

PERSONHOOD, DISCOURSE, EMOTION, AND ENVIRONMENT
IN A TLINGIT VILLAGE

by

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This dissertation observes ways of speaking about environment and community in Kake, a Native Tlingit village on Kupreanof Island in Southeast Alaska. The study investigates the functions and values of legal/regulatory and economic linguistic resources that travel through time and space, linking Kake to other sites, regional, national, and international. In light of increasing environmental issues world wide, the study examines how legal and regulatory processes influence beliefs about community and environment as a whole. Within the dissertation are case studies to show how local, day-to-day, community and environment-related narratives interact with state discourses. The study asks how words and stories in everyday conversations express and interpret the extent to which local Kake people feel emotion and responsibility for their forest and marine environment and each other. In addition, the study asks how people communicate their narratives about place, community, and work to government representatives, who converse using their own specialized language, narrative, and discourse rules. How, in turn, do local groups interpret and react to law-making and regulatory narratives? In the

context of social attributes that help communities focus on sustainable livelihood strategies and the importance of environmental integrity, the study assesses what types of information get left out of discourses between local island people and state representatives. Communicating with "official" government agency personnel in public hearings, through documents, and in reaction to state decisions, influences changes in local words, stories and perceptions about people and place. The discursive and ideological adjustments that result can enhance or detract from local narratives that socialize moral codes and attachment to community and environment.

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CHAPTER I

INTRODUCTION

LEARNING FROM PEOPLE WHO LEARN FROM BEARS

In Kake, Alaska I learned to respect bears' strength and to keep a critical distance, but I also learned how people can coexist with bears. During my first summer I remember standing on the bridge in the middle of the village and counting nine black bears close by along Gunnuk Creek and in the long grasses near the beach. Bears and Tlingit people have cohabited for as long as they've shared Southeast Alaska. In Kake the bears come and go according to the seasons. During mid to late summer, people who walk in the evenings often carry bells or make noises to avoid startling a bear; they caution their children never to tease or aggravate bears; and when the bears are in town, the garbage is picked up every day. People tell stories about bears, talk about the ones they've seen, protect their smoke houses, and express enthusiasm when bears pass by. One big black bear peered into the picture windows at the high school during a school board meeting. I heard stories about a bear that knocked on people's doors at the Keex' Kwaan Lodge, and I listened while a man told about a bear that had taken to sleeping on his porch at night. People often visited the dump to watch bears. They watched bears with their cubs catch salmon in front of the fish hatchery. The whole time I was in Kake listening to stories about bears, I never heard of anyone in town injured by a bear. People simply knew how to live with bears, while keeping a respectful distance.

One night I was beading with several women in a house near the beach and Gunnuk Creek when we heard several shots. The women shook their heads, speculating that the shooter was a non-Tlingit man whose children had been teasing a bear earlier that day. The women expressed impatience with the man and sympathy for the bear. The next

day we learned that the man only wounded the bear, and it ran off into the woods. Bear behavior strained people's patience at times, but people I knew rarely talked about killing bears. I loved what I learned from Kake people about living with the other animals in the environment rather than trying to manage and control them. I loved learning from people who learned from bears.

Not long after the shooting I was having lunch in the Keex' Kwaan Lodge and noticed several Alaska Department of Fish and Game (ADFG) officers at the next table. I introduced myself. They told me they were in town to take care of a bear problem, and then they talked about how extensive the bear problems were in Kake. Their tones were somewhat derisive, and they said the problems came from being foolish enough to situate a town around a salmon stream. I became irritated at what I felt was ADFG misunderstanding and short-sightedness. The conversation continued, and the men asked about my project. I said I was in Kake to learn how local people talk about their community and environment. The men told me to look around at all the clear-cutting and that would tell me all I needed to know about local people and their environment. I said I thought there was more to the story, and that there is evidence to indicate that Tlingit culture was successfully conservationist. One of the men asked patronizingly whether I had ever heard of the *tragedy of the commons*. Not waiting for my answer he proceeded to tell me the definition. I said I thought the Tlingits had prevented such a tragedy for most of their history. "Well, then, we've really messed them up," the man said in a tone that indicated he believed otherwise.

I went away from the restaurant feeling shaken and even angry and wondering why I thought I had witnessed subtle racism. I think it was because the men were not only patronizing to me, but also patronizing to the whole village, and I began to understand why the mention of ADFG officers in Kake often elicited stories of harassment.

The next year I heard local people lament the disappearance of bears at the creek. People asked where they had gone. Some suspected or had heard rumors the ADFG had

distributed permits to big game hunters from down south (the lower 48 states) who had hunted out a large number of bears around Kake. Others thought the bears were up in the woods eating the dead fish carcasses brought there to make fertilizer. Whatever the case, the people I heard talking missed the bears, and so did I.

I do not want to suggest that ADFG officers are uncaring. I expect they were asked by some people in Kake to come and take care of a bear problem. I have talked with several ADFG representatives in other towns and circumstances, and I know they are hard working and serious about protecting the forest and waters from over fishing and over harvesting. However, in talking with ADFG biologists elsewhere, I sensed tension about Kake. For example, I remember citing the amount of fish people in Kake told me they ate per capita per year, which is at least 200 pounds. One biologist said he could not believe that anyone would eat that much fish. He thought people would get tired of fish if they ate it every day. He doubted the statistics, just as the officers I met in Kake failed to give credence to or empathize with local people's knowledge-based-in-long-experience and their respect and enjoyment of bears. I know many people in Kake fish and hunt for food out of season, but I also know they are more dependent on wild food than most people who set hunting and fishing rules. It is not so much the fact that ADFG officers enforce the law that bothers local people, it is the attitude people perceive in the officers toward people in Kake.

When there are signs bears are being abused, such as when bear carcasses are found at the dump, people work to take care of the remains properly and to find out who mistreated the bear. Many local people still talk to the bears when they go the woods to gather tea or berries. One woman told me how she and a friend had just returned from a meadow where, before entering it, they told the bears they were there only to take leaves and not to hurt anyone. The women told me that United States Forest Service brochures advise people to talk softly if they are confronted with a bear in the woods. I have seen

the brochures. Reassuring bears, as Tlingits have long done, is now a part of USFS education.

Although older stories and knowledge about bears came up in only a few conversations I heard, one man explained in an interview that “the woods are the caretakers of our spirits” until such time that there is a memorial ceremony. “Cause they [spirits] wander around us, whether they’re right next to us or above us, below us, all the way around us ... till we do that memorial ceremony. That’s what we call the bear They’re caretakers of our spirits. They’re the ones that are in the woods. The bears watch out for the forest. And there’s a clan, that’s what they do.” I was also told that people are careful to speak positively about bears so bears will leave them alone in the woods. And I learned that Tlingit people understood (understand) the bear’s soul to be closest to a human’s soul. Bears symbolize the relationship between humans and animals. One young Tlingit man and one middle-aged non-Tlingit man talked about the human relationship with animals and the rest of the environment:

Young man: And we live in it, exactly. It’s like bears coexist with us, you know, in our environment, and the fish, they do the same thing. They go up the streams that are right smack dab in the middle of town. So, it’s all around, we can’t get away from it. I mean, we put this community here for that purpose ...

Second man: Survival!

Young man: Survival, right, so we can’t go away from it. If you go away from it [respect for the environment] you die! ... [without respect for the environment] life, it just becomes harder. So, yeah in that respect you do have to keep it all intact. (2004 taped interview)

My objective in talking about bears is to introduce some of the main “performers” in this study of human and non-human environmental relationships in Kake.

Research questions

This study investigates how local, day-to-day, community and environment-related discourse in a Southeast Alaska island village interacts with state and global market discourse. How do words and stories in everyday conversations express and interpret the extent to which local Southeast Alaska people feel emotion and responsibility for their forest and marine environment and each other? The study asks how people in Kake communicate their own narratives about place, community and work to government representatives. How, in turn, do local groups interpret and react to government regulatory narratives about forests and fisheries? In the case of bears, the discourses include older narratives and new stories about observations of, and experiences with, bears. Local knowledge about cohabiting with bears is taken for granted among most Kake people, but bears do cause problems, and newcomers, police officers, and ADFG officers often bring varying concepts of animals, methods of control and management into problem-solving conversations. The question is, do ADFG officers and other state representatives learn from Kake knowledge when they fly in? How do people react to ADFG and other state-based narratives about people and place? Is local knowledge and narrative empowered, changed, or disempowered because of the contact?

These are important questions in Alaska and globally, considering that the words we use and the stories we tell about the world inform the ways we interact with it (Kuletz 1998). Groups of people learn how to interact with the environment, which includes each other, through narrative discourse, or words and stories (Redfield 2000; White 1987). This study recognizes that the narrative discourse of regulatory and politically “appropriate” communications in Alaska and elsewhere is often different than the day-to-day narratives in local communities. In order to participate in regulatory and economic decision-making, people in Kake must learn and incorporate regulatory, political and corporate discourse. This study asks how “official” government and corporate ways of

communicating change local words and stories. Do changes influence local narratives that socialize moral codes and attachment to community and environment? How do such changes affect behavior toward the environment and use of resources?

Understanding more about local narratives that encourage or discourage emotional attachment to people and place may be an important step in improving environmental management. According to emerging theories in environmental anthropology, long-term “moral” interaction with an environment necessitates emotional attachment to it. Increased realization of the importance of caring and emotion in environmental integrity is the reason that Arun Agrawal’s main question in his study of community decision making in Kumaon, India (2005:162) was: “When and for what reason do socially situated actors come to care about, act in relation to, and think about their actions in terms of something they identify as ‘the environment’?” Caring about an environment or place has stronger effect when emotional attachment is shared with a community, or other social structure, that nurtures personal “feelings” of responsibility toward humans and the rest of the environment (Anderson 1996; Bennett 1996; Ingold 1999). For this project “feeling” values are defined as the “skills, sensitivities and orientations that have developed through long experience of conducting one’s life in a particular environment” (Ingold 2002:25). Environmental knowledge and “feeling” values are acquired through direct personal experience, transmitted orally within a community, relevant to daily struggles of livelihood, grounded in daily life, fragile, and are specific to particular communities (Hunn 1999).

Southeast Alaska is an important site for studying local knowledge, values and narrative for several reasons. Alaskans are weighing issues of conservation and community survival in an area where wild animal and plant life remain abundant. This is an opportune time to examine issues of diverse local storytelling about the forest and marine environment as compared to politically “appropriate” communication because recent economic issues exacerbate political and cultural tension. For example, Alaska

was once the world leader in the salmon market. Now the 125-year-old salmon fishery is undergoing major harvesting and marketing changes. Farmed salmon from Norway, Chile, British Columbia, the United Kingdom and Japan are the primary reason for oversupply and depressed prices on world markets. In addition, extraction of timber and other forest resources in Southeast Alaska has become politically problematic in the past few decades. In communities that are economically dependent upon forest and fishery resources, people are weighing social concerns and economic fears with forest and marine ecology issues. Environmental specialists are aware of changes in local priorities and attitudes (B. Paust, Alaska Marine Advisory Program, 2002, personal communication).

I chose to describe diverse environmental and human relationship narratives in Kake because economic strategies in Kake have long been resource dependent. The community is situated on the boundaries of a federal forest and surrounded by waters that are state and federally controlled. As a consequence, local decision-making is highly regulated at many levels. The multi-generational tenure of most families in the village and on Kupreanof and other surrounding islands, and the changes to their community, initiated largely through state and federal government and corporate intervention, make Kake a highly relevant study site.

Kake's population changed from approximately 700 people to less than 550 between 2002 and 2006. Kake is a Native Tlingit village, established in the late nineteenth century and home to a federally recognized tribe. Kake Tlingits fished and harvested forest resources for millennia before Russia, and then the United States, colonized Alaska (Bowers et. al 1996; Davis 1989, 1996; de Laguna 1972; Hope 2000; Maschner 1997; Moss et. al. 1989; Moss 2004). Kake people still hunt, gather berries and other forest plants, and they eat more than 200 pounds of salmon per capita per year (2002 interviews: Organized Village of Kake representatives; ADFG 2005 report to the Alaska Board of Fisheries; ADFG Subsistence Division 1990 and 2003 Annual Report).

In Kake, the health and regulation of salmon and other fishery resources is directly related to the health and regulation of the Tongass National Forest and state and federal waters. Federal law has prioritized Native and rural subsistence rights in Alaska (Anderson 2001), but Alaska state legislative decisions and legal rulings are often in conflict with federal guidelines. As a result, the federal government claimed regulatory control of natural resources on federal lands in 1990 and of subsistence fisheries in 1999 (Thornton 1999). Rural and Native Alaskan issues and narratives wield expanding political power. At the same time, Native Alaskans are “subject to more federal statutes, regulations, administrative rulings and court decisions than any other indigenous group in the United States” (Anderson 2001). Non-indigenous Alaskans are subject to, but often affected differently by, the same statutes and regulations. Learning to participate in regulatory, political, and corporate discourse about logging, fishing, and other forest resources is necessary for economic survival in Kake. As one Kake Tlingit said, federal laws “made businessmen out of local Natives.”

During my preliminary fieldwork in 2002, I first observed the panorama of tribal corporation clear-cutting around the community of Kake. I found that some Kake groups were most interested in Kake Tribal Corporation goals for economic development through more logging, but I also discovered a resurgence of traditional environmental consciousness and Tlingit values among several groups. Mike Jackson, a Tlingit/Haida representative of the Organized Village of Kake and a former United States Forest Service employee, described the various interest groups in the Kake area. First, the United States Forest Service (USFS) is the primary landowner and for many years has been legally compelled to consider corporate logging interests in Tongass National Forest. Second, Southeast Alaska Native Claims Settlement Act (ANCSA) corporations, such as Kake Tribal Corporation, were, until logging ended in 2004, fixated on the monetary value of trees on ANCSA lands. Third, there is the federal tribe, or the Organized Village of Kake. Jackson said:

You can't compare the Organized Village of Kake with Kake Tribal Corporation. They [Kake Tribal] are primarily there for a profit. The Organized Village of Kake is for the welfare of the youth and the Elders and to primarily look out for the resources; keep in trust the resources for generations to come, not just us. Because we were handed those resources by our Elders. And we're not trying to do anything to it other than trying to make a living around it, rather than use it to maximize profit. Because we were only supposed to take what we needed, not what we greedied." (2002 taped interview).

This study observes and documents the day-to-day conversations of local people such as Jackson, corporation representatives and forest resource users. Jackson's words, for example, illustrate "feeling" values for community and environment and embody environment-specific moral codes. This project asks how regulatory, political, and corporate persons use, accommodate or discourage this type of local narrative.

Because Tlingit people understood, and many still understand, themselves to be only a small part of the environment, and because respect for nature was, and for many still is, an integral part of Tlingit traditional culture and self-identity, the word *environment* is inadequate to describing this relationship. "We draw our identity, as a people, from our relationship to the land, sea, and its resources; it is a spiritual and sacred relationship; based on the need to co-exist with nature," wrote Charles Johnson, addressing the state Local Boundary Commission in 2003. (See appendix X) For English speakers, the word *environment* has come to mean "essentially a 'real entity' ... substantially separate from social practices and human experiences" (Macnaghten and Urry 1998:1). I worked to find a word that would mean humanity is part of "nature" and the environment, rather than separate from or surrounded by it. I refer to the *environment* as the *inclusive environment*, for that reason.

Hypotheses

At the outset of this study, I hypothesized that aspects of local emotional "feeling" and attachment to the environment are expressed in limited social and political contexts in Kake. The less "feeling" that is expressed, the greater the philosophical alliance with Euro-American scientific, economic, and political ideologies. I hypothesized that western discourse relies on ideology that defines the environment as a set of resource objects. Discursive boundaries that preclude "feelings" in western political discourse also result in dichotomized definitions of what it means to be indigenous in a small resource-based setting compared to being a political and government agency representative making decisions about the environment. When "feeling" discourses are a source of embarrassment and amusement in political settings, their power to influence decision-makers is less direct and often ignored. Indigenous and non-indigenous people in villages such as Kake are socialized by association with state and global market entities because people learn to describe issues about the environment using dominant economic and conservationist descriptions and discursive codes. This situation, I asserted, means that people in Kake spend less time remembering or practicing the ways that Elders describe human relationship with the environment. I hypothesized that state regulatory discourses, along with global market discourses, influence local emotional values, "feelings," and attachment to and perception of the environment in Kake. I described emotional values as "knowledge based in feeling" (Ingold 2000:25). As case studies throughout the dissertation show, my hypotheses were largely confirmed.

Why should anyone care about "feeling" language in legal decision-making conversations and documents? First, certain kinds of emotional attachment to the environment may be necessary for long-term responsible behavior toward environment. Second, much of human emotional attachment is realized through direct experience and language. Third, language and its meanings are learned through communities of people.

Emotional attachment to the environment may depend upon certain kinds of emotional attachment to a community or other social structures that nurture personal "feelings" for and responsibility toward the larger environment. If state and global interests listen for and nurture positive, local environmental values in local language, then they nurture the whole environment.

This study examines tension between at least two types of discourse, politically "appropriate" western economic, regulatory, and state discourse, and that of local people who experience the environment through work, family and community. It observes issues of code-switching between different forms of thought, behavior and speech, and it is concerned with when and how Kake people switch codes. Who is able, unable, or unwilling to switch codes? What are the conditions of power that compel or discourage participation?

Tlingits and other rural Alaskans are among those few groups in the United States who have maintained their rights to a subsistence relationship with the environment. As such, I surmise, they also have more social freedom than some groups to engage in discourse that incorporates "feeling" for the environment and narratives that acknowledge spiritual and other emotion-based values toward their place and their work. Some Kake people are working to reclaim their Elders' more environmentally-sensitive values. For example, the Organized Village of Kake is putting together a book called "Technical (traditional) Ecological Knowledge (TEK)." The book is a means of keeping and recording "the wisdom of our ancestors and Elders" (Mike Jackson, Jan. 2002 phone interview).

Narratives about ecological knowledge, whether they come from traditional stories or from the data collection of researchers, can be code-switching tools for communications between local, state, and marketing actors. People in Kake must participate in state and global discourses because most derive part of their livelihood

directly from an environment that is regulated by the state. Which stories do they choose to tell and why? Who represents Kake and who tells its stories? Who listens?

This study focuses, in part, upon the fishing environment and a fishing industry that is highly controlled by the state and highly influenced by the global market. For example, although salmon are plentiful in Southeast Alaska, the fishery has been in economic trouble because of global market circumstances. The fishery is undergoing major regulatory, political and philosophical restructuring. In reaction to restructuring, people in places such as Kake have to know how to defend their life-ways by communicating within dominant political narratives. In other words, they often need representation by trained specialists who can switch from local to state to global market discourses. One question considered is the level of contrast between state or global market narrative codes and local narrative codes. If the local code is similar to the politically or economically dominant narrative code, then code-switching requires less specialization and competency. When the local code differs substantially from linguistic forms that are valued at the state level, communication requires greater code-switching competency and translation becomes more complex. I found that much gets lost in the communication process.

The basic premise of my questions is supported by Bauman's discussion of communicative competence. Groups communicate in culturally specific ways, which include frames or codes of performance. People who can effectively communicate or perform within conventionalized frames or codes are considered competent and have power to influence an audience (Bauman 1975:295). An effective communicator in Kake needs to know how to perform within village communicative codes and within state and global market communicative codes. He or she needs to be an interpreter or communications specialist. Conversely, some state agency representatives need to become specialists in code-switching when attempting to communicate on a local level in Kake. State-based code-switching, I suggest, is often focused upon teaching legal and

bureaucratic discourse to local people rather than learning local communication meanings and codes. I found that such top-town education discourages "feeling" narratives about the environment because it is based on western economic models and western scientific positivism (Collins and Wingard 2000). A young Tlingit woman, Speaker One, and a non-Tlingit man in his middle years who is married to a Tlingit woman, Speaker Two, talked about Kake's political relationship with state agencies and regulators during a 2003 interview. They described issues of privileged language in this way:

Speaker One: I see them come in and politicians, in general, you know they're ... that's what they are, they're politicians. They're coming in here trying to get your input on an idea that they want to work anyway, so they'll always, because of their level of knowledge, will use words that can be real misleading to some of our community members. Especially our Elders. Basically that gives me the impression that they're snowballing them, for lack of a better word to tell you what I really think. It just, it's like they try to mold it where they get the feedback they want, and then they have people like, you know ... maybe not just G and C show up, but other community members that see it. And they'll stand up and say well why haven't you answered our question? You're simply answering with another question. We want solid answers. You don't ever give them.

Speaker Two: [mumbles agreement]

Speaker One: Then they [agency representatives] get offended at you because they think you're trying to make them look bad. But it's because we do what we can do to protect our people, because it is a lack of understanding. It's two different worlds. It's their world and our world. And there's no way for my parents to understand all those terms that they use ... But they use language, I think, to buffalo them in a way. And I'm hoping they're realizing now, especially with these last few road meetings, if you listen to the tape, you'll see what I mean. But I'm hoping they'll realize that we're getting more serious. (2003 taped interview)

Speakers one and two are local interpreters in that they have experience and education outside of Kake, but have lived many years in the village. They are both

passionate about advocating for the community and about facilitating a local economy centered on sustainable livelihood and environmental integrity.

In general, my research addresses theoretical questions in anthropology that ask how environmental responsibility is connected to small community socialization, commitment and attachment, all of which depend upon human emotion (Anderson 1996). I offer, in this document, a corrective to the tendency to downplay or avoid aspects of human emotional connection to the environment in most political ecology, symbolic ecology, and historical ecology studies. Often within anthropology, and typically outside of anthropology, scientific studies rely on indicators that provide quantitative information which "tend to reflect the values of those who develop and select them as measurement tools" (Schiller et al. 2001). Such values historically focus on the environment as a set of resources. Increasingly social and other scientists see this attitude as an underlying contributor to destructive behavior toward natural systems (Nadasdy 2003; Norgaard 1994; Wollock 2001). As such, I investigated the place of "local knowledge" (Nazarea 1999) in circulation with state and global market "knowledge."

Fieldwork methodology

This work contributes to the anthropological challenge of conceptualizing a methodology that connects the local and the global (Buraway 2002), while emphasizing the everyday and face-to-face interactions of diverse groups of people (Marcus 1998). As a fieldworker, I observed the day-to-day circulation of narratives and other types of discourse (Buraway 2000) between people who are environmentally, economically, and politically interrelated parts of Kake as a community, and people who live elsewhere but make decisions that influence life in Kake. As such, the study is an exercise in multi-sited ethnography because it examines law-making discourses from Juneau, Anchorage and the nation's capital that are intended to change life in Kake and elsewhere (Buraway 2000;

Marcus 1998). In order to observe and document day-to-day conversations, my methods included participant research at the Kake fish hatcheries, in community meetings, at the boat harbor, at a log dump and transfer point, at community and family gatherings, at government decision-making forums, and in fish processing and marketing arenas. My methods also included interviews and archival research.

I began this project with experience working in Southeast Alaska. Most valuable to this study was the time I spent living and working on Mitkof Island in Petersburg, Alaska between 1983 and 1992. During that time I worked as a journalist, writing about the environment, the timber industry, fishing, business politics, history and people's lives. I began the study in Kake with a basic knowledge about forest resources, fishing, and local identity issues.

In the summer of 2002 I began dissertation fieldwork in Alaska. I volunteered at a culture camp with Kake Tlingit Elders, who were teaching approximately 45 young people how to gather and process subsistence foods. I spent time with Kake people who fish for subsistence, loggers, hatchery workers, Kake Tribal Corporation representatives, artists, teachers, health workers, city of Kake personnel, and Organized Village of Kake personnel, among others. In October 2002, I attended North Pacific Fisheries Management Council meetings to observe conversations between regulators and local fishermen. Also in October, I attended the Common Grounds Conference in Kake and listened to conversations between Tlingit people and United States Forest Service personnel.

In 2003 and 2004, I expanded my observations and research to include stories told at local gatherings, state agencies, federal agencies, legislative forums at the state capital in Juneau, fishing regulation boards and committees, and timber resource councils and committees. I attended a week-long workshop on strategies of Circle Peacemaking (see chapter 9). Throughout the fieldwork process and in writing this document, I worked to protect the identities of storytellers at local levels. Local people are un-named in the

following chapters unless they specifically told me they wanted to be named, or unless they are cited as the writer of a document. People are referred to as “speaker” and I am referred to as “fieldworker” unless otherwise specified. The identities of lawmakers and state agency representatives are not necessarily protected in this document because their work is a matter of public record.

My original purpose was to study the narratives in two communities in Southeast Alaska, Petersburg and Kake. I completed fieldwork and have transcribed interviews and organized fieldwork notes for both communities. In 2006 I decided that to write about both communities would do justice to neither community. My dissertation is focused upon Kake, and I incorporate minimal comparisons with Petersburg, a fishing community on another nearby island. However, my experience in Petersburg was beneficial. By comparing similarities and differences I was able to “see” aspects of Kake life that I might have taken for granted, such as the ways people work through political differences. In Kake people are more likely to work carefully around issues, listening for subtle clues, taking more time to learn how others feel. In Petersburg people often state their opinions more directly and politics is a major topic of conversation in the harbors, restaurants and elsewhere. Debate and expostulation are more of a way of life in Petersburg, for example, and I might not have picked up on local Kake subtleties had I not spent time in Petersburg.

The following is a summary of fieldwork experiences in both communities. During spring and summer 2003 I observed and documented everyday storytelling in naturally occurring contexts:

- on commercial fishing boats,
- in local processing plants,
- with people practicing subsistence harvesting,
- with state and federal regulatory agency representations in the field,
- in family and community settings.

During fall, winter and summer 2003/2004 I “followed” (Marcus 1998:90-95) stories and discourses:

- to local board and council meetings (Kake City Council, Organized Village of Kake, Kake Tribal Corporation, Sealaska Corporation, etc.),
- to state agency meetings (Alaska Department of Fish and Game, Alaska State Department of Economic Development, Alaska Marine Advisory Service, etc.),
- to federal agency meetings (United States Forest Service, National Marine Fisheries Service, National Oceanic and Atmospheric Association, United States Fish and Wildlife Service, North Pacific Fisheries Management Council, etc.),
- to legislative meetings (Alaska state legislature committee meetings),
- to marketing forums (Kake Foods, Kake Tribal Corporation.).

In addition to collecting and comparing narratives, I observed and documented the physical and cultural circumstances of narrative communication, the reaction of others to discussions and descriptions, the responding discourses, and whether narrative discourses were public or “hidden” (Scott 1990). I took note of power relations in the sharing of stories.

Fieldwork included archival research to examine narrative discourse in state regulatory and federal regulatory documents such as within the United States Forest Service (USFS) and the Alaska Department of Fish and Game (ADFG) regulatory documents, and especially documents related to legislation concerning borough formation, both legislative and from the Alaska Local Boundary Commission. I examined documents from the Alaska Department of Transportation concerning the state effort to connect Southeast Alaska via roads.

Locating and documenting Kake narratives about community, the economy and environmental experiences involved conducting individual interviews with approximately 30 Kake people. Individual interviews were electronically recorded whenever possible. In community meeting places, I took generalized notes and did not use people's names or identify them in my writing except when I had permission. I tape-recorded public meetings, introducing myself, and thereby communicating the reason for my presence in Kake. (Interview questions are listed in appendix A). People I interviewed received transcripts of their interviews.

In the process of transcribing interviews and meetings I indicated speaking pauses with ellipses (...). I worked to include ums, ahs, and you knows because they are part of people's speech patterns. In the transcripts that are included in the dissertation, I edited out some ums, ahs, and you knows if they tended to decrease clarity of meaning. When I used different, unconnected excerpts from the same transcript, I generally indicated the separation with line spacing between excerpts. Words and phrases within commas indicate that I could not hear the exact words that were used by the speaker. Words and phrases within brackets have been added by me for clarity.

Throughout the dissertation people are identified with their narratives by approximate age, whether they are non-Tlingit or Tlingit, and whether or not they are male or female. I also indicated the year of each narrative and if it was taped electronically, recorded through note taking, or part of a written document.

Analytical methodology

I chose to examine language in Kake and within legal decision-making forums through discourse analysis. Why? Because "our talk and what we are, are one and the same... Without discourse, there is no social reality, and without understanding

discourse, we cannot understand our reality, our experiences, ourselves” (Phillips and Hardy 2002:2). My explanations for examining talk and text begin with the Boasian tradition and the principle of linguistic relativity. Differences in linguistic systems result in differences in habitual thought patterns, meanings and interpretations. Even though Kake people and legal and government representatives in this study all speak English, their linguistic systems differ, and thus their thought patterns, meanings, and interpretations likely differ. Kake “talk” involves use of English in different social contexts than those in Juneau, Anchorage and Washington D.C. government offices, for example. Context as a differentiating communication factor is another reason for using discourse analysis to answer questions about “feelings,” community, and environment. Ochs and Schieffelin (1995: 470) described why consideration of language and context is important:

- 1) The meaning of particular forms [indexical elements] in language, depends on who says them in what context. Interpretations depend upon conventions of language use in a given culture.
- 2) If the pragmatic conventions of linguistic usage for two languages differ, then differences in the interpretation of indexical elements and meanings of utterances may result.

Linguistic relativity and consideration of context are foundations for examining narratives and language, but the key purpose for discourse analysis is to describe and reveal power relations. Critical discourse analysis “should describe and explain how power abuse is enacted, reproduced or legitimated by the talk and text of dominant groups and institutions” (van Dijk 1996:84). In other words, some discourses are privileged in certain contexts while others are marginalized. The term “distal context” is shorthand for the concept that some people are privileged and others disempowered relative to the social space within which communication occurs. Changes in discursive patterns result in social advantages for some and disadvantages for others (Phillips and

Hardy 2002:25). People often attempt to adjust their language codes to gain access to social advantages. Critical discourse analysis, then, is a means of evaluating the influences that legal and government discourses have on Kake language forms and on how local people talk and think about their community and environment.

The following if/then questions illustrate the reasons for discursive analytic methodology:

- 1) If human behaviors leading to long-term environmental responsibility and sustainable livelihood are situated in certain types and ranges of emotional feelings and values about place and people, and ...
- 2) If the effectiveness of such feelings and values are increased when they are shared, and ...
- 3) If such feelings and values must be communicated to be shared, and ...
- 4) If communication, sharing and long-term efficacy of emotional ideas and values is connected with the existence of a community or community groups of some sort, and ...
- 5) If community groups are to pass along to newcomers and children the stories explaining reasons for values and feelings, and ...
- 6) If they can sustain knowledge and share it more effectively with continued long-term and close association with a place and groups of people, and ...
- 7) If close association with place and groups of people is to continue, people need the means of negotiating differences, sharing new knowledge, and communicating values and feelings that make sense in their particular social and environmental contexts, and ...
- 8) If power is negotiated with “others” who work through stories, language codes, and values that originate in “other” community spaces and environmental contexts such as legal and bureaucratic forums, and ...

- 9) If “other” stories and language codes fail to include the types and ranges of emotional feelings and values about place and people that are conducive to “local” environmental responsibility and sustainable livelihood ...

Then language and narrative studies, to reveal inequalities of communicative power, seem essential if people are to work toward improving environmental integrity and community responsibility. Case studies show how local narratives, knowledge, and community values that help “grow” local solidarity are unrecognized and unconsidered in state-based discourses focused on changing boundaries and government structure in rural areas.

Chapter descriptions

Section One: Historical and theoretical contexts

Section one is a short historical and political overview of circumstances in Kake to inform the cases described in the study. The section includes an explanation of the theoretical premises and tools of discourse analysis through which case studies are examined in sections three, four, and five.

Chapter II

The “town where no one sleeps”

Situating narrative discourse in historical context is essential to understanding its meaning and significance. If the positions through which people speak are flatly described within one time period, then the layers of meaning and experiences within discourses are denied (Blommaert 2005:136). First, this chapter outlines historical details specifically relevant to Kake and primarily told by local people. Within this historical

summary are descriptions of Eurocentric political processes and ideologies that were once considered “fact” or “truths” but which are now understood to be morally problematic, including the bombing of Kake villages. These accounts of assimilative maneuvers are reminders of what Foucault meant by genealogy, which involves exposing the fallacy of today’s assumptions and beliefs by identifying the problems in passing events, which were at one time considered truths (Foucault 1984:81). If we know now that pressuring groups to become like Europeans resulted in losses of knowledge, language, and self-empowerment and created various problems with human health, then we can more critically evaluate current attempts to pressure groups of people into economic or political assimilation.

I report narratives in this chapter without subjecting them to analysis. They are a telling of history through the voices of a few Kake people living in the present. Their tellings help situate Kake’s narratives in space and time. A timeline of Tlingit history since the United States purchased Alaska from Russia is included in appendix GG.

Chapter III

Law and decision-making entities

As with chapter two, chapter three provides historical context. The history described in this chapter concerns political systems, including Tlingit law, current Tlingit organizational and legal functions, incorporation of western legal systems, and the existing hybridism of decision-making structures in Kake. Three governing entities predominate in Kake, the federal tribe, the incorporated first class city, and the Alaska Native Claims Settlement corporation. Each of these entities is linked with and empowered differently by Alaska state and federal government agency structures outside of Kake. As in any community, linkages to state decision making bodies influence the types of discourse frames through which local representatives articulate needs and issues.

Chapter IV

Analytical tools and theories

Chapter four summarizes the main discourse theories and analytic methods that inform this study. They are especially concerned with ideological changes and influences. Clifford Geertz effectively explains ideology as “shared meanings” and as “maps of problematic social reality and matrices for the creation of collective conscience” (Geertz 1973:218-219). In this sense, ideology is a worldview and a belief system (Gerring 1997:969). As Thompson points out, language and ideology coexist. “The language of everyday life is the very locus of ideology and the very site of the meaning which sustains relations of domination” (Thompson 1984:89-90).

The cases in this study emphasize the importance of considering how people use language to negotiate, through narrative discourse, and the crises and changes that require ideological fixing or rethinking. Working to restate and rethink ideology is a human method of adaptation and empowerment everywhere. For more than a century, Kake people have negotiated, through narrative, how to understand changes resulting from contact with non-Tlingit people.

Section Two: Emotion, personhood, and environment

General beliefs about emotion and definitions of personhood guide the parameters of narrative discourse in most legal decision making venues in the United States. Some local discourses about personhood, and some “feeling” signifiers and emotion-based narratives, travel well from person to person, to local decision-making bodies, and to state agencies and beyond. Others travel poorly. Chapter five includes an overview of the causes and purposes of “*feeling*” and “*emotion*,” especially in the contexts of community connections and environmental ideology. Chapter six is an appraisal of

concepts of personhood, human, non-human, corporate, and state. Chapter seven investigates the importance of community translators and attributions of *feeling* and *personhood* in the contexts of community connections with state representatives.

Chapter V

Emotion and learning

In this chapter I discuss *how* people learn from emotion. I include discourse narratives through which several older Kake people learned to feel about their place and other people when they were younger.

Decisions about environment are always informed through learned feelings (learned interpretations of emotions), even if those feelings are construed as emotion that is avoided through legal rules, or as learned objectivity. For this study, I am partial to anthropological explanations that define emotion as cultural and biological. The essence of understanding that emotions are part of learning is to recognize that what we know about our relationship to a larger environment is largely influenced by the feelings we learn to associate with people and place. Learned feelings play a large part in determining what it is we perceive and pay attention to around us. That means we cannot ignore human emotion and feeling in conversations about environmental decision-making.

The second part of chapter five extends the discussion of emotion/feeling to religion and spirituality. Often when I talked with people in Kake the word religion was used to refer to church, and spirituality was used to refer to older culture values. Older cultural values were often connected discursively with intimate respect for the wider environment, human and non-human. This chapter describes some of the history and current dynamics of church and cultural revitalization in Kake, especially pertaining to feelings about human and non-human environmental relations. Kirk Dombrowski, for example, wrote about those people in Kake who choose to identify themselves more as Christian than as Native and about other paradoxes of being Native (2001:182).

Chapter VI

Personhood and spirituality

Some people see the non-human environment fundamentally as a store of resources or objects. Some people feel a personal sense of caring for the non-human environment in and of itself. This chapter addresses these different view points through considering concepts of personhood. Bird-David (1999), Harvey (2006), Milton (2002), and others approach the question of emotions/feelings toward the environment through connecting beliefs about moral obligation with perceptions of personhood. For Elder Tlingits and many Tlingit people today, the non-human environment had (has) moral worth because its entities were (are) persons. In this chapter I describe other types of attributions of personhood that may influence people's learned feelings about moral obligation. They include corporate personhood, state personhood, and personhood attributed to legal texts.

Chapter VII

Kake translators

Those people in Kake who work with people in state agencies become translators. Every community in the United States needs legal and bureaucratic translators. This chapter includes translator narratives about experiences with state (Alaska state and federal) agencies and lawmakers. These narrators describe what parts of local feeling and knowledge are typically left out of state conversations at certain levels of the legal hierarchy. Based on a history of experiences with state lawmakers and regulators, local people express learned feelings of ambivalence toward legal decision-making processes.

Section Three: Community, local ideology, and state definitions

Section three addresses discursive influences on and from Kake people through two case studies. The first is a short case study about salmon stream restoration. The second is a longer case study about a state proposal to build roads connecting islands and villages in Southeast Alaska. Identifying community practices and definitions of community is an important part of any study about people and environmental integrity. Several anthropologists and other social scientists have recognized that human attachment to people and place is an important component of sustainable livelihood in an environment (Anderson 1996; Becker and Ostrom 1995; Bort and Sabella 2000; Collins and Wingard 2000; McCay 2002; Stone 2003; Strang 2005).

Chapter VIII

Fish stream restoration

This case study is about local people working together to restore a salmon stream. Narratives about what happened during an Alaska Department of Fish and Game (ADFG) stream restoration application process demonstrate ways that regulatory and legal communication influence local discourses. The case study account is told exclusively from a local point of view to better portray how regulatory processes can potentially change local discourses. Most likely ADFG representatives would describe the situation differently, but the purpose of this study is to show how “official” government ways of communicating change local words and stories that socialize moral codes and attachment to community and environment.

Chapter IX

Road building and community

One assertion in this study is that without community solidarity and empowerment, conditions that support and lead to long-term environmental integrity and sustainable livelihood are improbable if not impossible. Chapter nine begins an examination of human relationship meanings in Kake through a case study of interaction between the Alaska Department of Transportation (DOT) and local people. Types of communities that might successfully practice sustainable livelihood are theoretically and practically defined. Kake lifeways are partially described. Local definitions of community are compared with DOT definitions. The links between discourse and ideologies considered here include the consequences of failure to discursively acknowledge community-making processes in state project goals.

Chapter X

Time, work, and community

This chapter continues the case study about proposed road building. Contrasting discourses about time and work helps show how the production of locality that concerns everyday aspects of social life (Appadurai 1997:178-188) can be disempowered through being ignored. When local knowledge about community is not a central part of state-level planning and discourse, local people's voices are more likely to be heard when speakers code-switch and speak in legal or economic language forms that have prestige at the state level. In this case, prestige discourse emphasizes that time and money are primary considerations for supporting or not supporting road building.

Section Four: Perceptions of personhood, power, and place

When I was in Kake, people were creatively working to offset or neutralize state agency and legislative efforts to require small communities to join together and form regional governments called boroughs. Chapters 11 through 14 are parts of a case study of discourses about boroughization. Perceptions of space and place, concepts of personhood, and attributions of power are examined and compared in this case study. The same nine narrative segments about boroughization are the basis for discourse analysis in chapters 12, 13, and 14.

Chapter XI

Land use perceptions

Chapter 11 theoretically and descriptively compares historical and current perceptions of the land and the sea in Kake with commonly held legal assumptions about land as jural and private property. To better situate the case study within alternative land-use worldviews, this chapter outlines social features that assist groups in successful local “management” of common land and marine entities and resources. Included is a description of case study circumstances and assumptions about property that are connected with borough government goals and requirements.

Chapter XII

Space and place in borough discourses

Chapter 12 focuses on comparing the ways that Kake people and state representatives talk about the non-human environment and places and spaces. When meanings are derived from the non-human environment through experience, knowledge, and feeling, human relationships are “placed.” When generalized meanings are applied to the non-human environment that are not based on personalized experiences with or

knowledge of it, then places become objectified “spaces.” I investigate how discourses attribute either human attachment or detachment to the non-human environment.

Chapter XIII

Personhood in borough discourses

This chapter focuses on comparing the ways that Kake people and state representatives attribute personhood to humans, group systems and their texts, human occupied spaces, and the non-human environment. The ways that people talk about other humans, human organizational systems, places, and spaces ascribe personhood status or non-status. Personhood status is important because humans often tend to feel a greater sense of moral obligation toward those entities that are ascribed full personhood.

Chapter XIV

Power in borough discourses

The last chapter in section four draws specific attention to references of decision-making powers in discourse examples about boroughization from Kake people and state representatives. Power to decide which discourse frames prevail in decision-making forums greatly influences how people present their arguments and who is heard. In addition, many anthropologists and other social scientists have identified the importance of decision-making resources and support for grassroots and community-based power as a key long-term element of sustainable livelihood practices (Anderson 1996; Collins and Wingard 2000; McCay 1987, 2002; Ostrom 1990; Weinstein 2000). Thus, it is important to consider how power relations are discussed and implemented.

Section Five: Fish as food, fish to sell

This section is about fish, the main customary and traditional Tlingit food resource. Salmon have long been the “ordinary people” of the non-human environment for most Northwest Coast peoples, including the Tlingit. Fish were the staff of life, their mainstay (Anderson 1996:57; de Laguna 1972; Newton and Moss 1984, 2005), and so they still are for many Kake people. Fish, salmon and other species, continue to bind people together through sharing networks, common history, and work. Fish are a highly regulated food source in the 21st century, and this chapter assesses local discourse about fish-as-food in relation to legal regulations and state agency practices.

Chapter XV**Fish as food**

This chapter delves into the local narratives about fish, primarily as food. Everyday comparisons of how much fish relatives brought to their extended families, the location of fish populations, methods of processing fish, and how fish was distributed as food are common topics in summer conversations. Four main themes are identified in Kake narratives: sharing, cooperation, respect, and fish as food.

Chapter XVI**Fish narratives**

I examine, in this chapter, narratives about early 21st century “customary and traditional” fishing circumstances. Through looking in narratives for what people infer is missing in food fishing and distribution practices, ideological dislocations are identified. The narratives show how local knowledge is shared as a part of collective work to fill ideological voids caused by change/crisis.

Chapter XVII

Fish to sell

Few Kake boats were fishing commercially between 2002 and 2007. This chapter includes a short history of commercial fishing in Kake. It examines local positive and negative references to commercial fishing, issues of voice and power, and ascription of “us” and “them” in narrative examples. Two state-based narrative examples about restructuring commercial salmon fisheries are included to draw comparisons. I searched through the state-based examples for articulation of values that are more commonly identified in Kake narratives. The results showed some of the categorical limitations within problem-solving discourses about commercial fishing.

Chapter XVIII

Conclusion: Ways of thinking, ways of talking about people and place

Historically, capitalocentric state discourses have been applied to places such as Kake as solutions to economic assimilation. As demonstrated in this dissertation and many other sources, the particular methods used for economic assimilation have often been disastrous to people and place in the long term. Now that we understand the enormity of our environmental crises, we might find solutions by trying to better understand what values, narratives, and rituals have worked for people in the past, people who had a track record of sustainable livelihood, including Tlingit people. We might also begin to examine the limitations of our legal, regulatory, and even scientific discourses and the ways they are used as scripts for management.

CHAPTER II

THE “TOWN WHERE NO ONE SLEEPS”

This chapter is meant to be an overview to provide historical and geographical context to local narrative life in the following chapters. Within this historical summary are descriptions of Eurocentric political processes and ideologies that were once considered “fact” or “truths” but which are now understood to be morally problematic, including the bombing of Kake villages. By understanding past historical short-sightedness we can more easily ask ourselves which current decision-making ideologies and processes manifest from narrowness of vision.

Built on the northwest shore of Kupreanof Island in Southeast Alaska, Kake is home to more than 500 people. (See Figure 1) At least 75 percent are Tlingit. Kake’s Tlingit name, ‘L.ah o’o Xex’ wx Aan, means the town where no one sleeps, a name that brings to mind streets full of rowdy and noisy revelers. In fact, Kake ordinarily is so quiet that people can clearly hear the non-human life forms with whom they share their island. The timbre of wind and weather transformations in the forest and waterways easily draws the awareness of a listening village audience. Kake may well be one of the quietest human-occupied places left on earth. Yes there is traffic, but very little. Yes there are diesel generators humming at the electricity plant, but the hills and trees stifle the hum. Visitors observe how time slows and noise levels drop in the village compared to the places they come from, and people who belong in Kake and leave for a few days often express relief to get back to their quiet home.

One Tlingit man who was raised in Kake—who worked elsewhere most of his life and then returned to his childhood home to spend his Elder years—talked about the peacefulness (taped interview). “When I first got back to Kake, I couldn’t sleep at all. It

was so quiet! [chuckle] You could drop a hammer on this porch here and you could hear it [across town]. It's so quiet here. But now I can't live anywhere else [chuckle]."

Another Tlingit man (speaker) described how peaceful Kake is 'underneath' the politics. I refer to myself as fieldworker.

Speaker: You take away the Native organizations, you take away the city ... you have a good group of people that love the area with the setting here and all that's available here. And kind of the ... it's not isolation but it's peace and quiet.

Fieldworker: Yes. It's very quiet. Even when I go over to Petersburg there's always motors going all the time. But you don't hear that here.

Speaker: Yeah. It's like constant noise [unloading and loading fish in Petersburg] coming in all the time and you're beeping and backing trucks and yeah, yeah.

Fieldworker: I remember the first day I was here a couple of summers ago, I walked up to the totem pole and I was so startled at how I could hear the birds so clearly.

Speaker: Yeah. We sleep out here in our addition. Now that addition was a sun room ... and we moved our bed out there to paint our bedroom. We never moved back. Especially when you shut these doors, we don't have any radio ... well, nothing going out there, and it's just dead quiet, and you open the windows and you're waking up to all the sounds [birds and water], you know. Just ... where as here [in the main house] it [the forest and water sounds] seems to be ... muffled. Out there ... it's really accentuated out there. Yeah. (2003 taped interview)

Kake villagers can hear the birds, the wind in the trees and the weather more clearly than people in most places partly because their community is in the midst of forest, fiords and waterways on one of the Alexander Archipelago islands. The closest neighboring town is Petersburg, 40 air miles to the south on Mitkof Island. As of 2007, no roads connect Kake to any other community. To the west, Sitka is 50 air miles away on Baranof Island, and to the north, Juneau is 105 air miles away on the mainland.

Kupreanof Island is part of a marine ecosystem, interrupted only by logging roads, that includes hillsides of western hemlock, Sitka spruce, and some red and yellow

cedar. Between the tree stands are muskeg (47.4 percent of the island), meadows, and alpine tundra (above 2,500 to 3,000 feet). Most of Kake's residents can see rising hills and mountains (mostly logged areas with new growth) out their back windows and a wide expanse of water from their front windows. The tides of Keku Straits run directly in front of the village, meeting the currents of Frederick Sound to the north.

Some of the animals that share the island with Kake people include Sitka black-tailed deer, moose (5 Kupreanof Island hunting permits were issued in 2007), black bears, wolves, blue grouse, eagles, ravens, waterfowl, and shorebirds. Elk, which are not native to Southeast Alaska, were recently planted on a nearby island and swam over to take up residency on Kupreanof (Healy 2002; Kirchoff and Larsen 1998). Medicinal and food vegetation include devil's club, blueberries (multiple species), huckleberries, cranberries, Hudson's Bay Tea, and various lichens and mosses. Among the animals, fish, and tidal creatures that share the waterways are: humpback whales, orca whales, dolphins; harbor seals; king, coho, sockeye, chum, and pink salmon; Dungeness crab; halibut; rockfish; sablefish; sea urchins; sea cucumbers; chitons ("gumboots"), mussels, cockles, and butter clams. Seaweed is a favorite Kake food. Most of the fauna and flora already mentioned are customary and traditional foods for the Keex' Kwaan, or Kake Tlingit peoples (Newton and Moss 1984, 2005). While the Keex' Kwaan have harvested foods for millennia around their current village site, Kake itself became a permanent village settlement with a school and church about a century ago (Firman and Bosworth 1990:16; Johnson 2002:1).

A short introductory history of Kake, Alaska

The Keex' Kwaan settled permanently in the village partly because the newly formed territorial government of Alaska required Tlingit children to go to school. I learned some of Kake's early history during a pickup truck tour around the village in 2003. Elder Clarence Jackson (C), described for me (fieldworker), how the present village of Kake came to be:

C: But they [Tlingit people] settled [in Kake] sometime in the late 1800s; they made a permanent settlement here. [Before then] there were smoke houses here, you know. People came and dried fish and tended to their gardens. But there was ... I think I'll take you out to McCartney and show you where my grandfathers settled here. The first group to settle on this island came from this little beach north all the way around this little creek here. They claimed that. But they didn't live here. They lived in a place called Point McCartney. I don't know if we'll go clear to it because the stench is kind of really bad [the smell of dead fish being made into fertilizer]. But at least it will give you a little appreciation for how scattered we were. And when they decided ... the government said they would build a school for the people, but they [the Kake people] had to come together in one spot, and they decided this was a likely spot because they had a pretty good panoramic view so that no one could come and try to attack them. They were pretty conscious of intruders. Well... past experiences, there was some bad ones, you know. They got people attacking them. But the government attacked our people here too. A battleship came in to Saginaw Bay, to my family's village, and bombed the village and then they came here [to Kake area] and they burnt the village down. ... And for years people dug up shells and there are still some people that have those ... especially when they were excavating they found shells.

Fieldworker: When the people gathered in Kake because of the school, that must have been hard to get used to.

C: Yeah. It became a little bit of a hardship because they lived where they lived because of the food. But when they moved here the food was pretty plentiful here. And when I think about it, you know ...

from Klukwan to Klawock this isn't a bad place. We have a lot of everything here yet. (2003 taped conversation)

At one time, before the United States purchased Alaska from Russia in 1867, the Keex' Kwaan had a lot of everything at settlement and gathering sites on Kuiu Island, Kupreanof Island, Admiralty Island and on the Southeast Alaska mainland (de Laguna 1960; Maschner 1992). (See figure 1 map) After the United States claimed Alaska, non-Tlingits confiscated land and resources in larger and larger increments, even though the Tlingits never signed treaties with the Russians, Europeans or Americans, nor did they sell their land (Hinckley 1996:75-77).

Key local stories of Kake history

Before the United States Navy bombed Keex' Kwaan (Kake) villages in 1869, the present Kake village site had been a 'neutral' gathering place for the Keex' Kwaan clans. Kake was then called Ta' aan (sleeping town). The site was a sort of 'capital' of the Kakes (Johnson 2003:Epilogue) "... and came alive when it was used for special gatherings of the Keex' Kwaan. It was used only upon occasions of particular ceremony—when the Kwaan assembled in honor of the dead, or to deliberate upon some important question of policy" (Johnson 2004:2). According to the Organized Village of Kake historian, Charles Johnson, the Tlingit name for the Kake site was derived from a 'potlatch' which the Was'eeneidi clan hosted. Feasting and protocol went on for several days and nights so the clan leader of invited guests said, "From now on this place will be known as 'L.ah o'o Xex' wx Aan, the town where no one sleeps. The original village, named Keex', was located among the Keku Islands across from the present Kake. Legend has it the area used to be much larger but was changed as a result of 'the big flood:' so the site is now a small sandy beach" (Johnson 2004:2). The holdings and territories of the

Kake 'tribe', or Keex' Kwaan, are historically on Admiralty, Baranof, Kuiu and Kupreanof islands (de Laguna 1960; Emmons 1991; Firman and Bosworth 1990:55; Goldschmidt and Haas 1946). One result of the bombings was that people began to gather into a single town, Kake, rather than in various family and clan villages throughout the territories, although "it is said that Was'eeneidi clan was the first to build a house after the 'big flood' at what is now called Kake" (Johnson 2003:Epilogue).

The story of the bombings is a common narrative told to newcomers in Kake; each telling differs slightly. The narratives about the bombings illustrate some of the differences in law and worldview between Europeans, Americans, and Tlingit people. Some of these differences are still evident. Johnson explained in an interview that around 1868, some Keex' Kwaan people went to Sitka for a party or gathering. Somehow a United States officer got killed so there was a blockade, and the Kake people were unable to go home. Later the Kake people thought the blockade was lifted and they got into their canoes. Through miscommunication an American guard shot at the Kake people and killed someone of high rank. At that time, if a Tlingit person in one clan group hurt or killed someone in a second clan group, the second group would require retribution from the first group. In this case, someone had been shot and killed, and the Americans or Navy personnel involved owed the Kake Tlingits a life or lives or other amelioration to balance the loss. Because the Navy commander denied the Kakes' retribution, the Kakes found two European trappers or bear hunters in what is now called Murder Cove, and killed them. In retaliation, the American government sent the USS Saginaw to bomb Keex' Kwaan villages. Navy accounts describe the destruction of three settlements, Johnson said in a 2003 interview, "but according to our eyewitness, our old people, they actually shelled four villages." Johnson said the old people remembered that the USS Saginaw shelled a fourth village but the shells failed to explode. Eventually the people figured out how to disarm the shells and took them apart. "Primitive people", Johnson said, chuckling.

The shelling of the fourth village is apparently unaccounted for in Navy documents, but the bombings of three villages are described in some detail. Frederica de Laguna (1960:98), wrote that the Navy's account was lacking in some descriptive detail, especially concerning the forts

Johnson said:

All the written stuff said that they burned the villages, and then shelled them. They fired three shots into the villages. But our own oral history ... they shelled the villages first and then they burned and destroyed everything else afterwards. And the people, of course, saw the ship coming, menacing, so they hid. They knew they were incapable of fighting cannons or the Army or the Navy. They watched. Some people were on the islands. They watched the villages being burned. Then they [the non-Tlingits] not only destroyed the houses and the canoes, of course, they went to the village ... or to the campsites, and they destroyed all the winter supplies; and a lot of our people, the Elders and the kids, perished for lack of food that winter. The [non-Tlingits] used kerosene to start the fires to burn the villages. And some of the people were forced to eat the food they found there that had kerosene on it, and they were forced to eat it because there was nothing else, you know, so people died. It is a real tragic story. (2004 taped interview, Charles "Topsy" Johnson).

In the older Tlingit tradition, warring groups left each other with their tools and canoes intact so that people could survive, Johnson said. When the USS Saginaw bombed the Kake villages, the soldiers knocked holes in the canoes, took crests for souvenirs, and destroyed the winter food supplies, according to the narratives passed on by Keex' Kwaan witnesses and Elders.

I heard the story about the bombings several times when I was in Kake. Often it was told in reference to Kake Tlingits' reputation as antagonistic. Kake people sometimes laugh about their past (and occasionally their present) reputation as fierce and unfriendly. A few people in Petersburg, a nearby fishing village, tell stories about coming to Kake to play high school basketball years ago and being chased down the street by Kake boys

throwing rocks. Older people in Kake recall going to Petersburg, where rocks were thrown at them.

Mark McCallum, United States Forest Service archaeologist, who lives in Petersburg, said the following at a gathering in Kake: “And I had come from the Bureau of Indian Affairs (to a new job with the USFS) and there was a strong tradition of valuing the knowledge of Native Elders and the contributions that they provided through oral traditions and histories, and when I got to the Forest Service, I started asking around about Kake because it seemed like a logical place for me to start some of my work, and I started asking people in Petersburg and they said, ‘Well you don’t really want to go over to Kake. Those people aren’t very friendly and they’ll throw rocks at you’ ... and, but my curiosity got the better of me and so I chartered a flight over and landed at Portage Bay out at the boat harbor there, not knowing what I was getting into.” McCallum continued his narrative by describing how he was received warmly the first day and invited to a family gathering. When he told his story he was speaking at the Common Ground Conference in Kake, Oct. 4-6, 2002. The conference was an effort to improve communications between Tlingit tribes and the United States Forest Service.

Another speaker at Common Ground Conference carried on the theme of rock-throwing Kakes as he began his presentation. “Anyway when I first came to work for the Forest Service I asked about Kake, and they tell me don’t go there. People will throw rocks at you [laughter from the audience]. But I did come. (Two men) greeted me at the docks and they had a big bag of rocks, so...” [more laughter].

Johnson told me more than once that the Keex’ Kwaan’s repute for fierceness may have originated among Russians and Europeans in the very early 1800s when there was a coast-wide Native effort to rid the area of aliens such as Russians and Aleuts. “Skirmishes began at the turn of the nineteenth century with Russian sea otter hunters hunting around Kake’s territory; only a few hunters made it out alive. Baranof, the head

of the Russian America Company, ordered all structures and village sites to be destroyed” (Jackson 2003:1).

As part of a Common Grounds oratory, Mike Jackson, Kake magistrate, said the following about Kake’s reputation while he spoke to United States Forest Service representatives and others gathered in the Kake Community Center:

But in regard to throwing rocks and stones, you look at the ethnological roots about Kake, that big Tlingit ethnography done up by Emmons and [the ethnography by] de Laguna ... As a matter of fact, we had a bombardment by Baranof when he was over there in Sitka. They came to the south end of Rocky Pass and they were already in through the Klawock area and our area ... killing off all the sea otters ... We told them to stay out of there; we warned them years before. But they were back. So the Kake people, the different organizations here, got together and went down and took ‘em out and let some go back and report. Well Baranof found out and came back and bombarded our villages. That was our contact.

And then the incident over in Sitka at the time in 1868 ... Chief Tom, one of the (head) stones you saw out on the island [Grave Island where people from Kake are buried], that I saw that you took a picture of, his name was that because he was a big guy. He had a big family. He went over to Sitka to trade. During that time there was a little thing happening there. Not because Kake people were making a row, but it’s been documented. They [the Navy] shut down everybody. They said [Kake people] couldn’t go out of the harbor without permission. (Sitka officials were afraid of an uprising.) We started out of the harbor because we didn’t know it. Because in the cabin there they said it was alright to leave, but the (guard in the gun ship) didn’t get the word. So when the Kake boats were leaving, the guy said ‘halt’. Halt in the Kake language, up and down the coast, meant hello or hi or goodbye. So the people went like this to him as they passed by the big gun ship. The gun ship sank them. The guy (in the gun boat) took out his rifle and shot the first guy in the front of the boat [Kake canoe]. That happened to be Chief Tom’s relative. They [the Kakes] said, “What the heck is going on. This is hi or goodbye!”

Well in the records over there [in Sitka] about the incident, they [the Kakes] demanded atonement. But Jefferson (the commander in charge) didn’t say anything, just told them to get out of town. They

came around Admiralty Island on the southern end of Admiralty, a place called Tyee to us. They came across some prospectors. We have the names recorded. And they had two guys. Chief Tom met one walkin' down the beach. And to them all they [the prospectors] were like the men that shot his relative. They walked right up to them [the prospectors] and told them what happened in Sitka and said, "You two just happen to be our (atonement)." And they took them out. They bundled them up and laid 'em to rest. Put their boat upside down next to them. Didn't take any of their guns or rifles. Didn't take any of the hooch that they have. Didn't take any of the ammunition or the things they had. They laid it by them. To this day that place is called Murder Cove. That was the third [violent] incident for the [Kake] people [with the Russians and Americans]. They came over and bombarded us with the battleship Saginaw. So we don't throw rocks just at anybody. If you felt a rock on your head this time at our meeting, please forgive us. It's not our intent. But that analogy is true. When people from Kake got up in a row, people in the Aleutians knew it, people on the coastline. But that was then. Today we use the protocol that has started all this Native movement throughout the last century. It wouldn't have been a land claims if it wasn't for the ANB [Alaska Native Brotherhood]. It wouldn't be us if there wasn't an ANB, or Alaska Native Sisterhood [ANS]. So we use the western way to try to get our lands, to make atonements with us. But that was the rocks.

We no longer use rocks... So don't go away saying that the war was caused by us, or we were just looking for opponents. Chief Tom was taken in to prison up in Juneau when they moved the capital to Juneau. He sat in there quite awhile, some seventeen years. After a long time the territorial judge looked at it and dismissed the case. The attorney general said, "How come? He murdered two people over there."

The judge said, "No he didn't. He was practicing the law of the land at that time." So that's a little bit of history of the Kake war that they say we had. But this is the time that we're bringing up to you federal people [United States Forest Service] how we're going to go through the department of defense and ask for an atonement. Maybe we'll hold you guys all hostage here. [laughter] But ... 'cause we have some big guys [important USFS representatives] here. Get some TV time. But I don't want to go too far into that because I could be held in federal courts on felony charges. [laughter] (2002 taped speech)

Rumors of unfriendliness and fierceness may spread through Southeast Alaska partly because relations between Kake and its closest neighbor Petersburg are difficult, according to Kake people. Resentment still lingers about the ways that Tlingit parents and grandparents were treated in the predominantly non-Tlingit town of Petersburg, and stories about racism remain part of the local narrative discourse. People in Kake concede that non-Tlingits, for example, are often mistrusted when they first come to Kake and until they show themselves as trustworthy. For the most part, outsiders who have no family, friend or clan connections with people in the village may be avoided for a time. Thus, some of Kake's reputation for unfriendly fierceness may derive from the importance of having local connections in order to be accepted right away, a community-wide desire to remain autonomous, and a history of contact with outsiders that forewarns caution.

Probably the rumors that the new non-Tlingit Kake Foods salmon roe manager (un-named in this document) heard are connected with this history of cautiousness and occasional resentment toward outsiders. He said:

This community is a lot nicer than what I anticipated when I got here. I heard a lot of stories about 'em. I heard a lot of rumors. And it's not true. They're very nice people. In any city you go to, little village, you're gonna have a few bad apples. There's no doubt about it. It happens back home. Anywhere you go. Here I think it's more hearsay than the truth, really. Every place I go—I go to the store, I go down to the post office, I go in the city hall—all the fishermen, very nice. I don't get any of this that I heard, through rumor, that it's cowboys against Indians, and it's not true. I mean we have an intermix on the fishing fleet as it is. And they all do great together. The tender boat's a guy from Petersburg, a white guy, and you've got all these Natives fishing. They love him. They all get along great. We're all here to make money and make this thing work, so no matter what the rumors have been, none of 'em are true. As far as I can tell. (2002 taped interview)

One of the first times I spoke with Kake's historian in 2002, Johnson said, with some amusement, "There's not much written about Kake. I saw Stephen Langdon [anthropologist] at a conference once. I asked him if he knew of information I could get about Kake. He told me there's not much because people are afraid to come here."

After the shellings in 1869, relations between non-Tlingits and Keex' Kwaan Tlingits continued in a new way when the Friends (Quakers) constructed Kake's first church in 1879. At least 30 houses had been built in the village by 1903, with sawn planking, windows, and stoves (Campbell 1988). The homes were "vividly decorated community or clan homes with distinctly Tlingit design" (Hinckley 1996:279). Twenty totem poles stood in three clusters. They were painted mortuary poles, some with clothing draped on them that belonged to the deceased (Campbell:1988).

The last government-sanctioned potlatch was held in Kake in 1902. In various collected letters, Alaska Territorial Governor John G. Brady made it known that he was against recognizing clans and potlatches because they were barriers to breaking up old customs. In 1903 the governor wrote to Charles Gunnuk in Kake, "I have appointed you a Native policeman for your village. ... The Native policemen are expected to help their people by encouraging the children to attend school, by watching whiskey makers and smugglers, to keep their people from drinking. It is now time for the people to abandon their old ways and customs and be ruled by the white man's laws ..." (Brady and Gunnok, 21, March 1903). Being an appointed Native policeman to enforce white man's law on one's own people often meant that the policeman would be persecuted and stigmatized among his own people (Hinckley 1996:271). In 1904 the Salvation Army arrived to convert people to Christianity, and the first school was built in Kake. The Presbyterian Church was organized in Kake in 1912. In 1904, among the Sitkas, Annahootz, a Sitka chief, gave a speech among the leaders of different tribes and others. He said that there would be no more potlatches, tribal dances, or feasting and that the Natives would accept the Christian religion and follow the customs of the white Nazarene

bretheren (Douglas Island News, January 19, 1905). That same year, Charles Gunnuk worked to teach and convince people in Kake about “how to live and be civilized”. Kake people held a meeting to discuss what Charles Gunnuk was telling them. A majority at the meeting voted to clear out the totem poles and burn the graves. “It was a very sad day. Charlie Gunnuk stood like a brave man ...” (Stuteen: OVK Archives).

As told locally, Kake’s history nearly always begins with the Kake war. It nearly always continues with the description of how Kake leaders initiated, between 1912 and 1914, formation of a local city government. In 1910, Congress passed the Organized Village Act. Under this act, a community could set up a form of municipal self-government by obtaining an official charter. The act, however, did not apply to Natives, who were excluded partly because they were not considered United States citizens. Nevertheless, Kake Elders decided to form a local government.

Dawn Jackson, as assistant director of the Organized Village of Kake, wrote that between 1912 and 1914 (the exact date is in debate) a group of Kake Elders boarded the boat “Katie” to go to Wrangell and receive the charter for self-government from the United States Customs agent stationed there. As D.H. Stuteen wrote in his document on Kake history, and as cited in *Heritage, Our Responsibility as Keex’ Kwaaan* (Johnson 2003:34), “The U.S. Government requirements for eligibility for U.S. citizenship at that time were: a government agent or at least five “civilized whites” attest, in their view, (that) a “savage uncivilized Indian” was willing to accept and abide by the white man’s laws.” Those who made the trip to Wrangell, according to Stuteen’s history, “signed papers.” “Signing the papers made them the first Tlingit U.S. citizens from Kake.” The Elders returned to Kake to begin their municipal self governance, creating positions for a mayor and chief of police (Jackson 2003:2). “The formerly conservative village of Kake was the first to obtain a charter under this Act” (Drucker 1965:222).

D. Jackson wrote, “My late grandfather, Henry Davis, recorded in his own words the formal ceremony the village of Kake went through at the turn of the century to

abolish the old customs of government and adopt the new government introduced by the Americans, a radical decision at that time. I will only add an excerpt from the recorded tape left for our family of what had been said during the ceremony” (Jackson 2003:2, 3).

Charlie Gunnuk, the new mayor, delivered his speech. He was dressed in his best white man’s clothes, a five gallon hat to go with it. There he said, “Kake has been like a small child in the white man’s way of living, we can only crawl. We’re not prepared, we have no education. So it was like a little child that could crawl, but now with our self government Kake is going to get on its feet, and we’ll begin to walk. The silver spike that is driven, the cover is nailed on the old custom ways of living we will now be governed by white man’s law.” And that is exactly what happened. The white man’s law went beyond the authority of the Tlingit chiefs so some of them see it that there was no necessity for chiefs anymore. For one thing it was already sealed and nailed shut to any Indian ceremonies, a penalty was set if anyone put on a ceremony. And so the practice of selecting chiefs died with the coming of the white man’s law. (Davis 1977, personal family archives)

Organized Village of Kake archives include the words of Charles S. Newton, who spoke about preparing for the day of the ceremony. People built a boardwalk to show that they had started a new life. They left one plank unnailed. During the ceremony Charles S. Newton’s first wife put the final spike into the final board. It was a silver spike and the mayor said, “Now we pack up our old life like a box and put a cover on and nail it on and put it away.” According to C. S. Newton, the boardwalk was dedicated January 8, 1912 with a parade and speeches. (The exact date is in debate.) C. S. Newton spoke about why the decision was made to burn the totem poles and put away the old life. He said that the teacher at the school and the minister told Kake people that they could not be United States citizens without becoming like white people. Without giving up the old ways, people in Kake would be unable to obey the laws and rules of the new government. School would help people learn how to keep the rules.

C. S. Newton said that he knew Metlakatla had a council and a jail to rule its people, and Kake could do the same. Newton described how people in Kake argued: “some people don’t like to leave old uncles law, totem and old fashions. Then there was argument against each other. We made them put down names, who’s willing. We elect council and we been talking old customs. We had school, minister and we should learn how to live. It has been brought to us all we got to do is receive it and become citizen. Otherwise they can’t put something unless we live right. We have to live modern. Some old still did not agree,” (Garfield 1945). ¹According to Elder Albert Davis, in his talk with an anthropology class at Kake High School in the early 1980s, C. S. Newton, as a young man, attended Chemawa Indian School in Salem, Oregon, where he knew Edward Marsden and Rod Davis of Metlakatla. These men told C. S. Newton about their community’s system of self-governance through having a city council. C. S. Newton’s desire to form a local government may have been inspired through his relationship with Marsden and Davis, according to A. Davis.

Gerald Marr (1998:132) pointed out the paradox of nailing down the plank in the boardwalk to “... pack up our old life like a box and put a cover on and nail it on and put it away.” The purpose of boxes in Tlingit culture is to preserve rather than discard. Preserving, discarding, adapting and revitalizing what it means to be Tlingit or Native are part of an ever present tension in Kake (Marr 1998).

Paradoxes of Native identity include being forced to view one’s culture in narrow legal terms. There exists a recurring Native experience of feeling the necessity to abandon or oppose aspects of the very culture that is, at the same time, one’s own (Dombrowski 2001:183).

Dawn Jackson wrote the following about the paradoxes of Kake’s history and filling the voids left by “nailing down the box.”

¹ Viola Garfield’s unpublished papers at the University of Washington Archives. Ms. Garfield had interviewed people in Kake for use in preparing her dissertation for her doctorate degree in 1946.

Since contact with outside cultures Kake has had a strong foot in both worlds, which often times were/are very conflicting. The Native community of Kake has always been a headstrong, determined community. It was a very hard decision for the local Elders of Kake to adopt western government, for they knew the local history and culture had to be moved aside to move forward in an inevitable world of U.S. government. Although it isn't stated much, due to the pain of that part of our history, people mourned the passage of the old cultural/governing ways when the poles were chopped down and burned for the coming of the new government. Since the inception of local government, the old-timers always emphasized education to the younger generations so that local people could better situate themselves in U.S. government and life (Jackson 2003:4-5).

D. Jackson's grandfather, the late Thomas L. Jackson, Sr., continually stressed to his children and grandchildren how important it was for them to get an outside education and bring back tools so Kake could succeed in the changing world. He saw outside education as an investment for the future. T. Jackson, Sr., gave a speech at D. Jackson's high school graduation in 1989, where he said:

Education was brought among a few of our people by the Friends Church. Later the Bureau of Indian Affairs built a school here in the year of 1912. I would venture to say it is less than one hundred years since we began to learn the English language, as well as what we call the new civilization. Sometimes I wonder if we would have accomplished more if we retained most of our lifestyle along with the education we received. For those of you who have not given much thought, we as Tlingit, Haidas, and Alaskan Natives are a tribal people even though we think our traditional culture is dead and many of our ancient ways have been lost. But it's just as certain that many of our ancient values and customs have survived, or they have as we incorporate them into our new ways. It is imbedded in the back of our minds whether we are aware of it or not. All cultures change, and if a culture is to survive it must have the ability to adapt and change. I maintain that our Southeast cultures have demonstrated this ability

and, as such, persist as culturally distinct societies (Jackson 2003:4, 5).

One way that Kake people worked to protect their land and their integrity as a community after driving the silver spike was to form a Kake charter, in 1914, with the Alaska Native Brotherhood Camp (ANB). Through ANB, people participated in promoting and exerting rights for Native people locally and regionally (Jackson 2003:3). Many people began to avoid the old ways, but they acted in support of Native rights to be citizens, to vote and to be represented in government. They refused to give up their ties with the land. A report in the December 10, 1913, Petersburg newspaper, *The Progressive*, titled “Natives of Kake Withdraw: Have started a store by themselves,” outlines Kake residents’ determination to stay on their land. In November, 1913, the superintendent of Indian Schools visited Kake and proposed that the whole Native population move to Klawock permanently. The purpose of such a move was to consolidate government Indian schools because the government could not provide financially for a school in each community. “This the Natives of Kake refused to consider. Good many have lived there for years, have their homes, where they have buried their dead relatives and friends” (*The Progressive*:1913).²

After the superintendent’s proposal, Kake people decided to set up their own general merchandise store to become more self-sufficient. They planned to build their own sawmill and cannery. They also applied formally to the Bureau of Education for their own reserve (*The Progressive*:1913). The United States Forest Service suggested a smaller reservation than Kake requested, but Kake people said that “the reservation proposed by the Forest Department is just large enough to give outsiders the chance to call them “Reservation Indians” and not large enough to do them any good.” (Firman and Bosworth 1990:20). People built their city hall, a cooperative sawmill, cannery buildings,

² This information is gathered from Charles Johnson’s *Heritage: Keex’ Kwaaan – A Conspectus*. OVK Archives (2002 Draft).

roadways, fishing boats, and homes and formed a Kake band. By 1919 several boys from Kake left to attend the Chemawa Boarding School in Oregon. In the meantime, Kake men, who had participated as soldiers in World War II, were given United States citizenship (Johnson 2003:44).

In addition to working toward community self-reliance, Kake representatives increasingly joined forces with other ANB and the Alaska Native Sisterhood (ANS) chapters to further politicize the organization. The goal of the organization before 1920 had been civilization through assimilation, but by the 1920s, ANB leadership was pursuing admission of Indian children to white schools and securing land titles, fishing rights, voting rights, and legal representation (Drucker 1958).

A major turning point in Kake history was the fire in 1926 that destroyed at least three-quarters of the village before it was contained. Twenty-one homes were burned and 92 people were left homeless after a fire started at Stewart's store and spread to an adjoining building where it ignited 50 gallons of gasoline (*The Alaska Daily Empire*:1926). Most of the village men were out fishing when the fire occurred. Cannery workers tried to fight the fire but there was no water available in town, as the creek from which the village got its water was low. There were no fatalities. In response, the Juneau Chamber of Commerce, the town of Petersburg, and others immediately shipped tents, clothing, food and other supplies to help. As *The Alaska Weekly* put it on September 17, 1926, "... with the fine progressive spirit that the people of Kake have shown in the past it will not be long before they will have a bigger and better town. In the meantime there will be those who will be left destitute and without the necessities of comfort. Alaskans have always been big hearted in such hours of distress and need and we know that the good people of Kake will have the sympathy of all Alaskans" (Johnson 2003:52-53).

Nathalie Austin interviewed her great-grandmother Amy Paul about the fire. This is an excerpt from the interview as published in *Keex' Kwaaan: In our Own Words*.

Well, in that time, the boats were comin' in late ... They saw the black smoke so they knew what happened. And my father and them came back and it was still smoking. Our house was gone already. Oh, my father was just broken-hearted. All the things he bought for the winter, everything burned. There was a store there, the owner's name was Stewart, he was kind of old; he was drunk, too, at the time. He's the one that started the fire. He lost his entire store and all his things burned down. Anyway, a Red Cross boat came—a big ship with supplies. There was food, all kinds, kids' clothes and a tent. That's when my father broke down when they gave us a tent to live in. My father didn't like it. Seth Williams is the one that came to my father and he wanted us to stay in his house upstairs. It's kind of cold, you know, after September.

The following year my father started to build a home. My father-in-law, Lawrence Paul, he was the town mayor that time and he was fishing at Pybus Bay, and he came back from the fishing ground, and he came and took a scow to Wrangell. He made two or three trips for people, the board he was towing in. That's where the lumber came from. He came and towed it in for my father and start building a home. The people started building homes. It wasn't like now; it's not insulated homes. It's just plain. Long time ago, there was no insulation. But we survived (Organized Village of Kake [OVK] 1989:9).

By 1927 the entire town of Kake began to work on building a new dam so the town would have a water system and water for fire protection. They also worked on installing a power unit for an electric light system. Petersburg's newspaper *The Alaskan* wrote in a celebratory tone, "The entire project of making the dam, laying pipeline and installation of engine equipment is under the supervision of 'illiterate Indians'" (*The Alaskan*:1927).

Archived materials and newspaper reports often describe Kake as a community of self-sufficient people who together constructed roads, buildings, and boats together. Autonomy remained a community goal in 1944 when Kake, Klawock and Hydaburg petitioned the United States government for the right to form reservations that would include the lands traditionally belonging to them. The petition was declined. In 1947,

under the Indian Reorganization Act (IRA), Kake formed the Organized Village of Kake (OVK), with IRA tribal status and rights (Jackson 2003:3, 4). At first the IRA tribe focused on buying the local cannery that had just been closed down by its non-Tlingit owners. Through IRA assistance from a revolving loan fund, OVK was able to buy the cannery for \$362,360. The plant was renamed Keku Canning Company (Firman and Bosworth 1990:34). The tribe worked to keep the cannery going until the late 1970s, when it was closed after several poor fishing seasons. Other problems included lack of operating money, and a changing market that preferred frozen fish rather than canned fish (Firman and Bosworth 1990:34).

The tribe increased its autonomy and was given the resources to do so through the United States Indian Self-Determination and Education Assistance Act, passed as Public Law 93-638 in 1975. Through grants and contracts, the law encourages tribes to assume administrative responsibility for federally funded programs that were designed for their benefit and that previously were administered by employees of the BIA and the United States Indian Health Service. Kake chose to be separate, in many respects, from the Tlingit and Haida Council, formed to help administer grants and contracts for Native peoples in Southeast Alaska. The Organized Village of Kake writes and administers its own grants and contracts for onsite services for education, employment assistance, training/counseling, social services, tribal operations and housing improvement, economic development, and the realty and natural resources program, which focuses on protecting local customary and traditional gathering areas for subsistence. The OVK staff also works to monitor and advocate for protecting cultural, archaeological, and historical sites for the benefit of the tribe (Jackson 2003:3-4).

Significantly, Kake people's recent work in peacemaking and restorative justice in order to heal their community of turmoil caused through alcohol, drug abuse, domestic violence, despair and other illness has gained regional, state, national, and international attention (Alaska Department of Health and Social Services 2002; Boston Research

Center 2005; Honoring Nations 2003; Reiger 2001). Kake's young people are often asked to teach their peacemaking skills in other communities, including Petersburg. Kake adults practice and teach how to build community and heal relationships through Healing Heart and Circle Peacemaking.

In the 1970s Tlingit and Haida Regional Housing Authority (THRHA) began the work of building new homes in Kake and elsewhere. Southeast Alaska Regional Health Corporation (SEARCH) was established to bring improved health care to Native people and included the building and support of Kake's SEARCH clinic.

Kake Tribal Corporation (KTC) formed in the 1970s under the Alaska Native Claims Settlement Act and began its logging operations, both on KTC lands and in conjunction with Sealaska Corporation on its lands. The corporation built and opened up Kake Foods, a cold storage operation to process and market fish. In 2004, logging operations and the cold storage were shut down. Based on local population counts, at least a quarter of the town's residents had moved by 2006 to find jobs in Juneau, Anchorage, Seattle, and elsewhere. (See appendix GG for a brief timeline of Euro-American contact)

Map 1. Map of Kake from the DOT Northern Panhandle Study

This is an Alaska Department of Transportation map from the study referred to in appendix J.

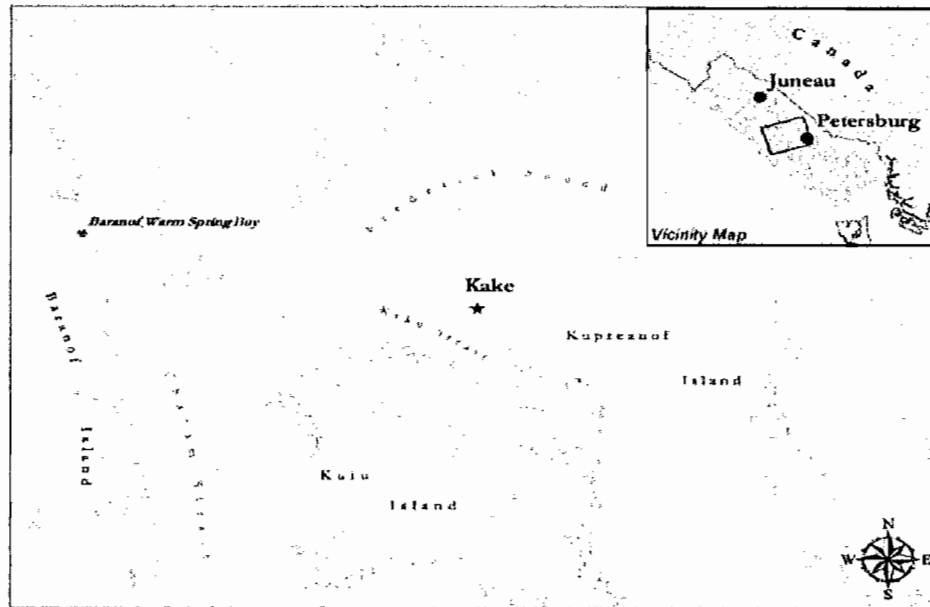


FIGURE 7-1
Kake Vicinity Map
Northern Panhandle Community
Transportation Assessment Report

CHAPTER III

LAW AND DECISION-MAKING ENTITIES

When we were growing up ... we were taught from the time we could understand ... to respect our Elders. The reasons why. ... Well, for one thing, it was always important to behave ourselves because we respected our clan. And we were always taught to respect the opposite clan because it was the clan of our fathers. We belong to our mother's clan. (2002 taped interview, Elder man)

In general, this study is directed at understanding how “official” government and corporate ways of communicating alter local words and stories, so a summary of local government entities that are linked to state government is a necessary place to start. The information for this chapter was gathered largely from anthropological and other accounts of the more traditional Tlingit legal and social system. Information was also collected from descriptions of state expectations of local city government, and from tribal employee descriptions of Indian Reorganization Act (IRA) tribal jurisdiction and authority.

An overview of historical changes in law, government, and decision-making processes is a crucial component for addressing the difficulties of overlaying a predominantly non-Tlingit legal and corporate system onto a village where people value(d) the word and advice of Elders, and where problem-solving and decision-making were ideally accomplished through talking things out face-to-face within and among families. The non-Tlingit system, with its insistence on majority voting and representation by a few, often exacerbates the alienation of some families from the decision-making process and the domination of a few large families in political positions. The situation is similar in other Native villages, according to Thornton (2002), Dombrowski (2001), and some state legislators who represent Native communities.

While past Tlingit systems were hierarchical in nature, several people that I talked with felt that their grandparents worked carefully to be more respectful and inclusive while making decisions. Tom Jackson, in his interview for the book *Keex' Kwaan: In Our Own Words*, said that Kake was an exciting place in the early 20th century. "People used to stand around on the street, on the boardwalk, discussing problems that we had in the community, and what needs to be done. The people was just united, all of them" (1989:16). One of my readers pointed out that Jackson's and other accounts of town meetings where everyone attended and had a voice, are somewhat nostalgic. This may be true, but nostalgia in this case expresses an ideal. No group of people fully lives up to its ideals, but ideals set a standard of expectations. Other Kake people that I talked with remembered past town meetings in the same way, saying that such meetings are fewer now and less well attended.

In times past, Elders were tremendously important in keeping the peace. People remember their grandparents' quiet and respectful enforcement of socially acceptable behavior, their work as counselors and advisors, and how Elders shared knowledge and taught narrative. Although most people in Kake say that respect for Elders has faded, I found that young people showed a greater respect for their parents, grandparents, aunts, uncles, and other older people than do young people in other communities of my experience. Some Elders say that young people no longer have a desire to learn the language, the stories, and the older ways of living. In truth, younger people tend to be ambivalent about the older ways. I witnessed local efforts to include grandparents, uncles, aunts and other older people in community events. The tribal historian and others were working hard to collect knowledge that Elders were willing to share. People often made sure that older people knew they were honored in special events and celebrations. In several families, younger relatives devoted energy and time to helping their parents and grandparents through the last stages of their lives.

One young woman, who spends time thinking about and studying Kake relations with United States law, told me how non-Tlingit legal representatives historically misunderstood the importance of Elders' voices. In a sense, non-Tlingit lack of respect for the value of Elders contributed to the partial undermining of the Elders' role in current social, political and legal decisions, but tribal and other Kake representatives are working to revive the Elders' roles.

Overview of Tlingit decision-making processes and laws

Traditionally, strict formal laws governed the relations between clans, but formal laws did not apply to the decision-making and internal affairs between individuals and houses (Worl 1998:226). The choosing of leaders as representatives in clan affairs, and everyday relationships were governed through Tlingit laws and values that everyone learned and knew. After the United States Navy bombed Kake villages, and after incorporating as a city, the formal clan laws fell away in Kake, but many "unofficial" laws have endured and are still evident in day-to-day interactions and special events. Thornton (2002:169-176) described Tlingit sociopolitical organization in the 1700s until the mid 1800s when Southeast Alaska was experiencing European and Russian contact. Frederica de Laguna (1960, 1972) is also a primary source for better understanding Tlingit legal systems. The following is a summary from Thornton (2002) of Tlingit system parts.

- 1) Nation (Lingit)

The Lingit had only weak political status, but joined people through common language and culture.

- 2) Moiety (no Tlingit term)

The moiety was a means for organizing the reciprocal exchange in ritual politics. In Kake, Tlingit people are either of the Eagle Moiety or the Raven Moiety.

3) Kwaan village/region (kwaan means “to dwell”)

Villages were usually places that people inhabited together rather than important political units.

4) Clan (naa)

The clan was central as a sociopolitical entity. Clan membership was matrilineal. Clans were essential for individual and group identity. Clans were “caretakers” and “belonged” to particular physical properties and resource areas. Clans rather than villages “made war and peace, conducted rituals, and organized material production” (Thornton 2002:172). A single clan might be represented in several non-adjacent villages or kwaans.

5) House group (hit)

The house group included those people who lived in one house, especially those people who were part of a segment of a matrilineage.

6) Person (kaa) (persons were ranked)

People were born with their social status. Highborn Tlingits were given names and titles that were reserved for, and indicated, status (Kan 1998, 1999:10-11; Thornton 2002).

Thornton (2002:188-190) concluded that in the 21st century, the Tlingit sociopolitical system has grown in complexity since non-Tlingit contact. In addition to the six aboriginal political entities, Tlingit sociopolitical organization is made up of six newer units as well. The power balance shifted, in the last century, to the village (kwaan). Villages instead became central political entities because of federal requirements that

children attend public school and with the formation of the Alaska Native Brotherhood and Sisterhood camps. Village political entities also gained in strength with the federal passage of the Indian Reorganization Act (IRA) in the 1930s. The clan had been the strongest Tlingit legal organization, but with the IRA, tribal powers were largely focused on villages (Thornton 2002:182). Sociopolitical entities organized in the 20th to the 21st century include:

- 7) IRA/tribal governments that have sovereign powers and access to federal resources.
- 8) ANCSA (Alaska Native Claims Settlement Act) village corporations
- 9) ANCSA regional corporation (Sealaska)
- 10) Central Council of Tlingit and Haida Indian Tribes of Alaska (CCTHITA)
- 11) Alaska Native Brotherhood (ANB) Sisterhood (ANS)
- 12) Alaska Federation of Natives (AFN)

Thornton ended his description of Tlingit sociopolitical complexities by writing,

Tlingit sociopolitical organization has become so intricate, elaborate, and entangled that it risks becoming stagnant and inefficient, if not retrograde or maladaptive. ... In the past, Tlingit sociopolitical organization has been almost uncanny in its ability to adapt to environmental pressures and sociopolitical changes. ... In fact, the proliferation of Tlingit and other Alaska Native political and quasi-political institutions (not to mention those representing all Native American and indigenous peoples) is almost dizzying. In barely two centuries of contact, Tlingit sociopolitical structure has been transformed from a complex, six-level polity to an even more dynamic and complicated political organization with at least a dozen layers. While new layers have been added, none have been taken away. Even clan and house group affiliation still play a strong role, and will likely to continue to do so in the identity politics framework of the post-modern age. (Thornton 2002:188-191)

In Kake, the 20th century political formations of a tribal corporation, an incorporated city and a tribal government all involved various procedural and symbolic omissions of older ways of governing. According to state and federal mandates, decision-making processes within city, tribe, and the tribal corporation should comply with United States legal standards. These include majority voting by elected representatives. Under U.S. procedural models of decision-making, the Tlingit “unofficial” law priority of family and clan negotiation, talk and more negotiation, was systematically weakened, although it continues to operate in the political background, and in other Tlingit relationship practices.

State and federal governing bodies primarily recognize and communicate with local Kake entities that follow “official” legal procedures. However, many Kake people tend to appreciate a different set of representational priorities, such as the importance of family and Elders. Local expectations lead to problem-solving methods that are often considered invalid in formal legal processes. Based on my experiences and observations in Kake, one result of this clash of local philosophy with official state political methodology is a sense of mistrust and pessimism in Kake toward local and state leadership and governing entities. Unfortunately, mistrust is a major hurdle for problem-solving during a time of increasing economic crisis. People in local governing entities are aware of the issues and are working to unify problem-solving efforts (Hibbard and Adkins 2005:7-9). (See appendices B and C for description of Tlingit and state/corporate-based Kake governing entities.)

Local tension results partly from decades of trying to live with incompatible values. Another source of conflict is the separation of leadership jurisdiction that mirrors separation of authority in a wider political arena. The three major governing entities in Kake include the city, the IRA tribe, and the ANCSA corporation. The State of Alaska communicates with the city of Kake for some purposes and the tribal corporation and the school district for other purposes. Some branches of Alaska state government are

reluctant to participate in government-to-government relations with Alaska tribes like the Organized Village of Kake, and they often fail to empower the tribe in state conversations. The federal Bureau of Indian Affairs communicates primarily with the IRA tribe rather than the city. Separation of jurisdiction fosters competition and territorialism and constrains the ability of the three major governing entities to cooperate. This is often the case in many or most United States communities, Native and non-Native. Everyday narrative in Kake includes critical themes about how people representing the tribe, the tribal corporation, and the city often work in opposition to each other. In reality, local governance is competitive and sometimes antagonistic, but not always.

A basic proposition in discourse theory is that antagonisms, such as those in Kake, show the points where identity is no longer fixed in a specific system, but contested by forces that stand outside, or at the very limit, of that order (Norval 1997). Antagonisms reveal limit points in society through which social meaning is contested and which cannot be stabilized without change (Howarth and Stavrakakis 2000:9). In Kake, “unofficial” Tlingit law has been contested by outside forces for at least fifteen decades, but by the latter part of the 1980s, some groups openly questioned the values behind the decisions of outside legal and economic entities. In the 1990s and the early part of the 21st century, revitalization of older Tlingit values is growing stronger, stimulating a new and expanded sense of underlying tension.

Current political conditions and “unofficial” laws in Kake

Throughout my fieldwork experience I heard about and observed the “spinning wheels” of leadership in the IRA tribe, the tribal corporation and the city government. Because the goals and purposes of the IRA tribe, the tribal corporation and the city are

felt to be philosophically opposed, and because of family loyalties, the three governing entities resisted meeting and working together. Social and economic issues were often decided separately within boards and councils rather than jointly in ways that took into consideration the interrelationship of local concerns. This situation is replicated to various degrees in nearly all small and large communities in the United States, Native and non-Native. In Kake, polarization of leadership is often performed up close and personal and exemplifies the juxtaposition between Tlingit laws and “official” laws and the legal entities formed around “official” United States and Alaska state laws.

Presently Kake and some other tribes find solutions to many social problems through autonomy and a philosophy of “self-determination.” In the meantime, state lawmakers periodically propose that local governing forces be consolidated regionally. Federal legislators periodically campaign for regionalization of tribal social programs and regionalization of city functions into boroughs. Creating new elected positions on regional boards and councils would likely constrict autonomy and “self-determination” and further divide or significantly weaken community leadership. Local, “bottom up” cooperative problem-solving would likely become even more difficult than it is now, further disengaging the decision-making process from “unofficial” laws and values. Based on fieldwork in Kake, I can identify several traditional values that are manifest in present day “unofficial” or community laws.

Two sets of recent conversations in Kake exemplify how Tlingit laws influence leadership and cooperation. During the Dog Salmon Festival in July 2004 an Elder pointed out a “real” Tlingit chief among the dancers from Juneau. I asked him if anyone in Kake is considered a “real” chief. He told me “no,” but there are “pretenders”. He said that when Kake people decided to give up their Tlingit ways in 1912, they gave up having chiefs. In other conversations he described the attributes of a Tlingit chief. First the chief needed to take care of and repair his house every year and there should be

smoke coming out of his chimney. Second, his job was to respect the will of the people with humility and not for personal gain.

Chief, of course, is an English language term with all of its implied meanings. Even before 1912 there were no chiefs. “There were just men put forward by the clan to represent them and, by consensus³ put forward by the village, to represent them for a specific doing” (phone discussion with Mike Jackson 2005). There were specialists in every area of life from planting to warriors to medicines, and there were specialists for every community gathering (Mike Jackson 2005).

Several older people in Kake remember how leadership was practiced after Kake became a city in 1912, when they were children. One Tlingit woman in her late middle years described in 2004 how people often solved community problems by calling a community meeting. Everyone in the village was invited and most people came and participated, she said. Family representatives had the opportunity to express how they saw issues and what they thought should be done. The leaders made the final recommendations/decisions, but their decisions were based more upon community “consensus” and the “will of the people” than they are now, according to Kake’s historian. The leaders’ decisions were generally followed because within family groups and clans young people were educated to respect their Elders, said the historian and others that I interviewed.

Although Kake renounced its Tlingit ways in 1912, a study of the village shows that a decision to give up traditional laws does not make “unofficial” Tlingit laws disappear. They remain a part of behavioral expectations and they influence the ability of

³ The word consensus is used periodically in this chapter because it is a word used often in Kake, especially among people involved with tribal programs that include restorative justice, Culture Camp, and the Youth Center. The fieldworker and dissertation writer uses the word in the context within which several people in Kake use it. The ways that people perceive their own heritage and past and present methods of decision making belong to them. What all people bring out of their past to describe the present is part of the process of re-articulating ideology in the context of change and crises. It is not for me to judge whether or not pure consensus is possible or occurred in the past because such a judgment disempowers what people are working to do in the present. There exist ranges of consensus practices.

ANCSA corporation, tribal, and city leaders to adhere to “official” laws that are in conflict with local values.

Four Tlingit laws

Here I summarize four laws that were a part of local behavioral expectations that I identified in conversations between 2003 and 2007, although they were followed to various degrees by individuals.

- 1) The inter-relationship of respect for Elders as leaders, *belief* in the importance of the will of the people, and *belief* in the importance of decision-making through talk within and between families.
- 2) The importance of family loyalty, sharing, “pride”, and particular reciprocal responsibilities between families, and, at special times, between clans and moieties. (See chapter 9)
- 3) The practice of helping those in need and assisting those who have experienced losses. (See chapter 9)
- 4) The values of respect for animals, plants, the earth and especially for traditional and customary foods. Such values are ideologically interwoven with the values of taking only what is needed from the environment and thanking the creatures, plants and landforms for their help and offerings. (See section two, chapters 6 and 7)

Because expectations related to these laws continue to influence Kake people, their lives are partially situated in the ideals of older resource distribution practices and social relationship expectations. Such Tlingit ideals and practices often diverge from the practices and expectations of the state and federal legislative, regulatory and enforcement

system inherent in corporate businesses and government agencies. As stated before, one result of living within and between local, Tlingit ideals and American capitalocentric⁴ ideals (based in capitalistic assumptions of competitive individualism) is that local leadership can be fragmented.

Most community-wide gatherings now are funeral dinners, what are called 40-day dinners, and payback dinners. Funeral dinners are well attended and they adhere to Tlingit protocol (Kan 1999), as understood in the twenty-first century. They include the common distribution of labor between families, clans and moieties, and they demonstrate that Kake people have maintained several organizational networks that might aid in more unified decision-making.

Presently, political decisions are made through the elected officials of boards and councils in the tribe, corporation and city. Typically people are highly critical of those who serve on boards, councils and committees. The council and board members' motivations and rights to make decisions are questioned on a daily basis. People say that the representatives are almost always elected because they have big families who vote for them out of loyalty. Some people say that one large family runs the corporation, the city and the tribe. Others point out that a different large family runs each entity, but that they are intermarried.

Leadership through respected Elders, such as clan leaders, still seems to be the decision-making ideal, and such leadership is sometimes practiced indirectly. Older people, as youngsters, were taught the importance of respecting Elders as leaders. In the past, the respected leaders were Elders who demonstrated through life that they were trustworthy, humble, good listeners, respectful to others, and generous with what they had, according to the tribe historian. Family and clan loyalty made sense in older Tlingit

⁴ Capitalocentric. (Fournier 2006:295). A word similar to ethnocentric. Instead of meaning that people generally believe their culture and group is the most intelligent, civilized, moral etc., capitalocentric is a word to describe people who believe that their neoliberal economic strategies are the most intelligent, efficient, and superior. Capitalocentric can refer to people who believe that capitalism explains all human behavior. This view point becomes, then, an ideology, a belief system.

legal matters and carries over into current political leadership. In contrast, the United States political system relies heavily on individuals as voters rather than families and clans as voting units. To overlay the United States leadership system on top of the Tlingit system creates inconsistencies that are difficult to resolve. Again, many village people told me that legal power in Kake is distributed unfairly because the elected leadership of their corporation and government entities is based upon familial loyalties. Family loyalty is a strong Tlingit value. Dombrowski (2001), Thornton (2002), and some legislators who serve Tlingit communities have observed that strong families or lineages are primary leaders in other Tlingit villages too. Interestingly, for more than 20 years the mayor of Kake was the same non-Native man, who retained much of his non-Tlingit identity. When I was in Kake, the new mayor, the superintendent, and the tribal administrator were all of European descent. All had lived in Kake for many years but were not raised in Alaska. As leaders, they were mostly non-voting members of boards and councils. The mayor only voted to break a tie. These men had grown up in Euro-American communities and served as local translators of the non-Native legal system and bureaucratization in Kake. I heard less criticism about the non-Native leaders, perhaps because they had fewer family ties and shorter histories in the village. Board and council representatives tended to be Native.

Most people on the island agree that ANCSA further exacerbated local divisions. Several tribal and city representatives said that without the corporation Kake people could have learned to govern with greater community cooperation. The ANCSA corporation became a wedge between them, people said. One young Tlingit woman, who works in local government, talked about what it might have been like if Keex' Kwaan lands were managed through the tribe rather than a profit-centered corporation.

I'd like to think it [Kake] would be more unified, because it is a unified community, but with the corporation and then the tribe and then the municipality, I think without the corporation here, it would have given us [the tribe] an opportunity to work with the city on trying to adjust some of our

needs. And I think it would have made us a stronger community because the corporation has really caused local people to fight. It would have just been one whole community adjusting to community needs as a group instead of ...
 . (2003 taped interview)

One man who was not raised in Kake, but who is involved in tribal government, described, in 2003, the polarity of missions between the tribe and the corporation. Kake Tribal Corporation exists to make money for shareholders. At least half of the corporation's shareholders do not live in Kake. The mission of the tribe is to take care of the people living in Kake, he said. A Tlingit woman, who also works in local government, added to the man's description of local political circumstances. She said,

The corporation is just too different. ... If they started to change their mission, then they'd be looking at a value and a spirituality and environmental issues [together], and they can't afford to go there if they want to make money, in their eyes. (2003 taped interview)

The man answered,

Well, I think that's just being pushed into the corporate world. The for-profit world. You know you don't have a choice. Because that's your survival. You know that's not to say that philosophically they [corporation leaders] might not have some traditional values ... (2003 taped interview)

According to my own observations and conversations with people, the city and the tribe seemed better able to negotiate than did the tribe and the corporation, for example. City personnel said that they could negotiate and work with the corporation more easily than could the tribe because the city's mission is more closely linked with state legal/corporate mandates.

Mitchell described inevitable cultural changes because of corporate management of land resources.

The social values embodied in the corporate form of organization are well known: the transformation of human beings into “shareholders,” the transformation of land into an “asset” valued by its worth in the cash economy, the duty that a board of directors owes to a fictitious entity—the corporation—rather than to human beings who own the corporation’s stock, the equation of success with profitability (Mitchell 1997:12).

Corporate profit-oriented values clashed with traditional Native values that were (are) based in a subsistence economy. In the past, economic social status was measured through hunting, gathering, processing and distribution of wealth rather than retention of wealth (de Laguna 1972; Mitchell 1997; Oberg 1973).

Native peoples were part of the negotiation for ANCSA, but in Kake people say that no one knew what the changes would mean. It is primarily through corporate affiliation that the forest around Kake has been logged extensively. Despite its logging efforts, Kake Tribal Corporation declared bankruptcy in 1999, then set up a plan to pay off debts and reorganize in order to become solvent. In 2004 Kake Tribal Corporation and the regional Sealaska Corporation shut down logging operations in the Kake area. Kake Tribal Corporation’s fishing enterprises in Kake were also shut down. As of 2007, the corporation remained insolvent.

Most significantly, ANCSA has been a major factor in how Tlingit people see themselves as indigenous. Dombrowski (2002) addresses ANCSA’s role in how indigenesness is defined and manipulated at the state and corporate level. Local conflict over the social, economic, and environmental changes are also huge factors in indigenous, regional, state, and national politics, according to Dombrowski and others.

In awarding indigenous groups important and valuable resources (on the assumption that they will use them in ways foreseen by states and their industry allies), states risk empowering these groups and potentially creating political and economic dynamics beyond their original vision. Development forces therefore seek to capitalize on divisions within a community to ensure continuing cooperation. By encouraging some

cultural projects and not others, some visions of alternaty and not others, states and their allies can be relatively assured that development will continue regardless of the individual, moral or emotional costs for those subject to it (Dombrowski 2002:1068).

Western culture and institutions, logging and commercial fishing have influenced social and economic priorities in Kake so that some residents, in 2004, were looking for more resource extraction, cash-economy options to supplement or replace logging. For many Kake people, corporate logging resulted primarily in short-term wealth and a long-term loss of old growth forest resources. In reference to the last 20 years, Kake people often said they had little knowledge of how to operate in a market exchange economy. The corporate world was thrust upon them. Some saw dependence on money as inherently leading to overexploitation of resources. While several Kake residents, usually associated with the corporation, wanted logging to continue on federal lands for the sake of the Kake economy, others, usually associated with the tribe, wanted the USFS to stop offering federal forest timber sales on Kupreanof and Kuiu islands.

One young man felt that the tribe could have helped the corporation stay solvent through federal grants if people in the two entities had been more cooperative. After the corporation closed down in March 2004, this man described the corporation's reputation in Kake. His is a typical representation of how people felt about their corporation over the years. He said:

I don't think they've set a very good example for your youth. I can go into the high school right now and ask those kids, and overwhelmingly, I can guarantee you, I will get a negative response about Kake Tribal (Corporation). I can go into the junior high and ask those kids what they think of Kake Tribal (Corporation) right now, and overwhelmingly you're gonna get a negative report. What's that going to do to Kake in ten years when those kids are looking for jobs? Will they ever trust Kake Tribal? Will they feel like champions because they might be able to help Kake Tribal in the future, like the young men my age feel right now? They think, man, if I could just catch some more fish. If I could just make this happen, we could get our

wheels spinning again, and we can get back on the road. I can guarantee you my son, who's gonna be a shareholder, will not feel that way. He will want to remove himself as far away from Kake Tribal as possible. And that's a bad thing. They've never done anything good for him. He won't trust them. That's the way he's gonna feel, and not because of anything I've ever said. I've only said good things to him about that corporation. But I listen to him talk to his friends who are fishermen too, same age. They don't have anything good to say. That hurts. That hurts Kake. (2004 taped interview)

When I was in Kake, the tribe, the tribal corporation, and the city leaders often felt at odds within the ideological frames of reference through which their missions were explained and practiced. Finding common ground was often difficult. I talked with corporation leaders in their offices about their five year plans, new marketing plans, and their belief that logging was not as destructive as environmentalists supposed. These same people participated as leaders in mortuary dinners and other events. I talked with tribal leaders who felt that with a closer adherence to older ideologies, the community could create a sustainable economic base without depending upon boom and bust resource extraction. I talked with city leaders who exhibited various degrees of alliance with, or opposition to, corporate and/or tribal goals. Local people often saw their leaders as ineffective, because, they said, leadership as fragmented.

