liberal logic of individual need that restrains Native traditional food practices by shaping them into a mold of “subsistence.” These are oppressive tactics that continue to be used against Native people, and that ultimately seek to dismantle our very Indigeneity and vanish it to history.

Alaska Native people, however, have refused to vanish. Despite all efforts by settlers and the settler state to usurp or transform our traditions, and exploit our resources, Native people have consistently pushed back against settler politics and logics. Glen Coulthard (2013) who focuses on the relationship between settler colonialism and capitalism, notes that any meaningful effort at decolonization and self-determination within Indigenous communities must radically shift local economies away from capitalist modes of production, to instead focus on Indigenous peoples' relationships with and on the land. Coulthard (2014, 47) uses the term "grounded normativity" to help think through "the modalities of Indigenous land-connected practices and longstanding experiential knowledge that inform and structure our ethical engagements with the world and our relationships with human and nonhumans over time." Conceptualizing land in this way allows for a shift in focus to social relationships that emphasizes a more equitable distribution of resources by reorienting attention back towards communities.

I would argue that Alaska Native people have, in fact, never stopped utilizing the modality Coulthard calls grounded normativity. However, I would modify his term so as not to insult our aquatic kin that his term leaves out. Rather, I would argue it is a *relational* normativity that we employ as we ethically engage with everything in our surroundings to which we owe our gratitude. This includes the human and more than human species that are integral to this environment, and to which, as our ancestors have taught us, we are all connected and obligated. Our place-based ontologies have in fact never been fully dismantled because, quite simply, we are still here. We've never left. We may have been forced to ignore our relationality for a while, but as we continue to push against settler normativity, we are beginning to recognize it again. To be who we were always supposed to be, in the land to which we have always belonged.

In closing, I want to conclude this dissertation with a love story. The following vignette was from a recent fishing expedition that happened shortly after returning to Alaska from California in the fall of 2021, and I sat down to write it the very evening I returned home from the trip. This story, much like this dissertation, is not an ending. It is, instead, the beginning of another yet unwritten chapter.

A Final (Love) Note: Ricky's Coho

Although I have known Ricky for over a decade, the day I describe in the following story marks, for me, a significant turning point in our friendship. Ricky is a queer Tlingit man in his 30s with many artistic talents. He is one of only a few expert Chilkat and Raven's Tail weavers in the world; and his drag persona "Miss Lituya" is both a beautifully playful Queen, and a fearless advocate for Indigenous rights issues which are often incorporated into her performances. Over the years we have always respected each other, but had not had the opportunity to really deepen our friendship until recently. The following fishing trip, however, is when we fell in love. Not, of course, in a romantic way, but from a place of mutual respect and admiration that blossomed through our shared love of fishing. Since this trip we have gone out together regularly, fishing, deer hunting, cockle digging, and berry picking.

It was a beautiful fall Saturday, only a week after my return to Juneau and Ricky invited me to go to his special spot on Kowee creek near the north end of town. We met at lunch time, grabbed some coffees and started the drive out the road. Although I consider myself a proficient fisherwoman, my experience has mostly been with subsistence or commercial fishing, usually involving some sort of net meant to catch quantities of fish at once. I have very little experience fishing with rod and reel. Ricky is prepared however with an extra rod, and tackle-box full of lures that we carry on our trek through the woods to his special spot. The forests of Southeast

Alaska are dense and teeming with all forms of life. Every color of green imaginable exists here from the deep greens of the Hemlock and Spruce trees, to the bright chartreuse of the various moss and lichen. This is bear country, so we come prepared with a pistol and bear spray as well as some snacks and drinks for ourselves, his two rods, and a 5-gallon bucket that holds his brand-new gaff hook.

It's about a twenty-minute walk from the car along the creek trail to the spot Ricky wants to take me. He's been coming here since childhood and throughout the day he tells me stories of adventures with his dad or his brother of fishing or hunting in the area. His temporal relationship to this place becomes more deeply apparent with each story elicited by particularities of the terrain. We would round a bend of the river trail and he'd point to a place he'd caught an exceptionally large coho, or to another place he's fished repeatedly but could never catch anything. As with all people who have shared their favorite fishing, hunting, or gathering spots, these places are storied and speak volumes of our histories both individual and collective. Ricky warned me in advance of our arrival that he may get emotional. The river is changing, he notes, and this is where he spread his brother's ashes after he passed, unexpectedly and far too soon.