In August 2004, I began asking people which members of the community they would respect as leaders. Some people could name one or two who tended to be Elders. Some people were surprised at their own answers because they could not name anyone. They said that most of the people they respected had died. Where are the Elders, I asked, to replace the ones passed on? People have been asking that question themselves long before I visited Kake. There are older people in the community, but most do not participate as teachers or leaders the way their grandparents did. People told me the older people are staying quiet for a number of reasons. First, they are of the generation that was sent off to boarding schools, or whose teachers in the village punished them for speaking in Tlingit. They learned to be embarrassed about Tlingit ways of doing things. These

parents and grandparents often wanted to protect their children from experiencing the same pain in school and refused to teach them about Tlingit culture and language.

Many Elders, I was told, still see the end of Tlingit culture and language as a way to save their children and grandchildren from suffering. The tribal historian, Topsy Johnson, said he was frustrated when Elders told him they would not share stories because they believe the culture is dead. As an Elder himself, Johnson felt differently. Culture always changes, he said, and he wanted to leave something for the children and grandchildren.

Perhaps of more painful significance is the realization that many older people are of a generation that was caught up in alcohol, drug abuse, violence and other destructive forms of behavior. Many feel unworthy, according to some of their children, to be Elders in the traditional sense. Several adult children, now in their middle years, work to encourage Elder participation in community events. Based in Tlingit law, an Elder is a leader because he or she is a living example of Tlingit values, Johnson said. Circle Peacemaking⁵ has been instrumental in helping some Elders strengthen or regain their integrity and share their stories.

As mentioned before, a few people aspire to be non-elected leaders. Their attempts at leadership are typically criticized, although their work is, on the whole, beneficial to Kake people. I asked why these leaders are often, but not always, discussed without respect, and I was told, through stories, that they do not meet the behavioral criteria of a leader. People accuse such aspiring leaders of lacking humility. People assert that aspiring “chiefs” are too concerned with their own notoriety. There is a sense that they often behave arrogantly and thus have lost the wisdom that their purpose is to serve. As one Elder said, pride is important among Tlingit families, but there is a difference between “pride” and being “proud.” One man wants to be “chief” of his clan in order “to make decisions,” but an Elder told me that such a desire is not a characteristic of a good

⁵ Circle peacemaking, see chapter 9.

leader. True leaders follow the will of the people after people have had a chance to express and discuss their feelings and ideas.

Elders-as-leaders is an ideal part of the Tlingit legal system. The social worth of helping those in need and those who have experienced loss of a loved one, a boat, a house or a job is another “unofficial” local law. (See appendix E) Ideally what has been shared will be shared again. These local values sometimes make collecting public utility bills and enforcing ordinances difficult for the city. Some people may have owed \$3,000 in water and sewer payments, but the city often refrained, in the past, from cutting their services out of respect for family and other relationships and out of humanistic respect for people’s losses. I was told that few people paid for keeping their boats at the boat harbor, for example. If police officers were members of local families, they often found that family and neighbor relationships inhibited equitable law enforcement.

Other Tlingit laws concerning respect for animals, plants and especially subsistence foods are difficult to maintain within the constructs of United States corporate and incorporated legal and organizational prototypes. Many Kake people say they still practice the rituals of thanks when they harvest salmon, trees and other resources. Related to the law of respect is the law that guides people to never take more than what they need of a resource. This Tlingit law is one reason that many, but not all, people in a predominantly Caucasian fishing community 45 air miles away often speak in critical tones about Kake. In the context of traditional Tlingit values, they judge as hypocritical the tribal corporation’s cutting of its entire forest holdings.

Kake narratives express anxiety about such contradictions. Many, but not all, villagers emphasize expectations that Tlingit people will practice local and traditional Tlingit laws concerning the environment, family, and other relationships. At the same time, people feel they should be successful within the non-Native corporate, economic, and legal complex. Outside narratives express the same expectations. Kake people feel a sense of embarrassment and loss because their ANCSA corporation failed within both

Tlingit law and “official” non-Native law parameters. As Ford (2001) concluded, United States legal discourses and parameters in and of themselves create dichotomies between organic/holistic and jural land relationships, making them contradictory and causing polarization.

Prioritizing autonomy and self-governance, OVK, the IRA tribe, is closer than other Kake governing entities to accomplishing a philosophical and decision-making fit between re-vitalization of environmentality and other Tlingit ideology expectations and the requirements of working within the state/federal legislative and economic legal system. As stated before, its successes may be recognized locally, but its leaders are often criticized. Local, “unofficial” laws concerning Elders, leadership, family, loyalty and “pride” are some of the reasons that local people discuss with non-respect current and past tribal leadership.

When opportunities for cooperation present themselves, “official” legal rules and laws often subvert attempts to solve problems through “unofficial” local, legal processes. For example, the city has jurisdiction over the community fish hatchery. The tribal corporation, in 2004, owed the hatchery a substantial sum of money. The corporation was in the midst of possible bankruptcy (or “financial reorganization”), so the mayor devised a plan to help the city and the corporation work together to prevent animosity and a lawsuit. A few years before, the mayor implemented a similar and successful plan to help the city out of impending “bankruptcy.” However, in the case of the corporation, the lawyer representing the hatchery and the city told the mayor publicly that his suggestions, while they may have been good solutions, compromised the city’s legal position. The mayor was told that he should have stayed quiet. In effect, the city could only come out ahead if it sued the corporation for the money it was owed. While the lawyer was probably correct, the example shows that “official” legal processes often increase polarization between local governing entities, inhibit cooperative leadership, and intensify local mistrust of village leaders.

Bourdieu (1991:250) theorized that when the political field is increasingly professionalized and when only a few people have power to speak on behalf of other groups, then leadership generates a culture of political practices from which ordinary people are excluded. Within such political systems certain types of knowledge are taken for granted. Certain subjects are never discussed and certain questions are never raised or answered. Ideally, within “unofficial” Kake laws, people might have solved legal problems through internal conversations between families and clans. They might have participated in community-wide meetings where respected leaders listened and made decisions based upon greater community input.

When I was in Kake, jurisdiction over possible community-wide meetings was problematic considering the competitiveness between the families that run the three governing entities and “official” legal separation between the tribe, the corporation and the city. The tribal corporation, which controls most of Kake land, was uncommunicative. Its shareholders were uninformed about the reasons and circumstances of possible bankruptcy or “financial reorganization.” The corporation’s silence was, at least in part, an element of United States legal practices, which promote secrecy because of upcoming lawsuits.

The limitations of United States legal processes have influenced Kake’s ability to achieve wider local communications and representation. Kake’s situation demonstrates how “liberal law” in the primarily non-Tlingit tradition, is “tendentiously assimilationist” (Tie 1999:201). The Kake example demonstrates a need for legal process flexibility and pluralism and supports Warwick Tie’s (1999:203) statement that within legal proceduralism “particular cultural identities ought to be recognized.” A re-thinking of local political processes that includes consideration of the local culture, as it is today, would likely contribute to greater communication, trust, and problem-solving success.

People demonstrate their capacity for working together through the growing influence of Circle Peacemaking and the community-wide cooperation (albeit

competitive cooperation) evident in funeral dinners and other events. (See chapter 9) This capacity could be strengthened through stronger state and federal recognition of the value of legal pluralism within the legal processes that govern corporations and incorporated cities and tribes. Legal pluralism would involve increasing local legal autonomy and “self-determination” so Kake people could reconceptualize their legal decision-making processes in ways that strengthen “unofficial” local laws.

Instead of stressing cooperation from within, many state and federal legislators propose consolidation from without. An example is the state’s insistence that Kake and other communities form regional borough governments and weaken city governance. (See chapters 11-14) Applicable to the situation is Weisbrod’s statement that “the emphasis on the state is parallel to the historical tendency of American law toward centralization ... The master trend is ‘to create one legal culture out of many; to reduce legal pluralism’” (Weisbrod 2002:3, 4).

Other examples of attempts to further reduce local power through centralization include federal efforts toward regionalization of Alaska tribes. Senator Stevens stated in October 2003 that there are too many tribes in Alaska, and Alaska Native “sovereignty” has become a threat to statehood. He proposed—and later rescinded his proposal—to mandate state and federal centralization and regionalization. Centralization would effectively disempower the IRA tribe’s social programs and its autonomy to make decisions about how federal funds are spent. Grant writing and allocation of money would be done from an office in Juneau. The tribe would be sovereign in name, but would lose the power to situate decision-making within “unofficial” local law. Native people throughout Alaska organized to challenge Sen. Steven’s claims. He eventually gave up his efforts to centralize Alaskan tribal powers.

Law, whether it is “official” legal law or “unofficial” local law, creates the conditions of culture (Weisbrod 2002:2). Legal rules with a narrow focus are prioritized in the corporate, incorporated, legislative and enforcement style of government. Those

who understand law as “a system of precise rules for assessing responsibility and reject as irrelevant everything that is not circumscribed within these rules” fare better in the corporate, legislative, United States legal system (Conley and O’Barr 1990:58-59). Narrow rule orientation is more typical of people who work in the public and business sphere, the sphere from which legal rules are most often created.

In contrast, most people from Kake are oriented toward relationships, the stories behind stories, and the “unofficial” day-to-day laws of community. Regionalizing tribal decision-making about justice and social programs would increase the divide between Kake “local” laws and “official” laws, and it would further divide leadership. Without strong, local, cooperative and respected leadership, Kake’s ability to solve its own problems diminishes.

CHAPTER IV

ANALYTICAL TOOLS AND THEORIES

The drugs and alcohol ... the more violence. More neglect of children, adults, this is everyone, adults, Elders, the youth. That never was before. Because a long time ago if people were doing that, the old people got together and said, "Hey, this needs not to happen. It needs to change." You know, get them back on track. And it wasn't done in a way that made them feel shamed for anything. Because they knew the people, the older people, were going to come and talk to them if they kept it up. Even when I was young still, ten to twelve years old, if I did something wrong out of my house downtown, the old people would stop me right there, right on that road, wherever that was. "You can't be doing that here. This is not right." And they never said it in a loud voice to draw attention to themselves or myself. But before I could get home, no direct communications like CBs [Citizens Band Radio] and telephones and what, very few people had them. But by the time I got home my dad would know about it and my grandma, because I lived with them. ... And then (they would say) go apologize. (2004 taped interview with Tlingit man in his middle years)

But when the Elders get mad and start cussin' in Tlingit and they won't say it in English. They say it in Tlingit so you won't know what they're saying. They'll say it in Tlingit. They won't tell you what they're saying. That just means they're mad. (2004 taped interview with younger Tlingit man)

These are discourse artifacts, rich and meaningful segments of conversation that suggest some of the ways people communicate(d) in Kake. Here they are presented out of historical and explanatory context, so they inspire more questions than answers. One of the pitfalls in discourse analysis is under-analysis through isolated quotation. History and context are important to understanding the meanings and circumstances of talk. Another way of falling short in discourse analysis is under-analysis through summary, or losing the detail and discursive subtlety of people's talk (Antaki et. al. 2007). Discourse analysis is a complex balance of detailing the who, what, when, where, why, and how of speech; letting people speak for themselves; showing, through a compilation of quotations, the

examples of commonly shared discourse; showing how some talk derives from shared ideologies while other talk is a contrast in ideologies; and providing evocative and adequate analysis. Discourse analysts have no standard method (Potter 1996), which means that they must choose a theoretical system to guide their analysis and work from there.

Analytic frames

As Phillips and Hardy observed (2002:11), discourse analysis is a labor-intensive and time-consuming method, and the tools of analysis are relatively new. Often analysis involves working through unproven research methods that take some imagination and thought to develop. Since language constitutes most of social reality, the effort is worthwhile.

What are the tools of narrative discourse analysis that assist this project in exploring the relationships between voice, power, community, environmental integrity, and sustainable livelihood through discursive sharing of “local” values and feelings? I chose to investigate narratives through the following analytic tools:

- 1) Comparison of values surrounding key words or signifiers. I evaluated data using the visual, qualitative data analysis software program Atlas.ti.
- 2) Examining signifiers through the *theory of dislocation*, through considering the synergy of *logics of equivalence* and *logics of difference* and through considering the effects of code-switching or code-selecting.
- 3) I also chose to examine code-selecting, or code-switching events.

Different circumstances favor the use of different discourse forms and frames. When people change their ways of talking and word use to accommodate social contexts,

they are code-selecting or code-switching. For example, if people have access to a language form (such as legalese), and if they can interpret language codes according to language functions (if they know how to use and apply legal language), then they might shift into the cues, registers, word usages, and frames that are more acceptable to the “game that is being played” (Tannen and Waller 1994). If people lack access to prestigious language forms, for example “proper” English, and cannot code-switch or code-select when “proper” English is the advantageous discourse frame, then they will be at a disadvantage in some sociopolitical situations.

Explanation of tools

People in Kake and people in legal advising and decision-making forums speak English. They often use the same words in reference to the same issues. However, the words are used with varying contextual references, and word meanings vary. The word “environment” is an example. In the 164-page Report of the Local Boundary Commission to the First Session of the Twenty-Fourth Alaska Legislature, January 19, 2005, the word “environment” was used only as “environmental” and only in reference to the name of an agency that someone had on their curriculum vitae or résumé. References to the non-human environment included only place or area names and discussion of economic resources, primarily mineral. In nine pages of collected letters from Kake to the Local Boundary Commission about subjects within the 2005 report, there were more than thirty references to the non-human environment in regard to customary and traditional gathering and harvesting, animals, fish, berries, birds, harvest camps, places to which family groups belong, trees, salmon spawning areas, and food. The letters from Kake were mostly written in 2003 as public comments about legislation to force people from four areas to form regional borough governments in Alaska. The 2005 report to the

legislature is empty of Kake language codes about the non-human environment in relation to community.

Most of the transcripts and conversations used in this document are part of taped interviews and conversations. People gave their consent to being taped. Transcripts of interviews were sent to Kake for their review and response. Only those people who agreed to or requested to be named are identified. Other transcripts come from official letters, which are legally part of public information. Some transcripts in section four come from taped and transcribed legislative committee meetings. I was able to hear and tape these meetings by connecting to the Juneau KTOO public radio and television sound feed of Alaska legislature events. Only in section five are there transcripts of non-taped conversations, and these are identified as such. Tapes of interviews and conversations are considered private. If interviewees later agree that they want the conversations archived with the Organized Village of Kake, the tapes will be offered to the tribe. Otherwise they are currently stored in a fireproof and locked safe, eventually to be destroyed when their use as fieldwork data is no longer relevant, and if the interviewees so desire.

With the help of Atlas.ti, qualitative analysis software, I examined the interviews and meeting transcripts for word usage categories in four case studies, including a project to restore a salmon stream, borough legislation, the Alaska Department of Transportation plan to build a road between Kake and Petersburg, and discourses concerning fisheries. I searched for language use that pertained to environment and “place”, community, people, time, money, data collection and law. The purpose of this compilation of data was to discover the location of meanings and values in “local” Kake talk and “official” regulatory and legal language, written and spoken, about issues that concerned Kake. Comparing narratives in this way provided the study with a quantitative module.

Atlas.ti was useful as a coding and categorizing tool. For example, I assessed transcripts sentence by sentence for references to ‘place’ or ‘space.’ As I identified sentences or paragraphs in which people talked about places or spaces, I could highlight

the reference to place/space, create a copy in a sidebar, and at the same time code it according to which words were used to refer to place/space. The software then separated the references by code so that the information was accessible as a printable list. The lists became data sources from which I could compare patterns of discourse in reference to place and space and show discourse tendencies on graphs and tables. Often these types of data were derived from identifying key words.

In addition to examining values and meanings surrounding key words, I looked at narratives about political crises, large and small, to consider how power-shifts lead to changes in language forms. I employed theoretical descriptions of language use related to ideology, ideological dislocation and signifiers (words, symbols, phrases). Below is a description of theories that contributed to my analysis.

Examining signifiers through the theory of dislocation

Ernesto Laclau is credited with developing a framework of theory for the purpose of discourse analysis that assumes the following points (1970):

First, human construction of society and its workings include human attempts to shape an ideology that is so complete it is beyond question or rupture. However a society that is ideologically complete is impossible. “All human constructions constitute attempts to institute an impossible object (society) and master an excessive element (the real) which always escapes our means of representation” (Stavrakakis 2000:100). Perhaps more simply stated, humans construct and share together beliefs in an ideal social world, which is never quite possible because of circumstances in the real social world.

Second, because a “completed” ideology is impossible, to understand society is not the same as understanding “what society is.” Rather, understanding society is to appreciate what prevents society from being what its ideology promises it will be. The

force of dislocation prevents society from being what it is “supposed” to be. Dislocation is defined as the elements of rupture and crisis that threaten and subvert ideological beliefs and assumptions (Stavrakakis 2000).

The theory of dislocation can be compared with frameworks of “order and disjuncture” as descriptive terms. Order can be understood as the “ideal worlds” that people imagine could exist if groups followed the “right” social rules and had the “right” beliefs. Disjuncture comes from the gap between ideal worlds and social reality, between intention and outcome (Lewis and Mosse 2006:2). The difference in approach is that “dislocation” ruptures the delusion of a fixed ideology and the source of dislocation is caprice or crisis. The force of dislocation compels or motivates humans to try to create new ideological parameters that will foster a “complete” society, one that succeeds in being what its ideologies promise it will be. Again, this is an impossible goal because the world is always changing.

The definition of ideology is essential to consider within the theory of dislocation. For the purpose of this study, ideology is all belief structures, constructions of reality, and discursive practices that produce social reality and through which people understand the causes and directions for their actions, especially political actions. Through ideology people work to construct fixed meanings and closure about social reality and the world. People believe in an ideology because they also believe that it brings some sense of closure to explanations of reality. “Ideology is thus constitutive of our constructions of reality since there is no reality without some sense of closure” (Stavrakakis 2000:101).

What does the theory of dislocation have to do with discourse analysis?

When a caprice or crisis occurs that challenges ideological beliefs and boundaries, humans work in dialectic relationship with their former ideological beliefs and that which

dislocates them. They do this through language, talk, and signifiers. They use signifiers that were part of their older ideological constructs and connect them with explanations of and solutions to the dislocation (Stavrakakis 2000:102). According to Laclau (1970) as described by Stavrakakis (2000), signifiers are reference points in an ideological discourse.

For example, the word “freedom” is a reference point in discourses about democracy. The incidents of 9/11 and the fall of the Twin Towers in New York and the subsequent Patriot Act challenged many people’s ideological understanding of what it means to be in a democracy. Political actors’ use of the signifier “freedom” with a new signifier, the “Patriot Act,” was a discursive means of connecting people’s ideologies of democracy with that which challenged them in order to recreate ideological closure. The meaning of “freedom” was changed when it was connected with “Patriot Act” but the new meaning was connected in people’s minds with the old meaning of “freedom.”

When value-laden signifiers such as “freedom” are used in a new context with words such as terrorism, their meanings change. The power of combining signifiers is in their association with memories connected with older meanings, according to Howarth and Stavrakakis (2000:7-9). Of course, the meanings behind signifiers are particular to various social groups and social systems.

Empty signifiers are words for that which is not. Empty signifiers articulate what “should” be there for a group’s ideals to work, and they describe what people think would mend dislocations. For example, if there is disorder, order is that which is absent. The word “order” is an empty signifier. Empty signifiers convey a lack that should be filled. Political forces compete to present their objectives as ways to fill the lack. To hegemonize is to carry out the filling function (Howarth and Stavrakakis 2000:7-9). In case studies, I choose to refer to empty signifiers as *voids*, or *lack*.

Empty signifiers or voids

In identifying voids, the researcher (myself) begins by identifying caprices of humanity and nature. A caprice is something unexpected that runs contrary to “normal”, ideologically-reinforced beliefs or behavior. Caprices are linked to a moment or period of time of unexpected dislocation. For example learning about the phenomenon of global warming is a caprice. Global warming dislocates people from international, state, and local political beliefs and behaviors. Global warming dislocates people from their beliefs that the natural world is something relatively unchanging, or slow to change (Stavrakakis 2000:105-107). The human relationship with the rest of the world must be re-articulated in order to re-create some sense of ideological normality.

Identifying social ruptures that threaten identities, ideologies and discourses is a means of examining the combinations of words people use in their attempts to fix those ruptures so that there is some ideological closure. The lack that such ruptures create, generates, or motivates attempts to rearticulate dislocated ideologies and discourses. A researcher can examine how people competitively “fill” ruptures through combining signifiers. Through examination of change caused by caprices of dislocation, the researcher is able to enhance understanding of the construction and emergence of ideologies (Stavrakakis 2000:105-107).

Examining signifiers that are part of discourses focused on “fixing” the ruptures caused by dislocation is a means to consider how people in Kake respond to legal and political changes that cause various kinds of caprices. How do legal decisions and expectations from a state level initiate ruptures in ideologies connected with community and environmental relations in Kake? Is local language changed as people respond to and competitively attempt to rearticulate ideology as a means of adapting to the ruptures? If so, how? The power that people in Kake have through federal law, for example, can also cause ruptures in state-level ideologies. State decision-makers must competitively attempt

to rearticulate legal and bureaucratic ideologies in order to “fix” the ruptures caused because of political challenges from Kake.

This study requires that theoretical tools and analytical methods allow for understanding power as something which circulates, is never fixed, and is always in unstable flux. Post-structuralist discourse theories, particularly those originating with Laclau (1970) and Laclau and Mouffe (1985, 2001), begin to clear a path (albeit a rough path) through which to examine face-to-face interaction, media encounters and other mediums of communication as sites of meaningful social and power differences. More importantly, Laclau and Mouffe help clear a way for legal facts and historic facts to be considered as part of discursive constructions (Stembrouk 2007:25).

CHAPTER V

EMOTION AND LEARNING

What they taught us as children was to have respect for our surroundings. Leave things pretty much as (they are). There was no thought of destruction. There was no thought of tearing up (2002 taped interview with Elder Tlingit man)

Then there's some ... there's about a fourth of the people, maybe more than that, who just pray when they go out, go up fishing. I've heard them say, "I just pray out when I go out fishing or walking." So there is some spirituality. (2003 taped interview with Tlingit man in his middle years)

Part I

Emotion, personhood and the inclusive environment: theories and discussion

To situate this chapter in relation to one of the key presumptions in this dissertation, I restate that long-term “moral” interaction with an environment necessitates emotional attachment to it. Emotional attachment to place has greater influence through emotional attachment to a community, or other social structure that nurtures personal “feelings” of responsibility toward humans and environment (Anderson 1996; Bennett 1996; Ingold 1999). Environmental knowledge and “feeling” values are acquired through direct personal experience, transmitted orally within a community, relevant to daily struggles of livelihood, grounded in daily life, fragile, and are specific to particular communities (Hunn 1999).

Environmental anthropologists are increasingly aware of how understanding emotion and feelings in relation to environmental behavior is critical to finding solutions

for existing and impending environmental crises. Anthropologist Kay Milton's work, for example, is focused on why some people learn to care about the environment in and of itself and why some people mostly care about it as a set of resources. Environment, as defined in this study, is the individual in relationship with an all inclusive environment, one that combines the human social with the non-human environment. John Bennett (1976) called this relationship the "socionatural" environment. While many people in North America may give little thought to how the non-human environment influences their lives, relations with the non-human environment are considered "social" in groups such as First Nation peoples in Canada's Subarctic (Nadasdy 2003:84). Discourse and narrative examples in this study come from individuals whose ways of thinking are influenced through human social experiences that occur in synchronization with, or as part of, non-human world encounters. Humans learn during all of their experiences and encounters through feeling emotion. Humans act because emotions motivate them to do so. Since it is individuals who feel emotion, they are the link that connects the human social world with the non-human "social" environment.

Milton (2005:206) explained the significance of the individual this way. Individuals are the only members in a society who can experience emotions or have feelings. Individuals are societal entities capable of learning from their environments and then sharing the knowledge they gain with other humans. Culture and discourse studies are concerned with how people in groups influence each other's learning, why people talk and think in particular ways, and the power dynamics involved. Culture informs the ways people learn through emotion. This means that language, discourse and culture studies might well begin with examining how emotions and feelings are central to learning. My reason for including the following description of learning through emotions is to point out the obvious, a form of radical critique. All human knowledge, legal, scientific, non-Tlingit, Tlingit, etc., is tied to learning through emotion. The following description is a

way of showing that privileged “objective” knowledge in legal forums has its sources in emotion as well as does knowledge learned through narrative and experience in Kake.

New research defining and explaining emotion

Milton (2005:198-211) described the emotion/learning dynamic as biological and sociocultural at the same time. She proposed the following emotion/learning sequence. When the body encounters a stimulus in the environment, a physical response occurs. Perhaps the individual’s heartbeat increases, muscles may tense up, and sweating may intensify. Neuroscientist Damasio (1999) termed this physical response an emotion.

The feeling that occurs as a result of the physical response is the subjective experience, that of fear or excitement or elation, etc., according to Damasio (1999), Milton (2005), and James (1890). James explained emotion as the physical response first, followed by the perception of the physical response. “We feel afraid because we tremble, we feel sad because we cry” (Milton 2005:200). Damasio labeled our perception of emotion *feeling*. Feelings are what motivate actions (Milton 2005:204).

While most people are unconcerned with whether or not they are experiencing something called emotion or something called feeling, the distinction is important because it helps explain the influence of culture on how we learn through the biological function of emotion. To explain knowledge through emotion is to situate state-based knowledge compared with local Kake knowledge. It involves examining the sources of emotions/feelings that inform formal legal knowledge and those that engender local knowledge of place and community.

The difference between emotions and feelings

If emotions are the physical response to stimuli, then we can often see evidence of emotions because we can see other people blush or tremble, and we can measure heartbeats and temperature changes. However the feeling or perception of emotion is private, and we cannot observe other people's feelings directly (Milton 2005:201). We rely on people's descriptions of their feelings, and their descriptions are informed through cultural expectations and patterns of discourse.

The relationship between biology and culture becomes clearer if we think about emotions in animals. Milton cites the work of Damasio (1999) when she points out that all or most animals probably experience emotions, and those that are aware of their emotions, that can feel afraid when there is danger, are motivated to run or hide. An animal that has feelings and knows it has feelings can plan ahead and act in ways that avoid unpleasantness. In this sense, emotions are important as motivators for learning, and they take place and operate in the relationship between people and their environment, which includes humans and non-humans. Attention, anticipation, and interest are among emotions that assist humans in learning. *Interest*, for example, "literally determines the content of our minds and memories, for it plays such a large part in determining what it is we actually perceive, pay attention to, and remember" (Izard 1991:92-3 in Milton 2005:202). Some psychologists conclude that emotion influences, in large part, how well we remember an experience and thus the intensity of what we learn from it. The experience of emotions, feelings, and actions is biological and cultural.

Milton (2005:204) outlined three areas where learning through emotions may occur. First, bodies can learn to respond differently to stimuli in the environment. For example, people in various cultural circumstances can learn to love, fear and get angry about different things, stimuli and types of incidents. Second, learning may occur between the bodily response (emotion) and the perception or feeling of that emotion. The

pattern of how different people perceive the same bodily response, such as the tightening of stomach muscles in response to stimuli, may not be biologically fixed. Perception may depend upon the circumstances. Third, learning occurs between the feeling and the subsequent action. Different groups and different individuals display and act on their feelings differently. These differences are often learned and thus are cultural.

The essence of understanding that emotions are part of learning, and that learning results from experiences in the environment, is the realization that we cannot ignore human emotion and *feeling* in conversations about environmental decision-making. We must also realize that who we are is influenced by more than our human social lives and our genetics. We are not really organisms plus environment or mutually exclusive entities, as Gregory Bateson (1973:423) alluded to. We are who we are because of the dynamic relationship we have with the whole of our environment. Ingold put it this way.

... my environment is the world as it exists and takes on meaning in relation to me, and in that sense it came into existence and undergoes development with me and around me. Secondly, the environment is never complete. If environments are forged through the activities of living beings, then so long as life goes on, they are continually under construction. So too, of course, are organisms themselves. Environmental totality is always a process (Ingold 2000:20).

In Kake many people see themselves as part of the environment, not separate from it. Others emphasize its value as an economic resource, but all Kake people engage with Kupreanof Island village/forest/marine environment more directly than law makers and regulators who live and work in Juneau, Anchorage, or Washington D.C. People elsewhere engage more directly in the environments in and around their own homes and work sites. Sometimes, but not always, law makers' environments are largely experienced through the built spaces of offices and city streets.

As part of their connection with "place," Kake people share narratives of a long history of experiences in Keex' Kwaan territories. Those who are new to the village hear

both old and new stories, and while they work to be part of the community, they learn how to add their own stories to the mix. Changes in ways of thinking and ways of talking are always ongoing, but in Kake, words and discourses were turned upside down with the introduction of local formal schooling. Many young people left to attend boarding schools where the Tlingit language was forbidden and children were forced to speak in English. Even ways of speaking in English changed considerably in the last 50 years partly through legal expectations communicated in regulatory language codes. State laws about land and marine resource use and ownership were derived primarily from frames of knowledge learned through experiences in environments far away from Kake. Local people and the non-human landscape were transformed by the influx of non-Native logging specialists and companies that arrived when the USFS issued timber contracts and when the tribal corporations took control of lands allotted through the Alaska Native Claims Settlement Act (ANCSA). Most of the non-Native loggers, their families, and their companies are gone now, but television reception endures. It was introduced in the late 1970s, and as it does all over the world, television continues to influence local ways of interacting. Despite the disorienting speed of such changes, many memories remain of life before television, before logging and the corporation, and before increases in legal and bureaucratic regulation. Such memories are intermingled with newer expressions of identity and environmental experiences, human and non-human.

Re-tellings of old narratives continue to inform feelings, or the perceptions of emotions, and to be a source of Kake Tlingit ideology about ways to behave toward the human and non-human environment. For example, many children attend a week-long culture camp every summer in Kake to learn how to take care of subsistence foods. As their relatives and friends bring in fish, crab and seal, harvested with twenty-first century technology, the children hear stories such as the following one. This is a summary of the story told by a camp leader who spent most of his life hunting and fishing for his own family and for Elders in his community. (Story not verbatim. Taken from fieldnotes.)

A long time ago there were three boys, probably in their mid teens. They lived with their families on an island in Southeast Alaska and they were Tlingit. It was during the late summer, when the salmon were going upstream to spawn, that the boys set out in their Tlingit canoe to go and harvest fish in a stream across a large body of water on another island. It took them awhile to paddle across the water. When they finally got close to the island, they had to go through a narrow opening in some rocks in order to get to the stream where the salmon were. The sun was going down so they built a fire beside the stream and sat around it for awhile before sleeping.

In the morning they began their task of pulling salmon out of the stream and putting them up on the shore to load in the boat. One of the boys tossed a salmon on shore rather carelessly. It landed in the fire, where it flopped around frantically. The boys thought its contortions looked funny and started to laugh. They put more wood on the fire and began throwing more salmon onto it to watch them flop.

Presently a very short little man stepped out of the woods downstream from them. He spoke loudly for the boys to stop what they were doing. He said they were putting themselves in danger by treating the fish without respect. Something bad was going to happen. The man looked disheveled and wizened and the boys jeered at him and told him to mind his own business. He warned them again that something bad would happen to them, and again they laughed.

He spoke a final warning, saying that he was sorry for them but their lack of respect for the salmon would cause them suffering. He told them that before their canoe got through the narrow opening in the rocks, on their way home, one of them would fall over in the canoe and die. He said that when the two surviving boys got to the middle of the large body of water, a second one would fall over and die. Only one of them would reach the shore alive. This surviving boy would tell the village what happened and why.

The boys spoke in scorn, laughed as they finished loading the salmon into the canoe, got into the boat and took off for home. Their noise quieted as their boat entered the narrow opening in the rocks. What if

that little man spoke the truth? Before they got to the other side one of the boys fell over in the boat, and was very still. The other two laughed, because, of course, he was joking with them. But they started to get mad when he didn't get back up. They told him they'd had enough and it wasn't funny anymore. When they shook him, they realized he really was dead.

They looked at each other scared, and knowing that one of them was going to die when they got to the middle of the body of water in front of them. And when they got to the middle of the water, one of them did fall over and die, just as the little man had warned them would happen. The last boy, by himself, paddled and paddled the heavy boat full of salmon and his two dead friends. He was so scared, and worried and exhausted he didn't think he could make it. He took a long time to cross the water. When he finally reached the shore he was too tired to stand and had to crawl along the beach to get to his people. And he told them what had happened.

This is a teaching narrative about the importance of *respect* for the environment and its human and non-human elements. The word *respect* comes up often in older narratives and in conversations with Elders and those younger people in Kake who care about Tlingit ideologies and Tlingit knowledge. It is a concept learned through a long history of Keex' Kwaan living, emotional, and feeling experiences in Tlingit Aanee.⁶ Long ago, *respect* became part of cultural discourses that informed the emotions and feelings that people had as they learned from their environmental experiences. Respect for salmon implies salmon personhood.

Older narratives that remain part of local discourse

In order to better convey some of the ways Kake people talk about their environment, ways that influence what people learn from their experiences, I have

⁶ Tlingit Aanee is the land of the people.

included samples of local narratives. The following are narratives I heard and collected, oral and written, about local moral knowledge and the environment.

This narrative is from an Elder who participates a great deal in Kake community events and decision-making forums. He was born and raised in Kake, and he learned as a child to “always take care of the areas you live in and treat animals as you do treat people. Don’t harass any animals. Take only what you need. All your food the same way. Don’t be wasteful. Be courteous to other people” (2003 taped interview). Those values, he said, are not difficult to practice in everyday activities. He learned them from his parents and uncles. His training, he said, was hard, tough, and disciplined. He had quite a few uncles who taught him hunting, camping, and subsistence practices. His brothers were raised the same way. “I felt in love with the earth. The caring, the trust, everything was there. You felt secure. They kept track of you all of the time when you went out. I’ve got lots of nephews and nieces and that teaching is still going on today ... and grandchildren.” He said he teaches through discipline, not by “bawling kids out,” but by teaching what is expected in life. If there are issues to discuss, never do it at dinner time, he said, but at times set aside where everyone sits and the talk can be more focused. “Teaching means giving past examples of what you’ve seen and what other people have done.”

I noted the following exchange between a grandfather and his grandson who were helping to dig a hole on the beach at culture camp. The hole was used to hold the salmon heads to make a Tlingit delicacy called “stink heads.” The grandson was poking tiny crabs with a rock. His grandfather gently told him to leave them alone. “They are babies like you.”

A grandmother and school teacher at culture camp was helping to clean gumboots (a type of chiton or shellfish). She commented to the group around her that it is important to take care of Mother Earth because then things such as gumboots are around when you are hungry and out somewhere and need something to eat. Later she talked to all of the

campers about what their ancestors knew about the seasons. The names for the months of the year reflected that knowledge. For example, January is the month the geese fly. February is the month the baby bear cubs are born. April is the month of flowering plants. May is the month before animals give birth. June is the birthing month for animals. July is the salmon month. September is the month when the animals are abundant. In October the snow begins to fall. November is the digging month for animals that make holes to stay in during the winter. December is the month the unborn seals in their mother's wombs begin to grow hair. G.T. Emmons (1991:425-426) is one ethnographic source for how Tlingit peoples understood (understand) time through the cycles of change in their environment.

In other conversations the grandmother and teacher told campers about going out to collect Labrador tea in the muskeg and about the courtesies of calling out to the bear and other animals, telling them that you are not there to hurt or bother them. You are just there to gather leaves. All things have spirits, she said, and faces. She talked about a place named after a woman because the water fell on both sides of the rock face like hair. She said that Kake people were once "caretakers" of other areas on or near Kupreanof Island. When the white people came, the Kake people would go back to their camps and be told to leave because white people were there.

The community historian talked about the environment in this way:

We learned to respect everything, and we talked to everything. We took only what we could use and what we need. Not what we could get, but what we need to sustain our self. Then we were careful about disturbing or destroying things. But then the white man came there, Europeans who were concerned with money. You know, now the [ANCSA] corporations are focused on money too. So things changed at that point. You know there's some of us that are still like that. We care about the environment The environment there is what sustains us. Spiritual priority ... making a living. If you're careful

with the fish you'll make those connections, to help them be reproductive. You know that's going to die, the grass is going to die, the fish are going to die if you take too much, and you have to be careful not to destroy it. Environment, plants, animals that sustains us and so forth. Spirituality is about respect for everything, everything around us (2003 taped interview).

Two Tlingit men who have worked together for years talked about what they learned from their families and practiced.

Speaker One: It's the first things they teach you, to protect the environment, and to protect what you have, you know. And every time our Native peoples were gonna take trees down, they talk to it. And they'd say forgive us. We're going to take you down, but this will provide food for us, and other stuff like that. So it could be a canoe, or a totem pole. See, they talk to them, and then they ask for forgiveness. And it's part of that. In fact, certain areas you pass, like fishing out there, certain mountains you pass you ask for good luck, and you talk to it. You talk to the mountain, you know. And this has been handed down for generations. This saying, give us safety, give us fish, homecoming and all that ... and help for providing the necessary things we're going after.

Speaker Two: Our old people, if they were going anywhere, they would talk to the forest. If they were going down the beach, they would talk. But especially the forest, because that's where they'd get their food from, you know. They would always talk to the things that are alive, the bears, the moose ...

Fieldworker: Do your grandchildren know that too?

Speaker One: Yes. The Tlingits believe that you can't talk about bears if you are out hunting, or if you say anything bad about them they'll give you a bad time.

Fieldworker: So you say positive things about bears.

Speaker Two: Yeah.

Speaker One: Or any animals, you know, you talk to them. Same thing when you're fishing, you know (2003 taped interview).

A Tlingit woman in her middle years told how there are many Kake people in the twenty-first century who understand environmental relationships.

A long time ago people thought there were spirits in everything, even rocks, and even in the wind. And even though now with all the traditional churches, some people chose to ... some people don't, but I think a lot of people still have a relationship to where we think of ... that there are spirits in things. And they don't necessarily refer to it as spirits. And the environment is ... we take care of ... we should take care of it. Not just for now, but for the future. Even though a lot of people don't verbalize it, we feel there are spirits in places. And even like (in some of the churches) people who believe there ... that a place needs to be blessed by a pastor or something because there's something evil there or ... that affects things, somebody negatively. But even there's that kind of spirituality here, and to me that ties back into our traditional spirituality where there's spirits in everything ... or everything has a life, a force (2003 taped interview).

These are a few examples of how older Tlingit knowledge remains a part of Kake discourses. Such local knowledge originated through environmental stimuli, emotion, perception/feeling, and action, all of which were sources of learning and all of which were influenced by the anecdotes and instructional stories people shared about what the environment taught. These examples demonstrate a sense of social relationship with the environment as a whole, the inclusive environment.

Part II

Emotion and attachment to place and people

Well, the religions, you know, they have a big effect on the community. Some of it good, some of it not. Because with (my son's) age group [the people now in their 30s], ten years ago or fifteen years ago they would say they didn't want to become Christian ... they didn't want to be a Christian because of all the judgment there [in the churches] that they saw and heard. So they [churches] kind of drove the younger generation away from it. But it's just the religion part (they backed away from). The spirituality, like we

have in culture camp, a lot of kids come to that, and those of us in recovery, we all know what spirituality is. I know the healing heart is spiritual. So it's ... I think there's a lot of spirituality in different forms. (2004 taped interview with Tlingit woman in her middle years)

Emotion, inclusive environmental attachment and spirituality in Kake

Often in Kake, religion is connected discursively with churches and spirituality with older culture values. Based on my own observations, some Kake people are open to talking about how the older narratives are linked to the present in their lives. Some people are less open, but still feel strongly about the values taught in the older narratives. Others are somewhat embarrassed about how they feel, but they may practice rituals of thanks to trees and fish just the same. There are people who give less thought to their Elders' teachings. Some people feel strongly that intensified logging and other market economy enterprises are in conflict with the older values. Participating in the market economy, as defined through ANCSA, requires a different set of values and has caused people to feel they have to choose one set of values over the other. Some people feel that the old values can be applied to new circumstances if done in the right way. Still others are opposed to the old knowledge and symbols and what they represent. Some who grew up learning about God in the Christian sense have mixed feelings about older knowledge, and others who are strictly opposed are often members of more conservative Christian churches in Kake. Dombrowski (2001) wrote a great deal about the influence of ANCSA on religion and more traditional knowledge, much of which correlates with my own observations.

This chapter is a compilation of narrative parts or segments that illustrate, in people's own words, the ideological complexities in inclusive environmental relations. Decisions about the environment are informed through emotions/feelings. People learn what and how to feel based on their own personal experiences and the coproduction of meanings with other people around them. The production of environmental meanings

matters, whether it is through various forms of Christianity, through Tlingit culture and spirituality, through ambivalence, or through dissociation from feeling. One reason that meanings matter is that a community that can effectively manage its own resources for the purposes of sustainable livelihood must be able to socialize moral responsibility for the sake of solidarity of purpose. People in such communities must work to establish at least some sense of common belief for how and why decisions are made and why caring about the inclusive environment is an imperative. As Anderson (1996) and Milton (2002) concluded after long consideration, morality is most effectively grounded in aspects of spirituality and emotion/feeling.

In Kake, solidarity of purpose for the sake of moral responsibility is difficult because of the enormity of economic and social changes that people experienced in such a short period of time. As my interview transcripts and field notes showed me, people in Kake often prefaced statements with phrases such as, "I can only speak for myself." These phrases in and of themselves indicate fragmentation of social meanings in Kake.

Ambivalence, environment, and spirituality

As I was interviewing a woman in her upper middle years, a young woman dropped by who sat down and participated in our conversation. She was non-Tlingit and had been in Kake more than five years. She told about going into the forest with some Tlingit friends to get a Christmas tree.

You thank the tree, and then you thank the tree later too. Everything you get out there you're supposed to thank the creator. People still do, you know. They sang to the tree before they cut it down. Yeah. I've never gotten a Christmas tree. It's the most touching thing I've ever seen. They sang to it before they cut it down. I thought wow. That's amazing. I don't know. It's different, but really in tune with nature. Everything is in tune with nature (2003 taped interview).

While her friends thanked the tree they kind of joked around, a little embarrassed, she said. Later I interviewed one of the young woman's friends who helped get the tree. Without mentioning the Christmas tree, I asked the former logger if people he knew had a strong relationship with the environment and whether there were spiritual aspects to that relationship.

You know people are still slightly superstitious. I mean all human ... all races have superstitions of some sort. And ... the Native's superstition is really strong, you know, back and forth. So yeah, I believe there's still some of that in everybody ... there's no reason why it would go away. I mean, I was ... superstition doesn't go away, so why should ... spirituality go away. I mean it's still here so that ... you know, the living creature will still remain (2004 taped interview).

A Tlingit man who worked with each of the governing entities in Kake said,

Speaker: I'd say about half the town believes in God there, and [half of the town are] people that do ... you know believe in spirituality and, um, (in relationship with) the land, 'cause everybody in town has got their own opinion. So ... and everybody knows, you know, that there's something out there, but everybody in town, half of them believe and the other half don't.

Fieldworker: So, do they not believe in a Christian god?

Speaker: No Christian God there. But then in the last few years uh ... I don't know ... just from what I've seen theirs was always the [more traditional] group and there was people that would go to church and pray to, um ... pray to God there and people that didn't go to church didn't care one way or another so ... it's on both sides so...

Fieldworker: Is spirituality related to community and environment in Kake?

Speaker: Hmm.I don't know how to put that one there. ... There's a lot of, um you know people don't pray for some kind of, um, oil spill or something that's going to hurt the environment. But maybe they do, I don't know. But I know that, you know, you've been here the last few times, and when someone passed away everybody comes down and comforts the family for ... and whether or not they believed

in (a particular religion or spirituality). Environment and that's what the family, that's where they're going there ... That's kind of a tough one to me. But everybody comes down and feels bad and whatever. Just like congress, [Salvation Army Congress] congress is coming to Kake and everybody's going to be happy for about a week there and coming to town there ... everybody will have fun doing this stuff Church thing so (2004 taped interview).

An Elder Tlingit man talked about how people in Kake are confused about spirituality.

Speaker: (In the past the older people knew there was life in everything) and then they're talking to everything ... believe there's spirit in everything. And then we get into the culture of it [knowledge of life in everything]. Then we get to (listen to) one day a week (in church) or something. And then [religion] became more of a social event there than spiritual. That's become more of a social event ... seems like to me myself. I'm speaking for myself here. Then there (is all) that spirituality (the older knowledge that) left. Somewhere there was people with drugs and alcohol there. And then churches saying that we were pagan and worshipping totem poles and their [assertions were] not true. (Now we have) young people being confused saying I want to go back to church there but what about my spiritual part, my culture part? I'll go to hell there if I go to church or if I don't go to church. I may go to hell or ... But they become confused and scared. So they just stay in limbo and stumble around. From what I've seen, my own experiences ...

Fieldworker: The stories that you're telling, and the way people used to talk, if you bring that back does that help?

Speaker: Mmhmm. It does. It really does. [The Tlingit values] Kind of a morality thing there (2004 taped interview).

A Tlingit man in his middle years said this about spirituality in Kake.

Speaker: Spirituality in Kake, though, is interesting. When you talk ... down here in Kake you're looking at, uh, some very strong cliques that, you know, very religious cliques, and at the same time you have a very strong background of just Native beliefs and different things and customs and ... you know I don't think I'd be any good at explaining that, but for spirituality ... for the religious part, there's

several churches in town. Some are really strong. ... It's like rotated. And I'm not sure other than ... there are some groups that rotate [small chuckle] through the community and just go from church to church if they're unhappy with the preacher, or whatever. But the Assembly of God in our twenty-one years, I think, has lasted the longest.

[The speaker reads from a list of questions the fieldworker gave him. See page 11 for interview questions.]

How is spirituality related to community? [chuckles] Wow. Uh. I think, you know, Native spirituality in that aspect is just the concept of the real love and caring for the environment and one another. I don't see any spirituality being negative in any way with community and environment anymore.

Fieldworker: You mean the formal religions, like the Assembly of God, are not against that ...

Speaker: They don't ... There doesn't seem to be that outspokenness. I don't know what has balanced that. And maybe it's period of time. You know, all over something that maybe people are fighting for position or strong religion here and there. I don't know. But things seem to be pretty well accepted. Of course I don't go there... (2003 taped interview).

Two Elders Tlingit men, talk about Tlingit and Christian spirituality.

Fieldworker: Well what does spirituality mean to you?

Speaker One: [Long silence] I don't think it's [churches] because ... the older people, even before they had ... ministers ... [or were] Christians ... people (talked to) God ... and prayed and (do you know about shaman?)

Fieldworker: Yes.

Speaker One: Mmmhmmm. The shaman (years ago), especially on Tebenkof, and they'd [the village would] take Saturday off, getting ready for Sunday. And according to the people there, Sunday (was a day of praying. Doing nothing just praying). So they knew something about religion. [Talks about the Christians coming.] And they [the Christians] thought that it was wrong the things that they [Tlingit people] were doing. The totem poles, they [Christians] thought the [Tlingits] were worshiping totems. But (the totems told stories)—and they [Christians] did away with them. [Speaker One tells about 1912 when Kake decided to do away with totems and other Tlingit ways.] I don't know. But it seemed that (Christianity changed the whole way

of the Tlingit language too. The religion ... people spoke the Christian religion in Tlingit in the earlier days of acquiring Christianity. That changed the Tlingit language itself.)

Speaker Two: Well. I'll tell you a good example [of how God was part of life before Christianity]. When the Shaman, the Tebenkof tribes were wiped out ...

Fieldworker: Smallpox?

Speaker Two: No it's a Anyway, the shaman was warning all the people not to harvest the sockeyes at a certain time. And they disobeyed his orders and some deaths [happened]. 'Cause he was talking to the Lord all the time, and ... long before Christianity was even introduced, you know. But it's still a mystery how they communicated to the outside, you know. Only certain people ... with that kind of knowledge [could communicate outside]. And you had to be pure in heart, pure in mind, pure in (faith), and that's how you (became) in leadership in spirit. And so it's surprising how strong he was, you know. In spiritual ways. And the people would listen because sometimes he'd predict. He could see what was going to happen before it would even happen. So that was who a shaman was. And every village and community had its ... (one).

Fieldworker: You were telling me about your family place and how the shaman said don't eat the sockeyes.

Speaker Two: Yes. Only at certain times. And then for some reason they got punished. A lot of them perished and a lot of them left the area. But in memory of them, the shaman put up a cross on the point. And long before Christianity was introduced to our Native people ... why a cross? But that's because the shaman had a vision, so ... anyway. Just years ago we were there. My brother, my dad and my uncle. We did go there to look. I really didn't know why we were going there, even though it was my dad's country. But we did go there for mink trapping when I was a little kid. And there the main purpose was to look for the cross to (verify) the story. And low and behold we found it. There wasn't very much of it ... what was left ... it was really interesting (2004 taped interview).

A Tlingit man in his middle years said:

And what does spirituality mean in Kake? To me it ... we are coming back to spirituality. We're coming back to ourselves. Because we're in this big experiment we call western democracy. And just like you hear in the courts, there's an argument of separation of God and ... or

religion and state. Here we are founded on both. But on the other hand, just as Native people we can't ignore spirituality. It's a balance. It's kind of a four-prong thing just like the medicine wheel part of us. So our spirituality is what has kind of disappeared, but we're coming back to it. And you can see it by the number of churches here. But before it was always integrated with our Salvation Army and Presbytery. Just like Kirk Dombrowski talked about "Against Culture." They thought we weren't addressing our spirituality here. That's all it was about. About our spiritual needs, of the spirituality of everything around us. We weren't separate from it, even from God because like the old people say, God is within you. Your church is just yourself, within your own heart you have to live with it. It's because people want power, churches want power. They have these structures and you form religions around it, whether it's all the way from the Buddha to the Catholic Church. How can a guy be closer to God than the [other –person who doesn't go to church] with no religion, but he has his own spirituality. To me that's always been a big question. Is a colonel in the Salvation Army closer to God? No it's because of a power structure that's set up about his responsibilities. About how many people he commands ... but commands. Setting up small gods. I don't have a problem with it, it's just the way I look at it. So spirituality for me, I only can talk on me, it's not about Kake, it's how it's been around us. It's always been part of us ..., we can't separate ourselves. Because everything around us has a spirit and the spirituality is within us. And who can say that one place to find God is the Zen of chopping wood, when you're in the zone? Or playing basketball with your fellow man, with good sportsmanship (2003 taped interview).

Two non-Native men in their middle years, who have been adopted by Tlingit families, talk about the meanings of spirituality and environment in Kake.

Speaker One: Uh, well, I mean, a lot of different things to a lot of different people, I guess. It's a definite meld and things. There's to some the idea that spirituality and culture are the same thing. And, you know, there's also a strong belief in God.... practiced or not, they believe it's there.

But there's difficult sometimes reconciling how all that fits together with people, so there's one area where, you know, I think that spirituality here in Kake, for a lot of people, there's a certain degree of, conflict. Confusion.

Speaker Two: That's what I would say. Yeah.

Speaker One: Yeah, people are confused.

Speaker Two: They're confused. They really are. Um, about which way to go. You know, and in some cases, it is actually conflict. There are some people who, in town, who are very disturbed by the inclusion of Indians and Native deities in a Christian atmosphere. Like in the Presbyterian church, where the youth pastor, there are a lot of people who are disgusted with the depictions that exist in the church there.

Fieldworker: Of Eagle and Raven?

Speaker Two: Uh huh. And they don't, they (feel the old and the new) were never meant to exist together. And that it has to be one way or the other. Whether there's some common ground between those two ... or belief. There's some people that will not, I mean, they, you know, we offer sometimes our building. I mean, it's always open to community gatherings or whatever, somebody wants to do it and the people absolutely won't have a community gathering in there because of the mural on the wall. [The mural was created by a group of men and a few women who were learning how to carve. The results of the class were incorporated into the new construction of the conference room.]

Speaker One: Right.

Speaker Two: I mean they won't come. ... And it goes even deeper than that. You know, it goes (in claiming that the traditional beliefs were) a spiritual belief that it was supposed to have to been laid to rest. Consequently, in the Christian, well the Native Christian community, there is, there's a lot of praise and a lot of pride in the (older) stories. Uh, and at the same time, the confusion, the conflict about why things like that exist, and the dancing and why congregational leadership would engage in things that were a lot of times considered dirty and you know, and of (impure) nature. You know, and I just go occasionally (to the dances). My, members of my adopted family still (advise against it) occasionally. 'Cause they say, 'Oh, you shouldn't go to that.' Because if you knew what the music meant, that you wouldn't want to be there, because it's their moral [belief].

Speaker One: I know what they tell you.

Speaker Two: Yeah, I know what they tell me. And that's always been my [personal inner beliefs]. I know what my spirituality is. I don't need somebody else to tell me that this is, that this is wrong. It doesn't mean anything to me because it's not a part of my belief system. So. But, family does that all the time (2004 taped interview).

I asked the same question about spirituality to a Tlingit woman in her middle years. She said that her family's experiences in church have made a positive difference in their lives.

The only spiritual thing I know about is like I told you with the Lord and Jesus and the heavenly father. That's the only spiritual relationship I have right now. And with the community and people's different opinions, I have no idea. Because I don't relate to them that closely. And I do relate to a lot of Christians because we understand each other and what we mean in spirituality. We know about God's holy spirit. We know about God and his spirit. You know. That's the Christian point of view. And for the environment I don't know how spirituality would be related to environment except that God created what is there. And he did it with the power of his words. And he asks (us) to take care of what he made. You know. But still I don't see spirituality connected to that. Yeah it's a physical thing. You know for us to keep an eye out for and watch. So I cannot see it involved in environment. I just can't. I mean it's physical, physical, you know. So (2004 taped interview).

Another woman in her middle years who is committed to her church and its teachings responded to my question about feelings, spirituality, and the environment with a long, uncomfortable silence. Eventually she said, "I wouldn't know how to answer that one." She was interested and articulate during the rest of the interview.

As a fieldworker and writer I respect the choices people make about their spiritual or religious lives. The following discussion about religion and more traditional spirituality in Kake is not meant to criticize or judge any of the statements people made

about the subject. It is to situate local ideological changes in their political, economic, and historical circumstances.

Kirk Dombrowski (2001:182-183) described religion and its conflict with culture in some Alaska Native villages, including Kake. He wrote that membership in many conservative churches increased after ANCSA was initiated because ANCSA corporate mandates resulted in a decline in community values and an increase in alcoholism, drug abuse, violence and other negative behavior. Church was a place to try and find solutions for the anxieties and hardships that ANCSA caused. Other people in Kake and elsewhere worked to find solutions through revitalization of traditional culture. Finding a solution through culture, which included all of the political relationships of family, clan, and moiety, was difficult for people who felt marginalized in that system. People who felt most at economic, emotional or political risk often chose church as an alternative. Through Christian ideologies that united people as a collective, equal under God, they often came to believe that groups who claimed differences from each other and that exhibited 'truth' as relative and arbitrary, inhibited people's abilities to work together as a whole community. As such, some churched people rejected traditional Tlingit culture itself.

In particular, Pentecostal resistance to older Tlingit ways asserts an ideology that describes differences in beliefs as not rooted in truth. Truth, instead, involves 'the mutual interdependency of collective representations, that is all collective representatives' (Dombrowski 2001:182). Thus, fundamentalist Christianity in Kake has been against more than just Native culture, but against the diversity of cultures. Cultures, by being different, are deemed arbitrary and thus do not reflect truth, which must be universal. Such an ideology is problematic to identifying self as Native.

In addition to the complexity of religion, Dombrowski discusses how the U.S. legal system influences what it means to be Native in Tlingit Alaska.

In a second way, though, Native Americans are forced into an even more ambiguous relationship to their culture than marginal people elsewhere. For Native Americans are forced to view their culture in particularly narrow terms, mainly by laws (like ANCSA and the Indian Reorganization Act) that have linked their participation as natives (i.e. people with a historical claim to special status and participation based on past and present ownership of disputed resources) to their ability to maintain an acceptable level of cultural distinctiveness. ... Native culture, unlike many other kinds of culture, is an all-or-nothing endeavor for its members, according to the laws of the society in which Indians are embedded. (Dombrowski 2001:183).

Yet there is more to Kake people's sense of identity than the polarization or exaggerated Nativeness that Dombrowski summarizes. People keep their identities as Tlingit, family and community through the strong ties that are maintained with those who move away from Kake, most of whom are expected to return for family gatherings, especially if someone in the village dies. Responsibilities between moieties, clans, and family groups continue to be important for many (but not all) families, as is the protocol for accomplishing those responsibilities. While protocols, special events, mortuary practices and decision-making forums have changed a great deal since the 1869 village bombings, the changes are distinctly local.

Sometimes church people's rejection of traditional Tlingit culture manifests itself in claims that cultural expressions of art, dance, storytelling and traditional knowledge about the environment are "evil," as are those who participate in cultural revitalization. For example, when I was in Kake one summer a new minister and his family had just arrived. I heard people talk about how he and his family were looking at Kake's tallest totem pole. One of his parishioners told him not to look at the pole because of its connection to 'witchcraft' and other bad phenomena. In another example a woman said she was part of a healing workshop where they burned sage as part of their fellowship. A janitor saw them burn the sage and subsequently told his church that the people at the workshop were worshiping the devil. (Burning sage is a Native American ritual brought up from the lower 48 states to Southeast Alaska to use in ceremonies.) For

their part, some people who work to revitalize culture talked about going through periods of anger towards Christians and Christianity. They said they regretted the way that some people used religion to reject others who believed differently.

Before the years of ANCSA, Christian churches were more integrated and perhaps more compatible with other aspects of Kake life. Many people told me they went to church for many years, until attending became a negative experience. Two people in their middle years, who were, at one time, trained and educated leaders in a local church, spent Sunday mornings, when I was in Kake, counting the cars parked near each church. They could ‘read’ the ebb and flow of church politics by watching where people attended. They recalled memories when church was an inclusive center of community life.

The following is a conversation between two Native adults in their upper middle years who actively organize and participate in community functions to improve local mental and physical health.

Speaker One: It’s changed from when I was growing up. The only two churches that were here then were Salvation Army, not where it is now, (and the Presbyterian Church). But they’d arranged it where they wouldn’t have church at the same time. The Presbyterian would have their time and all the people went. Then when they were out, Salvation Army had their time and all the people went there too. And it was like that when I was growing up. I thought how come we (don’t go to one church)? And they taught different but there was ... no saying mine’s better or this is the right way. It’s changed now though. I’ve been to both since I’ve come back. I don’t know where it came from.

Fieldworker: The competition?

Speaker One: Yeah. My church is better ... and all these other churches are here, like [Speaker Two] was saying, I think it mixes people up ... the way I see it from when I was growing up here. Because long ago when churches still got together they did things together as a unit. Now it’s just one over here, one over here ...

Speaker Two: They don’t help each other though.

Speaker One: No.

Speaker Two: (Except for funerals).

Speaker One: But before ... and they did projects for the community and got together and helping out. The churches did. Now I don't see that. I don't know when it [the change] happened. I was gone.

Speaker Two: And then the church over here, some of the people they don't want to associate with any other people because they think they're ungodly. So that's kind of like prejudice amongst ...

Speaker One: Because they weren't here when I left. Then [names a church] was here when I got back. And I noticed the difference. What happened? You see people that weren't talking or mingling with each other anymore, like before.

[Pause]

Speaker One: Yeah. They were all against the Native culture, which kept the Natives alive for many years, but now they're throwing it (Native culture) away. [They] were throwing it away. It's coming back (2003 taped interview).

Dombrowski (2001:182-183) connects the anti-culture movement, and even church-related incidents of burning Tlingit regalia, with the disintegration of community morals. Almost overnight ANCSA laws transformed people into shareholders, and their economic interests were directed toward greater monetary wealth. In my own research, I can identify at least two time periods when political upheaval was linked closely with a clash between religion and culture. The first time was in the first decades of the twentieth century. Christian missionaries, who “misinterpreted” (Johnson 2002) Tlingit beliefs and culture, influenced people to destroy their totem poles and organize a city government. (See chapter 2).

During the same time period, in Kake and other Native villages, the Alaska Native Brotherhood (ANB) movement began. It was a movement inspired by a group of charismatic Native leaders for the purpose of advocating Native rights. In its first years ANB promoted assimilation in order to gain citizenship, voting rights, land claims, desegregation, and equal opportunity in education. “Borrowing heavily from the missionary paradigm, ANB leaders first adopted a code that was hostile to traditional

Tlingit political organization and cultural customs ... ” (Thornton 2002:181). Instead of organizing according to clan or house group divisions, ANB membership was connected with villages or kwaans. Through the work of the ANB and Alaska Native Sisterhood (ANS) indigenous people gained the right to legally own property, attend desegregated schools, and initiate major land claims suits. Over time, with the successes of political organization, ANB began to change its assimilationist philosophy and to build support for traditional Native values, knowledge, and customs (Thornton 2002)

A second political upheaval linked with a clash between religion and culture occurred with the introduction of logging as an economic opportunity and then with the realization of ANCSA. Native peoples were finding a sense of equilibrium with their hard won civil rights and the place of older Tlingit values within the new political order when ANCSA was established in 1971.

In keeping with Laclau’s “theory of dislocation,” ANCSA legal expectations initiated a dislocation (the elements of rupture and crisis) that threatened and subverted ideological knowledge systems in Kake. People moved to work in dialectic relationship with their former ideological constructions and that which dislocated them. They worked to re-explain local knowledge systems within the new circumstances. Some people chose a more conservative style of Pentecostal Christian religion as a way to speak and think about the effects of ANCSA on their community. They worked to accomplish a sense of ideological closure by separating themselves from older, newly dislocated ideologies and from much of the new legally-imposed market economy circumstances and ideologies. Some people who isolated themselves from church and what seemed to be dislocated traditional values, found their sense of community in partying and drugs and alcohol. It is well understood that trying to live within the inconsistencies of incompatible value systems leads to contradictions in behavior (Hsu 1983; Kim et al. 1994:93). When the suicide rate and violence reached epic proportions in the 1980s, a group of people organized to help heal the “rupture,” partly by working to “bring tradition into the future”

(Glassie 1995:395) as a means to help heal the “rupture.” Reviving Tlingit value narratives meant a resurgence of environmental knowledge and ideologies as well, especially through the work of the IRA Tribe, the Organized Village of Kake.

Mike Jackson, who does a great deal to revitalize Tlingit values, described how he sees those values fitting into current circumstances.

We see the environment as our self. Like our grandfather said, is, you're the ones that give the face to that land. To your customary traditional use areas. They [non-Natives] call it ownership, they call it territories. We call it just our stewardship. I can't differentiate myself from a piece of seaweed or kelp or gumbot or an urchin because we're ... the way I see it is that they benefit me, and I should pay it back to them and take care of what I can ... of environment.

... I can only speak for myself. And I just explained that. It's that we're ... we're the environment. We belong with everything else. What we do ... what has been done to the forest is done to us. Now it's upon us to try to make it a better place rather than just let it sit there. And our grandchildren not being able to share what we've grown up in. Because we used to hike that area and be covered by the forest. But now you can't. You can't even walk in the forest because it's a jungle. It's a virtual desert. It's all one species, kind of. It's not got everything [a variety of plants] because of that. But anyway that's the environment. We really have to live with the consequences of that impact ... that ... what corporate life has done to us. But our environment, the impact, whether it's with our own backyard, Kake Tribal Corporation or Sealaska, but we also know that we've been dealing with the Forest Service in our backyard. But also the state regulations on DEC [Department of Environmental Conservation]. And it changes with administrations. Because for awhile we were in a roadless [designation], now we aren't. Now we're in the DEC's real strict parts of no pollution, no air or water pollution, stuff like that. And now they have a (new) DEC commissioner that just is pro development, everything. And when you look at development in Alaska, whether it's here in Kake or not, it's in the rural areas. It's all about extracting the environment (resources) around ... parts of the environment around rural areas. That it [development philosophy] really has affected small communities (2003 taped interview).

Tlingit traditional knowledge fosters a sense of historical continuity in environmental relationships, a continuity that is missing in formal legal approaches to resource management. Constant changes in political parties, the locus of power and administrations always results in ideological rupture locally. To understand self and community as part of everything in the forest and marine environment, is a form of long-term ideological continuity that the Organized Village of Kake is working to strengthen. It is a type of local “feeling” knowledge based in learning through experience that many environmental anthropologists see as essential in world-wide efforts to validate environmental integrity and sustainable livelihood.

CHAPTER VI

PERSONHOOD AND SPIRITUALITY

Elder: *I'm beginning to believe in the old superstitions again. Can you believe that? And here I ... in (a big city) I lived right next to the cemetery, didn't bother me one bit. But here, boy, [chuckle]. Oh just ... everybody's teasing me all the time, but I saw a little man running around here. [laughs] So one guy saw him, they saw him, and they got a confirmation on him. They described him and everything.*

Visitor: *What did he do?*

Elder: *To my knowledge he didn't do anything. He was just standing there. Some little guy out picking berries or something. I don't know. (2002 taped interview with Elder Tlingit man)*

Little men are examples of “other” people in the forest. One night a family I knew came home early from a camping trip because they had seen, in the dark, a little man standing near one of their evening beach fires. Little men are part of a story that was written up among the Norwegian immigrants in Petersburg called “The Strangest Story Ever Told.” These little people are part of many local stories in Kake and elsewhere.

Tiny forest men are only one kind of forest people. More significantly, for many people in Kake, the salmon, bears, trees, deer, seals, mountains, and each aspect of their forest and water home has personhood.

Learning, emotion, and the inclusive environment

Respect is an important word in Kake. In older knowledge forms (of which many are carried into the present) the central message is to be respectful, grateful, and to recognize the power of animals and plants. Humans and other parts of the environment

depend on each other. People were (and many still are) careful to explain to a tree, plant, or animal why it was (is) being harvested and to apologize for taking its life, albeit knowing that it will come back if the correct rituals of respect are practiced.

For most groups of Northwest coast and Southeast Alaska Natives, respect for food resources was a culturally emphasized “feeling” through which to interpret emotions elicited by harvesting, processing, eating, and sharing food.

A properly socialized individual had a powerful sense that the wild world was feeding him, and he ought to be as grateful and anxious to act decently as he would to any human who fed him out of sheer kindness. Naturally, wanton killing was virtually tantamount to murder, and ungrateful murder at that (Anderson 1996:64).

People knew (many still know) that they should avoid taking more fish or other foods than they need(ed) or than the environment could (can) spare (de Laguna 1972:814). Their knowledge of how to behave was (is) informed through understanding the moral worth of all persons in their world. Personhood and spirituality are some of the most difficult concepts for Kake people to communicate in state-based decision-making forums and studies. This chapter is a description of recent theoretical thinking about personhood and the environment. The purpose of this chapter is to create a new theoretical foundation from which to think about narratives in chapter 13 about personhood and state communications.

Animism revisited

E.N. Anderson (1996), Nurit Bird-David (1999), Tim Ingold (2000), and Kay Milton (2002) are among anthropologists who are studying and contemplating the value of *feeling* knowledge that recognizes and *respects* personhood in more than just humans.

Bird-David in her work on animism asked why western society has so long rejected the possibility of personhood beyond humans. She placed part of western short-sightedness on social theorists such as E.B. Tylor and his late nineteenth century definitions of animism. His definitions remain part of mainstream western assumptions to this day, but they are situated in the old theories of unilinear evolutionism. Graham Harvey (2006:6) summarizes Tylor's point of view, through which he categorized groups as primitive if people believed that natural phenomena have souls, more civilized if people believed that there is one ruling god, and the most civilized if people adhered to objective scientific facts about the world.

It was in this context and for these purposes that Tylor offered his thesis that animism was not only the earliest religion but remained definitive of religion. Religion is an animist mistake about the nature of the world in which people 'believe in souls or spirits' or discourse about non-empirical beings (Harvey 2006:6).

Tylor's view of animism remains a predominant theme in western society, according to Harvey and Bird-David. Tylor (1871) saw "animists" as understanding the world from a childish and erroneous position. His assumptions coincide with the view that only formal science leads to a "true" understanding of the world. Although Durkheim (1914) re-explained animism as natural to humans because humans create dualisms between self and other, inside and outside, he wrote as if animism came from child-like thinking. Levi-Strauss (1966) decided that animism was simply a means that indigenous peoples used to symbolically represent their knowledge of nature.

In 1993 Guthrie concluded that animism is a universal biological function. People, like other animals, are constantly "scanning the world for what most concerns us—living things and especially humans ..." (Guthrie 1993:62). Sometimes what people see while scanning is alive. Sometimes what they take to be alive is illusory. When humans mistake illusory things with living things, they are animating (attributing life to

the nonliving). Animism, he said, is a “mistake”, but a survival mechanism because it is safer to see life in something that is not alive than to mistake something that is alive and dangerous (Guthrie 1993:4-6).

Bird-David disagreed and pointed out that people are more likely to attribute personhood or life to objects with which they have long-term relationships. In western society, people do not form relationships with computers, house plants, or cars because they mistake them for something alive, and later discover their error. “We do not first personify other entities and then socialize with them but personify them as, when, and because we socialize with them” (Bird-David 2001:S78).

Even scientists who study animals and are trained to regard them as objects tend to see animals as persons the more they work with them (Bird-David 2001:S71). People are inclined to animate the non-human subjects that they know best in their environment, which counters the idea that animism is a short-term survival technique. Guthrie observes that a frog is more likely to survive if he/she sees life in something that is not alive, as opposed to mistaking something that is alive for something that is not. So seeing life in something that is not alive is a survival mechanism that produces tendencies toward animism. Bird-David responds, “So Guthrie’s theory downgrades indigenous ability even more, because now they cannot do what even frogs can do, namely, ‘after the fact’ recognize their ‘mistakes’” (Bird-David 2001:S71).

Bird-David approaches the subject of animism by looking at “personhood” and what that means to various groups. For most people in western society, personhood means whole, bounded individuals. For other peoples, such as the Nayaka in South India⁷, personhood was an aggregate of relationships. A person consisted of his or her

⁷ The Nayaka are a tribal people, who live in the Nilgiri Hills in south India. They are food gatherers who barter with neighboring groups (Bird David 2001).

relationships and was thus a “dividual” rather than an individual. Sharing space, things, and actions was the essence of social life for the Nayaka (Bird-David 2005:S72-S73). People expected to share with all who were present at any given time, and to give what others asked for. Kinship relations were based more on who people shared with on a regular basis than on blood or descent. People understood and knew each other based on knowledge of how others “dividuated.” For example, people knew others—not by how they talked or the way they talked—but rather by how they talked with other Nayaka, according to Bird-David.

Nayaka also worked at creating a sense of relatedness with other beings, knowing that humans and non-humans shared the environment. Other beings were differentiated from humans, but because they all shared the local environment, differences were superseded. Sharing produced a relationship and a we-ness. Humans were *avaru* and other beings that shared the environment were *devaru*. Through the act of sharing, *devaru* became kin and were made persons (Bird-David 2001:S74-77). Gibson (1979) concluded that meaning is discovered through action with an environment by means of attention, or perception. For the Nayaka, then, emotions were interpreted through feelings that were often based in knowledge and expectations about sharing. As Gibson (1979) pointed out, things are perceived in terms of what they provide the actor-perceiver because of what they are for her/him.

People more likely pay attention to those things that their social groups emphasize as important. People in Kake, Alaska, for example, have long emphasized respect for Elders. People pay attention to those things in their wider environments that they have been educated to see. They have also been educated, through culture, about *how* to understand what they see. Education about *what* to perceive and *how* to perceive it occurs with the aid of stories, descriptive words and pictures, which are not so much knowledge as much as they facilitate knowledge (Gibson 1979). In other words, knowledge is relative to educated experiences and aids-to-perception, such as language and narrative.

For example, older stories in Kake often describe a tragedy that resulted when a young person failed to heed the words of an Elder. These stories have longed helped educate young people about how to perceive elders, whose words are aids to perceiving the rest of the world.

While Gibson (1979) focused more on how people and animals are educated through their attention to *things* around them, Bird-David learned that the Nayaka focus on *events* more than *things*. For example, an elephant passed by a man as he was walking in the forest, and the elephant looked straight into the man's eyes. This elephant was *devaru*. It walked harmlessly and looked straight into the eyes. The animal responsively related to the man. Because Nayaka engage with *devaru* through ritual and on a day-to-day basis, Nayaka are educated to understand that their environment is relational.

In contrast, a western scientist trained within an objectivist paradigm more likely views her/his subject of inquiry as separated from self. The idea is to break down the parts of the subject to know it better, such as cutting down a tree to examine its parts. In contrast, the Nayaka learn about the tree through being in relationship with it. Many, but not all, scientists learn through perceptions of emotions that are informed by beliefs in a dichotomous relationship with the environment.

Considering that many groups of people have a relational understanding of their environment, Bird-David (2001:S78) asked why Tylor and others separated themselves from a natural, shared, human tendency to animate things. She pointed out that animation of things is “engendered by human socially based cognitive skills, not by ‘survival’ or mental confusion or wrong perceptual guesses. Cognitive skills have evolved within and for a social kind of engagement” (2001:S78). They are socially based. Humans employ these social skills whether they involve other humans or other beings. Even though animism is likely a shared human tendency, cultural mediation and context frame our animistic experiences. A diversity of animisms exists. (Bird-David 2001:S78-S79)

As Kan (1999:14) tells his readers, “the Tlingit language makes no distinction between animate and inanimate.” De Laguna wrote that for the Tlingit people, all “natural elements” were animate, or had souls or spirits (1972:810). “The same was true of mountains, glaciers, rocks, bodies of water, plants, animals, manufactured objects, and even some human activities and qualities (gambling, strength, etc.). Disrespectful conduct toward these nonhuman persons and other sacrilegious actions were believed to cause *ligaas* (‘bad luck’)” (Kan 1999:14). While Kan writes in the past tense, acknowledgement of personhood in non-humans is still an undercurrent in Kake, and many people still understand, based on my interviews, that humans who act respectfully will gain reciprocity from non-human persons.

Who are persons?

Milton (2002) asked about concepts of personhood after studying environmentalists and environmental groups. She asked why impersonal, scientific views of nature are considered the soundest basis for decision-making in the western world. Why, she asked, have relational ways of knowing lost authority within the modern state? She, like Bird-David, found a partial answer by looking at concepts of personhood.

In westernized culture a person is defined as an individual, a single and irreducible entity. Three criteria seem to be common in this definition of personhood. (Milton 2002:27). First, persons have a capacity to act autonomously and intentionally. Second, persons are able to have emotional experiences. Third, persons have moral worth.

Those who tend to attribute personhood to non-humans more often see nature as governed or populated by intentional beings who feel emotions and have beliefs and intentions, according to Milton’s observations. Those people who understand nature as impersonal tend to see non-human entities as acting without intentionality and without

feeling. This is the paradigm evident in most westernized scientific endeavors, most “official” policy-making forums, and most economic definitions and formulas.

Why does personhood matter if we are talking about environmental integrity and sustainable livelihood? Concepts of personhood matter because they influence how people treat “nature.” Persons have moral worth. Because persons have moral worth they have rights from a Eurocentric perspective (Milton 2002).

If people believe that Tylor’s perspective of animism is credible, that perceiving personhood in non-human entities is erroneous and childlike, then giving the non-human environment moral worth becomes a problem, or even an embarrassment. On the other hand, if people decide they have moral obligations towards non-human entities, then those entities are accorded rights as moral beings. The simple act of according rights to non-human entities means that they are the kinds of things that can have rights. As such, they are persons. As Milton so astutely points out, humans in the western world are expected to feel and exhibit their strongest moral obligations toward those beings that are most obviously persons.

If something is believed to lack personhood, then it lacks intentions, emotions, and feelings. Without emotions and feelings, it cannot suffer. As such, westernized humans often feel they need not be obligated to treat it with moral respect for its own sake because respect is attributed to persons who feel. Questions to consider in a global context include these: Is the ability to perceive personhood in the non-human environment a necessity for treating the non-human environment as though it has moral worth? Is treating the whole environment as though it has moral worth a necessity for achieving sustainable livelihood and environmental integrity? While I cannot answer these questions, I can observe that many case studies from around the world show that treating the non-human environment as though its parts have feelings, personhood, and deserve respect quite often accompanies(d) sustainable livelihood economic strategies.

Animism may be a strong social safeguard and a means of socialization for sustainable management for the sake of environmental integrity.

To recognize animism as an important human condition conflicts with the impersonal formal scientific understanding of the non-human environment. When natural things are defined primarily as resources and when science is the most powerful arbitrator because it is considered the most reliable basis for decisions, then perspectives that personify nature are marginalized. If discourses about *respect* for the environment are marginalized, then they are given little consideration in political or scientific conversations. What gets marginalized in mainstream western discourse is the fundamental understanding of personhood that is based on direct perception and experience in an environment (Milton 2002; Kuletz 1998).

When people in Kake talk about their parents, uncles, aunts, and grandparents teaching them respect for the animals, fish, plants and the environment as a whole, they almost always talk about learning to respect other people too. Traditional Tlingit values focus respect on all persons, human and non-human alike.

Personhood attributed to state and corporate systems

Perhaps ironically, personhood is ascribed in the United States to legal and corporate entities. Characteristics of personhood, such as the capacity to act autonomously and intentionally, the capacity for emotional experience, and moral worth, are attributed in legal and everyday discourses to texts, laws, boards, councils, legislative bodies, and agencies. It can be argued that the syntactical arrangements of English as a language may indeed facilitate and encourage human tendencies to find qualities of personhood in systems and in organizational structures. Corporations, as systems, are often ascribed personhood status (Iyer 2006:393).

International relations scholar Alexander Wendt (2004) wrote that ordinary citizens, the media, policymakers, lawyers, social scientists, and “just about everybody” in the United States gives personhood to state governments. States are often discussed as having “rationality, identities, interests, beliefs and so on” (Wendt 2004:289). Law professor Janet McLean researches the ways that government is conceived as having personhood in international and contract politics and policies. “International and contract law both tend to conceive of the government actor as a determinate legal person: a single authority representing all branches of the state and able to make commitments on behalf of the whole” (McLean 2003:175). Such a perception tends to unify branches of government into one “person”, the executive branch actor. When contract and international law conceive of a unified government legal personality, the role of public politics is reduced and public processes tend to become private. McLean wrote that in common law traditions, governments were more likely looked upon as rival, component parts. In contrast, “International law has always regarded the state as a unified legal person with the capacity to bind itself into the future. ... the state always enjoyed a legal personality distinct from the constituted governmental order” (McLean 2003:178). McLean’s and Wendt’s discussions about states as persons are rich arguments about the consequences of attributing personhood to state governments. For this discussion, it is enough to point out that states can and are given personhood status as part of legal and day-to-day public discourses.

Corporations are also routinely discussed and described as if they are persons. Contemporary debates about the nature of corporations often center around whether corporations themselves are persons or whether they are simply groups of individuals who come together to work on common goals. Those who advocate corporate personhood describe reasons that corporations are persons in and of themselves, functioning over and above the individuals who are part of them. The

structures of corporate institutions “help translate individual decisions and actions into corporate decisions and actions” (Iyer 2006:393). Each corporation has a personality that is evident through its internal decision-making *structure*. The *corporate internal decision-making* (CID) *structure* (Iyer 2006:394) is an entity independent of people who are part of the corporation. People may come and go while the decision-making system or *structure* remains. Individuals in corporations have intentions as persons, but the CID reflects the intentions of the corporation. “This style of functioning gives the corporation its individuality and grants it a personhood” (Iyer 2006:394).

Opponents of the corporate personhood-view advocate that corporate structures are not persons, rather, corporations are the individuals who work within the corporation. They contend that corporations have no identity separate from the people who are part of it. “They hold that corporations do not have any real existence like human beings, trees, animals, insects or other occupants of the earth” (Iyer 2006:395).

The argument between advocates of corporate personhood and corporations as aggregates of persons is centered on issues of responsibility. Who should be held accountable for irresponsible behavior toward the rest of society, the corporation or the individuals within it? People on both sides of the debate acknowledge that United States law categorizes corporations as having the same legal protection as other persons. Those who advocate that corporations are not persons believe that moral responsibility should legally be applied to individuals within the corporation because corporations are not morally responsible, only individuals are. Individuals are responsible for making decisions that harm others so it is individuals who should be charged and punished. Those who advocate that corporations have personhood point out that the corporate internal decision-making (CID) structure establishes how decisions are made and converted into action. The rules in the corporation define

how people relate to one another, the decision-making processes, how people should perform, and how an action becomes a corporate action (Iyer 2006:396). Through the CID structure corporations perform actions and can be said to exist as a person. If corporate behavior harms others, then reforming the CID structure is the most effective means of changing corporate conduct.

The purpose of including this debate about corporate personhood is to demonstrate how the ability to have beliefs, intent, and moral responsibility are discursively applied to a human organizational and decision-making *systems*. The ways people discuss organizational systems, corporations and legal institutions, often imply personhood.

Below are examples of discourse segments from Alaska conversations that imply personhood for systems:

SCR12 (appendix M) refers to a state legislative bill that would have affected Kake by pressuring village people to form regional government bodies with people in other small communities. The following statement is taken from a speech by state Senator Gary Wilkin to the State Affairs Committee, March 2004.

SCR12 requests the local boundary commission to review these areas in depth and make a recommendation for borough incorporation for each of the model boroughs that is determined to have been the applicable borough standards.

During the same March 2004 State Affairs Committee meeting, then Local Boundary Commissioner, Darroll Hargraves (appendix N) said the following:

The commission recognizes that the legislature has a duty—per our constitution—to determine fundamental state policy on the matter of which boroughs will be organized.

If personhood implies that persons have feelings, intention, and can feel pain, then does speaking as if states and corporation *systems* are persons influence human thinking about *systems*? Do some of us feel less embarrassment about referring to

systems as persons than to non-human elements of the natural environment as persons? If so, where will our empathy and sense of responsibility be directed?

Learning through feelings of “shame-anxiety”

What happens when memories of showing respect for personhood in the non-human environment are linked, over a long period of time, with moods associated with defense or shame? Moods that are uncomfortably situated in feeling defensive or shamed about animist ideologies become part of the feeling memory and repertoire of what it means to have a relationship with the non-human environment. Several people in Kake told me a little bit about their own personal relationships with the non-human world by first telling about their grandparents' relationships. People in the past sang and talked with the other elements in their environment everywhere they went, on the beach and in the woods. “Our old people, if they were going anywhere, they would talk to the forest. If they were going down the beach, they would talk. But especially the forest, because that's where they'd get their food from, you know,” said an Elder during a taped interview in 2004. The next two speakers attribute to Elders the practices that accompany respect for the personhood within the non-human world. More tentatively the speakers divulge some of their own feelings.

This next segment comes from a conversation between the fieldworker and a Native man and woman in Kake. The subject was emotions and whether or not people would take better care of the world if they had a more personal relationship with the non-human environment.

Speaker One: You know it's ... my grandma and grandpa told me too, I don't think of it enough. I think I (realize) more now like the world and all of it, the earth, the water, the air, everything are all one. Really, we're all one. Take care of it, they'll take care of you. That's what they used to tell me. Take care of it, it'll take care of you.

Respect it and it will respect you. [long pause] Yeah. It's simple, but then a lot of people can't ...

Speaker Two: Grasp it.

Speaker One: Exactly.

Speaker Two: Trees are dead. [laughter] ... It's just ... got a spirit to them [grandparents and others] and they have to pick the right one and ...

Speaker One: Yeah.

Speaker Two: 'Cause I walk all over these woods and pick berries and the first time when I go to pick berries ... I haven't in the last couple of years 'cause I don't have any cigarette butts ... I used to take them along and just dump the tobacco out on there ... thank them for coming back, for the berries and ... And I talk in there too about myself.

Speaker One: Yeah.

Speaker Two: You know ... I act weird in the woods. [laughs]

Speaker One: My grandma and (others), they were like that all the time. [Speaker One remembers hearing voices in the woods as a boy. He'd go in to investigate and see his grandparents.] I'd come back up, "Who are you guys talking to?" You know. [They would say] "Don't take it wrong, but (there's 'people' there to thank). I'd say, "What do you mean?" I was still too young to understand but then I remember them saying that. Even when they'd go out to the beach, thank (the salmon, seals, others). They won't come back until a certain time.

Speaker One: And I guess you could reach a certain level in your spiritual growth to where you could actually hear the trees.

Speaker Two: Yeah. (2003 taped interview)

In the above examples the speakers describe the past, when their grandparents were more comfortable with non-human personhood communications, and the present, when talking with the forest might be considered "weird." Even in Kake, there is a strong chance that some people, who think, or claim to think, "trees are dead", will make fun of acknowledging non-human personhood. Some people may react as though such thinking and talking is dangerous. To feel that non-human personhood may be a weird or dangerous way to think comes, in part, from parents, grandparents and great grandparents having to defend it, hide it, and even dissociate from it as part of contact with non-Tlingit

missionaries, teachers, and others. Feelings associated with personhood in Kake are informed by contact history relative to Keex' Kwaan history and ideology. The consequence is mixed emotions. Use of the word "weird" very probably identifies one mixed emotion that is common in Kake discourses about non-human personhood. Gregory M. Simon (2005:494) calls the emotion "shame-anxiety," which is the sense that there may be a looming threat of shame.

The feeling of shame-anxiety does not necessarily mean that the person feeling the emotion has done something shameful. Rather, in this context, it is the feeling that someone else may or may not interpret behavior or narrative as shameful or embarrassing. Emotions such as shame-anxiety suggest a type of learned knowledge about the world that comes from experiencing or seeing others experience both negative and positive reactions to a particular type of behavior. Reactions may be unpredictable or tentative in Kake in response to articulation about spirituality and non-human environmental personhood.

Simon (2005:494) describes the relationship between cultural constraints and fear this way: "Knowledge of our own relationship to the world manifests itself in our emotions: a feeling of fear embodies knowledge of danger to ourselves, for example." Fear can result from experiencing variable reactions to the same behaviors. Currently in Kake's village culture, feelings about non-human personhood are conflicted. In some Kake groups people feel internal inconsistencies. Many follow through with the traditional rituals associated with respect for natural resources. Some are comfortable with rituals of recognition and thanks to non-human persons. Others wonder if they might be ridiculed for participating in "Native superstition." A few groups of people have chosen to disassociate themselves from traditional respect rituals, often because of biblical interpretations that portray Tlingit rituals and beliefs as offensive within Christianity. Still others are helping to bring back the older knowledge of inclusive environmental relationships. Because the topic of non-human personhood stimulates

emotions that activate strong feelings, discourses about non-human personhood may include shame-anxiety signifiers such as “weird” and/or the language of defense. In the following fragment, the Tlingit speaker directly defends spiritual relationships with the environment.

Oh, I know I was just reading a letter in the Juneau paper the other day. Somebody was kind of belittling the people for putting the spirituality label on places. It's in one of the letters to the editor this last week. I looked at it and I thought, God, what person is this, I mean ... we're not real strange for doing that. To me it's real bizarre, a lot of stuff that goes on in different religions ... putting spirituality on certain kinds of icons. I mean to me that's real weird. I mean I guess I'm more of a generalist I ... in that my church isn't in one building ... or—that the icons that are in there are holy. I mean my church is all of the environment. I think that's how my father felt. And his father. So ... that's my church (2003 taped interview).

Older ideologies about respect for human and non-human persons in the environment have undergone cultural dislocation through formal education, religion, experiences with workers from “outside,” television, regulatory agencies, legal representatives, and other culture contact phenomena. As a consequence, Kake people construct a variety of explanations for how they feel about the old ways. Each group's explanations include features of older Tlingit paradigms that have been rearticulated many times to “fix” the ideological ruptures caused by recurring social crises. Groups in Kake share differing cosmological narratives so that non-human personhood is discussed through a range of feelings, including defense, disassociation, forthrightness, ambivalence, and internalization in order to escape criticism and other discomfort. The feeling-contradictions among community members create strong sensitivities, a key reason for the commonness of shame-anxiety in talk about non-human persons. Several people, especially those associated with the IRA tribe, claim openly and with conviction a personal and cultural connection with the whole of their environment, human and non-human.

Learning through having experienced doubt and mixed emotions in the past, leads to feelings such as shame-anxiety in the present. Such feelings are likely based in experiences that are embedded within the forces that dislocated some aspects of culture and ideology in Kake, although culture and cultural dislocation never determine emotional life (Levy 1984). Levy concluded in his ethnographic and theoretical work that emotions (as in feelings) are neither biologically universal nor purely cultural constructs (Simon 2005:493). However, there exist recognizable emotion/feeling patterns.

Commonly held and enculturated respect for human and non-human entities in an environment has been an important condition of long-term sustainable livelihood for groups such as the Tlingits. When the language of respect and emotion/feeling for the entirety of a place and community is left out of legal, regulatory, and market-based talk, people are educated to focus their attention on objectifying others, human and non-human.

CHAPTER VII

KAKE TRANSLATORS

And a lot of them do ... the government agency and ... as well as the market economy representatives ... they do ask us for written things. And it helps because in having Mike, Topsy [Native people who have college educations and governmental experience], all those ones that understand, you know, in tying our ways with the non-Native ways, and they understand the importance of it. And so they use the language that we need to have in the contract, and you know, you've got to be realistic. You do have to have contracts now days. You have to have a paper trail. So ... a lot of them [agencies, etc.] do tend to go with what you say. They put it down in their own words but they're saying what we did. And the parts that they exclude are usually the parts that we feel are (strong with) emotion of holding back sacred (connections), tying us to that part. You know, that's really important to us; they kind of exclude that. We kind of expect that because they don't understand that. So it's usually excluded from the contract. But one thing that a lot of them don't understand is the feeling as well as the importance that we put into what we feel. They don't tie that to our words. Our words aren't contract enough for them, I guess you'd say. But they are to other Natives, you know. Or to a family. (2003 taped interview, Tlingit woman in her middle years)

What happens if and when Kake people talk about the environment in its entire human and non-human social capacity and as something that deserves respect? Are they heard or must they change their discourse to reflect the hegemonic ideological frames of science and public policy? What gets left out?

Translating emotion and personhood

All people speak within norms or rules of language (indexicalities) that are connected with being part of a social group, such as seine fishermen indexicality or Texas ranching indexicality. Some indexicalities are associated with “standard” English, or

“prestige” English. Some indexicalities may be connected with talking with a particular group of friends. Some dialect varieties are attributed higher value than others in certain social contexts. They are ranked along with people who use them. Orders of indexicality are stratified at all levels of social life. To be part of a group involves orienting one’s self to its indexicalities in order to be social. Most people can re-orient indexicalities to be part of more than one group or overlapping groups. They select various language codes or switch codes according to the social context (Blommaert 2005:74-76). Abilities to speak or write or read within indexicalities are a form of resource, or what Bourdieu called social capital (Bourdieu 1982:230-231). That people have varying degrees of access to legal and political expertise brings up crucial questions about power,

Speakers can/cannot speak varieties of languages, they can/cannot write and read, and they can/cannot mobilize specific resources for performing specific actions in society. And all of these differences—different degrees of proficiency ranging from “not at all” to “full mastery” of codes, language varieties, and styles—are socially consequential. Resources are hierarchised in terms of functional adequacy, and those who have different resources often find that they have unequal resources, because access to some rights and benefits in society is constrained by access to specific communicative resources (Blommaert 2005:58).

Translators

The speakers highlighted in this chapter are practiced in switching codes between various local Kake indexicalities and state-based and legal indexicalities. As Organized Village of Kake (IRA tribe) members and employees, they interpret for legal and regulating agencies the needs and feelings of local Kake people. They interpret for many people in Kake the laws relevant to Kake and the rights and benefits that belong to local people. In order to be translators or interpreters, most have gone to college and worked in

places outside of Kake where they learned communicative resources necessary for dealing with state political and legal codes.

Many village people have ambivalent feelings towards the tribe. They often enjoy the services, education programs, and housing assistance that the tribe organizes, but at the same time they may resent tribal representatives because of the power they wield as interpreters and advocates. Some people complain that tribal employees write grants simply for the purpose of funding and keeping their own jobs. For many of us in social science and other scientific fields, writing grants is “common sense” because we feel that our work is important enough to warrant funding. Many people, in Kake and in other communities of my experience, find it hard to understand how grant writing and administration could be “real work.” Although I heard some stories about a few politically powerful families of which some members abused power, I found tribal employees to be passionate about their roles as community advocates. They are in their positions as interpreters and advocates because most have lived in Kake for many years. When I was in Kake, certain families did seem well represented in the tribe, the corporation, the city and the school district. Dombrowski (2001:40-49) wrote that every Tlingit village has four to eight families that dominate local politics. While he asserted that “families have emerged where other forms of social organization have disappeared” (Dombrowski 2001:47), Thornton (2005:481-483) suggested that families, the clan system and other layers of social organization are part of the workings of increasingly complex layers of social structure in villages such as Kake.

Interestingly, several local people who helped as leaders to interpret and translate Kake discourses to state representatives and vice versa were (are) of European descent. For more than 25 years the mayor of Kake was the same non-Native man, who retained much of his non-Tlingit identity. When I was in Kake, the new mayor, the superintendent, and the tribal administrator were all of European descent and had all lived in Kake for many years. Perhaps unconsciously, some non-Native leaders often referred

to the Tlingit community as “they” during interviews. I sensed that most non-Natives in Kake felt at once a part of and apart from their Tlingit counterparts. Several non-Native people expressed a sense of feeling alienated.

Significantly, I heard less in the way of criticism toward current non-Native leaders than toward family-connected Tlingit leaders. Non-Native separation from multi-generational family affiliation was (is) a buffer between city and tribal politics and the family and clan loyalty that is an important part of Tlingit social structure. However, there was a lot said about the past non-Native mayor, who served for over two decades. He brought infrastructure funding and projects to the community, but he also made himself wealthy, many people said.

Native leadership, in negotiating between local and state and global market forums, is imperative, but it can be difficult. I have talked with Native American college students from other tribes who say that many educated Native Americans, who return home to help, suffer criticisms and resentment on their reservations or other communities. One young Kake woman who works in Kake still grieves about how her formal education put a wedge in her relationships with friends and the community. She mourns having gone to college but at the same time she works hard to use what she learned to assist the tribe.

Among the group of people who organized to strengthen traditional culture and the tribe in the 1980s were those who were educated outside of the community. The parents in a few families in particular were adamant about their children and grandchildren getting a college education. In one family the parents were strong church leaders, as well as being knowledgeable about Tlingit values. Their granddaughter, who is an excellent grant writer, administrator, and researcher for the tribe, said this in 2003: “My other grandpa, the late ____, was the driving force behind my pursuits of higher education when he was still with us; he never let a moment pass with his children and grandchildren without saying in some way the importance of getting an outside education

and bringing back all the tools necessary for Kake to succeed in today's world. Everything was done as an investment for the future" (2003 taped interview).

Not every young man or woman who left Kake to go to college returned to use their education at home. That a few families have been particularly involved reflects, in part, their matriarch's and patriarch's emphases that they should be concerned about family and the community as a whole. Tribal board members are elected in the community, and the tribe works to employ tribal members as workers. For the purpose of this section, I point out that I heard very little, if anything, about tribal level mismanagement of funds and programs. I heard several narratives about city financial mismanagement and a great deal about tribal corporation financial mismanagement.

Four narratives

Following are five people's narratives about communicating local knowledge to legal regulatory agencies and law-makers. The narratives are part of informal taped interviews using the questions outlined in appendix A. Each speaker has experience working with agencies and lawmakers on a personal level. I retain these narratives within the text of this dissertation and not in the appendix out of a desire to provide space for local Kake people to tell about circumstances in their own words.

Illustration 1

[About the corporations] Yeah, this, this is exactly what I was talking about. Lots of them won't listen. I don't know what you do to make them listen.

And, like I said, state subsistence office, the staff's real good. In fact _____ works with some of them on doing studies on our streams, and I don't know what exactly is going on with that .. but I'm sure local knowledge is used in that. I know .. I know we have more accurate information as far as stream usage. And every once in awhile the Forest Service sometimes listens .. about local knowledge. And it's

surprising what it takes to make them listen. I mean year after year sometimes we've told them about important places to us and .. it just goes over their heads for years and years and years. And then .. you almost have to .. you have to almost get angry or cry or .. to get their attention, and then maybe they'll listen. "Well we didn't realize this is such an important area to your spiritual ..." I've seen that happen. "I've been telling you." But to them, they don't think culturally modified trees .. they call them .. what do they call them CMTs .. they call them CMTs. I mean .. get real. I mean to us that's important because it was a place where ancestors went and got bark or branches or medicine or whatever. And to them that's not a historical place. And to us it's important. I mean it's important spiritually and culturally. And I don't know if they still have the same attitude. I mean there's a whole different way of looking at the land than they look at. And I think some of them, it's finally starting to sink in a little on how important some areas are to us, or things like that. ... It's ... some of them, a lot of .. well they're from down .. come from a logging background or background they went to college to study management of trees that's .. research development for either recreation or for .. for to cut down .. You can't call them money trees because they're not making money. (laughs) They're being subsidized. But I don't ... but anyway they come from that mentality and not from a tree that possibly has a spirit. Because, you know, whenever we get bark or roots we talk to the tree. It's just .. it's a good thing to do. But that's one of the agencies. They're the Forest Service gradually coming on to recognizing our view of the forest. And our view is that they're not there just to not make use of, it's just, again, it's wise use. The wisest use.

Oh, I know I was just reading a letter in the Juneau paper the other day. Somebody was kind of belittling the people for putting the spirituality label on places. It's in one of the letters to the editor this last week. I looked at it and I thought, God, what person is this, I mean .. we're not real strange for doing that. To me it's real bizarre a lot of stuff that goes on in different religions .. putting spirituality on certain kinds of icons. I mean to me that's real weird. I mean I guess I'm more of a generalist I .. in that my church isn't in one building .. or ---- that the icons that are in there are holy. I mean my church is all of the environment. I think that's how my father felt. And his father. So .. that's my church. (2003 taped interview with Tlingit woman in her middle years)

Illustration 2

Well we tell the people, just like some of these politicians are starting to use the word ... they use spirituality in the forest, in forestry. I know there's the head guy or one of the guys that has been against environmentalists, I think I read it somewhere, in the Juneau paper or Ketchikan, where they [the guy] said (in sarcasm), "Now they're even trying to bring spirituality" (into the way we talk about trees).. but to what level? Like we say to the agencies that come in here, meeting with the Forest Service, that the woods are the caretakers of our spirits until such time that there is a memorial ceremony. Cause they (spirits) wander around us, whether they're right next to us or above us, below us, all the way around us. Till we do that memorial ceremony. That's what we call the bear They're caretakers of our spirits. They're the ones that are in the woods. The bears watch out for the forest. And there's a clan, that's what they do. I don't know if you were at that one memorial, but they sang a memorial song for my aunt. The (clan song) their song, _____ and his son. And they did one at the church about the spirituality of God.

[About the man in the paper criticizing the use of the word spirituality] And that's why he was wondering how they can bring that into the woods. And he has .. like I say, they just don't understand it. They never will until such time as their values change. We're never going to change ours. This is who we are. Because this is the only way local feelings ... what words are used. We use those words, we use the songs about our history and we tried to tell them certain areas, certain bays have that sacredness to them because we believe that we've lived before and our history is there. Those places are sacred. And the ways today's agencies say, "Well, no one's there now. No one's ever been there. It's pristine area." That's the way our grandfathers left it, just like Glacier Bay. The Hoonah people up in that area. They lived there prior to the glacier. To them it's sacred. But they've always fished and hunted there. Now they can't. They have to get a permit to go into their own bay. So that's how they have to work with the different agencies and try to educate them on what we're doing, and the kinds of stories that we do tell. It's not stories but how can we tell our history. How this is related to us. How we're related to those areas.

.. well the environmentalists and conservationists have no problem with that. Because a lot of times for them, if they're like John Muir, they feel it. They see something there, so it must exist. We don't have to prove that 95 percent of what is around us, what we know is spirituality. But 5 percent of what we know in our life is what we see. The other things we accept it because they're there. It's like we can never say, "Hey, watch this. Knock knock on the tree. Come out spirit. Talk to us." We can't. But we know in our prayers and the way things are related back to us by just the lives that we do live, that we know we're a lot calmer; we're a lot more spiritual when we recognize other things have that spirit. Even today scientists at universities, whether you're here or there, they believe in the atom, but they've never seen it. Now they're even starting to say there's something even smaller than the atom, 100 million times smaller of wiggly things. And to them they try to explain it with mathematical equations, things that they can see. But they really can't, whether it's a warp in space or not. So to them, it has to be spiritual. That's their foundation. In order to live by these theories that they've built, and try to prove to be truth. So, we .. all we exist as, to me, we're spirits, that all we can do is relate to one another because we have this eyesight. For someone else, like the tree people, who knows. They might not even see us. I don't know. But I could believe that could be true too. Just as a rock can feel us walkin upon em. And how we might be able to pick it up and add to the beauty of it by tumbling it, by carving it, by its being so close to us we give it a name. Just like if we carve something, we give it a name. To us it might be soothing, it might be pleasing, but to what we do with it, all we can ask for is forgiveness because we don't know how it feels. But that's just part of relating to it and their history.

[Reading from a list of interview questions, see appendix A] *What parts of local knowledge and feelings do government agencies and market economy representatives accept or incorporate or use in their decisions ...* All they know is that we use like subsistence, our customary and traditional use areas. And what we do gather, customary and traditional, that they call subsistence. Plays a fact in there, but it is a necessary part of the EIS's [Environmental Impact Statement] because that word necessary is left to interpretation by the decision-maker, that they should log or not, of the subsistence use of these areas. Like Woodpecker Cove just recently. They're building 27 miles .. or 9 miles or whatever miles of road that's going to be in

there, but there's going to be like (four, twelve) into the roadless area. So it's going to be a big impact on those people that usually went hunting and gathering there or whatever. Or just sitting there meditating. Because part of our spirituality is going into the nature itself to try to gather our balance. Whether it's going to the extreme .. what I call the extreme .. of fasting or just going there for a day to meditate, to get that energy again. So that part, how they use and accept and incorporate our use just because this kind of culture, the Forest Service tends to do that in their logos and stuff. "Oh there's weird people that live out there. They say they're natives and they have stories to tell." It's not stories. It's not that we're different, it's just that's who we are in that area .. our area. Then we have this artwork that we do. But they like to use it in their brochures. They like to use it to say, "Oh yeah. That's something." It's not because we'll make money on it. It's because it's a spiritual thing. It means something. So that's how they tend to use us as something of a rarity. For them, oh yeah they're Kake people. They're Tlingits. They [USFS] have a label for everything. And depending upon if you're for or against them, you're rewarded by you can have offices there or not, campgrounds there or not. They do things in the community or not. But they love to come and get all the resources out of there if they can, and it's primarily timber. So it's a reward kind of system, and to us we don't care if they're here or not, but we'd rather not have them here because all they're interested in is in the wood. Because it's their number one priority.

What parts of local knowledge do they tend to drop or forget or exclude from their decisions? Spirituality. It's about relationships. That's what they forget, tend to do. So that's how they tend to ignore us. So they don't believe that we depend upon the woods, that there are things, decisions that they make, that impacts our customary and traditional use and our spirituality. It does. They tend to ignore that. Because (taking trees) its "necessary" for them. That word necessary [in USFS documents regarding timber contracts] we were trying to mitigate one time. But I think the judges weren't going to try to get into that as much as what the impact on tangible things.

Then what parts of local knowledge and feelings about community and environment are included in written contracts or permits or other official documents? Maybe when they go and do a memorandum of agreement or understanding they start deleting. There's the other part

of special uses of the woods products, which is the plants, and they agree not to give any permits or anything for people to gather devil's club at any large commercial sense of the word, pharmaceuticals. That is the only plant that they agreed not to put in .. to exempt from this special use permit. And we argued for five years on that one, one plant. So they agreed to do that for now. And what they have in their written documents is when they do archaeological digs and anthropological interviews and they accept them as truth because they're written down by somebody else other than the native. So the parts of permits and official documents, like I said, there's memorandums of agreement, which parts are excluded and a lot of times they'll never include spirituality because it's intangible. It's the tangibility of it. What, when, where and how, what are the examples? Which parts of local knowledge are reinterpreted or changed during communications? We try to skip over the spirituality, but we also say that we come .. every clan comes from a certain part of the geological area. Like we come from _____, which is over there on Admiralty Island. And it's who we are. It's back down to the environment, back down to the resources and how we're part of the ecosystem there that creates and maintains the viability because of the wilderness there. We can't say it's pristine (you can't say it belongs to any one person) But if you go over there and there's certain areas that have little dams built to help facilitate fish to get up a steep part of a falls .. used to be a falls, short one, but they (fish) weren't able to manage it. But the old people built little pools for them to get up past it and it opened up a watershed. So .. that's part of who we are, where it's coming from. (2003 taped interview with Tlingit/Haida man in his middle years)

Illustration 3

But our people have, they have learned to communicate with all the government agencies, their representatives, and everybody that comes into Kake. You know they, I think they communicate a lot better than we did back in the 80s. Uh in the 80s we were just coming to the realization that we had a say so in what we wanted and what we could get and what people were getting to give to us. And now, but now everybody in the community knows what we're entitled to and what, you know, what people are giving us money for. So I think they do communicate their needs and how they feel to the government agencies and representatives and the markets. And what words are used? The words they use are simple, you know. They don't try to get complicated because that's the way they understand it. They're not

words that could mean something else. You know, they're not .. they can't be mistaken for anything else. And they .. we've all learned that you know the government agencies can tell you one thing but they have an out when they say, "Okay we meant this," so .. you know. And they never bother to tell you until it's too late so .. But uh our people are very outspoken and they know what they want. They say it and they wait for the response. And the kinds of stories they use are the real life stories. They don't just say, you know, this could have happened or this might have happened or this will happen. They go right into a story from something that happened a long time ago and then another one that just happened or can .. will happen, you know. Cause our parents, our grandparents were always saying, we could miss something once in awhile, or, you know, something can happen, or something can come up. And they always go into a story that doesn't necessarily scare us, but (helps us) think to stop and use our heads.

What parts of local knowledge and feelings do government agency and market economy representatives incorporate or use in their decisions. (Sigh) (Pause) They don't really, they don't really bother to know our local ... (sigh) I shouldn't say that. I guess .. like with the Forest Service. They find themselves, they always find themselves in hot water with us, you know. Because they try so hard. They .. you know the archaeologists work like everything to understand us. They bring us things, you know, and it's useful to us .. but .. there's always going to be a knowledge, you know, that we have that they won't ever have. Maybe it's .. what I'm trying to say is it's ownership of us, of our tribe and our people that they will never know. ... You know they can bring us a scientific knowledge but then too, ours is a knowledge that we'll always have the local knowledge. And .. they bring us lots. The government agencies, they do have feelings for our ways. Sometimes they go about it the wrong way, but they do have feelings. And of course we have real bad feelings for [them] (laughs). But they are working on it. They're not all bad. Of course we're all .. you know we always just all have to work at it .. to get along. And sooner or later they know what they're doing with us and we know what they're trying to do with us .. so .. eventually it works out. So . it works out to where they can accept it or they can use it or they can incorporate it in their decisions or our decisions. It's not necessarily that we want to be hard or be difficult; it's something that we need to work out in our own minds. You know they can't just come in and say, well, this is this and this is what you're going to do. That's good to do, but we

need to know that. We need to work it out ourselves. And, you know, it's probably for the better of us, We need to come to grips with it ourselves. We need to come to our own understanding about it. And maybe it'll take years and years, but you know it will come. So .. that's just like the Indian health service, or the public health service. I think 99 percent of the time we don't like what they're doing. But you know, they are coming in to do it. And they listen to us if we take the time to tell them. And not be constantly chopping at them. And the same with the Forest Service, like they want to take some place for a national park service. But that belongs to us. You know, it's got religious ties, it's got family ties and it's very important to us. And then we'll stand up and fight. And then they don't have that knowledge of us. But sometimes you know they'll ... listen to understand why we're being so adamant about them not taking it. And you know, they'll usually back off. ... But then too, you know, they kind of forget that we should have a say so in it. They kind of exclude us from their decisions half the time. And .. but then too, like I say, it's different because they are coming in and talking about it with us. You know and .. maybe they'll still go ahead with their idea, but they'll make some .. or they'll change a little bit here and there that will kind of soothe us over.

So .. okay. *Are parts of local knowledge and feelings about community, environment, or spirituality reinterpreted or changed during communication* ... Yes it is. Because the people we're talking to in any of those agencies or representatives with the permits and contracts and official documents, like I was saying, they can't put it down the way we want them to because it can't be explained ... the importance of that thing we feel that they're trying to tie us to. You just can't do that. You just (sigh) like the permits. They say they're giving us a permit to get sockeye. How can they give us a permit for something when we go in there and we take only as much as we need? And they say you take this many, but you know we only need ten. But they say we take 20 or 50. And the contracts ... it's .. everything's changed once you start putting it into writing. And talking you can get more across in talking because you can see the feeling or the changing of expression on a person's face. You can't necessarily do that in writing. As well you cannot put the importance down. Because in written contracts or permits or anything, you have to be concise. You have to put it down and leave it at that. You cannot go off randomly just saying something else about it. But we feel that

we have to put this in because it carries weight to us. So .. I say it's reinterpreted and changed .. everything, once you start putting it into writing.

Okay. Have people in Kake learned what parts of their local knowledge and feelings will be accepted and which rejected during communications with govern ... yees. As a result do people leave out certain knowledge and feeling language when talking to ... (sigh). I don't think they necessarily leave anything out, but it's you know they just get tired of repeating it. So they touch on it but they don't harp on it. And like they always say, "We said before, we'll continue to say" you know and they'll leave it at that. They won't ... nothing is ever left out. ... how we feel, what things are more important to us, you know, but nothing is ever dropped or rejected. So .. yeah. So, we never leave anything out. We just continue to harp. I love it when I have to harp. (chuckles)

Conversely have government agency and market economy representatives learned from people in Kake ... Yup, they have not. And they know what will not be accepted. (chuckles) Like you don't just come in and say you're gonna do this. You know. Like we turn around and we say we're not going to do this. Like the Forest Service comes in and says we're gonna open this up for bid and like we say, "No you're not." They learned you don't do that. You come in and you beat around the bush about it because (sigh) in a way, like I said, there's always something, something important to us in the environment around us. And they're slowly coming to that knowledge that maybe it doesn't necessarily mean a lot to them, but it does mean a lot to us. So they have to come in and talk with us about it. So.. They have learned to change their ways of thinking and talking when communicating with us. They all come in and talk with the people. They always have meetings. So..

It does change the way that you know they feel about us. Especially the spirituality part of it because they don't really actually tie their .. any spirituality to anything like we do. You know they don't have that. But with us, it's spiritual. No matter what we do. Because we know we're taking something, or we're using it, so we have to thank the .. you know, put our thanks in the right place. ... Yeah. Well they [legal and regulatory representatives] have to (think about Kake's way), you know. They can't help but think about it. Because you can't

take things away from anybody. You just can't come in .. huh .. they do but you know I'm sure a lot of them are thinking about it now. Because we feel so strongly about it. So .. Yeah. Right. They have to think twice about it now. They just can't come in and say you know this is gonna happen or this is what you're going to do. Because a lot of them do come in or they start contacting people in the community before they do come in. And then they're armed pretty well .. to come in to talk to the people because they know what the people want, or what knowledge they need to know. (2003 taped interview with Tlingit woman in her middle years)

Illustration 4

Speaker One: I think we're finally gaining some ground. and fish and game is a prime example of that. You know before states and the government, (tripped) across Alaska, and even the Russians or anyone else. What people I feel don't realize is all of our natural resources were managed by our ancestors. You know we didn't have to have something in black and white telling us, "Okay this month you can only take this much" ..and I strongly believe they did a much better job at it than any of these agencies are because this was their area, probably all of southeast. Then they start coming in with regulations and mandates and then they opened our natural resources up to commercial, of course. I think that's where a lot of the conflict comes in, at least in my opinion. Because they don't really care what we want, in my eyes, as far as what we live on, what we gather and ... I'm surprised we don't need a permit, and maybe you do, I'm unaware of it, for clams and seaweed and you know gumboots. The fish is a fine example. You've got real low numbers or no returns and they just say well it's because of subsistence or whatever, but it's a combination of other things .. the number of users, it's nature, it's poor management practices. And they wait until it's too late, where ... I mean these are just stories I've heard from my grandparents that they heard from their grandparents about how there was times they had to help (the environment recover). They knew when to leave it and let it replenish.

Speaker Two: Yeah, clearly the tribe in the past and (Tlingits as a larger group) had a government of .. it might not be defined in the past by contemporary definitions, but clearly there was a governing body, and they took action based on needs, like what Speaker One was just talking about. If they need to quit harvesting a run because

they needed escapement to go up, they did that, and they knew what had to be done. And when I debate with the agencies over things like (fisheries) management, my basis is on the fact well the (Tlingits) have been doing it for several thousand years pretty successfully. You know, who better to be involved with today's management? And I think we're making some headway. But it's a long slow uphill battle. *Speaker One:* Well I think generally they have to struggle with it (the local knowledge and its credibility). A lot depends on the people that are there. You can get somebody won over to understand our logic, but if their boss is against it, it's not going to (matter). But we have made headway. Quite a few of them are trying to work with us.

But when we're communicating to them, we, I think we tend to use a mixture of their terms and also our terms. Like we many times emphasize customary and traditional gatheringSubsistence is a state word. And I don't really like that word because it's just traditional gathering. It's something we've done inherently. But because the state has another need, or had another need, commercial or whatever, who knows why they came up with all those. Now we're labeled as subsistence gatherers, which I mean it doesn't really matter, but they make it sound like something was newfound when it's just .. it's traditional. Our land is (what's out there). ... at least when I have communicated with some of the state .. I like to, without coming right out and saying it, let them know before you guys .. and I don't say (tripped) on us, but before your time, everything we had (before everything was valued according to dollars) was valued and controlled and managed adequately, I think. Because you don't ever hear (in the old narratives) of, well, there's no more deer or there's no more fish or grouse or berries, you know. It's hard to explain to government and other agencies, mainly because you don't ever get them here in Kake, you know. How many of these agencies visit Kake? Probably none.

Speaker Two: Okay one thing I was thinking, as much as we attempt to communicate, using their words and some of ours, there's some stuff that I don't think they can really understand. And the few that do understand it, are the ones .. that have taken the time to come here and these are the ones that have actually spent some time here to experience it. Because it takes awhile I think to get the grasp of what it means and it's so much an internal feeling.

Speaker Two: Well yeah like an example would be you know a biologist (Speaker One groans with frustration, "oh" and then laughs)

they're going to strictly look at it from the scientific aspects and until you get them out and spend time with it, they're going to have tunnel vision as far as the resource. And it means so much more to the people in Kake then just the scientific aspect. Or the commercial, yeah.

Fieldworker: And do you get biologists who go out with you?

Speaker Two: Oh yeah. Some do. Certainly not all, but ... But yeah we've got some. You know there's a handful of folks from different agencies that have become, you know, good friends, I think. Yeah. But when they go back, if they're down the ladder a little bit, in the hierarchy of things, it's marginal the effect they can have.

Speaker One: But we don't even have senators and representatives come to these communities, and yet they all stand up before congress and swear to God they know what our needs are, you know. So that's just the way that whole system is. People are making decisions for us that probably haven't been to Kake and if they have, it's been probably 30 years, you know. And that's just using Kake as an example. I can't even imagine what it is like in southeast or even Alaska in general.

Fieldworker: Do agency representatives know and use a kind of language to effectively communicate about Kake?

Speaker One: Not with their mind set.

Speaker Two: Well .. yeah. (laughs) well you're probably right. And certainly, if we're talking legal documents, it has to include words, you know, in a European type words and concepts. Either that or big definitions .. of what the native words or concepts might be.

Fieldworker: Is time taken to include native words and concept definitions?

Speaker One: No

Speaker Two: Typically not, probably. Maybe in some management

...

Speaker One: No. They wouldn't even include anything we wanted, I mean, because as it is, to be real honest, they're doing everything they can to wipe out environmental review processes, you know ... That answers everybody's question right there as far as agencies and corporations and what ... There's a major disconnect and it's just getting bigger. And I think it's because of the approach they're using, because like I said, all they really care about is making the dollar at any expense. They have no .. they have, in my opinion, lost their sense of values. And that's sad.

Fieldworker: Can the local values be expressed in words?

Speaker Two: Well. I think at certain levels we can, but .. And like there's a document we've been working on with an agency and at certain levels we came to an agreement on the language. But once it got to a higher level, then it got stalled.

Speaker One: mmhmm

Speaker Two: So .. but even that document was very much their words. I get some of our thoughts in it and a couple of points but .. you know which one I'm talking about?

Speaker One: Yeaahh

Speaker Two: But yeah, it got stalled once it got to a certain level, whether it was not understanding the premise, or perhaps, I think a big part of it was fear of giving up some turf. I think that's probably the biggest reason. Because they don't want to release their control.

Speaker One: The Forest Service, you know, because of the number of projects that go on here, and they do come out and get our comments and invite us to participate, but as for the language that we use, I don't recall it ever get used .. *Speaker Two:* I don't. I don't.

Speaker One: I'm trying to make sure that I haven't ever seen it. And I usually just get all their EIS's (Environmental Impact Statements) so .. But at least they're opening the doors to the tribe for more involvement, if nothing else to hear our concerns.

Speaker Two: And well, like I say, if we're involved in the drafting process, they can be inputted in that way too. ... Of course, when it comes to getting it signed, it gets stalled at a higher level, but ...

Speaker One: And I mean that some of the ones that, you know the handful that I mentioned that have come to Kake repeatedly and have worked with us and even gone out with us and .. I don't know if they're necessarily using our terminology, but I'm getting the impression they have the beginning of an understanding . (2003 taped interview with a young Tlingit woman, speaker one, and a man in his middle years, speaker two, who grew up in a non-Native community)

Again, the speakers in narratives 1-4 are representatives of the IRA tribe, the Organized Village of Kake. For the purpose of this study, the questions I ask about these narratives are nested in the larger purpose of better understanding the influences of legal and regulatory language on local discourses that socialize "moral" environmental and community values:

- 1) What do the narratives show about philosophies of personhood?

- 2) What do they reveal about the contexts of emotion and feeling as part of learning?

Personhood

The concept of spirituality was discussed several times in the above illustrations. Its use refers, in part, to personhood within the inclusive environment. In the *Tlingit Language and Cultural Resources Tlingit Elders Traditional Education Checklist (2001)*, traditional spirituality includes the following (Sealaska Heritage Foundation 1984):

- Relationship to the natural world (land plants, animals, fish)
- Relationship to the spiritual world
- How to speak to the natural and spiritual worlds
- Concept of at.'oow
- Spiritual dimensions of visual art, songs, dances
- Stories and public speaking
- How to keep clean in body and spirit
- How to treat the kill or catch
- Fasting for spiritual power
- Respect for self and others

This list includes many of the social/relational elements within local use of the word spirituality. Perhaps unsurprisingly, spirituality and environmental personhood were discussed in illustrations 1–4 as the elements of local knowledge that are most often left out of government documents and conversations. Spirituality and its recognition of non-human personhood is the value least understood by government legal and regulatory representatives, according to tribal employees and leaders. The United States legal and decision-making system is ill equipped to

integrate basic Tlingit knowledge about moral worth, respect, and the “rights” of non-human persons.

Speakers in illustrations 1–4 recognize that some people in the USFS and the state ADFG subsistence division are working hard to understand, but what they do with their newly acquired feelings and information is guided by the parameters of a legal system that has long excluded as problematic most local spiritually-based environmental knowledge. Speaker Two in illustration 4 describes how biologists and other state representatives who take time to experience Kake, learn a little more about local knowledge and “feeling” about place and people. When state representatives go back to their job centers, the hierarchical nature of state systems limits their potential to influence decision-making presumptions and language, according to Speaker Two in narrative 4.

Tribal representatives talk about times when they have had initial input in the language of memorandums of agreement or contracts only to have their words changed or deleted at higher levels of government management. The United States legal and regulatory system has the final say about definitions, meanings, and values and how they influence decision-making about forest and marine resources. Culturally modified trees (CMTs) are an example that the speaker brought up in narrative 1. The Forest Service labeled trees CMTs that show evidence of use by Tlingit ancestors. Within that label is an assessment of value, that is, CMTs typically are not spiritually or culturally important enough to protect from logging, as there have been several timber sales that included CMTs as part of the harvest base.

The words *Native American spirituality* and *culture*, from a regulatory legal point of view, have become values to *measure* because federal laws require they be considered in land use decisions. Regulators must ask if places have spiritual and cultural significance to indigenous peoples. Can the significance be proven? If there are spiritual and cultural connections, are they significant enough to warrant

protection? This legal perspective fosters a discursive practice of judgment in association with the words *spirituality* and *culture*. Regulators, to do their jobs in the structure of the legal system, must decide whether or not people will use these words simply to protect their own economic or other interests.

The legal system itself sets up conditions that cause regulators to learn more about spirituality and culture at the same time they are interrogating the validity of these concepts. This stance, based in legal discourse, is part of a long history of United States Native interaction, which often resulted in the necessity for Native peoples to defend their spirituality, legally and to Christian missionaries. The necessity of speaking about spirituality and culture, primarily to defend their validity, influences how spirituality and culture are perceived by self, children, and others. Ideological understandings of personhood, for example, were dislocated in assimilationist projects and had to be “filled” or “sutured” by being rearticulated and/or defended in the contexts of colonialist expectations.

Defensive postures influence the feelings/moods that are part of discursive exchanges. In general, subjects and issues often become associated in memory with the moods that people felt during previous social exchanges about the same or comparable subjects and issues. For example, people who are in a positive mood during events remember those events more positively than do those who were in negative moods, according to Lawler and Thye (1999). Studies also show that people who are in a given mood state will have greater recall for material they learned when they were in a similar mood state in the past. “Overall there is little doubt that emotions (both positive and negative) affect how information is encoded and retrieved from memory” (Lawler and Thye 1999:230-231). If memories about showing respect for personhood in the non-human environment are associated with positive moods, then a personal and social relationship with the non-human environment is strengthened.

Feeling

Illustrations 1–4 describe in several ways how personal experience is an important element of local knowledge. Kake people who work with legal and regulatory representatives conclude that legal decision makers will have a difficult time understanding the significance of spirituality and culture without personally spending time with the people to whom these values are important. What happens when local knowledge is retrieved, however imperfectly, and taken back to a government agency office in Juneau, for example? Locally-gained knowledge will be re-interpreted at the office in the context of emotions, feelings, and previous experiences of people at the regulatory agency.

Those who study emotion, such as Heise (1987) and Frank (1993), outlined several socio-cultural and biological facets of emotion and learning that continue to be supported in social and neuroscientific studies. One basic understanding about emotion is that when someone is a salient part of an environment, his or her learning perceptions are influenced through participating in, and witnessing, the exchange of emotions and feelings between self and others. Lawler and Thye (1999:130) described how knowledge of things learned in such an exchange is swayed by the emotions felt at the time of learning. For example, a legal interpreter/decision maker in Juneau *might* spend most of her/his time surrounded by people who broadcast perceptions of emotions (feelings) that are concerned with adhering to legal and bureaucratic processes. Perhaps they feel strongly that following agency rules and legal guidelines is a large part of everyone's job. People in the office culture group may believe in the fundamental purposes of laws and regulations. Their feelings might be derived from the desire to reproduce positive rather than negative relations within the social unit of the office or government agency. Then again, they might prefer to retreat from work and be out fishing or hiking.

When discourses and knowledge from Kake are discussed in the office, the interpretations of “local” knowledge information from Kake will be informed—at least in part—through the mood states associated with previous “office” discussions of Kake-sourced knowledge. Perhaps past “office” conversations were centered on the difficulties of incorporating local knowledge into mainstream legal ideologies. Conceivably, office compatriots might have felt incredulous, irritated, angered, inspired, interested, saddened, or embarrassed during previous conversations about Kake knowledge sources. New information brought from the field about Kake will be received through memories of previous “office” mood-state biases, positive or negative, about Kake. Mood-state memory and current mood states are important considerations for how emotions/feelings affect the learning and knowledge acquisition process.

The same understanding of mood-state learning can be applied to culture groups in Kake. People who work for the tribe share a knowledge of legal and regulatory agencies that is informed by a history of perceptions learned through participating in, and witnessing, the exchange of emotions and feelings between Kake Elders and other local leaders and lawmakers and agency representatives. Memories about encounters decades ago still inform Kake relations with lawmakers and regulators.

One Tlingit woman told about the effort and care Elders used to take to consult the people and prepare their words for public testimony with agencies such as the USFS. When the Elders’ words and efforts seemed to have little positive influence, people participated less and less. The woman said she is unsure whether or not the ways Kake people were treated in hearings had to do with lack of respect on the part of government agency representatives or if the USFS and others simply failed to realize the power of Elders’ words in Tlingit communities. As a researcher, she has gone through transcripts of past hearings with the USFS and read the public

comments from Kake Elders. “You can almost hear the passion in the transcripts,” she said during a 2004 interview. Some years ago the woman looked through the pages and pages of hearing transcripts from the “1944, Department of Interior Hearings on Claims of Natives of the Towns of Hydaburg, Klawock, and Kake, Alaska.” The hearings were “to determine fishing and other occupancy rights of the Natives of these communities” (DOI 1944:1).

Each community wanted to be its own reservation, said the researcher. Elder men from Kake, Klawock and Hydaburg traveled all the way to Seattle by boat to let the government know what bays and creeks and trapping areas their families were from. The community of Kake took a great deal of time and effort to get the men ready to testify. Their journey was of immense importance to local people. The words and narratives that the men brought to Seattle were carefully discussed and considered. The process was an emotional one for the whole community, she said about information she learned from her grandparents’ stories, interviews, and other sources. (See appendices V and W; Goldschmidt and Haas, 1946, 1998; Thornton 1998)

When the men attended the hearings and gave their testimony the lawyers for the government instructed them to answer only those questions that were asked of them. The lawyers’ responses to the men were “kind of abrupt and almost rude ... no real understanding ... ,” the Tlingit woman said.

And just reading through the pages and pages of transcripts ... You know they had interpreters. They were actually speaking in Tlingit, recording the testimony ... but they had a translator so that whatever they said the translator was speaking for them. I think my great-grandpa was a translator, and that was transcribed, and just hearing ... the lawyers for the government going over the territories of that specific person’s family. “Why are you petitioning for this area? Why is this place part of the (Kake or Klawock territory)? Who owned it? Where is the paperwork for it? Not really paperwork, but you know,

“why, how can you prove this is yours” type of thing. And just the fact that they were there testifying should have been proof enough. ... You know the old guys from Klawock and the old guys from Kake had knowledge of what families were in there and ... they [lawyers] were trying to get details out of, “Well okay, where are the boundaries ... from what to what” ... (there weren’t boundaries in the sense that the lawyers wanted them described). (2004 taped interview)

The woman who studied the transcripts said that lawyers asked questions in legal language that the men testifying wanted to understand before they answered. The translators, who were college-educated, were sometimes unsure about legal word meanings too. Some of the legal words had no correlating Tlingit word. The woman said she could read the exasperation in the lawyers’ words as the Tlingit translators and the Elder men who were testifying carefully worked to understand the questions. They wanted to give the best answers they could. There was a sense of impatience, and the lawyers limited the types of information they would accept.

Past experiences, such as those with the USFS and with the Department of the Interior are part of accumulated memories that predispose Kake relations with lawmakers and regulators even now. State and federal agencies have reputations that are built upon in every encounter, positively or negatively, in tribal, city, and office discourse and in everyday conversations in Kake. For example, the very mention of ADFG often triggers emotions that are interpreted through feelings of resentment. New knowledge about ADFG is filtered through previous mood-state biases. Emotions, then, and the learned perception and culture-based interpretations of emotion-meanings (feelings) are significant factors in local community life, government agency life, and conversations about community, environment, and sustainability solutions.

Because emotions are what motivate humans to act, they are always part of decision-making, even when moderated by legal processes, which frame and limit potential discourse. In state-based legal decision-making, which is motivated by feelings informed by culture-specific values, some emotions are considered proper and others are

considered “extralegal.” Nonetheless, emotions and moods that are considered “extralegal” always have some influence on decision makers, according to Feigenson and Park (2006:143), who study the effects of emotion on judgments of legal responsibility. They write that emotions and moods influence the social judgment of decision makers in at least three ways:

- 1) By affecting their information processing strategies;
- 2) By inclining their judgments in the direction of the valence of the emotion or mood (valence being the positive or negative value of the person’s mood and emotion/feeling); and
- 3) By providing informational cues to the proper decision.

Speculatively, because lawyers in the DOI 1944 hearings were apparently impatient and exasperated with the need that Tlingit people had to carefully consider their answers and the meanings of questions, mood and emotion/feeling were highly relevant factors in the proceedings. The information allowed in testimony, the lawyers’ reactions to information, the emotions/feelings of those testifying in response to the feelings and moods of the lawyers, and other emotion-related factors predisposed information content and tone. Those reading the transcripts later, and making decisions about land and fishing rights, would be inadvertently affected by the moods and emotions of the lawyers, as well as their own moods and feelings at the time of their analysis.

Some legal theorists claim that the rules of legal proceduralism temper the role of emotions on legal judgments. The very structure of the process guides judgments toward rationality and dispassion (Feigenson 1997). However, Feigenson and Park suggest that pure rationality and dispassion is always difficult if not impossible. “The law then confronts the daunting challenge of accommodating

decision makers' emotional responses to integral legal emotion sources but then “educating” those emotions to reduce the likelihood of incorrect judgments” (Feigenson and Park 2006:158). Judgments, of course, are themselves culturally relative. If emotions/feelings are admittedly part of all decision-making processes, then some feelings and moods go unrecognized or unacknowledged because they are believed inappropriate for decision-making forums. Thus principles of decision making are to be questioned that assume top-down judgments—based in legal processes—are more rational and dispassionate and so, more trustworthy than local decision making.

In places such as Kake, emotion/feeling biases are more likely to be identifiable and known by others in the village. When local people perceive in others what are thought to be inappropriate biases, these are likely to be pointed out through a third party, gossip, or other means of indirect communications. Miles away from Kake, translation of Kake data into official legal documentation through government agencies is incomplete without an understanding of how local knowledge is passed on and learned through emotions/feelings derived from indirect communications. Deeper levels of local representation than are engendered in current legal processes and procedures would be required for more accurate recognition of emotion/feeling knowledge. Many people in Kake feel that state-based legal representatives know about Kake primarily what they are required to know by law, and little more.

From Narrative 2: ...All they know is that we use like subsistence, our customary and traditional use areas. And what we do gather, customary and traditional, that they call subsistence.

In Alaska, the importance of customary and traditional resource harvest is recognized through federal laws such as the Alaska National Interest Lands Conservation Act (ANILCA). Over time, agency offices have been established that hire employees to

learn about and to be sensitive to customary and traditional food gathering practices. According to statements in illustrations 1–4, some Kake residents recognize that employees of the Alaska state subsistence office (ADFG) are open to learning about local environmental, cultural, and spiritual knowledge about the uses of customary and traditional foods. The purpose of the state subsistence office is to collect data for fisheries decision-makers who divide the natural resources between customary and traditional users, commercial users, personal use harvesters, and sports users. Protecting customary and traditional uses is a legal priority. In a 2003 spoken presentation to the Alaska House Special Committee on Fisheries, ADFG Division of Subsistence director Mary Pete summarized her division's job description: (Taped and transcribed meeting)

The division was established in 1978 as a section, and then made into a division in 1980. And it is the social science research arm of the Alaska Department of Fish and Game primarily to aid in implementing the subsistence priority law. ... We're a research division and we compile existing information on hunting and fishing from harvest records, but primarily our main contribution to management of fish and game and understanding subsistence are community-based studies where we do social economic research, quantify the subsistence harvest, examine how wage employment or money figures into the local economy, and how rural mixed subsistence cash economies work. ... I think we've been instrumental in defining subsistence needs so that opportunities for other uses, such as commercial or personal use, can be provided, because the state constitution requires that we provide beneficial uses, including, not just subsistence, but other uses. (2003 taped meeting)

These are the legal parameters through which employees in the ADFG Division of Subsistence learn about "local" knowledge. They share their knowledge through reports and presentations to the State Board of Fisheries and the federal Subsistence Board. The staff includes field researchers who work with communities to design studies, and research analysts who maintain databases. The field

researchers often learn directly from local people about culture/environmental ideologies. Much of what they learn through direct experiences of feeling emotion in “local” conversations is condensed, ranked, and restated through the information measurement boundaries of context-selective, economy-focused, quantitative data that is passed on to the fishery boards.

The information that ADFG Division of Subsistence fieldworkers gather is shifted from the local context to the division office context. Narratives and talk are written into notes, recorded on cassettes or CDs, summarized, sorted through, cited and quantified. This process of moving texts between contexts, or re-entextualization practices (Silverstein and Urban 1996), is about access to power based on expertise in text-making procedures. People have differing ranges of access to the spaces in which talk and narratives are re-entextualized (Blommaert 2005:62).

Emotions/feelings and moods are always part of the re-entextualization process. The same is true for all text-making procedures in all legal regulatory agencies. It is true for this dissertation. Kake people are likely to have greater influence on the emotions/feelings of people who shape text-making processes if the writers spend time conscientiously listening and learning from local people in their environment.

Ambivalence

According to tribal employees, some USFS employees make an effort to learn about Kake by spending time in the village. Even so, local feelings about the USFS/Kake relationship are expressed most often as ambivalent. Feelings of ambivalence are based in historical and current relationship experiences. (Segments from narratives 1–4 to show discursive ambivalence):

They're the Forest Service gradually coming on to recognizing our view of the forest. (Narrative 1)

So that part, how they use and accept and incorporate our use, just because this kind of culture, the Forest Service tends to do that in their logos and stuff. "Oh, there's weird people that live out there. They say they're Natives and they have stories to tell." It's not stories. It's not that we're different, it's just that's who we are in that area ... our area. Then we have this artwork that we do. But they like to use it in their brochures. They like to use it to say, "Oh yeah. That's something." It's not because we'll make money on it. It's because it's a spiritual thing. It means something. So that's how they tend to use us, as something of a rarity. For them, "Oh yeah, they're Kake people. They're Tlingits." They [USFS] have a label for everything. And depending upon if you're for or against them, you're rewarded by you can have offices there or not, campgrounds there or not. They do things in the community or not. But they love to come and get all the resources out of there if they can, and it's primarily timber. So it's a reward kind of system, and to us we don't care if they're here or not, but we'd rather not have them here because all they're interested in is in the wood. Because it's their number one priority. (Narrative 2)

Spirituality. It's about relationships. That's what they forget, tend to do. So that's how they tend to ignore us. So they don't believe that we depend upon the woods, that there are things, decisions that they make, that impacts our customary and traditional use and our spirituality. It does. They tend to ignore that. Because [taking trees] it's "necessary" for them. That word "necessary" [in USFS documents regarding timber contracts] we were trying to mitigate one time. But I think the judges weren't going to try to get into that as much as what the impact on tangible things. (Narrative 2)

They don't really, they don't really bother to know our local ... [sigh] I shouldn't say that. I guess ... like with the Forest Service. They find themselves, they always find themselves in hot water with us, you know. Because they try so hard. They ... you know the archaeologists work like everything to understand us. They bring us things, you know, and it's useful to us ... but ... there's always going to be a knowledge, you know, that we have that they won't ever have. (Narrative 3)

The government agencies, they do have feelings for our ways. Sometimes they go about it the wrong way, but they do have feelings. And of course we have real bad feelings for (them) [laughs]. But they are working on it. They're not all bad. Of course we're all ... you know we always just all have to work at it ... to get along. And sooner or later they know what they're doing with us and we know what they're trying to do with us ... so ... eventually it works out. (Narrative 3)

Speaker Two: The Forest Service, you know, because of the number of projects that go on here, and they do come out and get our comments and invite us to participate, but as for the language that we use, I don't recall it ever get used ... I don't. I don't.

Speaker One: I'm trying to make sure that I haven't ever seen it. And I usually just get all their EIS's [Environmental Impact Statements] so ... But at least they're opening the doors to the tribe for more involvement, if nothing else to hear our concerns. (Narrative 4)

Speaker Two: And well, like I say, if we're involved in the drafting process, they can be inputted in that way too. ... Of course, when it comes to getting it signed, it gets stalled at a higher level, but ...

Speaker One: And I mean that some of the ones that, you know the handful that I mentioned that have come to Kake repeatedly and have worked with us and even gone out with us and ... I don't know if they're necessarily using our terminology, but I'm getting the impression they have the beginning of an understanding ... (Narrative 4)

The above segments are examples of a common emotion expressed in Kake discourses about government agencies. Ambivalence, as defined by Christina Ting Fong (2006:1016), is experiencing positive and negative emotions simultaneously. Considering current and historical relations between Kake people and state legal representatives, ambivalence seems an apt emotion/feeling. In general, ambivalence as a feeling-based attitude indicates the complexity of a social situation (Larsen 2001:692), is a signal that "one is in an unusual environment, where other unusual relationships might also exist" (Fong 2006:1019), and is often correlated with increases in creative thinking ability that results from new combinations of existing ideas. In essence, experiencing emotional

ambivalence is highly relevant in innovative learning because it leads to an augmented sensitivity to unusual associations (Fong 2006:1019). I found many Kake people to be inspired by highly creative ideas. People were involved in innovative problem solving such as restorative justice through circle peacemaking, culture camp, invention of environmentally consciousness products such as fertilizer made from fish and wood waste. People were brainstorming and conceptualizing ways to keep Kake's community integrity while finding economic solutions.

Studies show that people whose attitudes remain relatively unchanged retrieve those attitudes fairly quickly. People whose attitudes are changing take more time to respond because they are working through more deliberate, conscious processing. They take more time to work through the features of both older and newer attitudes, especially if they are integrating "evaluatively incongruent attributes" (Harreveld et al. 2004:433). Of course, culture and language patterns influence how ambivalence is expressed. Petty et al. (2006:24) and other researchers have identified several common consequences of ambivalence among English speakers. Three consequences appear relevant to Kake discourses about legal and regulatory agencies. They include:

- 1) Ambivalent individuals tend to appear more neutral in their global evaluations than do unambivalent individuals because of the joint activation (or inhibition) of positive and negative information;
- 2) Individuals who are ambivalent typically report greater conflict, doubt, or mixed feelings with respect to the attitude object; and
- 3) People who are ambivalent tend to engage in increased information processing with respect to the attitude object, presumably in an attempt to resolve their ambivalence. (Petty et al. 2006:24)

I asked several people in Kake whether or not government agency and legal representatives had changed their ways of communicating, or had learned from Kake people how to communicate. I received three levels of response. 1) For many people their immediate response was "no", government agencies had not learned from Kake. People

often gave a short explanation of how outside agencies come in and conduct meetings with what local people perceive as self-serving motivations. In this first level of response people answered quickly and demonstrated an unambivalent attitude. 2) Other people answered, “no”, and then qualified their answers to say that some agency representatives had become better communicators in the recent past. They often told about good and bad experiences. 3) Some people—especially people who work regularly with legal and regulatory representatives—said “no” almost automatically, and then spent time explaining communication relationships in more detail. They qualified negative observations with examples of positive and changing interaction patterns.

Narratives 1–4 are segments from interviews that fit into this latter category. I interpret the automatic “no” responses to mean that government and legal representatives remain poor listeners and communicators. The quick and unthinking “no” responses reflect a long-standing and shared attitude in Kake about state-based relations. I interpret qualifications to the “no” answers, and the longer descriptions of positive and negative relationships between Kake and the state, to mean that change is occurring. Based on the contents of local discourse, there have been enough positive encounters to foster changing attitudes, but there are enough negative encounters to sustain the old attitudes. The result is ambivalence. No one I talked with said state representatives were *good* at listening and understanding. The levels of local ambivalence about government agency communication skills correlate with the levels of attitude changes Kake people identify in some state agency representatives.

Ambivalence is important in discussions of discourse and ideology changes because it is emotion/feeling that accompanies the work of “fixing” ideologies that have been dislocated through crisis. Ambivalence is part of the process of undermining/creation of old/new social antagonisms/hegemony in the disruption/establishment of new, partially-fixed meanings (Stembrouck 2007). Ambivalence is, in essence, what happens when elements of rupture and crisis threaten

and subvert ideological beliefs and assumptions and the subsequent discursive process of “repairing” or “suturing.” It is also emotion/feeling that leaves ideologies open to further challenge. In short, ambivalence is an emotion/feeling that is also an indicator/instigator of change.

Ambivalence is descriptive of emotion/feelings that people expressed when Kake Tribal Corporation closed its doors in 2004. On one hand the insolvency of the corporation meant the loss of jobs and job prospects for Kake. “The community estimates at least 150 working age residents were forced to leave the village from 2002 to 2005” (Hibbard and Adkins 2005:6). People had few positive expectations for the corporation. They had seen the corporation fail so many times, they reacted almost without surprise. On the other hand, the loss of corporation jobs meant that local people might begin to rethink their goals. Some said the corporation had been in charge of providing jobs for so long that most local people lost incentive or practice in creating their own economic opportunities. Without the corporation in charge, people could begin to imagine their own solutions and work toward a more sustainable economy, one based less on the boom and bust of resource extraction. A man in his younger middle years, a former logger who was putting a lot of energy into forming a Chamber of Commerce and brainstorming ways that Kake might survive, said,

I think looking back at what’s happened in the timber industry, where we’ve...I am going to say mismanaged grossly. ... I think we’ve learned a valuable lesson from that. And government agencies, they know that, you know. And right now a lot of ’em say, “Well okay. I see you guys are starting to conform a little, but, you are calling.” I’m calling them, you know, for help, and, yes they are being more than helpful about what I have to do, to get our economy back on its feet again. They’re giving me a lot of ideas, on ... we don’t have to overdevelop [tourism for example] ... That, yeah, I think we can do this thing on a pretty low budget, you know. (2004 taped interview)

[Why the corporation chose to log in the 1980s] I mean it was a quick

way to get the infrastructure into place and it was just a lot easier. It made for a boom economy! And instead of a sustainable, you know, a long-term economy, just like the oil-thing did up in...North Slope. It made for a boom, and you've inherited the Republican, you know, kinda state of mind. They're just thinking, "Well we need another boom," because who gets rich off it, you know. A bunch of people will get rich off of it, especially the people who ... are in the early stages of facilitating the whole action. They're the ones who have their hands in the pie, so. You can, you know, if you listen close you will hear people talking about what the next boom might be. And they're trying to get ready for that because...because that's where you are going to make a lot of money fast. Yeah, so we don't want a boom economy. We want something that is going to be sustainable. You know, and diversified...because with what's happened. (2004 taped interview)

In the meantime, as Hibbard and Adkins (2005:6) observed, "without their rights to subsistence living, it is hard to imagine how the people of Kake can survive season to season. The enormous clear-cuts that have provided Kake with industry and jobs for the last three decades now threaten the habitat of the wildlife that Kake residents must have in abundance to live on. Forested lands in and around the community of Kake need to be restored."

Loss of local jobs in both fishing and logging is a crisis, a rupture in economic boom-bust cycle through resource extraction connected with ANCSA. At this point many Kake people are working to reshape ideology and the language with which they discuss their economy. They are working to understand what prevents their community from being what its ideologies promise it could be. The force of dislocation motivates humans to make new ideological attempts to reach the impossible goal of a "complete" society that succeeds in being what ideologies promise it will be (Laclau and Mouffe 2001).

Hibbard and Adkins of the University, of the Oregon Institute for Policy Research and Innovation, helped facilitate local cooperation. Through a community meeting and planning meetings local people worked in dialectical relationship with their former ideological construction and that which dislocated it, the loss of local jobs. They

discussed their priorities, what they learned from past mistakes, and their desire to take control of their own economic vision. Those who participated, developed a preliminary strategic economic development plan. Representatives of the City, the school district, the Tribe, the hatchery, the Chamber of Commerce, and the Corporation agreed to cooperate in establishing a vision for Kake's economic future. Their plan includes hosting tourism, but on their own terms, without saturation via a large tourism corporation or cruise ship market. They wish to maintain their "private dignity" and the habitat of island animals and plants. Their plans include helping local people establish small businesses, working to revitalize the forest areas that have been logged, facilitating education through a local vocational training center, and providing services as a shipping hub for the region (Hibbard and Adkins 2005:9-11). "Thus, from a distance Kake does look very much the same [in 2005] as 15 years ago. However, it has seized its economic independence and shaped the social invasions that come with progress, change and growth" (Hibbard and Adkins 2005:10). These are some of the words and phrases leaders have chosen to re-articulate economic circumstances in Kake.

In the meantime, state law-makers and agencies are working with a different set of language codes to describe and define economics and community. Efforts to join Kake to the national highway system and coerce local communities such as Kake to form regional governments with other communities are "normalizing" or homogenizing forces. State plans for consolidating regional governance and creating a Southeast Alaska highway system mean that the language with which many Kake people choose to discuss their future is mingled with their dialectical discourses with the state.

The words used to describe community-based priorities in state-based decision-making establish the boundaries for how local people can effectively describe themselves in conversation with agencies such as the Department of Transportation or the Alaska Local Boundary Commission. Palsson (1993), who studied fishing communities, wrote that local discourse is increasingly silenced by the more public discourse of marine

biologists, politicians, and state bureaucrats. He cited Foucault (1980) when he wrote that shifts in language use are rooted in relationships of power. Some discourses are suppressed and others gain the status of an established truth. Foucault later wrote about the means of resisting the normalizing forces of routine practices and decision-making discourses within modern institutions. McNay paraphrases Foucault's observations about counterbalancing techniques of domination through techniques of the self.

Through the formation of a "critical ontology of the self" it is possible to formulate an alternative ethical standpoint from which individuals can begin to resist the normalizing force of the "government of individualization" (McNay 1994:133)

By thinking about the "ethics of self" Foucault was able to better incorporate and understand concepts of autonomy, reflexivity, and critique, thus overcoming the idea that conformity is inevitable. Bourdieu also brought insight into how culture "normalizes" but how resistance can occur. Bourdieu (in Gledhill 1994:134-141) attributed the power of social systems to reproduce structures of domination that inform the ways that actors understand their world. The ways people understand their world have been shaped by participating in the workings of relations of domination which produce the structures of domination. Ideological transformation most often comes through changes in political and economic circumstances (Bourdieu 1977:72-80).

Change less often comes through radical critique. Radical critique involves questioning processes and discourses that are taken for granted and not normally questioned. Doxa is knowledge so taken for granted that it is never or very rarely discussed (such as whether or not the local government system of electing a few representatives is really best for local empowerment). Questions are rarely raised about doxa in social discourses relevant to power and domination, but to raise those questions is to create a radical critique (Bourdieu 1977:168). Because political, social, and linguistic capital is typically in the hands of political professionals, who control systems of

classification and the authority to speak on behalf of groups, radical critique is often difficult (Bourdieu 1991:174-184).

Radical critique can circulate in the form of ‘hidden transcripts.’ Scott (1990:1-17) described “hidden transcripts” as the discussions and performances that are conducted between people outside of the public performances. In contrast, public performances are the conversations between dominating people and the rest of the people. When subordinates and those who dominate converse, it is frequently in the interest of all parties to tacitly conspire in misrepresentation so that a sense of social order based in power relations is maintained. Hidden transcripts are the offstage speeches, gestures, and practices that confirm, contradict, or inflect what appears to be public transcript, according to Scott. Those in power conversing with each other discuss subordinates within hidden transcripts, and subordinates discuss with each other those in power using hidden transcripts (Scott 1990).

If, through radical critique, hidden transcripts become public and openly challenge power regimes, those in power have only a few choices if they want to keep their power intact (Scott 1990:70-105). If they are willing to share power, they can listen and acknowledge the critique. If they are unwilling to share power they can: ignore the radical critique; discredit the questioner; or enforce, force, or punish the questioner. Because of the danger of questioning, “Many, perhaps most, hidden transcripts remain just that: hidden from view and never “enacted.” And we are not able to tell easily under what precise circumstances the hidden transcript will storm the stage” (Scott 1990:16).

Radical critique and dissociation

In Kake, radical critique is possible through local incorporation of older knowledge forms with newer forms. Radical critique can be shared through experiences, stories, and the rituals of everyday life. Some USFS representatives yield themselves to

change (and radical critique) through personal experience in Kake. They subject themselves to possible change partly because local and even traditional knowledge is part of USFS decision-making conversations. Federal laws require federal representatives to “listen.”

Under the Federal government’s “trust responsibility” to Tribes, agencies, such as the Forest Service, are obligated to protect and conserve Tribal resources and the rights of indigenous peoples to govern themselves on Tribal lands. This unique legal status creates the need for Federal agencies, such as the Forest Service, to consult directly with Tribal governments when contemplating actions that may affect Tribes and their lands, resources, and welfare (USFS Desk Guide, distributed at the 2003 Common Grounds workshop in Kake.).

Whether or not USFS visitors to Kake “feel” and allow radical change of mind depends on how they define and interpret their experiences. Normally people reproduce structures of domination onto new experiences through the collective order that constrains them to “improvisation on a theme,” according to Bourdieu. This means that when USFS representatives take their Kake experiences home and to work with them, the doxa they take for granted at home and at work, and orthodoxy (the positively expressed aspects of dominant class ideology) will influence what they make of their new knowledge. The dangers of using new knowledge forms as radical critique of dominant systems could result in loss of reputation for USFS personnel (being embarrassed or discredited), or possible punishment (being demoted or fired, etc.). Alternatively, they could inspire change, but Bourdieu claimed that true change was rare.

One consequence of new experiences and the “emotion/feelings” that may result from alternative explanations of them can be ambivalence. Another result can be dissociation, or what Gilligan (2006:57) defines as knowing, but also not knowing what we know; “how it is possible for our experience not to become part of our story.” Dissociation occurs when knowing becomes associated with the intellect, what goes on in

the mind, rather than feeling associations that include the whole body. The mind “leaves the body”, according to Gilligan, as part of learning to fit selves into social expectation, such as gender roles. For example, boys in western cultures, usually when they are five, six, and seven, are “initiated” into a dissociation of their own knowledge of, and ability to read, the human emotional world. They are earliest to divorce emotion from thought. Feelings become something to avoid because boys learn early to disassociate from what society considers femaleness (feelings). In girls the learned dissociation of emotion/feeling from thought occurs more typically when they are nine and ten, when they learn that honest emotion can be dangerous to having friendships and relationships (Gilligan 2006). The “mind leaves the body” when people need to control what they feel in order to conform to the expectations and requirements of the social world around them. The symptoms occur in all of us and they are a form of trauma, Gilligan writes. “Except in dreams and flights of fantasy, the mind leaves the body when it becomes, for whatever reason, unbearable or untenable to know what in our bodies and our emotions we know. The return of the mind to the body then undoes a dissociation that however adaptive or culturally valued is psychologically problematic” (Gilligan 2006:58). It leads to a hovering between knowing and not knowing.

When the mind is forced to leave the body in the name of intelligence and for the sake of education, when thought becomes divorced from emotion as a way of avoiding conflict and trouble, when the self moves out of relationship in order to have “relationships,” an honest voice—the voice of the core self that registers experience—comes to sound stupid. Thus we become wedded to what within ourselves we know is a false story. (Gilligan 2006:59)

But dissociation can sometimes be undone through the power of association, a stream of consciousness, the power of talking and listening, and through certain kinds of experiences and relationships (Gilligan 2006:64). The power of association, I assert, can be a kind of radical critique. When the mind resists “false” stories, and reframes the

world on the basis of experience, orthodoxy is threatened because orthodoxy is revealed as a human construction, a way of thinking.

Encounters with the non-human environment can be a means of gaining direct knowledge based on emotion/feeling, at least partially returning the mind to the body. Emotionologist Robert C. Fuller (2006:2) calls such encounters a way of learning through the emotion of wonder. To illustrate are segments of separate taped conversations with two young Kake women, who talked about knowing and “feeling” place through their whole selves and what they learned through their experiences.

- 1) I don't know ... environment is some place for us to go. We have certain memories here and there and in around Kake. ... I'm thinking of Keku Straits, just like the places to go. But once you're ... when you're out there, as beautiful and peaceful as it is ... it's kind of like ... underlying all that you can feel the tension that at any moment could change. And there's so much power in that environment. It's almost intimidating sometimes ... if you really think about it when you're out there. And it's peaceful. It's peaceful but yet there's kind of like a constant reminder. (2004 taped interview with young Tlingit woman raised in Kake)

- 2) ... because this summer I was out on the water a lot. Way out. Way far away from everyone, and that's a really strange feeling. I mean, I was raised in the city so you don't get that sense of ... there's not a lot ... It's almost more spiritual out there. You get the sense that there's definitely something there but it's not ... I didn't feel like it was maybe the same as what I was raised with. I don't know what it is. But it would be easy, I could see ... nature is so powerful. When you're by yourself, then there's no helicopter that will take you to the hospital and no this and no that, and you're dependent on nature. It really is ... I don't know. I can see how people tied their religion to nature and animals because that's all there is out there. That's it. If you didn't know ... from spending long periods of time by myself out there ... yeah ... it's ... I don't know. It feels more ... It feels very natural but it's just ... yeah when you're out there I just wasn't thinking as much 'Jesus.' You think more in terms of like creator of nature. You think more nature oriented out there. You have to [voice

raises]. You're ... you're stuck. That's how you survive. I could just see a difference. (2003 interview with young non-Native woman raised outside of Kake)

Fuller asserts that the emotion of wonder is an “immediate feeling” that arises as a response to experiencing awe and mystery in relationship to something other than the self (Fuller 2006:4). Fuller cites the Oxford English Dictionary as defining wonder as “the emotion excited by the perception of something novel and unexpected. (It is) astonishment mingled with perplexity or bewildered curiosity” (Fuller 2006:8). Fuller adds to this definition by saying that wonder is something that “strikes us as intensely powerful, real, true, and/or beautiful.” Wonder is connected with learning partly because it stimulates curiosity and the human need to understand the environment. Curiosity is triggered by emotions other than wonder, but wonder-inspired curiosity differs from other kinds of curiosity. Wonder leads more to cognitive reflection about meanings of perceptions, rather than to simply active exploration, according to Fuller. Curiosity in other forms is connected with analysis and by breaking down events or objects to try and understand their parts. “Wonder, on the other hand, is the experience of contemplating how the various parts relate to a greater (even if unobserved) whole. Wonder prompts us to consider how particularly vivid displays of vitality, beauty, or power might reveal a purpose or intentionality of the universe as a whole” (Fuller 2006:9). So, wonder focuses human perception and learning on trying to understand intrinsic value or meaning (not simply utilitarian value or meaning). Learning through wonder, then, often inspires attempts to understand a more “harmonious relationship with, rather than active mastery of, our wider surroundings” (Fuller 2006:9).

Learning through wonder may be possible in a legislative assembly or government agency offices where legal decisions are made and implemented. However, it would be safe to say that the experience of wonder occurs more frequently in places such as Kake, and it might be safe to say that people in places such as Kake have knowledge

gained through experiencing the emotion of wonder to which many law-makers have less access. People on Kupreanof Island live more closely with non-human environmental elements that reveal themselves in novel and unexpected ways or are simply beautiful or powerful beyond the scope of humans and self. It is hard to identify in state-based legal and regulatory “text-artefacts”,⁸ the knowledge that comes through feeling the emotion of wonder in relation to the non-human environment.

Emotion and state reliance on “text-artefacts”

Tribal representatives who work with the Forest Service feel that some agency representatives subject themselves to experiencing the non-human environment through local perspectives. USFS representatives who actually come to Kake “listen” better than USFS employees did ten years ago, people say. Still, local people often express doubts that their input makes much difference in Forest Service decisions about land use. Nevertheless, USFS employees who come to Kake in order to fulfill consultation requirements go through the rituals of a listening process. With every communicative event, learning and change occurs. Change may constitute a strengthening of existing viewpoints through repeated or new information. Over time, USFS/Kake communications may result in viewpoint transformations when communicators experience emotions as part of novel interpretations of feelings. The capability of experiencing emotion differently through new feeling interpretations may arise from hearing narratives or co-producing narratives. As Ochs and Capps (1996:22) observed, “Narrative is radical, creating us at the very moment it is being created.” Narratives are formed out of experience and they give shape to experience. All people tell stories about

⁸ From Jan Blommaert (2005:186-187). Discourse. A text-artefact (policy paper, a draft bill, etc.). Texts are adopted, confirmed, revised, submitted, voted on, and adopted. The actions of opposing actors in debates are, consequently, inspired by a reading of the text-artefact.”

the past, present, and future. Their accounts create plots and build theories of events, but not just any plots and theories. People's accounts are framed through the linguistic repertoires of their cultures. The events people describe in their narratives are evaluated according to community or group concepts of appropriateness, sense making, and ideas about what is rational and moral. (Ochs and Capps 1996:26-31).

Many Kake people understand that respecting human and non-human personhood is rational and moral. They value their clan and family places of origin and resource gathering areas. In illustration one, the speaker narrated the importance of trees that had been sung to and thanked long ago for the bark and other tree parts that the ancestors used:

And every once in awhile the Forest Service sometimes listens ... about local knowledge. And it's surprising what it takes to make them listen. I mean, year after year sometimes we've told them about important places to us and ... it just goes over their heads for years and years and years. And then ... you almost have to ... you have to almost get angry or cry or ... to get their attention, and then maybe they'll listen. "Well we didn't realize this is such an important area to your spiritual ..." I've seen that happen. "I've been telling you." But to them, they don't think culturally modified trees ... they call them ... what do they call them? CMTs ... they call them CMTs. I mean ... get real. I mean, to us that's important because it was a place where ancestors went and got bark or branches or medicine or whatever. And to them that's not a historical place. And to us it's important. I mean, it's important spiritually and culturally. And I don't know if they still have the same attitude. I mean, there's a whole different way of looking at the land than they look at. (2003 taped interview from Narrative 1)

In her narrative, the speaker expressed feelings about trees, ancestors, culture, spirituality, and the difficulties of communication with the USFS. She felt as though Forest Service personnel make more of an effort to understand if local emotional expression is heightened. Ironically, including some types of feeling language in official

study narratives is likely to be inappropriate and an impediment to legal, regulatory sense making.

As a means for discourse comparison, the following segment was taken from a draft USFS cultural resource survey for a timber sale on Kupreanof Island. This cultural resource survey tells a narrative about how and why USFS personnel examined the area of an upcoming timber sale for historical and cultural sites. The narrative describes USFS findings and ends by explaining which sites are eligible for nomination to the National Register of Historic Places. The USFS description of culturally modified trees reads, in a draft report called “Cultural Resources Investigation of the Scott Peak Project Area, Kupreanof Island, Alaska,” the following:

We found 36 CMTs with a total of 42 scars in the project area that represents five of the nine types. The majority of the scars identified are Type E (31), followed by Type A (4), Type F (3), Type B (2), and Type D (2). We found one tree with a combination Type E/F scar and one with a Type A/E scar. Two trees had multiple but separate scarring, one with Type A and D scars and one with two Type A scars that were later modified with Type D and Type E scars. Most of the Type E (hack) CMTs are spruce and probably represent gathering dry and pitchy scraps of wood for kindling. A few hemlock trees also exhibit hack markings. They occur on the coast and suggest temporary camp locations, probably those of hunters and trappers. Alaska yellow cedars represent the second most common tree species with modifications. Bark stripping, hack markings and alcove modifications are CMT types normally associated with Native traditional activities in which cedar bark was gathered for textile, ware and shelter production ... (Smith and Esposito 2002:25).

Spirituality and the “feelings” that living Tlingits might have toward discovered CMTs are unidentifiable in the Forest Service resource survey. Past indigenous economic relationships with such trees are detailed. In general, current personal and cultural feeling connections are constrained by USFS and federal law determinations about what parts of the forest are important enough to save during a timber harvest. Culturally modified trees

are often harvested. The writers of the above example may or may not have agreed with CMT policy. The authors described CMTs within the sense-making norms of their discipline and work place, and their narrative is the legally correct version. It is public record. However “objectively” and conscientiously written, it is based in feelings about what constitutes rationality. The norms for “official” text writing are learned, like Kake-based knowledge, through “feeling” perceptions of emotions. Speculatively, we could assume that the feeling-perceptions of emotions that motivated this text were partly elicited by stimuli such as explanations of the scientific method. The meanings of feelings were informed by the norms and values that the writers experienced in their lives, including a formal college education. Some meanings were possibly derived from the writers’ experiences in Kake. The point is that the document is based in emotion/feelings that have been culturally categorized as rational and dispassionate.

Alison Richards (1997:1) wrote that scientists think and feel about their work using the same psychological apparatus as the rest of us. Physicists, chemists and mathematicians are no less passionate about their work than are animal behaviorists or anthropologists. But emotion is suspect in science because the requirements for scientific observation are to be free of bias. The assumption is that emotion creates bias. The problem is that everything humans do involves emotion (Richards 1997).

Because of its perceived dispassionate rationality, the USFS document is considered scientifically trustworthy, but what if inattention to emotions/feelings, through which people have learned about and perceive the meaning of trustworthiness, constitutes missing “data?” What if public sharing of emotions/feelings between groups, such as those who care about culturally modified trees and those of the USFS writers, are necessary for land and water management for sustainable livelihood? What if text-based acknowledgement of emotions/feelings is an indispensable component of managing for environmental integrity? These questions are important to consider because state-based methods that rely primarily on dispassionate rationality, simplification of definitions of

people and environment, and tendencies toward widespread social engineering have yet to demonstrate a capacity for long-term environmental sustainability.

Most official documents that I examined throughout my fieldwork experience were written in similar “objective”, descriptive, dispassionate, and formulaic styles. I would categorize the discourse within most legal documentation and description as a kind “fundamentalism” if fundamentalism is, in the words of Sociologist Charles Notess (2007:3G), “an approach to a belief system that emphasizes following a particular set of basic principles and opinions often called doctrine.” Notess wrote that there is an assurance and peace-of-mind that accompanies fundamentalist responses to uncertainty.

Dispassionate rationality, quantitative measurement, and conciseness have become a type of basic communication principle and doctrine that is expected in most legal forums. It is a communicative doctrine that provides a source of consistency, but the danger of relying on such dominant narrative styles, and of “writing out” discursive inconsistencies, is that the process engenders a false sense of psychological stability (Ochs and Capp 1998:30-31). Relying primarily on “objective” descriptions often leads “to oversimplification, stasis, and irreconcilable discrepancies between the story one has inculcated and one’s encounters with the world” (Ochs and Capp 1996:30-31), a world where people feel emotion as part of everything they do. Through rationalized discourses people learn to interpret their emotional feelings in the context definitions which portray people and the rest of the world as “officially” objects. Blommaert (2005:187) refers to inflexibility of discursive forms in legal processes as textual dogmatism. Venues of expression are ranked hierarchically. Text drafts are ranked lower than final publications and written words are ranked higher than spoken words.

People in Kake remember that older Tlingit legal discourse was a matter of trusting what people said. People’s words were “contract enough.” Villagers and clan members knew that if someone was dishonest, they would feel the repercussions through social isolation, gossip, ridicule, or more serious retribution. One woman told me about

her family's land. She said a non-Tlingit man took advantage of the Elders in her family and basically stole their property, disrespecting the verbal agreement they had between them. Family Elders did not fight the man because they had grown up knowing that people like him would suffer the consequences of their actions. It was an example of a non-Tlingit taking advantage of the local legal code because the state-based legal codes recognized written rather than verbal contracts. According to the woman speaker in narrative 3, people in Kake continue to value verbal contracts in day-to-day relationships. They also realize that written contracts have become necessary.

“Official” documents, such as the cultural resource survey cited previously, are text-artefacts (Blommaert 2005:101). They serve as a type of selective memory, generally limited to “rational” rather than “emotion” signifiers, or what legal language gatekeepers have learned to feel is “rational.” Text-artefacts are often the longest lasting products of bureaucratic processes. Centering institutions, such as schools, courts, legislatures, USFS, ADFG, etc., regulate which linguistic forms are privileged in text-artefacts. Centering institutions are those that impose “stratification of value” on a particular group (Silverstein 1998:404). “The centering function is attributive: it generates indexicalities to which others must orient in order to be “social” ... (or) to produce meanings that “belong” somewhere. ... The functions of centering institutions almost always involve real or perceived processes of homogenization and uniformisation.” (Blommaert 2005:75). In other words, centering discourses reduce differences to create recognizable scripts of “normative” meaning (Blommaert 2005:75).

One part of centering is the writing of text-artefacts and also their distribution. When people involved in decision making processes receive the same descriptive and explanatory written material, then varieties of preferences and approaches are neutralized. This is an important factor in how legal and regulatory language codes influence ways of speaking and understanding relationships in Kake and elsewhere. The domination in legal

discourse of rationalist language forms leaves out the essential ingredients
(emotions/feelings) of human relationships with other humans and non-humans.

CHAPTER VIII

FISH STREAM RESTORATION

In 2002 and 2003, Kake tribal representatives and the city school district began collaboration on a project to restore salmon to Cathedral Falls, a customary and traditional salmon fishing location. Eggs for the restoration project came from Hamilton Creek on Kupreanof Island because Cathedral Falls and Hamilton Creek are part of the same watershed. The restoration project was done as a pilot project using new methods and technology and a restoration system refined and perfected by “local” people and people on another Southeast Alaska island.

With the leadership of a nonprofit organization, Alaska Resource and Economic Development, Inc. (ARED), the Organized Village of Kake and Kake students worked together on the plan. After becoming familiar with the methods and technology, Kake people expected to serve as consultants to other groups desiring to restore salmon to streams in their areas.

During the late summer of 2003, everything was set to begin the project. All that was needed were salmon eggs. The salmon season was coming to an end, and it would soon be too late to collect salmon eggs from Hamilton Creek. At the last minute representatives from the Alaska Department of Fish and Game (ADFG) balked about giving their permission to take the eggs from Hamilton Creek to Cathedral Falls. Eventually the project was approved, but only after the salmon run was over. Kake people were able to get a few salmon, but were unable to collect as many eggs as they had planned.

Because tribes work with the federal government, tribes can often avoid asking the state for permission to do projects on federal forest lands. People in Kake decided to work with the United States Forest Service (USFS) to initiate their project. They received Bureau of Indian Affairs (BIA) funding and USFS approval. Because the Organized Village is a tribe with government-to-government relations with the federal government, project organizers felt they could probably go ahead with fish restoration without ADFG approval. In order to avoid future communication and power problems, the school district and the tribe attempted to work with ADFG.

A 2002 conversation between two people involved in the project provides some “feeling” background. The two speakers indicated that there was a major problem with ADFG and its lack of effort to understand “local” situations or communicate with “local” people. “People are getting irritated,” the men said about ADFG. To illustrate local frustration with the agency, one narrator described the recent diminishing of salmon runs in a Yukon area waterway. People involved in Kake’s ARED fish restoration project offered to help ADFG bring salmon back to the northern stream. “The guy managing that stream didn’t even look at the proposal. He is worried about defending ten years of bad management,” a man in Kake said. Some people in ADFG who were supportive of ARED’s offer to help, saved e-mails that went back and forth in the department. In one e-mail the ADFG manager apparently warned other ADFG representatives to watch out for projects like ARED’s because he said it was an example of capitalizing on other people’s misery (2002 written fieldnotes). The above narrative, albeit one-sided, circulated among fish restoration project participants as one means of explaining ADFG reluctance to approve their plan.

ARED is a nonprofit organization focused on helping communities help themselves. As a fieldworker I spent time with people involved in the fish restoration project. Their discourse almost always included impassioned references to human and ecological issues around Southeast Alaska and the rest of the world. Making a profit was

never mentioned in any of the conversations I heard. To exemplify some of the “feeling” discourse behind the effort, an originator of ARED told this narrative. One day he was giving a presentation to a Native group about salmon restoration. An Elder man came up and asked him why he was doing this. The presenter knew that he should wait and take time in answering the Elder’s question. He took three weeks to compose a story in the form of a legend. It emphasized his own concerns about environmental degradation and it gave voice to people’s spiritual connection to the land. He gave his story to the Elder who read it and then cried.

People in Kake told me that human assistance in fish restoration is an old practice. They heard Elders talk about Tlingit people in the past who transported eggs in moist baskets from one stream to another in order to begin a salmon run in an empty stream. In comparison, ARED described its methodology this way: The first step is “intercepting the adult salmon as they are returning to their natal watersheds to spawn. We collect and fertilize the eggs and protect them during the most delicate stages of their early development through use of our Portable Moist Air Incubation System. This provides high survival rates with no chemical use. When the eggs reach a stage of resiliency they are planted into their stream of origin (before they hatch) using our egg planting technology” (ARED 2006:<http://www.ared.net/>).

The following transcript comes from a recorded conversation between two women, a man, and the fieldworker. The conversation took place soon after the Organized Village of Kake and the school district learned that ADFG sent back their permit application indicating that there were problems with it that had to be rectified before the restoration project could begin. One problem ADFG reviewer(s) had with the application was its lack of written documentation that Hamilton Creek (the egg source) was connected in the same watershed with Cathedral Falls (the restoration site).

The length of the transcript and explanation around it reflects the methodology in discourse analysis of providing context to narrative examples. Phrases or words in

parentheses indicate that the words on the transcribed cassette tape were difficult to hear and are not the speaker's exact words. In review, words and phrases in brackets indicate that the fieldworker is filling in information to add clarity.

Following is a conversation between three Kake people involved in the salmon restoration project and the fieldworker.

1) *Speaker One*: But the recovery rate on this is—well—when you're putting, like, the natural fertilization and all that, you put maybe 50,000 eggs in the ground in the stream, you might get 50 fish back. And the way they're doing it now with this, they'll get back a huge number. And it also indoctrinates the fish to the stream that they want 'em to.

2) *Speaker Two*: And it's still wild and that's what the beauty of it is, it's wild salmon. It isn't hatchery fish, it isn't ...

3) *Speaker One*: But the whole beauty of the thing is that the [the Portable Mister] is so small and on top of that it creates jobs for local people in the village. It'll take about six people year around to take care of these. And they can go out and regenerate any stream. Another thing that's in the works with this is that they take the heads, guts and feathers⁹ and they grind 'em up and they make 'em into pellets. Well he's got a video that shows it. When a stream is dying, it turns red. And like at the mouth of the Yukon where the fry come out of the stream, they get out into the stream and they live within a certain radius of the stream for a period of time. Well, like in the Yukon, it's all dead. They're not getting the plankton, they're not getting the nutrients out of the streams to sustain 'em. So they're dying off.

4) *Fieldworker*: The nutrients aren't there because ... ?

5) *Speaker One*: Because the fish ... see what happens is that the fish go out, they lay their eggs, the males spawn 'em, they die. They disintegrate. The nutrients go back into the water and then it feeds the plankton and all the rest of that into the stream. And it's not getting that. So part of this deal is when they take up there and they're plantin' these eggs in the stream bed, they're throwin' these pellets

⁹ Heads, guts, and feathers simply refers to the whole fish and all of its parts.

out and the pellets dissolve in the water. And regenerate the stream.¹⁰ About the only real drawback to this thing, really, and it's something that can't be helped, is the fact that when the fish go out it takes anywhere from three to five years to come back. That's the natural part anyway.

6) *Speaker Two*: But that's the beauty is the science, the technology and then the grassroots of it, having the tribe, because of the traditional knowledge, and that was something that [name of organizer] reeally, that's his big excitement, is getting it to (work together). It's like it's such a wonderful project, and we have enough funding to get it started. Now from this point on it's just finding, and securing more funding, and getting the right people involved, and keeping them interested and onboard and that's something that we'll be more like almost like a consultant type of thing for all these other tribes that are interested in it, because we'll go out and help with all the headaches we're dealing with now, like the permit, the justification, because a lot of it is federal funds, and you know they really ...

[Here both Speaker One and Speaker Two talk at the same time.} Speaker One says that some people in Kake are concerned that the restoration project is using hatchery fish, or using the same process used in hatcheries.

7) *Speaker Two*: Yeah, because of the hatchery, and this being for some reason a similar project, which it really isn't but some people are saying it is. It has nothing to do with that. You eliminate the cost, you eliminate the ... you're not as susceptible to diseases because they're going right back as soon as they hit the eye stage, and that's what's makin' their survival rate more is because they're taking them to the eye stage and putting them right back into their—you know—right back where they belong. This whole Cathedral project, of course, is going to be a really, I should say once it is successful, it's gonna be something that everyone will probably want to be a part of that needs ..., you know. And we're not doing it to try and eliminate hatcheries, but we're just trying to find a way to address our concerns. I mean hatcheries, to my knowledge here, you know you have the

¹⁰ Fish pellets are made from the carcasses of salmon that come to the Gunnuk Creek Fish Hatchery in Kake or the fish processing plant. In a healthy salmon stream the carcasses of spawned salmon revitalize the stream with nutrients, which are necessary as a food source for salmon fry, once they hatch from the eggs. If a stream is empty of spawned salmon carcasses, and eggs are planted in the stream, they are likely to die without a food source. Pellets are a substitute for the missing salmon carcasses. They provide the stream with missing nutrients.

dogs and the, what is it, the pink. And (what people) prefer, I don't know, it depends on who you talk to. One it's halibut, it's sockeye, it's coho, steelhead. I don't know much about what's involved with steelhead, but I'm hoping that's one of the things we'll increase. You can't increase it for the sake of it, but if you know there was thousands there before and there's ten now, then that gives you a reason to say it will survive here.

8) *Speaker One*: Which [species are they going to go for]

9) *Speaker Two*: Coho at Cathedral.

10) *Speaker One*: I thought they were going to Hamilton.

11) *Speaker Two*: Ummm

12) *Speaker One*: They're getting the eggs from Hamilton.

13) *Speaker Two*: Yeah. And see that's the same, that's the same watershed. But yeah, [Speaker two goes to the map on the wall] there's Big John's Bay, but just part ... Hamilton Bay is here. But this is all the same. They [the streams] all go back there. And that was one of the concerns, you know, the [ADFG] reviewer had, is because we mentioned Hamilton in connection with Cathedral Falls. "How do we [ADFG] know [the streams are connected]?" Well, because you [ADFG] have the data.

14) *Fieldworker*: Does ADFG trust local knowledge?

15) *Speaker Two*: I won't even comment. I don't knooow [laughs]. I'm not sure if they do or ...

16) *Speaker Three*: [Yells over to speaker one and speaker two] The Forest Service? ... They'll listen. They're required by law.

17) *Speaker Two*: But do they trust it? And I think that's what I mean, I think that's a part of the concern is because they're taking traditional knowledge and comparing it to ... because they add science to that. They forget we've lived here all our lives and we know what should be here and (what works), you know.

18) *Fieldworker*: I went out the road with [name of Elder]. He told me what fish used to be there in the stream we crossed. Does the Forest Service and ADFG trust information like that?

19) *Speaker Two*: Some of it. I don't know, and I think that's part of it. I think it's [the restoration project] an untried ... I think because it's so new, [people talking at once and hammering sounds, etc.]. Then you have us who, and I'm sure I don't know what's involved in becoming a fish biologist or whatever. Maybe they feel jeopardized by the fact that pretty soon people will take traditional knowledge and use that as opposed to their data. I don't know, but because of the jobs?

20) *Fieldworker*: What's at stake?

21) *Speaker Two*: What's at stake.

22) *Speaker Three*: What's at stake is that it's the opposite of their, what they've studied, they've gone to school for. It's a completely different system than what they're doing. Most of them are from that mindset of ... how did what's-his-name call it down at workshop? It's more like (local traditional knowledge is holistic). The scientists' system is (specialized – taking things and separating them out to study them).

23) *Speaker Two*: Oh yeah.

24) *Speaker Three*: And they kind of focus on ... they separate things out that are specialized and it's two different (ways of viewing the world).

25) *Speaker Three*: And so I think that's the kind of people that (are in those positions now). You know the thing is though, [names Speaker Two] is that the fieldworkers, they come out here, they agree with us. They say, "Oh yeah, Cathedral's part of Hamilton." I think they know. They've been there, and we know it too. But the ones that are doing the permitting, we have to prove to them, well how is Cathedral part of Hamilton?

26) *Speaker Two*: Hamilton.

27) *Speaker Three*: It's frustrating. I see [names SpeakerTwo] getting frustrated over having to deal with all of that.

28) *Speaker Two*: It's so trying. That's an understatement. [laughter] I don't even know where I found this [Speaker Two points to a map on the wall], but just looking at this you don't even have to be a biologist or anything to look at that body of water and know that (they all tie together) [Speaker Three is laughing] you know?

Yeah. And that's what I mean they act like, I don't know ...

29) *Speaker Two*: It's a lack of trust and maybe a fear that we might know more than we're supposed to. Because ...

30) *Speaker Three*: We're just rural people.

31) *Speaker Two*: Yeah [laughs] we're the village people.

32) *Speaker One*: You know a perfect example of that is that our dam went out.

33) *Speaker Two*: uh

34) *Speaker One*: And [they start laughing] the people here told 'em where it should be. Because of the Corps of Engineers is—"let's do it—we know where." So they took a million dollars. They did a complete survey. They get back and they say we found the perfect place for it. [Speaker One chuckles].

35) *Speaker Two*: Yup. Yup.

36) *Speaker One*: Where is it? “There.” Geez. That’s where we said it should go in the first place.

37) *Speaker One*: Now you know they’ve hired (someone who) came up and did a whole analysis and knew all about it, everything. Spent two days here.

38) *Speaker Two*: [Mumbles agreement.]

39) *Speaker One*: He got in one afternoon, the third day, so he didn’t get in three full days, and he wrote this big analysis of how everybody lives here and the whole bit, you know. What can you get in two and a half days, you know? The guy was an idiot anyway to start with.

[laughter]

40) *Speaker Three*: They tried to pull the wool over our eyes. Pulling in all these numbers and curves and blah–blah–blah.

41) *Speaker Two*: Terms that they hope we’ll never understand.

42) *Speaker Three*: And we didn’t, but the hatchery people, that’s their language, they were shooting holes in it.

43) *Speaker One*: The guy talking about all this analysis he’d done and we found out that he’d come from Oregon, wasn’t it?

44) *Speaker Two*: Oregon. Yeah.

45) *Speaker One*: Yeah

46) *Speaker One*: So he’d done his research in Oregon

47) *Speaker Two*: And then came up here.

48) *Speaker One*: Applied it to Kake.

49) *Speaker Two*: Oh yeah. And you know there should be data for everything (which there is) until you take some fish and extract some fish from Hamilton, and whatever, and then you want to find out what the differences are between that and Cathedral Falls. It should be right there in their [ADFG] archives, or somewhere, wherever they keep their data, if they’ve got it. And that’s what I mean. That’s a disconnect. It’s a strong disconnect, in my opinion, because you can go to the field version of fish and game [ADFG] and I bet some of them know this off the top of their head, a little like we do because it’s traditional. They know it because of their work. Then they’re dealing with administration, who for lack of better terms, don’t have a clue what goes on here. They don’t know the first thing about this area, you know. That’s why when they see Hamilton and then Cathedral, to them it’s two separate, and it isn’t. And if they would pull up a map, you know what I’m saying ... as simple as that. Instead of being, “Oh no no no no, this isn’t gonna happen unless you prove this or prove that.” Well, that was what was frustrating, but the

interesting part is when [names ARED representative] went to look for the data that they wanted us to submit, he went to them to get it. He went to the Forest Service and Fish and Game ... the fieldworkers, the people that come out and do the work. And so the reviewer, I mean it's as simple as maybe he/she had to walk across the hall to look for it, but instead of even trying to do that, just assumed because they don't know the area that they're two separate watersheds, and they aren't. And it's just things like that because, which makes us look good because we know it traditionally, [laughs] you know. [Pause in Conversation]

51) *Speaker Two*: ... Because to them, "I'm educated and that's all there is to it." To them ... because they don't live here. We do. You know most of them, even the fish and game people, maybe they're in here ten, twenty days out of the year. They come in, and this is my other problem, they'll do their data, maybe it's not the right time. The seals are a perfect example. They come in, they do the count, thinking they're an endangered species. Well, two days after they left we had thousands of seals come up, because that's when they do. You know what I mean? We knew that. They don't ask us these things. They come in and like [Speaker One] said, they come in, they do their studies, they take their data, they don't stop by, they don't communicate, they don't get our input because it isn't valid. It isn't ... they don't have a person's input from twenty years ago or data she collected to compare with today. Because we don't put that in writing. We just know. And I know that sounds crazy, but it's our natural environment, and like I said, that's how we see it. It's a natural environment and maybe that's where the problem is. They don't (see it that way). They see it right here. They see what they have and in years past, and that's the way it should be. But what should be and what reality are, are two different things. You know. (2003 taped conversation)

Evaluation through Laclau's theory of dislocation

The loss of wild salmon in some area streams is a 'rupture' that runs contrary to ideologically reinforced beliefs among many people in Kake. Aspects of that ideology are articulated in the 2002 version of *Heritage: Keex' Kwaan – a Conspectus*.

‘Tlingit Aanee,’ the land of the people, is more than just a place to live. It exemplifies our culture, which is the embodiment of life, mind, soul, and utmost respect for all living beings and things in our environment. We owe our very existence to ‘Tlingit Aanee’, and all that it provides. Culture is not simply song and dance, a quaint assumption. It is really a working relationship of people with the land and sea around us. There is a natural law that we must observe: and there is a natural power that is greater than ours. Our culture, our heritage, is built upon respect for each other, and every other living thing. We draw our identity, as a people, from our relationship to the land, sea, and its resources; it is a spiritual and sacred relationship (Johnson 2002).

The signifiers “fish restoration” or “salmon restoration” project carry with them meanings associated with present circumstances but also meanings associated with older Tlingit values, outlined in the above description of “Tlingit Aanee.” In the transcript example, the signifier “restoration” is associated verbally with signifiers such as wild fish as opposed to hatchery fish, grassroots community, traditional and local knowledge, jobs, and the natural environment. Throughout conception stages of the project, which occurred over several months, people often used emotion words and words about caring for people and the environment to describe what they were doing and why. Body language and tone of voice were indicators of strong emotions and feelings. The ideologies behind the project were reinforced through USFS support and Bureau of Indian Affairs funding. People organizing the project within the school district and the Organized Village of Kake talked about “fish restoration” in celebratory tones. *Speaker Two:*

And I think just the dialogue between the tribes and ARED ... and I saw that it was always so positive, it's so proactive. It's everything a person could dream of wanting to happen, and then you get back to the bureaucracy. And that's where it's frustrating, and that's where we're hoping if we start meeting with the governor's staff, with the

commissioner, that we can get them to sit, you know just all of us sit down and discuss a possible solution for the future. Where we shouldn't have to go through this permitting process but be a part or utilize their knowledge, of course, their data, keep them in the loop, work together and make this just an all out holistic approach to salmon restoration. (2003 taped conversation)

Kake organizers of the restoration project talked about going through the memorandum of understanding process with the USFS and then, at USFS urging, applying for a permit from ADFG. Permit writers did the paper work, submitted it, and then rewrote it based on ADFG reviewers' comments. Everything seemed to be in place and those involved were ready to begin the project when a caprice occurred in the form of legal decision-making at the ADFG level. Speaker Two explained the situation.

And then about a week or so ago, actually a couple of weeks, when we were waiting to hear if it was approved ... because we were gonna start August first, you know, we get this e-mail back from one of the reviewers telling us that this isn't right, this isn't right, this isn't right. And we questioned the data (they asked for) that they should have it. In their files they probably do, but the frustrating part is we're ready to go into the falls now ... I mean, with everything and it's already kind of stressful, but you're under this time crunch because you can't tell fish to wait a week. [laughs] Don't show up until the twenty-second. Don't you spawn before I say ... you know. [laughs]. So it's those types of things. And see that's my point with them. If they saw that application, knew we wanted to start on the first, they shouldn't have sent us their rejection a week after, whatever it was, it was a week after the day we wanted to start, and tell us what we needed. They could have sent that to us in July, or whatever, and that would have given us the time to get it back, and it would have been done and in place. (2003 taped conversation)

The level of stress, anxiety, and indignation that people expressed was high. New ADFG criticisms came "at the last minute"; people had to work quickly to meet ADFG demands for data. Some individuals in Kake expressed suspicion that the timing was

purposeful, and a few narratives were shared about possible deceitfulness on the part of a few ADFG administrative representatives involved in the application and review process. Someone said they called some of the ADFG reviewers who were listed as people who disapproved of the permit. At least two of the listed people said they knew nothing about the permit or the project.

At a certain level, by questioning the application data, ADFG reviewers were challenging the application writers' system of representation, their scientific explanations, and their social paradigms that are connected with how things are done in Kake and why. ADFG was also challenging local discourses, the way things are explained locally. Since ADFG representatives seemed to be obstructing the project, people feared that ADFG decision-makers were questioning the integrity of the project itself.

Kake people, who when talking connected the project with environmental stewardship and grassroots community ideologies, had to go through a rearticulation of the project and the new circumstances in order to come to terms with the ideological rupture. The ADFG-initiated caprice (source of rupture) had somewhat dislocated the project from people's ideologies about how the world should operate. A means of rearticulation and "repairing the rupture", in Kake, was to challenge discursively what ADFG claimed were lacking, even as the tribal and school representatives worked to comply with what ADFG permit reviewer(s) demanded.

The discursive exchanges focused on key empty signifiers (words and concepts). In review, empty signifiers are words or symbols that suggest or infer what is "lacking" in a political situation. In this example, ADFG permit reviewers claimed that *data* was lacking. *Data* was an empty signifier or identified void. As with any empty signifier, the concept of *data* is connected in people's minds with past meanings and experiences. These become linked with the new political context. This linking of older meanings with a new political context, influences people's understanding and feelings that are associated

with the signifier, in this case *data*. In power relations, people compete to promote empty signifiers, to define what those signifiers imply is missing, and to advance what are always political solutions to filling the implied lack. In Kake, several people articulated their competition with ADFG over the definition of *data*, requirements for who should gather it, and the inadequacies of ADFG *data* collection. Because ADFG employees identified *data* as missing, the concept of *data* became political. As Kake people worked to rearticulate their ideologies in response to permit requirements, they had to discuss and rethink the concept of *data* in the context of ADFG actions and power. Their experiences, feelings and perceptions associated with *data* were either changed or re-enforced.

In review of Laclau's theory of dislocation in association with discourse, when a caprice occurs that challenges ideological beliefs and boundaries, people tend to work in dialectic relationship with their former ideological beliefs and that which dislocates them. They do this by using signifiers that were part of their older ideological explanations and connecting them with descriptions of and solutions to the dislocation (Stavrakakis 2000:102). Signifiers are the reference points people use as they negotiate how to repair an ideological rupture caused by a crisis.

From its inception, the fish restoration project was connected with signifiers such as *traditional and local knowledge, grassroots community work, local jobs, children and education, new technology, wild fish, natural environment, Tlingit values, culture, and respect for life*. When Kake people rearticulated, to each other, the circumstances originating with ADFG and the permitting process, they evaluated ADFG decision-making behavior by incorporating the signifiers that had come to be associated with the restoration project. Restoration project ideological signifiers included descriptions of Kake-based knowledge or data. Kake *data* was discussed in terms of *knowing from the experience of living in the environment* and *of hearing from Elders and others* about the way things used to be compared to now and why. Local *data* was signified in terms of *traditional knowledge*.

As part of the political “competition” with ADFG to fill what was “missing” (*data*), local discourses compared ADFG knowledge types with Kake knowledge. Much of Kake knowledge was acquired through decades of sharing stories and information with Elders and others about the environment. In contrast, ADFG knowledge was described locally with signifiers such as *disconnect* (meaning disconnect between local knowledge and formal education knowledge). ADFG *data* was described with signifiers such as *mindset* (the scientific mindset separated things out to study them rather than understanding through the “holistic” traditional knowledge system). ADFG *data* was associated with the word *fear* (ADFG’s perceived lack of respect for local knowledge was described as fear that local people might know more than biologists, and that ADFG representatives might fear for their jobs). Government agency *data* was linked with *pulling the wool over the eyes of people* (scientists using words that are not part of local language as a method to fool people). *Data* was connected with being an *idiot* (applying research done elsewhere to Kake). Agency *data* was associated with mistakes and inaccuracy (because many fieldworkers and biologists fail to communicate or ask for local knowledge and spend too little time in Kake to get accurate information).

The discourse in the transcript example demonstrated a dialectic relationship with local value constructions about the fish restoration project and that which dislocated those constructions, ADFG *data* requirements. For months people had been using signifiers that associated the fish restoration project with ideologies about people’s respectful relationship with the land and sea. When the project permit was temporarily denied, the same or similar signifiers were used to describe the integrity of local knowledge. Local knowledge was compared with ADFG’s competing definition of knowledge as *data* that is primarily written and documented. By identifying the challengers (ADFG representatives) as lacking in local knowledge, and by discursively maintaining the integrity of local ideological priorities, the conversants helped each other repair the rupture.

At the same time that antagonisms were reconstructed as part of a critique of ADFG decision-makers, conversations became a means of reducing antagonisms locally. This is because when antagonisms occur between local entities and non-local entities, people in Kake (and most communities) often attempt to find things in common; they weaken their own differences in order to communicate with each other about the conflict and in order to oppose (as a group) others who are in conflict with them. In this case, reducing local antagonisms through discourses that were opposed to ADFG behavior was easily achieved because of narratives about past experiences with ADFG. More importantly, fish restoration goals tied older Tlingit values about the environment with new, minimally-invasive technology. The project involved children, Elders, the school district, the tribe, the fish hatchery staff, and other members of the community. In essence, it was mostly a nonthreatening project, from a local perspective, and thus a means to include several village interest groups in conversations that relocated environmental discourses as part of local empowerment.

The question most relevant to this study is whether or not the experience of having to rewrite the application, based on ADFG data requirements and definitions, changed local discourses, narratives, and perceptions about the environment. What knowledge did people gain about how to accommodate ADFG data requirements, and how will they use their new knowledge in the future?

A single experience with ADFG might have minimal language-changing power, but several experiences over time are likely to influence local discourse.

Language/thinking transformations are liable to occur if local people prioritize documented, written data over local knowledge in order to avoid the stress that occurs when applications are denied or delayed. When pain is reduced because people practice orthopraxy (writing and speaking *as if* they share ADFG agency representative beliefs about how things should be done), a subculture is likely to develop within which people express alternative feelings about ADFG requirements. Change in thinking occurs

because a different discourse is cultivated, or what Scott (1990:85) called a “hidden transcript.” Practicing orthopraxy also necessitates a second type of code-switch or change in “thinking” because permit applications, and what they must contain for approval, are imbued in particular ideology. Local permit writers must anticipate ADFG expectations to avoid rejection.

Thinking, Mead(1936) said, is the process of conversation with one’s self when we take on the attitude of the other in order to respond to her or him. In order to talk to other people, if we want them to understand, we work to reply with words and gestures that they will relate to, in other words, within their language forms and meanings. When we are communicating with others, we are communicating to ourselves as well, and we are influenced by our participation in the experience of what we believe to be other people’s language forms and meanings. Even if permit application writers consciously “think” about the application process as a disconnect from local knowledge forms, and even if they include both local and formal scientific and legal types of knowledge, they have had conversations in their own minds about how to communicate in ADFG language codes. To include feeling language, ideological language and local, traditional knowledge in applications or “official” documents indicates determination to communicate local knowledge and ideology, but it is also risky. “Official” permit application gatekeepers may fail to understand the significance of including local discourse forms or they may find it administratively problematic.

Whether or not change of mind through orthopraxy or empathetic thinking influences positive or negative socialization of respect and moral responsibility for place and people is another question. According to my interviews and discussions, most people in Kake see state-based ideologies as fixated on resource extraction and profit, or they are ambivalent about government agency purposes. Some see that state fixation on resource extraction as positive or inevitable while others see it as negative and destructive.

One example of rethinking in order to communicate with others is the following official description of goals from ARED's website, <http://www.ared.net/>. The site uses words such as sustainable, community, collaboration and stewardship, but it conveys only a little of the passion expressed in day-to-day conversations in Kake about the project or ARED's mission.

Alaska Resource and Economic Development Inc. develops initiatives that advance healthy, sustainable community development. An emphasis is placed on finding consensus within the social fabric of communities and regions, while encouraging an advance in the understanding and approach to proactive stewardship of our natural environment.

ARED's Salmon Restoration Initiative facilitates strategies for assisting in restoration of wild salmon. We have developed an effective methodology and supporting technologies for these restorative efforts. Nature provides "extra" eggs to compensate for early stages of high mortality in the life-cycle of the salmon. Wild salmon runs can be enhanced by enabling survival of a greater number of these eggs from salmon returning from the ocean to spawn. In times of decreased survival and threatened sustainability, we can assist the salmon by helping increase survival of those available eggs while preserving the integrity of the salmon's complete life-cycle. This is accomplished by intercepting the adult salmon as they are returning to their natal watersheds to spawn. We collect and fertilize the eggs and protect them during the most delicate stages of their early development through the use of our Portable Moist Air Incubation System. This provides high survival rates with no chemical use. When the eggs reach a stage of resiliency they are planted into their stream of origin (before they hatch) using our egg planting technology. This technology has been successfully employed in Alaska to reintroduce and restore wild salmon to their natural river systems. By utilizing those extra eggs that nature provides, we increase the yield of emerging wild salmon from their natural spawning grounds. The salmon hatch in their natural environment and continue their life-cycle. Using the natural fecundity of wild salmon and supporting their natural processes, we maintain attentiveness to their complex ecosystem and genetic patterns of behavior. This

initiative researches, compiles and develops methodologies and technologies to support community-based stewardship efforts. We blend this approach with current disciplines in partnership with resource managers to promote sustainable wild salmon runs in our rivers and oceans.

ARED has successfully demonstrated a model of community participation by including high school students and local community members actively engaged in all aspects of artificial recruitment.

This project is based on the following sequence of operations for enhancing survival and rejuvenating spawning beds:

1. Collaborate with resource management agencies
2. Identify carrying capacity and current baseline conditions including nutrient levels
3. Presence or absence of other listed species both abundance and distribution
4. Habitat evaluation/site selection
5. Brood stock capture of wild salmon
6. Egg take/fertilization/sterilization (during water hardening)
7. Incubation of eggs to the “eyed stage” of development (Portable Mist Incubation, Patent Pending)
8. Otolith marking salmon for assessment
9. Planting eyed eggs in their stream of origin (Egg Planter)
10. Nutrient supplementation (where and when appropriate)
11. Assessment of operations, monitoring egg-to-fry survival, out-migrant smolts
12. Collaboration effort (through all phases of planning and operations)

Having spent time with a least one of the writers of this website, and hearing how he described his efforts in day-to-day language, I can conclude that code-selecting for the website language leaves out many of the feelings, emotions, and “talking from the heart” speeches that motivated ARED’s founders to keep trying, despite initial ADFG and other government agency discouragement. The passion becomes a “hidden transcript” and lost

information for people who read the website but never speak to its writer(s). The same is likely true of Smith and Esposito (2002) cited in chapter VII.

Discursive fields influence thinking, such as ADFG permit application expectations, and anticipating others' expectations of professionalism while packaging one's self on a website page. Discursive fields influence thinking, but they cannot determine the exact direction of that thinking. Each person who works with application guidelines, for example, will choose thinking directions in and by the act of communication. Parole is the ephemeral individual's will, acts, statements, and utterances in language events. Parole is the act of speech, which according to Linguist Ferdinand de Saussure,

... is the product of the will and intelligence of the individual subject and never more unitary than the simple summation of all the idiosyncratic events in which it happens (Culler 1974:30, 38).

Yet the application itself sets up language frames, and influences the choices and directions that are possible in the "idiosyncratic events" within which people learn to respond. The ADFG reviewers have power to decide, within those frames, whether or not Kake explanations meet ADFG application guidelines and qualify them for a permit. Their interpretations are forever in flux. In Kake, people questioned ADFG reviewers' interpretations of permit application frames, demonstrating that frames and choices are never completely fixed, and discursive fields are always subjected to changes or "ruptures." These ruptures lead to the undermining/creation of old/new social antagonisms/hegemony in the disruption/establishment of new, partially-fixed meanings (Stembrouk 2007:25). If Kake people effectively challenge the discursive field of ADFG permit applications, then ADFG permit reviewers will have to rethink the application language in the context of ignoring or refuting challenges, or making changes.

The fish restoration circumstances, and the ways that local people explain them become part of local memory, as well as the memory of state agency personnel. The

processes that people experienced in dealing with the crisis, and the language, words and explanations people shared with each other, become part of a repertoire of narratives attached to ADFG and to Kake. They are narratives that were created and negotiated through the discursive process of connecting past and present ideological constructs (which vary even within groups and communities) with pressures that challenged or ruptured those ideologies.

The fish restoration case study is an example of how tension always exists between temporarily fixed meanings and the infinitude of ambivalence toward meanings and ideologies (Laclau and Mouffe 2001). The challenge in discourse analysis and the theory of dislocation is that there is no straightforward way to describe ever-changing, circulating narratives and power. As such, there is no fixed method for accomplishing analysis of texts, interviews and conversations. “The main challenge here seems to be how to reconcile the need to be explicit about methodology with a non-essentialist and non-positivist view on the production of knowledge” (Stembrouk 2007:25).

Discourse analyst Jonathan Potter (1996) wrote that working with discourse is more than a particular method. It is a perspective about social life that involves a range of theoretical assumptions. Because of the nature of discourse study and its lack of an all-encompassing method, Howarth (2000) proposed that analysts focus on Foucault’s genealogical method, that is to work at “dissolving” power/knowledge complexes. My interpretation of genealogical method for this study involves describing socio-political phenomena that people take for granted as “facts.” It also includes describing what people believed and took to be obvious as fact in the past, but which is now understood to be morally problematic.

To describe the obvious is a “radical critique” (Bourdieu 1991:174-184) because it emphasizes how conceptions of time, history, “capitalocentric” readings of the economy, and legal processes are simply social constructions, rather than essential truths. Foucault’s genealogy focused on “breaking history” and inserting “points of rupture” at

which “new beginnings” could be imagined (Fournier 2006:295). One way to “break history” is to examine it from other points of view. From a reflexive standpoint, much of Kake knowledge is new to me. Discourses around issues such as fish restoration are “points of rupture” for my own ideologies. Through rupture I can begin to identify what has been invisible to me in legal discourses that I take for granted about the environment. My own thinking and narrative explanations are changed.

CHAPTER IX

ROAD BUILDING AND COMMUNITY

There's a lot of good here in town. And we're really ... pushing the culture thing. Ruth [Demmert] does (a good job). People ... we're supposed to be the best dancers in Southeast. (2002 taped interview with Elder Tlingit man)

You know a long time ago I would say the values were a lot better than it is now. I think greed has come into the picture. What can I do for myself rather than the community. So "myself" is number one. And there's a few of us that have honest values, put it that way, that will stand up for what is right and not compromise. (2004 taped interview with Tlingit woman in her upper middle years)

In this chapter I describe definitions of community in the context of state efforts to change the dynamics of Southeast Alaska economies, transportation systems, and quality of life by building a highway to connect island towns and villages to each other and to the national highway system. I begin, in part one, with some theoretical definitions of community and reasons why definitions are important in considering issues of environmental sustainability. Second, I describe community in Kake as local people themselves define it. I detail some of the ways that people perform community in contexts of education, healing, conflict, power, and other everyday rituals that create local subjects who can help others to become local community members (Appadurai (1996:178-182). Third, in part two, I describe the Alaska Department of Transportation (ADOT) proposal to build a road connecting Kake with the rest of Southeast Alaska. Fourth, I show how community is defined in the DOT transportation plan, and fifth, I compare local and state definitions of community as part of road-building decisions.

Part I

Connecting islands by roads

Transportation is a crucial means for any state to exert itself in contested hegemony. The Alaska Department of Transportation's Southeast Alaska Transportation Plan (2004) is a clear exertion of state power over accessibility. Currently, most island villages can be reached only by plane or boat, but the plan proposes to build and connect several hundred miles of Alaska panhandle islands by roads, small ferries, and eventually bridges. Tourist trade and better access to federal transportation funds are some of the major reasons given for replacing Alaska State ferry transportation.

During my fieldwork experience, I noted in radio accounts and newspaper stories that many Southeast Alaska residents in several communities expressed opposition to the plan. People were concerned that roads would change the quality of life in their villages, a quality of life that most said they preferred. In the 2004 approved plan, efficiency, time, and money take precedence over concerns about change. As such, state decisions about accessibility are strong expressions of power, especially considering that, to date, villages such as Kake have had more control than most United States communities over who enters or stays within their boundaries. The transportation plan would connect Kake to Petersburg via roads, and both communities to the rest of the nation's road systems, a proposition that Kake people voted two-to-one against in late 2003. Maps from the DOT plan are included at the end of chapter 9.

When public roads are built, people who plan, construct, and use those roadways change the dynamics of power in communities. Access via public roads is governed more by federal or state laws than local social expectations and conditions. Tlingits have long understood the importance of limiting accessibility to resource areas to maintain environmental integrity and sustainable livelihood. Their legal system insured that clans alone had jurisdiction over resources in their territories.

If anyone beside the clansmen or those invited were caught taking fish from clan territories, or if they were caught hunting there, they could be killed. This was also true if anyone trespassed on clan domain or used their trade routes. Sometimes when a powerful party came to fish on another clan's territory, the owning clan would invite the transgressors to a feast, treat them well, and give them presents. This they did to shame the aggressors, who generally withdrew after such treatment (Oberg 1973:149-150).

Tlingit laws were part of a resource management system that, as it appears, worked well for many hundreds and probably thousands of years, as documented by cultural anthropologists such as Hunn et al. (2002:19-51) and Thornton (1995), and archaeologists such as Ackerman, Hamilton, and Stuckenrath (1979), Langdon (2000), Moss, Erlandson, and Stuckenrath (1989), Moss (2004, and 2007), Newton and Moss (1984 and 2005). In the 21st century, local control of access, with support and help from the state, is one social priority that several researches have identified as essential to sustainable livelihood practices.

To better understand the social dynamics of access control to sustainable livelihood, cross-disciplinary efforts are increasing to examine the sociocultural conditions within groups, such as the Tlingit, who depend(ed) upon natural resources and manage(d) them successfully. Becker and Ostrom (1995) summarized many common local management features that researchers found in examples of long lasting, self-governing groups, whose livelihood practices did not devastate their resources. They called attention to the necessity of clear boundaries and memberships, congruent rules (rules that fit the local situation), collective-choice arenas, monitoring, graduated sanctions (in the Tlingit case a few graduated sanctions included shame or killing), recognized rights to organize, and nested legal or decision-making units (the clans, in the Tlingit case, made broad decisions and the house groups made everyday decisions).

Anderson (1996), Becker and Ostrom (1995), and others observed that good resource management is more likely if it is vested in the hands of small user groups that are relatively stable and more or less mutually trusting. Effective “nesting” of power in the twenty-first century occurs when small user groups are supported, protected, and monitored to a limited degree, by state (national and sub-national) government. Officials in a system that supports local sustainable livelihood need to be interested in assisting and empowering user group efforts to make a living while sustaining environmental integrity.

Long-term investment and commitment among user groups to a human community and the whole environment are important components that the state would need to recognize and support if and when sustainable livelihood becomes a goal. Many Northwest Coast Native systems, including the Tlingit social system, integrated clear boundaries and membership, and management rules that made sense in their natural environment (Weinstein 2000:375-380). Tlingit laws and social practices included monitoring the environment, graduated punishments for infraction of rules, recognized rights for clan and house group order, and nested organizations. People understood the laws and enforced them, often fiercely, to keep the system sound. As Hunn et al. (2003:S83) pointed out, “The Huna Tlingit have occupied their traditional territory for millennia, with no evidence that they have degraded it” (which is not to claim they had no impact on their environment: see Hunn et al. 2002:19-51).

In many ways people in Kake still work to protect accessibility to resources and their community. Now they do so politically through the tribe, the city, and sometimes even the corporation. As Thornton (2003) suggested, commitment to family, house group, clan and moiety remain important components of Tlingit society in the twenty-first century. In Kake, people are careful about who they accept whole-heartedly into their community. One non-Tlingit man, who has lived in Kake for more than 25 years, said it took him awhile to figure out why people would scowl at newcomers to town. He said, “This community, by scowling [at newcomers], that would be their way of

understanding if the newcomer was a friend or foe, because the survival of the community depended upon knowing whether someone was a friend or not. They could feel it logically and intuitively.”

Another way that people work to practice accessibility to places is to maintain ties to clan and family by working hard to hunt, fish, and pick berries in places where their parents and grandparents did the same. Their efforts help them keep their relationship with long-held clan and house group resource areas.

Access to historical and current fishing, hunting, and gathering sites will be opened up to more non-Kake people if roads are built. The Southeastern Alaska Transportation Plan (SATP) calls upon the United States Forest Service to build more roads to connect existing sections of logging roads on Kupreanof Island. If the federal government follows through with the state’s plan, then Kake, on Kupreanof Island, will be joined with Petersburg, on Mitkof Island, at first with a small ferry and eventually with a bridge. Accessibility through roads will cause repercussions that remained unaddressed in the 2004 Department of Transportation (DOT) plans and documents. While SATP writers described how social and environmental concerns will be attended to in upcoming environmental assessment procedures, the initial frames for discussion were already established in SATP documents, including criteria for defining community.