As we tromp through the woods in our neoprene Xtra-Tuff boots, my senses are filled. The terrain is lush, green and layered with Life and Death. The decay of flora and fauna is integral to the ecosystem and the smells intermingle in ways that oscillate between intoxicating and putrid. Because it's the end of August, the salmon have been making their way up this river for some time now to spawn and eventually die, their bodies providing food for the various woodland creatures and nutrients to the riverbeds. The cycle is perfect, however pungent.

As we reach our destination, an area just above a bend in the river that disappears around a sunlit corner, I see a rocky sandbar that will provide good footing for landing a fish. Ricky

takes us down the allotted path so we can set our things down and he begins using the rod to strategically land his lure at specific spots in the water. His first few fish are humpies, each of which is tossed back in the water in exchange for the hope of a bright, hungry coho. Ricky's years of fishing expertise tell him what he's caught just by the feel of the fish's reaction to the lure and line. He knows what type of salmon he has before he can see it: humpies don't fight the way the coho do. Cohos give you a run for your money and must be reeled in with care so as not to lose them. After a few humpies are thrown back into the river to complete their journey, Ricky catches another and exclaims with quiet enthusiasm "I think this is a coho!" He moves excitedly but carefully along the rocks and soon pulls in a beautiful silver coho salmon. They do fight with more vigor, even on the shore, and Ricky struggles momentarily to remove the hook from its mouth. The whole time he's beaming, all smiles and excited laughter. I snap a candid picture of him, capturing the look of pure joy on his face while he's approaching his catch. Ricky is beautiful with happiness and in the photo, it looks like he is dancing (fig. 3). He bends down onto one knee to hold the salmon below the gills, preparing to kill it by hitting it on top of the head with a rock and then pull the gills so it will bleed out. As he picks up the rock he stares at the fish and softly says "Gunalchéesh"⁹³ as he takes its life. One strategic blow to the brain, and again he murmurs "Gunalchéesh" as he reaches in to pull out the gills. The fish's fight is slowing now, only a few twitches as the last electrical impulses rush through its nervous system and its life force slips away. This death does not bring sadness, however, but reverence and joy. We are both so happy in this moment. Smiling at each other and remarking on the beauty of both the salmon and the day.

⁹³ This is a Tlingit word used in a similar way as "thank you" but actually means "I could not do this without you."



Figure 3: Ricky's Coho. Photograph by author.

After the ritual is over, Ricky goes back to fishing. I ask him if he wants me to clean the fish for him. He pauses briefly then states, “not right now.” At the moment, I think it’s because he’s waiting for the fish to bleed out and rest. But later, when he begins to clean it, I realize that it’s because he wants to do that himself. Of course he does. Cleaning a fish you’ve caught is intimate. I’ve cleaned thousands of salmon at this point in my life and always love doing it, enjoying the tactility of the process. The feeling of the fish's slippery scaled skin, my fingers strategically grasping its inherently elusive body so that I can position my knife to begin evisceration. Often the salmon’s heart will still be beating as it’s removed from the body cavity, an event that never fails to elicit curiosity and gratitude for the life that’s just been given to me. Only later do I understand his gentle refusal as I watch him clean his catch with patience,

reverence, and love. He tosses the salmon's organs in the water, an act of caring intention. Those parts inedible to us will feed any number of other creatures here, eventually decomposing and being absorbed into the earth to nourish the trees or other flora and fauna.

I don't fish this day. Instead, being newly returned home, content myself with explorations of the woods and shoreline. I eat some wild blueberries, gaze at the impressively thick patches of Devil's Club, walk along the riverbanks eyeing the few humpies that have congregated in the shallows, swimming their last moments here before they spawn and die. An exemplary metaphor for the inextricability of Life and Death. I find three Bald Eagle feathers in my explorations, a sign that my eagle clan ancestors are welcoming me here. These treasures also indicate the many more-than-human species that use these shores to sustain themselves. I lay back on the riverbank rocks and stare at the skies, eyeing the eagles that have shared their feathers with me and thanking them. These places love us as much as we love them. I'm deeply grateful on this day to be a Ts'msyen made so welcome in Tlingit Aaní.

Gunalchéesh, Háw'aa, T'oyaxsut' nüüsm, Thank you.

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