What is community? Why is it important to consider how community is defined in state projects? Anderson (1996:151) writes that particular kinds of communities—groups of people who interact with each other, depend on and feel deeply involved with an environment and the use of a resource—are the critical variable in resource and environmental conservation. For Boswell, sustained economic performance is unobtainable without a community renaissance. Sustained economy within an ecological system requires “full practical and ethical sense only in and with as well as for community ... economic health and a community renaissance are inseparable. Of the two it is a community renaissance that would come first” (1990:201). Relatedly, Robert

Bellah et al. wrote that it is through community solidarity that humans can deal with threats and take advantage of opportunities. “Much of what has been happening in our society has been undermining our sense of community at every level. We are facing trends that threaten our basic sense of solidarity with others ... Yet this sense of connection, shared fate, mutual responsibility, and community is more critical now than ever” (Bellah et al. 1996:xxx). Anderson is concerned that world economic growth and internationalization are increasing pressures on local systems so that mutual responsibility breaks down and self interest takes its place (Anderson 1996:154). He showed that when many traditional peoples worked through issues of sharing and managing common resources and environments, there existed “a general ethic of mutual responsibility” within a community. Community solidarity was evident in shared values, frequent interaction, and the practice of working together for a common cause. Community, but more specifically community solidarity, is directly relevant to conservation (Anderson 1996:151).

While many theorists agree that community is an essential component of “moral” environmental behaviors, there exist varying definitions of community itself. Hannerz (1992) points out the trend to label the whole world a global community and a common humanity. As such, the whole world is seen as a single ecosystem and a common resource. Problematically, if all people on the earth are part of a single community, then all have equal access to the earth’s resources, and conversely, should be responsible for all of the earth. “As a result of this global outlook (Gott 1992), environmental problems seem to be impossibly complex and difficult to resolve” (Milton 1996:179). People feel a combined sense of helplessness rather than solidarity. I would add that a global outlook can result in a sense that the world’s resources belong to whoever can get them, but the resulting responsibility for environmental degradation is often left to local communities to live with and try to resolve.

Mayo (2000) points out that community might be a shared place or shared geography. It might be a group of people with shared interests, conditions, problems, or values, but mostly community is about “shared meanings” (Lash 1994). Meanings are socially constructed, and meaning is often based on common struggles (Mayo 2000:45). I am partial to Anderson’s definition of the type of “local” community that has the capacity to manage common resources. This type of community consists of people in relationship with and deeply involved with their human and non-human environment. Community members are in a position to negotiate with each other to decide management purposes, to understand pressures on the environment, and to organize to deal with those pressures. They maintain social solidarity through ethics, norms, values, morals, spirituality, specific laws and an enforcement structure (Anderson 1996:151).

Tlingit peoples, before westernization, lived in communities whose values and laws promoted environmental sustainability. Keex’ Kwaan peoples had a sense of solidarity when it came to shared social meanings. Even when conflicts meant that groups split to form new clan groups, people knew the law of the land and the expected social protocol. According to local memories, clan and house-group solidarity was integral in passing on to young people the knowledge that inspired emotional attachment to the human and non-human environment. Such knowledge, through experiences and narratives, connected human relations with environmental integrity and with social morality.

The advantages of allowing communities, if they are deeply connected with their places and each other, to be caretakers and decision-makers concerning environment include the following. Communities socialize their own members, foster emotional support for other people and for environment, have a common history of memories about place and people, are directly concerned about children and grandchildren who will use the environment in the future, are attached to place and environment, need solidarity, and have the emotional and cultural resources to create it (Anderson 1996:152, 153). I

suggest that to create long-term holistic projects and regulatory solutions, government projects, plans, and law-making enlarge in scope to include detailed conversations about attachment to place and people as part of the “essence” of a community.

Elements of community in Kake that are “uncounted” (see appendix J)

So much of Kake’s strength comes from the community-making rituals over which its people have the greatest power: the mortuary events; Culture Camp; Circle Peacemaking; celebrating veterans; the youth center; teaching children about their clan and family relationships and the Tlingit language; and almost everything that goes on in the community center. In Wise Women, women come together for health education and exercise. In other venues people participate in workshops for hands-on learning about local medicine, weaving, beading, carving, dancing, singing, drumming and other older and newer Tlingit knowledge. Most of the community either watches or participates in basketball, and many people go to Juneau for the regional competitions. Visitors from outside come to the yearly summer Dog Salmon Festival, apparently abandoned by the tribal corporation and recently adopted by the tribe, the city, and the community at large.

Even in light of philosophical differences, grudges, and local anxieties, some events in Kake almost always bring the whole community together. These events are a strong part of Kake community-building rituals because they are some of the ways that people perform solidarity. Some sense of common ground or solidarity is the means by which communities are empowered to create their own solutions. Solidarity is rarely easy, and preparations for mortuary dinners, for example, are fraught with leadership pressures and distribution of work negotiation and tension. Community performance rituals are often sources of conflict, or places where conflict is dealt with. Funeral dinners are events practiced over and over that educate people to be local subjects who share certain commonalities. It is the community performance rituals at the heart of human relationships that are most likely left out of state decision making discourses about road

building, resource extraction, and property. Here I include a description of a few powerful community practices. I begin with a discussion of mortuary expectations.

The fall, winter and spring of 2003-2004 were difficult months in Kake. At least one dozen people died. Some were Elders, some were ill, and some were part of an accident on the water which took three young lives. By spring, people were tired and exhausted. One young woman talked in March 2004 about how grateful she was that the Salvation Army Congress was coming to Kake to bring a sense of hope and relief. She talked about the winter.

It was draining. Really draining. I'm still kind of ... I still feel like the community is kind of numb. I'm really happy Congress is going to be here. It's going to be a time to ... it's almost as if that's the way it was supposed to be. So I'm looking forward to it. Some of the services. I've never been to one before. My grandpa and grandma grew up in the Salvation Army and they always went to Congress. And I don't know exactly what goes on in one. So it will be interesting to see what their agendas are ... and going up to sing in the evening. (2004 taped interview)

Just as with funeral dinners, when the Salvation Army Congress came to town different family/clan groups hosted the dinners for the town and the visitors. They did so even if they rarely attended church. Salvation Army Congress is a meeting of Southeast Alaska Salvation Army church leaders and representatives. It includes services, speeches, singing, and re-affirming church goals and visions. One clan leader, whose family was hosting the dinner one night, said that many Kake people were not attending the congress because of past hurts. Some felt they were not invited. Yet many still opened their houses to visitors and helped prepare and serve food. He told me this as we sat on the bleachers listening to speakers formally thank the family group that had prepared dinner.

People also help out when someone dies in Kake. If a Raven passes away, for example, the opposite moiety, the Eagles, help the family grieve, prepare the funeral

arrangements, prepare the mortuary dinner and arrangements and assist in raising funds. Forty days later, the family provides a send-off dinner for their relative and a thank you dinner. In another year, the Ravens will likely give a pay-back dinner to formally thank the Eagles, distribute gifts, and to honor the deceased. The same cycle is brought to fruition if an Eagle passes away. The Ravens and Eagles help by staying with the deceased until he/she is buried. They help with the funeral services, traveling by boat to Grave Island for the burials. The mortuary events include most of the community in some way. All are invited, although not everyone comes. There is cooking to be done, setting up the community hall, speeches to prepare, funds to be raised, and all of the work of grieving. Later people pitch in to make or find gifts for the pay-back dinner. Older protocol is practiced and performed to varying degrees, but throughout the mortuary year people have responsibilities as family, clan, and moiety members. As one man told me, during the mortuary cycle, people in his clan family are expected to help and work with others that they may be in conflict with. People may have to sit across the same table from relatives they are having problems with. They must at least look at each other and practice some level of respect. As a result, funeral dinners, 40-day dinners, and pay-back dinners can initiate healing and amends, he said.

In the winter of 2003-2004, people focused a great deal of their time, without reprieve, on mortuary dinners and grieving. In the spring, at the same time that people from all over Southeast Alaska prepared to gather in Kake for the Salvation Army Congress, Kake Tribal Corporation shut its fishing and logging operations, shut down the electricity to its office buildings, and shut its doors. It was the death of an era begun by ANCSA, but people seemed to talk very little about the closing of their corporation.

Fieldworker: Since I've been here, and Kake Tribal shut down, people don't seem to be surprised. They aren't saying much about it.

Young woman: Some of it is that they knew it was going to happen, the way things were going. It's a bad situation. (2004 written fieldnotes)

Local people not only spent the winter saying goodbye to people who passed away, they spent the spring and summer saying goodbye to family and friends forced to move to look for jobs.

In the winter, as Kake people listened to and gave funeral dinner speeches, they were revisiting the history of their community. They told personal stories about the people who had died and the stories of the clans to which the deceased belong. In their homes they were revisiting Kake's corporate and ANCSA history. It was a winter to intensify the process of re-thinking Kake as a place and people. Re-thinking a community and its economy takes a great deal of time and anxious energy. The process is fraught with politics and competitive needs and ideas

Losses through death and losses of jobs influence ideology. Explanations of how the world works must be revisited and revised in the context of crises. Some rituals, such as mortuary responsibilities and practices, assist people to work in dialectic relationship with their former ideological beliefs and that which dislocates them. Mortuary dinners are about community producing ritual and ritual producing community. As Appadurai (1997) pointed out, community rituals socialize time and space. In community rituals, such as mortuary practices that involve most of the community, a "sitedness of belonging" is re-enacted. Such community practices, Abramson (2000:8-11) noted, are essential to mending dislocations or fractures "that would disconnect the thread connecting land, inner ancestry and externalized descendants." From a holistic view of human relationships with land, the connection "has to remain unbroken if the collectivity is to prosper" (Abramson 2000:8-11). Mortuary responsibilities and practices help educate and re-educate people as subjects of their communities/environment, as family members and as Tlingit and other Kake people. They anchor belonging and make belonging tangible through social practice.

Culture camp

Another practice that socializes time and space is Culture Camp, a yearly project organized and sponsored by the Organized Village of Kake. It involves Elders, children, teens, people who come from Hoonah and other Tlingit communities, teachers, health care providers, singers, dancers, and others.

On July 13, 2002, the first morning of Culture Camp, I woke up in a tent with several young campers to the sound of soft drumming, rattling, and singing. As time passed, the drumming and singing got a little louder and a little more persistent. Some of us slipped out of our sleeping bags and joined the camp leader at the fire, and he began to sing a Kake song that people might have sung when coming in their boats to a potlatch. The camp leader explained that such songs could be heard a long way over the water. In essence the song meant, “We hear you are having a potlatch. We’ve come in peace.”

The night before, the leader sent us to bed with a story that was passed on from many years ago. It was about a boy who was playing on the beach and caught some baby salmon in a horseshoe crab shell. His behavior toward the salmon and his lack of respect for his parents’ instructions about how to treat little animals resulted in tragedy.

Toiling together to set up camp and hearing Tlingit narrative and song was the beginning to a week full of work, play, and learning. Every morning we (more than 40 of us) spent at least an hour before breakfast cutting fish to smoke, cleaning crabs, braiding seal intestines and preparing seal meat and seal oil, gathering and cleaning gumboots, and taking care of whatever food the fishers and hunters in the village brought to camp. At all hours of the day the campers might spot a skiff getting closer to shore and go out to meet it, bringing back with them halibut or salmon or crab. After lunch the kids who were too young to camp overnight came for fun, to learn about water safety, and to make things out of plants and shells. We made beads out of devil’s club and tea out of leaves from a muskeg plant, *Ledum palustre*, or Labrador tea. We made rope out of cedar bark, fireweed honey out of fireweed flowers and clover. We learned Tlingit words and

grammar. We settled in at night around the camp fire to hear Tlingit songs sung by groups from Hoonah and Kake. We listened, with shivers going up our spines, to the cries of dancers who had become, in the dances, their clan animals, and we heard more teaching stories. We heard the older visitors and parents talk together in groups about putting up fish, their children and grandchildren, and stories about past encounters with animals and places. Down the beach many campers and some adults learned about respect, contemplation, and sharing in the womb of a sweat lodge.

All of the fish we were boiling, smoking, and canning and all of the jam we were making was set aside for the last day of camp when people from town would come and share what the campers had prepared for them. Some of the canned food was set aside to give to Elders in the village to teach sharing and respect.

One organizer said this about Culture Camp:

That's one reason for culture camp, to teach the kids about who they are and about this place and to take pride in who they are. This coming generation is trying to bring it back and the older ones are teaching it, but the older ones are dying faster than the younger ones can bring it back.

They [the young people] don't know what it was like here in the 1950s. The camp teaches them how to survive if they have to. Few people now have to spend a night in the woods, but if they did because they broke down or something, then they would know how. Some people would rather live the way they are living now, and not worry about the old ways. [The way people are living now is] to be concerned about having more and more. Some people think that Kake people have very little, but I feel we have enough here. (2002 taped interview with Tlingit woman in her middle years)

Two people in conversation talked about the camp as a way to help young people practice local knowledge:

Speaker One: You know there's always a point where you may have to accept and adapt to certain things and whatever it is .. [changes caused by non-Native influences].

Speaker Two: But you're still not going to give in.

Speaker One: You're still not going to get rid of us.

[They both laugh]

Speaker One: We'll be there. And we'll still have things to say, values that we have, or at least I hope.

Speaker Two: Yeah. Our .. probably one of my primary missions is to pass it down to the next generation.

Speaker One: Mmhmm.

Speaker Two: I think yeah (that it's happening). It's definitely, like we were talking about earlier, it's more of a challenge when you have to be more vigilant because of the distractions.

Speaker One: And that culture camp, you know, that's a good ... If nothing else, they'll always remember, ... they sponsored culture camp where children had an opportunity to go out there and be a part of the gathering and, who knows, twenty years from now, it will be more of a [given knowledge] in kids, because like I said, I see where electronics will [have a bigger influence] on a child than going out with fishing or hunting, or something like that. As long as we continue to have those youth related activities and community involvement ... (2003 taped conversation between Speaker One, a young Tlingit woman, and Speaker Two, a man in his middle years who was raised non-Tlingit)

Culture Camp has been part of Kake life for more than 20 years. Its beginnings were part of the local effort to begin healing the community through revitalizing Tlingit values after the difficult 1970s and 1980s and the social turmoil caused partly by ANCSA-initiated changes.

Two people who experienced the 1980s talked together and to the fieldworker about what happened. Speaker One is a Tlingit man who grew up in Kake. Speaker Two is a Native woman who grew up in one of the lower 48 states. Their conversation is included here because they tell about how local people instigated their own solutions to problems that were caused when Kake experienced economic and ideological changes that occurred too quickly and with too much intensity for adequate and healthy adjustment. Theirs is a story of local empowerment that included attention to emotion/feeling, personhood, and community involvement.

Segment 1

Speaker One: Just like that suicide epidemic hit for a while.

Fieldworker: Was that when people started to have more money?

Speaker Two: It's a combination. People were getting monies. The drugs and alcohol. It wasn't that much of it till then. It was here, but it wasn't .. I think a lot of old things got ... (Old values were broken. People did things they knew were hurtful and disrespectful) that people were just ashamed. And then families were ashamed and .. It was terrible.

Speaker One: I think it was some alcohol and drugs that gave them the courage to do it [suicide], but it was things that happened ..

Speaker Two: In the past, yeah. Not just to them, but their families. Some of them were multi generational.

Speaker Two: Six in one month ..

Fieldworker: Six suicides?

Speaker Two: In one month. It was like .. every few days we had a funeral. But then we got together again and (talked about giving them a quiet funeral). We started doing that and (it seemed to help). I think that if they make it [a funeral] too elaborate, people go, "this is the way I want to go, if I'm gonna go." They saw it was (the way the ministers did the funerals) and it got changed.

Speaker One: I think it was the ministers [talking about those who had passed], "They found peace now. They're in heaven. And they're happy."

Speaker Two: Yeah. Wrong message.

Segment 2

Speaker One: Because there's a lot of people here that don't like me just because I look within cultures. I'm ungodly to them. No. But really. Even said it to my face at a public meeting.

Fieldworker: At a public meeting?

Speaker One: This was way back when we first quit drinking in 87. We had a big public meeting at the community hall because in 87 in [the fall] the New Directions training came here, and that's a really good personal development training. It came here for three days, and some of us took it, and then the guy who [a man working in the building], is one of those Christians [evangelical], and they [the training leaders] were using sage¹¹ and he ... He didn't

¹¹ Using sage in rituals is not traditionally Tlingit, but as Native American groups work together, they often share their practices. I saw sage used several times in Kake in peacemaking circles and in the sweat lodge, which is also a new addition to Kake.

understand it, I guess. But he started spreading it around town what we were doing there, you know, was ungodly. Then there was two reporters sitting in there with us from the Anchorage Daily News. They were down here doing interviews, happened to get in on the workshop, but they conducted interviews with families of people who committed suicide. And that was the first time that was brought out. So they [people in town] associated that [reporters] with that workshop too. Like we were the ones exposing it. But it was those two reporters. So they went back to Anchorage, wrote this big, have you seen the article? You should read it. But it's of people in [Kake who committed suicide]. And it showed all of us that took the workshop on the front page. [Names the people] were hugging each other on the front page. ... Then all the articles about the suicides were in there. So, you know, they were mad, the people were mad. First time suicide was ever talked about .. They were really just confused too. They just put us together [the reporters and the people at the workshop]. And then there's some people who just like that kind of stuff and will run with it, you know. So that happens. Next thing you know we had a big public meeting, and the Christians were on one side and people who were against sobriety or quitting drinking or talking about suicide, you know they were just .. everybody had their say. Yelling. Crying. Preaching.

Fieldworker: Wow. And did it help?

Speaker Two: Oh yeah.

Speaker One: That was what helped Kake. It was like an intervention. Instead of on a person it was on the whole community. And that's the bad part of how it happened. Yeah.

Speaker One: It was an explosion.

Speaker Two: Cause it was simmering all these years and the [secretiveness], you know. Suicide, we can't talk about it. Alcohol and drug abuse. [Names someone at the Alaska Native Brotherhood meeting]... he went and talked about his family, what alcohol did to them, lost a nephew to it, and his family was mad at him.

Fieldworker: In public ... yeah.

Speaker Two: But it was known.

Speaker One: I think everyone knew it.

Speaker Two: It was known already but he just confirmed it. You know and [telling the truth] like that, confirms more or less (truths) that need to come out. To a lot of people, they took it wrong.

Speaker One: You just don't talk about those things.

Speaker Two: Yeah.

Speaker One: But it was brought up and just wheeew.

Speaker Two: It was exploding.

Speaker One: At the time we didn't think it was good, but afterwards, as I look back, right afterwards you could see the difference. And when I started getting to (understand) more about, you know, recovery ..

Speaker Two: Yeah

Speaker One: Then (I could see), hey that was intervention and .. It was a big bang. And things started getting better after that. Suicide went down. Cause it wasn't hidden anymore.

Speaker Two: Well we started getting together and we weren't called Healing Heart then [the group that organized from that situation is now called Healing Heart], more just concerned. There were about 20 of us that started. Got together and we were looking at different things. We invited all the churches, of course, all the Indian people in town, all (people) and just a certain few (would) keep showing up. It didn't seem like we were getting anywhere for a long time, but there were minor improvements, and all of the sudden [our efforts started helping and participation went] up. Then things started coming our way that we needed to do or learn about. And we jumped into doing it and without knowing why. And that's the way it's been going since. More positive things, that's the one thing we're saying to the whole town. We need to do more positive ... and the intervention of the suicides ... I was an EMT then. (When people talked about killing themselves they started sending people out.) A few words, we took it seriously. There was no more, "Ahhh that's drunk talk. They'll get over it." We were real serious about it. Eventually a few more people started coming. After awhile we started targeting the youth. Cause they're our future. The ones that had their ways set, had their ways set. Gonna be hard to .. there's a few that changed that's come around, but .. it's a struggle. But we're not paying them no mind anymore. A few words are said every now and then that comes up, but we just take it in stride and don't let it (cut) into us anymore. The pain we felt ... After awhile, wow, you'd never know that was the case, coming here now. People come here they feel .. they feel the goodness of Kake, of community. [Healing has stepped up for the whole community through efforts such as Healing Heart, Circle Peacemaking, restorative justice, the youth center, Culture Camp, celebrating veterans, Wise Women, learning Tlingit language and values etc.]

Fieldworker: I do.

Speaker One: Mmhmm

Speaker Two: They can feel the calm.

Speaker One: It's always been kind of friendly but ..

Speaker Two: Yeah

Speaker One: People have come around who were against it before but changed their minds. They found out that .. there are people that would care for them.

Speaker Two: Yeah. Because one way or another it's helped their family. Maybe started with one person in that whole family and then three or four. I've seen because .. I know a few times people come up .. they come in here every now and again and say thank you. I'll say, "Oh?" "For what you said to me a few years ago." "Oh." Then I have to think back to that day, "Oh, okay." And then it really helped them. Sometimes just a word or a just a hug or something that they were lacking at that time. And it helped them go on.

Speaker One: I think we could have started like on this .. the healing part a lot sooner too, but after that big meeting, people were afraid to .. afraid of that.

Speaker Two: It was a change. The beginning of the change.

Speaker One: Just a few of us continuing on. Yeah like most people thought it was because of our work and then being sober. We're more abnormal now then when we were drinking. When you're drinking you're normal then.

Part of locally-initiated change for dealing with the crises that cause ideological dislocation in the community, has been through the Healing Heart group that provides positive support for people needing help. The group's efforts help people rearticulate and rethink ideology in the context of social ruptures caused by change and crisis. The tribe has been instrumental in opening a youth center, a youth circle, and youth activities. Culture Camp, helping young people get scholarships for college, the Tlingit dancing group for younger and older people, and sweat lodges are all part of community rituals that socialize time and space. Celebration of veterans and sensitivity to keeping older people included and involved are part of the positive changes that many Kake people have initiated. Schools and some churches assist in affirmation and re-articulation of positive older values, including respect for the "inclusive environment." One powerful source of change is Circle Peacemaking.

Circle Peacemaking

Circle Peacemaking is a new form of restorative justice in Kake. It is another example of local people empowering themselves in ways that take into account emotion/feeling, personhood, and community involvement. Those who started the circle method of restorative justice did so without the permission of the state legal system. If they had asked the state for permission, the local magistrate said, the circle would never have happened.

People, especially youth, who have committed misdemeanors, have the choice of going through the circle or the formal Alaska state justice system. The city magistrate in Kake supports the circle process, he says, because for a long time he felt helpless to prevent young people from coming through his court door as repeat offenders. He said, “The justice system as we know it doesn’t work because it’s adversarial. It really doesn’t involve the victim. The state becomes the prosecutor and the state is the victim. It doesn’t resolve problems; it just adds to problems in the village.”

In the circle, any victims and their families, offenders and their families, members of the community, judges, police officers and other people involved in a criminal case meet each other in a circle. When they sit in the circle, they ideally shed their roles and become equals. Within the boundaries of ritualized communications, participants enter into frank and emotional support of the victim. They may spend three to ten hours doing what they call “talking from the heart,” helping the victim to avoid blaming himself or herself, and assisting the offender in understanding the result of his or her actions. The circle’s work includes encouraging the offender and victim to begin the work of forgiveness, and setting out a plan for the offender to make amends and retribution, and to change his or her life. As part of the circle sentencing, the offender may be required to spend time helping out an Elder in the community, someone who once caused others hurt and learned how to change, or someone who is willing to teach Tlingit values.

Those who participate in the circle, work within a philosophy that justice can be transformative, not only for individuals, but within a whole community. For the past eight years Kake tribal members and other residents have experimented with how to create a circle process that resonates with the complexities of Kake culture, including people connected with Tlingit tradition and people who have joined fundamentalist churches and avoid association with older Tlingit practices. Despite some fear among conservative church members of the circle's traditional leanings, Circle Peacemaking in Kake has become a way of instilling, in many young people, pride in Tlingit heritage and culture. Circle members emphasize that Tlingit values are important as tools for healing self and community. Young people formed their own circle for helping each other to deal with family problems and other issues, and they have been invited all over southeast Alaska to teach other teens how to create circles. For many participants, connection of the circle with being Tlingit and with Tlingit values and traditions is one of the reasons for its success.

Folklorist Henry Glassie (Glassie 1995:395) wrote that "tradition is the creation of the future out of the past." Tradition is a continuous process connected with change, a conversion of the old into the new for usefulness in the future (Glassie 1995). In Kake, the innovative art of adapting older values and rituals into new circumstances - for the sake of a better future - is evident in Circle Peacemaking practices. According to local narrative, Keex' Kwaan people always practiced discussing and resolving issues in a circle of family or clan, or kwaan/village members around a fire or other setting. One community member said that Kake circle peacemaking "is a revival of something that has lain dormant in the community since people began to try to assimilate to main-stream western ways" (Reiger 2001:7).

Some people in Kake recall, when they were children, how their grandparents might sit in circles with others talking for hours. A few people talk about how the whole town used to gather together to talk about community problems. Again, as Glassie wrote,

tradition is a conversion of the old into the new for usefulness in the future. Re-remembering tradition for the sake of present circumstances does not invalidate it, but makes it useful. To Anthropologist Nadia Lovell (1998), we remember the things that have the power to legitimate the present. What matters is that collective memory is believed. Whether it was first introduced or re-introduced in the late 20th century, the circle became a part of Kake's justice system in 1999. Since then, circle peacemaking has expanded as a ritual for community healing, problem solving and celebration.

Awareness of the circle process was re-vitalized when the city magistrate, new to his position, attended conferences where Canadians, including Crown Judge Barry Stewart, described their implementation of Aboriginal self-government. Self-determination was augmented partly through creation of community justice practices rather than relying on western justice systems and courts. "They started talking about just what I learned from my grandfather and father," said Kake's magistrate during a presentation for visitors to Kake. "Before, my grandfather and other people would sit in circles around their houses or some other neutral place and would talk over issues that came up about offenses. When I heard Judge Barry Stewart talk, it brought back what I used to do with my father and grandfather ... what they did."

Kake was recognized in 2003 by the John F. Kennedy School of Government, Harvard University, for its Circle Peacemaking work. Part of the award included funding to teach the circle process to other Native American groups. I include a description of the circle in my dissertation because it was a growing part of Kake discourses and community performances when I was there, although some people in the community remained skeptical of its effectiveness. Some of the skeptics in 2003 had become part of the circle when I returned in 2004.

Interestingly and significantly, Tlingits in Carcross, Canada were at the forefront of creating a circle-sentencing model that included community consensus and involvement and would be effective in healing of victims and offenders and thus the

whole community. Canadian Carcross Tlingits taught Kake tribal members and others the basic philosophy and process. Now Kake Tlingits are teaching the process to other villages in Alaska and elsewhere with the help of Harvard's Kennedy School of Government, Honoring Nations program.

The narrative discourses people use to explain and perform the circle are important means to "repair" ideological ruptures caused by extreme change in the past several decades. The discourses combine older narratives with newer explanations of problems in communities and how to heal them. They also assist local people to explain the difference between the goals of projects and purposes such as DOT road building initiatives and local values anchored in community-building.

Within Carcross and Kake Tlingit narrative, circle peacemaking is described as being based on older indigenous values. The Kake magistrate wrote:

The underlying concept of using these traditional circle peace-making processes is based on what is referred to as a consensus approach. The contemporary justice systems tend to be based on an adversarial approach to justice. We do not advocate that one is better than the other but that one needs the other, and when applied in a good way, as determined by the community, it creates stronger and healthier communities.

In a 2004 workshop in Kake, Carcross Tlingit Harold Gatensby and Tagash clan member Mark Wedge, compared more traditional Tlingit and other indigenous justice with contemporary western justice. They said that laws and justice can be distinguished between Creator's Law or Woman's Law and Man's Law. Man's law is based on hierarchy. It includes punishment, power over others rather than shared power, property, money, persons becoming objects, judgment of the whole person for his or her infraction, fear, and belief in a world made up of winners and losers. "In man's law you are going to be punished. In man's law if you're rich, you win, and in man's law forgiveness is like a cuss word," said Gatensby.

Gatensby and Wedge teach that creator's law is based in the circle. Everybody lived in creator's law at one time. All tribes had circles, even European tribes. Circles are not new. They are old, inclusive, and belong to the universe. Circle members teach that in the past, the circle was about survival because a group or community could not survive if there were problems between its members. In the past, decisions were made about what is best for the community, and what is best for the community is that the people heal. The same is true today. The circle is still about survival and "creator's" law, which includes love, respect for all life, forgiveness, the knowledge that what goes around comes around, the knowledge that all things are connected, the importance of honor, giving and sharing, and prayer. At the Circle workshop Gatensby said,

In creator's law, if you tease people, you more than likely will become like what you are teasing. That's the law. If you're greedy, the law is that something will happen to you because of your greed. In man's law you can get away with things. Nobody gets away with creator's law. Man's law is written everywhere, like a blanket over everything. These laws can destroy your life. These laws make us think creator's law doesn't apply to us. (2004 taped speech)

Justice researchers and theorists, Albert Dzur and Susan Olson wrote that, in most communities, when the public participates in justice on a personal level, the community has a means to exercise its responsibility for its members. This is an improvement over suffering crime passively and being dependent upon the coercive power of the state for protection and order. Dzur and Olson (2004) wrote about the key virtues of public participation and dialogue in matters that are usually practiced by professionals at the state level. When people in a community participate personally in justice matters, they air their values, re-state them, and re-negotiate them. Community solidarity and common purpose comes from community performances of local people discussing their values. Regular opportunities for community-wide airing of values are missing from mainstream state procedures. When people participate more personally in justice and political

matters, they learn something about themselves, their values, and the reasons for other people's values and behaviors, according to Dzur and Olson.

The circle, culture camp, and mortuary practices are a few of the ways people in Kake have combined older narratives and knowledge with information and discourses from the 21st century to enhance local solidarity. These are examples of many crucial social processes that were absent from DOT descriptions of place and people in Kake.

Without attention to community-building performances and rituals, state agencies fail to name and recognize the very processes that are sources of community solidarity. In Kake, the processes described in this chapter contribute to socialization of moral environmental values that are connected with community values. They are part of the "essence" of community. Recognizing the "essence" of community is necessary to understanding how people are motivated to care about people and place. Failing to name and recognize the "essence" of community at a state agency and law-making level, in formal decision-making about road building for example, most likely disempowers community-making processes because much of the "essence" is "uncounted." The question becomes how would decisions about road building change if "community" was defined in the ways local people define it and if a wider range of values that are co-narrated as part of local interactions became part of the state decision-making conversation? Instead, state planners and representatives tend to define "community," as a population with a median income, bounded by lines on maps.

Part II

Community concerns about the road

Consequences of building roads include inevitable changes to community relationships and presumably changes in people's commitment to the integrity of a larger environment. When I was in Kake, conversants talked about the road jadedly. They expressed a sense of inevitability and feelings of powerlessness to influence state

decision making. Most people I heard talking wanted Kake to remain autonomous and protected. They worried about loss of ferry services because of the road, increased sports hunting on the island, road maintenance problems, and effects on the wildlife and other parts of the environment. They brought up prospective mineral extraction plans that would likely profit Petersburg, but not Kake. Many people felt the road would mean a loss of culture and closeness. Others worried that it would mean more deaths because of alcohol-related road accidents. Some local leaders brainstormed alternative ways Kake could organize a more self-sufficient economy that would be less dependent upon cash flow and that would allow people to maintain independence from road traffic. Some people thought the road would be necessary for building up Kake's struggling, nearly non-existent cash economy. (See appendix K) In 2002, when I began fieldwork in Kake, an Elder told me in a recorded conversation that he hoped very much that a road to Petersburg would not be built.

Speaker: And they want to connect us to Petersburg and I keep telling them that's a dead-end connection. I mean where are you going to go from Petersburg? You still got to catch a jet and fly out of there. I said the only thing that's going to happen is they're going to flood us. They're going to come out here and hunt, and they want the road because of the minerals on our island. But I'm ... kind of feel I think the people want that capability.

Fieldworker: The people in Kake want the road?

Speaker: I think they do. Most of them do. I feel like I'm out there by myself when I speak against it, you know. We had a mayor that really wanted that road. He lobbied all kinds of ways. He's not here now. He was from Mississippi. I told him, "You know, if you want to be in Petersburg so much, why don't you just move?" I said, "Move over there. And we'll stop having this great need for you to be there." ... but one day I got up on the wrong side of the bed, and I felt bad I said that. I told him he should move over there. He moved to Juneau though.

Fieldworker: The people that have mentioned the road to me are against it.

Speaker: Well I hope so. I was kind of a lone voice there for awhile, 'cause I've been around the country. I've been around the country and I have not seen any beauty like we have. And the problem with us is we don't appreciate what we have. Yeah, your vision, you know, what is this? But it's beautiful, you know (2002 taped conversation).

In 2003, after the election in which two out of three voters were against the road, a Tlingit woman told me that creating sustainable jobs that foster good environmental stewardship would help Kake, but Kake could manage that without a road.

Speaker: Hmm. Kake and Petersburg have always been real, real way far apart ... in communication. ... Petersburg is real notorious about ... they never come out here, a lot of the people.

Fieldworker: That's a problem. Many don't know Kake.

Speaker: But actually ... and this might be small-minded of me ... I don't care if we never get connected by roads to other towns or get increased ferry service. I'd rather keep it a small town. And lots of other people feel the same way. It's gonna change. It could change. I mean, if you look at Prince of Wales, all their towns are connected by roads. And it's good in a way, but for some of the towns ... but then it's a real struggle for Hydaburg. They're almost like they're a disappearing community because most of the people drive to Craig to shop. ... I started to realize that there's all these other issues that come along with it. And at this point some of us think that some of those problems we could do without. ... a big problem they have down there is people going to the remote areas and building meth labs. It's a huge problem down there. There's this access to remote areas, first of all, easy access to remote areas, and I don't know if it's local people or if it's people that are coming on the ferry and park a trailer and set up a lab. ... And I figure anything that they're doing, we need to watch them, 'cause anything they're dealing with now, if we set up a similar system on this island, could possibly ... we could be dealing with what they are down below us (2003 taped interview).

The speaker's concerns were similar to people's objections throughout Southeast Alaska. The Department of Transportation (DOT) representatives traveled all over Southeast Alaska during parts of 2003 and 2004 to gather public comments about plans to

connect Ketchikan to the Cassiar Highway in Canada and build roads across many of the islands. Headline after headline declared lack of community support in 2004, for replacing the current ferry system with a road system. In its 2004 Southeast Alaska Transportation Plan (SATP), the DOT wrote that the highest level of feedback the department received concerned whether Southeast Alaska would be better served by continuing to rely on ferries, also known as the Alaska Marine Highway System (AMHS). Approximately ninety percent of the comments it received about this question were against constructing the roads. People were troubled that the roads would change community and regional quality of life. Comments also focused on environmental and aesthetic “impacts” of roads and “impacts” to wilderness areas. High costs and uncertain feasibility of road construction, emergency services on road corridors, inconveniences for travelers, including those who lacked vehicles, hunting pressures on the environment, and loss of ferry jobs were all reasons people gave for avoiding road construction. Travel, people pointed out, would be less safe and dependable than ferry travel, especially in bad weather and in avalanche conditions. In response to concerns DOT planners wrote this:

There is no question that the substitution of a land highway on a link currently served by ferry will bring change. If costs to travel are reduced, this change will bring substantial benefit to the traveling public and the state. The estimated size of these benefits needs to be quantified and compared to the impacts associated with road construction. The environmental process during project development is the ideal forum for these comparisons and impact assessments. In preparing the SATP (Southeast Alaska Transportation Plan) update, the state recognized specific legal barriers or obstacles to road-building, such as designated wilderness areas. Many of those who commented prefer that the state should simply accept the existing situation (ferry access only) for Southeast communities and not try to change it. This approach ignores the rising cost of operations and opportunities to seek capital funding (from the federal government) with which to construct roads that would end the need for ferry access (DOT 2004:112).

In reviewing the 2004 SATP document I found no particular definition of “community,” but goals applied to communities include: transportation system efficiency; mobility and convenience; economic vitality; safety; long-term funding stability through greater access to federal funding; and the goal of consulting with communities, tribal entities, business, and the public. (See appendix D for a more detailed description of SATP goals in regards to communities.)

In Alaska Department of Transportation discourse, the most important points for consideration were costs of services, reduction of travel time, enhancing tourism, economic viability, and “efficiency.” People’s expressed trepidations about roads changing their quality of life are mentioned at the end of the report, but always qualified with the state goal of efficiency and cost-effectiveness. The legal requirements for consulting with communities, tribes, and other groups are measured in *numbers* of meetings and opportunities rather than in levels of consideration for public input.

Comparing DOT and Kake definitions of community

In order to consider how discourses influence people’s perceptions of, and decision-making about, community, it is important to determine more specifically how state-based and local definitions of community differ. In order to compare DOT uses of the signifier “community” with local Kake uses, I compiled several samples from interviews I did in Kake in 2003 and 2004. My questions about community in those interviews were:

- 1) What does the word or idea of “community” mean to you? What might it mean to other groups of people in Kake?
- 2) How is community created and sustained in Kake?

Below are two examples of answers to the above questions. The remaining recorded and transcribed interview segments from which discourse data were extracted are included in appendix E.

1) Tlingit woman in her middle years who grew up in Kake.

Okay, what does the word or idea of community mean in Kake? Well in Kake the community has always meant everybody's together, and you know, all my fifty-eight years that I've been here, I've seen it work over and over and over. Um, the people or individuals, they are family orientated, but when anybody's in trouble or even the good times, you know, we come together as a community. And I think the most important part in the communities is the unity in there, that it means that we stand together. Not one person goes through their troubles alone. We're always there for them, and it's always been that from the time I can remember. And that's why I love coming back home ... some people think people are nosy, but they're not really, you know. They're interested in you as a person. And they're interested in your family. You know they, like my grandparents and my parents always told me, anybody's in trouble you go to them. You don't have to talk to them. You don't have to do anything. Be there if they need you. Be there to help. But just be there. Just show your face. So, you know, it's always been that way. So ... that's what I like about Kake. We're a community, a real community. And our kids too. Our little ones, they all know who is family. They all know who isn't family. But still there's a ... they have ownership to them. They have always ... it's real noticeable in our grandson, you know, he's got family. He calls everybody uncle and aunty and grandma and papa and ... so you know he's comfortable in doing that because no one had ever told him that they weren't his papa or his grandma or his aunty or his uncle. So ... but that's what community means in Kake (2003 taped interview). .

2) Young Tlingit woman raised in Kake.

Speaker: [long pause] There's all the bonds. There's a lot of animosity ... just like any town. But I think when times get really rough, I think all of that is put aside, and people do what they can for each other. You know ... the last couple of months. That was really hard. ... But I think when ... I don't really know any ways to define it ... until we're at something and then you can feel it. You just look at somebody and you know; there's a lot of smiling, a lot of joking around. And that's what community is to me. That's what I don't get when I'm not here. ... It's frustrating at times, and you just feel like leaving sometimes. And sometimes I leave and just get lost in something that's not Kake [laughs]. And really value what's here when I come back, and look forward to coming back and getting back into my community. Go places like where we have (can get a new perspective). I think it's a thing with a lot of people that are here that it's really tough to leave. I think. I see people are here a short time and then they leave and come back and leave and come back, and, you know, it's financially restraining [living in Kake]. They still find a way to come back. But it's hard, like in a recession right now. It's really depressed. So it's really going to be something to see how this year is gonna turn out. The next five years.

And for other groups of people in Kake, what community means? Well it depends on who you ask. I think that ... I know that people who have married into the community ... it's hard to say. People with the same background as me feel that way [the way she described] about Kake. I don't know about the loggers who come into the community [for work]. I'm not sure what their perspectives about Kake are.

I know like my son's father, it was really unsettling for him to be here. He felt my family is too intrusive. He wasn't used to the closeness and the environment. It just felt like people needed to know what we were doing all the time. He goes, "None of them need to know what we're doing all the time." It was something I kept forgetting and ... I didn't know it was that intrusive to anybody else. I never thought that way.

Fieldworker: And he was raised in (a town on another island)?

Speaker: Yeah. The families are kind of dispersed through the community. ... You know I kept up on some of the family style kind of things. I know they're a little different in what they value, what they do over there. But it's not like here. And there's a lot of little ... people know what people are doing pretty much here. In _____ you can kind of be anonymous to a certain point. But you don't get that here. People even start things [about

what you did but didn't know you did] without you even knowing it (2004 taped interview).

Concepts of community in Kake interviews

Within the examples of local discourse from 22 informal interviews, I identified and compiled the following common descriptions and word usages.

- 1) Community as “family”: More than 70 occurrences. Only a few interviewees did not use the word family.
Family was used in the following contexts:
 - a. Blood and marriage relations and extended family. 60 percent of the references to family as community.
Example: “The people or individuals, they are family orientated, but when anybody’s in trouble or even the good times, you know, we come together as a community” (appendix E).
 - b. The sense that all of Kake is family. 40 percent of the references to family as community.
Example: “To me it means that a community is one big family no matter if you don’t like the person or dislike the person we’re still there for them, for whoever and however we could help them, financially or do whatever we can to help one another” (appendix E).
 - c. Community as clan family relations: Only a few occurrences.
- 2) Community as reflective of individual relationships and friendships: At least 12 occurrences.
- 3) Community as everybody/together. At least 40 occurrences.
- 4) Community as evident because people help each other when something

- bad happens, no matter what the personal relationships. At least 20 occurrences.
- 5) Community as caring, sharing, helping (not necessarily when something bad has happened). At least 15 occurrences.
 - 6) Elders and grandparents as community teachers: At least 20 occurrences.
 - 7) Kake as a home that people return to even if they have to leave it for economic or other reasons. At least 5 occurrences.
 - 8) Community in Kake as part of a physical environment or place. At least 5 occurrences.
 - 9) The importance of special events such as funerals, dinners, basketball games, etc., as builders of community. At least 20 occurrences.
 - 10) Kake's history and the stories that belong to Kake as an important part of community. At least 5 occurrences.
 - 11) The smaller groups within Kake, or sub communities are important to the larger community. Alaska Native Brotherhood, Alaska Native Sisterhood, churches, drinking and partying groups, Healing Heart and Circle Peacemaking. At least 10 occurrences.
 - 12) Community as an economic entity. Only a few occurrences.

In Kake, the themes of family, helping in times of need, Kake as a home place, Tlingit and other local history, special events and rituals, and grandparents, parents, and other Elders as people who teach about community, are all characteristic of what Appadurai (1996:178-182) referred to as necessary elements of creating local subjects who can help others to become local subjects.

Community in Kake is a rich blend of family life, friendships, feuds, dogs, ravens, eagles, churches, drinking parties, school events, basketball, boats out on the water, newer houses, houses falling down, gossip, and support. People know a great deal about

each other and word spreads fast. People take their familial connections to each other seriously and talk about them often. I learned a great deal about family in everyday conversations, and Native newcomers to town typically spent time explaining who their families were and the relationships that brought them to the village.

Knowing about self, from a Tlingit perspective, means knowing one's Tlingit name, moiety, clan, father's clan, grandparents' clan, names of one's major clan crests, immediate family names, house group, and the house groups of one's ancestors. Relating to others involves knowing the names of other clans, names of other people, crests of other clans, extended family and community and participation in memorial feasts (SEATC 2001). While many people in Kake have lost much of this information, they still work to understand familial relationships and to try and find relational connections with newcomers. Young people are presently learning their names and clans in school as Tlingit values, language, and knowledge are revitalized.

Community in Kake is also about shared memories—the good ones and the difficult ones. It's about shared histories, shared time, shared knowledge about people in the community, shared resources, and shared place. Significantly, most Tlingit clan names are associated with the places where clans were formed. "...the linguistic construction of such clan names evokes a sense of belonging or being possessed by the named place" (Thornton 1997:297). People are tied through their clans and clan symbols to the places and ancestors of clan origin. Knowing one's clan and the foundation of its beginning strengthens clan-based and other familial relationships. Solidarity derived(s) from sharing a place of origin, the collective ties to a particular dwelling place, and the power of place names that "metaphorically transport" the hearers of such names to the landscapes of origin. Ancestors are also transported through the stating of such names (Thornton 1997:301). Clan and house group resource areas are important places for people, and so is the place where Kake is built on Kupreanof Island. People are strongly

tied to each other through histories and memories of their present location. One Elder explained the following during a taped 2002 interview:

And they moved here [before the twentieth century] and what they did first, they had gardens here. And one family, I'll tell you about it after we get to it later, built a home here. But they liked the beach because it was nice for the canoes. You know the canoes had to have a nice beach. A lot of passing ships stopped here, I guess, and they buried foreign people all in the woods here, what was the forest. One time they dug up ... they were putting a water line into my great grandparents' home ... and at the base of where our steps ended down to the street. They dug up human remains that had been there for maybe a hundred years. But the lady had a rising sun ring on her wedding hand. She was buried right there.

Fieldworker: From passing ships?

Elder: That's all I can surmise. It had to be a passing ship. Basically the only visible house is that one right there with the lean-to garage on the side over here? Yeah. It was painted kind of yellowish when I was a child. But that one and the white-bottomed house and the green one were basically the only three homes when I was a child in the 40s. Then the place grew up and from 400 to maybe ... we're almost up to 800 people. Then probably 400 died in my lifetime here. But they settled here because they could see all around, they said. No one could ambush.

The local memories and shared histories belong primarily to generations of Kake families. Non-Native people who were part of boom and bust resource extraction industries have mostly come and gone as the markets changed, but a core group of Tlingit, mixed Native and non-Native, and a few non-Native families have remained. Some people I talked with in 2004 contemplated moving because of the struggling economy. Others had little desire to move elsewhere or for strangers to move in.

ODOT definitions of community

What is community beyond DOT state-based signifiers that simplify social priorities to mean costs, time, and efficiency? Which values have been empowered and which have been disempowered in the bureaucratization and “capitalocentric” (Fournier 2006:295) changes of Kake life? More specifically, what are the ideals of community in Kake that are unnamed or unrecognized and, thus, lose credibility in DOT analysis?

We can begin to answer these questions by looking at the signifiers used with the term “community” in the DOT written report. We can examine, in comparison, what people in Kake say about their community, how people experience and practice community, and people’s reactions to the forces that put stress and pressure on community values and practices.

Texts as dialectical and dialogical parts of discourse

Much of the social and legal definitions and memory in state systems are stored in written documents like the SATP. Before comparing local talk about community with DOT written codes about community, it is important to define and categorize text in relation to verbal discourse. Is written text discourse?

First, discourse is briefly defined as language-in-action (Hanks 1996), language-in-use and real language (Brown and Yule 1983). Blommaert stresses the social nature of discourse, stating that there is no non-social, non-cultural, or non-historical use of discourse (2006:4). For Blommaert discourse goes beyond linguistics in that it:

...comprises all forms of meaningful semiotic human activity seen in connection with social, cultural, and historical patterns and developments of use. ... What is traditionally understood by language is but one manifestation of it; all kinds of semiotic “flagging”

performed by means of objects, attributes, or activities can and should also be included for they constitute the “action” part of language-in-action (Blommaert 2005:3).

Second, what is text? Putnam and Cooren define text, in the context of organizations, as “collections of interactions, mediums of communication (i.e. print or electronic message), or assemblages of oral and written forms” (2004:324). While DOT discourse cannot be entirely reduced to written texts, the SATP and other DOT texts are prepared by the state agency and are part of DOT production and reproduction of knowledge and memory. DOT employees and commissioners refer to texts as guidelines for what they can legally and professionally say and do. They distribute and refer to texts as the basis for conversation about projects and proposals. The language-in-use at any given time is likely to refer to and be informed by text-based discourse.

In general, and all over the world, organizational charts, memos, policies, rules, studies, contracts and other texts have particular features that make them essential parts of discourse and in very particular and powerful ways. They tend to have permanence, meaning that they can be stored, copied, and are “often treated as real even if not immediately present in a situation” (McPhee and Poole 2001:529). The abstractness of text means that it can be transferred to various locations and obeyed and interpreted relative to context. “Members thus orient to these organizational texts as resources and constraints to control and stabilize organizational behaviors to bracket space and time” (from Giddens, 1979, 1984 cited in Putnam and Cooren 2004:327). Thus text is created through discourse and has its own agency in ongoing and future discourses. It is part of language-in-action within most organizations.

Robert MCPhee defines text or assemblages of texts as characterized by symbols on relatively permanent “readable” medium, such as paper or CDs. Texts for MCPhee can be “read,” although the symbols may be more than letters, words, and numbers (2004:357). The same texts are often enduring guides to conversation and other kinds of

action in several locations at once because they can be copied and distributed (McPhee 2004:362). In the organizational world of the twenty-first century, texts are essential to surveillance, to guiding actions or constraining outcomes, and to reproduction of hierarchical and less formal power (McPhee 2004:363). McPhee emphasizes that texts have become a condition for creation and durability of organizations. Texts inform organizational members about the formal structure of their organization because authority is stipulated in formal documents. As such, texts are a frame of reference that serve to constrain and guide communications. Systems change through human reflexive discourse, but they do so through text-dependent processes (McPhee 2004:365).

Institutional texts are part of the internal decision-making structure in an organization that remains as people come and go and reflects the “intentions” of a corporation, commission, board, agency, etc. If corporations, states, and other organizations are perceived as having personhood because they have an ongoing structure independent from individual members (Iyer 2006:394), then texts are an important aspect of organizational personhood in the United States.

In this case study, and in the everyday work environment of DOT organizational members, state discourse is centered around, or at least influenced by texts. Mission statements, commissioner minutes and carefully stated and written decisions, legislative documents, the SATP study, and the texts gathered by the DOT at various public meetings are examples. These texts are agents in language-in-use or real language. As such, these texts are part of discourse.

Everyday talk in Kake is less constrained by written texts or documents. However, it is interesting to note that the Kake community discourses cited in this study were gathered during informal interviews, transcribed, and made into texts by the fieldworker.

The compilation of data

In order to understand DOT definitions of community in relation to road building, I examined the agency's main text-artefact, the 2004 Southeast Alaska Transportation Plan (SATP). I looked for references to the signifiers *community*, *local*, *population*, *people*, and *environment* throughout the document. Appendix D includes statements of goals and performance measures within the SATP Goals and Objectives section, pages 34-38. The SATP is 195 pages long, including maps and charts.

The graphs at the end of the chapter show the nine main categories or signifiers that were used most commonly in conjunction with the word "community" in the SATP. Discursively, community was a signifier used most commonly in reference to: DOT statistical, map and chart data; "connecting" communities to each other; access to and between communities; costs; efficiency; time; economy; requirements that DOT must meet in its study plan to include community representation; and DOT's timeline in relation to community studies, contacts, etc.

Examples of SATP text-based discourse

The following examples are taken from the SATP. Some segments are examples of more than one category and were analyzed as such for the charts at the end of the chapter.

1) References to DOT statistical chart data

Figure 8 presents community graphs depicting travel activity. There are major differences in the level of activity, and the scale is adjusted accordingly. Six communities are regular ports of call for large cruise ships, and these totals are included in the graphs for these communities (ADOT 2004:29).

Estimates of roadway travel demand for Mid-Region Access are based on earlier SATP development, and include resource extraction trips and increased latent demand to proximate communities, including Wrangell, Petersburg, Prince of Wales Island, and Ketchikan (ADOT 2004:72).

2) References to “connecting” communities

The road to Petersburg could serve Kake as a community connection to the regional transportation system (ADOT 2004:60).

This new route would also include connections to Wrangell and Petersburg. Initially these highway routes would require several shuttle ferry links, which ultimately would be replaced with bridges. With these links in place, travel between these communities and trips into Canada, would no longer require a lengthy ferry trip (ADOT 2004:ES-1).

3) References to community access

A Public Forest Service Road program in Alaska would allow rural communities to enjoy the benefits of a basic transportation infrastructure for the movement of people and goods between communities and would improve access to National Forest Lands (ADOT 2004:23).

4) References to costs

Decisions should be made to promote the most free and unrestricted movement of the greatest number of users possible between the communities and through the region by using the available transportation resources at the least cost to both the user and the state (ADOT 2004:34).

5) References to efficiency

Development of the corridors is necessary to efficiently connect communities to the regional transportation system, establish a regional power grid, and optimize service to the public (ADOT 2004:ES-2).

This plan seeks those opportunities where highway construction will boost mobility in the region and establish more efficient community access (ADOT 2004:33).

6) References to time

Long-Term Vision Page 54: ... Reduce the average cost to the user where possible by taking advantage of road extensions to shorten ferry connections. Reduce travel time between communities within the region (ADOT 2004:54).

7) References to economy

Independent travelers are critical to local economies, especially in smaller communities (ADOT 2004:8).

8) References to requirements that DOT must meet in its study plan

SATP Transportation Goals, Objectives, and Performance Measures. Goal 6: Consultation with Affected Communities, Tribal Entities, Business, and the Public and Provision of the Opportunity for Public Comment (ADOT 2004:37).

9) DOT timeline in relation to community studies, contracts etc.

In response to circulation of the Southeast Alaska Transportation Plan, Draft Update for Public Review, January 2004, comments were received on six major topics. Summaries are generally by subtopic, and do not indicate community origin. Comments were submitted through letters, e-mails, completed questionnaires, and the SATP website, as well as verbally and in writing during public meetings held in 18 communities throughout the region (ADOT 2004:103).

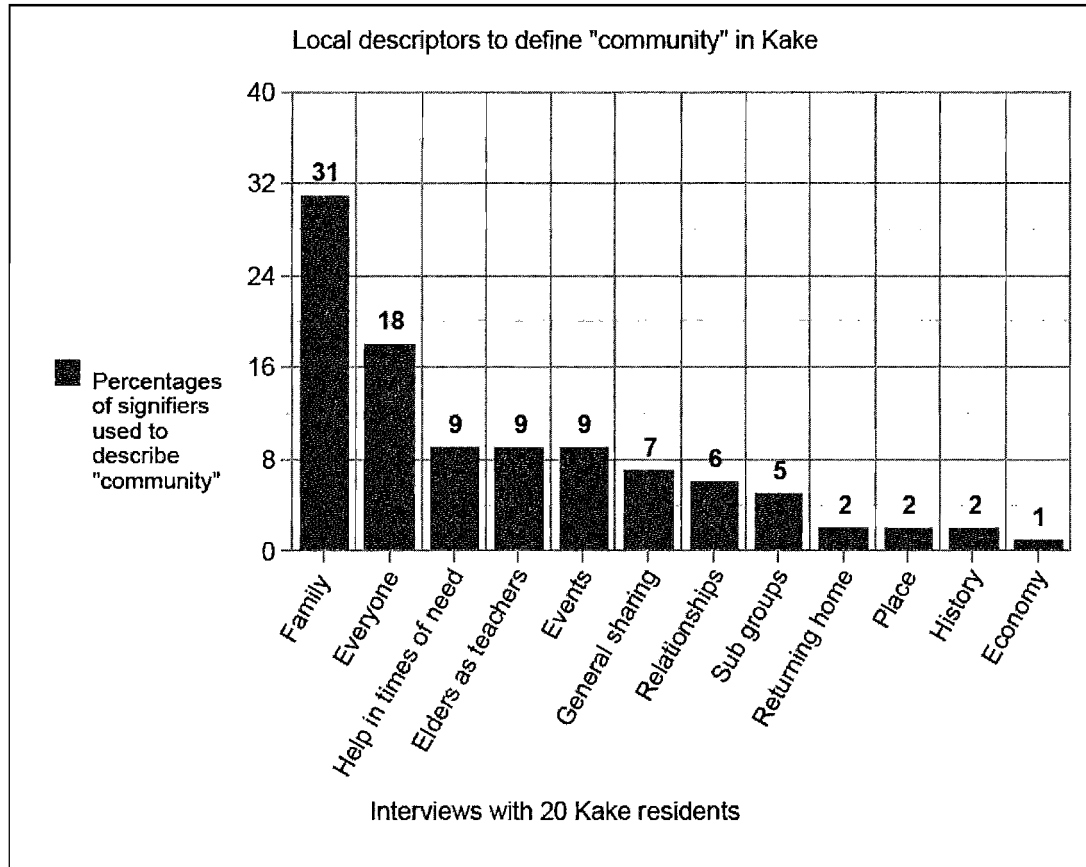
Anderson (1996) discusses the importance of an emotional attachment to environment and to other people as necessary for the existence of environmental and social morality. Bellah et al (1996) make the same point. They reason that lack of community in modern life is problematic for many people in the United States and elsewhere. Morality, they say, is tied to community. According to Anderson, in the types of communities where long-term sustainable livelihood is more possible, there exists persistent, loyal, and moral commitment to a community of people, which correlates with persistent loyalty and moral commitment to the non-human environment as well. Standards of loyalty and of right and wrong are agreed upon and negotiated on a personal level within community. In any state endeavor, failure to discursively acknowledge

community-making processes (in official and unofficial discussions and fixed text-artefacts) results in decisions that are based on incomplete data and that potentially undermine local investment and commitment.

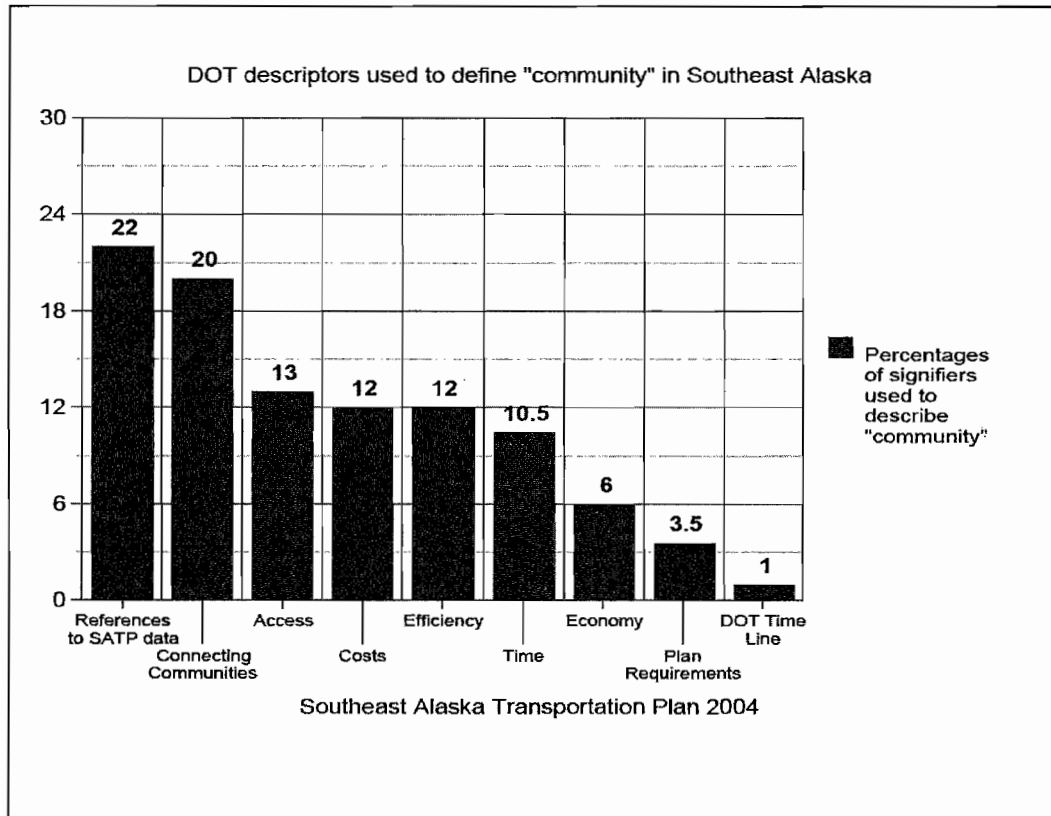
Graphs 1 and 2 show the ways that speakers and writers referred to the signifier “community.” All of the references to community in the 22 Kake interview samples were categorized. All of the references to community in the 2004 SATP were categorized. Graph 1 shows the categories that people in Kake used to refer to “community,” broken down in percentages. In other words, references to “community” correlated with references to “family” 31 percent of the time in Kake interviews. Graph 2 shows the categories that SATP writers used to refer to “community,” broken down in percentages. In other words, references to “community” correlated with references to “connecting communities” 23 percent of the time in the 2004 DOT Southeast Alaska Transportation Plan. The two graphs show how words and meanings about community are very different in Kake compared with the focus on communities in the Alaska State Department of Transportation SATP.

Why do the differences matter? First, local multi-generational investment and commitment among user groups to a human community is a major factor in environmental integrity. Sustainable livelihood is evidently not a goal in the SATP, but in the future, if sustainable livelihood becomes a goal, then the state would need to specifically recognize, support, and emphasize, in each project and plan, local definitions of community, community health, social networks, historical memory, local community-building rituals and events, and other aspects of human relationships.

Graph 1. Kake descriptors to define community



Graph 2. ODOT descriptors to define community in SATP



In review, Southeast Alaska Transportation Plan (SATP) writers focus discursively on community access to larger transportation networks, costs, efficiency, saving time, and increased cash economy. Signifiers and phrases common in Kake, that convey the everyday practices and performances of community relationships, are absent from the SATP. Clearly SATP discourse contains little recognition of the actual processes and practices of community building that are articulated in Kake or the effects of road building on those processes. The SATP is largely about gaining access to federal transportation monies. Its focus demonstrates how large-scale projects descriptively homogenize people and landscape. Decisions that are informed from descriptive homogenization arguably disempower the local processes through which people co-create standards of loyalty and right and wrong that are agreed upon and negotiated on a personal level within a community. These are the very processes and relationships that are necessary parts of sustainable livelihood practices. Many Kake people would like to work toward a sustainable economy, the foundation of which is environmental integrity.

In this chapter I showed some of the ways that people negotiate values, loyalty, and right and wrong through mortuary dinners, special events, culture camp, and circle peacemaking. Some of my readers felt that this chapter included too much detail about community practices that seem unrelated to the road building issue. I struggled with how to best present some of the “essence” of Kake as a community. Yes, mortuary dinners, culture camp, circle peacemaking and other day-to-day performances of community are typically considered unrelated to large-scale state purposes and projects. My work in Kake leads me to understand that the absence of more serious consideration of community-making rituals in our legal and regulatory discourses is likely an impediment to finding long-term solutions for preventing wide-scale environmental degradation and poverty. What would happen if the “essence” of community became part of most or all government project conversations?

CHAPTER X

TIME, WORK, AND COMMUNITY

I think with the different representatives, whether they're market or government or ... somebody from Texas, you have to want to communicate with them ... to each other. I mean if you don't want to ... there's no way that will happen. And a lot of times we see these agencies come here because they're required to by law, to do tribal consultation, and they just do it because ... when they go through the NEPA [National Environmental Protection Act] review it's one of the things that they have to do, consult with tribes. And some of them are to the point where they think if they call Tlingit and Haida and talk to so-and-so that's tribal consultation. I mean, there's all different levels of this with the agencies, and a lot of times they have to be corrected on that. And some, like some lady up in Klukwan, she had to correct somebody and tell them, "Your phone call to me isn't... I don't consider it tribal consultation. My council is. They're tribal representatives. I'm just a staff person." I mean you get those kinds of agency people that we have to deal with. ...And then even if they do come and do tribal consultation, it's another matter about if they listen. But there's progress. (2003 taped interview with Tlingit woman in her middle years)

Narratives about state procedures and processes

State-based political processes are guided by requirements to allow for public comment, usually about written plans and proposals. Governance is guided through the production, distribution, evaluation, adoption and institutionalization of written text. Blommaert (2005:186) wrote that considering how much decision-makers depend on text, "it would be accurate to characterize debates as historical episodes of textualization, as histories of texts in which a struggle is waged between various texts and metatexts." Text-artefacts of greatest value to policy-makers are those viewed as written in language that is stable, precise, coherent, and clear-cut enough (they believe) to apply across

diverse social spheres. Such text-artefacts should also provide continuity with other legal text-artefacts such as other policy actions.

This chapter considers power in public meetings and the power of text-artefacts. In this case the meetings and texts concern the 2004 Southeast Alaska Transportation Plan (SATP). Alaska Department of Transportation (DOT) reasons for designing a road, and a small ferry, and bridge infrastructure focus, in part, on the value of time. In this chapter I compare SATP time values with those expressed in Kake discourses and I query the lack of attention in text-artefacts to human emotions, especially those expressed in public meetings.

Public participation

The Alaska Department of Transportation goals are justified, in the SATP, through global market economics and based on a rather simplified description of community. Kake people and others must direct their own feelings and descriptions through state-based processes in order to participate in the conversation about Southeast Alaska transportation. One DOT goal is to consult with affected communities, tribal entities, business, and the public and provide a venue for public comment. As stated in the SATP, DOT staff measure their performance in this goal by the *number* of meetings and opportunities they provide for consultation rather than on intensity of consideration for local concerns. The SATP 2004 report summarizes public comments from pages 103 to 124. Comments at public meetings in 18 communities and comments collected in writing, in large part, disapproved of the prospect of road building versus ferries. The DOT responded by writing that “Over the long term, roads do far more for the traveling public in terms of lower costs, increased capacity, and greater choice. The ongoing cost to crew and operate large ferries on a 24/7 basis are substantial, and have no counterpart in comparison to the costs of keeping a rural highway open” (SATP 2004:112).

The first public Kake meeting with DOT about the road

Clearly, feelings and values that are relative to various local processes in various communities, and that contribute to local social solidarity, were inadequately addressed in DOT planning. The passion in Kake about protecting community autonomy and self-determination exploded at a 2003 special meeting, called by the Kake City Council. Petersburg City Council representatives, DOT representatives, environmental group representatives and others were asked to come to Kake and explain the reasons for building a road to Petersburg. I was not in Kake at the time of the meeting but I heard a great deal about it from Kake residents, who related how people were yelling, swearing and making accusations toward DOT representatives. If the actions at this meeting are indicative of past Tlingit ways of communicating that have adapted to new communication circumstances, it was an occasion for public shaming.

1) A Tlingit city representative described some of the passion.

Speaker: Oh, lately we've been having ... meetings maybe every three or four months apart ... and more and more the community's starting to come out to these meetings and I'm happy about that. They let the outside agencies know about (how they feel by) telling the stories about a long time ago and then telling them about how they feel about what's going to be affecting our near future like the road to Petersburg or the Department of Transportation plan or ... the borough issue ... and the ferry ... the same as the DOT, there were four different meetings here that people came down here and tell them ... oh and the forest service too. And everybody came down and expressed their opinion and then told the outside agency what they felt ... and told the city council how they felt about how it's going to be affecting us ... so ...

Fieldworker: Are people worried about change?

Speaker: Pretty much change ... I guess what happened there when the Petersburg City Council came over ... there's some things that people expressed really should have been kept to themselves. ... Made me feel bad about some of the stuff those people were telling those [DOT, USFS, city council] people to do or go ... and ... I wasn't out there at the time there. I was in the kitchen getting sandwiches and stuff ready for the

meeting there ... but I heard ____ was telling the people there, telling them that “you need to sit down.” They were just worried about what was going to happen, worried about people from Petersburg coming over to this side, but I don’t think that’s going to happen. Alright?

Speaker in another part of the conversation: Well. Like I always said, the Forest Service likes to have their meetings; come in and do a survey. And you see that all over. They have it down south. Come in and have public meetings. Then they’ll do what they’re gonna do anyway. [laughs] And that’s the same thing. DOT’s doing that now. They ... we had a councilman that we sent to the DOT meeting in Juneau last ... on the eighteenth of November ... and they gave us till the end of this month to respond to what they’re going to be doing for us and in our area there, and even though we had our meeting with all the big shots there about two months ago there, that public meeting I was talking about, uh, they’re going to go ahead and do what they were planning to do anyway (2004 taped interview).

2) An Elder Tlingit man mentioned in passing what he heard about the meeting:

We’ve had hearings and stuff; one last hearing they had—I wasn’t here but I heard about it. [A meeting about the road to Petersburg] It seems (they already made the decision to attach the road to Petersburg.) And the hearing that they had, they were just going through the motion. That was the impression they gave. They had a good turnout for that too, but I was out of town. I wasn’t here for that. (2004 written interview notes)

3) Two non-Native men talked together about the meeting and how people in Kake reacted to government agency representatives coming into the village.

Speaker One: If the audience [listening to public comment] is outsiders, uh, the communication is very antagonistic. And they [local people] are very quick to rise to conflict ... with people from the outside. Because they don’t want to be told anything about how, you know, they should be or what they should be or whatever. You know, they want complete control. And they want to make their own minds up. Uh, which for the road system, I was really, really surprised that an outside, well, I guess I’m not surprised because an outside agency or agencies really don’t think about those sorts of things, but if they had taken the time to really understand what Native communities are all about ... and about, you know, uh, Native ways of thinking and ...

Speaker Two: Understand and to care.

Speaker One: Understand or to care, it could've had a completely different outcome. I mean, it [the meeting] could've been seen as something positive. And instead, it came off as "Those white people are trying to tell us." And I mean, it was a train wreck ...

Speaker Two: It's not real smart. I mean, because the biggest issue with that, and we're talking about the meeting, when they presented the road to Petersburg and all those other things ... and to me, I mean, as soon as I show up there, and they give the Petersburg City Council front seat table and it's like, "Why are you even here"? All that did was to create suspicion in people that those people came here because they want something that we've got. And they can't get their hands on it.

Speaker One: That's right.

Speaker Two: And that was really the feeling that was there. I mean, but you know, I looked at it, I mean, a bald-headed white guy, I'm still thinking, you know, why are they here?

Speaker One: [mumbles agreement]. What do they want?

Speaker Two: Yeah. What would prompt them to come to this meeting just because we're going to connect [by road]? Why do they want to come and hear our discussion? ... I have no clue. I mean, they came probably because they were invited. What I don't understand is why they were invited. Because it just really, you know, to me it ended the discussion and it just raised the level of ... aggression.

Speaker One: Before it even got started it was over. I mean because ...

Speaker Two: Because they wanted something. ... They want, and you know, part of it is they want our schools, they want our kids, they want our, you know, they want our money. SOS [Kake's major grocery store] is formed primarily by people who live there [in Petersburg] already, and our biggest store in town already goes, you know, all the profit is already going over to Petersburg anyway. ... and yet they continue. That's not the first meeting that they've invited them to.

Speaker One: And it seemed that way. It seemed that way ... very much. About the only time it's not like that is when ... it actually, well...it's when our people, from the community, go out. And it's because they're initiating it. ... Every, any time that we have delegations of local people that go, like, to meet those representatives, it's always very positive and very cordial and business-like. Yeah. It's ... none of the stuff like that happens here. Then, you know, with the people from DOT, the answer to one of the questions that was raised, was ... I mean, it was very business-like. But it was the wrong way of approaching things. It was the wrong terminology. (To say that this is your only chance to

support the road and the DOT proposals). You know, well, you gotta give me a story. And consequently, they [DOT] want it [community approval] now. But now they're not going to get it. The message was very clear. And in business (to say this is our offer, take it now because it won't be offered again) that's a very accessible factor. But in a Native community, when you go and (give ultimatums) that's not very sensitive to the people. It was completely inappropriate. And, I mean, no wonder everybody's hackles went up. Because the message was very clear. If you don't take this now, forget it. You'll never have this opportunity again (2004 taped interview).

People in town talked often about the passion at the meeting, but when I wrote to the Department of Transportation to get a copy of the meeting synopsis or a tape of the meeting I was answered in this way: (Appendix G)

In response to your request for a tape recording of a 2003 hearing on roads, I believe you are referring to a town meeting arranged by the mayors of Kake and Petersburg conducted in Kake, attended by the City Councils and mayors of both communities with representatives from our department and the US Forest Service present. I estimate attendance at 50-60 people. This was a community organized meeting and the community may have recorded the meeting. We did not. We have no record of this town meeting. (Hughes 2005 e-mail)

Kake City personnel had taped the meeting, but the tape was temporarily "lost." I asked for the tape three times, and I got the impression that it was "lost" out of embarrassment for the passion expressed at the meeting. I bring up this meeting to point out that the emotions/feelings people felt and expressed failed to be incorporated in the "official" conversation about building the road. According to the e-mail message I received from DOT, "The Department has since conducted meetings on January 27, 2004 and on January 25, 2005 in support of the Southeast Alaska Transportation Plan update and the Northern Panhandle Transportation Study-ongoing, respectively. While not taped they are recorded by note takers" (Hughes 2005). (See appendix G)

Significantly, in reviewing DOT note summaries of January 27, 2004 and January 25, 2005 meetings in Kake, I found that if DOT representatives responded to people's questions, "official" responses were left out of the summaries. Approximately ten people attended the 2004 official DOT public meeting, and an approximate total of twenty people variously attended the three official DOT 2005 meetings. Comment summarization was cryptic and without narratives (appendix H). The brief summarizations are problematic if one takes into account that stories/histories are important ways of communicating in Kake. They are a memory technique that connects knowledge gained in the past with current situations. Such stories/histories told in particular circumstances are mechanisms of strong community socialization. Histories/stories are centered in the southeast Alaska inclusive environment and, so, are a place-based part of the process of consultation. They bring local knowledge about people and place into decision-making about present circumstances. Such stories make sense out of the present through long-considered past experiences.

One Tlingit woman told me in 2003 about the importance, to her parents and grandparents, of histories/stories and of speaking carefully:

Speaker: They were very soft spoken people but they knew how to get it across. They always had a story, and it was a true story so ... They always had good stories. They were ... you know ... whenever they talked they always knew what story they were going to use. You know, and they ... whenever they went into a meeting they knew what they were going to say. They knew the stories. They knew what any ... just everything about what they were going to say. So their communication was never lacking or, you know, they never lacked communication. I guess you can see that.

Fieldworker: It was well thought out.

Speaker: Very well thought out. And they always talked with no intention of hurting people. Or making fun of anyone, so ... Our people and right even today many of our speakers, you know, speak like they did. They don't hurt people. They don't make fun of people, and they speak on the subject that they, you know, that they have (2003 taped interview).

According to the Kake people, when local people, especially Elders, talk with government agency representatives, they often use historical anecdotes to illustrate deeper social meanings.

1) Tlingit city employee.

They let the outside agencies know about (how they feel by) telling the stories about a long time ago and then telling them about how they feel about what's going to be affecting our near future, like the road to Petersburg or the Department of Transportation plan or ... (2004 taped interview)

2) Tlingit tribal employee.

... our people are very outspoken and they know what they want. They say it and they wait for the response. And the kinds of stories they use are the real life stories. They don't just say, you know, this could have happened or this might have happened or this will happen. They go right into a story from something that happened a long time ago and then another one that just happened or can ... will happen, you know. (2003 taped interview)

The meeting that took place during fall of 2003 was one of the first DOT attempts to publicly discuss the SATP and the road from Kake to Petersburg. It represents a clash of communication methods and expectations. The meeting exemplifies the confusions that result when powerful state decision-makers lack knowledge about local communication practices and values. In a sense, every government agency group that comes to Kake represents to people all of the past dealings with government agency representatives. People feel that very few government representatives in the past heard what was being said outside of their own communication expectations, although many Kake villagers say that communications have recently improved, especially with the USFS. Still, there is a long memory of local people repeatedly going unheard even as they spoke within respectful protocol. Such memories, and continued lack of sensitivity

in the present, lead to high levels of frustration, thus the rising up of emotion at the 2003 DOT meeting.

In “official” DOT meeting summaries, stories/histories and feeling/language told at public meetings or in individual conversations with government agency representatives, have been left out. Lack of attention to such details changes the meanings of local communications. Leaving out emotion/feeling language and historically-based teaching narratives involves picking and choosing those parts of communications that fit into the project goals and agency-established criteria for evaluation. Leaving out, in “official” meeting summaries, DOT representatives’ responses to people’s questions and observations minimizes DOT’s legal, political and ethical accountability.

The DOT criteria for examining “community” include categories such as costs, economic vitality, connecting communities, time, efficiency, and accommodating tourism. Categories for examining the reasons for building roads and reducing ferry services leaves out scrutiny of local social priorities, family relationships, village relationships, sharing, helping in time of need, and avoiding conflict, as examples. Community relationships that foster solidarity are key to cultivating local feelings that lead to caring for people and place. As such, local Kake values are more conducive to sustainable livelihood and environmental integrity than are those which the DOT focuses on. While DOT values in relation to community are important to consider, they are homogenizing when enforced without greater attention to local community values. To illustrate, definitions of time are good indicators for comparison. Time is an apt subject to show how agency definitions of people and place have been simplified in order to make large-scale decisions easier for planners. When people and villages are defined through averages and with minimal criteria for specific local evaluation and comparison, the transportation plan becomes a homogenizing form of social engineering.

The value of time

In the SATP, appendix B, the DOT outlines its methods for cost-benefit analyses for models that were used to evaluate scenarios of possible transportation systems. The models were developed first for the 1997 SATP. The preliminary screening criteria included: capacity; travel time; convenience to users; cost to state, and cost to user (ADOT 2004:B-1). The principles of least-cost planning (LCP) were used to measure criteria within various scenarios to derive the cost-benefit model. According to SATP writers:

... framework and tools of the LCP provide the best approach for systematically addressing the relative benefits and costs of transportation alternatives. In practice, estimating with precision all benefits and costs of a proposed transportation system is impossible. In particular, a wide range of spillover costs and benefits of transportation facilities and programs have yet to be estimated reliably ... The appropriate use of key outputs from this process permitted ADOTandPF [Alaska Department of Transportation and Public Facilities] to directly evaluate the inherent uncertainties in estimating long-term benefits and costs and determine whether consideration of these uncertainties alters the relative rankings of the system alternatives (ADOT 2004:B-2).

The SATP report appendix (2004) below explains more about the methods employed for ranking transportation alternatives. The examples in the 2004 SATP report cited here pay special attention to the value of time.

User Benefits from Transportation Improvements

The volume of future trips is input directly from the travel demand module. This module transfers annual person trips by trip purpose for each origin and destination pair within Southeast Alaska, including links to external zones. The following user benefits represent the majority of user benefit of any system alternative and are the focus of the quantitative analysis within the benefit-cost module:

Changes in travel and waiting time

Changes in trip frequency

*Changes in out of pocket costs**Changes in total number of trips made*

The benefits associated with changes in accessibility and economic development are not measured, but are closely correlated with these user benefits and can be indexed to the changes in user benefits. For the SATP update, out-of-pocket costs are also estimated for additional driving that is introduced between certain origins and destinations where roadways replace all or a portion of ferry travel.

Value of Time

The value of time is determined by interaction of each individual with the marketplace. Each individual has a unique set of skills, knowledge, and personal values that they hold and present to the labor market. It is the interaction of the individual's personal values and need for employment with the labor market (versus individual preferences for spending time engaged in other activities) that determines each individual's value for time. Different individuals will perform a given task at a different price based on a large range of possible combinations of needs and values held by workers and employers.

Everyone views the value of their time differently. Although no two people value time the same, everyone agrees that time holds value to each individual and to each employer. The question is, what is the most appropriate value to place on time for purposes of comparing systems (in this case, transportation systems) that involve different time periods to use or complete?

Transportation systems move multiple people and goods with varying sensitivities to time differentials depending on their unique demographic and personal values. Although some broad user profile information is available on travelers who use the regional transportation system and their trip purposes, this information is quite limited, often dated, and varies among the different air, marine, and land transportation services. The user profiles vary by transportation mode, transportation route, and season. Southeast Alaska traffic contains a very high seasonal tourism component that exceeds in volume the entire annual resident traffic volume through the system. In addition to adults, the traffic data include infants and children whose time holds little immediate economic value. Recognizing the variability discussed above, the following methodologies for value of time and range of user benefits were employed in the benefit-cost analyses for the SATP update:

Average Time Value. Because current, consistent, and detailed user profile information is not available for air, marine, and land transportation across the various transportation routes, an average value for time to represent all users was recommended to compute and compare the economic benefit accruing to users from transportation system alternatives that affect travel time between two points. The average or median value selected should be based on the available information and values that best represent the individual users of the transportation systems under evaluation.

User Benefits Range. Although the demographic and analytic information available to both accurately identify and represent the aggregate user value of the time of the group of users served by the transportation system is deficient, sufficient information is available to draw broad comparisons and conclusions. A reasonable value range should represent user benefits with respect to savings in travel time for system alternatives. The range should include a comparison presenting user benefits for an average or median value for time bounded by a higher and lower value to provide a reasonable range and also to present user benefits without time as a factor. Regarding the selection of an average time value, ADOTandPF decided that the U.S. Department of Labor's annual average hourly wage for all workers in the nation for 2003 be used as the base economic values for time evaluation. This data source best represents the mix of users on the Southeast Alaska transportation system. For 2003, this figure is calculated at \$15.35 per hour. This figure was reduced to represent an average of all travelers on the Alaska Marine Highway System (AMHS), including children. AMHS traffic data for 2002 provide a breakout of the percentage of traffic by tariff codes, which indicates the percentage of several age groups traveling AMHS during 2002.

The travel by age group was determined as follows:

Children under 12 10.6 percent

Seniors 3.2 percent

12 and over 86.2 percent

To represent adults 18 and older, the age 12 and over group was reduced to 80 percent of total travelers, which reduces the average U.S. average hourly wage of \$15.35 by roughly 20 percent to \$12.48 per hour. This value of time (\$12.48 per hour) was employed as the economic hourly time value to changes in transportation system characteristics for purposes

of computing an average user benefit time differential between alternatives.

Kake time values

The signifiers and phrases used to talk about time in Kake discourse offer a different set of values. These segments come from answers to my interview questions about community (appendix E).

- ... and I think by community, what you're talking about is the togetherness and the other things like that, and I guess it really goes first along family lines and then ... yet at the same time we realize that we're here together and at any time of need it's like all of the things that were said yesterday were forgotten today because this other thing came up that was much more important.
- ... he even came to me one time ... and ...'cause I had (several) jobs that were going on, and it was upsetting to him that I had all this work ...
- ... I know people, and people want to say hi to him all the time and ... you know sometimes he doesn't say hi. I have to tell him when someone says hi to you, you know, say hi.
- ... significant number of visitors, in those times, is when people also come to support the family or do whatever, and you know, and then they see this incredible closeness and the incredible 'we're all together' type thing.
- And after three or four times of that, FAA finally came over.
- And sometimes we invite other people like ____.
- And we look back in ... our timeline goes way further than that. So the things that (we know) is only things that we can remember that have been passed on to us orally.
- And you get to thinking just how many times that has been passed on and who forgot what.
- There's an expectation that when you take something when you go to the community hall and you've got to be quiet during certain times.
- But they'd arranged it where they wouldn't have church at the same time. The Presbyterians would have their time and all the people went. Then when they were out, Salvation Army had their time and all the people went there too.

- _____ told it in a briefer version, which I would do too because like you say, time was of the essence (at this particular community event). And you can see how long it could go.
- Community is created through family bonds, through time and appreciation of friendship, through going through hard times with each other, and good times.
- From the time I came home that's what I've been doing. Doing something for my people.
- He wasn't used to the closeness and the environment. It just felt like people needed to know what we were doing all the time.
- Water coming in on the ferries, on the planes. That's the first time I've ever seen that. We always see it in the community. Like we talk about. Someone's in need, someone's hurting, everybody pulls together.
- I built relationships with people because we lived in Sitka for a long time before we moved here, and a lot of her family and friends that would go in and out of Sitka, going to college with them, whether they were there for hospital needs, we left our door open, and they came and stayed at our house a lot, so I developed friendships before I even moved here.
- I really have thought about this a long time. It's just a real interesting ... I mean, I think it means that when somebody's in trouble, everybody's there for ya.
- I see people are here a short time and then they leave and come back and leave and come back, and, you know, it's financially restraining (living in Kake).
- I think in Kake it's a lot the way you were raised. You have to spend a lot of time with your Elders and other community members to learn.
- I was at a basketball game one time where they collected \$800 for a kid who was in the hospital. And it's kind of nice, too, because people don't even have to know who it is, just as long as they feel they're helping somebody.
- It's frustrating at times, and you feel like leaving sometimes. And sometimes I leave and just get lost in something that's not Kake [laughs]. And really value what's here when I come back, and look forward to coming back and getting back into my community.
- Nowadays people worry about how much it will cost or how much (effort it will take) to do that. And I used to walk ... sometimes I'd be walking by somebody's house and they'd tap on the window and you go and say, "Do you need something?"
- Some of my family members put on potlucks 'cause that's ... you can get everybody together and (have a good time) especially after dinner joking around and ... for community events.
- That's the only time I've seen them coming together (churches in Kake now). Oh, and funerals too.

- Then we're really hurting and see how much we need it to survive. They were some tough times during that time.
- There's all the bonds. There's a lot of animosity ... just like any town. But I think when times get really rough, I think all of that is put aside, and people do what they can for each other.
- Um, the people or individuals, they are family oriented, but when anybody's in trouble or even the good times, you know, we come together as a community.
- I see other organizations taking that role. Whether it be the churches or ANS, ANB, ... sometimes OVK ..
- We'd (when growing up) just spend time with them (the Elders). I mean I don't know, we just always ... you either were with your grandparents or your parents.
- We're always there for them, and it's always been that from the time I can remember.
- We were created here. as our history goes. And I don't even like to put a timeline on it anymore because 10,000 years is such a short time.
- Well, see, that's it. Visitors coming to the community, I mean, that's oftentimes when we get ... (people supporting one another).
- You know, sometimes it's like any other little town with rumors and gossip and stuff, but I think when you're in need, it doesn't matter who you are, you're part of the community; they help you out.
- You know, it's (in their speeches) ... they like how things are together; they like how everyone comes together. And, you know, (they say) we wish it could be like that all the time.
- You know at times you might not feel accepted here and stuff, but in time of need, in time of hurt, whatever, the people come out of the woodwork for you.

Comparison and discussion

In the DOT use of time as part of a benefit-cost analysis, time is valued as hourly wages in the labor market. Because travelers in southeast Alaska represent a diversity of time values, DOT decided to average out values. Averaged time values were limited to potential hourly wages that each passenger could earn if he or she could shorten traveling time. Everyone's time value was averaged at \$12.48 per travel hour.

In Kake, time is discussed more in terms of social relationships. People take more time for each other than in most places of my experience. As one man told me, Kake

people tend to be “day-to-day folks.” Kake is about long-term connections with those who are in the village and those who have had to leave for work. Cell phones keep people connected on an almost daily basis with family members in Juneau, Sitka and other towns. People are in and out of each other’s lives for the duration, said one Tlingit woman, who got tears in her eyes thinking about it. Reciprocity and taking care of family are highly valued. When someone dies in Juneau or Sitka and the body is returned to Kake, the pilot takes the time to fly over the places on Kupreanof Island that the deceased frequented, fished, gathered, and loved. When the plane lands the “whole village” goes to the airstrip to support the family. Government and other offices close so people can pay their respects and help with funeral and memorial dinner preparations. Sometimes the funeral and memorial events will last for more than six to ten hours. Most of Kake is often involved. One Tlingit man, who works for the city, said people from outside of Kake have a hard time understanding Kake time priorities.

Fieldworker: Do government agencies or corporations understand the values here and do they change their language to match what goes on here, what’s happening here?

City Representative: No. I don’t think they care about it one way or another. Either you’re going to do it [what they want] or don’t do it. But they’re going to do what they need you to do, from the government agencies. And some of them are ... I’d say about half and half ... because it depends on which, which agency. People that used to live in rural Alaska know about everything that goes on in rural areas like Kake there. They’re more sensitive to things that happen like if, um ... we come and have a funeral. Pretty much in a small community like ours everybody will be ... included in that funeral there, whether it’s _____ or myself, or even if _____’s doing his clinic up there, and they understand that we have to be involved with some of these ... you know, just anything like that has to do with the community ... like the funeral, as an example. We closed down city hall. And most big agencies won’t care one way or another; “Why in the heck are you closed down there?” And the ones that do understand where we’re coming from say, “Okay, we’ll call you back at 3 o’clock when everything opens up there” (2004 taped interview).

People drop their daily wage jobs on some days when it's time to harvest salmon and other resources. They may stop work for family and community-wide gatherings and events. People feel a sense of responsibility to family and community, and at the same time, some people feel the need to explain and defend such responsibilities to outsiders.

Time in relation to work comes up in local conversations as a topic that causes some people embarrassment. They explain that several people in Kake are reluctant to commit themselves to working 40 hours per week, day in and day out. In discussing Kake's economic situation, people tell how outside companies come in to do construction jobs, hire local people, and then lose many of their workers as soon as they receive their first paycheck. I sometimes observed, in conversation, that the 40-hour work week is a culture-specific western invention. Some people responded by remembering that their parents and themselves worked long and hard hours on fishing boats and in the canneries.

Because of ANCSA and the 1980s, when people received thousands of dollars in corporate dividends, many people in Kake feel that the younger generation missed out on learning a positive work ethic. In one respect, the reluctance to commit one's self to 40 hours a week for wages might be considered extreme behavior, partially attributable to ANCSA. In another respect, older Tlingit narratives teach the values of only taking what is needed rather than what is "greeded", sharing, and preventing waste. In the context of such values, working as hard as possible 40 hours or more a week to accumulate as much as possible might be considered an extreme. Parents and grandparents remember working hard when it was time to do so, but accumulating extra food and other resources for the purpose of sharing.

One Elder, who regrets that some families depend on "Welfare," agreed with me that perhaps economic solutions in Kake would be more successful if they accommodated people's existing values rather than forcing a change in those values. Perhaps jobs could be created that allowed people to come and go within the hourly-wage work environment.

The Elder responded to our conversation by giving me a page from Ted C. Hinckley's book, "The Americanization of Alaska: 1867-1895." Hinckley (1972:127) wrote the following about the spread of canneries in Alaska and the tendency of canning companies to hire Chinese laborers.

The passive, extremely diligent Orientals were "very satisfactory labor ... are ready to work at any and all hours, and apply themselves strictly to the work for which they are paid" [VanStone 1967:74-77]. Even where the actual salmon fishing was involved, the natives proved unreliable. Originally, Indians had transported salmon to the canneries, or at least been critical in their catch. But before long, small steam barges or tugs went to the villages because the native proved "improvident, knowing that nature provided for them without much labor" [Moser 1899:24]. The Indian was not reluctant to boast, "white men and Chinese must work to get something to eat, while the waters and the forests furnish the Indians with all they want." The aboriginals, not yet seduced by modern advertising, were confident that a "small amount of money will supply them with the few necessities which money alone will purchase" [Moser 1899:24]. This free, season-regulated way of life had no place in a society increasingly dominated by assembly line speed-up.

While Native people may not have devoted all of their time to wage labor jobs or selling fish for money, they worked hard. Industriousness and hard work are traditional Tlingit values. Newton and Moss (1984:102) wrote, "The traditional Tlingit values of hard work and economic self sufficiency were highlighted by several of our cultural specialists. ... Social status was accorded to those members of the community who were industrious and who had high ambitions."

In various conversations, I heard local grandmothers reminisce about working as teens in assembly line production at the Kake cannery. Kake maintained a fishing fleet for many years, a fleet that has dwindled to a few boats. The following narrative is a portion of an informal interview with a man in his 30s, who is an active participant in city and tribal work and politics.

Speaker: When I started fishing, I think, with my uncle, when I was like eight years old and then when I became a Junior in High School (in 1986) I went on my grandfather's seine boat, Do you know _____?

Fieldworker: Mhm.

Speaker: Yeah, she's my grandmother and I fished on the family boat with my grandfather _____ and that was where I gained, my hard work, you know; I had to finish what I was doing. I had to keep busy all of the time. I couldn't really sit around and not do anything and I (learned to respect working hard).

Fieldworker: Mhm.

Speaker: And now days that's hard to find, you know. Good work, good workers.

Fieldworker: Yeah.

Speaker: Somebody that's going to stick it out, you know, stuff like that.

Fieldworker: Mhm.

Speaker: Someone that's going to work hard and learn at the same time. Not just sit around and be all lazy. That's another thing you can see in the generation gap too. The urge, you know. They [younger people] just didn't quite get.

Fieldworker: Mhm, but it was before.

Speaker: It was before, yeah. And then the older guys who are around Kake, who are out fishing, they're good, hard workers. And then um... you've got the group of younger people that, they just need that ... you've got to push somebody to show them.

Fieldworker: Yeah.

Speaker: Yeah. I went out with _____. I don't know if you know _____ at the restaurant, she's a cook. And um, he bought a seine boat. ... He knew I had experience the last time I went out with him so he asked me to go out and show him the (ropes) because he had never (done it all) before.

Fieldworker: Mmmhmm.

Speaker: Yeah and we had his whole crew. You know, his green crew for fishing for salmon with a seine before. So, I learned after going out with, you know, teaching him, that he has a couple younger guys that are on the boat too that are working. I had to keep on... I had to keep them busy. You're out doing something on the boat and you're aware of what's going on because it's dangerous. [laughter] Anything could happen. So, I was constantly keeping an eye on them, and they're picking it up. They go into the cabin and come out or something and then they'll be jumping around (and saying): 'what do I need to do', you know.

Fieldworker: Good.

Speaker: Yeah, yeah. And there's actually a girl fishing on there too, _____s She's out there fishing too. She's never done anything like that before. She's done a little work, you know, maybe at the lodge, the restaurant there.

Fieldworker: Mhm.

Speaker. But her work ethic is starting to come too now. She realizes that this is hard work. You've got to keep up, you know, and stay on top of it.

Fieldworker: Yeah.

Speaker: So, that's been interesting, you know, to be able to help somebody else that's younger, the youth, you know, while kind of hoping that their work ethic will pick up a little bit more. (2004 taped interview)

The year I first began my fieldwork, 2002, the cold storage plant, owned by Kake Tribal ANCSA corporation, hired two men from Seattle to run product production. It was a last-ditch effort to keep the fish processing plant open. The men decided to lay off most of the local workers and hired workers from Brazil, Columbia, Spain, and especially from the Czech Republic. One of the new managers talked about his and his partner's decision to fire most local workers in order to foster a new working attitude, calling it a "tough love policy, three strikes and you're out."

We're giving them 30 days to be clean [of drugs and alcohol], and special contracts for those who said they wouldn't pass a drug test ... about seven people. They are good workers, good people. So they signed an agreement to take the test in 30 days. Once people realize what the management expectations are, they may come back with a new attitude. Before, the workers thought that since they were shareholders they could work some and then leave if they wanted to. When our group took over the management, the stipulation was that we would be in control. Those running Kake Tribal Corporation wouldn't be coming in and saying, "I don't want you to do it this way," after the decisions had already been made [about processing, hiring, and other management issues]. (2002 taped interview)

The new managers came to Kake after helping to supervise production at a fish processing company that had gone bankrupt. They blamed top-down management interference for the demise of the company, and wanted full control of Kake Foods to prevent power conflicts. By the end of 2003, the word in Kake and Petersburg

conversations was that Kake Foods was unable to pay many of its Czech workers and the fishermen who brought in the salmon. Lawsuits resulted.

In addition, local people often resented the Czech workers in town for various reasons, but mostly because they seemed aloof and arrogant. From the Czechs' perspectives the same was true of Kake people. Theft incidents caused friction in the cannery and in the larger community. In 2004, after the Cold Storage shut down, an Elder told me:

We are finding out the truth about ourselves. Some [cannery workers] were beat up for taking jobs in Kake. We found out that the cold storage managers told the [new cannery workers] not to mix with people in town. People in town thought they were just unfriendly (2004 taped conversation).

The corporation also put the community fish hatchery in jeopardy because it failed to pay for two years of hatchery fish it harvested. The hatchery was without funds to make its own loan payments. In a taped 2004 conversation with another Elder man, I learned that "everyone is pointing fingers at each other." The Elder said the new management had lots of plans, and a lot of money was made but no one knows where all the money went. He said he had anticipated problems in 2002 and 2003. "I told ____ that there was a heck of a lot of overhead being spent (by the new managers) and that nobody is keeping an eye on them."

As a fieldworker I only know rumors about the troubles at Kake Tribal Corporation and Kake Foods, but I include these narratives to illustrate time values. The time values among Tlingit peoples long correlated with values that limited greed. Older Tlingit ideologies socialized people to take only what they needed, to insure that Elders, widows, and others had enough food, to share, to avoid waste, and to respect natural resources, including other people. People accumulated extra resources to share and as a means of gaining status through giving gifts. After accomplishing these goals, time was

spent in conversation and in such things as art and leisure. In winter months, after acquiring food from March to November, people spent time repairing tools, visiting, and participating in ceremonies. This seasonal and more comfortable relationship with time was part of the social conditions that contributed to social solidarity, and it was part of a relationship with the non-human environment that contributed to sustainable livelihood.

Because some groups in Kake persist in describing and defining their lives in local, cultural terms and narratives, their discourse is an example of what Bourdieu (1991) called radical critique. They question what is rarely questioned in western political, legal and corporate languages. Kake people often talk about their environment and its resources in very personal terms (as well as cash-economy terms), but it is the respectful and “spiritual” relationship with trees, salmon and the environment, and the belief that you should never take more than you need of forest and fisheries resources that becomes radical critique. Time is less about getting as much as possible in a short duration, either through wage labor or resource extraction. These older ways of thinking brought into the future are radical because such personal value narratives about time, animals, trees, and fish are rarely discussed in an “official” context between politicians, lawyers or business professionals. Such personal narratives are rarely included in legal contracts and agreements.

As a comparison of time values, people who live in Petersburg are more likely to take legal, regulatory, corporate and legislative discourse for granted. People in Petersburg are predominantly non-Native, and corporate and legal narratives are more business as usual. People complain about laws and regulations, but they also readily participate in the legal system. Several residents are on state and federal fisheries boards, governor’s committees and other legislative and legal bodies. Fishermen in Petersburg want as much time to fish, as heavily, and as competitively as they can. Wasting time is especially problematic in this community where an almost obsessive work ethic is highly valued.

State and federal boards, commissions, and agencies manage and regulate resource allocation for commercial and subsistence use in Alaska. Within agency methods of decision-making and enforcement, dominant forms of social knowledge and social systems are coordinated over time. Petersburg fishing culture has helped create and has been created and re-created partially by the existing time-fixated system of resource allocation and authority. The authority vested in resource allocation coordinates the surveillance of community resource use and the focus on time and money that affects the lives of all Alaskans.

Anthony Giddens (1984) wrote that political and economic surveillance of communities is often accomplished through management of production (which is closely associated with time). People in communities may agree with or tolerate such surveillance and authority if it coincides with their own versions of economic and time priorities. In Kake such tolerance is less likely than in Petersburg because the Native social system remains somewhat situated in older resource distribution practices with different social relationships. In contrast, people in Petersburg socialize economic ideologies that emphasize a very different perspective of time and money. Most fishermen in Petersburg describe their fishing philosophy historically and today as an effort to get as much of the resource as possible in the shortest amount of time, without depleting it. Petersburg fishermen are known throughout Southeast Alaska as being inordinately competitive and aggressive about resource extraction (2002, 2003, and 2004 interviews with people in Petersburg, Kake, and Juneau).

Time, in Kake, is more about duration of human and non-human environmental relationships and survival in the long run. Time for Petersburg fishermen is about getting as much as possible as fast as possible in the short run. Time for the new managers of Kake Foods was about participating in the global market, which motivated them to take potentially risky chances for the sake of short-term, quick turnover of production and sales.

Within DOT text-artefacts, time is about the dollar value of selling one's self in the hourly wage labor market. In the SATP, time is stopped, averaged and synchronized within economic models of analysis. As such, DOT planners are less likely to truly hear and understand radical critiques about time from people in places like Kake.

Synchronization of time is an act of power (Blommaert 2005:142). In the DOT case, synchronization involves consolidating various historical and diverse relationships between humans and time into one moment in time, the moment within which the SATP was written. It involves "inscribing a number of assumptions and theoretical decisions onto the data, so that a sense of uniformity (both in terms of data and in terms of analytical preferences) can emerge" (Blommaert 2005:143). Other ways of understanding historical and cultural time, are neutralized in the synchronization process. The "official" conversation about road building and transportation becomes framed around the assumptions that are articulated in the fixed-text SATP document. People in each affected community must address their various ideologies about time in comparison and in reference to the DOT synchronized version. Even if people do not literally address DOT's version of time, their comments will be evaluated "officially" in comparison to DOT averaging of time values.

The power of text-"artefacts" and state descriptions of Kake

DOT's framing of time is an act of power that is partially situated in the tendency of mainstream culture to attribute authority to fixed texts such as the SATP. Blommaert (2005:184-202) refers to attribution of authority to texts, such as the SATP, as the "ideology of the fixed-text." The "ideology of fixed-text" is the belief that something in writing that has been adopted, confirmed, revised, submitted, voted on, etc. (which becomes a text-artefact) is "truth." A text-artefact is assumed to be transparent in

universally-shared and accessible meaning. It is considered stable, clear, precise, and an anchor for policy-making (Blommaert 2005:185).

When there is debate about a political action, the debate can be countered through reading and discernment of the text-artifact. “In line with the ideology of fixed-text, reactions to critique are referred [compared with, evaluated in relation] to the original text. In it are the only true meanings of the key term concepts” (Blommaert 2005:189). Thus, those in authority can usually retreat to the ideology of the fixed text to defend their actions. Power and aspects of inequality are performed when policy makers decide who can redefine text and when they assign generalizing labels to other groups who attempt to intervene. In contemporary society, few people question this textual authority and the rights of policy makers to insert revisions, which then become part of a type of dogma. In contemporary society, we learn “ideology of textualism” when we learn to read and write in school, where varieties of language are hierarchically ranked (Blommaert 2005:186).

The SATP has become the text-artefact which frames future road discussions. In negotiating road building priorities with communities, discussions about what it means to be a Native village and the values of time will occur with decision makers who reference the SATP, and who, in doing so, “retreat behind” the ideology of the fixed text.

Another fixed text is a description of Kake in the North Panhandle Transportation Study, which was initiated to begin the socioeconomic and environmental investigation related to the SATP plan (ADOT and PF 2007). While the contract was cancelled in May 2006 “because the basis of the study and its recommendations were overcome by events,” the initial study descriptions of various communities remains published on the DOT website at the writing of this dissertation. (See appendix I and appendix J)

The description leaves out Kake people’s social and environmental relationship values and practices, all of which are important in considering a transportation system that would support local efforts at sustainable livelihood and environmental integrity. The

state study about Kake, or one much like it, is likely to be a text on which legislators and other decision makers will focus their attention. Values and considerations that are left out of such texts are less likely to be counted as part of planning and problem solving.

The ideology of the fixed text, power, and radical critique

Ideology represented in state-based texts and other discourse is about power. It represents what Paul Friederich (1989:302) wrote is “a set or amalgamation of ideas, rationalizations and interpretations that mask or struggle to get or hold onto power, with the result that actors and ideologues are themselves largely unaware of what is going on.” People fail to recognize the hegemonic nature of their own ideologies because they believe them to be common sense. As such, they debate, plan, and problem-solve within the discourses of invisible ideologies. Barthes (1957:226) described the situation when he wrote that even if people protest, their resistances likely operate within the bounds of general hegemony and so are not anti-hegemonic because they fail to challenge the general boundaries of the system.

Several Kake people resisted the very idea of the road to Petersburg, and although they explained some of their reasons as a refutation of DOT assertions in the SATP plan, for the most part they resisted because they wanted their community to be theirs. Some of their resistance was within the bounds of general hegemony, or the boundaries of state-approved venues for disagreement, such as holding an election and conducting a tribally-initiated survey. The very act of opposing the road is a radical critique, when so many other North Americans take roads for granted as necessary. Some local people wondered if their resistance was costly to Kake. They felt that subsequent DOT proposals, such as reducing ferry services to Kake, were possible DOT retributions.

In a January 2004 meeting with DOT representatives in Kake, Mayor Paul Reese said:

The vote by City of Kake residents was 2-1 opposed to the Kake-Petersburg road [160 votes “against,” 80 “for”]. We feel the vote has altered our communications with DOT. We will meet with the governor in regard to the roads and other matters, but we need focused time with the City Councilmen and the Tribal IRA Council, one-to-one, to articulate our needs, and based on that, I feel there is a need for a joint meeting with the DOT, City Council and IRA Council. They are still factoring in a road on the SATP 2011-2025 projections. ... I feel there is a need for enhanced communication. The plan is a plan—using various hubs interfacing air/ferry/roads. How many Kake people go to Petersburg, Juneau, Sitka? And how often? The current plan doesn’t strike me as serving Kake very well. (Appendix H)

Two non-Native but adopted men said they felt DOT had decided to punish rather than work with Kake:

Speaker One: Yeah, because originally, they were saying that they were thinking about making, making a [ferry] hub [in Kake]. But now it looks like we’re not even an afterthought. So, we think that he was...

Speaker Two: Yeah, we’ve become basically the only community in the Southeast that won’t get, uh, high speed ferries.

Speaker One: ... I don’t know if it’s because we didn’t support the roads, [clears throat] ... You know, because originally, at the meeting with DOT, and uh, [DOT] they really wanted the road because they wanted us to be the ferry hub because it worked out better. ... They wanted to make us the hub because we’re much more centrally located. And all of a sudden after the vote, and the community chose to reject the road system, they come back and ...

Speaker One: Pretty overwhelmingly.

Speaker Two: Pretty overwhelmingly. and now they left us with very poor service and low speed of ferries. So, we won’t get serviced by any of the high speed ferries (2003 taped interview).

To resist the hegemonic priorities is often to risk being left out of the problem-solving conversation. As James Scott outlined in his 1990 work on the arts of resistance, when people in power are challenged, they have but a few choices. They can listen and

work with the challenger, thus giving up some power. If they want to maintain their level of power, they can ignore the challenge and the challenger, they can discredit the challenger, or they can punish or remove the challenger.

State-based social engineering that occurs through projects such as connecting unwilling communities through road building can be resisted on an individual or community level by making arguments in reference to the data, contexts and discourses of the fixed texts. To frame one's arguments based on fixed texts, such as the SATP and supporting studies, is to empower those texts, even as they are under critique.

People also can practice orthopraxy as a reaction to homogenizing projects, such as road building. Orthopraxy is to empower ideologically-laden texts and discourses outwardly while resisting them inwardly. It means going along with actions and discourse patterns without subscribing to the ideology that gives them meaning, especially if there are few or no other options. The problem with orthopraxy is that it is similar to Mead's (1934) observation that when we work to understand and communicate with other people by practicing to think like them, we change something about ourselves. While the way we communicate with people can be a choice, orthopraxy is related to lack of choice in a situation and "may be the beginning stage of every ideological process that uses coercion as an instrument of hegemonisation: schools, bureaucracy, the law, the labor market, ..." (Blommaert 2005:169). Orthopraxy might also be connected with Barrington Moore's (1978:459) observation that people tend to "grant legitimacy to anything that is or seems inevitable no matter how painful it may be. Otherwise the pain would be intolerable."

While the results of orthopraxy and granting legitimacy to the inevitable are powerful mind changers, they are never completely homogenizing. Arun Agrawal (2005:164), in his article "Environmentality: Community, Intimate Government, and the Making of Environmental Subjects in Kumaon, India," considers the question of how some people accept the interests/ideologies of dominating classes as their own and others do not. This question relates to Kake conversations because some people in the village

are more likely to see intensified resource extraction, one of the purposes of the SATP, as the solution to Kake's economic problems. People who subscribe to neoliberal economics are often connected with Kake Tribal Corporation, whose ANCSA mandate was to bring Kake into the dominant economic culture. ANCSA was arguably a case of coerced orthopraxy. Kake Tribal board members chose to join the market economy primarily through logging. When the trees were all cut, many who lost their logging jobs began to look for other resources to extract in large quantities as sources of money. Those who have lost the most and are the poorest in Kake simply want to make a living.

Other people are less inclined to accept the interests of dominating classes as their own. After watching the forest around their village disappear, some people are reviving counter resource extraction discourses and have intensified efforts to bring back the older values about respect for people, place, and the non-human environment. They are participating in what Agrawal (2005:166) calls "environmentality" which is the process within which people fashion themselves anew as subjects who are concerned about the environment. During my fieldwork, the Organized Village of Kake, the IRA tribe, was more focused on environmentality than were the City of Kake or the Corporation.

The tribal focus on Tlingit values is complex. Environmentality in Kake involves refashioning selves through learning the older values but within the local context of conflicting economic needs and priorities. People concerned about the environment and community must recreate themselves through local language codes and at the same time communicate in the dominating "prestige" languages of law makers and state regulators, who enforce laws and manage resources. In a sense, those working at environmentality must be able to speak in contrasting discourse frames (Tlingit ideological/community, and state official/legal) imbued with assumptions that are often in conflict. If Kake people want to participate in land and water management, defend their rights, and empower themselves, they must speak effectively in the languages of biologists, lawyers, DOT representatives, and other government officials. Those who do not know how to speak in

“official” or “formal” discourse frames are often barred, perhaps inadvertently, from participating in decision-making processes. They must, as Bourdieu (1991:138) put it, learn “prestige” speech through schooling or informal education or be condemned to “either silence or to shocking outspokenness.” The same is true for First Nations peoples in Canada where Nadasdy (2003:6) observed that by participating in state-based discourse, people agreed to “play by the rules of the game.” When that happens, people have tacitly agreed not only “to engage with government officials in a set of linguistic fields in which they are at a disadvantage. They are also agreeing to abide by a whole set of implicit assumptions about the world, some of which are deeply antithetical to their own” (Nadasdy 2003:6).

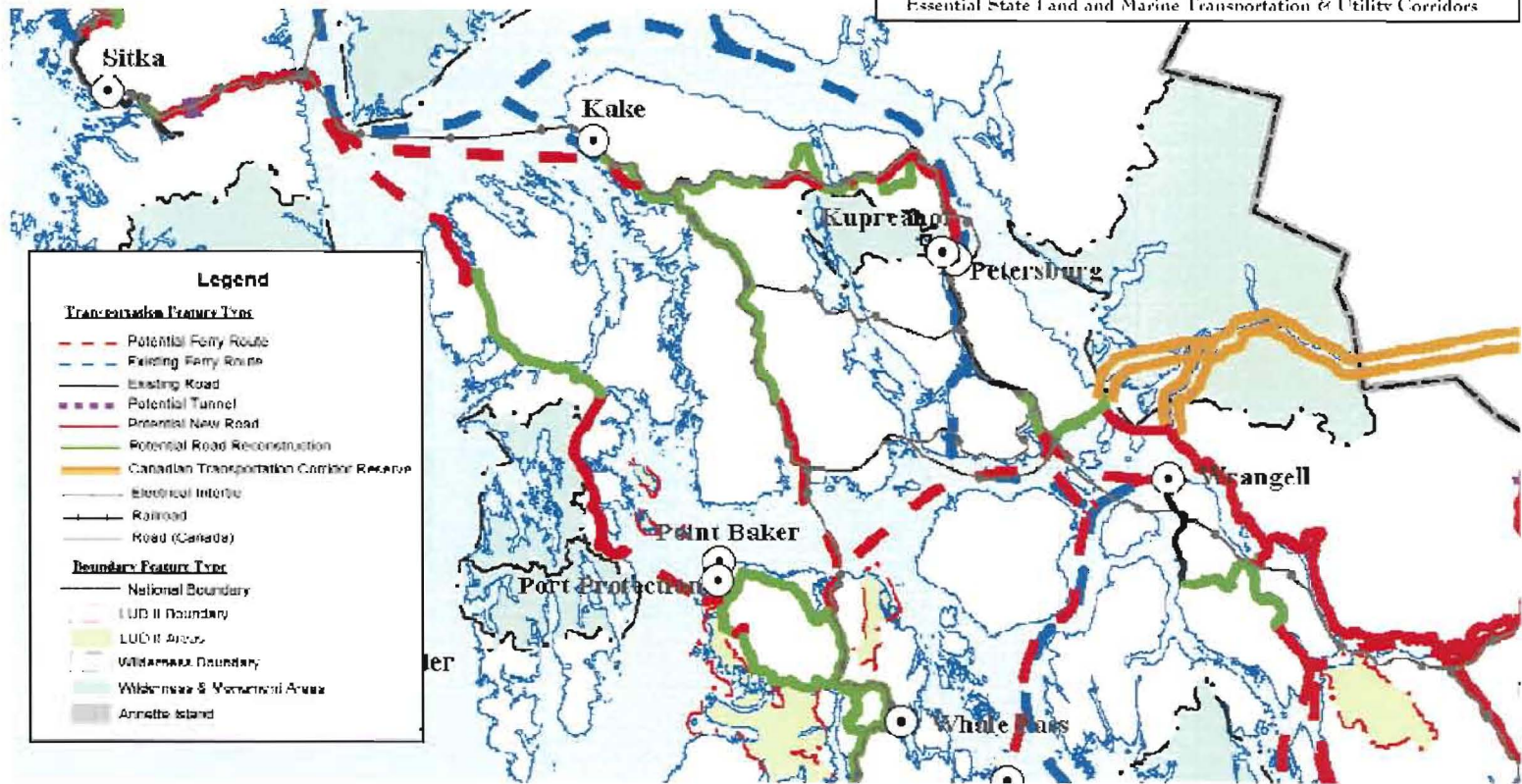
The SATP and supporting documents are text-artefacts that largely frame the rules of the game for Kake and other Southeast Alaska communities. Within DOT plans and studies are a “set of implicit assumptions about the world.” These assumptions define “community” within the limited parameters of costs, efficiency, economics, time as measured in average hourly wages, a preference for connected rather than isolated communities, access to national highways, and tourist access to Southeastern villages. Transportation planners wrote:

The SATP recommends construction of a road between Kake and Petersburg as a regional road. This road is not supported by Kake at this time; however, because this road and the proposed road connection to Totem Bay present significant benefits to the regional transportation system, these road links will continue to be pursued from a regional perspective. The Kake – Petersburg Road will require a short shuttle ferry crossing of the Wrangell Narrows between Kupreanof and Petersburg. ... These two road links are considered essential transportation – utility corridors to be preserved to meet future needs. Either road connection has the potential of making Kake a ferry terminus for ferries connecting with Sitka and potentially Juneau to serve through traffic that would make use of the regional road system via Kake (SATP 2004:50-51).

Kake people, especially when they join their efforts with other Native communities, have a strong influence in state governmental affairs, especially concerning Native issues. In the case of the proposed road, their voice was recognized, but their specific concerns were overshadowed by state representatives' criteria for measuring transportation priorities. It is the specific concerns that are largely connected with community making processes and feeling attachments to place and people.

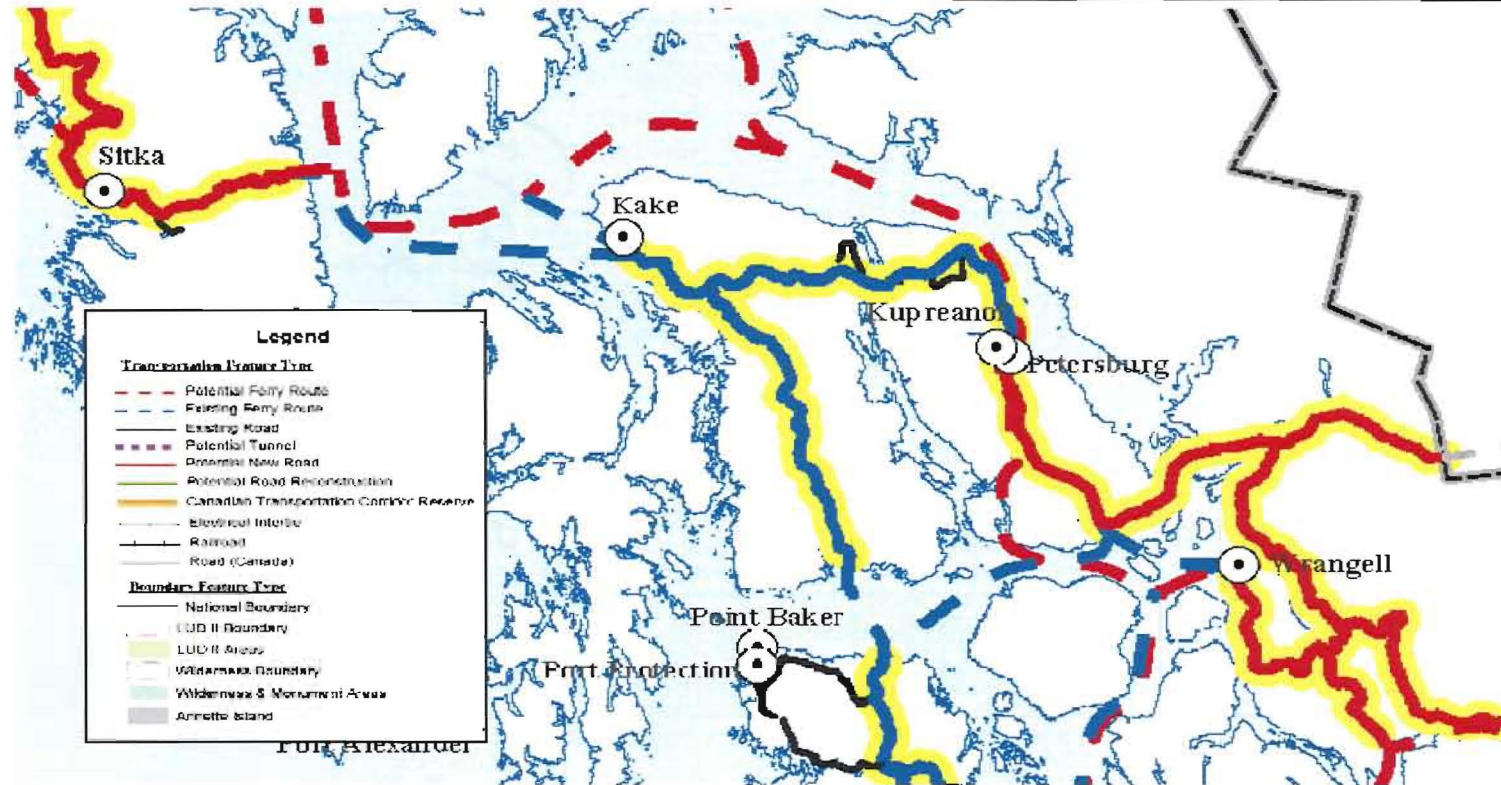
Map 2. Map of DOT Marine Transportation Utility Corridors

Southeast Alaska Transportation Plan: an approved component of the Alaska Statewide Transportation Plan, August 14, 2004
Map 7
Essential State Land and Marine Transportation & Utility Corridors



Map 3. Map of DOT Ultimate Regional Highway Development Plan

Southwest Alaska Transportation Plan: an approved component of the Alaska Statewide Transportation Plan, August 14, 2004
Map 3
Ultimate Regional Highway Development Plan



CHAPTER XI
LAND USE PERCEPTIONS

Speaker: *Now we're a cash economy. Before we were subsistence. Largely subsistence.*

Visitor: *Do you think people are better off?*

Speaker: *I don't think so myself. We have more materially but our way of life is gone. I can remember as a child ... during salmon drying season, or like now, going to fish camp, that was a yearly occurrence. Put fish up. Troll for fish and sell it. That's gone. When I came back to Kake it was so totally different. (2002 taped interview with Elder Tlingit man)*

Speaker: *I think we've passed two stages here. In my twenty-one years here we've seen where there was a period of time, probably ten to fifteen years ago, there was a real lack of caring for the fish, the clam beaches, the trees, the woods, you know. I mean there was more of a use and abuse. And a lot of kids growing up then. And I think between the school district and families kind of standing back and seeing what was happening, I think that's changed. I think a lot of families and kids are real sensitive to the environment now. Whereas ten, fifteen years ago they wouldn't have been.*

Fieldworker: *And before ten to fifteen years ago?*

Speaker: *Yeah. I think there was still a lot of respect for the environment before that.*

Fieldworker: *What happened?*

Speaker: *Logging. Making money off the trees. I think that was the major factor and then that disrupted the wildlife around here. ... Things were pretty dead. It had passed through that stage of ... logging coming in and stripping everything and, you know, things disappearing. (2003 taped interview with Tlingit man in his middle years)*

The paradoxes of land use perceptions and decision-making in Kake

This chapter sets up the theoretical framework for the case study described in three parts in chapters 12-14. The focal point is the Alaska Local Boundary Commission (LBC) and legislative attempts to force or pressure Kake to form a borough government with Angoon and/or other communities. The case study is a

means of answering one of the central questions of this dissertation. How do people in Kake communicate their local narratives about place, community and work to government and market representatives? How, in turn, do local groups interpret and react to government regulatory and global market narratives about community, forests and the marine environment? How do conversations between legal state and local entities influence the conditions of socialization of moral codes of behavior towards people and place?

Incompatible worldviews?

Meeting rituals

Clan laws and leadership expectations, as well as city, tribal, and corporation legal processes and leadership methods were and are deeply concerned with physical property resources and human social resources. Traditional and current legal processes are, in their own ways, performative rituals of ideological relationships between people and the rest of the environment.

In general, in any group, ideological messages that are transmitted in leadership are essentially reaffirmed through decision-making rituals. Variation or change in leadership rituals contributes to changes in ideological messages (Rappaport 1992). Whether public performance is part of legislative committee meetings or Organized Village of Kake meetings, “to perform a ritual is to show acceptance of what is encoded in the ritual” (which is not the same as belief). Leadership and legal rituals are public acts that entail obligation and establish social/legal conventions. Because a breach of obligation “is everywhere immoral,” ritual invests morality and embodies social contract (Rappaport 1992).

Moral codes of formal decision-making behavior in Kake include a flexible consideration of human needs and relationships. For example, the times set for city

and tribal meetings are often flexible according to what people are doing. If it is summer, and people need to go out fishing, then city meetings are sometimes postponed and rescheduled. If someone passes away and there is a funeral dinner, tribal and city meetings are postponed and rescheduled. People in Kake have an efficient word of mouth system (CBs, cell phones, and the post office bulletin board) to pass on changes of meeting times and dates. There is no local newspaper or radio station and very little of Kake news is covered by Petersburg, Juneau, or Sitka news media. Elected council and board leaders discuss issues with the help of laughter, informality, and sociability. In contrast, the council and board meetings an island away, in Petersburg, are typically conducted with much less laughter and more formality.

Meeting rituals are influenced by, and influence, social decision-making codes in a community. Inflexible meeting styles would seem incongruous in Kake, where people's needs are often prioritized over bureaucratic procedure. I was told several times that before increased reliance on council and board meetings, community leaders used to spend a great deal of time conscientiously talking with people on the street, in small groups in people's homes, and in day-to-day conversations to get a sense of what families wanted and how they felt. While day-to-day conversations continue to be sources of input, the formal elections and meeting processes have changed the ways local people gain input into their legal system. Patterns of legal decision making were significantly changed when jurisdiction over lands was handed over to ANCSA corporate decision making entities, such as Kake Tribal Corporation.

The ways that Kake people conduct their meetings, then, influence knowledge of the local social order. Changing meeting styles modifies the ways that people value other people and, it can be argued, ultimately the ways people value the non-human environment. The obligatory rituals from which state-based scripts are

derived and interpreted in the Alaska Local Boundary Commission (LBC) case study embody values concerned with legal authority, time, and human relationships. Because much of what occurs in meeting rituals involves land use and property ownership, meeting rituals influence beliefs and ideologies about the non-human environment.

Concepts of property

Throughout United States history, property laws and implementation of them reflect ideological changes from a “common law” worldview before industrialization to a more competitive individualized worldview, especially as development of resources for the sake of profit became a cultural, economic, and legal priority. Bradley Bryan (2000) points out that western political and legal institutions fail to allow divergent concepts of property and ways of life to cohere. Aboriginal and indigenous ways of life are always subservient to western legal culture. This relationship further colonizes. Bryan suggests that western society needs “an ethical shift in the horizon of values of the average citizen: to understand that difference needs to be simply recognized and respected qua different, to not attempt appropriation of it into our terms and concepts” (Bryan 2000:30).

Western legal system performers tend to interpret the rule of law as applying to all people in the same way. Legal questions about property lead to certain understandings about relationships to property. When a question is asked such as, “Who owns the land?” groups have to answer in ways that imply certain types of ownership. “The consequence of this forced assertion is that the group then begins to understand its relationship to the land in terms of the answer to the question imposed from the outside rather than according to the complex series of relations previously governing it” (Bryan 2000:30). Bryan wrote that the Tlingit people have long understood themselves to be physically part of their natural environment, and completely responsible to it. Ownership, as western

law understands ownership, is contrary to Tlingit views of property. For Tlingits “people belonged to the land” rather than the “land belonging to people” (Bryan 2000:30). If people [such as Tlingit people] have to answer questions that presume that land belongs to people, then their own understanding of land changes (Weinstein 2000).

One way to consider the differences in legal systems is to compare laws that apply to inclusive environmental relationships. Allen Abramson’s chapter in the book *Mythical Land, Legal Boundaries: Wondering About Landscape and Other Tracts* (2002) helps to summarize differences in concepts of land and “ownership.” Abramson’s points outline some of the basic differences between many aboriginal and indigenous people’s knowledge of land and present political structures. More holistic values were (are) more typical of groups such as the Tlingits, who view(ed) land/water as relational, ancestral, and as part of their group’s essential identity. Land relation practices and values for groups such as westernized state legal entities motivate people to behave as though land is basically material, something to buy and sell. State-based laws are typically much less concerned about historical or current human connections with land and water as more than legal ownership.

Abramson defines mythical land relations as those in which the past is embedded in the land as “an inviolable substance.” Jural property relations, in contrast, are tied with formal legal jurisdictions, which rest “upon the legitimacy of contemporary mediations rather than the authority of the past.” According to Abramson, such relations objectify land. In contrast, mythical/holistic land relations “are brought into being as somatic and spiritual facets of the persons who associate and belong with them. Embedded links between land, people and their combined pasts create this association as a distinctive cultural fact” (Abramson 2000:8).

Tlingit people managed their commons sustainably, and did so through a strong protective legal and ideological structure. However, many people who live outside of Kake point to the tribal corporation’s over-harvest of its forest resources between 1980

and 2003 as proof that the Tlingit are as exploitative of the environment as Euro-Americans. Many people fail to fully consider how the Tlingit legal and social system (that non-Native immigrants worked so hard to eradicate) was a primary reason for Tlingit success at sustainable self-regulation of common property resources for hundreds of years (Hunn 2002; Langdon 1985). Traditional Tlingit property laws and values were weakened as non-Native people absconded land, demanded assimilation, and insisted that Tlingit people speak English. In addition, the values inherent in the Alaska Native Claims Settlement Act (ANCSA) were incompatible with traditional relationships with land and water.

The following statement is an example of how some people in Southeast Alaska interpret the paradox of hundreds of years of sustainable land use with recent over-harvest of resources in Tlingit villages. The man in his middle years making the following statement is a non-Native Kake area resident, who keeps mostly to himself.

People lived here thousands of years without clear cutting their areas, without killing off all the fishing streams, without over-hunting the deer, whatever. But you know the other side is that they really didn't have the technology; they certainly didn't have the technology to clear-cut, whereas the whites did. The whites actually clear-cut and started selling off all that wood to the Chinese and that was the (place to sell it). They'd destroyed theirs. That was the (place they could sell it). There wasn't anybody else that really wanted it. So people here never had the ability to really do the clear-cutting. They didn't really have, you know ... it's really hard to over-fish because of what their nets were made out of. Their nets were made out of either cedar bark rope, very precious. Took a lot of time to make it. So you go out to the stream and when you're (not having as much luck) fishing, you're probably going to pull up and go someplace else. Every time you take your net out, you're going to be catching twigs and stuff and your net's going to be tearing a little bit. You've got to take care of it. It's worth a lot. And so that really prevented them from over-fishing a stream, I think, because if your net's destroyed, you're dead. And you knew you were better off running somewhere else. Nowadays you've got nylon nets. You run across the bay, you catch (every) fish there is,

and if you tear a few nets they can be repaired again, or thrown away after a few years. It's much easier to really take everything there is. So I don't think the [old] technology was able to do a whole lot of environmental damage. I think that would be true of quite a few Native cultures. Not all. (2004 taped interview).

One fallacy in the speaker's description is the assumption that if people are capable of overexploiting their resource, they will. He, like many, but not all, people in places such as Petersburg, offers little consideration of how legal systems and social ideologies influence human and non-human environmental relationships. In a sense, he is justifying much of non-Native behavior on the pretext that there are few if any people who would act differently given the same opportunity. Northwest Coast Native groups did not always have enough food. Salmon runs failed, for example, and their foods were not necessarily high in calories, so they supplemented berries and fish with grease (Langdon 1977, 1979, 1985). People could starve, so they needed to be conservationists to survive. "In short, on the Northwest Coast, conservation was managed by political regulation supported by appeal to individual morality," Anderson (1996:68) writes as a generalization. Specifically, avoiding waste and greed is part of Tlingit morality.

Part of being conservationists included (s) respect for traditional foods. Richard Newton, a Tlingit man, and Madonna Moss, an anthropologist, conducted oral interviews with several Tlingit people. Henry Katasse of Petersburg told them about respect for food.

A well-bred Tlingit is never heard making remarks about food put before him. People refrain from making sarcastic remarks in jest about food. For example, a short story is told about a young princess saying, "I do not eat this part of dried salmon-too bony." News of this got around the village and people became indifferent to her. Soon a famine set in and she became hungry along with the others. (Newton and Moss 1984: 1)

While families accumulated large surpluses of food for the winter months, extra food was distributed at potlatches or to trade with other tribes (Newton and Moss 1984: 2). In

my own fieldwork experience I often heard the phrase “take only what you need,” and I heard people talk about their grandparents teaching them to share food with those who were less able to go out and get their own. Sharing was also talked about as a means for preventing waste.

Ecological anthropologist John Bennett (1995) wrote that levels of human greed are learned, and that there are two basic discursive arguments about greed. One argument is that greed is constant, biological, and built into human nature. In this view greed is inescapable. The second argument is that greed is variable because it is punished or checked by the social environment. Cultural values create greed, especially when cultural values emphasize detachment or ignorance of nature. Bennett wrote that the difference between these two views of greed is mostly false. In actuality, greed is an innate human behavior, but human behavior is always modified by culture (Bennett 1995).

Bennett proposed that those groups who permit most of their members to live in what is believed to be “freedom” from environmental constraints, accentuate greed as “normal” behavior. “Freedom” from environmental constraints is a promise that western nations spread with economic development projects throughout the world. Bennett described how Northern European and Euro-American neocolonial and neoliberal economic assumptions forced on others through colonialism and neocolonialism, proliferated the belief that resources are infinite and that they exist to be found and sold for reasonable prices. He described how people who lived similarly to their ancestors hundreds of years ago were told that they were poor and backward. Promises of “freedom” from environmental constraint and “poverty” escalated and continue to intensify people’s demands on the environment. For people in Kake, an acceleration of promises materialized through the Alaska Native Claims Settlement Act. According to Thomas Berger, a retired British Columbia Supreme Court Judge, who visited 60 Native villages in Alaska between 1983 and 1985, ANCSA was the United States “domestic

application of economic development theories previously only applied to the Third World” (Durbin 1999:144).

As Native ways weakened, environmental resources were negatively impacted. Native ways have not disappeared; they keep resurfacing and transforming in response to environmental and social dislocations and as part of revitalizing and restating ideologies. In the meantime, instead of land management through older ethical systems and Tlingit principles of conservation (Dombrowski 2001, 2002; Hunn et al. 2003; Thornton 2008), ANCSA land was managed as though it was private. This change toward legal corporate property ownership is an example of social and environmental dislocation. Land was to be managed through a United States corporate business model.

Lawmakers, lending institutions such as the World Bank, economic development programs and the corporate western world in general have long worked under the assumption that property is better protected through private ownership, be it human individual or corporate individual ownership. For several decades most scientific and legal experts have assumed that Hardin’s “the tragedy of the commons” (1968, 1977) is a universal phenomenon and inevitable without a strong protective legal structure that promotes private property ownership; this has become western-initiated ideological hegemony. Environmental anthropologists especially have tried, and I believe have succeeded, to show that this assumption is often false (Anderson 1996; Collins and Wingard 2000; Kuletz 1998; McCay and Acheson 1987; Ostrom 1990; Tsing 2001; Williams 2002). People tend to regulate their own fishing, grazing, hunting, or other offtake activities. ... (Anderson 2006:10). Yet in Tlingit life there is evidence that a “tragedy of the commons,” as Hardin describes it, occurred when western concepts of private property and profit were imposed upon Native groups.

The United States historic legal and economic trend has been toward private property rights as the principal solution to a “tragedy of the commons,” and this trend was extended through ANCSA and in fisheries management with individual fishing

quotas and other management tools. Weinstein (2000) is among those who outlined another workable solution. He emphasized the possibilities for community-based management of fisheries by using examples of Northwest Coast Native social systems and the Japanese solution to inshore fisheries management. The Japanese example disproves the inevitability of “the tragedy of the commons” in a modernized, capitalistic, profit-focused economic and legal system. Weinstein suggested that there are alternatives to incorporating or privatizing property ownership, or to the centralization of fisheries resource management, resource extraction, and resource laws. The same is possible for land-based resources.

“Non-tragic” community-based management would require changes in legal, economic, environmental, and geographic assumptions that were partly formulated and exacerbated through the seventeenth to eighteenth centuries in the United States. With the creation of industrial textile mills on the east coast, laws began to favor corporation ideology and transformed from an older understanding of “common law” ideologies to competitive individualistic and top-down management ideologies. Weinstein used Northwest Coast and Japanese examples to show that models for community, local management exist. Successful examples of long-enduring, self-governing common property have certain features in common, according to Weinstein. These examples deal effectively with the core problem of self-management of common property, which is opportunism, or the tendency for people to prioritize personal benefits to the detriment of other people and the environment.

Becker and Ostrom (1995) proposed, after examining hundreds of case studies, that groups who successfully self-govern their common property typically have social systems that include features discussed in the following section. These features are outlined in Weinstein (2000:381-382).

Features of successful common property management

1. Clearly defined boundaries: Access rights to a certain territory are well understood so that “outsiders” and “free-riders” can be controlled.
2. Long-term investment and commitment by community members: Such investment requires that people believe they are receiving benefits (not necessarily profits) from their contributions.
3. Clear understanding of who has the right to change the rules: In successful examples of community-based management, changes to rules were limited to the members of the community, those who would be affected by the changes. In a top-down management style, there will always be people who feel justified in breaking the rules.
4. Monitoring of biological, physical and other geographic information: Collecting information useful to the community of users.
5. Enforcement of the rules and sanctions when the rules are broken: Violations will always exist. In successful community-based management systems, the sanctions are graduated according to the nature of the violation and the number of violations. Eventually violators might lose common property rights.¹²
6. Conflict resolution: In many successful examples, community leaders resolve conflict.
7. Recognition of the legitimacy of the self-management system by governing authorities and by other resource users. Community-based management cannot be successful if it is in conflict with governmental, legal management or with other resource users.

Pre-contact Tlingit social systems encompassed all seven self-management features. Weinstein described how the current inshore community-based fisheries management systems in Japan also contain the above self-management features.¹³

¹² In traditional Tlingit laws trespassers and violators knew that they might be killed or, at the least, ridiculed (Oberg 1973).

¹³ Weinstein (2002) wrote that although the Japanese have a questionable record in many areas of fisheries management, the inshore community-based record goes back thousands of years and a similar community-based management strategy appears to be a sustainable livelihood success story. At the end of the nineteenth century, Japan began to restructure its economic system to model western management methods. In keeping with the western model, Japan changed its laws so that the national government would own the fisheries and instead of limiting access in the local inshore fishery to fishing communities, access was opened to outsiders. The result was economic, environmental, and geographic chaos. At the turn of the twentieth century, Japan rescinded the new laws and reinstated community-based fisheries. A set of

ANCSA is an example of imposing western legal assumptions about property and environment onto groups of people in ways that are contradictory to local legal strategies and values that protected sustainable livelihood (Tomsen 2002). Now Native Alaskans are expected to make a profit from some of the same lands on which they practice “traditional” subsistence hunting, fishing, and gathering. If “profit” as a concept were to be redefined as encompassing more than material wealth and real estate, and if the social-relationship-health of community, and the health of environment, and subsistence were “counted” more seriously in legal and economic definitions, environmental changes might be less drastic. Such transformations in legal and economic definitions of community and environmental health would require modifications in legal decision-making assumptions and political priorities and in values and ideologies concerning property (Waring 1990, 2003).

One way that United States legal discourses have protected the substance of legal processes from greater consideration of mythical/holistic land relations is through dichotomization of jural and holistic understandings. Richard Ford (2001) explains how the dichotomy manifests itself as discourse in his article “A History of Jurisdiction.”

Ford concluded that legal discourse, to some extent, creates the frame for dialogically opposed modes of human selfhood. Legal processes make other arguments

standard fishery rules was established to create fishing cooperatives that would coordinate the use of coastal fishing grounds. These were fishing “guilds” whose membership was limited to residency and a period of fishery apprenticeship. Cooperatives are presently linked in ways that assist communities in marketing, banking and fisheries technology. Decisions are not based on maximum sustainable yield, but on what the fishermen are experiencing on the fishing grounds and on scientific assessments. “Government scientists make some stock assessments and provide recommendations, but fishers also rely on their own less quantitative readings of the resource to make decisions. Because the fishery has a local territory structure, any mistakes are borne by the people who make them. This is obviously the most powerful form of accountability, and it matches well with Ostrom's design principles” (Weinstein 2002:404). Conflict and competition between fishermen are dealt with by members of socially linked fishing groups and sometimes through conflict resolution formalities. Solutions come from consensus rather than from delegated authority. Food, liquor and socialization after conflicts help alleviate bad feelings. People are connected and committed to a tightly linked social group. Their commitment is long-term and their need for equitable benefit is addressed.

difficult so people find themselves choosing one side of a dichotomy. Having to choose sides further dichotomizes perceptions of land and human relations.

In Kake, people often find themselves on one side or another of an increasingly polarized view of their relationships to land, water, and territorial jurisdiction. Those who are more closely connected with the ANCSA tribal corporation, and often city government, are more likely to describe land/water/human relations in synthetic/jural language frames. Those who are more closely connected with Elders, traditional ways, and the IRA tribe describe land/water/human relations more often in organic/holistic language frames. People in Kake often must choose between a dichotomy of synthetic versus organic descriptions of land/water jurisdictions that evolved within formal state legal processes. The necessity of choosing among limited legal options, that are derived from a legal system centered on jural definitions of land and jurisdiction, increases local polarization. A middle ground that would support creative incorporation of organic/holistic values is difficult when local governing entities are legally tied to the mandates of state-based offices and agencies. Entities from outside of Kake continue to put pressure on local property relations. (See appendix C for an overview of state-based connections with local government.)

The following narrative through which we can better understand local and state government influences and land-related paradoxes. When I was in Kake in 2004, I heard the following conversation between a non-Native husband and a Native wife in their middle years, which illustrates the confusion that results when common lands suddenly become private lands, but these private lands are “owned” by a collective of Kake Tlingit people as shareholders. The conversation is about Kake Tribal Corporation ANCSA land.

Husband: Well that’s what I was wondering about. What kind of an economy we could do using natural agriculture that’s present here. But again you’re not able to rollover enough of a volume to sustain an economy that would carry even a family, I don’t think, year around. Because before you can go out into the forest

here to do these types of things you have to have the blessing of the government [the USFS], and to remove plant life out of that forest is one of their no no's.

Fieldworker: Kake Tribal land?

Husband: Oh no, no, no. That's private land. This fall we were out hunting out there and driving the road. And I had another shareholder in the truck with me, and we were hunting moose. And the logging manager (non-Native) for Kake Tribal stopped us and said, "This land is private and it's closed off to you guys. You cannot hunt here." [Speaker One answered.] "But I'm a shareholder and I'm married to a shareholder. Don't tell me I don't have a right to hunt this land and to support our families." [Speaker One quotes the logging manager.] "I'm sorry. This land is closed. You're to get out of here right now. This is it. No hunting." This is their land. The Natives.

Wife: Did it belong to Sealaska?

Husband: The corporation's land.

Wife: Does it belong to Sealaska?

Husband: Kake Tribal's real estate. Or Sealaska's alike. It doesn't matter.

Wife: What was their excuse for not letting you on there?

Husband: It's private real estate.

Wife: I know there was an excuse before ... there was dynamite here and there.

Husband: We weren't even close to that. That's all the way on the other side of the mountain.

Wife: Was that their excuse. Did they give you an excuse?

Husband: No. It's just private land. You cannot hunt here. So we just looked at each other, just laughed, and just kept right on going. You know if he would have pursued us we would have taken another action. We're not going to allow that to happen.

Wife: Did he do anything?

Husband: No.

Wife: Well what could he do?

Husband: No. What's he going to do? Two guys with guns. Telling them not to park on the land? (2004 taped conversation)

Although most people in Kake see Kake Tribal Corporation lands as commonly shared, laws about property ownership shift management, cultural, and inclusive environmental priorities. Instead of Tlingit people belonging to the land, the land belongs to a particular legally-defined group, whose elected representatives decide, within United States legal priorities, how property use is defined and how human behavior in relation to

the land is determined. One example of land use assumptions came up in 2004 when United States Homeland Security representatives mandated that the gates into ANCSA land be closed because there are places where the corporation stores dynamite. By closing the gates, the federal government was closing access to subsistence resources. One local man in particular worked hard to explain the situation to federal representatives in order to get permission to reopen the gates, especially for Elders to pick berries and gather other resources. Eventually he was able to get permission to re-open the gates.

State-level beliefs about the purposes of land, water and territorial jurisdictions, imposed top-down onto the local environment, create conditions wherein local people must try to explain their relationship to land and water. They must do so within formalized state procedures. They do so for legal decision-makers, many of whom have rarely, if ever, experienced holistic or organic land/human relations in the ways that many local people experience them.

Boroughs

Make people have little choice but to participate in legal processes towards boroughization. Conversations between local and state “actors” are rituals for working out the elements of rupture and crisis caused by state law that mandates all of Alaska to form regional governments. Because local villages prefer autonomy and self-government, boroughization directives threaten to further destabilize local ideological beliefs and assumptions about people and the rest of the environment. From the perspective of LBC commissioners and certain legislators, conversations between local and state “actors” are more about frameworks of “order and disjuncture.” Order is the “ideal world” (regional government formation and economic “responsibility”) that LBC commissioners imagine could exist if groups followed the “right” social rules and had the “right” beliefs, that is, if unorganized

borough areas would take “responsibility” and organize. Disjuncture comes from the gap between ideal worlds and social reality, between intention and outcome (Lewis and Mosse 2006:2).

How could Kake people respond when legislators draft a bill that, if passed, would have forced Kake to form another level of government with communities on other islands? In order to empower themselves at all they had to work to define and evaluate the situation using their own knowledge and ideologies about their inclusive environment in relation to circumstances which threatened legal changes. Sources of change (dislocation), physical and ideological, include legal mandates that redefine local relationships. How people negotiate such dislocations is prejudiced by levels of power within decision-making contexts.

The circumstances of boroughization

In 2002, Kake and Petersburg faced the possibility of being forced by the state of Alaska to form borough governments and claim territories around those governments. Boroughs are similar to counties in the rest of the United States. More than half of Alaska is within what is called the unorganized borough. Communities, including Kake and Petersburg, rely on municipal and tribal governments in unorganized areas. Several state legislators in urban areas responded to reductions in state revenues by accusing people in rural areas of not paying their fair share for education. They claimed that people “get away” with not paying their fair share of taxes because they have yet to be responsible and form borough governments. During the 2005 legislative session, two legislators authored a bill that would have required all residents in the rural unorganized borough, over 21 years of age, to pay \$425 per year for education, whether they were employed or not. According to the 2000 national census, 82 percent of the population living in remote

rural areas is Alaska Native. This bill excluded people in the urban organized boroughs from such a head tax because they were more likely to pay property taxes for education.

As in Kake, many rural residents live below the poverty line, often relying heavily on subsistence hunting and gathering and federal aid programs. Some people in Kake question poverty statistics by saying that Kake people were not “poor” until outsiders came in and labeled them as such. If poverty is measured in taxes, Kake has few resources. Rural areas are surrounded by property that cannot be taxed because it belongs to Native corporations or federal or state governments. School districts in these areas and the Alaska state general fund received federal impact money as compensation for the nontaxability of federal land. However, for people in urban areas, and for several legislators who represent them, “if the money doesn’t come from local pockets, it doesn’t count” (DeMarban 2005:1). The assumption is that rural people in unorganized borough areas are getting away with “not paying a nickel.” Two-thirds of the Native villages (150 of more than 200) recognized by the Bureau of Indian Affairs are located in the unorganized areas, according to the Local Boundary Commission. These villages were negatively affected when the state decided to stop sharing revenues with municipalities and cut the longevity bonus that went to Elders (De Marban 2005).

According to the chairman of the Local Boundary Commission, the \$425 head tax bill was a means of giving people in rural areas an “incentive” to form boroughs (*Anchorage Daily News*, March 2005) and begin raising tax money. In 2004 the same legislators who sponsored the head tax bill authored a bill that would force four regions to form boroughs if the LBC and the legislature determined that they had the resources to do so. One of those areas included Kake. The bill to force boroughization passed in the Senate but failed to move in the House, so State Senator Wilkin helped initiate the head tax bill. The head tax bill also failed. It was aligned with recommendations in the 2005 Local Boundary Commission report to the legislature spelling out the need to pressure communities to form boroughs. The report recommended that National Forest Receipts

Fisheries Fees and Taxes be shared only with communities within boroughs as an incentive for other communities to organize.

During the time I conducted fieldwork, villages, including Kake, were overwhelmingly against forming boroughs. They preferred to maintain their tribal and municipal separateness. Most of the lands around Kake are legally untaxable. The small portions of property owned by individuals have clan and house group history and ownership, and the mayor at the time of my fieldwork, who was non-Native, said, “I could never bring to them a borough that would be involved in the collection of property tax. And the reason is to me it’s a moral imperative that I never seek to tax Native people on their traditional lands. It would be writing a bad chapter in that history book” (appendix).

A borough, by law, generates revenues for its own schools and basic services such as roads. The generation of revenues in most rural areas would likely come from resource extraction. The Kake mayor voiced the concerns of many when he said, “Nobody wants to see what’s in back of Kake happen to the rest of Kupreanof or Kuiu [island]. ... I would never want to see the borough encourage resource development just to generate funding” (appendix Y).

The school superintendent of Kake wrote the following to the Local Boundary Commission (LBC): “Autonomy is very important to the people of Kake and the education of their children. This autonomy helps preserve the culture and identity of the people. It is often difficult for those who do not have strong traditions and ties to Native lands to understand its power and value to communities and people who have it. These factors are critical to the successful representation of the people by a government. Until these factors are recognized in the formation of boroughs, the likelihood of a successful borough government that will meet the educational and communal needs of the people will be remote.” The superintendent’s letter to the LBC is in appendix S.

Maintaining autonomy and self-determination in Kake is problematic. ANCSA policy resulted in a deeper reliance on a cash economy. Now the community is in economic trouble. It lacks the tax base to fund, in entirety, its own educational services. The city's choice, in the eyes of the state and many outsiders, is to continue "stealing" tax money and public services, or it can organize a borough with other communities on other islands, as the LBC proposes, and politically encourage future mining and logging in the surrounding federal forest areas. The lands allotted within the borough proposed for Kake and Angoon offer limited economic and taxable value. The mayor said he had no good adjectives to describe the boundaries of the proposed borough. "Basically it is a proposal that lacks the land mass, the population and the tax base that is needed to sustain a regional government. Our local boundary commission actually proposed a borough that was destined for failure. And I still am puzzled over why they would knowingly do that, and what mechanism might be involved which would allow them to do that" (appendix Y).

During my fieldwork, I found that people were resigned to borough formation because of state pressures. People saw it as something they needed to prepare for because other communities were "land grabbing" in an attempt to get what they could before others claimed it as part of their borough territory. Eventually the legislature passed a bill that limited the amount of land communities could claim within borough boundaries.

In 2006, the city of Hoonah was preparing to petition the Local Boundary Commission to form a Glacier Bay–Chatham Borough that would include Hoonah, Kake, Pelican, Elfin Cove, Gustavus, Tenakee Springs, and Angoon. In June 2006 the Pelican City Council expressed concerns about the financial position of communities included in the proposed borough because of its negative experiences with Kake Tribal Corporation. Pelican was also concerned that most of the financial benefits might accrue to Hoonah, where borough offices and managers would likely be located.

Borough conversations are a good venue through which to examine community discourse, values, and empowerment as influenced by government and corporation discourse.

Discourse examples

In order to examine how discourses about boroughization compare with and influence each other, I collected examples from legislators and agency representatives who support boroughization and local people who oppose it. I collected letters from Kake written to the LBC stating the point of view of the city, the tribe, the school superintendent, and the tribal corporation. These narrative examples are included in full in appendices M to Z. Below is a list of the examples that are the basis of discourse interpretation and evaluation throughout this case study.

A collection of conversations for comparison

- 1) State Senator Gary Wilkin's speech to the State Affairs Committee, March 2004. (Appendix M)
- 2) Alaska LBC Director Darroll Hargraves' speech to the State Affairs Committee, March 2004. (Appendix N)
- 3) LBC 2005 report to the state legislature (segments). (Appendix P)
- 4) City of Kake 2003 letter to LBC. (Appendix Q)
- 5) Kake Tribal Corporation 2003 letter to LBC. (Appendix R)

- 6) Kake School Superintendent 2003 letter to LBC via the City of Kake. (Appendix S)
- 7) Organized Village of Kake (IRA tribe) 1998, 2003 letters to LBC. (Appendices T-X)
- 8) Kake Mayor Paul Reese's speech to the City of Kupreanof Council, 2003 (segments). (Appendix Y)
- 9) City of Hoonah's 2006 borough proposal draft (segment). (Appendix Z)

To better understand some of the state discourse frames and the “feelings” around which boroughization is evaluated, I include some conversations transcribed from an October 2003 State Senate Affairs Committee workshop. Most of the communities targeted in Senate Concurrent Resolution 12 (SCR12) for mandatory boroughization were Native villages. Someone asked Senator Wilkin during the workshop how tribal governments fit into borough decision making. Wilkin brushed aside the question saying he didn't know much about “that tribal thing” but that tribal questions were already being worked on. He said,

... if you go out and you look at these four areas [the areas SCR12 has identified for possible mandatory boroughization], and let's just say that one of them can't support government. You go down the checklist and you say, nope, nope, nope they don't fit. What we do is we find the strong and we ask them to incorporate through a plan, which you'll see a timeline here, and when that's finished then you look to see what's left. What areas of the state need the efforts of all of the state to bring them, so the next generation to come along, they're able to incorporate. They have the wealth; they have the economic value to help themselves through a common voice. So, we separate, with SCR 12, the strong from the weak. We have to start to look at the weak. What do we do over the next couple of generations to get the areas of the state that can't today help themselves? It's a concentration of efforts. It's a rising tide that lifts all boats. And I think that's what we're trying to do here. (Transcript of meeting.)

Senator Wilkin's speeches and answers to committee questions are narratives that "instruct" his audience. His audience in these examples is ordinarily other members of the state legislature and representatives from various state agencies. He is telling people how they should feel about the borough situation, but he has learned how he "ought" to feel and what he should teach based on his own experiences of emotion/feeling in the social context of the legislature. He tells a narrative that "fits" the larger system in which he is participating so that he can maintain his identity in that system. Wilkin's identity and the larger system are never fixed, and neither are his narratives. In 2005 his narrative will have changed. Instead of asking the legislature to consider requiring communities to form boroughs, he proposed that people living in the unorganized areas pay a mandatory head tax. The head tax or "sledge hammer" as he put it, would encourage responsible behavior towards taxation and boroughization.

Some of the "feelings" that can be inferred or identified in Wilkin's resolution, supported by more than 40 percent of state legislators, include:

- Taxation for school funding in Anchorage, Fairbanks, Juneau, and other organized areas is *unfair* if people in unorganized areas remain untaxed for their schools.
- People who fail to pay taxes if they have enough to do so are *irresponsible*.
- Only boroughs, first class cities, or home rule cities can tax so everyone needs to be under the jurisdiction of one of these entities.
- People can support boroughs if they utilize their regional governments to promote economic development.
- Strength means good economic development.
- Weakness means poor economic development.

- If people fail to conform to the constitution they should be forced to bring about *fairness and equality*.

The *feelings* of supporters of the resolution were part of their ideology. The fact that some people live without regional government was considered a disjuncture in that it ran contrary to what many SCR12 supporters considered “normal” behavior. A caprice is linked to a moment of unexpected dislocation at the political level. In this case, Alaska funding sources were decreasing. People were faced with decisions that caused a rupture in a “normalized” order of things. One way to “fill” a rupture is to try and uphold the normal order, in this case to demand that others contribute more to it. Ideologies about how government, economics, and taxation should work (the ideal world) were challenged by decreasing resources. But the system could still be seen as “truth” if everyone did their share to uphold the ideologies (the disjuncture that needed fixing). In order to enforce compliance, Wilkin identified the groups he and his compatriots decided were outside the “normal” order. In a sense he was saying that if people in the unorganized borough participated more fully in government, economics, and taxation, the same way that urban, organized Alaskans did, then “truth” could be upheld and the rupture fixed. Thus, he accused unorganized communities of causing unfairness and inequality because of their lack of compliance with his and his compatriots’ ideologies.

Wilkin demonstrated in his speech how signifiers that help define the “normalized order” become attached to that which caused disorder and that which will bring back order in the face of disorder.

Wilkin: Mr. Chairman, the best government is the government closest to the people. And there are areas of our state that are called out ... that are being called upon to contribute and help with education. And I think in these budget times, and I think as a matter of fairness, that as a fiscal issue, and that is obviously the dollars that would flow to the treasury and enable us to pay for education. (See appendix M)

- a. Best government is a signifier that ties the past “normalized order” with that which dislocates it—budget times.
- b. That which will fix budget times and repair the “normalized order” is contribution (through forming borough governments that can raise tax money).
- c. Contribution and help (through borough taxation) is aligned as a signifier with fairness. Fairness and contribution are aligned with good government.
- d. Good government is closest to the people (borough governments).
- e. Good government acquires a new meaning as aligned with borough government.

Domination, through hegemonic belief systems, factors into how much a group can influence changes in other people around them to preserve the integrity of their own ideologies. In this case, two key reference points are the signifiers “fairness” and “equality.” Legislators in favor of SCR 12 attach their own beliefs about fairness and equality to the two terms as they are used within the state constitution and then to the current issues of who pays taxes and who does not. They connect older applications of fairness and equality with words that describe people in unorganized areas strictly through the issues of taxation and schools. People in unorganized areas are forced to respond. As a result, their more localized conceptual ideological boundaries are challenged. They must respond, at least in part, “as if” taxation and boroughization are or are not fair and equal practices and systems, just as people must respond “as if” land is property that is legally and synthetically owned.

As in the Department of Transportation case study in section three, I used Atlas.ti, a qualitative discourse analysis software program, to assist analysis in this case study. I examined Wilkin’s speech for references to community and environment. In general I found that communities were referred to primarily within the following categories, employment statistics, geographic location, capacity for local government, population

statistics, school districts, and the caring on a local level that comes about through writing checks to help fund education. The environment was referred to only in terms of place names, and the borough boundaries of regions, and areas. Chapter 12 will provide more analytic detail. Here it is important to include information about the Kake economy as a reference point to Wilkin's claims that Kake and Angoon would appear to have economic resources to pay for their own schools.

Even before the closure of Kake's fish processing plant and logging enterprises, the 1999 CCTHITA¹⁴ Native Census Count reported that 69.3 percent of Native households in Kake lived below the U.S. Department of Health and Human Services (USHHS) poverty level. U.S. Census data for Year 2000 showed 248 employed residents. The unemployment rate at that time was 24.85 percent, although 49.49 percent of all adults were not in the work force. The median household income was \$39,643, or 69 percent of the median Alaskan income. According to U.S. Census for 2000, 14.61 percent of all residents were living below the poverty level. That compares with a 1999 CCTHITA report that 29.4 percent of Native persons were unemployed with an average Native household income of \$23,773. At that time the population was 745 persons. In 2008 the Alaska Division of Community and Regional Affairs reported Kake's population to be 536 persons.

In 2006, Kake collected a total of \$173,040 primarily in sales taxes (appendix BB). The city collects no property taxes because most of the land in the area is federally or state owned, or is part of the tribal corporation. The city avoids collecting taxes on the small amount of privately owned property in its jurisdiction partly because several of those properties belong to multi-generational families and clans. The lands were part of family groups and clans long before property taxes became a revenue producing strategy in Alaska.

¹⁴ CCTHITA refers to the Central Council Tlingit and Haida Indian Tribes of Alaska.

The reasons that Kake avoids taxing private property are without “official” merit from a state perspective. In a January 24, 2006 Senate Finance Committee meeting, legislators discussed how education contribution requirements were determined for boroughs, first class cities, and home rule cities.¹⁵ Full Value Determination (FVD) is used to compare the wealth that different municipalities have available through taxation. Some boroughs and cities in addition to Kake do not levy property taxes, but the amount that they could raise from property taxes is still figured into the formula. The following quote comes from a handout that Co-Chair Wilkin gave the committee. His office developed the handout titled “Required Local Contribution for Schools, Residents of Six First Class Cities, Elected Alternate Method of Payment—Not by Property Tax.”

The FVD for each municipality is based ‘on the full value of all the taxable property within their boundaries.’ That value is utilized by the Department of Education and Early Development to calculate the municipality’s four-mill¹⁶ equivalency education contribution. (Meeting transcription)

Wilkin’s handout depicted the Mandatory Education Contribution (MEC) based on the FVD of Galena, Kake, Hoonah, St. Mary’s, Hydaburg, and Tanana. Wilkin said the assessed values of property in those cities have remained flat from FY 95 to FY 06,

¹⁵ **Sec. 29.04.010. Home rule.** A home rule municipality is a municipal corporation and political subdivision. It is a city or a borough that has adopted a home rule charter, or it is a unified municipality. A home rule municipality has all legislative powers not prohibited by law or charter. (§ 3 ch 74 SLA 1985) The powers and duties of a city, particularly a home-rule or first class city, are greatly affected by whether it is inside or outside an organized borough. For example, state law requires each home rule and first class city outside an organized borough to operate a city school. (AS 29.35.260) In contrast, no city within a borough may operate a school district. Additionally, each home rule and first class city outside an organized borough must exercise the powers of planning, platting, and land use regulation. In comparison, cities within boroughs may exercise planning, platting, and land use regulation powers if the borough delegates those powers to the city. (AS 29.35.250) Beyond the noted requirements for education, planning, platting, and land use regulation, state law does not require cities to provide any particular service or facility. (Alaska Division of Community and Regional Affairs Web site: <http://www.commerce.state.ak.us/dcra/LOGON/muni/muni-cityinc.htm>)

¹⁶ A mill is a per dollar tax rate of assessed value of property. One mill is one-tenth of a cent or \$0.001.

and he recommended that the state assessor visit those areas to better review property values.

Wilkin's handout demonstrates a particular view of land as taxable or untaxable property. His assumptions about land fit into a jural understanding of land as an owned object. Property, according to this view, is something that is separate from its owner and which can be bought and sold. In this worldview, "... there is nothing intrinsically personal between a property and its current owner" (Abramson 2000:13, 14). Owners have land rights because of laws and laws define ownership boundaries. Wilkin's handout gives little or no consideration to the reasons that Kake people do not tax private property, reasons which are often rooted in what Abramson calls mythical land relations. "Mythical" does not mean untrue. "Mythical" describes the somatic, personal, and spiritual links that people have to land that often (but not always) extend back for many generations through their ancestors. Mythical refers to an "organic intimacy" that people have with their places (Abramson 2000:9).

It seems that mythical land owns its people rather than vice versa and that these same people work very hard to ensure that their subsumption to the land and its ancestors, and their stewardship of the connections between them, holds firm against the official objectifications of law and property (Abramson 2000:8-9).

One Kake Tlingit woman talked about subsumption to the land and marine environment through stewardship and respect.

... to us everything has life. Everything, the air, the forest, and the ocean. Everything. There's always a ritual that people go through whenever they take something. And we only take what we use, and we thank where we got it, the area that we got it from. And it's always been that way from time immemorial. And that's why we always say we'll never lose anything because we show our appreciation to that food or item that we've taken. And that's the way it's always been. (2003 taped interview).

If Wilkin's handout and LBC descriptions of land specifically acknowledged some of Kake people's more personal understanding of land relations, how might boroughization proposals be reframed?

CHAPTER XII

SPACE AND PLACE IN BOROUGH DISCOURSES

Now, see, this was my family's tribal house, although this isn't it. This is the site of it. It was where the family home sat. The killer whale. Then they had the first one was built right about here someplace. And this was the second killer whale house. It was called the yellow cedar house. This one is the house that always rumbled. I don't know why. Maybe there was a lot of kids in there. ... But they said the lake was right here. This was a high sand dune. It was right about here. They built a little boardwalk street down here. ... There was a lake that extended all the way to this side of the community. It stayed that way to before I began to remember things. I barely remember the remains of that street. (2003 taped conversation with Elder Tlingit man driving through the older part of Kake)

And you know, but that logging was taught to us, I would say. You know it was brought in before the land claims. And it was already being logged and stripped down. And the young guys were being trained as loggers, and there was big money in it. And all the sudden, well we could do it too. And then, given the opportunity by being given the land, they did it. And they did it blindly. (2003 taped interview with younger Tlingit man)

Power through concepts of space and place

While conflicts over boroughization are historical and political, they are also about the meanings humans attach to places and spaces. Definitions of “space” and “place”, as aspects of human relationships with the physical world, are varied and complex. As a way to examine the dissimilarities between how state representatives discuss the non-human world and how people in Kake describe it, I am partial to the ways Ingold (2000:192) differentiated space and place. In space, Ingold wrote, meanings are attached to the world. In place, meanings are drawn from it through experience and dwelling. Songs, stories, artwork, and social relationships are inter-representations of the

country and they help instruct learners about what to find in a place (Ingold 2000; Wollock 2001:250-251). Lucy Lippard (1997) wrote that place is seen from the inside, and landscape (or space) is seen from the outside. Place is the resonance of a specific location that is known and familiar. Resonance is entwined with personal memory, histories, and marks made on the land that provoke and evoke memory. Place is about connections that include histories and stories about what happened in a location, and anticipation about what will happen there. "A lived-in landscape becomes a place, which implies intimacy" (Lippard 1997:7-8).

The intimacy of place is never fixed or separate from space and other places. Intimacy is relative to the meanings and experiences of life and dwelling. People come to new places as additions to existing "hybridity", according to Lippard. When new people and new conversations enter a place, it is changed and its people are changed through sharing knowledge and identities. Relationships to the non-human aspects of place are also changed in the process (Lippard 1997). Place boundaries are always somewhat fluid and changing, but in some places the existing human attachments are older than others, passed on and enduring through many human generations.

Those of us who are used to living in what Harvey (1990a) called a speed up in time-space compression forget that places still exist where people remain most or all of their lives and where time is slower than it is in the city. Harvey wrote about time-space compression as the tendency for "capitalist modernization to be very much about speed-up and acceleration in the pace of economic processes and, hence, social life" (Harvey 1990a:230). The purpose of this speed-up is to accelerate "the turnover time of capital" which is comprised of the "time of production together with the time of circulation of exchange" (Harvey 1990a:229). In this process, the rapidity of time annihilates the barriers of space. As Harvey puts it, "innovations dedicated to the removal of spatial barriers ... have been of immense significance in the history of capitalism, turning that history into a very geographical affair—the railroad and the telegraph, the automobile,

radio and telephone, the jet aircraft and television, and the recent telecommunications revolution are cases in point" (Harvey 1990a:232). Such modernization has served to make the world a smaller place.

Since the 1970s there has been a speed-up of connections between disparate markets and the creation of a world market that includes global producers and global consumers. Time-space compression translates from quick turnover in production and circulation of services and products into a social emphasis on the virtues of instantaneity and the dynamics of throwaway society. People often learn impermanence. If everything is replaceable, then it is okay to throw away values, lifestyles, stable relationships and other attachments. Individuals, communities and governments are less likely to engage in long-term planning when short-term planning is the dominant and more lucrative strategy.

In Kake, the Alaska Native Claims Settlement Act (ANCSA) fostered a sudden time-space compression, and the results were socially devastating in a place where family and cooperation were (and are) still paramount. Within 30 years the "transformative and speculative logic of capital" (Harvey 1990:343) had reconstructed Kake for the purpose of production and short-term capital gains, and then deconstructed and abandoned Kake as global capital moved on to some place where gains could be improved. The one positive outcome, as Harvey discussed, is that once places such as Kake have gone through capital-based deconstruction, people have the experience to better weather future reconstructions and to have historical knowledge to resist future changes that are not in their best interest. In Kake, enough people have stayed in the village most of their lives to pass on narratives about what happened when the land became a source for boom and bust resource extraction.

In many places in the United States and elsewhere in the world, people take moving for granted. They change their locations as global capital projects "move on." Memory of deconstruction necessitates common history of a place that can be compared

with current events. To resist future deconstruction requires that narratives of attachment to place and people are shared with a community of others and that the memory of past deconstruction is passed on in that place. In Kake, people's shared memories are long. They have access to knowledge about times before and after deconstruction.

Kake knowledge is replete with regretful reflection about ANCSA business strategies. Now the stories about what happened during the ANCSA years are being reproduced and co-narrated in ways that will situate what people learned within local ideological frames, ideologies that have been changed through the experience itself.

Partly because of their shared memory of the ANCSA years, Kake people have some interesting advantages for implementation of sustainable economic strategies. They continue to value place-bound identities. Many families share historical continuity with each other, with their island village, and with ties to other Southeast Alaska people. They still have the social capacity to teach newcomers about that continuity, if they so choose. To have remnants of hundreds of years of local knowledge and stories still available to bring meaning to community connections can be a luxury in this world where people are increasingly caught up in flexible accumulation and temporariness of relationships and place. Many people in Kake say they will never leave. They intend to keep their village home. In that sense they are empowered through their connection to place.

As Harvey said, connection to place is an important component of group empowerment because, "if no one knows their place in this shifting collage world, then how can a secure social order be fashioned or sustained?" (Harvey 1990:302). Whether or not state-based decision makers will foster support for Kake inclusive environmental connections and historical continuity remains to be seen.

Kake's local knowledge about dealing with the transformative global capital system is not only shared in duration, but it is the kind of knowledge that Casey (1993:17) wrote is experiential "in the manner of 'lived experience' rather than of already elapsed experience that is the object of analytical or abstract knowledge." In contrast,

when people whose identities and experiences are unconnected with a particular place make abstract and analytic legal decisions about such a place, they are applying meanings to it as though it were space or landscape. If people who are intimately connected with a place respond to those applications, they influence the legal decision-makers through the information they disclose about their place. The extent of place-based influence is dependent upon the space-based decision-makers' experiences within their own places and also upon their willingness to hear and listen. As I discussed in chapters 9 and 10, to build a road connecting Kake to the national highway system is to initiate what most Kake people say they do not want. To articulate Kake people's desires in Harvey's and my words, most people in Kake do not want an increased annihilation of space and time barriers, a guaranteed increase in time-space compression, and further loss of valued autonomy.

In the discourse examples presented in appendices M, N, and P, Alaska Local Boundary Commission (LBC) state agency actors and legislative sponsors of boroughization resolution SCR12 used signifiers that described the human and nonhuman environment in the unorganized borough impersonally, or as being part of a space/landscape. Equalizing standards and expectations (meanings attached to space rather than derived from it) were applied to the whole of the unorganized borough in ways that simplified and objectified the human and non-human environment as legal and economic space. Instead of using signifiers that gave local people and place personhood, state texts and discourses generally attributed personhood to state decision-making bodies, agencies, committee members, and text-artifacts such as the LBC 2001 and 2002 reports to the state legislature. In contrast, Kake discourses, appendices Q through Y, perhaps with the exception of correspondence from Kake Tribal Corporation, attributed personhood to the local community as well as to a larger local environment or territory. They described some of the meanings that local people derive from place, including identities, food, and relationships with the inclusive environment.

Of course not all local knowledge and meanings come directly from human and non-human entities located in a particular place. Kake speakers, as do all persons, attribute individual and collective meanings to the world around them, and many of those meanings are learned elsewhere and via the media. Still, the meanings and knowledge that local people derive from places outside of locally-based personal experiences are melded with and have close connections with the information people receive from their immediate social and physical place in the world. Significantly, state representatives receive most of their “place” and “space” information from their own immediate environments rather than from the localities to which they attribute equalizing standards and expectations, especially meanings in a financial and legal sense.

Time is another factor. Kake people’s knowledge is situated in hundreds and probably thousands of years of place-based southeast Alaska experiences. Many historical experiences are passed on through narrative. In examining state representative/agency biographies, Wilkin and Hargraves, for example, lack long-term human and non-human environmental experience on Kupreanof Island. They lack experience to understand the significance of their assertions and actions on community processes that might be conducive to environmental integrity, sustainable livelihood, and human commitment to people and place in Kake.

The point is not that Wilkin and Hargraves must have personal experience in Kake. Rather, the point is to question whether anyone attempting large-scale social engineering is adequately equipped to make wide, sweeping decisions about diverse local environments and their people. James Scott lays out several elements of statecraft (1998:1-8) that help situate Wilkin’s and Hargraves expectations towards Kake. First, legislative and state agency leaders tend to make situations and people easier to “read” by putting them into general categories. As Scott pointed out, in order to make sweeping decisions and policies, descriptions of the environment have to be simplified so that it is easier to manage. Description of community must be simplified for the sake of easier

management. The complexities of the world have to be summarized in general, simplified terms for the sake of efficiency and brevity. Simplification and generalization creates the means for large-scale social engineering and homogenization.

A major question in this study is how large-scale simplifications and generalizations about community, people, and place, influence the local narratives that socialize moral codes and attachment to community and environment. In this case study, Wilkin and Hargraves, for example, expect people to answer questions about boroughization within the same simplified and generalized categories established in state documents as measurement criteria. The goal of state actors is economic development, often in ways that are unsustainable over the long term, such as mineral and oil extraction.

In seeking answers to climate change and depleting resources, it is important to ask if state discourses impede environmental problem solving by contributing to what Ford (2001) called dichotomization of land relations and perceptions. Legal property jurisdiction is a discourse, a way of speaking and understanding the social world. Legal property jurisdiction rules allow particular types of arguments. When government actors want to impose legal and territorial jurisdictions upon people to serve institutional purposes, U.S. legal discourses lead them to describe their projects in “synthetic” terms such as “jobs, freedom, market exchange, progress, growth,” etc. (Ford 2001: 204-207). In order to defend against changes to their places and communities, people are compelled to speak in opposition to the synthetic arguments. They are often influenced, through legal discourse frames, to speak in “organic” terms, including “authenticity, tradition, legacy,” etc. (Ford 2001:208-209).

Considering the role of land use laws, codes and ‘official’ language in dichotomization of land use debates that results in dichotomization of land use perceptions, how do boroughization goals and mandates influence local attachments to place and people? Allowing for the discursive parameters of boroughization, how might

jurisdictional changes enhance or detract from features of a community that are important for working towards sustainable livelihood? (Ostrom 1990). Part of the answer is linked with the formal, legal decision-making processes expected in borough government. Decision-making rules generally reflect land and property ideologies belonging to the people who design the rules.

Discourses applied to space and derived from place

So far, I have described, identified and illustrated social elements important to a community's capacity toward successful sustainable livelihood. In chapters 12, 13, and 14, I analyze discourse segments in appendices M through Z for signifiers or references to many of the previously discussed ideological conditions that are important for community socialization and implementation of local values, standards, and emotional commitment toward place and people. Each discourse segment has been evaluated for signifiers that indicate human personhood, systems personhood, spatial personhood, references to space, place or environment, references to sources of decision making and references to emotional attachment of people to place and to other people. This chapter summarizes a comparison of signifiers that refer to space, place and environment. Remember that in space, meanings are attached to a landscape through looking at it from the outside. In place, meanings are drawn (derived) from a landscape through experience and dwelling (Ingold 2000).

The following tables, 12A to 12H, summarize and abbreviate the quantitative and qualitative search for signifiers and phrases connected with references to the non-human environment. Each transcript was analyzed sentence by sentence using the qualitative analytic tool Atlas.ti. Sentences and phrases were compiled and categorized in order to compare discursive patterns and content. Following are the results of comparing

discursive references to the non-human environment. When the “landscape” was referred to unspecifically, in generalized categories, and without personalized understanding of or connection to land or water or livelihood resources, then I categorized the reference as an example of attaching meaning to landscape, or space-making. When the landscape was referred to specifically and as something known, I categorized the reference as an example of drawing meaning from landscape, or place-making. When local people spoke or wrote in response to LBC and legislative borough proposals, they generally referenced state attached meanings, or space making, and then challenged them through describing local derived meanings, or place making. I categorized these local answers as discourse that included applied and derived environmental meanings.

In review, Tlingit people saw (see) themselves as part of their inclusive environment and not the dominant force. Many westerners (and some Kake people) understand themselves as separate from “nature” and the environment primarily as a source of resources to harvest, sell, and buy. (See chapter 6)

Table 12A. Wilkin. Meanings derived/applied to non-human environment. State Senator Gary Wilkin, 2004 speech to the Senate Affairs Committee. (See appendix M)

Meanings applied to the environment: Space making	Types of signifiers used to apply meanings.	Examples.
Nearly everything in this example constitutes meaning attached to the non-human environment.	Legal, economic, references to state-created text-artefacts.	<ul style="list-style-type: none"> • Unorganized <u>areas</u> of our state ... • Do they have similar <u>geographies</u>? (towns that could form a borough) • Organized <u>Alaska</u>, unorganized <u>Alaska</u>. • Seven <u>areas</u> have been identified that would have the capacity to support local government.
Meanings derived from a relationship with the environment: Place making	Types of signifiers that indicate derived meanings.	Examples.
<u>Few references.</u>		<ul style="list-style-type: none"> • No examples found.

Table 12B. Hargraves. Meanings derived/applied to non-human environment. 2003 to 2007 LBC Chairman Darroll Hargraves, 2004 speech to the Senate Affairs Committee. (See appendix N)

Meanings applied to the environment: Space making	Types of signifiers used to apply meanings.	Examples.
Nearly everything in this example constitutes meaning attached to the non-human environment	Legal, economic, references to state-created text-artefacts.	<ul style="list-style-type: none"> • The <u>Chatham Region</u> is identified as meeting the standards for borough incorporation. • <u>Glacier Bay</u> is identified as meeting the standards for borough incorporation.
Meanings derived from a relationship with the environment: Place making	Types of signifiers that indicate derived meanings.	Examples.
<u>Few references.</u>		<ul style="list-style-type: none"> • No examples found.

Table 12C. LBC report. Meanings derived/applied to non-human environment. LBC 2005 report segments. (See appendix P)

Meanings applied to the environment: Space making	Types of signifiers used to apply meanings.	Examples.
Nearly everything in this example constitutes meaning attached to the non-human environment.	Legal, economic, references to state-created artefacts. Boundaries, tax valuation, and other agency-measuring codes.	<ul style="list-style-type: none"> • A modern system that would serve the <u>diverse areas of Alaska</u> efficiently and effectively. • <u>Alaska</u> is the only state with no local government for <u>a large geographical part</u> of the state.
Meanings derived from a relationship with the environment: Place making	Types of signifiers that indicate derived meanings.	Examples.
<u>Few references.</u>		<ul style="list-style-type: none"> • No examples found.

Table 12D. Hoonah. Meanings derived/applied to non-human environment.
Hoonah's 2006 borough proposal (See appendix Z)

Meanings applied to the environment: Space making	Types of signifiers used to apply meanings.	Examples.
Proposal writers speak to the meanings that legislators and LBC representatives <i>applied</i> to the non-human environment.	Benefits of boroughs such as, funding schools, taxing resource extraction, access to federal forest receipt monies, inevitability of boroughs, creating a stronger regional voice by sharing government.	<ul style="list-style-type: none"> • Joining several traditional <u>Tlingit areas</u> and people together under the umbrella of one regional government would create a strong Alaska Native voice in <u>this part of Southeast Alaska</u>. • ... many have not forgiven the state LBC for assigning <u>this piece of their traditional territory and island</u> to Juneau for government purposes. • ... to ensure that we end up in a borough with <u>Glacier Bay</u>, the <u>traditional territory of Tlingit</u> from our community.
Meanings derived from a relationship with the environment: Place making	Types of signifiers that indicate derived meanings.	Examples.
<u>Several references.</u>	Historic and cultural connections, customary and traditional hunting and gathering, preventing others from dictating local relationships with the non-human environment,	<ul style="list-style-type: none"> • ... continued ability of residents to engage in <u>subsistence</u> harvesting and gathering activities. • Angoon residents have very strong historic and cultural <u>ties to this area</u>. • <u>Fish processing</u>: Hoonah, Kake, Gustavus, Pelican ...

Table 12E. City of Kake. Meanings derived/applied to non-human environment.
City of Kake 2003 letter to LBC. (See appendix Q)

Meanings applied to the environment: Space making	Types of signifiers used to apply meanings.	Examples.
Mayor and council speak to state- <i>applied</i> meanings, but they offer an alternative proposal and map.	Refers to geographic, financial, and other LBC goals.	<ul style="list-style-type: none"> • ... <u>boundaries</u> would serve the goals and intentions of the Commission. • A borough that would serve the <u>geographic</u>, financial, and cultural, and social components of this discussion. • ... its position that no borough be formed in and or around the <u>Municipality</u> or the <u>traditional lands</u> of Kake without the expressed consent and endorsement of its peoples.
Meanings derived from a relationship with the environment: Place making	Types of signifiers that indicate derived meanings.	Examples.
<u>Substantial</u> references to local relationships to the non-human environment.	Long history on traditional lands, intimate connection, traditional activities, people's livelihoods, etc.	<ul style="list-style-type: none"> • ... and whereas, the community has also been associated with and intimately connected with <u>its traditional lands</u> .. • .. <u>lands</u> used by its people for those traditional activities such as hunting, fishing, and gathering related to the lively hood of the people.

Table 12F. Kake school. Meanings derived/applied to non-human environment. Kake School District 2003 letter to the city, (See appendix S).

Meanings applied to the environment: Space making	Types of signifiers used to apply meanings.	Examples.
The school superintendent <u>speaks to state-applied meanings</u> by refuting them.	(State) boundary options <u>fail to give respect, fail to consider</u> traditional territory, ties to Native lands unrecognized.	<ul style="list-style-type: none"> • <u>No borough that fails to consider</u> the traditional territory of the Kake Tlingit people will be successful in meeting the educational and cultural needs of the people. [Meaning in this sentence is also place making.] • The LBC has a very difficult task in that it is impracticable for a small commission with limited resources to set up and judge proper boundaries for groups within a state as large and diverse as Alaska.
Meanings derived from a relationship with the environment: Place making	Types of signifiers that indicate derived meanings.	Examples.
A <i>derived</i> meaning thread runs <u>throughout the letter.</u>	Rich history and culture, home to Tlingit people, ties to lands, etc.	<ul style="list-style-type: none"> • None of these options give sufficient respect to the <u>culture or original lands considered home to the Kake Tlingit people.</u> • It is often difficult for those who do not have the strong traditions and ties to Native lands <u>to understand its power and value to the communities ...</u> [Meaning in these sentences also speak to the applied meanings of state actors.]

Table 12G. OVK. Meanings derived/applied to non-human environment. Organized Village of Kake (IRA Tribe) 2003 letter to LBC.

Meanings applied to the environment: Space making	Types of signifiers used to apply meanings.	Examples.
<p>OVK council <u>speaks to state-applied meanings</u> by establishing itself as having authority through historical claim and utilization, Native authority, and <u>state legal documentation</u>.</p>	<p>Local documentation of boundaries, State of Alaska documentation, development of boroughs, governmental responsibilities, etc.</p>	<ul style="list-style-type: none"> • Besides the tribe's history, which we will present in this document, we wish to go on record that the Organized Village of Kake, under its mandate to serve its citizens, must object to any <u>borough boundary</u> or other action that will infringe upon Kake's traditional boundaries. • The above <u>governmental responsibilities</u> continue in today's world, the same as they applied since time immemorial as the Kake Indians utilized <u>and rightfully claimed the lands and waters of our area</u> as their homeland. [Meanings in these sentences imply place-making, but they also speak to or answer state jurisdictional expectations about borough territories.]
Meanings derived from a relationship with the environment: Place making	Types of signifiers that indicate derived meanings.	Examples.
<p><u>Substantial references.</u></p>	<p>Identity, relationship to land, sea, and it's resources, sustenance, well-being, harvest, owned in common, living in harmony, spiritual, sacred trust, etc.</p>	<ul style="list-style-type: none"> • Humans are just one small part of the land and of nature and not the dominant force. . • We draw our identity from our <u>relationship to the land, sea, and its resources</u>. • Tlingit ownership was <u>a sacred trust</u>. • On these <u>lands and waters</u>, we, as did our forefathers, <u>harvest in the measured quantities, what is needed to sustain ourselves</u>; being careful not to unnecessarily disturb or destroy anything not required for our sustenance and physical well being.

Table 12H. Kake mayor. Meanings derived/applied to non-human environment.
 Kake mayor's speech to the City of Kupreanof, 2003. (See appendix Y)

Meanings applied to the environment: Space making	Types of signifiers used to apply meanings.	Examples.
The mayor speaks to <i>state-applied</i> meanings by outlining how cities, organizing together, might work around state priorities.	Forced into boroughs, criteria for boroughization, diminished support to rural Alaska, proposal to incorporate, annexation, land mass, population, etc.	<ul style="list-style-type: none"> • The constitution mandates <u>partitioning the state</u> into boroughs. • ... there would be a <u>land mass</u> that would make a lot of sense ... • ... we would forever lay to rest any consideration of the <u>annexation</u> by the City of Petersburg, which is exactly why I'm here.
Meanings derived from a relationship with the environment: Place making	Types of signifiers that indicate derived meanings.	Examples.
Only a few references, mostly in conversations about preventing a borough government from over harvesting its natural resources.	Prevention of exploitative mining and logging, raising school funds in ways that are less dependent upon over harvesting of resources, etc.	<ul style="list-style-type: none"> • Are we going to harvest <u>resources</u>? • Not even people in Kake want to see what's on the <u>back of Kake</u> happen to the <u>rest of Kupreanof</u>. • Kake has been very vocally opposed to those <u>sales (logging)</u> taking place, as proposed by the Forest Service.

To summarize, the non-human environment was “placed” in discourses belonging to the City of Kake, OVK, the Kake school superintendent, the Hoonah borough proposal, and, to a smaller degree, in the mayor’s Kupreanof City Council presentation. In contrast, state representatives generally “attached” meanings to the organized and unorganized boroughs. Attached meanings were derived primarily from mainstream legal and economic preferences and were affixed as generalities to a large geographic area of Alaskan “places,” making them “spaces.” In the discourse samples from Kake, people referred to state actors’ attached meanings in order to explain their inadequacy in the local context.

Kake’s mayor, speaking to the city council of Kupreanof in 2003, outlined how local people might work around borough legal restraints.

None of us really wants a borough and in Kake we thought it would be to our advantage to try to, if we have to go there, and we do, to (organize) something that would serve our communities as effectively as possible, and plus maintain our way of life. A second class borough would serve that more effectively than the full blown borough considerations like you see Juneau, Ketchikan, Sitka, Anchorage and so forth. A second class borough would maximize the independence of the communities, minimize the involvement of a regional government, and also, perhaps, what for us is one of the greatest considerations, is if we were able to achieve a borough, we would forever lay to rest any consideration of the annexation by the city of Petersburg, which is exactly why I’m here (2003 taped speech).

The city of Hoonah’s borough proposal (appendix Z) expresses similar goals to minimize borough powers, but maximize Tlingit empowerment and voice. People in Kake and Hoonah articulated their concerns through place-making references, expressing the importance of their historical and current relationship with their territories, and their sacred responsibilities to take care of their places and resources.

The focus of state discourses on space making is also evident in exchanges at a January 24, 2005 Alaska state legislative meeting between the Senate Community and Regional Affairs Standing Committee and the House Community and Regional Affairs

Standing Committee. The meeting purpose was to discuss the 2005 LBC report to the legislature. The discussion is taken from a transcript of the meeting.

Senator Donny Olson, a reindeer herder and businessman from Nome, spoke to the state goals that excluded attention to local land and community relationships. He asked if there were any LBC commissioners representing people in the unorganized borough. Hargraves said that no commission member lived in the unorganized area. Senator Albert Kookesh, a lodge and store owner in Angoon, said the 2005 report lacked information to support any rationale about the negative effects of organizing into boroughs.

Hargraves said, "It's hard to see the reasons for not organizing."

Representative Woody Salmon, a Chalkyitsik chief from Fort Yukon, said he too saw the need for looking at the whole picture. Kookesh and Salmon, who represent people in the unorganized borough, are more likely to understand intimate details of local place-making and the rituals of creating local subjects. Even so, in this communication setting their arguments centered on employment, money, taxable land, land title, economic factors, and state and federal services, all examples of applying meanings to environment, or space-making. Commitment to and support of local people was evident in their feedback, but their arguments were framed within long-established legal and economic parameters for discussion.

Similarly to Hargraves and Wilkin in their 2004 speeches to the Senate Affairs Committee, Arliss Sturgulewski, former Alaska state senator, spoke to meanings applied to environment, or space making jurisdictional purposes of boroughization at the January 24, 2005 meeting. She emphasized that establishing model boroughs is important because major economic developments are taking place or are proposed. Most economic development proposals and concerns are in the unorganized borough, she said. Significantly, Sturgulewski pointed out that the First Alaskan's report concluded that the state lacked sufficient economic, social, school and other data from unorganized regions

to make sound decisions. Her comments lacked attention to the details provided in Kake letters and narratives about place-making relationships.

The data that Sturgulewski reported as missing are important, but such requests for data are limited in scope. Few studies pay significant attention to place making, local understanding of lands and waters, or the deeper issues such as emotional and feeling commitment of people to place and the significance of place-making rituals and practices. These remain “uncounted” aspects within most state descriptions of community and environment that reach legislative forums, yet they remain an important part of local discourse in Kake.

CHAPTER XIII

PERSONHOOD IN BOROUGH DISCOURSES

Native Elders, with their multi-generational insight and cultural wisdom handed down from the ancients, will tell you that if you watch and listen closely, you will hear the heartbeat of Mother Earth; that she will share her knowledge, her history and her bounty. However, she will also share her heartache and her wrath with equal measure. Survival is a spirit of mutual good. Disrespect of any natural resource will afflict all natural resources. The web of life and ownership of what land provides are completely opposite. From the Tlingit culture point of view, Mother Earth depicts us all as equal in her garden, which is the foundation by which Natives contemplate brotherhood with plants, rock and wildlife in common endorsement to live on earth. In complete and wholesome measure, the Native Americans possess the science of respect for and commitment to live in harmony with Mother Earth and the web of life and to pass it on to future generations. Native Americans have enjoyed this relationship for eons and built a society with successful cohabitation with plant, rock, and wildlife. (Author Tlingit Elder Charles (Topsy) Johnson. These were the words on a single page he hung on his office wall. He took it off the wall and gave it to me one day. The date of authorship is unknown.)

Discourse and personhood

We co-narrate with others what our emotions/feelings mean, and our co-production of narrative is the way we achieve common understanding. The words Topsy wrote and gave me reflect a lifetime of sharing memories, thoughts, and stories with other people, especially Elders, about how to think and what to tell about the earth. Wherever we go, we continually co-create knowledge, explanations, beliefs, and ideologies.

In a decision-making forum, the words we tacitly agree to use to explain or dissociate from feelings about and perceptions of others are a powerful means of socialization. If we co-construct and attribute personhood (within legislative, law-making, and regulatory venues) primarily to state-based systems and decision makers,

then our thinking within those contexts is directed away from other kinds of personhood. When we code-switch, we co-narrate other ways of thinking about personhood. Discourse codes that include local knowledge about persons is key to the existence of what Anderson (1996) called a general ethic of mutual responsibility within a community. Yet, local emotions/feelings about and toward inclusive persons are barely part of the legal conversation, a conversation through which generalized decisions are made that affect large groups of people.

In chapter 6, I examined some basic conceptions of *personhood*. For many groups in the world, persons are those inclusive entities who share resources, places, and experiences. Through practicing a sense of relatedness with all those entities that share an environment, humans educate themselves about the existence, meanings and significances of their relationships. In chapter 6, I also considered the reasons that some people describe corporations and other organizational systems as having personality, intention, moral responsibility, and, thus, personhood. One expanding area of study asks about the tendencies, at least linguistically, to attribute personhood to state and corporation systems. International relations scholar Alexander Wendt (2004) wrote that giving state personhood is common among ordinary citizens, the media, policymakers, lawyers, social scientists, and just about everybody in the United States. “States” are often discussed as having “rationality, identities, interests, beliefs and so on” (Wendt 2004:289). Most people, if asked, qualify their language portrayals of state personhood with the notion that states are “as if” persons rather than “real” persons. Talking “as if” states have motivations and intention, people say, is shorthand, metaphoric, a useful fiction to enhance communications, according to Wendt.

Personhood, emotion/feeling and community

In the state-based discourses I examined, personhood is ascribed to governmental and corporate systems and their text "artefacts," as described in chapter 6, but rarely if ever to the non-human environment. In contrast, local responses to the Local Boundary Commission (LBC) all included descriptions of the importance of human relationships with the non-human environment except the letter from Kake Tribal Corporation (see appendix R). Hoonah's borough proposal also articulated the ties that Angoon and Hoonah people have with their non-human environment.

Kake's historian, Charles (Topsy) Johnson, wrote to the LBC in 2003: "In our culture it is a well-understood principle of self preservation that humans are just one small part of the land and of nature and not the dominant force; living in harmony with the land and with nature is an integral part of our traditional culture and self-identity" (appendix X). None of Kake's or other community's descriptions of feelings and relationships with lands and waters were included in the 2005 LBC report, or in legislative conversations that I heard or read. Examining the LBC's 2005 report (appendix P), with the help of Atlas.ti, I discovered that the term "tribe" was referred to only a few times as part of place or group names related to resource extraction, but never in acknowledgement of tribal concerns or powers. Tribal personhood, municipal personhood and even human personhood were mostly ignored in LBC descriptions of model boroughs, while borough, legislative, constitutional, LBC, and organized Alaska "persons" were a primary part of state-based narrative.

In Kake, systems personhood was ascribed frequently to "community." This occurred in the Kake City letter to the LBC, in the Kake mayor's presentation to the community of Kupreanof, and the specific communities that were named in letters from the Organized Village of Kake (OVK). Hoonah's proposal particularly referred to

community personhood, and to a lesser extent borough personhood. Following are examples of attributions of personhood.

- 1) “Be it resolved: that the Community and Municipality of Kake declare its resolve and determination to maintain its unique culture, personality and way of life.” City of Kake letter (appendix Q).
- 2) “... but a government whose only forward motion could be with a consensus of all the communities, rather than Kake and Angoon against Kupreanof City so to speak. If we could factor that into the charter, then all these questions could be answered suitably.” Kupreanof meeting and presentation (appendix Y).
- 3) “Keep our communities independent and unique.” One of the ideals in the Hoonah proposal (appendix Z).

Rather than describing Kake with the *word* community, the Organized Village of Kake (OVK) emphasized the legal authority of “our” tribal government and the City of Kake. OVK letters described the systems personhood of clans, tribes, the Tlingit, and the house groups to whom people belonged. For example:

As a local government, OVK has responsibilities to its Tribal Citizens, which make up three quarters of the local population. These duties include among others, powers of authority to “protect the general welfare and security of the Village” and “protect and preserve the timber, fisheries and other property and natural resources” as mandated by the Organized Village of Kake Constitution (appendix U).

Each Tribe’s territory was further divided into separate holdings of clans, house groups and from among them by families, as specialized camp sites for harvesting animals, berries, fish, tidal area foods, trees, etc. (appendix U).

State agencies and entities were attributed personhood in most Kake examples, but the focus was largely on local systems in order to affirm their legal and historical legitimacy and their significance to social connections, group identity, and spirituality. Part of stating those rights is to reaffirm local and tribal liberties and to reiterate local governmental rights for the public record. People in Kake told me that they frequently

restate their legal rights to self-determination to remind state and federal representatives of community priorities and Tlingit values. One reason for continually reaffirming legal tribal, territorial, historical, social, self identity and spiritual legitimacy is for the record.

A Kake Tlingit woman in 2004 explained why:

So somewhere it's on record. I mean it will be important years and years from now. It's important to make your voice heard even if nobody is listening. For example ... what is it ... the books on my bookshelf. What were those hearings that were taking place in the 1940s with Kake, Klawock, Angoon ... You know which ones I'm talking about? Goldschmidt and Haas, I mean stuff like that. They probably thought it wasn't that important. I mean it probably didn't seem important then for them to be saying some of the stuff they said. But for the record, I mean, now we consider that the areas that they talked about then, I mean we always knew areas that are being used for this or that ... and having those people in the 40s with Topsy's dad and his uncle. My dad was an interpreter, I think. That's an important record, and it's recognized now as an important record. I mean you don't know when something, say fifty years from now, it could be important that we said and documented this. It doesn't matter what kind of language it is, using the agency language or our traditional language or stories or whatever. And even if they disregard what you say, it's important to have it as a record. And that's one thing I have to say about these different agencies, that they ... they're good at documenting things. So that's another thing about agencies. Even if they don't listen. ... Yeah like the Goldschmidt and Haas one [see appendices W and X], I think it was for ... the different villages were trying to get ownership of land. I think, I'm not real sure. Topsy would know more about that. But anyway that's such an important hearing that was done back then that it's published and re-published into print for us now. I know Topsy has a copy and I have a copy and other tribes use those informal boundaries that were set in writing. We've used them and we ... even now, like all the environmental people, we've agreed to go by the Golschmidt and Haas. Even though we don't have ownership of the land, we use the land, and we need to take care of it (2004 taped interview).

Another reason for restating legal status and rights to people (who may not be listening) is to re-situate state action or proposals into local priorities. Two non-Native men, raised outside of Southeast Alaska, who lived in Kake for several years, observed the following about state and corporate relations with local people.

Speaker One: Assimilation would be, I think it would be when you come in and you're going to figure out how to help your company work within this culture, whatever. Now that's an assimilation. But when you're coming in to ...

Speaker Two: To dominate.

Speaker One: And that's really, and, you know, been the history.

Speaker Two: And that's the one thing that has been the biggest thing about Kake. They've tried to maintain their traditional and cultural focus. And it's the one thing that they've always voiced that they wanted. And the reason that they've ... stay isolated, and the reason that, you know, they haven't gone the way that a lot of the other Native communities have gone, is because that wasn't what they wanted. And the reason that they self-proclaimed (as a tribe) and all that other stuff is because they want to remain a Tlingit village. And, but they're not viewed that way. They're viewed as every other average Joe. And you can't do that any more than you could walk into China and say (you're going to be like us). And their five billion people say, "I don't think so." That's what gets left out, you know. And it's also one of the reasons why Kookesh will forever have a job as a representative, or in politics. It's because he is a member of that group, and he understands that, and he works to go that direction. You know Lincoln? Same, same deal. She understands that whole thing. And she uses it to get what she wants out of the community and listens to it from the community, and doesn't get impatient with the whole process. Because she realizes it's a necessary part of the business. You know, in that whole communication and all the little nuances. It has to be there for things to happen. And, that's what's good about them. You know, it's the reason that, that the people here trust them, very much (2003 taped interview).

The above speakers describe two state representatives who recognize community priorities and ways of communicating, are trusted because they acknowledge the

meanings inherent in local personhood. Before recognizing people's rights (personal, community, and group), it is necessary to appreciate their full personhood. Simplified and generalized legal descriptions of people as "areas", populations, or as government types lack discursive recognition and appreciation of full personhood.

Anna Yeatman (2004) wrote about conceptions of personhood, the state, and human rights. She pointed out that the state has been developed on a universal scale so that state systems are now part of every human's life. People's rights, then, are dependent upon how states are conceived, the ideals within their constitutions, and the definitions by which states attribute personhood status. A hallmark of the universality of human rights is that *right* is conceived within the principle of non-discrimination. All humans are accorded the status of persons under the principle of non-discrimination, even though they have ascribed and non-ascribed differences (Yeatman 2004:404).

"There is a dialectical relationship between the adequacy of the state-centered institutional order for the effective support and facilitation of personhood and our subjective capacity to be and act as persons" (Yeatman 2004:403). In this world of state power, the status and rights of persons exist through constitutional specification and institution. Whether or not states and their constitutions are adequate in establishing and instituting rights and personhood status is another matter. For that reason the idea of the state and its constitution and formal legal rights must be continually re-made when they are discovered to lack the capacity to establish and institute personhood status and human rights (Yeatman 2004:413). Hegel (1991) wrote that the best of worlds are organized to make personhood possible and "support the freedom of those who act as persons in the company of other persons (Yeatman 2004:408). ... Thus the state is more than the institutional-legal field of action of the state; the state refers also to the kind of subjectivity and capability for thought that enables its institutional aspect to come alive in ways that make it adequate to the demands of personhood, as these are historically constituted at any particular time" (Yeatman 2004:409).

In the context of this study, state representatives' jobs in making personhood possible include taking the time and effort to avoid over simplification and generalization about communities of people. Their duties include attributing specific personhood to local communities and people. State facilitation of personhood includes state-based efforts to understand and get to know in detail what personhood means for local people. It means supporting definitions and knowledge of local personhood that are cognizant and supportive of the local processes of socialization, especially processes that, as Anderson (1996:151) points out, are conducive to shared values, frequent interaction, and the practice of working together for a common cause, all of which are "directly relevant to conservation."

This means that following a state constitution dogmatically as a means of defining large numbers of people in concrete and culturally specific fashion is to systematize and objectify what it means to be persons. In dogmatic rule following, persons lose more of their capacity to think freely about their subjective experiences. They lose the capacity to take responsibility for their own actions over time. They lose a measure of freedom to be persons (Erikson, quoted by Levine, 2001:20). Yeatman's description of statecraft, as it relates to dogmatic rule following, personhood, and human rights, is relevant to my discussion of boroughization proceedings in Alaska.

First, LBC, SCR12 and head tax bill discourse fails to recognize the full personhood of people living in the unorganized borough. When decision makers apply meanings *to* space rather than researching local meanings *of* place, or avoid specific names of local places and people, or leave out local feelings, stories, and comments, or fail to specifically acknowledge city and tribal governments in reports to the legislature as relevant local government entities, then state-based discourses diminish local personhood status. The statements and comments of people in unorganized boroughs were mostly not included in the final reports and legislative proposals that I examined,

including the bills themselves, the entire LBC 2005 report to the legislature, legislative committee meetings that I listened to, the LBC 2001 study, etc.

Second, state-based discourse assumed a concrete and culturally specific definition of full personhood when it established boroughization guidelines during creation of the state constitution in the late 1950s. The constitution framers, as described by V. Fischer, visualized a situation wherein unorganized borough residents would form boroughs when they were able to carry out what are otherwise state functions. "... when a certain area reaches a position where it can support certain services and act in its own behalf, it should take on the burden of its own government" (ACCP 1963: 2673-2674), (appendix P). One trouble with this assumption is that it is embedded in particular concepts of economy and government that are assimilative.

The fact that LBC staff and certain legislators worked to encourage resolutions that would force people into forming boroughs indicates impatience with people who have yet to become like the rest of the state. This assumes a concrete, homogenizing rather than abstract, relative idea of personhood. The danger is that such discourses "label" those who live with other sets of values and who want autonomy and self-determination at a more local level, as people who have yet to become "full persons."

In this case, people who live outside concrete definitions of personhood seem to threaten the identities of people who live within such definitions. The discourses allude to the notion that non-conformers must change to be given the status of full personhood. We could consider how forming borough governments might, in actuality, diminish personhood because it would mean that people in the newly-organized borough had lost a measure of freedom to think subjectively about their own experiences.

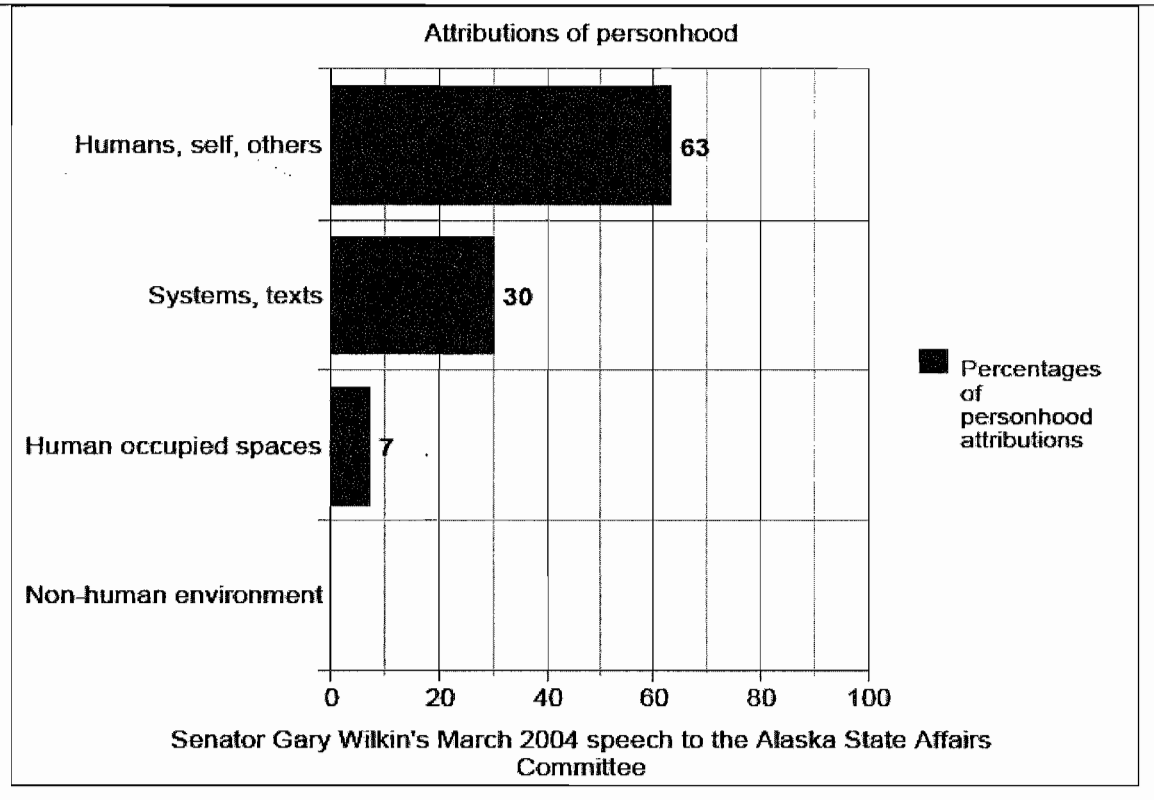
Third, in Alaska, state-based discourses about boroughization appear to give greater rights and personhood status to government systems and text-artefacts than to people who live in the unorganized borough. The arguments for boroughization fit more within Scott's (1998) description of statecraft than Hegel's (1991). LBC and most

legislative state-based discourses give little to no personhood status or rights to non-human environmental entities, even though local discourses often do. If personhood status is diminished for people who have lived within an environment for millennia, who know their “place” well, and who mostly want to protect environmental integrity and create sustainable livelihood strategies, then how will we as a world solve our environmental crises?

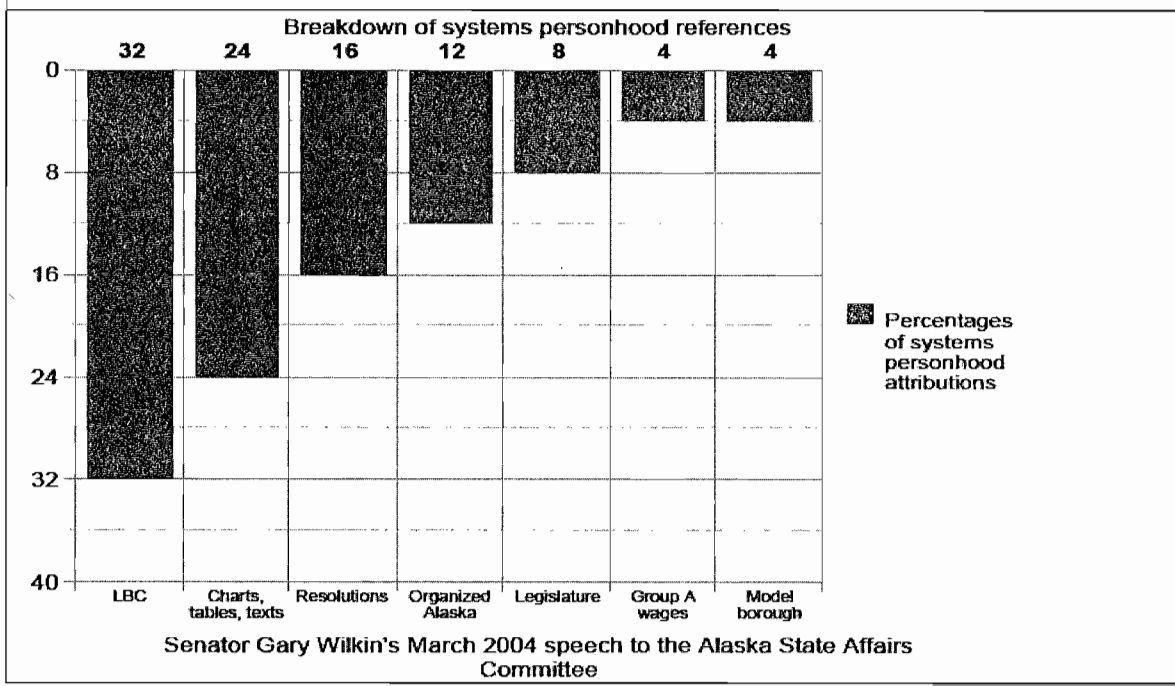
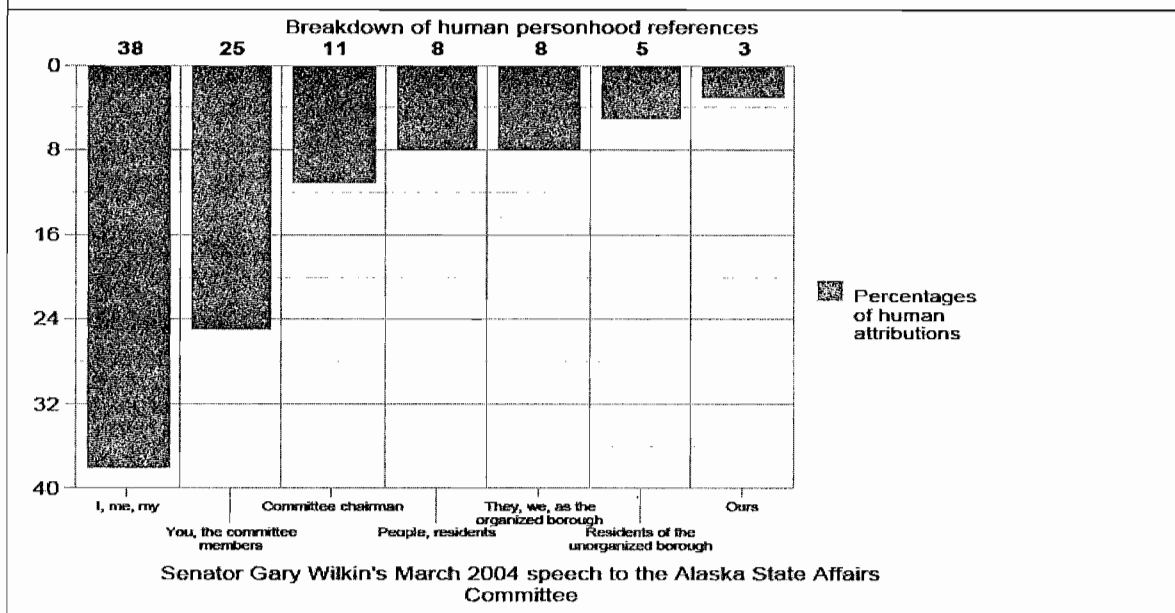
The following graph sets, 3-11, summarize and abbreviate the quantitative and qualitative search for signifiers and phrases connected with references to personhood, graphs 3-11. Each transcript (appendices M to Z) was analyzed sentence by sentence using the qualitative analytic tool Atlas.ti. Sentences and phrases were compiled and categorized in order to compare discursive patterns and content. Below are the results of comparing discursive references to personhood. When a speaker or writer linguistically referred to someone or something as having agency, purpose, capacity to act autonomously and intentionally, and/or an ability to have emotion, I included the phrase in lists of personhood attributions. I separated and categorized phrases according to attributions of human, systems, spatial, and non-human environment personhood.

One purpose of analyzing attributions of personhood in the following narratives is to assess which entities are given what levels of personhood in this discourse about boroughization. One reason that attribution levels of personhood matter is the tendency of people to feel a greater sense of moral obligation to entities that they consider whole persons.

Graph 3A. Senator Wilkin. Attributions of personhood



Graph 3B. Senator Wilkin. Attributions of personhood.

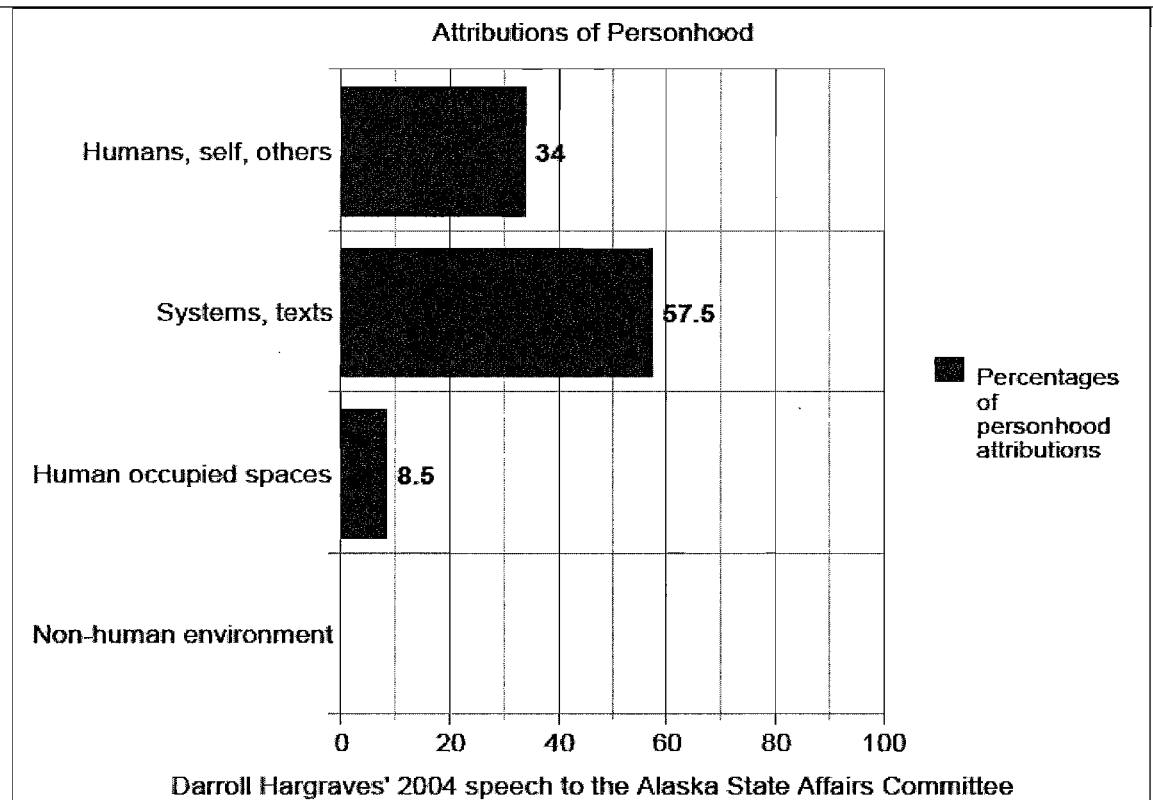


Persons as humans, self and other. Wilkin identifies in his speech: the immediate speaker I, me and my; the people to whom he is speaking in this context, *you, your, Mr. Chairman*, and *members of the committee*; the people the speaker represents as a senator in his organized borough district, *we, we'll, them*; the people whose governments are not organized into boroughs, *they, people, residents, potential taxpayers*; and people in Alaska in general, *our, employers*. In this speech people are categorized as *we* who live in organized boroughs, pay taxes and contribute to schools and *they*, people, residents who live in unorganized boroughs and lack an organized structure through which to collect taxes and contribute to schools.

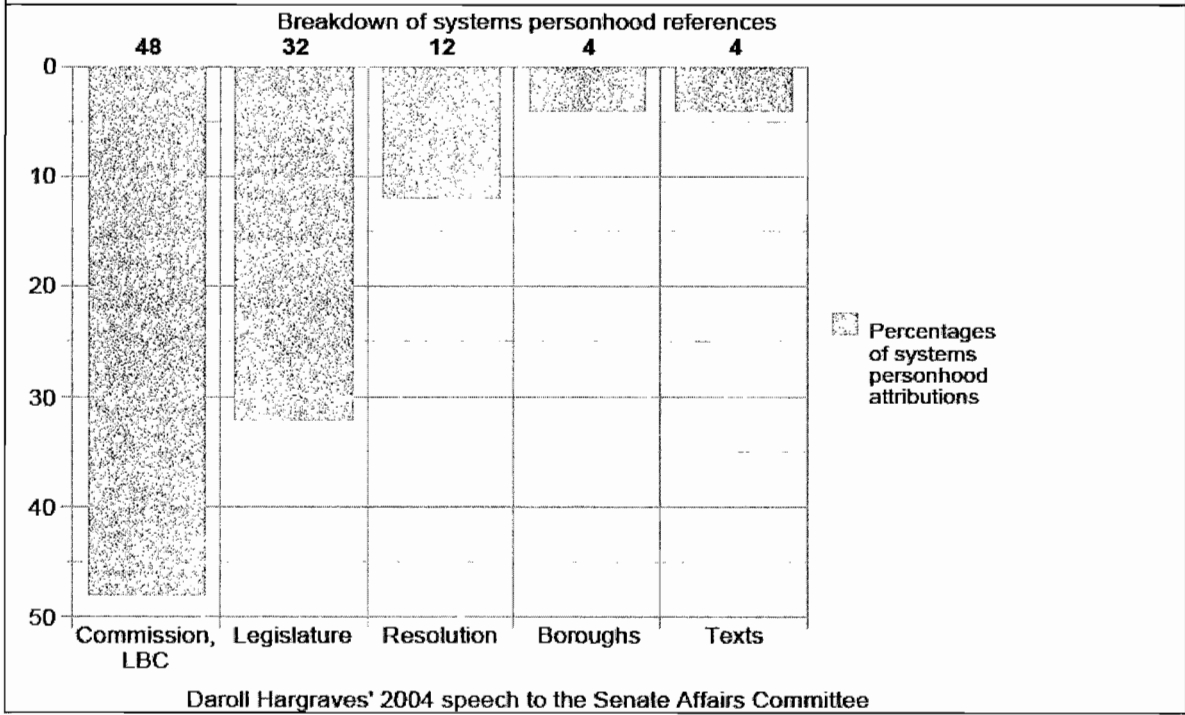
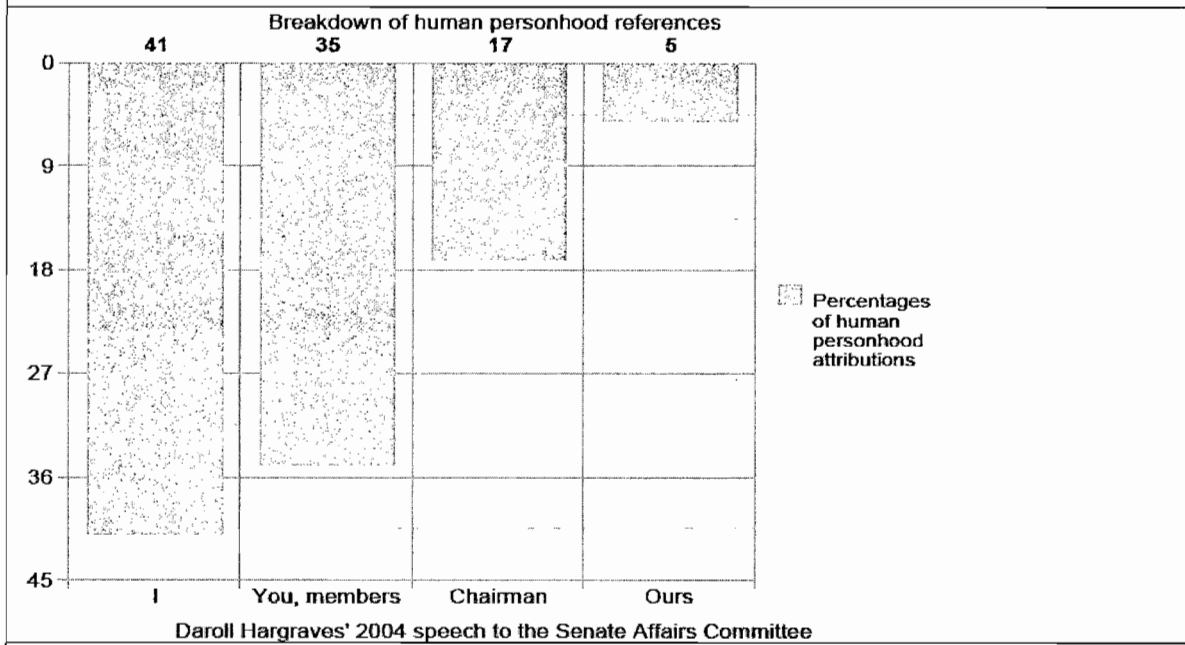
Systems as person. Wilkin articulates personhood attributes for: *Group A*, the *chart* (it), LBC, the *legislature, model boroughs, organized Alaska, REAAs, report, resolution, table*, and *SCR12* (the resolution). These government units and their text artefacts are discussed as though they have intentions and motivations and act upon them. Such discursive habits infer (Iyer 2006:393, 394) that each state system has a personality that is evident through its internal decision making *structure*. When Wilkin says that “the resolution *recognizes* this fact and *establishes* a procedure,” he is speaking “as if” the resolution text within state decision making *structure* (SDS) has personhood. Throughout his speech he attributes personhood to the state system as an entity independent of people who are part of the state decision making body. People may come and go while the *structure* remains (Iyer 2006:394). Individuals in state bodies have intentions as persons, but the SDS reflects the intentions of the state entity. The state constitution and LBC standards for borough incorporation ascribe levels of beliefs, interests, intent, and motivations for system-based action and guidelines for system responsibility. These are all characteristics of personhood according to western definitions. In Wilkin’s speech he discursively infers that the SDS gives the state entity its individuality and its personhood. Several of his legislator listeners seem to take state and textual personhood for granted, as they speak later in similar discourse frames.

Spatial personhood. Wilkin refers, in his 2004 talk (appendix M), to the expectations and intentions (personhood) of *areas*, but not just any areas. The spaces that Wilkin refers to are those within the unorganized borough. Such *areas* are asked to contribute, have courage and address whether or not they can fund their own schools, and they are asked to be responsible. The *area* becomes, in this discourse, a person with intentions, motivations and responsibilities. Wilkin articulates little recognition of individual and group diversity of intent and action within unorganized areas. Through generalizing and homogenizing, everyone in unorganized areas becomes a copy or fractal of the whole, with qualities such as non-contributor, irresponsible, and lacking in courage. The only *area* differences Wilkin refers to are based on comparative yearly wage statistics.

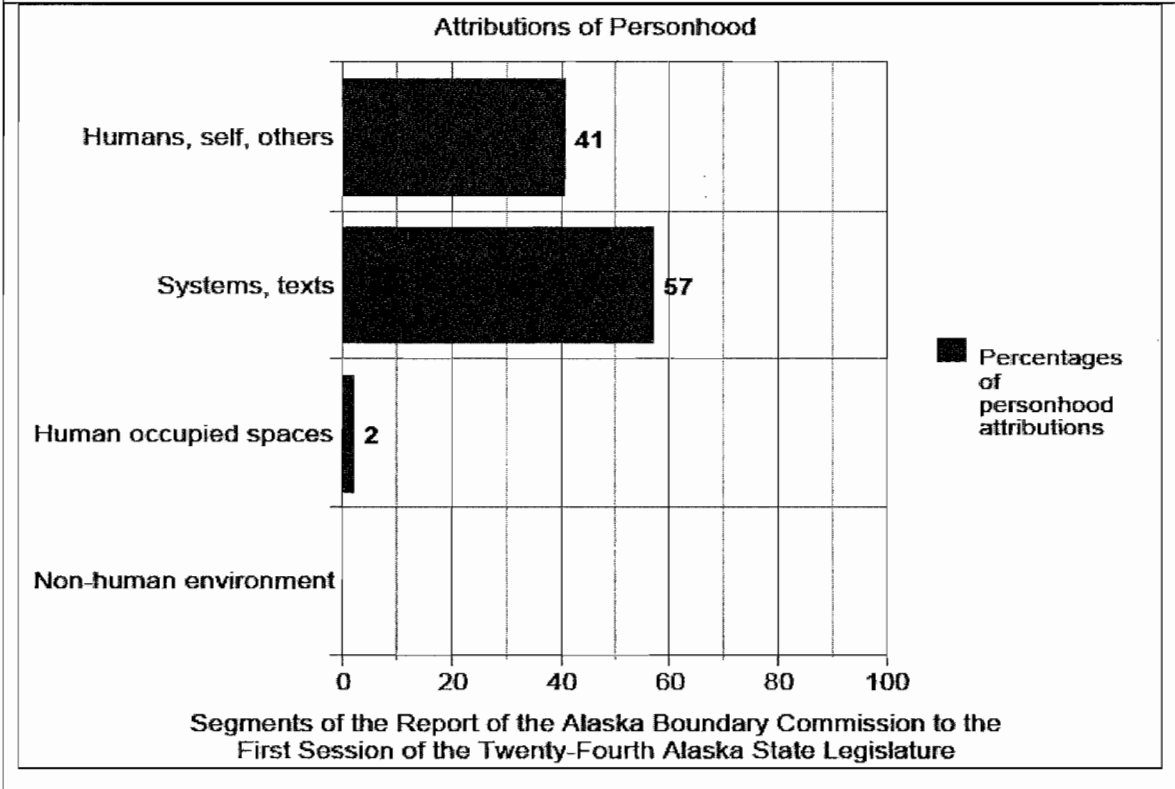
Graph 4A. LBC Chairman Hargraves. Attributions of personhood



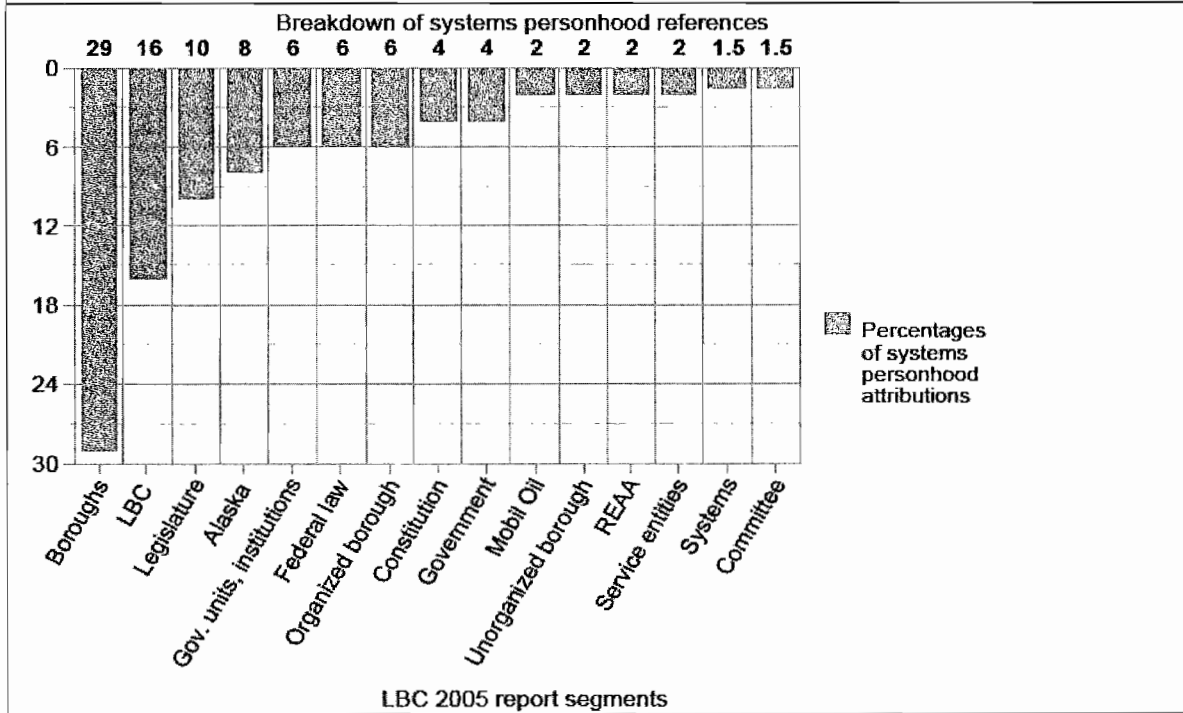
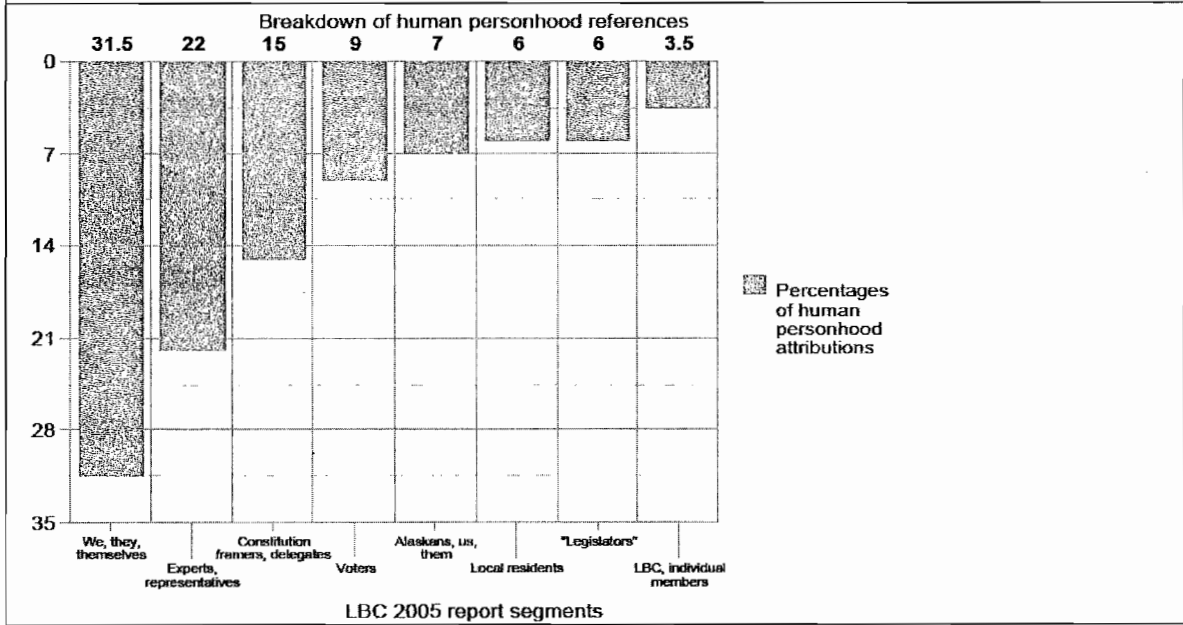
Graph 4B. LBC Chairman Hargraves. Attributions of personhood



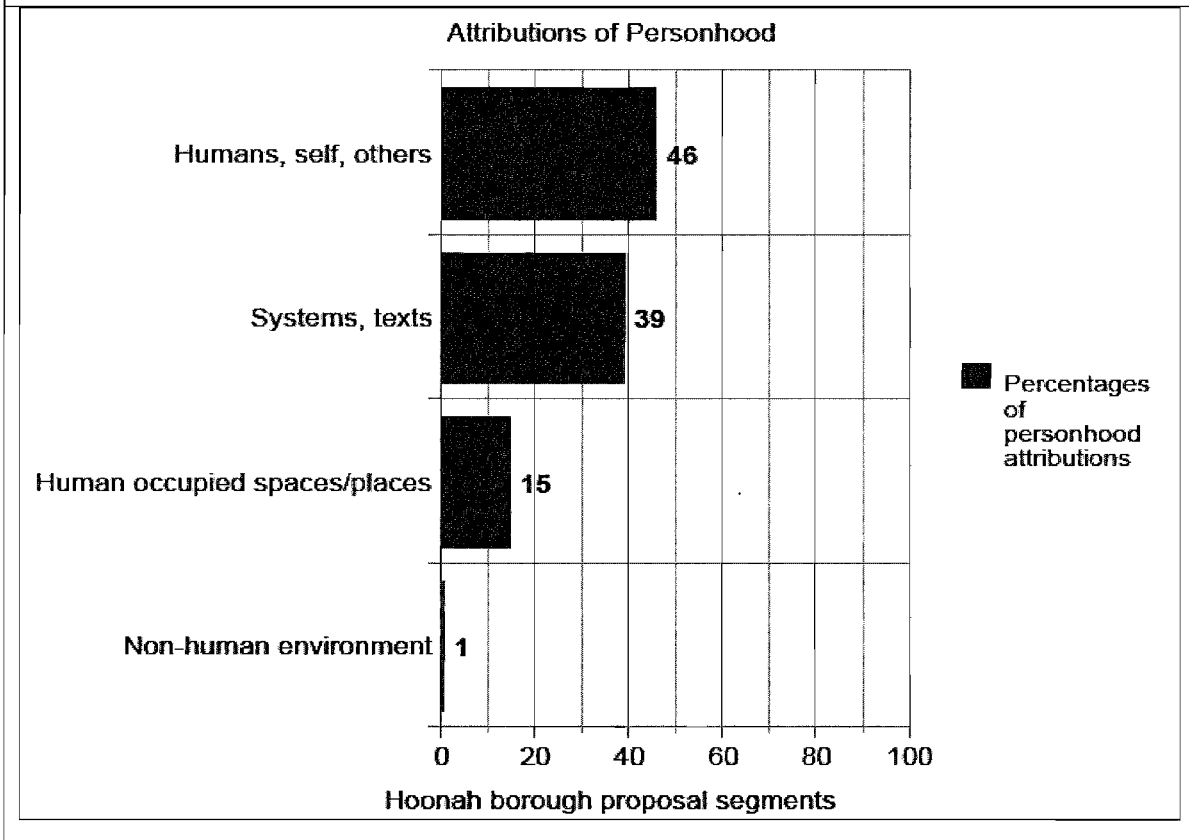
Graph 5A. LBC report. Attributions of personhood



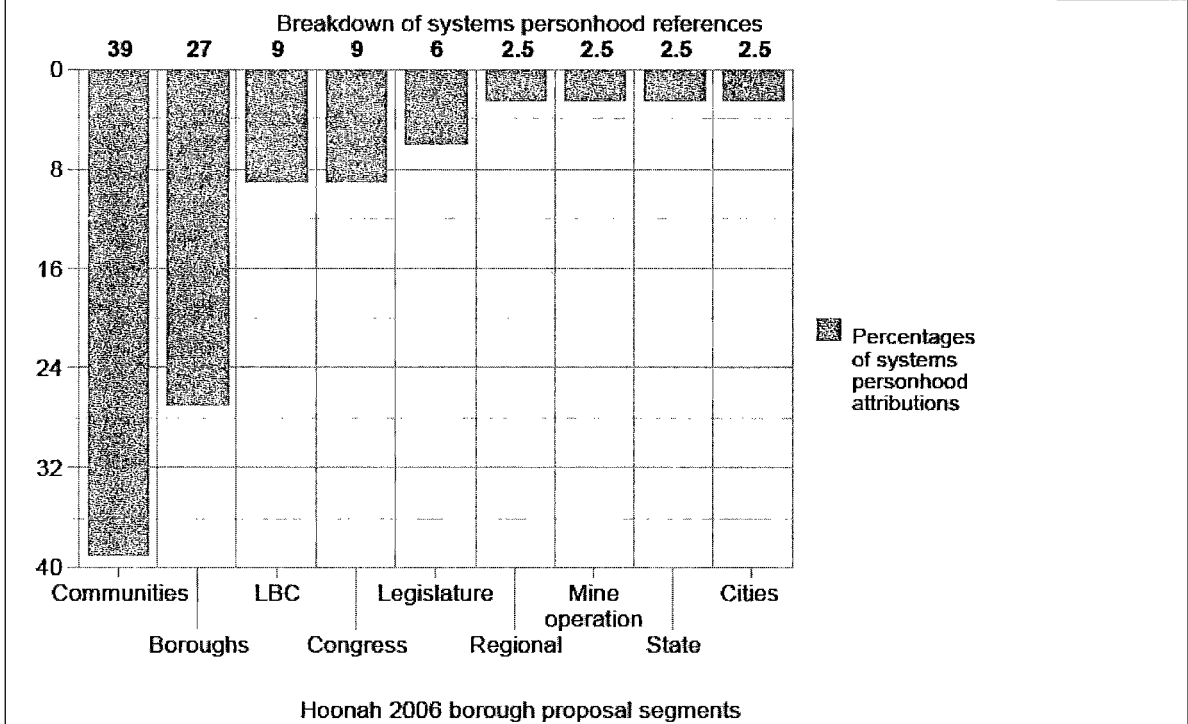
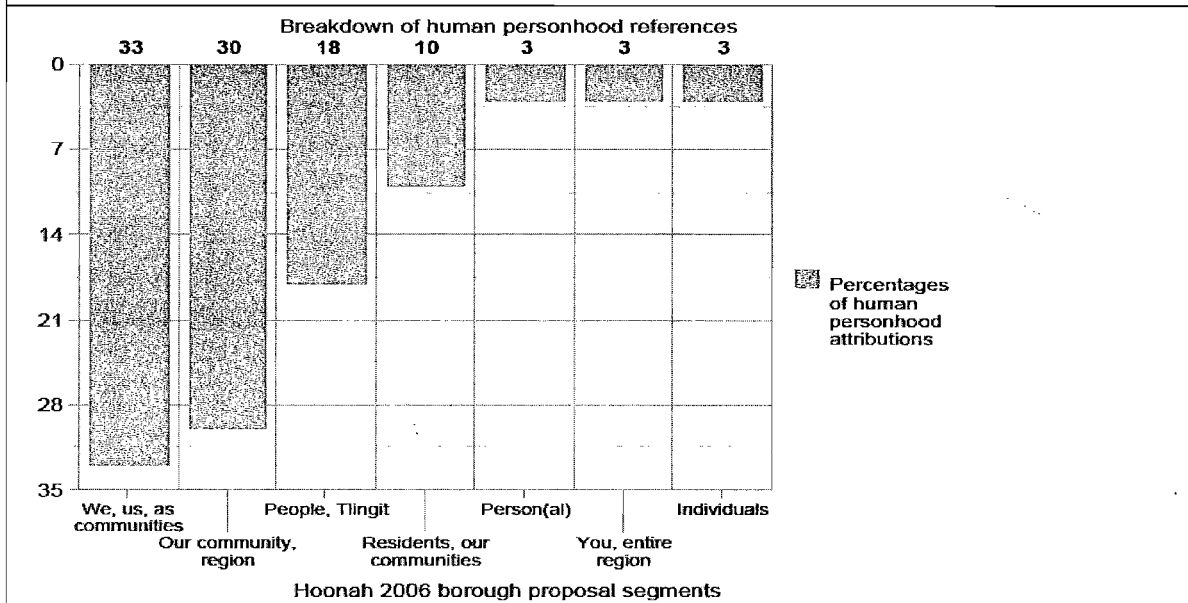
Graph 5B. LBC report. Attributions of personhood



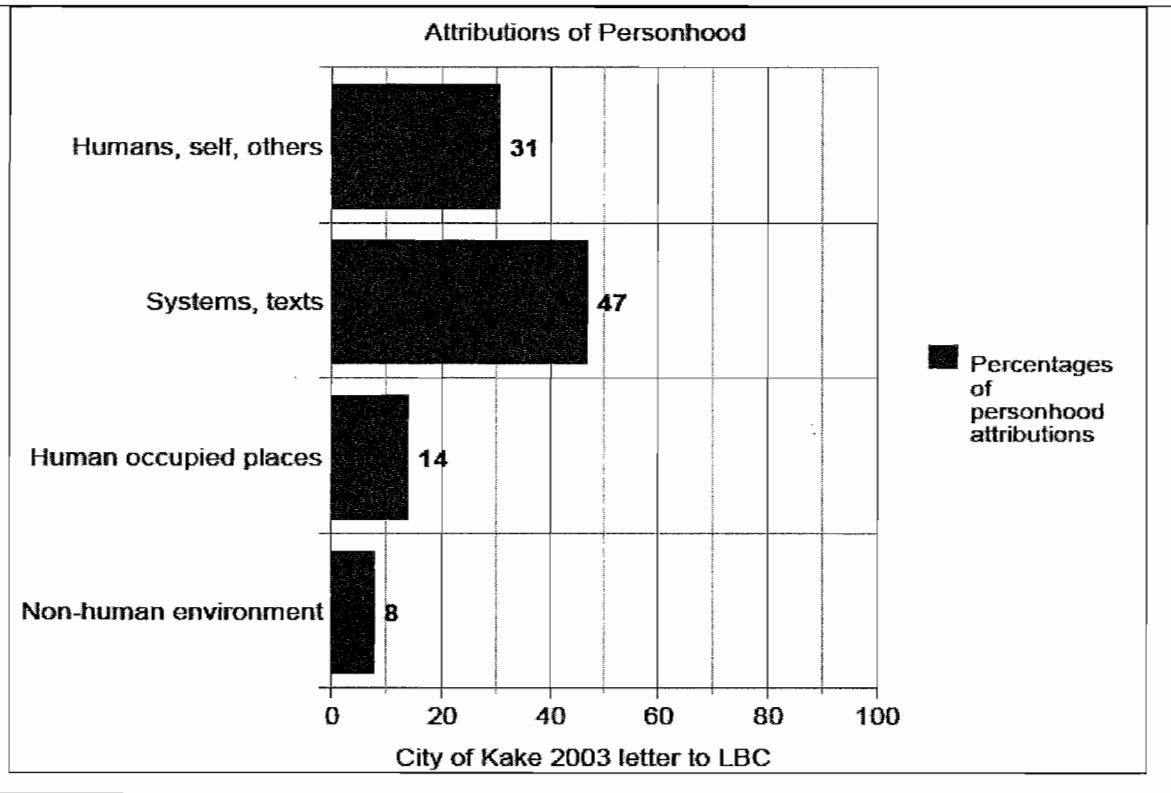
Graph 6A. City of Hoonah. Attributions of personhood



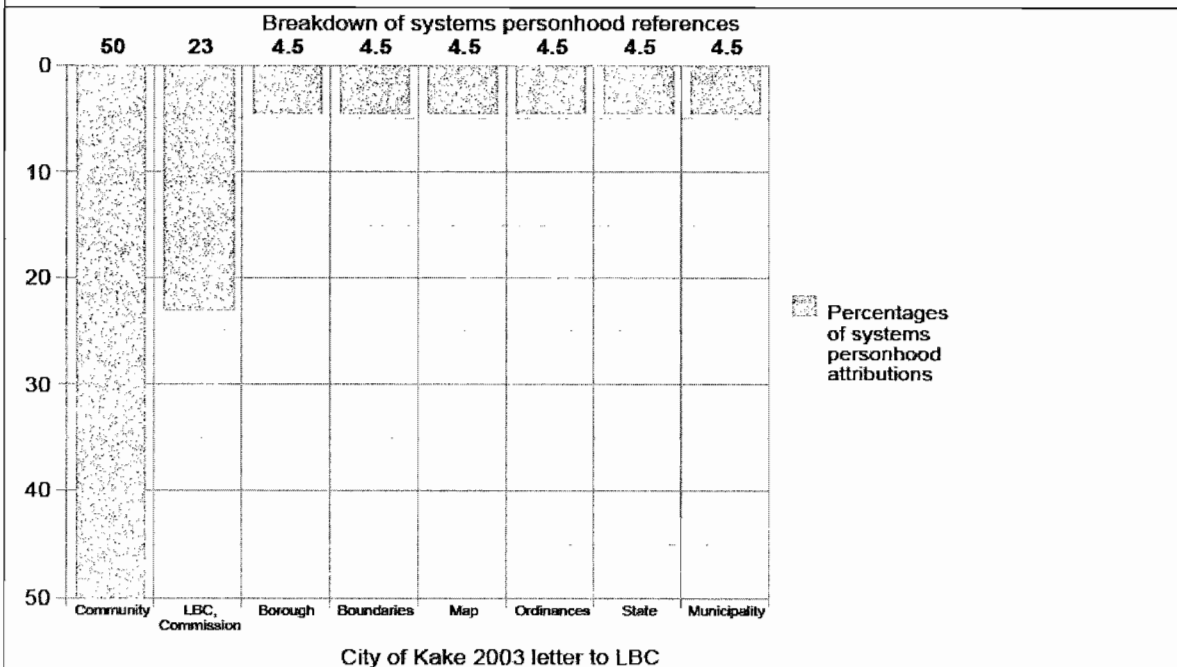
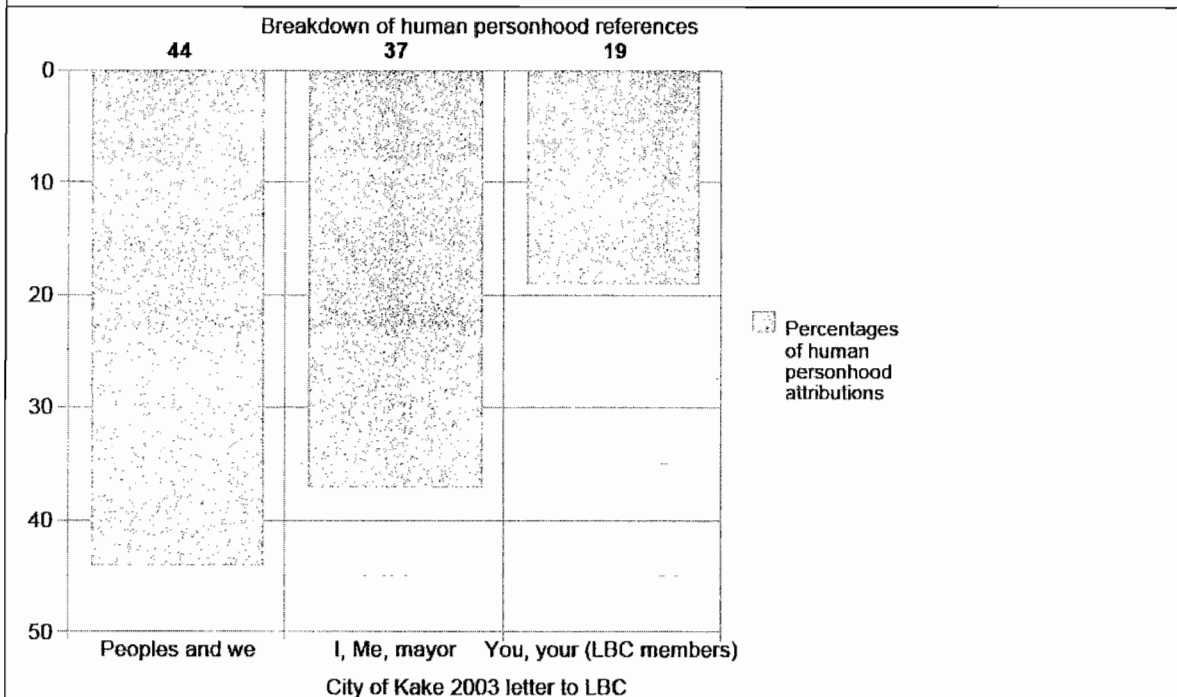
Graph 6B. City of Hoonah. Attributions of personhood



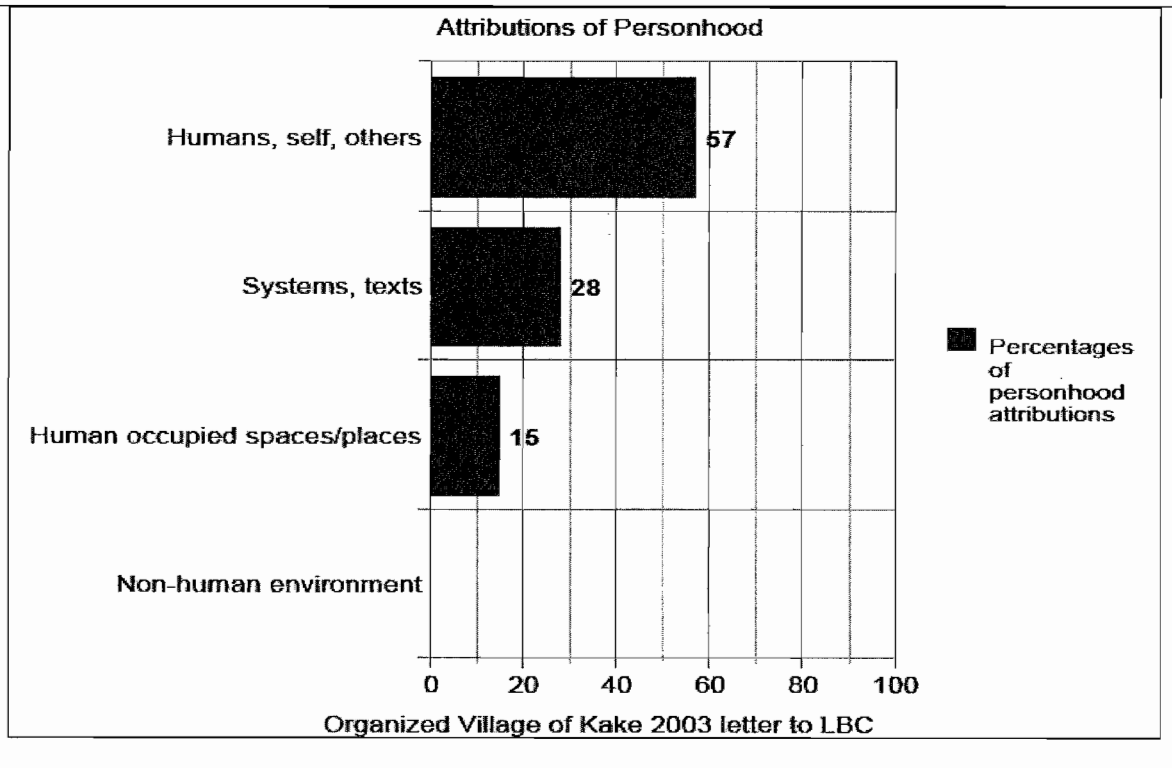
Graph 7A. City of Kake. Attributions of personhood



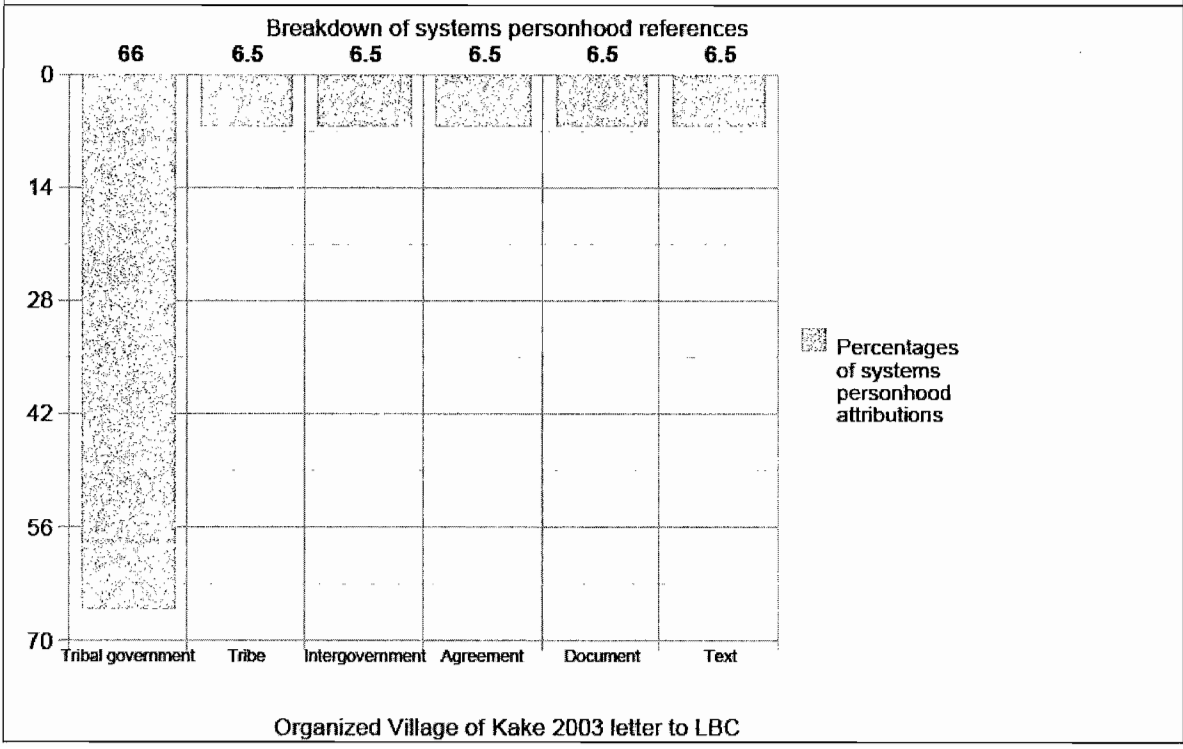
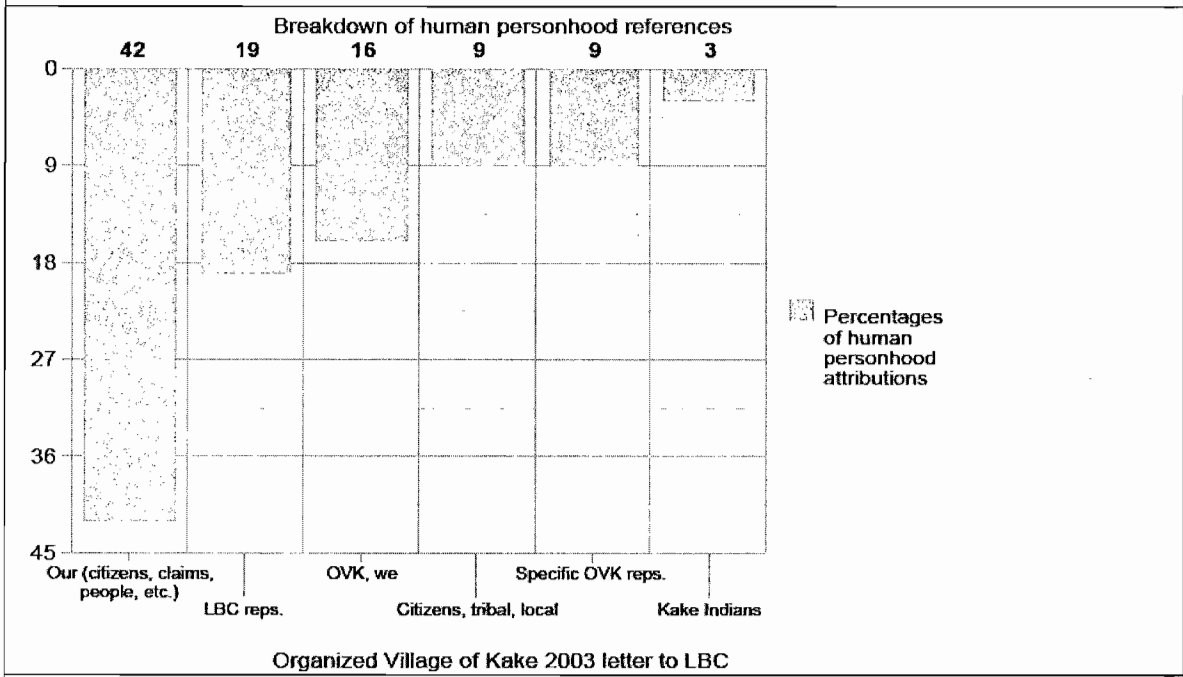
Graph 7B. City of Kake. Attributions of personhood



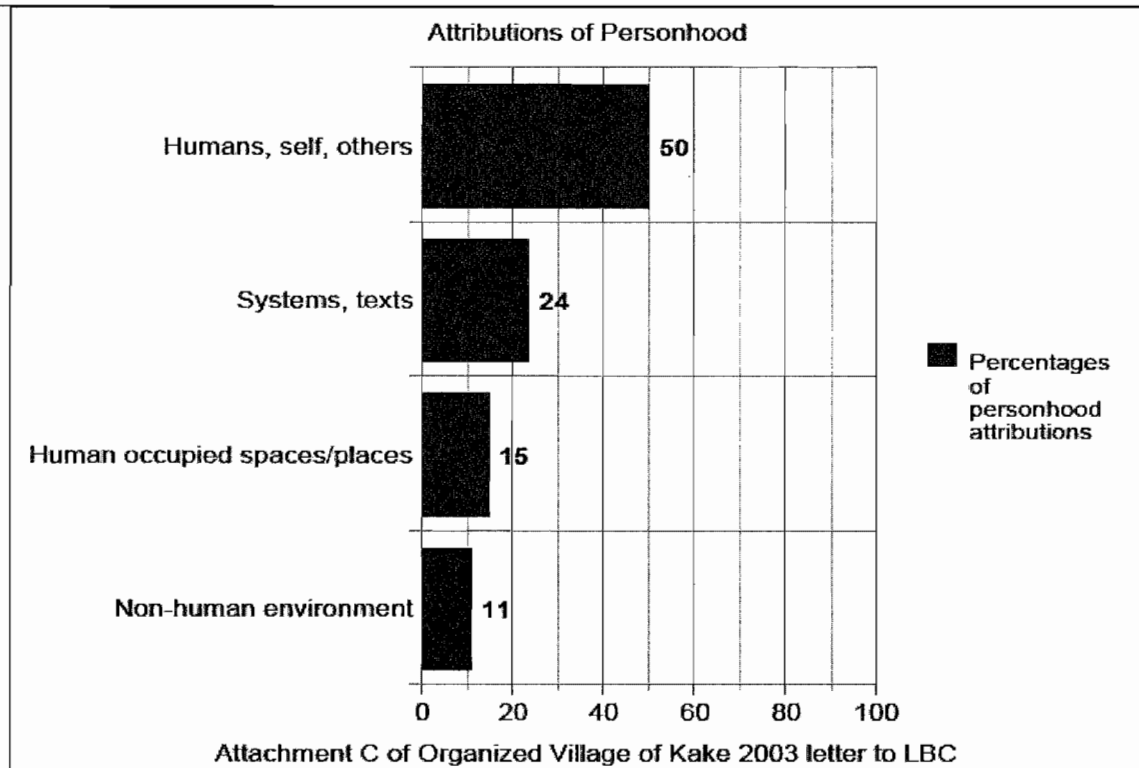
Graph 8A. OVK. Attributions of personhood



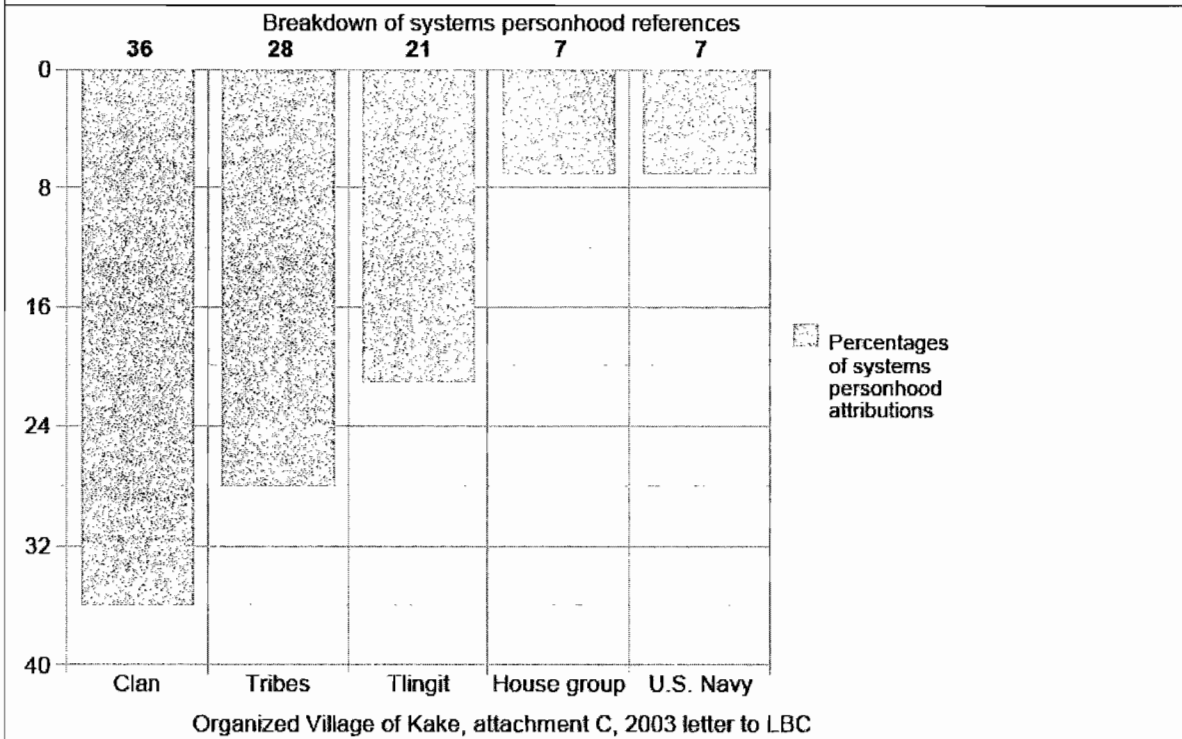
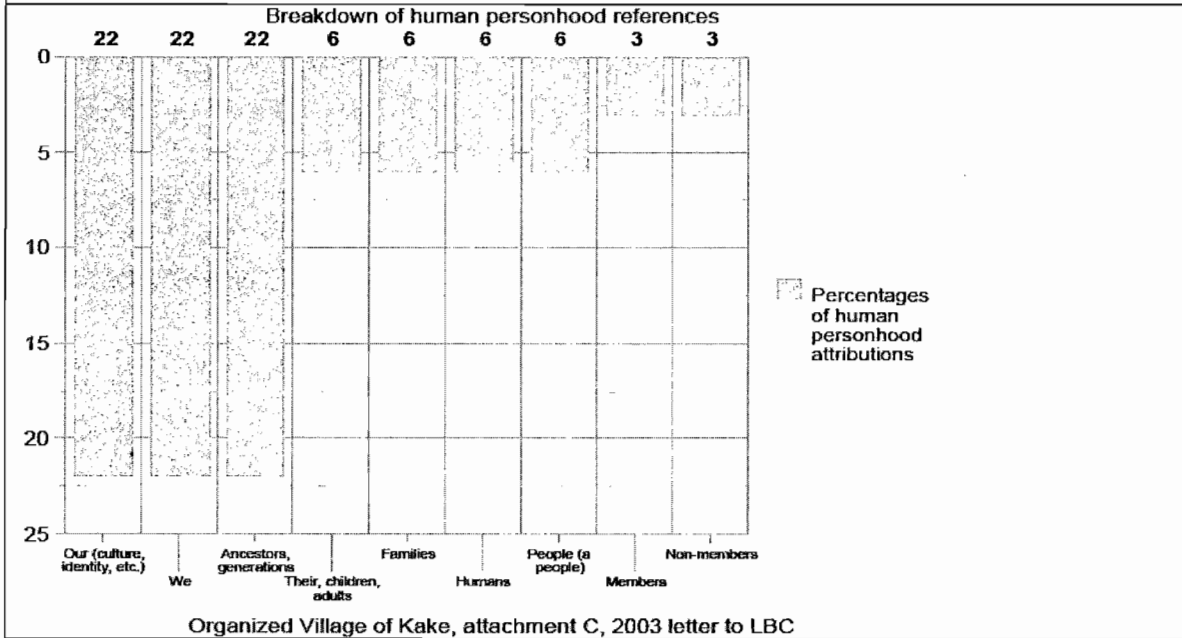
Graph 8B. OVK. Attributions of personhood



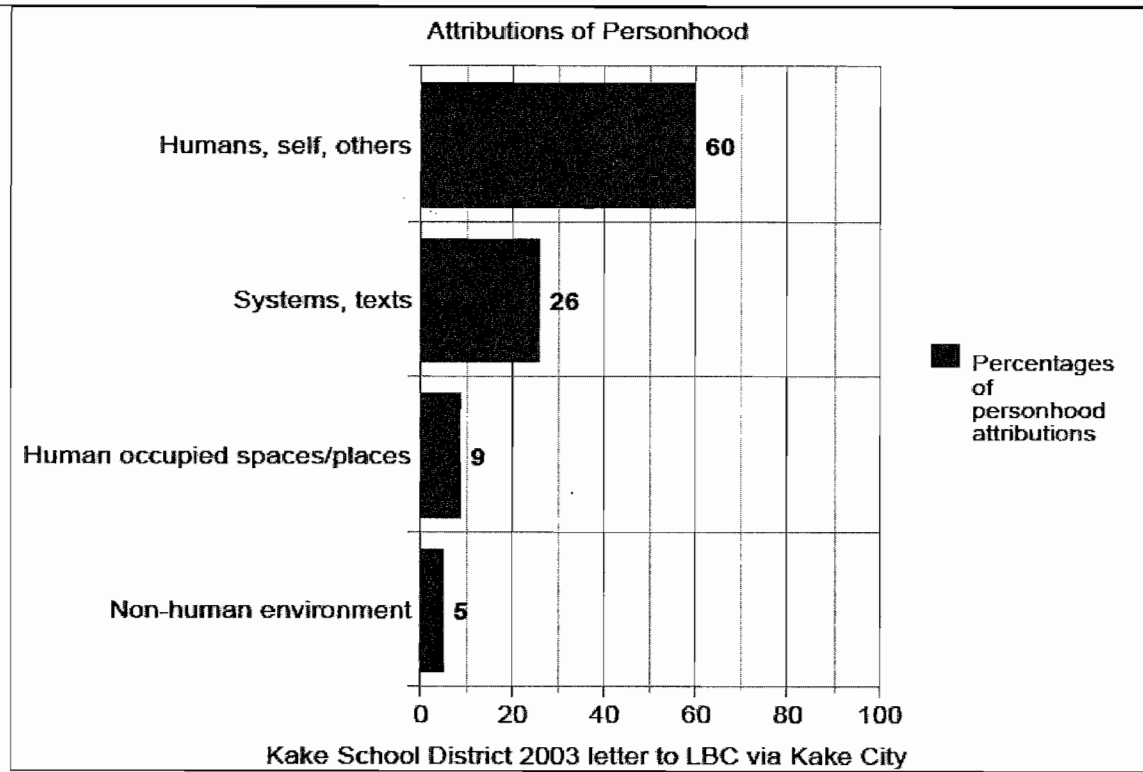
Graph 9A. OVK. C. Attributions of personhood



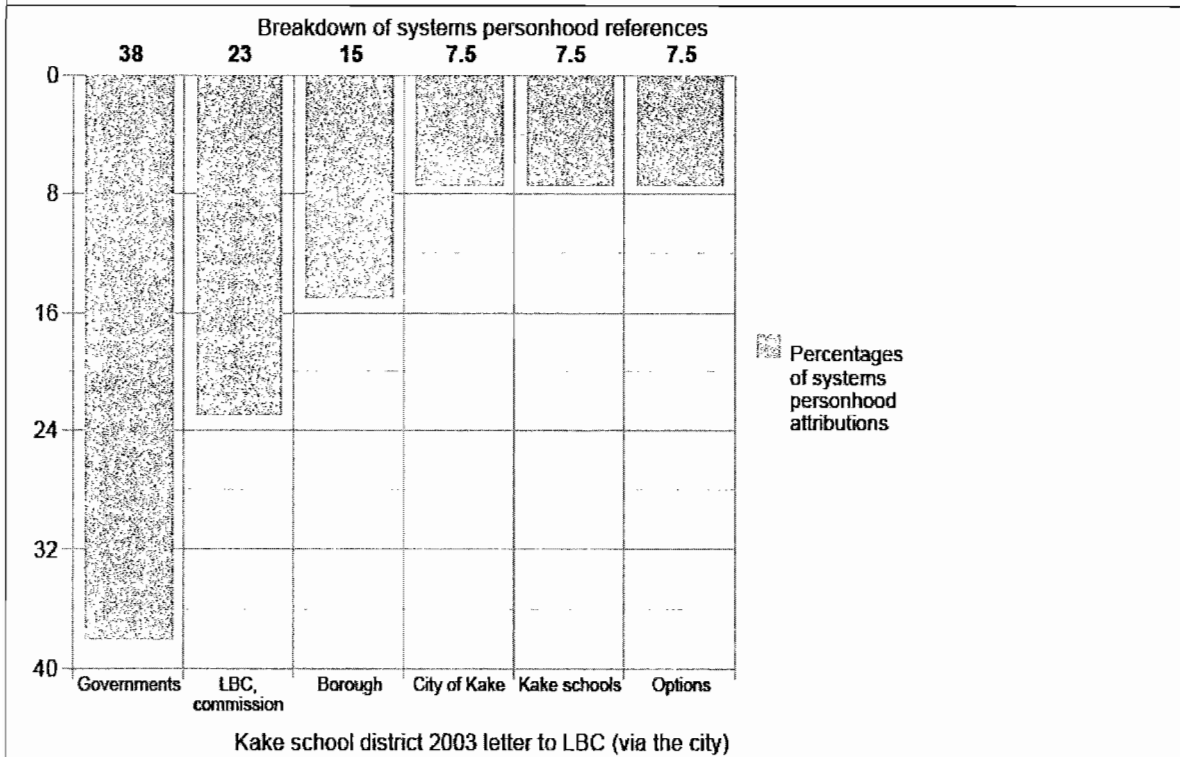
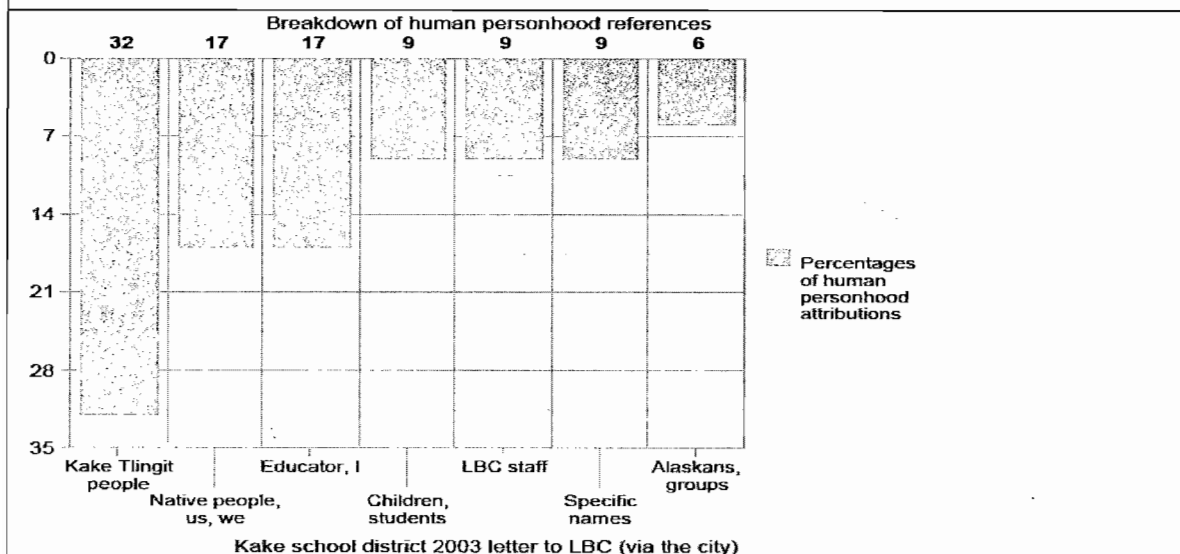
Graph 9B. OVK. C. Attributions of personhood



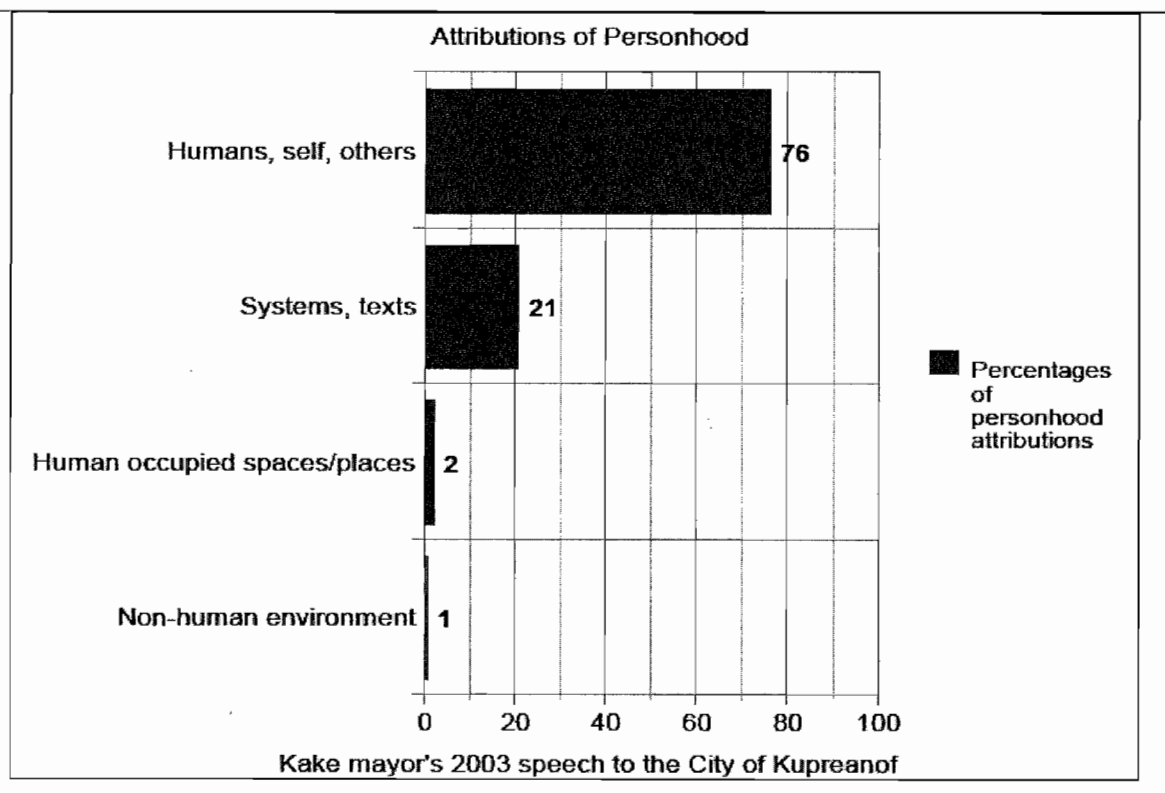
Graph 10A. Kake schools. Attributions of personhood



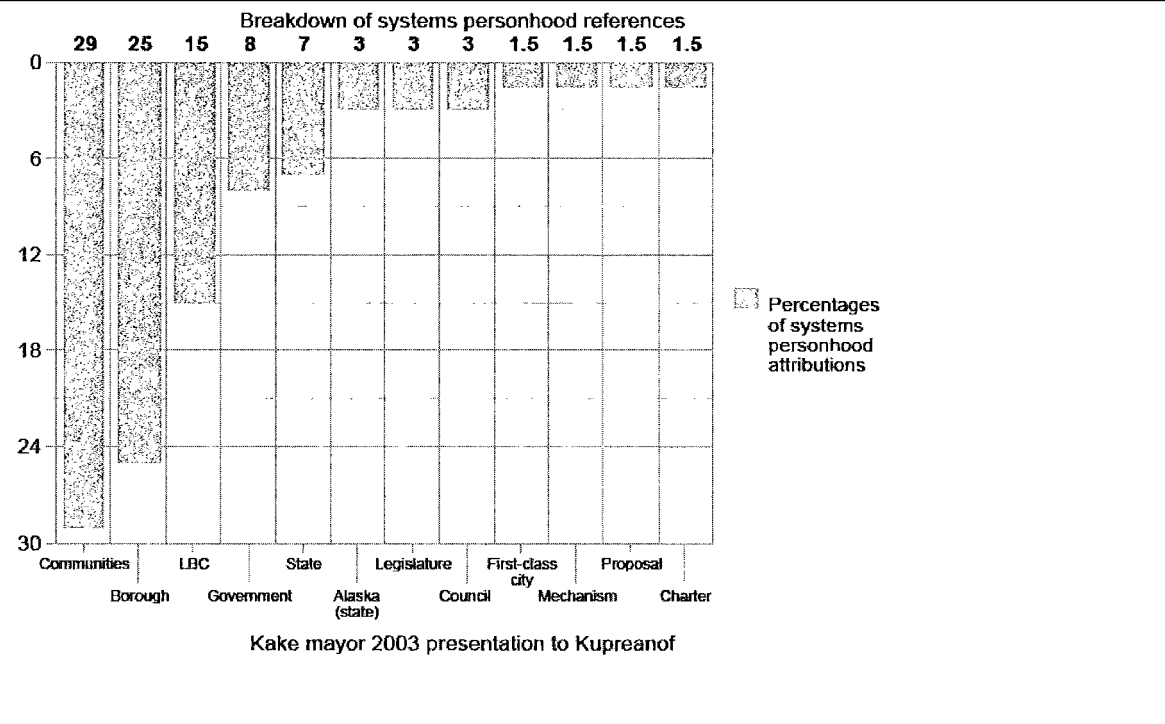
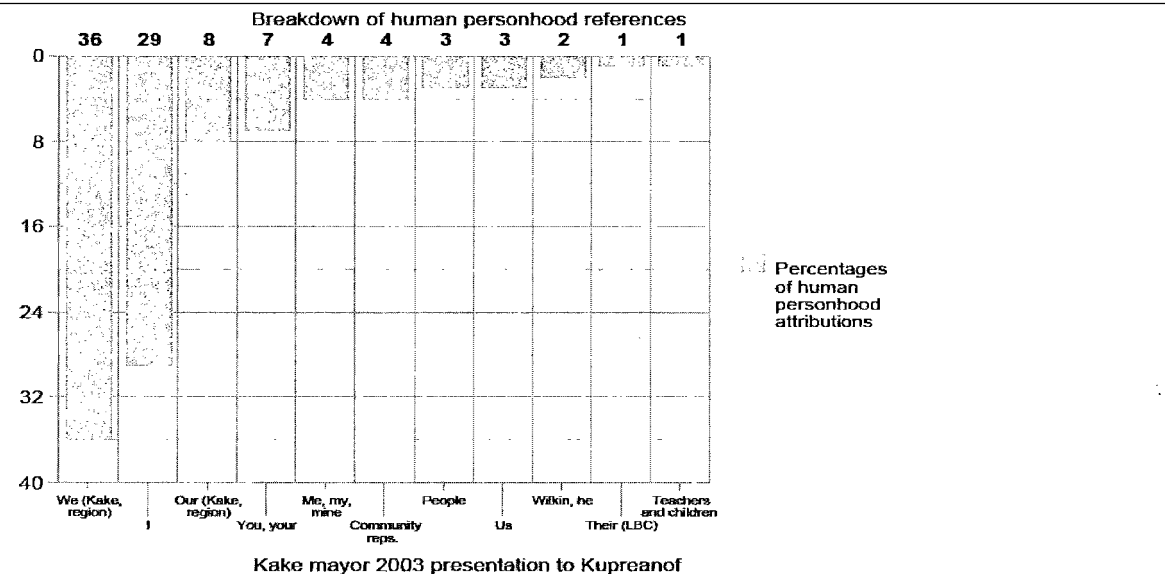
Graph 10B. Kake schools. Attributions of personhood



Graph 11A. Kake mayor. Attributions of personhood



Graph 11B. Kake mayor. Attributions of personhood



In these examples, context is especially relevant because of different degrees of access to legislative power. With context in mind, what do these graphs tell us about levels of personhood attributed to people, systems, human-occupied spaces, and the non-human environment?

In the context of verbally presenting data and proposals to lawmakers, personhood was attributed most often to “self,” or those presenting the data, and “you,” the committee hearing the presentation (graph sets 3-4). Other people were referred to very generally. In the written LBC presentation to the legislature (graph set 5) local human persons were referred to as “local residents,” “voters,” and “they.” Within LBC representative Hargraves’ speech and the LBC 2005 report, approximately 62 % of personhood attributions referred to organizational systems and texts. No attributions of personhood were referred in LBC narratives to the non-human environment. Legislators and Local Boundary Commission representatives tended to avoid, in their speeches and texts, the complexities of local community relationships and commitment to place and people.

Kake speakers and writers, to a lesser degree than state representatives, attributed personhood status to legislators, commissioners, state systems and text-artefacts. Local human personhood was acknowledged with substantially greater frequency in the samples from Kake. For example, the term “people” in state-based examples was used in relation to generalized population numbers and wage and tax numbers. “People” in local examples were “Kake people,” “our people,” “Tlingit people,” etc. As the Kake letters and speech segments demonstrate, local people communicate a measure of emotion-feeling about people and place even in official state correspondence and discussion.

The differences between local and legal decision-making language usages are significant in this discussion of regional government and regional jurisdiction boundaries. State-based discourse shows a discursive *dissociation* from relationship with and knowledge of local personhood. If persons are those who deserve to be treated as though

they have moral worth, then the practice of perceiving and discussing personhood in the local inclusive environment would seem to be important. Discursive dissociation from acknowledging local inclusive personhood is likely to be connected with emotion/feeling dissociation with the same.

Again, we learn based on our emotions and feelings. When we avoid, disregard, or refuse to allow the expression of certain kinds of feelings and stories within government discourses, we avoid a type of environmental stimulus that triggers certain types of emotions. By avoiding, disregarding, or refusing to hear, we put limits on what we learn through emotion and feeling, and we also stifle the full personhood of ourselves and other people. We must do so to survive in a social world, but we need to be aware of how the limits we set for ourselves and others affect our knowledge base for problem solving (Gilligan 2006:57; See also chapter 5).

In the case of boroughization, insisting on the necessity of regional government and boundaries based on simplified, “objective” economic and political formulas, it would seem, creates a further dislocation in people’s lives from local feeling knowledge and commitment. It may in fact exemplify uncreative political and economic short-sightedness about human/environmental conditions and relationships. For example, LBC representatives wrote that the lack of regional government has hindered social and economic development in unorganized areas. The lack of organized boroughs has resulted in a highly fragmented structure for the delivery of public services. These two points are framed very differently from the perspectives of many people in Kake and elsewhere who “... enjoy our way of life, especially in Kake we enjoy our independence; we enjoy our autonomy; we enjoy our self-determination ...” (appendixY, Kake mayor, 2003).

In reference to proposed economic solutions through boroughization, a Kake Tlingit man, who once worked for the USFS, talked about seeing a special on TV. The special described how white men, killing all of the buffalo in the prairies, had to cool their guns with water because they were shooting so many.

... because when they shot the leader all the other ones would mill around it, and that's how they just shot shot shot shot ... got rid of it. To us here it's just chop chop chop chop and sawing down all the timber. To what? To help us all move to Anchorage, Juneau to be service providers for the big companies? To us we're hanging out on the fingernail here. Because the power [electricity] is so much, the cost of living here is so much. But before it wasn't that; it wasn't about cost of living. It was about surviving as a community. How we helped one another. And we did it, and we still are doing it today, even though it costs, it's costing us. Now we have to put a dollar amount to what we eat because in 1987 we finally had to do that in order to go back to the court of appeals, the ninth circuit court to show the judge deer costs. And that almost cost with us, my job here. The Elders said he [a politician] can't put a cost to our spiritual food or anything. But we had to. We also had to show how much we ate of salmon because logging does impact the watershed.

How people in Kake view their relationship with the government ... is probably dependent upon where you come from, how the expectations of government [influence] values of community. Because they don't understand it. They come from a whole different part ... and they're a whole different animal when they come in. And that's all they know is taking wood. Creating jobs. Why create jobs when we're all happy just by living here? If we all wanted to be workers in a mill, we'd all work in where ... Wrangell, Ketchikan, Sitka. But before those mills were, say, at Wrangell, Sitka, Ketchikan, those were great places to live anyway. And the reason why they made those mills there was that people like to stay there. But the mills polluted them. Now they don't have enough money in the super fund to clean them up. (2004 taped interview)

Of course most Kake people would like to improve their economy, and many hope to do so in ways that are sustainable and that promote environmental integrity. Most people want to create an economy within which they can make decisions based on long-term and carefully planned activities. They would prefer avoiding circumstances that are dependent upon unsustainable resource extraction and on making quick decisions in desperation to raise taxes to fund schools within a regional government. One young

Tlingit woman talked about state efforts to regionalize governments and build roads connecting communities.

The bottom line is all they want is our natural resources, but they don't ever just come out and say it. You know, they pad it so that it makes it look like they're helping us grow. But maybe we don't want to grow. ... I think if they started to learn our language. What concerns them is, it would be too subjective. But their goals, they all must have gone to science school, because you can tell they don't ever put the environment and spirituality and people together as one. To them you're going to make money from gold or silver or timber, and that's their whole goal in life. (2003 taped interview).

The segments of discourse included in this chapter are reflective of many other conversations and documents I examined. They are not unusual. I analyzed these narrative segments to identify discourse patterns that connect or disconnect people from community and place through attributions of personhood.

Social engineering (Scott 1998) is more difficult or complex if people (individuals, communities, place-environments) are discussed specifically as "full" persons. Decision-making is decidedly more complex and takes more time when people are attributed full personhood and when their more personal connections to place are recognized. Simplifying to save time is taken for granted as necessary in United States legal and regulatory processes. However, it is the particulars that make commitment to place and people possible, and it is commitment to place and people that make sustainable livelihood strategies more possible.

If Anderson and others are correct in pointing out that particular kinds of communities—groups of people who interact with each other, depend on and feel deeply involved with an environment and the use of a resource—are the critical variable in resource and environmental conservation (Anderson 1996:151), then dissociation at a law making level from local personhood and local knowledge of personhood would seem to be highly problematic in this world so in need of sustainable livelihood solutions.

CHAPTER XIV

POWER IN BOROUGH DISCOURSES

Fieldworker: *Are the values that we talked about with community, environment, and spirituality ... are they influenced and changed by the values that come from government agencies and corporate economy entities?*

Speaker: *Yeah. Yeah I look back ... and I think that's what causes a lot of schisms and the actions of certain people. And even when a person who is really strongly rooted in values from Kake, it's kind of (difficult) when they've got to be part of the government process.*

I think it's [local values] kind of like background noise. I saw that quite a few times in hearings growing up. I didn't really get what was going on. You hear certain people, and older people get up, and we valued the public process and their right to get up and speak. We took pride in that, getting up and doing it. And [it was] better than not being heard, not being taken into consideration.

You know government agencies come in and do their job because it was required processing they had to do. It was like step three in a seven-step series that needed to get done. It didn't matter what they [local people] said. It was one of those objectives they had to do to come here, record, take notes. And no decision was made on what the people said. I don't know. I don't want to take anything away from the public comment or anything. I still believe in that way, but it's discouraging when you have to witness that. And knowing all the knowledge that was shared by these [local] people and it not being acknowledged ... You can see that historically in texts everywhere. (2004 taped interview with young Tlingit woman)

In this chapter I focus on who has the right to change the rules about human relations with the non-human environment. As with commitment to place and people, the ability for a community of people to monitor the health of its environment and adjust behavior accordingly is an important condition for sustainable livelihood social strategies. People have to be able to work together and make their own critical decisions

with the help, protection and advice of the state if sustainable livelihood is to become part of feeling and attachment to place and people, the strongest motivators for behavior that protects environmental integrity (Anderson 1996; Milton 2002).

Issues of power and sustainability

In review, I am looking at the borough situation through the lenses of the following two criteria, which are important for community-based feeling for and management of a common environment as a source for livelihood (Ostrom 1990; Weinstein 2000).¹

- A. Long-term investment and commitment to place and people by community members.
- B. Clear understanding of who has the right to change the rules. Ideally those closest to a place and its people make the critical decisions based on ideals of sustainable livelihood and environmental integrity.

State pressure to form regional borough governments based on territorial jurisdiction legally moves decision making away from those closest to a place. The communities expected to form a borough are on different islands. Easy access to borough representatives and meeting places would be difficult for island communities situated distantly from borough offices. Arguably, if Hoonah's proposal is approved, local decision making would allegedly be protected as a priority. Signifiers and phrases identified in state-based and local Kake segments about boroughization reveal distinct contrasts in distribution and attribution of decision-making power.

State borough mandates also prioritize jural/synthetic property ideologies over holistic/mythical/organic relationships with land. The signifiers and phrases identified in state-based and local Kake segments that refer to the non-human environment in

¹ Weinstein's full list of criteria is in chapter XI.

transcripts about boroughization show marked differences in land and human relationship ideologies.

In the LBC 2005 report to the legislature, community is defined in page 7 of the glossary as “a social unit comprised of 25 or more permanent residents as determined under 3 AAC 110.920 (3 AAC 110.990(5)).” Permanent resident means “a person who has maintained a principal domicile in the territory proposed for change under this chapter for at least 30 days immediately preceding the date of acceptance of a petition by the department, and who shows no intent to remove that principal domicile from the territory at any time during the pendency of a petition before the Commission (3 AAC 110.990(10))” (Alaska LBC 2005).

For social scientists Sara Singleton and Michael Taylor (1993), community means something deeper. Communities are the key to sustainable livelihood and resource management. Long-term success, they say, occurs in strong communities and not in others. Active disagreements within communities can ruin a community-wide management method so that any common-property management group needs institutions that create and maintain solidarity and promote responsible action. A management group needs enforcement and distribution rules, as well. Strong communities have access to social tools of enforcement. Social pressure, moral suasion, social reinforcement and gossip/jawboning inspire learning through emotion and feeling, understanding of how to act responsibly toward other humans and the non-human environment.

Communities are more likely to be strong resource managers when people share a store of memories, are concerned for children and grandchildren, are attached to a place and site, have need for solidarity and have the emotional and cultural resources to meet this end. The necessity of state enforcement is usually a given assumption in resource management conversations. What is often missing from such conversations is the necessity for supporting and encouraging solidarity and emotional and cultural capital and intelligence within groups.

No one set of universal guidelines for community solidarity, strength and resource management exists. To create a list of guidelines and requirements is too simplistic, and simplistic notions have led to misguided environmental management models that have resulted in harm (Agrawal 2005; Williams 2002). Many decisions need to be made more slowly. More factors than economic statistics, taxable income and property, and population need to be counted and studied before state-based decisions are made. Questions need to be asked more often about how decisions affect local social institutions that create solidarity and promote responsible environmental integrity. To define community, then, as “a social unit comprised of 25 or more permanent residents” is a measuring tool that guides discourses and thinking patterns away from deeper questions and decision-making inquiry.

Some groups in Kake and elsewhere recognize that the most crucial aspects of sustainability are investment in social and cultural identity and the social capital that fosters a sense of solidarity among Kake people. In her article “Is Sustainability for Development Anthropologists?” Priscilla Stone (2003) wrote that a fundamental consideration for all of us is how to help design sustainable development policies and programs that will support people’s social and cultural capital and identities that are focused on creating a high quality of life in environmentally friendly ways.

In the discourse examples presented in this chapter, some Kake people expressed concern that a regional government would further dislocate local people from learning place-based knowledge in the context of respect for the forest and waters and respect for customary and traditional foods and other resources. Another level of government would further dislocate local access to decision making forums. Local social and cultural capital would also be diluted. In his presentation to the city of Kupreanof, the mayor of Kake (2003) proposed a borough government whose charter would impinge as little as possible on local government structures. Hoonah’s borough proposal, created with input from all included communities, seems to be a similar attempt to soften regional government powers.

Attachment to environment and people

Examples in Appendices Q through Z show that accumulatively, Hoonah writers, Kake City writers, the Kake school superintendent, the Organized Village of Kake and the mayor of Kake bring up historical and cultural ties to land and water. They discuss the importance of land and water to local livelihood and traditional and customary harvests. The writers describe “sacred trust” and an understanding that people are part of the lands and waters and that the lands and waters, in turn, are part of culture, identity, and self-preservation. Kake people talk and write about the long duration of time from which local relationship to land and water has existed, the lack of state recognition of the importance of such ties and the desire to limit resource extraction and protect environmental integrity.

Hoonah and Kake people expressed a desire to maintain autonomy, independence, lifestyle, culture, identity, and to govern in the best interest of their citizens. The connection between culture, social responsibility, customary and traditional harvest practices, and other ties to lands and waters continues as a discourse marker.

LBC and many legislative representatives imposed their own stratification of values by responding primarily to select pieces of local information such as population and average wage statistics. The difference between local, LBC, and legislative ways of describing the situation is significant because LBC and the legislature constitute what Silverstein (1998:40) called centring institutions. Centring institutions are what Blommaert (2005:75) described as central institutions imposing the “doxa” in a particular group.

The centring function is attributive: it generates indexicalities to which others have to orient in order to be ‘social,’ i.e. to produce meanings that ‘belong’ somewhere. These attributions are emblematic: they centre on the potential to articulate (hierarchically

ordered” ‘central values’ of a group or system (the ‘good’ group member, the ‘law,’ the ‘economy,’ the ‘good’ student, the ‘ideal’ intellectual...). And this centring almost always involves either perceptions or real processes of homogenisation and uniformisation: orienting towards such a centre involves the (real or perceived) reduction of difference and the creation of recognizably ‘normative’ meaning (Blommaert 2005:75).

The sample of Kake Tribal Corporation’s short letter to LBC, appendix R, although brief, exemplifies orientation to a corporate business “centre.” In contrast to examples from other local entities, the Kake Tribal Corporation (KTC) writer speaks only to corporation land ownership and opposition to being linked to certain other communities within borough boundaries. Those KTC representatives that I interviewed, who were educated in business and other schools, spoke in language codes similar to that in the letter. They were less likely to bring up feeling-centered inclusive relationships. They were clear about their responsibilities under ANCSA, which were focused on making a profit from Kake Tribal Corporation lands. Under ANCSA, Congress changed the rules for how local people were expected to understand inclusive environmental relations. How, then, do we compare ANCSA with state pressures on local communities to regionalize their governing structures around borough territories that are set up for the purpose of raising tax revenue?

What happens when Kake people work toward socializing moral codes of environmental integrity and social responsibility, but must continually accommodate changes in politics and administration at the state (Alaska state and federal) level. Elections change political and administrative property-focused mandates every few years or decades. If people work together on a system of sustainable livelihood built upon social relationships and human attachment to community and place, then ever changing state and federal land use politics and policies becomes problematic. People lose confidence in their abilities to follow through with long term planning. Who has the right to change the rules?

Sources of decision-making

Tables 14A to 14I show discourse analysis of state-based recognition of power and authority compared with Kake governing goals. State-based discourses focus on power belonging to the state legislature, the LBC and its studies, senate resolutions, the constitution, and boroughs. Ideally, boroughs create “maximum local self government (defined as regionalized boroughs) with a minimum of local governmental units,” as the state constitution requires (ALBC 2005: 98; appendix P). Existing local governments in the unorganized borough are described negatively as inadequate in state-based discourse examples. Nearly every step of the LBC and senate resolution process is supported with texts that have been adopted, confirmed, revised, submitted and voted on. Power is articulated through these text-artefacts.

In contrast, Hoonah proposal writers depict boroughs as the means to empower a cooperative Tlingit voice and to obtain a larger share of federal revenues. Hoonah writers acknowledge that “no one” wants another level of government, and they emphasize the need to protect local community power and minimize regional power. One reason for forming a borough is to prevent the LBC and the legislature from dictating regional government boundaries and rules. Kake entities discuss power as belonging to Kake people, historically through self-determination and now through city and tribal government. LBC proposed boundaries and methods are critiqued, and Kake people emphasize the need to be proactive and keep as much power in the local sphere as possible, even if boroughization is forced upon them.

LBC standards and textual authority of the state constitution have the power to dislocate Kake people’s identity as a group that desires to live autonomously and with self-determination. The state constitution is a fixed text-artefact given personhood status in state-based borough discourses. The power of the constitution as a fixed text exemplifies what most people in the United States take for granted, or what Collins

(1996:204) calls the ideology of “textualism.” Textualism is an ideological belief in the “the fixity of text, the transparency of language, and the universality of shared meaning.”

When text-artefacts are adopted, people presume that there is a literal meaning within the texts, that meanings can be applied to “a variety of (assumedly well-defined) social practices, ideological and social alignment (reflecting the ‘consensus’ over these matters), and, finally, also coherence (or, at least, continuity) with previous policy actions and policy actions in other domains (the policy of this government) and contrasts with others (the policy of the previous governments, the opinion of the opposition, and so on)” (Blommaert 2005:187).

Because of the ideology of fixed text and the assumption that legal policy can be interpreted literally with meanings that can be stretched only so far, political struggles are commonly focused on the wording within various texts and metatexts. One role of policy-makers is to decide which groups have legitimate reasons for redefining fixed texts.

Text-artefacts encompassed nearly the entire focus of arguments within LBC recommendations, SCR12 and the head tax bill. Pages 84 to 163 of the 2005 LBC report to the legislature were authoritative versions or readings of the state constitution by LBC writers. The section highlighted specific constitutional framers’ statements that backed up LBC interpretations. The report writers cited speakers that backed up LBC deductions. They concluded that there is a void between what the constitution framers wanted and what actually occurred in the last 50 years.

In review, the report and the senate resolution assigned labels to groups in the unorganized borough by describing them as lacking local responsibility for education and plating services, for living with a highly fragmented structure for delivery of public services, for participating in an inequitable system, and for lacking a regional government, hindering social and economic development. The indexicalities of “goodness” to which unorganized borough residents are expected to orient are implicit in the duties of an organized borough government. The central values that policy-makers identified in the “goodness” of boroughization included increased economic

development, primarily through resource extraction, service delivery efficiency and consolidation, taxation, promotion of private property ownership, promotion of equity and fairness, and local financial responsibility and accountability. These are LBC and SCR12 sponsors' interpretations of what it is to be a "good" group member under state law.

Autonomy, strong feelings of responsibility toward people and the non-human environment, traditional and customary gathering and livelihood ties to the land, socialization of moral expectations to people and place, and other Kake values are left out of the boroughization conversation at the policy-making level. The fact that policymakers and constituents alike understand policies as fixed with singular meanings and applications, and the lack of contextual descriptions and indexical language forms in fixed-text policies, leads to dogmatized readings of text-artefacts and "a retreat behind the ideology of fixed text" (Blommaert 2005:189). The authority to interpret or change legal text is, of course, an instrument of power and, ironically, a basis of inequality. The ideology of fixed text leads to simplification of descriptions of lives, people, and the reasons for laws, implementation of which leads to coerced homogenization. In this case homogenization may be a dislocation of local ideological qualities that are conducive to strong community. LBC boroughization goals lack recognition of social relationships that are important for promoting long-term environmental integrity.

Following are patterns of attributions of power identified in discourse examples from appendices M to Z. Again I used the qualitative software program Atlas.ti to assist me in sorting and categorizing attributions of power in each transcript.

Table 14A. Wilkin. Articulation of power. Senator Gary Wilkin's 2004 speech to the Senate Affairs Committee. (See appendix M)

State decision-making powers.	Examples of phrases.
Decision-making powers are discussed almost exclusively as those through the legislature, which instructs the LBC.	<ul style="list-style-type: none"> • SCR12 requests that the LBC consider borough incorporation for four areas of our state. • Standards are the source of the sites for that authorization and authority on behalf of the state. • The resolution establishes a procedure to determine if the residents of the four areas have the ability to contribute to their local schools.
Local decision-making powers.	Examples of phrases.
Local empowerment means <i>borough</i> in Wilkin's discussion.	<ul style="list-style-type: none"> • The majority of these residents do not live in home rule or first class cities and are not required to financially support their schools. • The best government is the government closest to the people. • There are areas in the state that probably don't have the capacity to support local government.

Table 14B. Hargraves. Articulation of power 2003 to 2007 LBC Chairman Darroll Hargraves' 2004 speech to the Senate Affairs Committee. (See appendix N)

State decision-making powers.	Examples of phrases.
SCR12 would lead to an LBC study, a recommendation to the legislature, and a legislative decision about forcing boroughization.	<ul style="list-style-type: none"> • When the legislature speaks, it will be a directive to the LBC. • LBC (would proceed) per specific proposals for the establishment of organization of organized boroughs for the four areas listed. • SCR12 constitutes the expression of fundamental legislative policy regarding borough formation.
Local decision-making powers.	Examples of phrases.
Public hearings are the only reference to local empowerment in this example.	<ul style="list-style-type: none"> • The study would include public hearings.

Table 14C. LBC report. **Articulation of power.** LBC Report Segments. (See appendix P)

State decision-making powers.	Examples of phrases.
<p>The state constitution is the ultimate authority. The legislature's job is to induce boroughization. The state has been remiss in promoting boroughization.</p>	<ul style="list-style-type: none"> • Some constitutional provisions have remained unexecuted. • ... result of deferring difficult decisions involving controversial matters. • LBC, an independent commission with the duty to address local government boundary problems. • Alaska Supreme Court observed that Alaska's Constitution encourages the creation of borough governments. • Legislature shall provide for the performance of services. • Constitutional challenge to transform anachronistic local government structure.
Local decision-making powers.	Examples of phrases.
<p>Local government is described historically as rudimentary and flawed. Constitution writers envisioned a state divided into boroughs. Local government means organized regional borough government. City governments, under the borough system, would experience reduced jurisdiction to prevent duplication of powers.</p>	<ul style="list-style-type: none"> • Maximum local self government with a minimum of local government units. • In the unorganized borough there is currently a minimum of local self government with a maximum of local government units. • Constitutional goal of maximum local government can only be approached when a locality or region is organized. • Organized boroughs also achieve maximum local self government in the sense that they are governed by assemblies comprised of local residents who are elected by local voters. • Alaska is the only state with no local government for a large geographical part of the state.

Table 14D. Hoonah. Articulation of power Hoonah’s borough proposal. (See appendix Z)

State decision-making powers.	Examples of phrases.
<p>The purposes of forming a borough are described as minimizing the power of the state, preventing state from insisting on property taxes, and ensuring that the legislature and the LBC do not dictate borough boundaries and organization.</p>	<ul style="list-style-type: none"> • We do not want to wait and have the LBC or legislature dictate this to us. • Our desire is to prepare a petition to form a borough and submit it to the State’s LBC. • ..it is safe to say that every resident of every community in the region, including Hoonah, is leery about creating multiple layers of government. How do we create a borough that has functioning cities within and prevent this? • Joining several traditional Tlingit areas and people together ... would create a strong Alaska Native voice in this part of Southeast Alaska.
Local decision-making powers.	Examples of phrases.
<p>The focus of this borough would be to keep communities independent and unique, ensure that people could engage in subsistence harvesting, and join traditional Tlingit areas and people together for a stronger Native voice.</p>	<ul style="list-style-type: none"> • Hoonah assumes the communities do not want property taxes. • Co-locating the borough offices with city offices in the communities where they are located. • Use borough resources to foster and support our communities and our regional needs. • Use our strong regional voice to advocate for both borough and each community’s priority capital needs and projects. • Continued ability of residents to engage in subsistence harvesting and gathering activities.

Table 14E. City of Kake. Articulation of power City of Kake letter. (See appendix Q)

State decision-making powers.	Examples of phrases.
<p>The city council acknowledges that the state has the power to mandate boroughization, but offers alternative maps and boundaries than those proposed by the LBC.</p>	<ul style="list-style-type: none"> • And as the state now has mandated the LBC to address the matter of those communities now existing on unincorporated boroughs ... • We look to the LBC to address those unincorporated regions. • We look forward to providing input, assistance and local expertise as we consider this matter. • .. does now encourage and petition the LBC and all agencies to whom this matter is relevant to make all diligence to consider the interests and concerns of our community.
Local decision-making powers.	Examples of phrases.
<p>The city council emphasizes that Kake people should have the right to accept or deny permission for any plan that would lead to boroughization on lands that include the city or any of the traditional lands of Kake peoples.</p>	<ul style="list-style-type: none"> • Be it resolved that the Community and Municipality of Kake declare its resolve and determination to maintain its unique culture, personality, and way of life. • The community of Kake already enjoys the opportunity to serve effectively within a municipal context. • Whereas the community of Kake has in earlier times enjoyed its independence, self determination, autonomy and now, as a first class municipality, the oversight of the welfare of our people.

Table 14F. Kake school. Articulation of power. Kake School District letter. (See appendix S)

State decision-making powers.	Examples of phrases.
The school superintendent emphasizes the responsibilities of a good government. He lays out how a good government would act while considering borough boundaries.	<ul style="list-style-type: none"> • If a governing body is to be responsive to and representative of the people under its authority, it must have a foundation in the history and culture that brought those peoples together in the first place. • It is often difficult for those who do not have the strong traditions and ties to Native lands to understand its power and value to the communities and people who have it. • No borough that fails to consider the traditional territory of the Kake Tlingit people will be successful in meeting the educational and cultural needs of the people.
Local decision-making powers.	Examples of phrases.
The writer describes how autonomy is important for Kake people and that a borough government is likely to negatively influence the sense of connection people have to who they are, where they've come from, and where they're going.	<ul style="list-style-type: none"> • None of these options give sufficient respect to the culture or original lands considered home to the Kake Tlingit people. • Autonomy is very important to the people of Kake and the education of their children. • ... concerned that the rich history and culture of the original Kake people is not being considered. • Kake City Schools can not support the boundary of the Chatham Model Borough ...

Table 14G. OVK. Articulation of power. Organized Village of Kake (OVK) 2003 letter to LBC.

State decision making powers.	Examples of phrases.
<p>The letter addresses state powers only by pointing out that the state is proposing to infringe on Kake Tlingits' traditional boundaries and diminish local city and tribal government. The letter writers attached state and federal documents that illustrate local authority and jurisdiction.</p>	<ul style="list-style-type: none"> • We plan to continue working with the municipal government on this common cause, but in the interest of efficiency, we ask that our office be added to your contact list so we can stay current with information concerning our community. • State of Alaska, Department of Fish and Game Subsistence Division Map, based on Goldschmidt, W.A., and T.H. Haas 11946 Possessory Rights of the Natives of Southeast Alaska and Department of Interior 1944 Hearings on Claims of the Towns of Hydaburg, Klawock and Kake, Alaska.
Local decision making powers.	Examples of phrases.
<p>Most of the OVK letter lays out the jurisdiction, rights, responsibilities, traditional boundaries, position, history, duties, and powers of local government in Kake.</p>	<ul style="list-style-type: none"> • Any action that would diminish our local home rule, which is well established by our tribal government, and also by the City of Kake as a first-class city, could not be justified as being in the best interest of our citizens. • The Organized Village of Kake, under its mandate to serve its citizens, must object to any borough boundary or other action that will infringe on Kake's traditional boundaries. • Powers of authority to protect and preserve the timber, fisheries and other property and natural resources as mandated by the Organized Village of Kake Constitution.

Table 14H. OVK C. Articulation of power. Organized Village of Kake 2003 letter to LBC, attachment C.

State decision making powers.	Examples of phrases.
Attachment C is a description of traditional <u>Keex</u> ' <u>Kwaan</u> territory and law. Its writer addresses state powers only in his insistence of local powers and in his description of how the United States Navy bombed Kake villages in 1869.	<ul style="list-style-type: none"> • None.
Local decision making powers.	Examples of phrases.
The writer describes in detail Tlingit laws concerning land and waters and how people tacitly understood them throughout Tlingit territory. Instead of texts and written records, people knew their histories and values through clan stories, songs, dances, and crests. Boundaries were well known and respected.	<ul style="list-style-type: none"> • They had a well-developed system of exclusive ownership, of land, rivers, riparian areas and waters. • Tlingit ownership of land antedates memory and was a sacred trust. • Each tribe's territory was further divided into separate holdings of clans, house groups and from among them by families, as specialized camp sites for harvesting animals, berries, fish, tidal area foods, trees, etc. • These boundaries were well-known and respected by all other tribes. • Tlingit property laws were rigid and inflexible.

Table 14I. Kake mayor. Articulation of power. Kake mayor's speech to the City of Kupreanof, 2003. (See appendix Y)

State decision-making powers.	Examples of phrases.
<p>The mayor's speech addresses state power as something inevitable. The mayor stresses that it is important to act early on in order to design a regional government that respects and empowers local government.</p>	<ul style="list-style-type: none"> • ... the state legislature commissioned the Local Boundary Commission, that actually have their offices in Anchorage, to identify those regions which met the criteria for the formation of boroughs. • ... and right now pay attention to SR12 and then you'll see Kake and two other regions involved in the potential of being essentially forced into a borough. • None of us wants to have this discussion, but because of the political climate in the state, not only are we forced to, but because of other considerations ...
Local decision-making powers.	Examples of phrases.
<p>The mayor proposes designing a borough that would have as little power as possible so that communities could maintain a sense of autonomy and self direction.</p>	<ul style="list-style-type: none"> • Here's the trick. A government whose council ran by consensus rather than majority vote would actually be a kind of a new thing. I'm not sure what state law would allow us and how much we tailor within the charter to achieve that. • Like-minded communities banding together under the threat of these impositions that are being foisted on us. • Now I'm like you. Our community is like yours. You know really what we want to do is we want to be left alone.

Clearly state representatives including Wilkin, Hargraves, and other LBC writers recognize and respect centralized regional and state power over local, small community power. James Scott (1998:1-8) provides a description of the workings of state government that helps to theoretically situate the focus and purpose of discourses that primarily recognize large scale over small scale powers. The LBC boroughization narratives are examples of what Scott describes as the need and capability of state leaders and people who work within bureaucratic mechanisms to “read” subjects and their environments.² They must do this by simplifying the descriptions and definitions of peoples and places.

In the case of state-mandated boroughization, those people who are devoted to a high modernist ideology³ are working to refashion and homogenize human and non-human relationships. They are doing so through simplified descriptions of communities and group responsibilities and legal requirements, and through utilizing *fairness* and *equity* as homogenizing value signifiers. For example, in the January 24, 2005 legislative meeting cited previously, Representative Peggy Wilson responded to senators and representatives who pointed out LBC’s lack of understanding about local issues. She said that “the LBC is doing what they are constitutionally mandated to do and that it is a fairness issue for legislators. Why should communities continue to pay their fair share when others are able to pay for schools but don’t? The state will end up paying more if

² Historically, some of the ways to control the social workings within state boundaries included the following (Scott 1998:53-83): creation of permanent last names, standardization of weights and measures, surveys and population registers, invention of freehold tenure, standardization of language, standardization of legal discourse, design of cities, organization of transportation. In each case, officials took exceptionally complex, illegible, and local social practices, such as land tenure customs or naming customs, and created a standard grid so that the grid could be centrally recorded and monitored. The organization of the natural world was no exception. Agriculture, for example, is a radical reorganization and simplification of flora to suit human goals. The designs of scientific forestry and agriculture, the layout of plantations, farms, villages, etc., all seemed calculated to make the terrain and its products and its workforce more legible. This makes these entities more manipulatable from above and from center.

³ High modernist ideology. (Scott 1998:4). “It is best conceived as a strong, one might even say muscle-bound, version of the self-confidence about scientific and technical progress, the expansion of production, the growing satisfaction of human needs, the mastery of nature (including human nature), and above all, the rational design of social order commensurate with the scientific understanding of natural laws.”

there is no resolution.” Hargraves responded by saying that “existing boroughs typically annex lucrative areas.”

The question here is who decides the criteria for what and how people in places such as Kake pay for their schools? In this case legislators from organized boroughs are attempting to force a legal decision. Simplifying the standards of governmental representation and tax collection without looking deeper into human relationships with other humans and the non-human environment is a form of hegemonic statecraft. At issue here are ideologies about sustainable livelihood and environmental integrity. Many of the social elements that are conducive to human attachment and commitment to community and environment remain uncounted and unconsidered when the LBC and many legislators discuss equitability and fairness.

One example of how law makers, enforcers, and regulators attribute equalizing (homogenizing) standards and expectations onto Kake is the January 2001 LBC report of “The Need to Reform State Laws Concerning Borough Incorporation and Annexation.” The contents of the report are listed as follows:

Section 1. Discussion of the need for reform

A. Boroughs are Alaska’s fundamental political subdivision for delivery of municipal services, yet the State has never established a rational basis for the creation of new boroughs or the expansion of existing boroughs	7
B. There is a <u>lack of local responsibility</u> for education and platting services in most of the unorganized borough.....	11
C. The lack of organized boroughs has resulted in a <u>highly fragmented structure</u> for the delivery of public services	14
D. The lack of regional government has <u>hindered social and economic development</u> in unorganized areas	16
E. The current <u>system is inequitable</u>	18
Conclusion.	20

State discourse and the logics of difference and equivalence

This table of contents illustrates and speaks to the high modernist ideologies and social engineering tendencies in statecraft that Scott described. Processes of social engineering include judgments that assume people are living in ways that could be more *productive* and *progressive*. Such judgment involves comparison. In this report, LBC report writers utilize comparison by setting up what Laclau and Mouffe (2001) called a logic of equivalency. State-crafters in this situation participate in a logic of equivalence in their use of signifiers to describe and categorize various groups. The logic of equivalence is a construction of equivalent identities between people within diverse groups and with diverse identities, as explained by Aletta Norval (2000:219-231). A logic of equivalence involves finding a common theme through which dissimilar peoples can form political and social alliances. In this case, those who pay property taxes in organized boroughs are allied versus those who do not pay property taxes in the unorganized borough.

In logics of equivalence discourse, people assign less importance to differences between themselves and those they are organizing with as a group, a group which they feel has been oppressed by the behavior of others. They emphasize their commonalities, which include opposing themselves to a series of others, the oppressors. Those people who are being opposed are categorized as oppressors and in that way are made equivalent to one another. The oppressors' differences are also deemphasized. In this example, unorganized borough groups are categorized as oppressors of those who must pay property taxes because they live in the organized areas. This chain of equivalence transforms those people in the organized borough as legitimate, and those who are different as needing to change. As Norval (2000) points out, for the logic of equivalency to function, an enemy is needed in order to create a collective entity. An important part of the formation of any identity is that it is opposed to something else, to an "other."

In review, Laclau, Mouffe and others suggest that logic-of-equivalence patterns are most clearly identifiable in authoritarian, non-liberal venues. There may be a

correlation between the presence of authoritarianism and the rhetorical construction of an “enemy.” SCR12 and the head tax bill were designed to force or punish people into forming boroughs, a type of authoritarianism.

The logic of difference focuses less on constructing an “enemy.” Instead, logics of difference discourses focus on the right to differences and the recognition that adversaries are part of a democratic way of thinking. People who disagree become “adversaries” rather than “enemies.” They debate about the interpretation and ranking of values, but they create a sense of solidarity around their common allegiance to the values necessary for a liberal democratic way of problem solving. Pluralism rather than dogmatism is more possible within a logic of difference.

Laclau, Mouffe and others suggest that a logic of difference is more conducive to “democracy,” but they acknowledge that a complex interaction exists between a logic of difference and a logic of equivalence. Thus LBC categories and the categories set up in resolution SCR12 and the head tax bill cannot be defined strictly as fixed examples of a logic of equivalence, though they lean heavily in that direction.

The *value* signifiers in the 2001 LBC report, contents, section 1, are indicative of a logic of equivalence and the creation of opposition groups, that is, those people who have failed to organize themselves into boroughs are defined as different from those people who are “equivalent” because they are part of organized boroughs. In addition to utilizing a logic of equivalence, LBC language forms reveal the use of empty signifiers or void/lack language to dislocate local ideologies by inferring their inadequacy. “There is a lack of local responsibility for education and plating services in the unorganized borough. The lack of organized boroughs has resulted in a highly fragmented structure for the delivery of public services. The lack of regional government has hindered social and economic development in unorganized areas. The current system is inequitable.” The words lack of and inequitable are signifiers for that which is not. They articulate what “should” be there for a group’s ideals to work. Empty signifiers convey a lack that should be filled, and political forces compete to present their objectives as ways to fill the lack.

To hegemonize is to carry out this filling function (Norval 2000). SCR12 and the head tax bill that Senator Wilkin, Senator Con Bunde and others proposed are examples of attempting to fill the *lack* that the LBC articulated.

How do Kake people respond to the logic of equivalence inherent in LBC descriptions of local ways of life? How do they respond to the use of empty signifiers that convey a *lack* that is presented as something that needs filling through political activity? When responding to statecraft challenges, how do Kake people work in relationship with their former ideological constructions and that which dislocates them? How are Kake ideologies reconstructed on the basis of such a state-initiated crisis?

As evident in appendices Q through Y, representatives of the tribe, the city and the school district responded by describing the authority and powers of their own local governmental system. Some people extended their description of governmental responsibilities to include the welfare of people and the non-human environment. Various people situated Tlingit and tribal authority in time and territory, and they explained the emotional, spiritual, and cultural significance of their relationship to the human and non-human environment. In short, they articulated meanings that were derived largely from place and community relationships. Of course, people's current place-based meanings are always partially derivative of past crises caused by dislocations of identity, social priorities, and inclusive relatedness and the subsequent rearticulation of ideologies during the crises. To speak about Kake's history and the legal basis of local governmental decision-making authority, while explaining the spiritual and emotional connections to land and water, is to attempt to speak in terms that the listeners (the state) recognize(s). At the same time it involves voicing the feeling narratives that are often ignored in state political discourses.

In day-to-day conversations, Kake people talked much less (than in other communities of my experience) about state politics. I found people more concerned about family life, friends, food resources, and things that were happening in the immediate

environment. Some exceptions were people who worked at the city, the schools, the tribe, or the tribal corporation—the “translators.”

When I was in Kake, the borough issue seemed far away and people seemed resigned to its eventual incorporation, although no one I talked with thought it was a good idea. Local government leaders had little choice but to address what LBC and some legislators determined was lacking in local people’s lives. As in all communities, people who participate in direct conversations with LBC and other government agencies interpret for legal and regulating agencies the needs and feelings of local people. In Kake such people also help interpret for many local people the laws relevant to Kake and the rights and benefits that belong to local people.

One Native city government representative responded to LBC accusations this way:

Speaker: They’re saying that we’re freeloading for all these years because everybody else, like Anchorage, Juneau, Sitka, pays, what do you call it on their houses ... property tax. Yeah. And they think that all these people that aren’t in a borough are just freeloading off of the state there. And it’s high time we help ourselves. But we’ve been collecting sales tax from the beginning of time there. And you look at Anchorage there and they don’t charge no sales tax. And if they did they’d be able to help themselves.

Fieldworker: People here in Kake tell me that the big cities sort of survive because of the resources from the rural areas.

Speaker: Yup. Exactly. Um. Geeze, I wish that I could find my other letter that shows all the cuts there that the governor is trying to cut on us. He’s trying to cut another \$230 million off (for Alaska cities) the next year, but we just got another letter saying that he’s slacking off on it. He won’t take that much of a cut because he hurt us already (2004 taped interview).

In this example, the speaker participates in the logic of equivalence set up by LBC discourse. He does this by defending local sales tax fund-raising as a form of local responsibility for education and he criticizes those people who lack sales tax. He speaks

to LBC claims of inequity through his description of how Kake is hurting because it lost revenue-sharing from the state. Through defending his community in the context of LBC's logic of equivalence, his conception changes, however slightly. He must rethink city priorities and mandates in relation to LBC claims. His and other people's knowledge about what it is to be a municipality is influenced through boroughization conversations with the state. The exchange becomes a co-production of the qualities valued in municipal government.

Commitment to fund raising through taxes is a major, reinforced value in this dialectical rethinking of ideological constructions. Sales tax has long been the appropriate local way to fund education but that assumption is dislocated with LBC and legislator inferences that paying property taxes, or collecting taxes through increased resource extraction, is more equitable to the rest of the state. Because the legislature can enforce boroughization, Kake people must rethink their reasons for avoiding property taxes. Many people also must rethink their desire to protect their environment from increased resource extraction. Rethinking means re-examining concepts of identity and beliefs. It means working to suture dislocated ideologies in the context of discursive frames that define Kake funding and local governmental units as *lacking*. Such local rethinking may result in a stronger conviction that property taxes and increased resource extraction are wrong in native communities, but re-examining ideologies through state-crafted discourse frames still influences the emphasis of some values and the de-emphasis of others. Changes in thinking about priorities means changes in thinking about human/human and inclusive relationships in place.

A man who grew up non-Native, but who is now a tribal representative, said:

You know the ironic thing is ... currently this is a Republican-driven regime, and isn't one of the foundations of the Republicans to get rid of big government and put it at the local level? They seem to have missed the boat when they talk about this forced regionalization. I really hate to see the way our government is acting. If it's going to be forced upon us we have no choice but to be proactive and start trying

to model something that we can live with. It seems to me it's a great concern of the tribe because to the extent of our tribal boundaries, as far as customary and traditional gathering, ... that's essentially being used as a model for a borough, you know, which I guess is appropriate in that vein. But we really don't like the idea of, yeah, another government or entity that we might have to deal with when it comes to protecting our customary and traditional areas. You know, if we're going to have a borough, I wish that the tribal government could run the area. Which is no different than what it did not that long ago [pre-contact]. But that wouldn't fit in the current scheme of hierarchy, I guess. (2004 taped interview)

This speaker asks questions about the logic of those who have attached meanings onto unorganized borough territory, and who define it as objectified "space" or "landscape." He works through his own ideological construction of what local government should be by questioning the ideologies and behaviors of those who want to regionalize government. He describes the process Kake will have to go through to try and fit local needs and values within a regional system. This re-situating of power is a type of ideological crisis. In rearticulating Kake priorities within the discursive frame of regionalization, the speaker thinks first about customary and traditional uses of land and water as something to protect. Fear of losing access to customary and traditional activities and livelihood takes his mind to the best solution, a tribal government rather than a state-constructed borough government.

Because tribal governments are often considered a "threat to statehood," the speaker and other people in Kake have to rethink and reprioritize customary and traditional livelihood practices through borough government regionalization discourse frames. They must speak to priorities such as taxes and development of the cash economy. Their words and stories about local and cultural priorities must be combined with words such as *regional government*, *consolidation*, and *annexation*, etc. One of the feelings that these words trigger is fear. In the last five to seven years, the Local Boundary Commission imperatives served as an environmental stimulus that triggered emotions that were connected with fear in many Southeast Alaska communities. People

feared that boroughs might be forced upon them, and they feared that if they failed to form their own boroughs quickly, others would claim most of the land and leave them with little. Communities began to conceptualize borough annexations and proposed boundaries that included as much territory as they thought they could claim. The race for territorial jurisdiction caused distress to neighboring communities. Discourses of fear led to behaviors that created the very conditions that people feared. People acted within the conditions of state-based applied spatial meanings, changing their relationships to place as a consequence.

One purpose of this case study that is separated into four parts, chapters 11-14, was to examine local knowledge of and feeling for place, as well as local performance of community. The questions asked and the analysis of discourse segments were designed to look for social elements (Becker and Ostrom 1995; Ostrom 1990; Weinstein 2000) that are conducive to long-term sustainable livelihood through socialization of common moral values about people and place. If knowledge, feeling, and performance of relevant social elements exist in a community, how are they affected by conversations about land and water with governing agencies and law-makers? Chapter 11 introduced the case study and described some Kake community rituals that help people establish, repair, and co-narrate ties between people and place. Chapter 12 showed that, in the case of boroughization discourse, local community building elements that connect people to each other and to place through memory, feeling and co-narration were rarely part of decision making conversations at the state level. Chapter 13 focused on how people understood moral obligation towards others through their acknowledgement of personhood status. Personhood of individuals, local groups, and other entities in the environment was recognized locally in various degrees, while systems personhood and text artefact personhood were valued at the state level. This chapter (14) examined distribution of decision-making power. Power was most often attributed to state agencies, legislators, and laws at the state level, while local representatives worked to describe and defend local jurisdiction and power.

By examining some of the “essence” of community, discursive descriptions of the non-human environment, personhood attributions, and recognition or attribution of power, I conclude that Kake narratives demonstrate sustainable livelihood management potential. However, one principle of community environmental management toward sustainable livelihood is that local power must be recognized as legitimate by government authorities and other neighboring resource users (Weinstein 2000:6).

Although there are well-known examples of *de facto* community resource management regimes, these regimes are difficult to sustain over the long term if they are in serious conflict with government and with other users. They also generally have a reduced realm of management opportunities. Often, their efforts are limited to excluding non-members. Without formal recognition it is difficult to sustain the kinds of cooperative behavior and commitment required for the full realm of community-based resource management. Ostrom's and Becker and Ostrom's design principles include an eighth principle, which they call *nested enterprises*, for regimes that are parts of larger systems. Within these enterprises, many of the other seven design principles are "nested" within similar structures that operate at larger scales, such as regional, provincial, or national levels (Weinstein 2000:6-7).

Although sustainable livelihood through local empowerment was not a goal for LBC and legislative representatives who were promoting boroughization, it is important to recognize how state discourses affect socialization of environmental and community values in local communities. Local values can be disempowered at the state level when decision-making power is in the hands of people who fail to recognize those values as a legitimate part of the legal and regulatory conversation. In the examined state-based discourse and text artefact segments, local values and power received little stated recognition.

In the next three chapters I focus on talk about food resources. Because fish have long been the mainstay of Tlingit survival, and because people in Kake often say that their customary and traditional resources will keep them alive even if the cash economy

is in difficulty, a section about fish is essential in any discussion about local narratives. The following chapters describe local talk about fish as subsistence and commercial fishing concerns.

CHAPTER XV

FISH-AS-FOOD

To me seems like ... when I was growing up as a teenager, uh, oh ... purse seining and trolling were the industries. Now they just seem to be a sideline. The cannery was going full bore. People were ... always were busy. (2002 taped interview with Elder Tlingit man)

We had our gardens up in Hamilton Bay there. And we probably put up an average of one thousand pounds of potatoes in our root cellar right out there. And we put an average of one thousand dog salmon, dried ... every winter. And it was pretty average per family here. So the village probably consumed twenty thousand dog salmon every fall. And they put that away and then coupled that with deer meat. They smoked the deer meat, they smoked the seal meat, and they preserved the deer meat in the seal oil. They preserved, in fact, the berries in seal oil too. Before they got jars and cans and everything else later, you know. But food was not a problem. We put up food, and we lived well. (2003 taped conversation with Elder Tlingit man)

For Tlingit people, fish have always been more than food or a way to earn money. One Tlingit man in his late forties said,

Our Elders told us our own intuition is what we should go by, but we have forgotten this. Circle Peacemaking helps to bring that back. How we talked with respect to our salmon resources. How when people came back with food the whole town ate. Everything was already divided into portions and everybody got some. By sharing the way they did there was healing for the Elders and amends to people you might have been having problems with, and because of the sharing ... healing. (2003 written fieldnotes)

Discourse about “respect” for salmon and people changed as village life changed during the twentieth century, but “respect” for fish, family, and community is still a local value practiced in varying degrees. Fish continue to be part of what connects people to

each other and to their island home. This chapter is a thumbnail sketch of how people in Kake often spoke about salmon and other fish between 2002 and 2004. Its purpose is to illustrate the everyday narratives about fish as food.

Historical context

Tlingit Elder Charles Johnson (Topsy) was the Organized Village of Kake historian until his passing in 2006. He wrote the following about food and harvest:

The qualities of an Elder are not gained easily and the status requires more than the advancement of years. I realize that I am handicapped in not knowing more about, ‘the traditional and cultural harvesting and preservation of indigenous foods,’ which are the reasons our people have survived. Subsistence is not a word in the Tlingit language. In essence the reason our people have survived for eons is based on two phrases, “Haa Kusteeyi” (our life) and “Haa atxaayi” (our food), terms which are inextricably synonymous. In our culture it is a well-understood principle of self-preservation that humans are just one small part of the land and of nature and not the dominant force. Living in harmony with the land and with nature is an integral part of our traditional culture and self-identity. We draw our identity, as a people, from our relationship to the land, sea, and its resources; it is a spiritual and sacred relationship; based on the need to co-exist with nature. On these lands and waters we, as did our forefathers, harvest, in measured quantities, what is needed to sustain ourselves; being careful not to unnecessarily disturb or destroy anything not required for our sustenance and physical well being.

We (as were our ancestors) are but a minute segment of a pilgrimage from one living generation to the next. The migration of birds, animals, and the spawning of fish predicated our annual calendar; for that reason there were autumn, winter, spring, as well as summer camps. The Tlingits had a well-developed system of exclusive ownership, of land, rivers, riparian areas and waters; they had well-defined geographic boundaries in each Kwaan’s territory; and (these) were owned in common by all its members. Those boundaries were well known and respected by all other Kwaans and it was tacitly understood that there would be no trespassing by non members without the express permission

of the traditional owners. Each Kwaan's territory was further divided into separate holdings of clans, house groups and from among them by families, as specialized camp sites for harvesting animals, berries, fish, inter-tidal area foods, trees, etc. (Johnson 2004:1).

The holdings and territories of the Kake 'tribe,' or Keex' Kwaan, are historically on Admiralty, Baranof, Kuiu, and Kupreanof islands (Firman and Bosworth 1990:55). Kake Tlingits likely held and used the mainland coast from Cape Fanshaw north to Windham Bay (Goldschmidt and Haas 1946). Within the Keex' Kwaan region, house groups and clans returned seasonally to camps where they harvested and processed foods. Recollections of the places where parents and grandparents set up camps to harvest and smoke their winters' fish continued to be a part of conversation in Kake when I was there.

Example 1

Anyway, my grandparents lived around here, see. You can see a lot of new trees there, and maybe they logged all of this one time, in the '70s and '60s. My great-grandparents on my mother's father's side, they lived out here. They claimed that mountain, but they lived at the base of it. But people moved from Lower Chatham from the mainland, north of Petersburg there, towards Juneau in Frederick Sound, Stephens Pass. They moved here and gathered here. (2003 taped interview, Elder Tlingit man)

Example 2

I remember when they used to bring out 1,500 fish for 15 families here (culture camp beach) and one big smoke house. (2002 written fieldnotes, Elder Tlingit woman)

Winter villages and summer salmon fishing camps were the two main focal points of seasonal location changes for house groups and clans (Thornton 1997:302). In the late 1800s and early 1900s people were increasingly pressured to abandon seasonal camps and settle permanently in villages such as Kake. With the help of Tlingit Elder Herman Kitka, Thornton (1997:302-305) described the annual production cycle of a family group

of Sitka Tlingits. The production year began in late March or early April with the herring roe harvest and then the gathering of seaweed, gumboots, and cockles, which were cooked, smoked and stored in containers of seal oil. People fished in the spring for halibut, which was often dried, and they caught octopus. Seals were hunted for their meat and oil. House groups spent from June through September at their fishing camps putting up salmon and picking berries. The salmon were smoked and the berries dried or cooked and put in containers with seal oil. With the introduction of new technology, some of the salmon and berries were canned.

Newton and Moss (1984, 2005) gathered local knowledge about food and fish from people who talked about the importance of the fall fish camps where fish was dried to sustain people in the winter. Each extended family shared the work to dry the fish in the vicinity of their own salmon stream and fish camp (Newton and Moss 2005:5). Newton and Moss (2005:5) cite Lydia George of Angoon, who said, "Since fish was our main food, we were very careful; the fish were treated well. If a man broke any of our laws, his fishing equipment was taken from him; sometimes his spear was broken up."

In the fall, according to Emmons (1991), Kitka and Thornton (1997), and Oberg (1973), people moved to deer hunting and fall salmon fishing sites. By mid fall, house groups gathered in their winter villages. Some people trapped for furs during the winter months. In the early part of the twenty-first century, Kake people no longer moved to seasonal camps in the spring, but the yearly cycles for gathering traditional and customary foods continued to influence everyday life rhythms of the community. In the summer people closed their offices on some days to "work on" fish. Others dropped what they were doing and took boats out to bring in chum, coho, and especially sockeye salmon.

The Alaska National Interest Lands Conservation Act §801 (ANILCA 1980) ensures rights to harvest foods, albeit within non-Native legal parameters. Following are excerpts from the act. Within ANILCA, §801, Congress finds and declares that:

1) the continuation of the opportunity for subsistence uses by rural residents of Alaska, including both Natives and non-Natives, on the public lands and by Alaska Natives on Native lands is essential to Native physical, economic, traditional, and cultural existence and to non-Native physical, economic, traditional, and social existence;

§804. Except as otherwise provided in this Act and other Federal laws, the taking on public lands of fish and wildlife for nonwasteful subsistence uses shall be accorded priority over the taking on such lands of fish and wildlife for other purposes. Whenever it is necessary to restrict the taking of populations of fish and wildlife on such lands for subsistence uses in order to protect the continued viability of such populations, or to continue such uses, such priority shall be implemented through appropriate limitations based on the application of the following criteria:

- (1) customary and direct dependence upon the populations as the mainstay of livelihood;
- (2) local residency; and
- (3) the availability of alternative resources (ANILCA 1980: §804).

Subsistence priorities are maintained and regulated through state and federal government agencies. Following is a verbatim description of subsistence regulation jurisdiction as posted on the United Fishermen of Alaska (UFA) website.

<http://www.subsistmginfo.org/about.htm>

Federal

Under ANILCA, rural Alaska residents are eligible for the subsistence priority. Rural residents make up about 20 percent of the state's population. Rural residents are defined as all Alaskans except those living in and around Anchorage, Fairbanks, Juneau, Ketchikan, Adak, Valdez, Wasilla, Palmer, Homer, Kenai and Soldotna.

State

Under state law, all Alaskans are potentially eligible for the subsistence priority.

Subsistence Priority

Federal

The federal “subsistence priority” means that subsistence uses by rural residents are accorded priority over non-subsistence uses (commercial or sport). To implement this priority, the Federal Subsistence Board can, during times of resource shortage, close non-subsistence uses on federal land to protect fish and game resources or to assure subsistence harvests by rural residents. The Board also reserves the right to restrict non-subsistence uses on federal land. In addition, the Board retains authority to restrict or eliminate uses off federal lands to provide the subsistence priority.

(It’s important to remember that the subsistence “priority” under federal law should lead to restrictions only when a fish stock or game population isn’t sufficient to provide for uses other than federal subsistence. When stocks or populations are sufficient, all state uses generally are accommodated on federal lands or waters, including state subsistence uses. For example, on federal waters along the Copper River, Alaskans can subsistence fish under state laws and regulations at Chitina while qualified rural subsistence fishermen fishing under federal regulations fish a nearby section of the river.)

State

Like the federal government, the State of Alaska gives top priority in allocation decisions to subsistence users. Under state management, a subsistence decision begins with a determination that a portion of a fish stock or game population can be harvested for subsistence consistent with sustained yield. Following such a decision, the Board of Fisheries or Board of Game determines what amount of the harvestable portion of the population is "reasonably necessary for subsistence uses." Then, regulations are adopted that provide a "reasonable opportunity for subsistence uses." (2006 UFA)

Just how much subsistence and personal use fishing, processing and sharing goes on today in Kake is difficult to determine. The Division of Subsistence Alaska Department of Fish and Game collects and publishes statistics about harvest and consumption of salmon and other customary and traditional foods. Although ADFG numbers are an excellent starting point for evaluating the importance of fishing in Kake and other communities, statistics are understandably incomplete. Local narratives about

fishing and hunting confirmed other people's direct observations that people often fail to report their harvests and consumption out of mistrust for governmental motives and purposes. For example, some Kake people do what is called "survival" fishing and hunting when they run out of food, and they may do so out of season or without permits. The headings for statistics charts in the Fishery Management Report No. 05-68, 2005, show that the agency recognizes this discrepancy. The heading for commercial salmon harvest (ADFG Dec. 2005:7) reads "Southeast Alaska region commercial salmon harvest, in numbers, by harvest type and fishery, 2005." The heading for subsistence harvests (ADFG Dec. 2005:22) reads, "Southeast, Alaska excluding Yakutat, *reported* subsistence and personal use salmon harvest, by species and number of permits issued, from 1961 to 2005."

Fish as food within a struggling cash economy

Attention to harvesting customary and traditional foods increased after Kake Tribal Corporation shut down its logging operation and the fish processing plant closed in 2004. Yearly gathering and harvesting cycles have always helped shape community and family relationships, and harvesting seasons continue to elicit the kinds of memories that connect people emotionally to their non-human environment. As one woman said with a happy sigh, "Someone is grinding seaweed today to dry. Soon the whole town will be smoking fish and canning it for winter."

A Tlingit man in Kake told me about fishing for his mother and other family members so they could smoke and can fish for the year. He told me he tries to fish in places where his family has "always" harvested salmon for subsistence, but sometimes fishery regulations make that difficult. This man's mother told me how some Kake families bend state and federal rules to find ways to maintain their fish consumption

levels and fishing areas. In reference to rule manipulation she said that the regulations and the regulators “made thieves out of us.”

This allusion to thievery has various meanings in Kake. For example, thievery is implied when fishery regulations and economic hardships put some Tlingits in the position of being poachers. People no longer have the right to go out and get food simply because they are hungry. They are issued fishing subsistence permits that regulate when, where, and how much fish they can catch. If they fish beyond the limits of the permits, they are stealing resources. One story that illustrates issues of food gathering as thievery was told to me by a Kake Elder. A few years ago a man in the village went fishing in the winter because his family needed food. He caught a steelhead in a nearby stream. Unbeknownst to him, a Fish and Game officer had installed cameras on the stream and was in a truck on the road watching the man catch his fish. He came down the stream bank, cited the man and took the fish. When the man accepted his citation, for which he would have to pay more than \$100, he asked if he could have the fish back to feed his family. The officer laughed at him. (No Fish and Game officers live in Kake.) To the Elder telling me this story, the incident was a sad turn of events.

Many people in the winter do what is called “starvation fishing,” which is not sport fishing or commercial fishing. It is for feeding people. Subsistence practices help keep people fed in difficult economic times, such as the present. As one man said, “There’s food here. We will survive. People share whatever they have.” Each year, Kake Tlingits continue to harvest and eat more than 200 pounds per capita of salmon in addition to other customary and traditional foods such as deer, moose, halibut and seals. They hunt and fish on several islands and in several waterways. One Elder told me that 280 pounds of wild food per capita is a low figure. Even Alaska Department of Fish and Game and other regulatory agencies assume that people under-report the amount of salmon they harvest, eat, and share. An Elder told me that people under-report their use of customary and traditional foods because they fear what the government will do with the information. Their fear has a valid basis in experience, but ironically for Kake people,

the state uses the information to set regulatory quotas and limits for subsistence fishing and hunting.

Thievery has a different meaning for Alaska residents who are critics of the special rights that Native and other rural Alaskans have to harvest for personal consumption, although the food taken for subsistence compared to commercial and sport harvest is a minimal portion of the total harvest. Federal laws, through ANILCA, protect subsistence interests when Alaska state regulators are reluctant to do so because subsistence rights are highly contested among Alaskans.

In 2003 I spent about half an hour with two Kake city councilmen drinking coffee at the long meeting table in the city offices. One man said that the Alaska Department of Fish and Game is good some years and bad others. "This year they came and fined kids who were fishing for herring, even though we have been doing that as kids for generations." The councilmen said the kids were fined more than \$100 each. Had they kept their fish, the kids would have used the herring for bait and food. Kake narratives describe days when herring runs near Kake were wiped out in the 1970s and early 1980s. Kake people often blame state lawmakers for allowing trawlers to fish in the area. One eventual outcome, according to local narrative, was that jigging for herring became illegal without a permit, which led to fining Kake children for "stealing" herring. The message to the young fishers was that they were thieves. While the state has good reasons to protect herring from over-fishing, past regulatory and commercial fishing mistakes limit the ability of Kake children to do what their parents and grandparents did. Over-fishing a herring run and the loss of a fishing resource means that the cultural practices that are associated with that run are also lost.

Permits cost money, and laws, in this case, change jigging for herring from a practice that distinguishes Kake childhood to one that is categorized as a form of thievery. Laws also make fishing and hunting out of season illegal, but people who have run out of resources still take chances and go out to find food.

According to the 2003 Annual Report of Alaska Subsistence Fisheries, published September 2005, on average subsistence fishing provides about 230 pounds of food per person per year in rural Alaska (ADFG 2005:7). The 41 rural communities (having populations of less than 2,000) that are off of the Alaska road network and not along the Pacific Coast, harvest between about 627-732 pounds of customary and traditional foods per capita per year, while the 73 rural communities on the road network and along the coast harvest between 247-293 pounds per person. This latter statistic includes Kake (Wolfe 2004:10-11). According to Alaska law, subsistence food harvest is differentiated from sports food harvest because the typical values that motivate sports fishing are considered recreational rather than subsistence values (Wolfe 2004:15).

Sharing and cooperation

Cooperation is one subsistence value that ADFG researchers recognize as a common social aspect of the harvest and uses of customary and traditional foods. Since the 1980s researchers have been asking rural people how much wild food they harvest and how much they receive from others or give away. “These studies clearly showed that Alaskans cooperate extensively in wild food production ... Any system for managing subsistence hunting and fishing must, to be effective, take into account extensive cooperation in the production of wild food” (ADFG 1990:1). Cooperation and sharing as a social aspect of fishing, hunting, and gathering other wild foods is pertinent to Kake and Tlingit culture in general. These values are in contrast to dominant values in commercial fishing, which are focused on competition and individualism as differentiated from collaboration.

Between 2002 and 2004 I collected narratives about fish as food mostly by listening and observing. The next four narrative segments are representative of topics in many Kake conversations about fish as food.

1) Visitors to Circle Peacemaking from Harvard University were told that the salmon “are jumping now.” This statement was an explanation for why there were so few people attending the potluck and circle representation. “Right now people are very busy. Summers are a time of gathering, as you can see the salmon are jumping out there” (2003 written fieldnotes).

2) A Kake resident and I came upon a sailboat docked in the harbor. A husband and wife from Idaho crewed the boat. They told us that they had been coming to the Kake harbor every summer for twelve years and how much they enjoyed Kake. As they sat on their deck they exclaimed that they had never seen the harbor so quiet. The couple said that they were praying for people in Kake. They noticed that “this year, it is subsistence for real” (2004 written fieldnotes).

3) An Elder Tlingit man, expressed concerns about the loss of jobs because Kake Tribal Corporation shut down.

Fieldworker: So they're out there fishing to eat

Speaker: [mumbles agreement]. But they have to eat. Probably some, that's all they have. If they caught anything. One thing I know is that there is more of an effort to gather food, you know, fish, seaweed, and I don't know about berries, but I know this just from boat traffic and some people erected their smoke houses. But then there's the seaweed. Some people discovered they can get quite a cash price for it in Juneau. You know, for seaweed. Kake has a special variety of seaweed. The people ask where it's from and they see it's from Kake and they'll grab it. They complain about the price afterward but they'll, they'll take it. But I know the people they are gathering more food. They used to do when I first came here, canning fish, smoking fish, hunting, a lot of deer hunting activity. And driving around town I notice there's a lot of wood being burned. The unfortunate part (is) there are a lot of people threw their stoves away. So now I suspect they're going to have a cold winter, have a hard time with fuel. Lots. People have got to have it too ... any society ... (2003 taped conversation)

4) A non-Native woman, who was fairly new to Kake, observed the following.

But every time I say something like ‘oh let’s get a hamburger’ (you know and there’s fifty pounds of meat in the freezer). It’s just really different. You don’t go to the store hardly. You don’t have to. Odd. So really people around here could technically get by without having to use SOS. (SOS is the name of the grocery, hardware and dry goods store in Kake. Its owners live in Petersburg.). (2003 taped interview)

These four narratives are examples of how local people talked about fish as food. The values connected with the importance of sharing fish/food are clear in several of the narrative examples that I heard and collected. Comparisons are often made with past sharing practices. The past represents a time when sharing was more fluid. Reasons given for a perceived decrease in community sharing over the years include contrasting values learned in boarding school and public school, a focus on money, a commercial economy focus, abuse of values by speaking them but not following them, greed, and loss of Elders.

Despite criticism that sharing has decreased, expectations about sharing are discussed in several narratives as inferred and understood. People usually refrain from directly asking others to share. Sharing communications are usually subtle and “respectful” in order to avoid embarrassing others directly. Subjects are reminded, through social cues, that they are part of a sharing network and that they may need to adjust their behavior in some way. In one example, a teenaged girl confronted her uncle publicly, telling him that he had taken more than his share of a salmon catch and that her mother, his sister, was angry at him. In this case, the cues about sharing were direct and public. Local people continue to keep track of sharing through social monitoring. “People know.” People talk about how much fish their male relatives brought them and what they are doing with it. Sharing with community people in need is a theme that runs throughout local narratives. Gathering and putting up subsistence foods and not sharing them is often considered contrary to community-sharing values, although it occurs.

Some people talked about sharing as a means of preventing waste. When there is too much fish, it is distributed. Not so many years ago, boats would go out and get enough fish to distribute to the whole town.

Narrators referred directly to Elders and their past and present influence on sharing. The stories described the food shared with Elders, and the values that the Elder people represent. They also indicated that while there remains a connection with the older sharing values, circumstances have changed sharing behaviors. The principles inherent in a cash economy system are part of an existing change in values. Still, Elders provide a means for young people to practice sharing. They enjoy receiving gifts of food from their grandchildren and others. In some conversations people expressed the underlying messages that young people in Kake can continue learning about local food resources and older values concerning respect, sharing and avoiding waste. Memories of gathering food are told in stories. People talk about the kinds of foods grandparents like compared with what young people like.

Newcomers to town expressed awe about learning local sharing values. Some narrators told about teaching newcomers local expectations concerning food. Two women in particular summarized some of the lessons they learned about life in Kake, which included giving first to those who are unable to go out and get their own fish, meat and firewood. In a few narratives, fish was talked about with signifiers related to money. Shared food is a kind of “savings” for the future when what has been shared is returned.

While I have synthesized and summarized many of the more general ideological talk about fish as food, it is important to include specific examples in people’s own voices. Following are four examples.

1) On a bright, sunny afternoon in 2004, another woman, an Elder man, and I sat at a kitchen and listened to our host, a middle-aged man, who has lived in Kake for more than twenty years, but is not Tlingit. Our host said that sharing is the norm in Kake. He loves to catch a lot of fish and give it to neighbors. He criticized another man’s sharing because

this man (a Native man) only shared with people he liked, not everyone. (The subject of conversation was not present.) Our host talked about bringing Josephine, an Elder, salmon and halibut, and how she would cook it up and have big potluck dinners at her house to share it. (At the time of this conversation, Josephine had recently passed away.) The speaker said he would miss her. He talked about her as an Elder who was without “any animosity” and who knew about sharing. Our host said he could not think of many Elders left and did not know who will take their places.

The Elder Tlingit man at the table listened carefully to the speaker. Later, when our host was no longer present, the Elder said that he did not realize how much the man shared. His generosity—“always sharing every time he hunts or fishes, but never talking about it—that’s true generosity.” The Elder remembered working at _____, where he and his fellow employees always kept track of who gave what in the community, how much they gave to whom, and who gave back. “That wasn’t really true sharing—making it public and keeping track.” (2004 written fieldnotes).

2) During the Dog Salmon festival in 2004, an Elder man said to me and another woman, “People are sharing what they get now. By fall people will know who gave to whom and how much. One reason people get irritated with _____ and _____ is that they put up a lot of subsistence food, but they don’t share it” (2004 written fieldnotes).

The same Elder said, during an interview,

But money’s entered into it, you know, commercial. Commercial aspect. And then there ... we’re partly to blame [for some criticisms that come from non-Native Alaskans] to subsistence determination. We abuse it, some of us. We take all we can get there. We don’t share. We talk about it. But we give lip service. And right now we know how much people got, some of us do, in their talk, within the community here. You know, we talk who got some fish or ... uuh hoo. So we know who gave and who shared. Not to spy on people or (2004 taped interview)

3) Each year I was in Kake I went to the fish hatchery to get an update on fishery and hatchery issues and concerns. The last year that I visited the hatchery, I asked my standard interview questions. In answer to the interview question “What is the relationship between Kake and its non-human environment?” two hatchery men begin to talk about “subsistence” or the harvesting of “customary and traditional” foods. Speaker One is non-Native. Speaker Two is Tlingit.

Speaker One: Especially with long lining for halibut legalized. A lot more people are doing it [subsistence in general].

Speaker Two: Everybody makes good use of what everybody gets. I mean if you ... one family and you get too much, well they're gonna end up giving it to somebody down the line. Somebody else is going to need it. My mother and father-in-law, people donate them seal, and they cook it up and they don't eat the whole thing. They'll call up and say whoever wants it bring me (a pot and I'll fill it). They get rid of it. The Elders in this community really appreciate it when you give them something. (2004 taped interview)

4) A Tlingit man in his middle years talked about sharing.

Yeah, when we talk community I think we're talking people. Yeah it's a deep family concept. You know at times you might not feel accepted here and stuff, but in time of need, in time of hurt, whatever, the people come out of the woodwork for you. They just really do. You know whether it be financial, it might be actually physical work. I think my problem with my heart, the past ... I [explains obligations with his work] and you know stuff, but we've actually put up more fish with me not going in the boat. People have dropped fish off, things like that. Crab. One year I was real busy [with work] a few years back and ... a pounding on the door one morning before I went to [his job] and somebody comes in and drops an entire deer off. You know things like that so ... you know and that's, you know they support you in many ways. Sometimes it's like any other little town with rumors and gossip and stuff, but I think when you're in need, it doesn't matter who you are, you're part of the community, they help you out. (2003 taped interview)

In this chapter, the *fish-as-food* narrative examples embody a history of discourse transformations and value adjustments in response to “alternative accounts and

interpretations of life experiences” that are partially situated in capitalocentric and state-initiated land-use and fisheries management changes. Even so, a central narrative theme in nearly all of the local discourse I collected about fish-as-food is that of sharing. I find this significant in comparison with discourse about fish as a commercial product, which centers on values of selling, buying, profit, and competitive individualism. A seemingly conspicuous observation is that non-monetary-based sharing is a subject that is lacking in most state legislative discourses about sports and commercial fishing, to which people in Kake are inadvertently expected to conform.

According to Kake Elders, “sharing” is part of customary Tlingit law, supporting customary Tlingit cosmology, and implicit in Tlingit language forms. As in all languages, philosophy, values, and cultural action are embodied in the Tlingit language. When cultural priorities change, language use and meanings change. If selling salmon in an environment of competitive individualism is prioritized, language that concerns sharing may make less sense. The language of sharing fades away. If people persist in getting their food directly through fishing, hunting, and gathering, “sharing” continues to make sense, and sharing remains a relevant part of discourse.

Transformations in cultural action change discourse patterns, but the reverse is also true. When a language is lost, cultural actions “are never simply left to take care of themselves, or vice versa” (Wollock 2001:251). Lost languages are replaced by other languages that embody other cosmologies and cultural action expectations (Wollock 2001:251). I was told that the Tlingit language embodied Tlingit knowledge in ways that are unreplicated in English today, but I observed during my fieldwork experience that an ethos of sharing has evidently passed over from Tlingit into Kake’s English language discourse patterns. This becomes more obvious when compared to the everyday talk in Petersburg, where the discussion of sharing is less common. Cultural action prioritizes fish as money there, and when sharing is discussed, it is most often talked about in ways strikingly different from talk in Kake.

Sharing is recognized as important in subsistence harvests and practices and is part of the Alaska Department of Fish and Game and the Federal Fish and Wildlife guidelines for determining subsistence quotas for rural Alaskans. Still, the federal legal expectation (through ANILCA) that subsistence fishing, hunting, and gathering are prioritized on federal lands is primarily couched in a western language system and philosophy. At the same time, ANILCA is one reason that sharing discourse can continue as a part of Kake's repertoire. Everyday talk in Kake about sharing is primarily linked to people practicing the harvest of customary and traditional foods in their marine and forest environment. People also share money in times of need and to help with funeral costs, for example. They share their tools and other resources as well, but mostly they share time and food.

To what extent is the discourse or concept of sharing discernable in state-wide conversations, in the language of ANILCA law, or, for example, in the UFA description of subsistence priority? Without increased attention to "sharing" language in legal arenas other than subsistence, will lawmakers and regulators create around ANILCA-implementation a legal and economic climate conducive to supporting and learning from the sharing philosophy and ethos that is part of "local" cultural action and narrative? These questions are crucial if we are to consider how moral negotiation at a personal level is problematic within an industrialized state bureaucratic system. The modern form of bureaucratic power is based upon impersonal legal sanctions (Foucault 2002). Power is routinely practiced as separated from everyday personal negotiation and communications. Leaders and experts must negotiate some type of moral accountability, but bureaucratic power itself is strategic, and without regard to such negotiations (Watson 1994:242). Those everyday negotiations and communications that foster sharing in Kake are largely unstated in state and federal statutes concerning subsistence rights.

The danger is that in industrialized nation states, inattention to "grassroots" community negotiation and decision-making processes and purposes partly dismisses local and practical knowledge. Scientists, planners, engineers and politicians within

industrial state government have long “regarded themselves as far smarter and farseeing than they really were and, at the same time, regarded their subjects as far more stupid and incompetent than they really were” (Scott 1998:343).

While specialists and “experts” may have general knowledge, the application of that knowledge requires different experience-based knowledge that changes from place to place. Local knowledge includes the ability to translate general understanding to local application (Scott 1998: 318). The state goal has often resulted in the improvement of the human condition through scientific knowledge and schemes to reform social life and production, but has largely lacked respect for local application. Tradition and social structures of the past (such as clan and house group sharing networks) were often considered inferior (Scott 1998: 93).

Considering economic changes in Kake in the last decade, the importance of passing on values and knowledge about fish and food seems crucial as people work to survive without logging and fishing jobs. John Jackson’s recollections for Richard Newton and Madonna Moss (2005:3) come to mind as relevant advice, even in the 21st century. He said:

I lived with my uncle for several years, and I recall his advice many, many times. His were wise words and they were handed down to me. He would say time and time again, not only when necessary, but to remind me I think, “if you work only for money you will never keep it, but if you divide your time equally gathering food, your money will be saved. If you worked on food and put aside a portion of whatever you put up, soon this will add up. The time will come when you will feel you have enough to take to another town and exchange it with whatever you feel is a good exchange. This way you will be surprised at how much you will gain in no time.”

Maybe there will be moments when you will be offered fur and you will take it because this adds up in a hurry. It is surprising what food will bring and once you realize this, you will continue to work on subsistence living. This is more important than working for money. Times and methods may have changed but this applies fundamentally to any young life. (Newton and Moss 2005:3)

Marvin Kadake, a Kake Elder, gave me a copy of a description he wrote of subsistence in Kake and elsewhere in Alaska.

He wrote:

For many generations subsistence is a way of life for our people and the non-Native people who live in Alaska. The land and the sea are our supermarket. We respond to the call. We are obedient and respect the world of nature. Caring and sharing is incumbent on everyone to continue the cycle of subsistence use. Every month of the year Mother Nature shares its food to us for harvest. Harvest is very different in many regions of Southeast Alaska during the seasons of Spring, Summer, Fall, and Winter.

Beginning in early spring the cycle starts. Herring eggs, herring smelts, trout, steelhead, grouse, seaweed ribbons, with Hudson Bay Tea are gathered. In Summer, salmon, halibut, and different bottom fisheries are harvested for smoking, canning and freezing. Early in the season sockeyes come in and are followed by chum, pinks, and cohos. We harvest different species at certain times of the season and king salmon and a variety of wild berries. In Fall we hunt for seal, deer, moose, (recently elk), and ducks. Clams are dug in the cooler months, such as Fall and Winter. This is our shellfish season. In winter, hunting and fishing provide sustenance including shellfish, crab and gumboots, which are available all year around.

Our food comes from the Land and Sea. To abuse either would diminish its generosity, all animals, whether from land or sea, depend on clean air, clean fresh water and clean salt water. Any pollution in each area will decrease nature's reproductive cycle. If damaged, this cycle may take years to restore itself. In some cases animal and plant populations may never come back. Protecting this lifestyle is everyone's responsibility. We must protect the delicate balance in our food chain

The importance of what Marvin Kadake wrote and of being able to feed one's family and to take care of Elders through fishing, hunting and gathering is a critical part of Kake's current survival as a community, as the next two chapters help to illustrate.

CHAPTER XVI
FISH NARRATIVES

Ruth Demmert, who teaches through narrative, and who is careful and gentle with her words, helps put political critique into perspective. As one Elder said of Ruth, she does a great deal for children in this community, but in such a quiet and patient way that many people are unaware of her work or have simply gotten used to all she does. Ruth teaches the Tlingit language and much about the Tlingit culture to elementary, junior high, and high school students. Every wall surface in her classroom is covered with pictures of people in regalia, people weaving, people carving and people in large groups who have spent time with each other at gatherings and meetings. There are Tlingit words and Tlingit language readers and a glass case displaying basketry, weaving, and beadwork. In Ruth's storeroom are many of the materials and tools she uses to teach and practice Chilkat weaving, cedar basket and hat weaving and other Tlingit arts.

Among all of the bright colors and pictures on Ruth's walls is a list of Tlingit values, mounted down low where small people can easily read it.⁴ Above is a large

⁴ Tlingit values from the Alaska Native Knowledge Network. University of Alaska Fairbanks. <http://www.ankn.uaf.edu/about.html>

1. *Show Respect to Others - Each Person Has a Special Gift*
2. *Share what you have - Giving Makes You Richer*
3. *Know Who You Are - You Are a Reflection on Your Family*
4. *Accept What Life Brings - You Cannot Control Many Things*
5. *Have Patience - Some Things Cannot Be Rushed*
6. *Live Carefully - What You Do Will Come Back to You*
7. *Take Care of Others - You Cannot Live without Them*
8. *Honor Your Elders - They Show You the Way in Life*
9. *Pray for Guidance - Many Things Are Not Known*
10. *See Connections - All Things Are Related*

display of the names and emblematic symbols of each clan represented in the village, and nearby is a Kake Tlingit calendar. I first saw the calendar in the month of July, which in Tlingit is Xaat Di'si, or the moon cycle of the salmon.

Unlike the Euro-American month of July, the days of Xaat Di'si change each year according to the lunar cycle. For nearly 20 years in Kake, Xaat Di'si has also been the moon cycle of Kake Culture Camp. At Culture Camp 2002, I listened as Ruth explained to young Kake campers and visitors that Tlingit people knew and understood their year according to what happened in each moon cycle. During the January cycle the geese fly. In the February cycle baby bear cubs are born. "They [Tlingit families] didn't need the USFS to tell them the seasons and what to catch," Ruth said in good humor.

Many people in Kake harvest traditional and customary foods (mostly salmon) in Xaat Di'si. As they talk with each other about getting fish and "working on" fish, people occasionally criticize legal restrictions indirectly by comparing them with how their families used to harvest fish. Ruth subtly critiqued the current circumstances, and past government agency decision-making by comparing, through narrative, the present regulatory situation with her grandparents' knowledge. Ruth made her point with the kind of humor that conveys a subtle seriousness.

Other people in Kake occasionally discussed current circumstances similarly, by comparing them with the way things used to be. Sometimes they framed their critique with humor and sometimes they were more direct. In a short interview, Ruth talked some about working on her grandparents' commercial fishing boat when she was a little girl and about catching fish for their own food. "You know we practiced. We did all our subsisting, and they often ... my grandmother was the one who often told me how things were before fish and game (ADFG) came to be, where our traditional land was, how we came to Kake, and .. just the respect we should have for one another."

When people in Kake talk about fish-as-food in everyday conversations, they focus on the catching, distribution and "working" on of salmon, halibut, clams, crabs and other foods. In everyday talk, fishery politics seems to come up subtly and indirectly

when people talk about numbers of fish available, who can get fish, and where it comes from. People often tell what they feel about fishing regulations and changes through narratives of how their families used to catch and distribute food in sustainable and responsible ways and how that has changed. I heard few of the off-the-cuff direct political debates, accusations or criticisms that are a common part of everyday discourse in the closest neighboring community, Petersburg. I began to realize that critique often is expressed carefully, through silence and through humor.

Ruth's and other people's narratives also reveal a great deal about how local ideologies were and are influenced through negotiating resource use with the state (federal and Alaska state governments).

Discourse and narrative comparisons through identifying “voids”

Because political critique seems to be more subtle in Kake than in other communities of my experience, one way to better understand the concerns of people in Kake through narrative is to look for what people infer is missing in their lives and experiences. I call these the “void” or “lack” (Laclau and Mouffe, 2001, called them empty signifiers) messages, those words and stories that articulate, however indirectly, a void of circumstances that once were filled, or that could be filled if things were different.

Following is a set of narrative examples about fish as food. The narratives show how fish is part of local socialization of inclusive environmental values. They show how production of locality is about everyday aspects of social life (Appadurai 1997). Such narratives are part of why local knowledge is often knowledge about how to produce and reproduce locality under conditions of anxiety and entropy and how locality is a fragile and relational achievement (Appadurai 1997). Through examining narratives for what people see as “missing” and in need of repairing or “filling,” the researcher can better understand how local knowledge is reproduced in ways meant to suture ideological dislocations as a relational achievement.

One man talked about how, as a child, he was able to stay in Kake, rather than going off to boarding school. Because he could stay, he learned Tlingit protocol and values, but many of his peers had to leave to go to school and missed growing up with their grandparents, uncles, aunts and others.

To me personally, and I can't speak for all of Kake, other than know what I know of traditional protocols and stuff, it's ([community] about relationships. And the relationship, whether it's that one-to-one person-to-person, or clan-to-clan, or just within the clan, a family and how it all is represented by Eagle Raven. Or, by today's nucleus where even today we, like our mother is 90 years old and we all kind of take turns watching her, cooking for her, people go over there to make [her dinner]. She knows what we're up to, even though she's at home, she knows where everybody's at during the day, whether we're traveling or not. Because we all call in. And she's the matriarch in our family and it does show that even in contemporary communities it's still important to have those values, and it's been in us and other people have different views of that, because they were raised within, say, the school system, boarding school system, rather than growing up around their great grandparents like I had. I had the opportunity. There are other people that have been, but they also had to leave Kake to go to school, which is real sad, but on the other hand I was fortunate to have the school here and grow up around the community.

Just like my grandson's having that ability to do now [practice traditional protocol and participate in family and community relationships]. Because he ... like he said, his personal feelings, because he loves brunches, Sunday brunches. He said he wished he could have it every day because to him it brings the whole family together, the nucleus of the papas, the grandmas, everybody in ... involved because everybody there that's in town that's available to make it, makes it. Because that's ... , and I don't know if it's just our cooking that he likes, but he likes the grandma and the cooking, and I help prepare some of it and so does (his mother), so ... his nucleus family is involved in it and to him he's like the host and has people, and if he's right then and there we have him serve it all out. And he goes from the oldest to the youngest. He learns about service. He learns about caring. He learns about who's his family. And sometimes we invite other people like L. We had to take L's up to him this last weekend. But it was him taking it in the door and putting it in front of L. To me that makes

everything ... It's like him going after his first seal or deer, that's the way it's going to be. It's just the way that I was brought up. I didn't, or our family didn't eat any part of it. We gave it all away. That way people will know it was a special day for him. Whether it's fish, whether it's seal, deer. Everything that he gets first, clams, like he already went claming when he was one and a half years old. And we have a picture of him with three clams in a bucket. That was a load for him, but he gave it to his grandma. He didn't get to eat any of it. But we prepared it for her and gave it to her. That was ... to us that's tradition. But, um, community is about that. And it's about giving, like we say, whether he gets a seal, he'll give it to an opposite family that's not within his nucleus family. To show that we're still continuing those values. And to them, they're a witness to it. And they'll find out it is his first seal by him giving it to them. And that we're involved in his upbringing. That's the way it is. It always has been. (2003 taped interview)

This narrative is an account of the social connections shaped in the process of learning Tlingit values through sharing fish and other foods. For example, cultural actions involving fish and other foods are tied with the protocols of service and respect for Elders and others. In this case, the values and protocols are learned through being connected with an extended family and practicing those values with the help of family members. The void that is expressed is a loss of opportunity for many people to learn about respect values and sharing values. The narrator infers that this void occurred because many of the older adults, when they were youngsters, went to boarding school or were separated in other ways from their family members for long periods of time. Had they been at home, their families would have helped them practice serving others on a daily basis as a necessary part of catching and processing customary and traditional food resources.

The narrative communicates what needs to be "filled" for the community's ideals to work. What has been missing is a means for many youth to learn and practice more intensely the values and protocols regarding family, community, and food resources. One way that Kake is working to "fill" this void is through hosting Culture Camp (see chapter IX) every summer. Young people learn how to work cooperatively on fish and other resources by being with Elders and other volunteers. They spend a night learning how to

survive in the woods in case they get lost or stranded. Through the final community-wide dinner on the last day of camp, and through packing up food to give away, the young people practice giving the food they helped smoke and can to Elders and to the whole community. Through evening storytelling, they learn about the values of respect associated with marine and forest resources. Culture Camp is one solution to “filling” some of the loss of intergenerational sharing about Tlingit values and knowledge.

Various points of view about how to fill the lack, or whether to fill it, create a local political discourse. Others may feel camp is inadequate to the task, or that people are failing to organize and teach correctly. Some Elders, I was told, feel that Tlingit ways are lost, and because they cannot be revitalized perfectly, should be left to fade away. A few people are uncomfortable that some activities at Culture Camp are not purely Tlingit, such as the sweat lodge (not a Tlingit tradition) that was introduced into camp in the early part of the 21st century. While sweat lodges were introduced to Kake youth through Lakota Sioux influence, sweats are not necessarily new to Tlingit life. According to Oberg (1973:154), northern Tlingit used sweat baths. Heated stones were put into a particular excavation in a house. Currently in Kake, sweat lodges and sweat baths have become important for many young people and a special sweat house for Elders was built a few years ago.

Elders who disapprove of events or practices are likely to express their irritation by reluctance or refusal to participate. They often demonstrate disapproval by staying home. Such was the case when, at the yearly July Dog Salmon Festival, the Kake Tribal Corporation began an event called the salmon toss. In this event participants competed in pairs. One team member was provided with a fish tote of harvested salmon. The other team member stood yards away near an empty fish tote. The race involved one team member taking a salmon from the full tote and tossing it to the second team member, who threw the salmon in the empty tote if he or she was able to catch it. The winning team was the pair who, in a set amount of time, threw and caught the most salmon without dropping them. In a world where respect for entities in the non-human world was

paramount, and where people learned how to take care of their food resources in ways that showed respect, throwing salmon as a game, so that they landed hard on cement, was considered by some as a breach of responsibility. One Elder told me that some Elders watching and hearing the salmon hit the cement during this contest were shocked and angry. Some of them boycotted the Dog Salmon Festival the next year, or at least the salmon toss event.

In this example, the salmon toss was an event that dislocated Elder Tlingit ideologies about how to treat the salmon people and/or resources. As an outsider looking in, I felt as though the salmon toss event was symbolic of the changes that ANCSA initiated when Tlingit land management became corporatized for the purpose of extracting resources primarily for profit. The same corporate structure in Kake that created the salmon toss inspired local changes that increasingly defined the forest more exclusively as a set of resources to sell as quickly as possible. Trees became their measurements in board feet, while salmon became defined according to how much could be sold in cans or as frozen steaks and fillets.

The void that Elders identified through the narratives they told each other after the event was an apparent loss of respect in the village for how to treat salmon. The various points of view about how to fill the lack, or whether to fill it, created a local political discourse. Filling the void would require education and practice for people to re-realize the importance of respect, but filling the void was seen by some as in ideological conflict with large-scale resource extraction projects and economic improvement. Historian Charles Johnson told me that some Elders felt that the salmon toss was another indication that the Tlingit culture is gone. Johnson was sometimes frustrated about Elders who refused to help teach older values and stories because they said the narratives and words would never again be understood in their “proper” context. He wanted to leave young people something of their culture and something of Tlingit knowledge and values.

For example, Johnson told me in 2004 that the Tlingit language does not have a word for “should.” “You should do this,” or “you should not have done that” are direct

statements of judgment. “Should” is a common signifier in the English language. It reflects a worldview that people should be taught directly to conform to particular expectations. The word “should” is in contrast to the pregnant pauses and indirect suggestions, often accompanied with laughter, that are common methods of communication in Kake. Such indirect communication seems to indicate respect for others’ abilities to observe, think, and decide for themselves. Indirectness in Kake also seems to be a way of avoiding direct conflict, and indirectness gives meanings and problem-solving time to unfold.

Many people in Kake are likely to talk about what used to be and how well it worked compared to current changes. In bringing up the past or in simply describing problems, people articulate what is missing in a situation. Compared to the commonness of “should” discourse styles in Petersburg and other non-Native communities of my experience, people in Kake seem less likely to express directly and competitively, in everyday conversation, what “should” fill a perceived lack. The following narrative is a good example of repairing, through discursive indirectness, a tiny personal rupture in ideology.

An Elder, in 2004, told me the following story. He said that someone had recently given him herring eggs in a plastic bag. As soon as he got home, a woman called on the phone and said, “I heard you got some herring eggs.” He answered, “Yes.” Then there was silence and then more silence. After awhile he ‘got’ the reason for the silence. “Oh,” he said. “Come on over and get some.” He started putting some eggs in a bag and then remembered that doling it out like that was stingy. Instead, when the person arrived to get the eggs he offered the original bag and said, “Take what you want.” The Elder ended his story with the word “sharing,” which he said in the same way that he often finished stories with the word “respect.” “Sharing” and “respect” were one-word summations of the purpose or moral of the story. He went on to tell me that herring eggs are fished cooperatively. One boat goes over to Sitka and comes back with eggs to pass out. “They

used to do that with sockeye. They would count how many families there were and divide the fish,” he said. (2004 written fieldnotes)

The caller simply used a long silence to communicate her request for herring eggs. The Elder was given a chance to decline sharing without direct embarrassment. The caller did not say he “should” share, but her long silence indicated that sharing was expected. While the storyteller describes how he forgot his own responsibility to share food resources, he continues his narrative with an account of how his smaller sharing experience is part of a larger sharing event. He ends by remembering that larger sharing events were once a part of salmon harvests, as well as herring roe fisheries. The narrator identifies a relapse in his own sharing habits, but then identifies a possible reason. Large sharing events are less common and their lack influences sharing practices and ideologies in the community as a whole.

What are the sources of ideological rupture in this example? What prevents people from cooperatively fishing for sockeye, for example? Some of the reasons include state and federal regulations, subsistence limits, fishing permit limits, competition with commercial and sports fishermen, and several sockeye salmon runs that failed to rejuvenate after early twentieth century commercial fisheries decimated the species. How does the change in fishing accessibility influence local values of cooperation and respect? Regulations change the way that people are able to practice and perform such values. People are able to fish for larger catches only when they have the correct permits. Fishing permits are based primarily on households or individuals, rather than on the sharing needs of a larger community. Permits have long prioritized the non-Native preference for an economics that recognizes nuclear economic family units and a competitive individualistic economic strategy. Permitting processes and expectations have increasingly limited people’s choices and abilities to practice community-wide cooperative food gathering. On a personal level, “filling” the void, or suturing the ideological dislocation of sharing values, often requires conscious remembering, reminding, and thinking about the necessity of sharing.

The following narrative explains how sharing practices can become resituated within new fishing regulations. One of the 2002 Culture Camp leaders, a middle-aged man, told how it used to be with salmon. There were three runs a year. The Tlingit people in Kake would take some of the first run, leave the second, and catch some of the third. “Now they [regulatory agencies] tell us how much we can catch where and when. We always took two thousand salmon (for several families). Now twenty-five or so salmon per permit. Now you can only carry two permits with you at any one time.” This man fishes for his extended family and the Elders where he lives in Hoonah. He used to take as many as six subsistence permits that belonged to Elders out with him at one time. When he could take six permits, and if he was making a trip in his skiff, say between Hoonah and Kake, he could fish for several people at once. Now, he can no longer bring fish to as many Elders because he is limited to carrying two permits. He said it was bad when some people in Hoonah started charging the Elders for fish. This man is a successful hunter and fisherman, which he credits to the Elders. He said other people ask him how he knows so much about where to go. He tells them that he spends a lot of time with Elders and learned from them the best places to go out and get food. (2002 written fieldnotes)

What prevents Kake people from fishing and processing salmon for food as cooperatively as they used to? Factors include state and federal regulations, subsistence limits, fishing permit limits, and competition with commercial and sports fishermen for a limited resource. How do permit requirements influence the value of fishing for Elders? They make it more difficult for people who fish for many Elders at once. Because the permits are for subsistence foods, selling food for profit is highly restricted. When some people in Hoonah, for example, began to sell fish to Elders rather than giving it to them, they were abusing subsistence law and Tlingit values. Abuse of subsistence law was one reason that permits became more restrictive.

Laws, regulations, and alternative value discourses all influence how people practice and understand their relationships with each other and the non-human

environment. For example, when people lose access to emotion/feeling knowledge about cooperative fishing because they no longer practice large scale sharing, then their respect is likely to weaken for their own initial ideologies about sharing. When they lose respect for older values, the less they practice those values and the more official laws influence or constrain the possibility of cooperative fishing. This furthers the pattern of losing access to knowledge about cooperative fishing and respect for values that make cooperative fishing (sharing) a social possibility.

The narrator's description is political because it points out lack in legal and social circumstances. The narrator does not use the word "should," nor does he suggest a solution. He simply compares the current circumstances with a past when people cooperated to a greater extent. Like the Elder in the earlier example, Kake people who care about retaining subsistence fishing and sharing rights must continually remind themselves, other community members, state decision makers, and other fishers about the importance of subsistence practices to Tlingit and other Native people.

But the government wants to regulate and restrict the people quite a bit. And it's not so much the government, it's the democracy of our people in the world, you know. Sports fishermen are organized worldwide. And even if they just send a dollar into their organization to fight for something, they can win, because they have that much money behind them. There are literally millions of people that want to leave the salmon alone for sport. And there are just hundreds of thousands of us [Tlingits], which isn't very much. But whose livelihood and whose food it was before Columbus landed on our shores, you know. Now we would constantly have to budget ... the Sealaska corporation ... a huge amount of our time to continuously show why we need Native food for our lifestyle.

Just keep proving over and over and over again, you know. We had a restaurant guy here, that ... he was a good friend of mine, you know ... we crossed paths pretty badly on steelhead fishing. He didn't want us to take it all for food. And I told him, you know, my grandparents took a seine out and they brought one hundred steelhead home. It never diminished the steelhead run at all, and I said now you come along and you think if I take two fish home that it's going to kill the run. I told him, "you need to move away from us." And he did, you know, moved away. I said, "We don't need people like you." By in large, the people that settled amongst our people in 1910, 1900s,

they were a really good people. They saw ... they moved among the people because they liked the lifestyle, you know, and they were always the kind of people that stood up for the Indian people. But lately, people have poured in for jobs, and all of the sudden they discovered the recreation potential of Alaska, and they like it. (2003 taped conversation)

What are the “lacks” identified in this statement, especially as they are related to the rest of the narrative? There are several, and this Tlingit narrator, who is highly experienced in law-making, legislative, and regional, national, and international market-economy forums, also uses a type of “should” in his storytelling when he says “you need to move away from us.” The narrator compares the present circumstances with the past, when there was enough food and when non-Native people came to live in places such as Kake because they liked the lifestyle and stood up for Native people. Through telling how things were, he shows the existing void caused by government regulations, a democracy within which power is expressed through numbers and money, and an increase in the number of people who want more of the Natives’ share of fish so that they can make money.

To attempt to fill the ideological dislocation caused when political competition for limited resources threatens change or crises, this speaker acknowledges that the Tlingit community must continuously, over and over, show why Native food is important for their lifestyle. The narrator may disagree with the attitudes he perceives in those to whom he must explain the importance of Native food. At the same time he must respond, in at least small part, to their beliefs and expectations in order to communicate with them. As such, the thinking process he goes through is still a socializing event. He is influenced by the experience of rearticulating Kake values to people who want to make money by taking paying customers out to fish. Filling the ideological void caused by crisis is a discursive exercise in rearticulating the ideology within the purview of impending circumstances.

Many people in Kake disagreed with the ADFG definition of subsistence.⁵ They called their foods “customary and traditional” to better convey the larger meanings, practices, and purposes of harvesting wild resources. In order to assert a more “local” definition into a conversation with government agency and legal representatives, Kake people must also anticipate state agency representatives’ perception of the concept. “Thinking is the process of conversation with one’s self when the individual takes the attitude of the other” (Mead 1995:90). If ADFG representatives are to respond to a Kake person’s definition of “customary and traditional” foods, and if ADFG officers are to consider how “survival fishing” out of season is part of subsistence practices, then they must anticipate and try to understand the perspective of the “local” definition in order to reply, even if their reply is to defend the state view.

Both ADFG representatives and Kake conversationalists are socialized to some degree by working to anticipate the thinking of others and by forming their speech and narratives in response. The level to which people anticipate the thinking of others and respond accordingly, however, is rarely equal. Power and context always influence the degree to which people must react in opposition or adjust their narratives, words and thinking in order to accommodate others (Blommaert 2005). Depending upon the level of authority with which ADFG representatives enforce the law, and depending on the level of contact they have with local people, they might avoid much of the thinking work required to try and understand “survival fishing” from the point of view of Kake fishing people. Kake people often tell stories about how ADFG officers come to Kake only long enough to search out hunting and fishing infractions, give out tickets, and “harass” local people, including Elders. From the point of view of many local people, ADFG chooses to regulate in a highly authoritarian manner. For those ADFG actors in positions of authority and power, whose relationships with Kake people are primarily performed through searching out law breakers, anticipating and accommodating other, unfamiliar

⁵ Subsistence is the word that state agencies use to categorize current practices of food gathering. Some people in Kake told me they prefer to use the words “customary and traditional” harvesting in reference to getting fish and other resources for food.

ways of speaking and thinking on a local level, is less likely. Their contact with Kake as enforcers of rules means that they are seen by Kake people as less changed by empathy towards local concerns, stories, and words.

Some Kake people told me that ADFG representatives are learning to listen, that there is a recent improvement in communications. Laws that prioritize subsistence resource use and the legal sovereign rights of tribes compel state actors in positions of legal authority to spend greater amounts of energy anticipating and accommodating “local” ways of thinking, speaking, and understanding. Empowerment at local levels, as well as state and federal levels, makes multi-directional influence and change more likely.

Changes in narrative content and form, and changes in community culture are tempered and formed through the social/linguistic habits of those speaking and those listening. “If institutions are social habits, they represent certain definite attitudes that people assume under given social conditions” (Mead 1995:88). This is *as* true for community groups in villages such as Kake as it is for government agency groups such as ADFG, the United States Fish and Wildlife Service, the USFS, and law-making groups such as the Alaska State Legislature.

CHAPTER XVII
FISH TO SELL

In 1892 John J. Healy implored the Secretary of the Interior to secure legislation protecting Native rights. The forty canneries were draining Alaska dry of its resources without paying taxes for its governance. Healy, who was manager of the North American Transportation and Trading Company in the Yukon in the 1890s, wrote: Let me call your attention to the fact that the natives of Alaska never ceded any rights to the United States, nor to the Russian government, before them, to their fishing grounds. They are not receiving any support from the government to preserve the natural food of these people from destruction, they will surely revolt, or eventually the government will be called upon to support them. The government is at the present time urged to appropriate money for the preservation of the reindeer to preserve the Eskimo from starvation, and this same condition will result among the Southeast Alaska natives in a few years unless some steps are now taken to prevent it. In Tomorrow is Growing Old. By Arthur O. Roberts. 1978. PP. 9 and 10.

People in Kake observed that Tlingit people have always been fishermen. They were never loggers until the United States Forest Service began contracting out areas for cutting on Kupreanof Island and until the Alaska Native Claims Settlement Act (ANCSA) was enacted. Before non-Native contact, people monitored resources and fishing effort within their own legal system. When the Russians and then other non-Natives came, some salmon species and herring were nearly annihilated through over fishing. Now Kake people have retained some rights to catch and use fish as food but, when I was there, the community had lost most of its access to commercial fishing. One of the more recent events that caused loss of commercial fishing access occurred when state and federal laws privatized fishing right of entry and several Kake people sold their entry rights to outsiders. Kake's cold storage plant closed down in 2004, mostly because of global market changes involving farmed salmon from other countries. In 2007 I learned that an individual had reopened the fish processing plant in Kake and was trying to restart the local fishing industry.

This chapter is an account of local commercial fishing history and narratives about current circumstances. I examine local narratives about commercial fishing (although few) and compare local talk about fish with state-based discourses about restructuring the fishing industry in Alaska. The global market for wild Alaska salmon changed as I was beginning my fieldwork in 2002 in favor of farmed salmon. Restructuring the fishing industry is the state's response to the resultant economic crisis or dislocation. As farmed salmon prices increase, wild salmon prices also increase, along with demand for wild salmon (Knapp 2007).

Local commercial fishing

Between 2002, when I began my fieldwork, and 2006, as I was writing this dissertation, commercial fishing in Kake reached the point that only a few boats participated. Everyday talk about commercial fishing may have been much different in the 1990s, but in the early part of the 21st century, commercial fishing was not a source for much optimism. Compared to the predominantly non-Native population in Petersburg, commercial fishing came up much less frequently in Kake as an everyday conversation topic. In the conversations I observed, fish-as-food was discussed significantly more often than fish-as-money.

Fish to sell, a short history

This brief history of Kake's fishing situation helps provide context for day-to-day comments and observations made in informal interviews about commercial fishing in the past. Kake has long been a mixed subsistence-cash economy, where customary and traditional wild foods and other resources are supplemented with cash employment. As

far back as the late 1800s and early 1900s, Keex' Kwaan (Kake area) families often integrated seasonal cannery work into their seasonal fishing, hunting and gathering for food (Firman and Bosworth 1990:32). Early in the 20th century, corporations, that typically originated out of places like Seattle, built salmon canneries and salteries within the Keex' Kwaan region in bays on Kupreanof, Kuiu, Admiralty and Baranof islands. Pillar Bay, near Kake, was the site of a salmon cannery in 1890. After it burned down, a salmon saltery and cannery and a herring reduction plant were the main sources of employment for Kake residents from the early 1900s to the 1940s (Firman and Bosworth 1990:32).

In the past century people in Kake relied in varying degrees on cash to assist them in harvesting resources, to buy clothes, and for building purposes. Robert E. Price wrote the following about the early commercial fishing industry and Southeast Alaska Native employment:

One of the interesting aspects of the early salteries is that the Tlingit and Haida accommodated themselves to their operations so easily. The salmon fishery itself was work they had been accustomed to since birth, and their preservation method of salting was also easily understood on account of the simplicity of the method. The fishery itself in no way interfered with the traditional salmon fishery for subsistence The saltery represented an industry that could have easily fitted into the Tlingit and Haida lifestyle without the major changes associated with the later canned salmon industry (Price 1990:48).

In addition to the Pillar Bay plant, Kake area Tlingits worked seasonally at canneries in Saginaw, Pybus and Washington bays and at Tyee, where there was a whaling station first and then a cannery from 1919 to the early 1950s (Firman and Bosworth 1990:32). Some people worked in the canneries, some built, operated and repaired fish traps⁶ and some fished on cannery-owned boats. Other Kake people sold

⁶ Salmon fish traps were used in the areas where salmon congregated at the mouth of bays: "It is most simple in its construction and consists of a long arm of piling and netting reaching out at an angle into the sea. The fish are trapped by the net, which is fastened to the piles and extends to the very bottom of the

fish that were caught on their own boats or worked as crew members on other privately owned boats. Fish packers from Tyee and Port Alexander would buy fish from Tlingit trollers at Kake area fish camps. In those early commercial fish processing days, Kake was home to several Tlingit boat builders, who constructed boats for the cannery fleets. Then, in 1912 an outside investor, through President Ernest Kirberger of the Kake Trading company, built a cannery in Kake with the help of Kake residents. Employment with the Kake cannery and other canneries was mostly seasonal and earnings supplemented customary and traditional (subsistence) uses of area resources.

For awhile, Native men provided most of the fish for the cannery in Kake and canneries at Pillar Bay and Point Ellis. They used beach seines and sailboats to harvest fish, and women and sometimes children worked in the canneries (Price 1990:62). Some Native families moved from stream to stream where the canneries were located to find employment (Cook and Bretz 1997:16). Native workers were in high demand and they were often paid more than Native workers in other parts of Alaska, where fishing jobs were often reserved for Caucasian workers (Cook and Bretz 1999:16).

Before the Kake cannery, the Sanborn Cutting Company, was built, 61 Kake fishermen were recorded in the 1910 census (Bureau of the Census 1910). Less than two decades after the cannery was built a significant employment change had developed, according to OVK records. The 1920 census indicates that of 386 Kake villagers, 106 were fishermen and 28 were cannery workers (Bureau of the Census 1920). Women generally worked in the cannery. They cut and cleaned fish, and filled cans while Kake men seined, supplementing the harvest from the company's fish traps (Gordon 1993). By the 1930s, only a few Native fishermen, "perhaps only two to four," and a few women "except during the peak of the salmon run" were employed in the Kake Cannery. The cannery's use of fish traps rather than fishermen is one reason that Native fishermen were

water. Continuing their way up against the trend of water they pass through a narrow funnel which opens into the trap proper. The trap is completely covered on the bottom with a great net and the fish, crowding through the opening, find themselves in a trap from which there is no escape. This immense net is lifted from the inside of the trap at stated periods and the catch is dumped unceremoniously into waiting scows" (Kirkwood 1909: 35).

unemployed in the 1930s (Cook and Bretz 1997:18-19). In addition, Seattle-based labor unions increasingly discriminated against local Alaskans, preferring to hire outsiders (Cook and Bretz 1997:19).

When interviewed in the 1980s by Kake High School students, Albert Davis said the following about fishing before the cannery established fish traps and before the company began bringing in more Chinese and Filipino workers.

The only jobs available was to work in the cannery. And Kake fishermen were well known in a class by themselves, as the cannery provided many beautiful company boats, seine boats. One of the top fishermen in those early days was Seth Williams. He had a boat, 'Phoenix III,' and Eddie Williams, one of the newer company boats, 'Peter Pan.' They were highliners⁷ in those days. We had a huge fishing fleet, boats provided by the cannery. Women worked in the old style, slow-moving canning machine. Four-line cannery we had, and fifteen traps. This cannery was later bought by P.E. Harris (1941). And then from P.E. Harris in 1950, Kake IRA bought it ... The cannery was the only means of work, jobs seasonal. But still, in those days, everything was plentiful (OVK 1989:34).

Harris closed the cannery in 1946. Salmon populations were declining due to over fishing by fish traps, and production costs were increasing so canneries all over Alaska began to do poorly in the 1940s. In 1944 Kake Cannery lost money for the first time (Cook and Betz 1997:24). Kake was a fishing village and Kake people had always been fishing people, so when the cannery closed the Indian Reorganization Act (IRA) tribe, the Organized Village of Kake (OVK), worked to find money to buy the cannery from Harris. Through IRA assistance from a revolving loan fund, OVK was able to buy the cannery for \$362,360. The plant was renamed Keku Canning Company (Cook and Betz 1997:24). The tribe worked to keep the cannery going until the late 1970s, when it was closed after several poor fishing seasons. Other problems included lack of operating money, and a changing market that preferred frozen fish rather than canned fish (Firman and Bosworth 1990:34). In 1980, Kake Tribal Corporation (KTC) opened up a cold

⁷ The term highliners refers to the best fishing boats and crews, the ones who bring in the most fish.

storage plant, Kake Foods, and began processing fish. Since then the processing plant has been open for production some years and closed others.

Statistics show a steady decrease over the years in the numbers of Kake people fishing commercially. In 1994, 78 permits were issued to Kake fishermen, 32 permits were fished, and 2,532,399 pounds were landed with gross community earnings of \$842,129, according to Commercial Fisheries Entry Commission statistics (CFEC 2002, 2005). In 2002, 56 salmon permits (trolling, gillnetting, seine etc.) were issued in Kake, 18 permits were fished that year, with 2,620,199 pounds of fish landed and with gross community-wide earnings of \$329,646 (CFEC 2002-2005). The actual number of persons who held permits is hard to determine as one person might own more than one or several permits. By 2005, 46 permits were issued, 16 permits were fished and 716,869 pounds were landed. Estimated gross earnings for the community were \$168,697.

Table 17A. Salmon permit statistics for Kake (CFEC statistics)

	1994	2002	2005
Permits issued	78	56	46
Permits fished	32	18	16
Gross weight in pounds landed	2,532,399	2,620,199	716,869
Earnings in dollars	842,129	329,646	168,697
Average dollar amount per fished permit	26,316	18,313	10,543

Kake Foods cold storage plant closed after the 2003 season. In 2007 I heard from OVK representatives that an individual investor attempted to reopen the plant, but was doing poorly. Kake salmon permit usage continued to show some activity, but without Kake Foods, the difficulty for Kake fishermen was in finding buyers who would pay them for fish. The wild salmon market has changed dramatically due to the influx of farmed salmon.

The effects of farmed salmon on wild salmon markets go far beyond those resulting from an increase in supply. Farmed salmon has profoundly changed almost every part of the salmon business. Almost every part of the fresh and frozen salmon industry-including distribution, retail and food-service-has shifted its orientation from wild salmon to farmed salmon (Knapp et. al 2007:217).

When I was in Kake, Alaska fish processors reduced the amount of salmon they would buy and the prices they paid for the fish. Kake fishermen were in competition for buyers with other fishermen in a stressed and changing fishery. Rising costs of boat fuel and low fish prices made fishing salmon-for-profit a near impossibility by 2003. When Sealaska and Kake Tribal Corporation shut down their Kake logging enterprises in spring 2004 there was little left of a village cash economy except for school jobs and government service jobs.

Summing up Kake's fishing and logging history, a middle-aged Native man who grew up in Kake said the following.

Speaker: You know since the .. settlement act (ANCSA) it changed our whole dynamics of Kake. Meaning that ... (before) it was games (meat, fish, customary and traditional foods) economy, then it was the fishing and the school system. After that it was fishing, logging and the school system and the government. So it changed a lot. There's more value toward money. Because a long time ago it wasn't a big need, you know. Everyone that worked and fished saved for the winter months and basically lived off the land. And they made one or two trips to town. And that was it. But now it's changed where it's more .. I guess controlling the town ... the need for money. Yeah. Cause in my life, like I said, we stock-piled food .. one or two trips to town for the bare necessities like flour and sugar and .. we had a store here, but .. that one or two trips to town was to go shopping for school and school clothing and other stuff and supplies. And other than that .. I mean that was basically the trip to town. The rest were all living off the land."

Fieldworker: And that was the 1960s and 70s?

Speaker: Yeah. (2004 taped interview)

A non-Native man, middle aged, who lives near Kake, made the following observation.

I know it was a fishing community before it was a logging community. The corporation [Kake Tribal Corporation, the ANCSA corporation] came in, opened up, and decided they wanted to go logging. Turned into a logging community, and now it's turning back into a fishing community, since there's no logging. A lot of guys are kicking themselves in the butt for selling their IFQs [Individual Fishing Quotas] cause the halibut prices are coming back up. (2004 taped interview)

A Tlingit Elder answered my question, "What's going to happen with Kake?"

Speaker: It's gonna survive. I don't know how. That's just ... [laughs]. But they've done it before, but I'm sure it's gonna survive. It will always be here. Because for one thing, I have no reason to leave, no desire to leave. I left once for economic reasons, but then I came back in 1974 and here I'm at. Now they're stuck with me. But I'm sure Kake will still be here. It will probably be like Sitka, that's the unfortunate part.

Fieldworker: You think it will grow like Sitka?

Speaker: The poor people will die off and the speculators will come in ... but there are no seine permits. Somebody just came out there and found out they could sell them for \$15,000, so they rushed to sell them. Next thing they knew they were up to \$75,000 [elsewhere]. Now they have nothing to survive. Tough. Should have hung on to it, you know. Some of them demanded more money [after they found out that people elsewhere were selling their permits for five times more money]. They come and ask me if they could (get their permit back or more money).) [laughs] A sales title is permanent. Once you (release, sign) it that's done. You can try suing him, I said. Won't do you any good. It's just too bad. You just threw it away.

Fieldworker: Hard.

Speaker: Then they get mad at me for ... I tell them I'm not a lawyer. I'm not going to do any good to get mad at. [laughs] (2004 taped interview).

In 2003 a man in his early 50s told me in passing that he was working to load logs onto log ships in Kake and Hoonah. He estimated then that there would be only one more year of logging in Hoonah and two in Kake. He still had his halibut and long-lining permit and he planned to fish, but a lot of people sold theirs, he said, in order to buy something like a vehicle or a boat. Now they don't have the boat or the

vehicle and they can't fish. The man said he would often tell people that he was never going to sell his permit because a car or a boat lasts only a short time and then it is all gone. But a permit to fish will allow a way of living for a lifetime.

As with salmon fishing, Kake shows a steady decline in the number of halibut permits held and fished. In 1990, 61 permits were held by Kake residents, 46 were fished, with a landing of 252,418 pounds of halibut and community-wide earnings of \$445,855. Forty permits were issued to Kake residents in 1996, 33 permits were fished, 222,020 pounds landed, and gross community-wide earnings were \$492,601, according to the Commercial Fisheries Entry Commission (CFEC 2002, 2005). In 2002, 16 halibut permits were issued to Kake residents, 14 permits were fished with a landing of 102,237 pounds of halibut and estimated gross community-wide earnings of \$242,200. The Commission reported that in 2005 Kake residents held 15 commercial halibut permits, 7 permits were fished, and 5,621 pounds of halibut were landed with estimated community earnings of \$3,995. As with salmon permits, one individual may hold more than one permit.

Table 17B. Halibut permit statistics for Kake (CFEC statistics)

	1990	1996	2002	2005
Permits held	61	40	16	15
Permits fished	46	33	14	15
Gross weight in pounds caught	252,418	220,000	102,232	5,621
Average weight in pounds fished per permit	5,487	6,728	7,303	803
Average dollar amount per fished permit	9,693	14,927	17,200	571

Commercial crabbing picked up in the late 1980s in Kake with anywhere from half a dozen to a dozen permits fished in any one year until 2004, when Kake Foods at

least temporarily shut down its crab processing. Statistics for 2005 show no landings and no community-wide earnings for crab.

In addition to permits, landings and earnings data, vessel statistics are clues to some of Kake's commercial fishing circumstances. In 1990 the Commercial Fisheries Entry Commission reported 90 vessels in Kake, 88 of which were categorized as commercial boats and 2 were tenders/packers. Two boats carried fish refrigeration technology. Most boats (68) were small, 17' to 25' aluminum and fiberglass boats. The 19 larger boats averaged 36' to 38' and were wood boats. In 1990 nearly 61 Kake boats could utilize gear for longline fishing. Fifty seven boats could be set up for hand trolling, and boats with purse seine capability numbered 15.

Fifteen years later (2005) the Kake fleet had decreased to 47 commercial vessels with three tenders/packers. Four boats included refrigeration, 37 boats were aluminum or fiberglass, averaging 20.8' to 30.2' in length, and seven boats were wood, averaging 45.' Three boats made of iron/steel/alloy averaged 53' to 58.' In 2005, 21 boats could utilize longlining gear. Twenty five boats could be set up for hand trolling, and boats with purse seine capability numbered 12.

Lack of refrigeration on all but four Kake boats in 2005 is of tremendous significance. Because Kake Foods was shut down, Kake fishermen had to travel greater distances to other communities such as Petersburg to sell their fish or find, pay, and trust someone else to carry their fish. Since 2002 (Knapp et al. 2007), when farmed salmon began to dominate the world market, processors no longer bought fish from boats without refrigeration. In order to sell Alaska wild salmon, processors have had to re-focus their marketing strategy on freshness. Boats find buyers when they are equipped to cool salmon more quickly or when crews can clean and freeze fish on board. Boats without refrigeration have few or no buyers. Equipping and maintaining a boat with refrigeration is quite costly, and most Kake fishermen lack the capital to update their boats.

During my stays in Kake, the harbor was relatively quiet with activity evident on only a few fishing boats. People's conversations about commercial fishing were minimal.

We can learn about the effect of state based regulations and discourses on Kake discourses from local descriptions about recent changes in commercial fishing. One way to discern how people work to repair ideological dislocations caused through change and crisis is to identify what people understand is missing (the voids) and what they say would improve a circumstance or situation. Another way to situate conversations as part of adapting to economic or other types of dislocation is to look at how people interpret their situation through logics of equivalence and difference (see chapter 4). Finally, it is important to examine what people think they can do about a situation by listening to what they have to say about power and voice. Following are four segments as illustrations of local narrative through which to identify how people choose to talk about issues that influence ideological changes and that need fixing. Each is analyzed in three parts: (a) identification of voids; (b) logics of equivalence and difference; and (c) inferences of power and voice.

Example one:

One fisherman, who held onto his boat and permits longer than some others, was getting ready to go out fishing. We exchanged morning greetings on the road one 2004 morning, and he told me he was trying to get his boat running. He needed to get the parts together to fix the engine. He said he planned to go out and catch coho, even though the price for fish was so low and the gas prices were so high. He expected to fish at a loss, but he needed to get the fishing effort recorded on his ticket in case future state/federal programs required fishermen to show fishery participation to qualify and so he could earn a tax write-off. He said the gas prices were higher in Kake than anywhere. Prices were \$2.80 a gallon in Kake and \$1.90 in Petersburg. "That's price fixing," he said, "and it should be against the law." I later learned that gasoline stations have to buy gas in minimum quantities, but which are large quantities from the perspective of a community the size of Kake. The fuel station bought its gas at one price and had to sell it accordingly until it ran out.

Petersburg is a larger community and can sell gas more quickly in order to buy more fuel at a better price.

- a) This Kake fisherman expressed how fish prices and gas prices created a loss in his ability to make a profit from fishing salmon. In a political context, groups competing for power to fill this loss would either need to construct ways to make a profit from salmon fishing despite fish and gas prices, or compete to change fish prices and gas prices. The fisherman suggests one “filling” solution, which is that “price fixing” gasoline should be illegal. He is attempting to salvage his fishing losses by using them as a tax write-off, a kind of “filling” of the profit void, something made available to him through laws and political decision-making.
- b) In an evaluative continuum of logics of difference to logics of equivalence, this narrative does not set up Kake fishermen as different from other Southeast Alaska fishermen, who are all struggling with fish prices and gas prices. It is the gas prices and fish prices and the reasons for them that create commonality (equivalence) between most fishermen, no matter how diverse. Any logic of equivalence evident in this narrative would categorize the gas prices and the fish prices and their causes as the “enemy.” The fisherman does name an “enemy” closer to home and that is Kake’s only fuel provider, which the fisherman believes is taking advantage of Kake residents (who are made equivalent by the situation) by overcharging them for gas. Other adversaries defined through logic of difference are less identifiable.
- c) Power and voice, or lack of, may be identifiable in the narrator’s lack of blame or suggestion for problems caused by low fish prices and high gas prices. These are issues that are too big for small community fishermen to feel they have much power over. They might voice their disappointments

locally and to their state and federal representatives, but they have little personal power to influence prices. They can say that the United States could at least prevent farmed salmon from entering United States markets, but fishermen also know that international free trade agreements prohibited such solutions. In this narrative the fisherman does express a “should” when it comes to an issue he feels he might be able to influence, the discrepancy in local gas prices compared to prices elsewhere.

Example two:

A middle-aged man, who fishes primarily for subsistence, pointed out, with condemnation, the crab boats out in front of Kake that were not from Kake. He said they were over fishing the local stocks and fishing in places that were illegal. The Alaska Department of Fish and Game were informed about the situation but, the man said, ADFG officers told him they lacked the staff to adequately monitor and enforce regulations in the area around Kake.

This articulation of dismay over non-local boats fishing in Kake’s “front yard” was mentioned in conversation between other people, as well. People expressed the sentiments that outside boats were trespassing and stealing from Kake people when they fished in Kake area waters. There was a subtle sense that these boats were flaunting their ability to fish when Kake’s fleet was disempowered, and that they were disregarding unwritten “laws” of propriety, decency, territorial jurisdiction, and subsistence food availability for people in Kake.

- a) In this example, the narrator identifies a lack of propriety, a lack of legal behavior, and a lack of restraint on the part of non-Kake boats, mostly Petersburg boats, fishing close to Kake. In order to “fill” this lack, ADFG officials would need to act, or Petersburg fishermen would have to

monitor themselves. In his speech, Gordon Jackson, in his presentation to the Select Committee on Indian Affairs in Washington D.C., (2002) suggested that a “filling” of this kind of void could be accomplished through Native people’s more direct involvement in monitoring and managing fish and wildlife resources. This is an example of groups competing to fill (or not fill) a lack, making the issue political.

- b) In an evaluative continuum of logics of difference to logics of equivalence, this narrative contains some stronger elements of logics of equivalence. The oppressors are “others” who include the skippers who are over fishing resources close to Kake and those who could do something about it but have not. In a sense, these “others” are an “enemy” that needs to leave Kake’s resources alone. At the same time, the narrator is attempting to acknowledge democratic legal and political processes as something Kake people and outside others have in common, but people administering those processes seem to lack ability or motivation to protect Kake’s waters. The narrator is not asking that the “others” be destroyed (a factor that would categorize the narrative high on the logics of equivalence scale), but that they become more cognizant and aware of Kake’s needs, or that Native people be given more power over their own resources.
- c) Voice and power: In this example, and in other similar conversations, people expressed, in words, tone, and in body language, a sense of having to watch something that affected them negatively, but of having little power or voice to change the situation. In his speech, Gordon Jackson asked the United States Congress for a greater voice in resource matters. Based on my interviews and everyday conversations, I can safely say that most Native people in Kake doubt that their voices are given much attention in legislative bodies in Alaska. When their voices are accounted

for, people feel that it is usually because federal law requires the state to take notice.

Example three:

This 2003 example comes from a taped dinner conversation between three people, speaker one, speaker two, and the fieldworker. The speakers were participating in an informal interview during the meal. They are a non-Native husband, who has lived in Kake for many years, and his Native wife, who has lived in Kake most of her life. The word “they” refers to commercial fishermen and others who focus on getting as much fish as they can ‘now.’

Speaker One: Seems to be the mind set. That they expect these things to be coming back. They don't give thought to the fact that species have to go out there on a polluted ocean to get back to this place to complete its life cycle. And to regenerate. And they don't stop and consider all the things that those creatures have to endure in order to come back here. To where they originated from. So that they can have benefit of that bounty. We found here this summer, and we went out in the skiff, on the islands out there, part of a huge drag net that they use for dragging the bottom for scallops and bottom fish.

Speaker Two: Trawl.

Speaker One: Their trawl. I found a bottom of a trawl out there that washed up on the rocks. I was just amazed.

Speaker Two: They're not allowed there are they?

Speaker One: No! They're doin it!! The thing is out there, still out there.

Speaker Two: It's so huge!!

Speaker One: Smaller boats can trawl. They don't have to be real big. They can be .. a 100 foot boat can drag a trawl very easily.

Fieldworker: So it can look like they're doing something else?

Speaker One: Certainly.

Speaker Two: Oh.

Speaker One: And they do it under the cover of darkness. You see those lights out there in the winter months? They're fishin uh king crab and they're fishin the bottom fish. Cod and that kind of thing.

Speaker Two: Wow.

Speaker One: That their trawl is laying out there on a rock. You can see it in low water. That's all of it. The whole bottom of their net. This thing they got caught up on the rocks. They did. You can see it on a minus tide. It's lying out there.

- a) The void or lack expressed in this narrative is knowledge, understanding, and intelligence on the part of commercial fishermen (they) who take as much as “they” can wherever “they” can. This lack of consideration or maybe even caring is evident in the narrator’s account of illegal trawl gear caught on some rocks on an island near Kake. If the implications of this narrative are that knowledge, understanding, and caring are missing, to fill such a void would require disrespectful commercial fishermen to obtain education, thought, and consciousness about the species they are harvesting. The void in this narrative is linked to the mental capacity of some fishers to fish illegally and proof of illegal fishing in the discovery of trawl gear caught on the rocks near Kake. The political aspects of this narrative, linked to filling a void, are identifiable in the articulation that certain fishing behavior constitutes a lack, and in the competing opinions about how to fill it or solve it.
- b) In an evaluative continuum of logics of difference to logics of equivalence, the narration emphasizes a discrepancy between “good” and “bad” fishermen and fishing behavior. “They” (the unthinking fishermen who sneak around at night trawling) are the “enemy” to “us” who are affected by “their” lack of understanding or caring and by what “they” do. “They” (illegal trawlers) become oppressors of a Kake collective “we,” whose resources “they” are stealing. In this example, the trawlers are less tolerated as adversaries in a pluralistic democratic order, but are considered enemies to stop through authoritative law. From this perspective, the narrative is closer to expressing a logics of equivalence than a logics of difference.
- c) Voice and power: Because few local people are currently fishing commercially, most of the fishermen in the “they” category are “outsiders.” Hiding heavy and conspicuous trawl gear in Kake would be

difficult so the illegal trawl found on the rocks likely belonged to someone from another community. Kake people's voice and power to influence outside fishermen's behavior is limited since outside fishermen seldom even dock in Kake. People depend on the same boards and agencies whose regulations allow outside boats to fish Kake area waters, but who often lack the manpower to regularly enforce fishing restrictions.

Example four:

This example comes from part of a 2004 informal interview with a woman in her 50s who has participated in village and state decision-making forums for many years.

Speaker: You know the state of Alaska, they've always wanted the communities to be independent of ... with schools and government. But you know that gets back to the economy. And the government themselves are the ones that took away the rights we had, a few years ago, which was related to your first question about communication. You know the people were not in communication with the government at the time, where things happened [people in Kake were unaware that laws were changing], and it affected the community. They [law makers] took their [Kake people's] rights away like with the ... limited entry permits and seine permits and [Individual Fishing Quotas IFQs] what have you. Took [away the foundation of] the fishing community. It was also .. it was --- (re-discussed after the damage had been done) later, but you know that was sort of depleted, because of the decisions of the government.

Fieldworker: Because everybody had to have permits to fish? And people can't all have .. get access to those permits?

Speaker: Mmmhmm. Now we have to buy it, and it costs hundreds and thousands of dollars, some of the seine permits. And some of the smaller permits, still cost a thousand dollars, but you know, it's to the point where people can't afford it because how could they get a permit if they don't have .. they can't fish for it [without a permit they can't fish to make money to buy a permit]. You know. They maybe could probably get it if they got a loan or something, but .. you'd have to pay that back. You know, and the boat, you'd have to have a boat with that. In the past where they used to .. people would just get a license and go fishing, and kind of build themselves up. But now it's not that way anymore. And other things have played a part in it. The government made a law about, you know, it became legal to build hatcheries. And hatcheries

kind of ruined our natural stock. Stuff like that has happened to change .. change everything, you know. And it was because people were not hearing what the government was doing. And even if they stood up to it, the government already made up their mind.

I have not seen any written documents that I know that they were printed ... that they have laws written about permits but you have to have quotas that went back to the history of your fishing, in order to get a permit. [Permits were first issued based on an individual's fishing history, how much a fisherman caught in the recent past and how often he/she fished.] They [law makers] did not relate it to the fact that you were from this community and lived here all your life. They only related it to how many years you went fishing, (it didn't matter) whether you were from that community or not. And those people that got permits were people ... were not .. some of them were not even from the community. But they got permits. But it was all related to how long you fished. Not related to how long you lived in the community or anything. So you know that kind of took it out of the environment of the community into the hands of even people that didn't live there. So I think that was excluded, and that should have been included because it affected the whole economy of that area.

The whole idea at the time, I think, was just that they were looking at the fish being depleted. They were thinking of limiting the fishermen. But they never considered the fact that it would affect the community as well. And we've been a fishing community for ... ever since we've been here. [ironic chuckle] And um ... you know, then they expect us to be self sustaining on that, you know, with an economy yeah.

Meanings in the above four segments can be partially identified within the following parameters for comparison.

- a) This narrative points out a variety of inter-related voids or lack in "government" rules and regulations regarding fisheries and the subsequent effects of regulations and rules on Kake's fishing economy. Some identified voids included: lack of governmental foresight; lack of Kake awareness, understanding, and voice; current lack of available local fishing permits; lack of governmental attention to fluidity of time as it pertains to people's fishing lives and life cycles; lack of governmental attention to community based ideologies versus individualistic

based ideologies; and loss of local abilities to fulfill governmental expectations of Kake financial independence.

The listed voids or identification of missing pieces that the narrator attributes to government decision-making becomes highly political when groups propose ways to fill them or propose not to fill them. The values inherent in such proposals, and even in the initial permit and IFQ programs, lean heavily toward competitive individualism and a non-Native notion of short-term, impermanent, and highly fluid economics. Filling the voids, the narrator suggests, would entail local knowledge, participation, and a change in state and national cognizance about the integrity of small communities and people's long-term fishing needs.

- b) In an evaluative continuum of frequency of logics of difference and logics of equivalence the narration is closer to a logics of equivalence but includes aspects of a logics of difference. A logics of equivalence is apparent in the understanding that "they" (the government and fishery decision-makers) took rights away from the "we" of Kake and other small, primarily Native communities. "They" expect us to support "ourselves" but took "our" means of self sustenance. "Their" way of thinking and problem-solving lacked consideration of "our" fishing and community life. A logics of difference is evident in the narrator's discussion of Kake people's lack of awareness about government decision-making processes. In the 1990s many people were not in communication with fisheries decision-making boards and councils, and were paying little attention to permit and IFQ proposals. In this narrative the "government" becomes the "other" or the "oppressor" who is differentiated from the "us" who are oppressed by the circumstances. Kake people and people in other Native coastal communities share in common being oppressed because of systemic legal changes.
- c) The narrator indicates that Kake people are learning to be more cognizant of politics so that they can try to influence decisions that would hurt them. Yet she still includes the statement that even had people known what the government was

doing concerning permits and IFQs, the people in government had already made up their minds. This belief that one's voice lacks power in legislative and regulatory forums is common in Kake. In the late 1990s, when people realized what they were losing, some of them organized with other communities to protest their situation, calling themselves the Gulf of Alaska Coastal Communities Coalition (GOACCC). In that sense they empowered themselves through forming an "us" that shared in common being oppressed by legal fishing changes.

Kake people say they have lived in their area from time immemorial and see their access to fishing and resources as permanent, forever, and directly tied with community obligations and relations. For decision-makers to expect many Kake people to accurately anticipate and predict the future result of privatizing fishing through limited entry permits and IFQs seems illogical. Privatizing fishing access would seem to conflict with the economic thinking habits of Kake people, most of whom are only a generation or two away from a primarily subsistence economy. Kake people still share food and money with each other more freely and to a greater extent than people in the primarily non-Native communities of my own experience. Non-Natives have much to learn from Kake people about sharing as a way to prevent waste, to protect the non-human environment, to strengthen relationships, and to mend enmity. If Kake fishermen knew they would probably lose their fishing rights forever if they sold their permits and IFQs, the idea might have seemed unreal. After all, people had no collective memory of losing their rights to fish for hundreds and thousands of years.

In 2004, North Pacific Fisheries Management Council (NPFMC) representative Phil Smith discussed the political conversation to 'fill' fishing IFQ voids. Smith said that by the end of 1998, approximately 25 percent of halibut and sablefish quota shares that were issued to small community residents had been purchased by residents of larger communities. Poor salmon prices made declining access to IFQ fisheries worse. Small communities organized into GOACC and testified before the National Research Council

and the NPFMC. They met with National Marine Fisheries Service representatives and U.S. Senator Ted Stevens, requesting a quota of the halibut and sablefish fisheries or access to quota.

Eventually, in 2002, NPFMC representatives amended the IFQ program and allowed very small communities to “buy in” to the program and use purchased IFQs to benefit the people in their villages and towns. Jackson (2005:14) wrote that since the IFQ program began, the community of Kake sold approximately 200,000 (per year) pounds of halibut IFQ’s. The statistics are similar in most rural communities. The amendment that Smith describes above allows eligible communities such as Angoon, Kake, Craig, Elfin Cove, Hoonah, Pelican, Metlakatla, Hydaburg, Tenakee Springs, and many others in Southeast to establish non-profit Community Quota Entities (CQEs) to hold and lease halibut and sablefish quota share to local residents. “For instance, if the community of Kake organized a non-profit and bought 100,000 quota shares, the entity can in fact contract with local fishermen to catch some portion of their quota share and process the product in the town cold storage. The program brings local control back into the picture after a long period of frustration” (Jackson 2005:14).

By 2006, only Craig had come close to purchasing quota shares. Pelican was attempting to do so. NPFMC revisited the IFQ situation but the damage had already been done, according to Kake people. Kake was in very difficult economic circumstances when this dissertation was written and lacked the funds to start a non-profit entity to buy quota shares. In a study of the effectiveness of the new community quota program, Steve Langdon and Emilie Springer wrote that by the end of 2006, the bottom line was that “no halibut or sablefish quota has yet to be fished by any CQE” (Langdon and Springer 2006:7). Although several community groups worked hard to gain CQE status and purchase quota shares, Langdon and Springer pointed out that no funds were available for direct purchase of shares, loan terms were prohibitive, the prices of quota shares were too high, few quota shares were available to purchase, the program was treated as a business

rather than community development, and regulatory provisions were too limiting (Langdon and Springer 2006: 8).

The researchers wrote that villages such as Kake and others had traditional patterns of “broad participation by many” and that “there are strong small-scale fisheries capabilities in the villages due to deep subsistence heritage of marine resource characteristic of most of them” (Landon and Springer 2006:14). In essence, Landon and Springer’s study pointed out that the Community Quota Program was in need of major modifications.

The program continues to emphasize Euro-American business strategies, and a synthetic/jural view of lands and resources, while Kake and other villages still value, to some extent, organic/holistic views of land and resources and long-term cooperation.

Most non-Native fishing communities have a much shorter history of fishing and are founded on economies that value competitive individualism. Non-Native assumptions about common sense in regards to money and permits demonstrate a worldview of impermanence and an economy based on competition. Such a worldview has a shorter history in places such as Kake, where sharing rather than individual accumulation was the rule for hundreds and perhaps even thousands of years. People in Kake seem to want good jobs, enough to eat, a place to live, electricity, to be able to travel, and automobiles and boats to fish, but I heard little talk about wanting to “get rich.” The lack of talk or efforts toward getting “rich” puzzled some of the non-Native men that I talked with.

Concepts in Kake Narratives about Fish-as-Commercial/Money

When I was in Kake I made a point of noting people’s conversations about fish, environment, and community in my field notes. My methods of preparing my data so that I could identify common and less common discourse patterns included pinpointing every reference to commercial fishing, as well as food fishing, that I could find in my field notes and transcribed interviews. I kept in mind the contexts of narratives, as well.

This method relies on collecting day to day stories and writing them down. It might be expanded through the experiences of more than one researcher in one place during one time period. Narratives are included that were part of interviews because, as a researcher, I rarely brought up fish as a specific interview topic. The analysis below results from identifying references to commercial fishing and then categorizing them based on common themes or points. Again, I heard and collected far fewer narratives about commercial fishing than I did about fish as food.

Examples of positive references to commercial fishing in the past.

- During past fishing seasons Kake had full employment.
- My family always fished.
- We were a fishing community.
- Halibut openings were a community event.
- We did best when we controlled our own fishing and processing.
- People knew how to work hard.
- Kake had boat builders and highliners and cannery work.
- Especially at mortuary dinners, people told funny stories about what happened to people when they were fishing.
- Elders and others talked about boat and fishing behavior ethics.
- Laws that made it possible for IRA to participate in economic activities. Kake was a tribe that got involved in the fishing industry.
- People never used to worry about the economy.

Examples of negative references to commercial fishing in the past.

- Small fish runs and poor prices after the 1950s meant the local cannery did poorly.
- We never knew if the local cannery or cold storage would be open one year to the next to sell to.
- We were cheated by Canadians in international salmon negotiations.
- The loss of the cannery was a major motivation for the Kake IRA tribe to declare itself autonomous from the regional Tlingit/Haida Central Council in the 1980s. Economic problems motivated local tribal members to write their own grants and find resources for Kake without relying on the Central Council.
- Alaska policies to limit entry into the fishery contributed to cannery/cold storage failure.

Examples of positive references to commercial fishing in the present.

- We have survived things like this before.
- Halibut prices are coming up.
- There is a new federal program to make permits available to non-profit entities in very small communities. The permits could be distributed yearly to local fishermen in an equitable way, but the non-profit entity would own them.

Examples of negative comments about commercial fishing in the present.

- People are leaving for economic reasons (more than 20 percent of the population in a few years).
- Speculators will take over Kake after the poor people die.
- Many people sold their salmon and halibut permits and cannot participate in commercial fishing.
- State programs to limit fishery participation stripped economic benefits from Native communities.
- The situation in Kake in 2004 is comparable to the Great Depression.
- Farmed salmon meant lost markets and low prices paid to fishermen for their salmon, even though the quality of farmed salmon is poor.
- Fuel prices in combination with low salmon prices make fishing unprofitable.
- Boats, mostly from Petersburg, are moving into Kake fishing areas, including commercial fishing boats and sports fishing charter boats.
- The Iraq war is part of the reason for a decline in Kake's fishing economy and other sources of revenue.

Examples of positive references to the Alaska Native Claims Settlement Act and how it influenced local economics including commercial fishing.

- Natives had to struggle for land rights and through ANCSA got them (but the act created many unresolved issues and new problems).

Examples of negative references to the Alaska Native Claims Settlement Act and how it influenced local economics including commercial fishing. I can safely say that I heard only a few positive comments about ANCSA when I was in Kake.

- ANCSA changed the economic focus in Kake to money.
- ANCSA and the local and regional tribal corporations changed the economic focus from fishing to logging.
- Because the tribal corporations managed almost everything economic, people became dependent on them.
- The generations that grew up in Kake after ANCSA often failed to learn the ethics of hard work and how to participate in commercial fishing.
- The generations that grew up in Kake after ANCSA often failed to learn how to go into business on their own.

Examples of positive references to tribal, corporate, and community empowerment and commercial fishing.

- Kake built a hatchery which provides a fishing resource for local fishermen.
- Kake Tribal corporation has its own cold storage plant.
- Kake's corporation has put creative fish products and value-added smoked and dried seafood onto the market.
- Tribes were made stronger through the Indian Self-Determination and Educational Assistance Act.
- The Organized Village of Kake (OVK) worked for and received greater tribal sovereignty so that it could better assist the village in social and health programs for children, families and the Elderly.
- OVK and the city are working with state and federal agencies to improve Kake's environment for fishing, hunting, other economic activities and the health of the environment.
- The newly formed Southeast Alaska Inter-tribal Fish and Wildlife Commission was organized to unite 20 tribal organizations in Southeast Alaska to strengthen their voice.

Examples of negative references to state government and local leadership concerning commercial fishing.

- People expressed concern for lack of state agency monitoring and managing salmon returns in waters that the state controls, waters that are important to Native fishing.
- Federal programs that changed fishery resources into private 'property' or ownership, resulted in sharp decreases in Native participation in the fisheries.
- State programs that limit the numbers of fishermen who can participate in fisheries resulted in 'stripping from our villages the economic benefits of the salmon and herring fisheries.
- A need exists for greater Native participation in monitoring and managing fish and wildlife resources.
- One problem is the corporation's inability to keep the cold storage plant open.
- Very few people are fishing commercially.
- Fishing boats are without the needed technology for their owners to be part of commercial fishing.
- Non-profit entities in Kake are without the funds to purchase and administer fishing permits through the new federal program.

Kake people talked about commercial fishing with stories and words that expressed feelings of nostalgia, regret, anxiety, anger, and stress. Very little was said about sharing

and cooperation in commercial fishing conversations, except a few references to covert and illegal sharing of commercial catches for food, or to talk about the past. These patterns of discourse significantly contrast with discourses about fish as food. In talk about fish as food, cooperation, sharing, and respect are still clearly evident, even though people often say that the actual practice of such values is in decline.

Concepts of cooperation, sharing, food, and respect in state narratives

As demonstrated in sections four and five of this dissertation, many parts of people's lives are often evaluated within economic and legal parameters that focus on capitalocentric ideologies such as the importance of time efficiency, quick turnover of products and services, increased profitability, resource extraction, taxes, etc. Here I reverse the view point. The following state-centered narratives will be evaluated through some of the ideological parameters identifiable in Kake talk.

I have chosen two state-based texts as sources for discourse comparison. One is the 2005 testimony to the House Subcommittee on Fisheries and Oceans by David Bedford, Deputy Commissioner, Alaska Department of Fish and Game (appendix EE). The second is University of Alaska Research Summary No. 5, 2005, called *Changing Alaska's Salmon Harvesting System: What are the Challenges?* The summary is of a larger technical paper through the Institute of Social and Economic Research and is by Fran Ulmer and Gunnar Knapp. The summary version is in appendix CC. Ulmar is a former Lieutenant Governor of Alaska, who helped write the research summary in her capacity as director of the Institute of Social and Economic Research (ISER) at the University of Alaska, Anchorage. Co-author Gunnar Knapp is professor of economics at the University of Alaska, Anchorage.

I chose four key concepts that are often expressed as signifiers in Kake discourses about fish through which to compare state-based narratives. Key concepts included cooperation, respect, sharing, and fish-as-food. For example, in the testimony of Dave

Bedford the actual words cooperation, sharing, and respect are used rarely. Cooperation and respect have no direct usage, food is used once as seafood, and to share is used four times in reference to share of fees, share of research, share-based fishery, and share of data. The following excerpts, grouped in categories, show general patterns and are not meant to be comprehensive.

Example 1:

Testimony of Mr. David Bedford, Deputy Commissioner, Alaska Department of Fish and Game to the House Subcommittee on Fisheries and Oceans. July 6, 2005. Conceptual or direct references to cooperation, respect, sharing, and food. Following are a few examples of phrases that I identified that infer cooperation, respect, food, and sharing. A longer list of examples is in appendix FF.

Cooperation:

- Federal waters fisheries are subject to regulation under the Magnuson-Stevens Fishery Conservation and Management Act with the North Pacific Fishery Management Council responsible for developing fishery management plans. NOAA Fisheries is the principal management agency but the management of many federal waters fisheries is delegated in substantial measure to the State of Alaska. This is not surprising since fish move freely between state and federal waters and the state had a fully developed management program for many of the species of concern to the Council and NOAA when the Magnuson-Stevens Act (MSA) was adopted. The Council and Alaska Board of Fisheries collaborate in development of fishery management plans when the stocks and fisheries overlap their respective jurisdictions.
- Management in Alaska is divided between state and federal waters. (Sharing the decision making processes. Not just one group decides for everyone.)

Food

- Alaska's fishing industry is its largest private sector employer and produces over half of the nation's seafood harvest.
- Alaska's people depend on our fisheries as a source of livelihood, recreation and nutrition.

- Subsistence, which accounts for a small percentage of the total harvest, is accorded a priority under state law.

Respect:

- (Respect for MSA) The success in maintaining abundant resources and viable fisheries in Alaska leads to the conclusion that the MSA is, in many regards, effective as written.
- (Respect for time) A streamlined regulatory process helps assure the timely and responsive fisheries management that the Alaskan fishing industry and dependent coastal communities require to maximize fisheries value.
- (Respect for sustainability) The exercise of this sovereignty [state sovereignty from the federal government] is responsible for the sustainability and success of our fisheries.

Sharing:

- After providing for the subsistence opportunities, the Board of Fisheries allocates the remaining harvestable surplus among the other fisheries. (Indirect reference)
- Alaskan fishery management is grounded on obligations set in the state constitution requiring management of fish and wildlife to provide for sustained yield and reserving fish and wildlife for the common use of the people. (Indirect reference)

Example 2:

Changing Alaska's Salmon Harvesting System: What are the Challenges? by Fran Ulmer and Gunnar Knapp. Conceptual or direct references to cooperation, respect, sharing, and food.

In the University of Alaska Research Summary 5, the actual words for the key concepts cooperation, food, respect, and sharing categories are used rarely. Cooperation and respect have no direct usage, the word food is used once, and share is used once in reference to “catch a larger share of the fish.” Following are a few examples of phrases that I identified that infer cooperation, respect, food, and sharing. A longer list of examples is in appendix DD.

Cooperation:

- ..the co-op vividly shows two fundamental obstacles to restructuring. The first is the tension between social and economic goals. (Cooperation is difficult when people attempt to combine social and economic goals.)
- No state agency has clear responsibility for economic success of the fisheries; authority that is clear enough and broad enough to allow it to make major changes in the harvesting system; adequate money and personnel to study restructuring options and put them into effect. (Cooperation between agencies is difficult so there is a need for a central power.)

Food:

- Competition from farmed salmon and other factors have battered the fisheries; earnings of fishermen have plummeted, even as harvests reached near-record highest. (Earnings as food)
- Alaska's wild salmon harvest is the world's largest. They make up about 40 percent of wild salmon harvests worldwide and 15 percent of combined wild and farmed production.

Respect:

- The clearest is conservation: managing for 'sustained yield.' Alaskans agree conserving salmon resources is critical. (Respect for the non-human environment is referred to as 'sustained yield.')

Sharing:

- But it's not enough to fish: fishermen also need to be able to make money. So another aspect of 'maximum benefit' is economic: keeping the fisheries profitable. But there's a tension between spreading the wealth and keeping the fisheries profitable-because the more fishermen participate in a fishery, the harder it is for them all to make a living.
- Not everyone will benefit; some people could end up worse off. But the costs of doing nothing are also high. Thousands of Alaskans have already seen severe losses in fishing income and in boat and permit values, and many have had to quit fishing for salmon.

To summarize, the Ulmar and Knapp selection describes a need for Alaskans to choose between social and economic definitions and goals in regards to the fisheries. Another underlying message in the Ulmar and Knapp examples is the need for a centralized authority to decide and act on fishery issues more quickly than is possible

now. In the Bedford example, the author emphasizes a need for streamlined reconciliation of the acts which outline management priorities. Bedford discusses reconciling the Magnuson-Stevens Act, the National Environmental Protection Act, and the Administrative Procedure Act to prevent long delays in permitting and decision-making. The influence of all three as separate acts “costs the fishing industry and communities time and money.”

The Ulmar and Knapp example infers that common use and maximum benefit goals for fisheries, as outlined in the state constitution, need reinterpretation. Revisiting the goals of (a) common use and (b) spreading the wealth is important, according to state-based discourse, because with the change in salmon markets, many people are no longer able to make a living from fishing. If the wealth is spread to fewer people, and time-saving and cost-saving cooperation between those people is increased, then at least some people will be able to make a living. Others will need to move on to different types of work. The problem becomes who benefits from restructuring fishery goals and priorities, and who loses?

Several questions go unasked in both documents. Some of those questions can be formulated by examining discourses about fish-as-food in Kake. Such questions involve re-examining doxa, as defined by Bourdieu. Doxa, again, is knowledge so taken for granted that it is never or very rarely discussed, in this case presumptions about economics. United States economic models are the orthodoxy (the positively expressed aspects of dominant class ideology) that influence the frames within which people describe possible solutions. As a rule, certain economic questions are rarely raised in state-based social discourses relevant to power and domination. To raise certain types of questions about economic doxa is to create a radical critique (Bourdieu 1991:168).

Because political, social, and linguistic capital is typically in the hands of political professionals, who control systems of classification and the authority to speak on behalf of groups, questions leading to radical critique rarely become part of political discourses (Bourdieu 1991:174-184).

Discussion

In the state-based examples, political professionals have (conscientiously and within orthodoxy) determined the scope and categories for discussion about fishery restructuring, rights, and allocation. One state-based presumption is the discursive separation of “social” from “economic” priorities as illustrated in this quote about the fishing co-op started by Chignik fishers (Ulmer and Knapp 2005:1).

There’s a long-standing tension between social and economic goals for the fisheries, and no consensus among Alaskans about what restructuring should accomplish—or who should benefit.

In neither the Ulmer and Knapp nor the Bedford example is it clear what “social” goals mean, except that individuals who promote social goals want as many people as possible in their communities to have fishery related jobs. As demonstrated in section five of this dissertation, social goals encompass far more than jobs and wages. The very lack of attention to more holistic definitions of community in both the Bedford and Ulmer and Knapp examples reveals limitations on the possible range of solutions within fishery reorganization discourses. The range is limited to the doxa that *social* equals *quantitative economics* and that *public participation* in resource management meetings and access to regulators equals adequate *community empowerment*. Other possibilities are missing in state-based restructuring discourses can be identified through learning about alternative economic strategies in places such as Kake.

Kake has a mixed economy. People rarely starve when they lack money because they are able to gather and share food resources. State-based discourses fail to include mixed economy possibilities as part of state-wide economic strategy. Mixed economy

alternatives may be important in solutions that prioritize sustainable livelihood and environmental integrity.

Most people in Kake lost their access to commercial fishing partly because the economic doxa in current law and regulation prioritizes competitive individualism, making money by focusing on one profession, the importance of fishing and making a profit every year to pay for the rights to fish, and profit as the main measure of success. Loss of commercial fishing rights for people whose ancestors fished for a living hundreds and thousands of years indicates a missing knowledge base and inadequate assumptions and priorities at the state and federal decision-making level. That Kake is reduced to a minimal commercial fishing economy is a red flag in terms of sustainable livelihood and environmental integrity priorities. Commercial fishing can become part of a diversified livelihood strategy in local economies. Dominant economic priorities fail to consider that people can create a livelihood by participating in several occupations at the same time.

Within the Ulmar and Knapp and Dave Bedford examples of state-based discourse, sharing is inferred in three ways. First, the speaker and writers focus on how state-based (federal and Alaska State) lawmakers and agencies share data, jurisdiction, and decision-making forums. Second, the segments discuss ways that fishermen can cooperate to share time and costs in order to increase their profits and the quality of fish. Third, the UA segment calls for cooperation among Alaska citizens to consider the importance of reducing fishing access, to give up, in a sense, the idea that fish are a common resource.

In contrast, sharing in Kake is talked about as part of everyday life. People have always shared their costs and time by going out and fishing for each other. They share with family, Elders, neighbors, and “everyone” in times of trouble, and at special occasions. Because they share, they avoid waste, they mend difficult relationships, they create a sense of solidarity, and through sharing people learn the value of their common resources. Kake sharing values are possible solutions that are rarely discussed within

state-based economic strategies. Such values are a radical critique simply because they are not considered seriously at regulatory law-making levels.

Values inherent in Tlingit culture, for example, may point to economic possibilities that would enhance the state constitutional goal of managing for maximum benefit and common use. This becomes even more apparent considering that in recent years thousands of pounds of salmon were caught in some places only for their eggs. The eggs were then sold to Japan and other markets, but the carcasses were often wasted. In Kake they were used to make fertilizer. A mixed economy would more likely have a place for meat that has little value in the global market economy.

Mixed economy examples, that are part of everyday experiences in places such as Kake, may offer insights into how to better relieve environmental pressures and create sustainable livelihood strategies in other communities. Such solutions garnered minimal to no attention in state-based (Alaska state or federal) narrative examples.

State decision makers discussed how restructuring (to decide who gets a share of the fishery and who does not) is necessary in order to insure that at least some people can make a living from fishing in this changing global economy. An alternative might be to promote solutions that foster a better sense of sustainable livelihood, which includes direct access to food first and a chance to negotiate local community-centered solutions.

Anthropologist John Wingard (2000:5-29) outlined how the neoclassical, cost-benefit paradigm, identifiable in the Bedford and Ulmar and Knapp examples, promotes the power of competition and the free market as answers to economic problems. Wingard proposed a focus on local/community management instead of defining “progress” in fisheries as net economic benefit. In most fishery management plans, net economic benefit is defined as the difference between producer surplus and consumer surplus. Kake people provide an alternative community-centered definition. Economic benefit from subsistence surplus is defined within ideological narratives of sharing and avoiding waste.

In a community-based approach to commercial fisheries management, large numbers of fishermen could fish on a part time basis, which is more emulative of Tlingit economic strategies. People participate in a range of economic strategies as part of their livelihoods. Work diversification is more possible if people share surpluses, barter skills and time, and practice planning and working cooperatively rather than relying solely on fishing for their livelihoods. When people rely solely on commercial fishing for a living, and new fishery laws begin to limit fishery access, displaced fishermen must decide how to survive. If coastal villages were more empowered to conceptualize and negotiate a mixed economy, then fishing resource allocation could include more fishing families. If fewer fishermen were displaced, social hardships and the economic costs associated with displacement could be reduced (Wingard 2000).

The neoclassical paradigm assumes people will move to where the jobs are, but this is not necessarily true of displaced fishermen. For example, people in Kake will not necessarily move to a new place. They generally have strong familial and community ties and will try to survive locally as long as possible. In all fishing communities, loss of fishing access results in human relationship costs such as alcoholism, spouse and child abuse, physical and psychological disorders, etc. (Wingard 2000).

Fishing quotas must be limited to prevent over fishing, but fishing communities could have more jurisdiction over distributing quotas among local fishing families on a year by year basis. McCay (2002) gives examples of fishing communities on the Atlantic coast that maintained family-based, rather than large corporation-based, fishing industries. They did so through cooperative, community-based allocation solutions. People took turns fishing if the resources were scarce, fished part time in difficult years, and diversified their economic strategies to include bartering, subsistence gathering, gardening and other solutions. Kake is a community of people who are generally comfortable with diversifying their occupations throughout the year. Sharing, cooperation, and respect values were (and still are) a safety net.

With a market approach, such as distributing limited individual fishing quotas as a form of property that can be bought and sold, access to fish is often withdrawn from the very areas with the greatest reliance on fishing (Wingard 2000). Local individuals generally have less capital than corporations. If fishing access is privatized through individual fishing quotas and corporations buy up quotas, the profits rarely return to the communities. Profits accrue instead to corporate owners of quotas and their shareholders. Although Alaska and federal fishery planners have worked to prevent this scenario, privatization of quota shares has resulted in re-distribution of wealth among fewer and fewer shareholders. Kake is a good example because many Kake fishermen sold their halibut quotas and salmon permits to buyers from outside of the community. An example of a community-based approach is the North Pacific Fisheries Management Council amendment to halibut and sablefish Individual Fishing Quota program. If Kake could become a successful Community Quota Entity (CQE), and hold and lease halibut and sablefish quota share to local residents, local values might be supported.

To nurture local flexibility, fisheries management of commercial harvests could accommodate and promote sustainable livelihood strategies. This would require an economic outlook that recognizes the value of having many occupations as compared with only one. When more people depend more directly on fisheries for at least part of their livelihood, they care more about environmental integrity. Wingard (2000) observed that communities lose a vested interest in the marine environment if they lose access to fisheries because they also lose an incentive to minimize damage to the marine environment.

Realizing alternatives to the neoliberal economic approach that ends up displacing fishermen and villages from commercial fishing, begins with examining discourses for what is missing. To begin, definitions of community and livelihood need expansion in fishery reorganization narratives. Expansion of definitions might lead to surprising results if the social elements that nurture human relationships such as sharing surplus and

cooperative local management were more prevalent in political language frames regarding fisheries.

CHAPTER XVIII

CONCLUSION: WAYS OF THINKING, WAYS OF TALKING

The chapters of this dissertation are like the drupelets on one of the salmonberries that grow on Kupreanof Island. These chapters represent a tiny medley of life circumstances in Kake, Alaska. Just as a little salmonberry is one of thousands on a hillside, this is one account of thousands in a community of people who each have their own acute awareness and insight. One major lesson from my fieldwork and writing experiences is that the most meaningful research takes into account the questions that people in a community ask in order to make problem solving easier. To understand what people want to know about themselves involves asking them how they can best use a researcher and then developing research goals collaboratively. I came to Kake with questions already formulated. I held on to my questions because I believe they are important to ask in any community, and I hope the answers are helpful to the people of Kake. In future research projects, my goals include creating questions and purposes in cooperation with communities of people.

My research began with the premise that human relationships with other humans and the non-human environment are primarily learned and guided through language. Carbaugh (1996) described the importance of language to environmental behavior when he wrote, "Communication occurs in places, cultivates intelligible senses of those places, and thus naturally guides ways of living within them" (1996:38). Throughout my fieldwork, the following questions remained intact. How do people in Kake talk with each other about their community and place? In comparison, how do they communicate with lawmakers and regulators, and does the communication process lead to change in local narratives about place and people? Are the discourses between local and state

entities, which are always influenced by power dynamics, conducive to human engagement that inspires sustainable livelihood in an environment?

Although I had not read Jeffrey Wollock's work until after I finished my fieldwork, he succinctly summarizes the problems I identified in Kake people's experiences. These are problems that we need to confront if we are to find solutions to our environmental crises. Wollock wrote:

The cause of the environmental crisis is not industrial and military pollution, excessive resource extraction and harvesting, or an economic system that maximizes energy use, distorts local economic priorities, and spurs growth of huge urban slums. These are only symptoms. The real cause of the environmental crisis is a particular way of thinking. The state of the world's environment is, as it were, experimental proof that there is something fundamentally wrong with this way of thinking, today strongly reflected in most of the world's dominant languages. There is nothing eternally necessary about this, nor is it necessarily due to anything inherent in the structure of these languages. English, Spanish, French, German, Japanese, Chinese, Russian, and others all possess resources of expression that are now excluded from serious discourse when it comes to the major decisions that affect the lives of millions. No, the problem lies in the concrete historical evolution of rhetoric in these languages and the present expression, in them, of destructive ways of thinking (or not thinking) that guide the decisive actions of the day. (Wollock 2001:248)

Ways of thinking in Kake include shared social memory and knowledge of place that is based in direct experience of Kupreanof Island and other neighboring islands. People talk about their loyalty to other Kake people, however irritating they may be at times, the village itself, and their surrounding traditional territories. Their history includes missionaries, the United States Navy, educators, government agents, cannery foremen, loggers, and a long list of outsiders who have been in and out of Kake, many of them telling local people that they should think differently. Some of these newcomers were changed themselves because of their experiences in Kake. I am one. Even with so many historical changes, some of the older stories and memories surface when they have the

power to legitimize the present. Lately, older narratives have become an increasing part of revitalization at the tribal level for the sake of helping children in trouble and in conversations about environmental sustainability.

In the meantime, whatever Kake people plan for their own futures, they must initiate or react to state (Alaska state and federal) legal changes and decision making. Their customary and traditional foods, their land base, and other resources are generally owned on paper by federal and state governments, or ANCSA corporations. To represent themselves, local people must anticipate and respond discursively to current legal ways of speaking and thinking that are often generated in other places by people with different environmental experiences and social memories.

Through four case studies I worked to show the conditions of discourse between Kake interpreters and state legal representatives. In the first case study, chapter 8, I described how the process of applying for permits, and the power of agencies to deny applications, forces groups or individuals to think of a project in the ways that agency representatives require. In this example, people in Kake were focusing on the joy of revitalizing a salmon stream with the help of school children and the tribe and using a promising new noninvasive technology. The narratives they shared about the project tied in older stories, Tlingit values, and a sense of collaboration. When the application was temporarily denied at a very crucial time in the life of the project, applicants had to re-describe their project in order to fulfill government agency expectations. Anxiety, anger, and disappointment were feelings through which people focused some of their rewriting energy.

Feelings recalled from past experience with an agency influence each subsequent encounter with that agency. People are likely to remember past feelings when they decide how to write a new application or participate in a new interaction. Applicants may want to prevent or be prepared for the same emotional scenario, and their preparation influences the way they think about the place and people involved in the project.

In the case study, the application process was a discursive communication event, which influenced how people described and perceived the subject of their discourse, that is the actors in the situation and the stream that was to be restored. The balance or imbalance of power in this, or any situation, influences which people are under more pressure to at least act as though their minds are changed. Simply going along with, but not believing in, a way of acting or talking, called orthopraxy, potentially constitutes a step toward ideological change, or a change of mind.

The second case study described a state road building proposal to connect Kake with Petersburg and, ultimately, the national highway system. In this example I examined definitions. I compared the ways that people in Kake talked about community with the ways that representatives of the Alaska Department of Transportation referred to community in their plan supporting Southeast Alaska road building. I also considered definitions of time in the transportation plan compared to lived time in Kake. The DOT public hearings and the transportation plan itself offered little identifiable consideration of the essence of a community. Community essence includes how community relationships are produced and reproduced. Kake people, during informal interviews, described community. They were keenly aware and, in general, agreed with each other about what community means in Kake and how it is reproduced.

As Appadurai (1997) pointed out, community is fragile and must be performed and re-enacted through social practice to anchor human belonging to a place and group. DOT representatives responded to people's concerns about their lifeways and environments by outlining the possible savings in cost, efficiency, and time that a road would bring. They used a market based model as part of their discourse. DOT plan writers showed, through their answers to people's concerns, what kinds of arguments would have the most credibility with them. If people wanted to influence road building circumstances, their chances might improve if they participated in discourses that took into consideration the market based parameters established by DOT decision makers.

This case study showed how some methods and purposes for state decision making are not necessarily “bad,” but rather they are incomplete. They lack recognition of local community-building rituals and values, knowledge based in emotion/feeling, and relationships with place and people that cannot be described in generalized or simplified parameters. What language does is to “select from the available features of this one world and give the items in this selection certain unique slants and emotional colorations. As a speaker of a particular language, one is simply more ready to say certain things in a certain way and, indeed, to notice certain things. Among these things are the phenomena of the natural world” (Wollock 2001:249). In the road-building proposal, the DOT selected a capitalocentric market based description of the world through which to discuss Southeast Alaska communities and peoples.

When something as culture changing as a road is built, and the arguments in favor of building a road are applied similarly to all Southeast Alaska communities, then discourse frames are homogenized. When the very intricate and personal essence of a community is given little recognition, then the description, planning, and discursive processes become simplified for the sake of large scale social engineering. Simplification and homogenization may not be in the best interest of communities or environments. Often it is the very particular relationships that humans have with each other and their places that inspire cooperation for purposes of long-term sustainable livelihood.

To name, acknowledge, and learn about particular peoples and particular environments demonstrates a closer appreciation of personhood and makes objectification less possible. Persons are those entities that have moral worth. For Tlingits, persons ideally were (are) treated with respect, and persons included (include) human and non-human members of an environment. The third case study identifies the ways personhood is attributed and assigned in speeches, conversations, and texts about boroughs.

Clearly in the examples of speeches, text artefacts, and conversations that included law makers and regulators, personhood was primarily attributed to other law

makers and regulators, and to state systems, reports, constitutions, and other text artefacts. Only a few lawmakers, mostly Native, referenced particular places such as Kake in the legislative conversations about boroughs that I collected for this study. Other lawmakers and regulators tended to identify the unorganized borough en masse, and people as taxpayers or nontaxpayers, for example.

Local Kake people most often identified their community, tribe, clans, and families as persons, but they also acknowledged the specific personhood of regulators and lawmakers. In contrast to the legislative and regulatory narratives I examined, Kake narratives included references to personal human connections with and respect for place and a larger environment. Kake people's public comments to the state Local Boundary Commission about boroughs included references to the importance of local human and non-human personhood. In subsequent speeches and reports, legislators and Local Boundary Commission writers and speakers generally avoided referencing local humans and non-humans as particular persons. Kake public comments and discourses traveled only so far in official narratives about boroughs. There was little trace of local knowledge and feeling discourse in the later documents and speeches presented by law-makers and regulators at the legislative level.

If the legislators and regulators whose narratives are examined in this study have mastery over attributing personhood to local people, places, and non-humans in those places, they did not demonstrate their ability to access such language forms in formal discourses about boroughization. The decisions they make about the human and non-human environment are likely to reflect feelings about places and people that derive from discourses that generalize and simplify, rather than particularize the complexities of human environmental relationships.

Many people in Kake select language features, for the purpose of describing their environment, that demonstrate alternative ways of using English to explain place and people. For most people in Kake, the inclusive environment is more than its potential as a profit-generating economy. Kake people have transferred many of their Tlingit language

meanings and values as best they can into English signifiers and descriptors. Various people are also working hard to learn and use the dominant legal language codes in order to describe Kake in relation to state-based legislative and regulatory forums. Kake people who use legal language in state forums generally switch language codes in local contexts. Those who are less likely to select codes that include older linguistic value descriptions or emotion/feeling language about non-human personhood, often tend to be associated more closely with the ANCSA corporation or with city government. In my observations and interviews, I found that Kake people who believed their job purpose was to help assimilate Kake into the dominant economy often avoided talking about personal respect for the non-human components of their environment. I interpret their lack of attention to older and emotion/feeling knowledge forms as partly reflective of the deficiency of venue and validation in state-based forums and text artefacts for local values and discourses.

Some Kake people are working hard to re-vitalize local knowledge and values and re-incorporate them into local discourse. They are also striving to bring local knowledge of the inclusive environment into state-based conversations, especially conversations that concern Kake. Many people involved with the IRA tribe or the Organized Village of Kake (OVK), pay attention to older environmental values in relation to economic and social changes. Their work is highly influential in the rituals that create community and that are created by community for the purposes of healing and solidarity. Yet the specific importance of their work is often absent from definitions of community at the state (federal and Alaska state) level.

The final case study is about fish, the mainstay of Tlingit survival for thousands of years. As a fieldworker I listened carefully to how people talked about fish on a daily basis. Because there is very little commercial fishing in Kake now, I heard very little about fish from a cash-economy perspective. What I did hear was mostly about the problems that caused the loss of Kake's fishing fleet.

More often, people talked about their recipes for processing salmon, halibut or crab, how good the fish tasted, who gave it to them, how much they had to process, and the importance of giving fish to others. Sometimes people told me about the values of respect toward food resources that their Elders taught them and that at least some of the younger people are still learning. I categorized some of the more basic values that I learned in Kake as sharing, cooperation, and respect in regards to fish as food. These remain integral to community reproduction and performance in Kake. If people are to strengthen Kake to be the type of community that can manage its resources for the purpose of sustainable livelihood, these are the values on which people might build. If state lawmakers and regulators are to assist and support communities such as Kake in efforts towards sustainable livelihood, these are some of the values that they need to recognize as part of their definition of community, specifically applied to Kake.

I also examined narratives from state performers who are instrumental in influencing the frames of discourse around commercial fishing reorganization. I looked at a speech by David Bedford, Deputy Commissioner, Alaska Department of Fish and Game to the House Subcommittee on Fisheries and Oceans, and I evaluated a research summary written by Fran Ulmer and Gunnar Knapp. I looked for how these speakers and writers integrated, or failed to integrate, concepts of livelihood (making a living) with what it means to be a strong community that can foster long term sustainable livelihood. In the Ulmer and Knapp example, people in Alaska were called upon to more clearly differentiate the social from the economic purposes of fish. According to some leaders in fishery reorganization discourses, this differentiation would ensure that at least some people could make their entire living from commercial salmon fishing, rather than spreading fishing access among many people. The writers seem to suggest that if social purposes are prioritized, then more people will be able to fish, but most will only make a partial living from commercial fishing.

Ordinarily state-based discourses separate subsistence fishing from commercial fishing as relying on very different sets of values. Commercial fishing is about

competitively making a profit; subsistence fishing is about eating and sharing among family networks. Perhaps the separation of value codes between these two types of fisheries is less necessary than we suppose. Even though this distinction is encoded in federal and state laws and regulations, what if we applied the values that coexist with subsistence fishing to commercial fishing purposes and practices? What if we looked at mixed economies, such as those in Kake, as possible models for sustainable livelihood elsewhere?

In order to better compare discourses, I applied some of the central Tlingit values about fish to the narrative samples of Bedford's speech and Ulmar and Knapp's research summary. The purpose of their narratives was to define the problems with the Alaska salmon industry and outline the possible solutions. The definitions of concepts such as sharing, cooperation, and respect were largely at cross purposes in the comparison of Kake meanings and institutional meanings. However, if feeling discourses about the values of sharing, cooperation, and respect for humans and non-humans, as talked about in Kake, were part of the state-based discussion, possible solutions might expand to allow more inclusiveness in fisheries.

Application of local Kake values, however convoluted in the present, to state problem-solving narratives is a reversal of historical patterns of communication. Historically, capitalocentric state discourses have been applied to places such as Kake as solutions to economic assimilation. As demonstrated in this dissertation and many other sources, the particular methods used for economic assimilation have often been disastrous to people and place in the long term. Now that we understand the enormity of our environmental crises, we might find solutions by trying to better understand what values, narratives, and rituals have worked for people in the past, people who had a track record of sustainable livelihood, including Tlingit people. We might also begin to examine the limitations of our legal, regulatory, and even scientific discourses and the ways they are used as scripts for management. Many of us take for granted that objective decisions are possible only if we manage our feelings. We assume that the systematic processes we

participate in will keep feelings abated as we do our work. A radical critique, however, suggests that emotions, translated into feelings, motivate our interest and behavior, even when we are following a legal or regulatory script. We need to think about how we may be discrediting, avoiding, and ignoring the very kinds of feelings, stories and experiences necessary for us to make the kinds of decisions that can help us with long-term solutions towards sustainable livelihood.

APPENDIX A

STANDARD FIELDWORK INTERVIEW QUESTIONS

1. What does the word or idea of “community” mean to you? What might it mean to other groups of people in Kake?
2. How is community created and sustained in Kake?
3. What does the word or idea of “environment” mean to you? What might it mean to other groups of people in Kake?
4. What is the community’s relationship to its “non-human” environment?
5. What does “spirituality” mean to you? What might it mean to other groups of people in Kake?
6. How is spirituality related to community and environment in Kake?
7. How are the values of community, environment, and spirituality affected by values and expectations of government agencies, or of corporations and the market economy?
8. How do people in Kake communicate their knowledge and feelings about community, environment and spirituality to government agency representatives or market economy representatives? What words are used? What kinds of stories? (Examples?)
9. What parts of local knowledge and feelings do government agency and market economy representatives accept, incorporate or use in their decision-making? What parts do they tend to drop, forget or exclude from their decisions?
10. Have people in Kake learned what parts of their knowledge and feelings will be accepted and which rejected during communications with government agency or market economy representatives? If so, do people in Kake leave out certain knowledge and feeling language when talking to government agency and corporate representatives? (Examples?)
11. Have government agency and market economy representatives learned from people in Kake the types of knowledge and feelings that will be accepted locally and which

will not? Have government agency and market economy representatives learned to change their ways of thinking and talking when communicating with Kake people? (Examples?)

APPENDIX B

TLINGIT LEGAL ENTITIES

Tlingit House Groups:

People in a house group worked as an autonomous unit in endeavors such as fishing, hunting, trapping, berry picking and other economic activities (Worl 1998:49).

Houses were subdivisions of clans into matrilineage-based residential units (Thornton 2002:173). **Placement:** Houses were linked to places of origin, even after the physical house had been destroyed or the location changed. Houses were also built places where a house group lived. They were the separated, local units of clans (Thornton 2002:171).

Membership: As a place to live and as a sub-unit of a clan, membership included several generations of extended families, usually 50 or more people.

- Males who were linked matrilineally and were members of the same clan.
- Men's wives who belonged to different clans and the opposite moiety.
- Sons who belonged to their mother's clan and moved to the house group when they were 10.
- Unmarried daughters.

Tlingit people were always part of their mother's house, even if they lived elsewhere. (Thornton 2002:173). A house (hit) is a sub-unit of a clan. House groups continue through their names and lineage, and house group names are the property of house members, matrilineal descendants, and the clan (Worl 1998:48).

Purposes: The house group was the center of economic activity and production (Thornton 1998:173). Members of house groups worked to produce food and supplies for the group, including surplus for the matrilineage and the clan (Worl 1998:49). Many people still identify themselves as house group members.

Leadership: Each house had a leader Hits'aati (keeper of the house), who might also be a clan leader. The leader was the trustee over the house, its ceremonial articles, and at.oow. As trustees, leaders and could not claim individual property ownership. People lived and worked under the direction of Elders, uncles and other kin and within social expectations of good behavior.

Behavioral taboos include(d) (SE Alaska Tribal College of Elders Council 2001):

Don't be arrogant

Don't brag

Don't talk too much
Don't speak badly about anything
Don't insult your fellow beings
Don't keep all of your first catch or kill
Don't be greedy.
Don't insult fish, birds and wildlife.

Tlingits had expectations of behavior between people of different status and rank, children and adults, men and women, clan members, moiety representatives, and people of different house groups and clans.

Members of house groups adhered to the legal requirements of the clan.

Tlingit Clans:

Clans are the basic social unit. "... all members of a clan view themselves as kin-related" (Worl 1998:41).

Placement: Clans were represented within one or more house groups, all of which were collective clan owners of resource areas such as salmon streams, halibut banks, places to pick berries, beaches, hunting areas, etc. "Segments of a single clan are typically dispersed in several, often nonadjacent, communities or **kwaans**" (Thornton 2002:172). **Kwaans** were the places that people dwelled. They often included all or most of a region controlled by a clan and within which a winter village was located. **Kwaans** were not legal entities. Most of the legal functions were clan responsibilities (Thornton 2002:171).

Membership: children are born into their mother's clan and moiety (Worl 1998:41). Their primary identities and legal responsibilities are connected with their mother's clan, but they are also children of their father's clan, and grandchildren of other clans (Thornton 2002:171).

Purpose: Clans were caretakers of and belonged to their physical property and resource areas. They also took care of symbolic property, at.oow, such as names, songs, regalia, crests, and clan ancestors. These were the underpinnings of Tlingit identity (Thornton 2002:172). The clan unifies the Tlingit into enduring and cohesive units and connects people with their ancestors, human and animal. Membership in a clan endures during, after life and at rebirth (Worl 1998:41, 42).

Leadership: The clan was responsible for nearly all legal and political authority. Leaders usually came from the noble ranks of a Tlingit clan. Leaders were not only of high status and wealth, but they were also people who demonstrated honorable character and accomplishments.

Leaders were usually the oldest male of a clan, although a person's social standing, character, commitment, and ability to lead were of primary importance. Older women had political influence and sometimes served as clan leaders on behalf of an oldest son (Worl 1998:59, 60). Leaders were trustees of clan property of all types, meaning that they disposed of clan property only with clan member agreement. "...a clan leader governed with the consent of his members, and he could not act independently or assume sole authority ..." (Worl 1998:57, 58).

Leaders began their training when they were young, with their maternal uncles as teachers. They learned the following traits:

- good physical condition
- good personal attributes
- good character
- how to be exemplary in all aspects of Tlingit life
- how to lead in political, economic, and ceremonial spheres
- to demonstrate willingness to be responsible to his clan
- to learn his clan history, ceremonial practices and protocols
- to learn the general responsibilities of a clan leader

Today clan leader responsibilities typically include:

- Organizing clan members to maintain the clan house.
- Organizing clan members to participate in ceremonial activities.
- Presiding over ceremonial activities.
- Serving as trustee for clan property.
- Maintaining clan ownership of clan property such as names, songs, stories and crests.
- Meeting the responsibilities and obligations to other clans, assisting in their ceremonies, contributing funds according to protocol.

Tlingit Moieties:

Tlingits are members of either the Raven moiety (side) or the Eagle/Wolf moiety or (side). Each side is a supermatrilineage, and each clan is grouped under one side (Thornton 2002:171).

Placement: Moieties or opposite sides exist wherever Ravens or Eagles/Wolves live.

Membership: Children are born into their mother's moiety and clan.

Purpose: Clans from opposing moieties perform services for each other such as assisting in funeral arrangements, dinners, and helping in the grieving process.

Moieties were important in marriage concerns as men and women could only marry a partner from the 'other side.' Sides are also important for establishing other kinds of social relationships. Those people who are of the same moiety are considered kin.

Worl (1998:34) described the basic Tlingit principle of balance that the moiety system strengthens. The social themes of "dualism, balance and complementarity permeate their social, economic, and legal systems from the moment a Tlingit is born and throughout his or her life until death."

Leadership: Sides do not recognize a single leader. They rarely act as a collective unit. They may work together to tell jokes about the other side during social gatherings (Worl 2002:36). Clans from opposing sides in villages, kwaans, and other kinds of communities reciprocate (d) ceremonial responsibilities for funerals, marriages, and potlatches. The leadership for reciprocation was through the clans.

APPENDIX C

U.S. STATE AND CORPORATE LEGAL ENTITIES IN KAKE

The city of Kake: is the political entity that provides and maintains the basic infrastructure, provides police and fire protection, and assists the school district financially. It is categorized as a first class city.

Placement: Cities in Alaska have jurisdiction primarily within their city limits. In Kake that includes approximately 8.2 square miles of land and 6.0 square miles of water.

Membership: All those people within city jurisdiction, in Kake, 598 people (2006).

Purposes: “The legislative body serves at the pleasure of the public and manages policy and formulates the principles that guide the local government.” Policy may be in the form of ordinances, resolutions, formal manuals, etc. In addition, the legislative body manages money for the public benefit, manages personnel for the public benefit, provides services and capital improvements deemed appropriate by the public, and collects taxes and utility monies from citizens. The governing body must adopt a budget each year and make sure that there are elections (ADCA 2007:1-2).

Leadership: In Kake, leadership is in the form of a mayor, a city council, and a part-time city manager. The mayor and council are chosen in public elections. The mayor is presiding officer at meetings. The council establishes municipal departments such as water, fire, police, harbor and utility departments. The council holds regular monthly meetings and special meetings, maintaining public records of each meeting. It prepares and executes the budget and capital improvements; it adopts ordinances and decides on penalties for ordinance violations; it prepares for an annual audit; and it files required reports with the state (ADCA 2007b).

City leadership must comply with Alaska state laws and processes.

The city works with state governing offices such as, but not exclusively:

- The Alaska Department of Transportation and Public Facilities
- The Alaska Department of Education and Early Development
- The Alaska Department of Commerce, Community, and Economic Development

- The Alaska Department of Fish and Game
- The Alaska Department of Revenue
- The Alaska Department of Natural Resources
- The Alaska Department of Environmental Conservation
- The Alaska Department of Law
- The Alaska Department of Public Safety
- The Alaska Department of Health and Social Services
- The Alaska Local Boundary Commission

Most communication between local and state governing entities includes: a sorting out of legal rules, expectations, and language; the legal application, distribution and monitoring of funds; and the legal organization and monitoring of public services. The city also works with federal governing entities such as the United States Forest Service with the same type of communication purposes as with state agencies and departments.

ANCSA Corporation

Sealaska and Kake Tribal corporations: Formed after the Alaska Native Claims Settlement Act was passed in 1971. The bill was drawn up in haste and pushed through Congress after oil was discovered in Alaska. The legislation followed decades of Native efforts to re-gain land title and work to pressure the federal government to settle Native land claims.

- 13 regional Native corporations were formed to oversee lands and money that were part of the settlement. (Sealaska is the southeast regional corporation.)
- 200+ village corporations were formed to oversee local portions of settlement lands. (Kake Tribal Corporation is Kake's village corporation.)

ANCSA "created two new units of sociopolitical organization: the regional corporation and a dozen kwaan-level village corporations" in Tlingit Alaska (Thornton 2002:185)

The statewide lobbying group the Alaska Federation of Natives (AFN) formed to work for a fair and just land claims settlement. This sociopolitical organization has grown as an advocate for local and regional tribal fairness, especially for subsistence rights (ibid).

Placement: Sealaska's main offices are in Juneau. The regional corporation oversees 290,000 acres of surface lands and resources and 560,000 acres of subsurface resources in southeast Alaska. More land was promised and has yet to be finalized.

Kake Tribal Corporation's offices are in Kake and Juneau. It oversees 23,040 acres of surface land primarily on Kupreanof Island near Kake.

Membership: Sealaska Corporation—Nearly 17,300 shareholders make up the corporation. Approximately 56 percent of these live in Alaska while the rest live throughout the United States and the world (Sealaska 2007).

Kake Tribal Corporation—Approximately 700 shareholders are members of the village corporation. Less than half live in Kake.

Purpose: (Sealaska 2007:1) “**Our Mission**—to maximize return on assets with a prudent level of risk, increase shareholder equity, and maximize dividends and other shareholder benefits for the purpose of enhancing shareholders’ quality of life.

Our Philosophy—to protect and grow our corporate assets to provide economic, cultural and social benefits to current and future generations of our shareholders.”

Kake Tribal Corporation purposes are similar. The corporation has worked to increase shareholder equity through logging, fisheries, tourism, and special products. During my fieldwork it shut down operations because of financial crisis and was without the resources to declare bankruptcy.

Leadership: Sealaska Corporation: board of directors, corporate officers, corporate management, subsidiary management, board committees.

Kake Tribal Corporation: An elected board, a director, chief operations officer, etc.

The Organized Village of Kake, Indian Reorganization Act (IRA) Tribe

Placement: Offices and services are in Kake.

Membership: When Kake’s population was more than 700 in 2002, OVK tribal enrollment was approximately 600 Native members or 75% of the community’s population at the time (Jackson 2003).

Purpose: OVK contracts and implements BIA-related programs and services. “Onsite programs under the contract included education and employment assistance, training/counseling, social services, tribal operations, and housing improvement. In addition to these programs, today’s independent Self-Governance Compact with the federal government also includes an economic development component and a realty and natural resources program. The natural resources program concentrates on the protection of local customary and traditional gathering areas since a subsistence lifestyle is both an economic need due to high unemployment and underemployment as well as holding a significant cultural importance. The OVK tribal office also monitors and advocates for the protection of other cultural, archeological and historical sites for the benefit of the tribe” (Jackson 2003).

Leadership: An elected council, an administrator and assistant administrator, grant writers, and staff members to oversee programs and services.

The Organized Village of Kake works with government and corporate entities that

include, but are not limited to:

- Kake City School District
- Southeast Alaska Regional Health Consortium (the Indian Health Service)
- Kake municipality
- Kake Tribal Corporation (local Native ANCSA Corporation)
- Sealaska (regional ANCSA Corporation)
- Bureau of Indian Affairs
- Central Council of Tlingit and Haida Indians (Regional non-profit Native Consortium)
- Alaska Department of Fish and Game
- Alaska Department of Natural Resources
- Alaska Department of Family and Youth Services
- Alaska Division Of Juvenile Justice
- The federal Environmental Protection Agency
- The federal Department of the Interior, the Forest Service (USDA)
- The federal Office of Self-Governance
- Other federal and state departments when deemed necessary.

APPENDIX D

SATP GOALS AND PERFORMANCE MEASURES

Segments of SATP Goals and Objectives, pages 34-38 of the SE Alaska Transportation Plan, 2004.

Goal 1: Transportation System Efficiency – Provide regional transportation facilities and services in the most efficient and cost-effective way possible. Performance Measures: travel time between communities; cost to travel between communities; transportation costs per person trips and for good movement.

Goal 2: Transportation Mobility and Convenience – Improve the mobility and convenience of the regional transportation system in Southeast Alaska. Performance Measures: average time required to travel between communities in Southeast Alaska; the likelihood that travelers in any community in Southeast Alaska can make the journey to and between the communities of Ketchikan, Juneau, or Sitka in one day, without having to spend the night en route; frequency and timing of regional transportation connections between communities.

Goal 3: Economic Vitality – Support local economic development and strength through the provision of adequate and affordable transportation for people, goods, and vehicles. Performance Measures: reduction in user costs; improvements in level of service; changes in the amount of travel to and from individual communities following transportation system improvements; post-construction economic impacts of transportation investments in local communities.

Goal 4: Transportation Systems Safety – Improve the overall safety and reliability of the regional transportation system in Southeast Alaska. Performance Measures: accident rates per 100,000 people by transportation mode; frequency of incidents that interrupt inter-community travel in Southeast Alaska; frequency of opportunities for isolated community residents to travel to health care providers.

Goal 5: Long-Term Funding Stability – Secure stable long-term funding to implement the Southeast Alaska Transportation Plan. (Pursue federal funding to the fullest extent possible, etc.) Performance Measures: total transportation resources by source available for Southeast Alaska; stability and predictability of funds over time.

Goal 6: Consultation with Affected Communities, Tribal Entities, Business, and the Public and Provision of the Opportunity for Public Comment–Inform and provide opportunity for community, tribal, and public input. Performance Measures: number of meetings and opportunities for local government, community, tribal, business, and public

input into the planning and project development process; number of opportunities and media utilized to inform community, tribal, business, and public interests.

Goal 7: Continuation of the Planning Process – As appropriate, integrate political and project (environmental and design study) decisions into the SATP amendment.

Performance Measures: up-to-date content of the SATP; timely amendments to incorporate new information between periodic updates.

APPENDIX E

ANSWERS TO INTERVIEW QUESTIONS 1 AND 2

Interviews were all completed in 2003 and 2004.

- 1) What does the word or idea of “community” mean to you? What might it mean to other groups of people in Kake?
- 2) How is community created and sustained in Kake?

What does community mean to you here in Kake?

- 1) Elder Tlingit fisherman who has lived in Kake most of his life.

Speaker: Oh. I say it's family here. If something happens there ... [he talks about how people help each other out]. (People do things together. You know, one big family.) That's what community is.

It's always been like that. (His grandparents taught him that when something happens there's a sense of doing something, being there for the family that is affected). Not [necessarily] to say anything, but to show yourself. [Community is about] responsibility, cousins, family, about being there. (There's a sense of family.) That's what community is.

Fieldworker: Kake has been family for a long time? All your life?

Speaker: Yeah. Uh huh. (2003 taped interview)

- 2) Tlingit man in his middle years who has lived in Kake most of his life.

Just to get going on what does the idea of community mean in Kake and community to me personally, and I can't speak for all of Kake, other than know what I know of traditional protocols and stuff, it's about relationships. And the relationship, whether it's that one-to-one person-to-person, or clan-to-clan, or just within the clan, a family and how it all is represented by Eagle Raven. Or, by today's nucleus where even today we, like our mother is 90 years old and we all kind of take turns watching her, cooking for her, people go over there to make [her dinner]. She knows what we're up to, even though she's at home, she knows where everybody's at during the day, whether we're traveling or not. Because we all call in. And she's the matriarch in our family and it does show that

even in contemporary communities it's still important to have those values, and it's been in us and other people have different views of that, because they were raised within, say, the school system, boarding school system, rather than growing up around their great grandparents like I had. I had the opportunity. There are other people that have been, but they also had to leave Kake to go to school, which is real sad, but on the other hand I was fortunate to have the school here and grow up around the community. Just like my grandson's having that ability to do now. Because he ... like he said, his personal feelings, because he loves brunches, Sunday brunches. He said he wished he could have it every day because to him it brings the whole family together, the nucleus of the papas, the grandmas, everybody in ... involved because everybody there that's in town that's available to make it makes it. Because that's ... and I don't know if its just our cooking that he likes but he likes the grandma and the cooking and I help prepare some of it and so does (____, his mother), so ... his nucleus family is involved in it and to him he's like the host and has people, and if he's right then and there, we have him serve it all out. And he goes from the oldest to the youngest. He learns about service. He learns about caring. He learns about who's his family.

And sometimes we invite other people like _____. We had to take _____'s up to him this last weekend. But it was him taking it in the door and putting it in front of _____. To me that makes everything ... It's like him going after his first seal or deer, that's the way it's going to be. It's just the way that I was brought up. I didn't, or our family didn't eat any part of it. We gave it all away. That way people will know it was a special day for him. Whether it's fish, whether it's seal, deer. Everything that he gets first, clams, like he already went claming when he was one and a half years old. And we have a picture of him with three clams in a bucket. That was a load for him, but he gave it to his grandma. He didn't get to eat any of it. But we prepared it for her and gave it to her. That was ... to us that's tradition. But, um, community is about that. And it's about giving, like we say, whether he gets a seal, he'll give it to an opposite family that's not within his nucleus family. To show that we're still continuing those values. And to them they're a witness to it. And they'll find out it is his first seal by him giving it to them. And that we're involved in his upbringing.

That's the way it is. It always has been. To me that's the idea of community is relationships, whether it's at a personal level or right on to, like you saw at the memorials that we've had in the last two weeks, is kind of taxing on the community, but on the other hand you see what support they have. What families have in this community, Eagles and Ravens, it comes down to it. To me all we have to do is perfect it and imitate it just like our Elders have, 'cause there's real strict protocol. When it's the memorial ceremony comes around, like a year later. And that's what's going to happen next year on September fourth, I think, is when the Tsaagweidi's gonna have their party here. And I'd like to be involved to bring some of that back in the open rather than just having it ... to me it's not ... if we're going to have it, we have to have it right. But there are some

people that have their own traditions and I can't say anything about that. (2003 taped interview)

3) Non-Native women. Speaker One is in her late middle years and Speaker Two is a young woman. Both have been in Kake a short time and are friends.

Speaker One: Community was what I saw after all these deaths that we had from November. It wasn't just that the families ... that the individual families had the services, but they had these memorial services and people would get up and reminisce about ... one older man got up and reminisced about when he was with _____ and they went fishing when he was a teenager and the trouble that they got into and that ... you know I think for these funerals a whole lot of people come out for them and [names some people who recently passed away] and their funerals were ... the community hall was filled to the rafters, you know, and ... people pitch in and they help the family emotionally and they see it as Kake rather than as individual families or the clans or the moieties or whatever. I think they really see Kake, you know, as a whole.

Speaker Two: The biggest thing about community is sharing. If you have something and somebody else needs it, you tell them and let them use it. If you have food and you have a lot of food, if you have a 600-pound halibut, everybody gets some. What's yours is not only yours. It belongs to the community.

Speaker One: You always make sure the Elders and the widows have dry wood. And you make sure they have food first. And then your own family. (2003 taped interview)

4) A Tlingit man, Speaker One, and a Native woman, Speaker Two, in their middle years who are not of the same household but are related through marriage. Speaker One grew up in Kake. Speaker Two married a Kake man but grew up in one of the lower forty-eight states.

Speaker Two: Sharing and caring about one another.

Fieldworker: Like you do with the circle ...

Speaker One: [mumbles agreement]

Speaker Two: To me it means that a community is one big family no matter if you don't like the person or dislike the person we're still there for them, for whoever and however we could help them, financially, or do whatever we can to help one another.

Fieldworker: Did you all bring that with you, that knowledge with you ...

Speaker Two: I learned it. Where I come from, I'm from a reservation, and in my family ... I lived with my grandma ... I learned a lot about sharing and giving. People gave to us and you know we didn't have much to give, but we always helped.

Speaker One: I grew up that way here in Kake. Basically with my grandparents, is that they always told me to help, help everyone, no matter what. It's kind of gotten away but then it's comin' back. I feel real good about it that it's like the old days, I think; I really liked it then. It didn't seem like work. It just was fun. And seeing all the Elders, the old

people going out and helping other people and just havin' fun, they made it fun. It didn't seem like work. Nowadays people worry about how much it will cost or how much (effort it will take) to do that. And I used to walk ... sometimes I'd be walking by somebody's house and they'd tap on the window and you go and say, "Do you need something?" "Yeah. I need someone to go to the store for me, go to the post office or something for me." "Okay." It's like (after he did the errand or helped out they would) try to give me a donation or something. "No, no, no, no," Grandma said, "don't." This is ... Grandma _____. And they (his grandparents and others in Kake) used to go around and work and do other things besides errands. But that's just what I saw when I was growing up. That's kind of why I moved back here too. Because of ... I kind of missed that. Because in the city, the city of Juneau is a city for me, then it's not there as much. I missed that. I seen very little of that with the Native people (in Juneau), but the people (it's just) dog eat dog. [laughs]

Speaker Two: I think it's a ... community means you feel that you belong, and it doesn't matter what culture you belong to here, like the church culture or the drinking culture ... or the ... there's different kinds of even Christian cultures. (2003 taped interview)

5) Two non-Native men who work in the village: Speaker Two has been in Kake a long time and Speaker One was in Kake less than eight years.

Speaker One: Uh, [pause] I really have thought about this a long time ... I mean, I think it means that when somebody's in trouble everybody's there for ya.

Fieldworker: [mumbles agreement]

Speaker One: But when there's ... when that isn't there, it seems like it goes apart just as fast as it comes together.

Fieldworker: [mumbles agreement]

Speaker One: Uh, yeah. Exactly, that's exactly what I would think is, um, they'd like to, the community, the inhabitants of the community ...

Speaker Two: ... they like to think that they have a real tight-knit ... when in actuality, it's actually really loose.

Fieldworker: [mumbles agreement]

Speaker One: Um, you know, it's ... in a lot of ways it (the community) doesn't really exist. There's a lot of back-stabbing that goes on, umm, a lot of things left undone, you know, sort of things. But when ...

Speaker Two: Until there's a dire need or ...

Speaker One: A situation or dire need, and then all of a sudden it's like a light switch goes on and it's completely the opposite. I mean, it's like completely polar in nature.

Fieldworker: I have mostly seen the part where people are coming together.

Speaker One: Right.

Speaker Two: Well, see, that's it. Visitors coming to the community, I mean, that's often times when we get ...

Speaker One: Right.

Speaker Two: ... significant number of visitors, in those times is when people also come in to support the family or do whatever, and you know, and then they see this incredible closeness and the incredible “we’re all together” type thing.

Speaker One: Yeah.

Fieldworker: [mumbles agreement]

Speaker One: And it happens the same during, you know, such occasions ...

Speaker Two: [mumbles agreement]

Speaker One: The holidays, those sorts of things, where there’s also lots of people coming. Like you were here for Dog Salmon Festival.

Fieldworker: [mumbles agreement]

Speaker One: And that ... everybody’s there together.

Speaker Two: Yeah. It’s all, it looks really tightly woven.

Fieldworker: [chuckles]

Speaker Two: And, but, it’s because it’s a special occasion, but whether it’s just any old average day ...

Fieldworker: People talk about each other?

Speaker One: Talking negatively, about each other. Um, a lot of things that are very destructive to a community.

Speaker Two: Spreading any kind of rumor they can.

Speaker One: Yeah, rumors run rampant and destroys ... actually destroys families.

Fieldworker: Hmm.

Speaker Two: Yeah.

Speaker One: It’s really very unfortunate that they can be the way they can be.

Fieldworker: Hmm.

Speaker One: And I mean every chance that ... every opportunity where, you know, our Elder speakers have a chance to get up, that’s the first thing they say.

Fieldworker: [mumbles agreement]

Speaker One: You know, it’s (in their speeches) ... they like how things are together; they like how everyone comes together. And, you know, (they say) we wish it could be like that all the time.

Fieldworker: [mumbles agreement]

Speaker One: And, instead of making it reality, they continue to wish for it.

Fieldworker: So, you must have thought about reasons why things are like that.

Speaker One: Thought, yeah [everyone laughs]. But I didn’t come up with any ideas.

Speaker Two: Yeah. (2004 taped interview)

6) A Tlingit woman in her middle years who grew up in Kake.

Okay, what does the word or idea of community mean in Kake? Well, in Kake the community has always meant everybody’s together, and you know, all my 58 years that I’ve been here, I’ve seen it work over and over and over. Um, the people or individuals, they are family orientated, but when anybody’s in trouble or even the good times, you

know, we come together as a community. And I think the most important part in the communities is the unity in there, that it means that we stand together. Not one person goes through their troubles alone. We're always there for them, and it's always been that from the time I can remember. And that's why I love coming back home, because, you know, it ... some people think people are nosy, but they're not really, you know. They're interested in you as a person. And they're interested in your family. You know they, like my grandparents and my parents always told me, anybody's in trouble you go to them. You don't have to talk to them. You don't have to do anything. Be there if they need you. Be there to help. But just be there. Just show your face. So, you know, it's always been that way. So ... that's what I like about Kake. We're a community, a real community. And our kids too. Our little ones, they all know who is family. They all know who isn't family. But still there's a ... they have ownership to them. They have always ... it's real noticeable in our grandson, you know, he's got family. He calls everybody uncle and aunty and grandma and papa and ... so you know he's comfortable in doing that because no one had ever told him that they weren't his papa or his grandma or his aunty or his uncle. So ... but that's what community means in Kake. (2003 taped interview)

7) Elder Tlingit man who spent most of his growing-up years in Kake and returned to Kake more than 30 years ago.

It helps community to bring the older ways back. To talk about them. Talk about the glacier [a narrative about how one group of people came from under a glacier to their Southeast Alaska home]. Talk about the potlatch and the old traditional village sites—not Kake itself. Charlie Skeet's potlatch, the last one here in 1903. It's good to talk about Tebankof and the days before it was completely deserted. (2004 taped interview)

8) Two Tlingit men in their middle years who grew up in Kake.

What is community in Kake?

Speaker One: People living together.

Speaker Two: Hopefully in harmony.

Speaker One: Care about each other.

Speaker Two: We're all family.

Speaker One: Where our forefathers lived.

Speaker Two: Yeah.

Speaker One: People looking out for one another.

Speaker Two: Caring.

Speaker One: It's home. Never going to leave. Always home. (2004 taped interview)

9) Non-Native man in his Elder years who has lived in Native Alaskan villages for many years but is new to Kake.

Community ... I think that it's unique here because I was talking to somebody over (at a recent funeral) awhile back and they were talking about how life in the village is different than city life. If you're mad at somebody (in the city) and something tragic happens you sit there and say, "Eh, he probably deserved it, or ... you know [laughs]. I feel sorry for him, you know, but to heck with him." But in the village you can still be mad at him and if something happens you're over there helping him. It doesn't change the fact that you might be unhappy with him, but you're there helping. And I think that makes a whole lot of difference as far as community spirit is. When they have things (community events, celebrations, etc.) people all get together and have fun together. It's like everybody is related somewhere along the line, so it helps. (2003 taped interview)

10) Speaker One is a non-Native man in his middle years who married a woman from Kake. Speaker Two is a Tlingit woman in her early middle years who grew up in Kake. The speakers are not family relatives.

Speaker Two: It's the sense of people working and living together for the betterment of all

Speaker One: Community is a group of people, though.

Speaker Two: Helping each other. That's a big one in Kake. Inevitable differences that arise, but if there's a tragedy and some need, then everybody will pull together.

Speaker One: Everybody helps. I know that. (2003 taped interview)

11) Native man in his early middle years who grew up mostly in Juneau, but partly in Kake.

Community, what I've come to learn it to be, what I realize it to be is family. So it's a family. Being together. Basically, community ... comparing that like to a regular healthy family. The whole community is healthy like that when they give to each other and help out each other. When someone's sick or someone dies they all pull together. Or if someone's in need people pull together. (2003 taped interview)

12) Tlingit man in his early middle years, raised in Kake and in a nearby village by his grandparents.

Well the idea of community to me is all of the people, you know, pulling together, and basically being one. And being there for each other, which you know, when the occasions arise the community really does pull together. That the 700 people, or however many people that live here, are one. One people.

What does it mean to other groups of people in Kake? You've got the people who are (from out of town), people who have lived here, you know, who moved here years ago and are really involved. A few teachers and other people who have been here for a number of years and they've (become part of Kake). And there are people (from outside)

who have been here for awhile and they have their certain friends and stuff like that. And they kind of stay away from that ... they just try to keep to their own. But then they have a few of their friends, too, but they're off on the side a little. That's how I feel. (2004 taped interview)

13) Non-Native man in his early middle years who married a Tlingit woman in Kake.

I don't know if I can speak to all groups in Kake. Community means to me ... [long pause] the relationships between people in a surrounding or environment ... that can be big or small. Community is the relationship between people. (2003 taped interview)

14) Two men. Speaker One is in his early middle years and is Tlingit. Speaker Two is a non-Native man in his middle years who married a Tlingit woman in Kake.

Speaker One: So, you know, I see your first question on here was what does the idea of community mean ... and I believe community means just a ... everybody, you know. It doesn't matter your race, color of your skin, or anything. If you're going to be a productive member of the community, then obviously you're part of it.

Speaker Two: Right.

Speaker One: You're living here ... you're dealing with the same problems everybody else is.

Speaker Two: Even more so, if you are not included. [Speaker Two feels strongly excluded because he is non-Native.]

Speaker One: Well, yeah. Even more if you are alienated— then that's even worse, you know. That was actually a form ... of alienation, alienation was a form of, uh ... what would you call it, um ... like instead of being jailed in the old days, you know or something.

Speaker Two: You're castigated.

Speaker One: Yeah. Yeah, you're ... alienated out of the group. That was even worse yet.

Speaker Two: Right, exactly; that was the main ... punishment.

Speaker One: Punishment, right.

Speaker Two: For the misdeed or whatever.

[All parties laugh]

Speaker One: Oddly enough, yeah...uh, OVK (Organized Village of Kake) came to me years ago ... and, and asked me if I could help them to get their building grants ... in place. I said sure. So (_____ helped OVK) go through town and look at projects that qualify for grant money, and gave them good hard numbers ... and so that they could go out and get that money ... based on those costs for those projects and ... yeah we had a real good relationship for about three years and something changed. They decided that, "We don't need you anymore because you're not native" ...]laughs] ... I thought, "Oh that's nice. I have a native family."

Speaker One: Yeah

Speaker Two: And I am a part of this community, why do you want to exclude me ...

from the economy?...

Speaker One: Yeah. So they got into the racial basis there for some reason. I don't know who is behind it or why or what their thinking is ... but ... clearly it's wrong.

Speaker Two: Yeah, yeah that's ... any kind of thinking in that nature is wrong.

Speaker One: No matter who you are.

Speaker Two: So, I know the beliefs of certain people that are involved there ... the president and his, his thoughts ... and, uh ... he even came to me one time ... and ... 'cause I had (several) jobs that were going on, and it was upsetting to him that I had all this work ... and he approached me and said, "We need to get together and, umm, ... and join forces" ... I said, "Well, okay, whatever, you know, however, you want to do it" ... and now I take that to mean that he wanted to, uh ... garner all the work and exclude me ... and that's kinda the way it turned out. [Long pause] They didn't, they didn't need my talent anymore. They wanted to benefit their own family.

Speaker One: Right ... so that happens a lot around this ... I mean the native people.

Speaker Two: Yeah.

Speaker One: I mean, the native people ... are ...

Speaker Two: They are very guarded.

Speaker One: Yeah, they're guarded ... they have strong family ties, so it's naturally the direction that it usually goes. If you have a big family ... the stronger you are.

Speaker Two: Yeah, that's right.

Speaker One: If you have a small family, then that's, then ... you are outta luck! ... it will be a tough go over, you know. (2004 taped interview)

15) Tlingit woman in her middle years who was raised primarily in Kake.

I think it means this place that we're living in and the people that live in it. And the environment. I think that's what community means. Living ... (2004 taped interview)

16) Tlingit woman in her middle years who was raised in Kake.

Community means family. The family setting where people live and call their home town. That's what I would consider community to mean. And for other people it may mean a place to come back to, and always remember that's where they were born or they grew up. (2004 taped interview)

18) Tlingit woman in her middle years who was raised in Kake:

The first word that came up is family. Uh ... everybody knows each other so we try and work ... all work together. (2003 taped interview)

17) Elder Tlingit man who was raised in Kake.

In 1966 I came home from Korea. I came out of the service and the very first week there were some people (lost) and so I got on the band wagon and put a search team together and we searched for those people. Anyway, from that day on I got stuck with search and rescue [laughs]. To this day. Yeah. So, if something is happening, or overdue, or so ... plane, coast guard, FAA, whatever. So, at home I've got a whole bunch of scanners. Radios. And my wife can pick up what's an emergency, and she calls right now, there's a plane going down. And, uh, so (I) called FAA (Federal Aviation Administration), and they don't know nothing about it, and I called the Coast Guard, they don't know nothing about it. One or two hours later and, sure enough, they see a plane down, you know. And after three or four times of that, FAA finally came over. They say _____, how are you intercepting (information)? My wife has a bunch of scanners. They had a helicopter overdue in Petersburg, and I told them I needed some numbers. And I bought a scanner, and I punched in all their numbers, and they gave me all the information of all the airlines. So I punched it in. And, anyways, I could hear Alaska airlines turnover (as) they land in Anchorage or Fairbanks, and then I heard some people from South America. And when the temperature was changing in Alaska to a heat wave type thing, I first heard from South America on the scanner that the water's three degrees different and moving this direction. So, I mean, I'm interested in that because if the water's three degrees different, I'm the president of our hatchery. So, I'm the boss of the hatchery, so I notified the hatchery if it would have any effect on the fish. And sure enough it did. So that's how I'm involved in everything [laughs]. But anyway, that's what community means to me. The reason why I did that is because when I was in Korea (the Korean war) and it was just a miserable thirty or forty degrees below zero. And that was in a fox hole, just shivering like crazy. And I saw the Big Dipper and, anyway, I just thought of my mom and dad and my brother and I told them ... I was thinking to myself ... my mom and dad (that they also could see the Big Dipper), and then I was thinking to myself if I ever get out of this place alive, I'm going to do something for my people. You know. I made a commitment then. I would do something for my people. From the time I came home that's what I've been doing. Doing something for my people. So, I try every way I could. I was on the city council for forty years and I (chair the board for the hatchery) kind of a (participant) in a lot of organizations, you know. Do a lot of traveling (to get things done) But that's my theory. The public dock and the school and water and sewer and all that I've been involved with. And the hatchery too. So I've (helped get funding) for a lot of things.

Fieldworker: So you've kept your promise.

Speaker: Yeah, I kept my promise. So that's what community means to me. (2003 taped interview)

18) Tlingit man in his middle years who was raised in another community.

I guess to me it means the togetherness of the people. Not so much as just the physical town but ... I think all the people.

Been here 21 years, but I was born and raised in _____ so it's just a hop, skip and a jump from here so ... and, uh, ... yeah, when we talk community I think we're talking people. Yeah, it's a deep family concept. You know, at times you might not feel accepted here and stuff but in time of need, in time of hurt, whatever, the people come out of the woodwork for you. They just really do. You know, whether it be financial, it might be actually physical work. I think my problem with my heart, the past ... I (lacks time to hunt or fish because of his job) and, you know, but we've actually put up more fish with me not going in the boat. People have dropped fish off, things like that. Crab. One year I was real busy (working his job) a few years back and ... a pounding on the door one morning before I went to school and somebody comes in and drops an entire deer off. You know things like that so ... you know, and that's, that's, you know they support you in many ways. You know sometimes it's like any other little town with rumors and gossip and stuff, but I think when you're in need, it doesn't matter who you are, you're part of the community; they help you out. (2003 taped interview)

19) Young Tlingit woman raised in Kake.

[Long pause] There's all the bonds. There's a lot of animosity ... just like any town. But I think when times get really rough, I think all of that is put aside, and people do what they can for each other. You know ... the last couple of months. That was really hard. ... But I think when ... I don't really know any ways to define it ... until we're at something and then you can feel it. You just look at somebody and you know; there's a lot of smiling, a lot of joking around. And that's what community is to me. That's what I don't get when I'm not here.

It's frustrating at times, and you just feel like leaving sometimes. And sometimes I leave and just get lost in something that's not Kake [laughs]. And really value what's here when I come back, and look forward to coming back and getting back into my community. Go places like where we have (can get a new perspective). I think it's a thing with a lot of people that are here that it's really tough to leave. I think. I see people are here a short time and then they leave and come back and leave and come back, and, you know, it's financially restraining (living in Kake). They still find a way to come back. But it's hard, like in a recession right now. It's really depressed. So it's really going to be something to see how this year is gonna turn out. The next five years.

And for other groups of people in Kake, what community means? Well, it depends on who you ask. I think that ... I know that people who have married into the community ... uh ... it's hard to say. People with the same background as me feel that way (the way she described) about Kake. I don't know about the loggers who come into the community (for work). I'm not sure what their perspectives about Kake are.

I know, like my son's father, it was really unsettling for him to be here. He felt my family is too intrusive. He wasn't used to the closeness and the environment. It just felt like people needed to know what we were doing all the time. He goes, "None of them need to

know what we're doing all the time." It was something I kept forgetting and I didn't realize it was ... I didn't know it was that intrusive to anybody else. I never thought that way.

Fieldworker: And he was raised in ____?

Yeah. The families are kind of dispersed through the community. They come ... they ... you know, I kept up on some of the family style kind of things. I know they're a little different in what they value, what they do over there. But it's not like here. And there's a lot of little ... people know what people are doing pretty much here. In ____ you can kind of be anonymous to a certain point. But you don't get that here. People even start things (about what you did but didn't know you did) without you even knowing it. (2004 taped interview)

20) Tlingit man in his early middle years who was raised in Kake most of his life and is active in local government.

Community means, like, the people and ... I guess, you know, to the outside person that comes in and says they want to talk to the city of Kake, or ... the community, and by community, I ask them, you want to talk to everybody in town then? And that's the difference between the city and me, so. That's it. (2003 taped interview)

21) Tlingit man in early middle years who was raised in Kake.

The people in this village make the village work. And there are people who don't do anything, who really aren't part of it, outside of it. Yeah, they're here. They're members of the community of Kake, but they're not members of THE community ... as the people of Kake. The people who make the village work, or try to make it work. And it's the town that never sleeps. There's always somebody awake [laughs]. And it's most likely the hatchery workers [laughs]. (2004 taped interview)

22) Tlingit woman in her middle years who was raised in Kake:

Because when I was young there was not a whole lot. And, you know, we survived on what there was. You lived off the land, and everybody helped one another. And it was fine. I mean, we didn't have a whole lot of money, and we just, it's almost like we ... you know, it was nice to have it but we were fine without it too. We all got along. We managed. And I can see, you know, my grandparents, you know they had even less than we had. So it's just, it's amazing how that all ... you know. They had enough to buy fuel for the boat. It's just amazing, you know. I think back ... about that past and how good it was. You know, and how simple. It was just so simple. The lights were shut off all over town at eleven o'clock at night and we sat around with a lamp and listened to the radio, stories on the radio, or we played games and ... There was no TV, and there was ... you

know, you didn't need it. It was simple. And now you think, "Oh my God, live without a cell phone? Oh my God, live without a TV?" You know. (2003 taped interview)

Question: How is community created and sustained in Kake?

- 1) Tlingit man in his middle years who has lived in Kake most of his life.

Community. We've always been here. We were created here, as our history goes. And I don't even like to put a timeline on it anymore because 10,000 years is such a short time. And we look back in ... our timeline goes way further than that. So the things that (we know) is only things that we can remember that have been passed on to us orally. And you get to thinking just how many times that has been passed on and who forgot what. So today when we get together and when we tell stories like you heard, one that _____ told, I've heard that too, and I've heard it slightly different from the same man. But that's the way I remember it. _____ told it in a briefer version, which I would do too because, like you say, time was of the essence [at this particular community event]. And you can see how long it could go. And our great-grandfather that told us was a great orator. He could ... he made sure he touched all bases. And as he told, like _____ said, I heard this from my great-grandparents, and my grandparents, and then I heard it from my father. But he ... his father was one of the fathers that (told and taught the clan story that was shared at the recent community event). But that's the way that I would have to say it too, because I heard it from my father. Real personal. And because I was listening to my great-grandfather and my grandfather and my father tell it, and it changed [between family groups], and we'd have these kind of discussions to talk about those differences. And what they'd end up telling me is that since he [someone in another family group] told me, I really can't add anything other than what you told me; from the way I've heard it from you retelling me again, it sounds about right. And they say 'about right' because there's no one way of saying it. Because they've heard it so much from their other side that it does tend to have its own way of saying it, and through us the truths of our history. And to us, we don't create a story, we tell our history. And whether people interpret it as stories, it's up to them, but to us it's a big difference of where we come from, who we are. It's not a fairy tale. It doesn't end with 'so they lived happily ever after.' None of our stories end that way. If we tell a story it's about, like _____, about that abalone being put on a notch up ... what to remember and why it went up. About how ... about how it saved his life by showing it, and what those people saw at the Chilkat, remembered who wore it last. And why would he have it? But he came back from their territory. He left it with them and that is their connection. But there's other stories that would ... and that the analogies would come out even more sharper. And I enjoy those because our father would leave it up to us to tell it back and not so much tell it back verbatim what he said, but come up with why it was ... why we can't insult salmon, or why we can't just go

about, cut down any tree, and leave it. And why is it that we can't profit from it. It wasn't about that. The wealth was in giving it away. So we had nothing, but the people that received it (the given wealth) put you up further along the line because your sacrifice for them to give it away to everybody. Just like I said in the narrative, it's not about what we got from the people, it's how we could add to it to make it more valuable. Which is just the opposite of corporation. It's what they can take, what they can own, and what they can profit from. (2003 taped interview)

2) Non-Native women. Speaker One is in her late middle years and Speaker Two is a young woman. Both have been in Kake a short time and are friends.

Speaker Two: I don't know. At least from what I've seen, it's (community) already here. A lot of it has to do with family bonds. The other thing here is that almost everybody here is related to somebody else. I mean, they could be the fifth cousin or ... you know? But everybody has a ... everybody needs to help other people, and then they have the two (moieties), the Raven and the Eagle. And so ... they still do that ... when one person dies, then the other family (moiety) will come and provide a lot of the things. It's surprising they still do that. But yeah, sustaining. Well, like the healing circle that's a more modern thing ... that's a way to keep community from fracturing. Sustaining it.

One thing is that kids are ... you know, they're supposed to respect everybody who's an auntie or an uncle in some way. They don't grow up thinking I'm just going to obey my mom and dad. They grow up obeying everybody that's an adult and that ...

Speaker One: I just read in the Juneau, not the *Empire*—whatever the shopping thing is—that Kake, that OVK [Organized Village of Kake] got an award for the circle.

Fieldworker: Was that the one from Harvard?

Speakers One and Two: Yeah

Speaker Two: People's response ... the whole point of it (the circle) is making people responsible back to the community, not to some law officer in Juneau or the court up there. It makes ... like, you know, like once somebody broke a window. Well they [the offenders] had to hear from both people how they felt when they came and found their window broken. Then they (the offenders) had to go and actually help those people repair it. And they had to be part of the solution. It gives them back responsibility for their actions. (2003 taped interview)

3) A Tlingit man, Speaker Two, and a Native woman, Speaker One, in their middle years who are not of the same household but are related through marriage. Speaker Two grew up in Kake. Speaker One married a Kake man but grew up in one of the lower forty-eight states.

Speaker One: Depends on what you belong to. There's a sense of community ... each of those groups ... We used to party here, you know. We had a sense of belonging because we had a lot of friends that partied, and our house would always be full ... and, you

know, partying, but that was the wrong, the wrong method. Then when we quit there was a little recovery group. We had our own culture. We're still together to this day. But I don't belong to any of the church culture 'cause none of them really suits me.

Presbyterian is pretty cool, but I just mostly stick to my own (a Christian church that is represented minimally in Kake). So there's a lot of different ... well I learned that different groups could be like a culture too. Yeah. There's a lot of them here. It's just like in a big family; everyone's different; they bicker with each other, brothers and sisters. Some don't like each other, some love each other. That's how it is here. Just in a bigger range. Interesting. This is a really, you know, interesting community.

Speaker Two: It's changed from when I was growing up. The only two churches that were here then were Salvation Army, not where it is now. But they'd arranged it where they wouldn't have church at the same time. The Presbyterian would have their time and all the people went. Then when they were out, Salvation Army had their time and all the people went there too. And it was like that when I was growing up. I thought, how come we (don't go to one church). And they taught different but there was ... no saying mine's better or this is the right way. It's changed now though. I've been to both since I've come back. I don't know where it came from.

Fieldworker: The competition?

Speaker Two: Yeah. My church is better ... and all these other churches are here, like T was saying .. I think it mixes people up ... the way I see it from when I was growing up here. Because long ago, when churches still ... churches got together, they did things together as a unit. Now it's just one over here, one over here ...

Speaker One: They don't help each other though.

Speaker Two: No.

Speaker One: Except like different _____ [Fieldworker is unable to hear and transcribe this word]

Speaker Two: Yeah.

Speaker One: That's the only time I've seen them coming together. Oh, and funerals too.

Speaker Two: But before ... and they did projects for the community and got together and helping out. The churches did. Now I don't see that.

Speaker One: When did the Assembly of God come to Kake?

Speaker Two: I don't know when it happened. I was gone.

Speaker One: And then the church over here, some of the people they don't want to associate with any other people because they think they're ungodly. So that's kind of like prejudice amongst ...

Fieldworker: Christians?

Speaker One: Yeah.

Speaker Two: Because they weren't here when I left. Then Assembly was here when I got back. And I noticed the difference. What happened? You see people that weren't talking or mingling with each other anymore, like (they used to mingle) before.

Speaker One: [Here T says something about native culture which the fieldworker is unable to hear on the tape.]

Speaker Two: Yeah. They were all against the native culture, which kept the natives alive for many years, but now they're throwing it away. (They) were throwing it away. It's coming back. (2003 taped interview)

6) Two non-Native men who work in the village: Speaker One has been in Kake a long time and Speaker Two was in Kake less than eight years.

Speaker One: Yes. But, you know, I think it's an interesting question there when you say 'created' because it's really ... and I think by community, what you're talking about is the togetherness and the other things like that, and I guess it really goes first along family lines and then ... yet at the same time we realize that we're here together and at any time of need—it's like all of the things that were said yesterday were forgotten today, because this other thing came up that was much more important.

Speaker Two: [mumbles agreement]

Speaker One: So ... I guess to me, it's going to be interesting to see how it's sustained because there's, with the economics and with a lot of the things that are being talked about and the further intrusion of the state, and the risk of forced boroughization and the forced school consolidation and ...

Fieldworker: [mumbles agreement]

Speaker One: And all those other things are really even going to threaten, you know ... [family and community relationships discussed before] and the economics of, hey, we just can't, we just can't stay here any longer, you know, with no jobs, no nothing. And the fight, I think, between remaining in this isolated little fishing and logging village with, you know, high, high electricity rates and all those other things ... what are we going to do to open it up, the doors to (outsiders economic solutions), because it's different.

Fieldworker: [mumbles agreement]

Speaker One: And, you know, that's been great. We've (the two non-Native men talking) been welcomed and in a lot of ways, it, uh, it's required, because when I go to, like, First Alaskans and they talk about the Native Education Summit and they talk about how we need more Native teachers and things like that. You know, it comes to respected and disrespected teachers around here (who have) the toughest job that I see in our own (village) is Native kids growing up and trying to teach. You know ... [Native kids who grew up, went to school, and came back to teach].

Fieldworker: Because of the family ties?

Speaker Two: Our three Native teachers are probably the most scrutinized ... undermined the most, and then even in their own family, they don't receive the support you'd think that they might.

Fieldworker: [mumbles agreement] Because parents feel more strongly about what's done in the classroom because it's somebody they know and have different relationships with?

Speaker One: Or maybe it's just because, you know, and I mean and who knows? I know, I can think of in one case it might ... 'we knew that guy as a kid' ...

[Everyone chuckles]

Speaker One: You know, 'we knew what he was like as a kid' and other things, so ... It's ... I don't know. I don't know.

(The speakers discuss the issues with families connected with competing political entities in Kake.)

Speaker One: So that's, you know, part of the (relationship difficulties) and how to get by that is really, you know, how it will be someday. We really, as a community, we really are at a point where we're having some defining moments as a school, but we're heading into a real defining moment as a community in terms of ... what's going to happen.

Speaker Two: Yeah.

Speaker One: You know, in the sustenance of this community. and of the culture and of the way of life that I'd say we have, how are we going to meld sustainability into what we have?

Fieldworker: Any ideas? [chuckles]

[pause]

Speaker One: Well, I ... you know, I think they [Kake people] have to open the doors to the economic development and to the, for a lack of a better word, intrusion, if you want to call it an intrusion, into the culture, and with the realization that they [people in Kake] do, I mean, as a school and a community, we do have pieces in place where we can really preserve those things, too. And actually enhance the intrusions ...

Fieldworker: [mumbles agreement]

Speaker One: ... with what is here and even enhance the culture with a ... I don't know. I think, it's a side-goal and is ... even other organizations ... we're really starting to see we can do some new things in the Kake way.

Fieldworker: [mumbles agreement]

Speaker One: You know.

Fieldworker: Yeah. Like, yeah ... Can you give me an example?

Speaker One: Oh, maybe thinking of ... we haven't been as organized as we want, but I think as a standard restoration project—where the school's working now—other things like that moist-egg incubation thing, so it actually creates wild stock as opposed to hatchery stock. And then bringing back some of the, uh, the rivers, some of the streams and creeks and places where, you know, where these fish used to be. You know, which will help with the subsistence, but it will also help with commercial fishing and, you know, the economics that are just all in involved with, one, having a project like that. And then, too, you're creating a renewable resource of fish and things like that. So ... Well, you know, I think that would be one (example). (2004 taped interview)

7) A Tlingit woman in her middle years who grew up in Kake.

By the unity in it. (2003 taped interview)

8) Elder Tlingit man who spent most of his growing-up years in Kake and returned to Kake more than thirty years ago.

How is community created and sustained in Kake? Well, one thing. it's in our history. Created. Kake was always kind of a mutual ground ... a gathering place for special events. In 1944 an anthropologist said that Kake was kind of a (meeting place) for special events. Then in 1869, after they [the U.S. Navy] destroyed three of our villages— according to our eyewitness, our old people, they actually shelled four, four villages. And, but it isn't like what you read in the military accounts. But, anyway, to build a tribal house right there [in the places where the villages were before the bombings], an Eagle would have to hire people like _____ and _____. They're all Ravens. So they have to share the wealth through the ... blankets, canoes, tunics and dancing gear, probably, food. After they [the U.S. Navy] destroyed all the villages, all the houses, canoes, and tools, people wandered around, and they were scared so they never rebuilt again. Because, you know, we didn't have canoes. Our canoes were destroyed. We're a people who are on the ocean. What do you do without a canoe? No tools. Crests, those were all destroyed. Probably taken for souvenirs. So, anyway, if you've had a bad experience somewhere, you don't want to live there no more, too. They started building houses here. Kake became ... I don't call it created ... but it became. It's a community anyway. As far as community, you saw that in the death there [funeral service and dinner]. Like any society, here we have differences with each other, we have problems, but when one gets hurt or in illness or in death or some kind of tragedy, the people come. They turn out. They forget their differences. I think this is what makes a real, real part of our community. We rise up ... It isn't a money thing. That's how it's sustained. (2004 taped interview)

9) Two Tlingit men in their middle years who grew up in Kake:

Speaker One: The old people (teach about community responsibilities)

Fieldworker: There seems to be a lot of community gatherings compared with some places I've been.

Speaker Two: Yeah. Oh, man, you're not family, too. Here you're either related or inter-related, whereas when you come from down south, you've got people come from Sweden and Denmark, all over. Kake, you only got very few (outsiders). Maybe the preachers. And if they (women) get married to a white man.

Fieldworker: There seems a lot of effort to revive older culture.

Speaker Two: Oh, yeah. Because there has to be, because the kids need the culture to get on the right track. (2004 taped interview)

10) Non-Native man in his Elder years who has lived in Native Alaskan villages for many years but is new to Kake.

I think our relationships are that way. We are potentially all family here. We work together. If you get in a bind, and other people jump in to help you. Nobody is looking to be top dog [at OVK]. (Everyone) works together and does their part and maybe a little bit extra. I think it works out through the whole community. You see somebody in need, you stop and help. No questions asked. You just do it. And I think that's what makes a community, where you're working together and with a desire to be part of everybody's life. (2003 taped interview)

11) Speaker One is a non-Native man in his middle years who married a woman from Kake. Speaker Two is a Tlingit woman in her early middle years who grew up in Kake. They are not related.

Speaker One: Helping each other. That's a big one in Kake.

One thing that's always struck me, and I think it's in each little town, but I really notice it in Kake, you know the inevitable differences that may arise, but if there's a tragedy and some need, then everybody will pull together, everybody pulls together.

Speaker Two: Everybody helps, I know that [laughs]. I think in Kake it's a lot the way you were raised. You have to spend a lot of time with your Elders and other community members to learn. And always respect used to be a big issue. It used to be. I say it used to be because I'm not sure [laughs] anymore as far as spending time with Elders and ...

Speaker One: Oh, I think it's still ... I think it's still, yeah, I think more so than lower forty-eight ...

Speaker Two: Yeah.

Speaker One: Or, you know, urban

Speaker Two: It's different. I know you don't see the kids around the Elders as much anymore, but that has a lot to do with electronics ...

Speaker One: Right.

Speaker Two: Yeah. We'd [when Speaker Two was growing up] just spend time with them [the Elders]. I mean, I don't know, we just always ... You either were with your grandparents or your parents.

Speaker One: [mumbles agreement]

Speaker Two: I was going to say, it didn't matter if we were related or not, I know. Everyone watched over you [laughs].

Speaker One: Well, yeah, certainly the modern day electronics, TV and now computer. Internet takes away from the old ... but hopefully the old will sustain itself. Well, that's when parenting comes in.

Speaker Two: Uh huh. That's my (emphasis) right there. I take the kids to grandparents when I can [laughs]. Go move in with grandma and grandpa for a while. And so I think that's still here. I see it here. And I don't know if you have it so much in the bigger cities

...

Speaker One: Yeah, it's hard for me to imagine not having the family here because I've never really been without it.

Speaker Two: I know.

Speaker One: I can't imagine growing up in a setting where that wasn't the norm. (2003 taped interview)

12) A Native man in his early middle years who grew up mostly in Juneau, but partly in Kake.

It's a blessing to be in Kake, to be part of Kake and then to be a part of the wellness movement that's going on. You mentioned something about the kids. That's a lot of healing ... that's ... a lot of healing is coming from the kids. We started with the kids. A whole generation of kids ... whole group of kids that are coming up now that we've been working with and been involved with for the last five years. The whole attitude in the high school is changing. They're coming up and bringing these positive constructive attitudes and not being so rebellious. Because I think those ... even though there's teachers ... and there's people, supervisors in the school ... authority figures ... that it's still ... that's a little community in itself ... in a school. I was thinking about that last night, where, how do you change things in a school. I was actually watching some tapes that I got like those ... they're life skills tape. They're more recent. Those [other] ones are kind of done in the early 70s. But they're still good. Kids like 'em. I got a new set ... looking at ... and remembering back when I was in school and it was actually a little community, totally different from home and being outside. That's a little community in itself. Has it's own way of running things. And people talk different and treat people different in there. I see ... before we really started doing that ... kids were kind of going unstructured. And so there was that rebellious attitude. Not with all of them, but ... or just 'not care' attitude. You have your teachers and stuff there, teaching the basics to the kids, but as far as teaching respect and discipline and honor, integrity and all that other stuff, you had no kind of structure like that ...

But, I don't know. Community ... it's all about family and compassion. When I think about community, I just think about a healthy family, where they communicate with each other. The parents, for one thing, communicate with each other and treat each other with respect as equals. I'd never seen that in my life ... and they're (the parents) treating the kids with respect, and as valued individuals, nurturing them, and I've seen a few families like that. And you see the benefits of them. They grow up and they're successful and they have good hearts, and that's basically what I see as community ...

I've just come to realize that (it's a gift to know that), and accept that. We grew up one way and you know that's all we know, and there is something that we take for granted that other people never even ... I mean, they think would be a blessing. They cherish certain things. It's like when our community ... our dam broke. We ran out of water. No one ever thinks about losing water. It's always there. You use it for everything. When it was gone, we were hurting. I'm glad that happened. We were hurting and it

really showed us, well, me, how we can take things for granted until it's gone. Simple things like our water. It's a real necessity. We don't even think about it. We take it for granted until it's gone. Then we're really hurting and see how much we need it to survive. They were some tough times during that time. I'm glad that happened. It was only like maybe four days, five days, and we were able to actually get drinking water again. We had water to wash clothes and wash dishes and stuff with, but not drinking water. And yet all these communities from around the outlying area that were just shipping thousands and thousands of gallons of water to us. Water coming in on the ferries, on the planes. That's the first time I've ever seen that. We always see it in the community. Like we talk about. Someone's in need, someone's hurting—everybody pulls together. Now the community was hurting. You see the whole ... a lot of other communities pull together. Petersburg and Kake, there's always been, not really a rivalry, but just bad blood. But as soon as something happens, they were ... that wasn't even an issue ...

I see that it's very possible to bring people together, to drop the differences, to treat each other as equals, you know. It always takes something kind of drastic to happen to realize that. But if it wasn't possible, then that wouldn't be happening. Petersburg wouldn't be helping us or we wouldn't be helping each other in the community. I went back to the reservation. You don't even see that there. Maybe between some people, but it's all about themselves there too. In North Dakota. I've been to a few reservations but I've never seen poverty like I've seen there. Down south. And racism. Yeah. I've never seen that or experienced it. You don't get it here, you know. I'd say it's here to a certain degree, but not like what you see down there. Yeah. That was terrible. And they could change. They could change. As far as community, I guess that's enough for community. (2003 taped interview)

13) Non-Native man in his early middle years who married a Tlingit woman in Kake and has lived in the village since 1990.

Community is created through family bonds, through time and appreciation of friendship, through going through hard times with each other, and good times. Community is sustained because of the knowledge that we'll be able to be there for other people. How well we know them doesn't really matter, I believe. For the most part, in a village like this, I know everybody pretty well. Up here I do, and I feel the community knows me ... or the village knows me enough to share community with me. So, sustainability and community comes with just continuing those bonds of friendship. I built relationships with people because we (he and his wife) lived at Sitka for a long time before we moved here, and a lot of her family and friends that would go in and out of Sitka, going to college with them, whether they were there for hospital needs, we left our door open, and they came and stayed at our house a lot, so I developed friendships before I even moved here. (2004 taped interview)

14) Tlingit man in his early middle years who was raised some years in Kake and some years elsewhere:

Speaker: Well ... community created and sustained ... well, this community right now does, well, we do have a lot of rough edges ... and I haven't really looked into that kind of an idea ... just ... There's three ... you see there is the City, there's ... and OVK, and there's Kake Tribal Corporation. Those are the three entities right now that basically have governed and run this community ... and now I am introducing the chamber of commerce visitors bureau, which is the business people in the community ... and you don't have to be a business person to be a member, obviously, but ... umm ... we'd like you to be in order to strike the economy up, which, which is what we need. But I guess it's created through those types of programs, I would think ... you know ... the strengths ... and, and the misgivings and everything that comes with it ... it's basically ... through programs now ... You know like Kake Tribal ... they're, they were a for-profit organization. OVK is a government organization, and, umm ... chamber of commerce ... visitors bureau ... we're, we're gonna to be a mixture of both.

Fieldworker: [mumbles agreement]

Speaker: You know we're gonna look both ... human interests ... as well as, you know, economy ... so give everybody a fair shake ... and everybody has the opportunity ... to voice their opinions ... legislate and regulate and everything else.

Fieldworker: Are people interested so far?

Speaker: Well, there's an interest but there is also not enough information, I believe, and since this is so new to me, you know, it is hard to relay all that information and have them believe me because I've been, you know, a logger ... and a construction worker ... and coming from my mouth I don't know if this is believable to a lot of people locally or not.

Fieldworker: Huh, because they think that ...

Speaker: Through my ... well, I'm not educated.

Fieldworker: Oh?

Speaker: I've haven't gone to college for anything.

Fieldworker: Oh ... but a lot of people haven't.

Speaker: A lot of people don't ... (take me seriously). OVK is taking me serious, and the City is taking me serious now ... I've had several meetings with the mayor ... and the executive director at OVK.

Fieldworker: Yeah.

Speaker: And with OVK, I have just sat and talked with them, and now that they have grasped the concept of what I am trying to do and understand it ... they're taking me serious. Now I have to go into a membership drive and get more members ... people in place for more members and committees and that sort of thing.

Fieldworker: [mumbles agreement] ... and then the average person on the street, are they into it?

Speaker: Umm ... the average person believes that we need a direction, and I think—we

haven't really done any surveys yet—but a lot of people I've talk to ... it is pretty agreed upon that they know that there really isn't any other option other than tourism ... for the short-term ... and so ... it's kinda agreed that tourism is the direction.

Fieldworker: And then they want to be able to manage that somehow?

Speaker: Well, I don't know if the average person on the street ... wants to get that involved. They just want to have opportunity ... you know that's what we're going to try and provide with the chamber ... is opportunities ... for people that are serious ... because people kinda want to do, you know, they want to be independent ... They kinda felt independence, you know, with working for themselves, but like I said, when Kake Tribal fell, fell into financial woes, it collapsed a good portion of the community.

Fieldworker: Yeah.

Speaker: So, through the chamber our hopes is to diversify the economy and ... so something like this doesn't happen (again) in the future, so I guess that would be sustained ... a community created and sustained, I suppose ... 'Cause we don't want this sorta thing to happen again, so ... we devise a plan ... and ... strategic plan...and hopefully it will...sustain us through the long run.

Fieldworker: Yeah. (2004 taped interview)

15) Tlingit woman in her middle years who was raised primarily in Kake.

And how is it created? I think it's created by us interacting and caring for each other and caring for the place. Taking care of each other and our environment. (2004 taped interview)

16) Tlingit woman in her middle years who was raised in Kake.

It's created by people. You know people are the ones that cause the community to grow or to set the pace of where the community will be heading to. You know. The vision they have for that place. And for sustained ... I'm not sure what you mean by sustained. I think it's sustained by people having the same interests. You know, they have the same interests, the same commonality. But I would think that's how it would be sustained.

(2004 taped interview)

17) Tlingit woman in her middle years who was raised in Kake.

One big [event that creates community] is the culture camp, teaching the children how to prepare foods. Another thing is the boys and girls club, the churches, and ANB and ANS. And one of the things that our school does ... that it used to do ... was to bring the Elders in the school and talk to the kids. It's something you know, with budget cuts. The teacher that was doing it, it was _____ and you know, they stopped doing that. But you know I'm sure it's something that will come back. Like, the school is changing the curriculum ... Yeah, the school district is changing the curriculum to where ... oh I can't even think

what it is now, but it's all going back to life skills, and I'm sure that we'll bring that [Elders' participation] back. So, our teachers and staff are going next week up to Anchorage for a week and they'll be doing the workshops, you know, Monday through Friday. And I think it's good. Like a child goes in the third grade and your reading level's second grade. And they work 'up,' you know, same way with math and other courses. And then your life skills. Being a good citizen. Respect and everybody else brings up respect and points the finger this way (how when you point fingers at someone else several fingers point back to you), and be teaching your kids what you are, you know. You're the model. One of the things I (wanted to know about the new curriculum) was what does it say about the values. Is ... it's so easy to criticize ... and then you get in that mode of being so negative. So you change that and try to be positive and look at the good and what could I do to improve it. So much more happens when you're positive. So. (2003 taped interview)

18) Tlingit man in his middle years who was raised in another community.

Fieldworker: That's pretty much what other people have said, in a time of need people come together. But otherwise there's some, like you say, in any small town, there's some difficulties.

Speaker: Yeah. And you know the actual running of the city and, I don't know, the organization and stuff I don't think is real well ... but I think when it comes down to the whole sum of the community itself, without the governmental ... You take away the native organizations, you take away the city and stuff, you have a good group of people ... that, uh, love the area with the setting here and all that's available here. And kind of the ... it's not isolation but it's peace and quiet.

Fieldworker: Basketball is big.

Speaker: Yes. It's very big. And, uh ... I don't know ... various things the school might be [as a community center or community builder] but I ... I don't see it as much. I see other organizations taking that role. Whether it be the churches or ANS, ANB, uh ... sometimes OVK ... Uh, yeah.

Fieldworker: A lot of family stuff?

Speaker: Yeah. Big family things. There's a few really large-sized families in town and uh ... _____, yeah that's one bunch, and you do have the _____, and you have _____, _____, you have different groups and _____. _____ have lived here (a long time). That, you know, they've all come (over time to Kake) ... intermarriages, and mixed, you know, if you really start looking, you'll see it really connected quite well, but ... Yeah. They do a lot together still in groups like that. Yeah. Very strong. You see a very strong _____ clan. You see a REAL strong, positive, supportive, I think, _____ clan throughout the town. And _____ is a very strong family too. Yeah. (2003 taped interview)

19) Young Tlingit woman raised in Kake.

Speaker: It's (community is) just something acquired.

Fieldworker: People learn ... what the expectations are ... ?

Speaker: Um, I don't know. For me, probably it was my parents. Because they (showed through example), having to rely on their ... my parents relied on their brothers and sisters for babysitting me. So ... and I found myself doing that, too, with my cousin ... the one that was here ... and my cousins that aren't here right now, but when they do come here they always would take _____. It's just something that ... you ... just do. Just part of interaction. I think that's ... as much as it can be a headache to get stuff prepared for a potluck, I think that the rewards of it far outweigh the headache. Some of my family members put on potlucks cause that's ... you can get everybody together and (have a good time) especially after dinner, joking around and ... for community events. There's an expectation that when you take something when you go to the community hall, and you've got to be quiet during certain times. I let _____ go, and whatever, but he has to be quiet ... he knows when he goes to a potluck ... to be there.

It's (community is) just doing some things over and over. He's getting to know people at his own speed. I notice that. I mean, I think, you know, I know people and people want to say hi to him all the time and ... you know, sometimes he doesn't say hi. I have to tell him when someone says hi to you, you know, say hi. Say hi back. [laughs] They get really mad. And he's getting his own (bonds?). There's not many cousins ... there's not as many cousins like when I was growing up.

Fieldworker: Because they are in other places?

Speaker: Few and far between (people are not having as many kids) and later in life. So I mean it's like extended family, cousins, everybody. Yeah. It's just kind of like that constant interaction. I think families are still doing that. The family getting together and sharing.

Fieldworker: At the potlucks I notice that all the food that's left over gets distributed afterwards.

Speaker: I know. Things don't go to waste. It's a really good idea.

It's almost a compliment to go home with an empty dish. Is the way I see it. I mean the more food I have to take home, it's like, well they didn't really like it. Yeah. (2004 taped interview)

20) Two men in their middle years. Speaker One is a Tlingit man raised in Kake. Speaker Two is a non-Native man who works with Speaker One.

Speaker One: Helping one another. A lot of (support). Say one of my kids breaks a leg and I haven't got money to go to the hospital, there will be somebody going around town knocking from door to door. All you got to do is explain it and everybody in town gives money, donates. Five years ago my mom passed away. They went door to door and collected over \$300 just within an hour. And it really helped.

Speaker Two: I was at a basketball game one time where they collected \$800 for a kid who was in the hospital. And it's kind of nice too because people don't even have to know who it is, just as long as they feel they're helping somebody. (2004 taped interview)

APPENDIX F
GOVERNOR'S SATP SUPPORT LETTER

FRANK H. MURKOWSKI
GOVERNOR
GOVERNOR@STATE.AL.US



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

THE GREAT ROOM
JUNEAU, ALASKA 99801-2004
907/465-2000
FAX 907/465-2000
WWW.GOV.STATE.AL.US

August 12, 2004

My Fellow Alaskan:

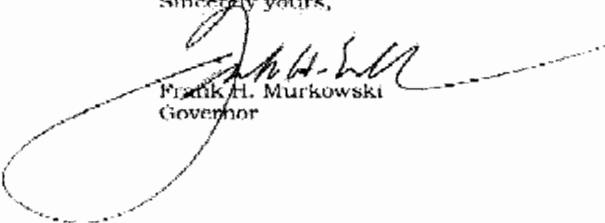
We now face the exciting challenge of extending the reach of the continent's highway system into Southeast Alaska. Southeast has many valuable attractions and resources that are needed in world markets and are vital to the future economic growth and stability of this region. Many of these potentials currently lay fallow, limited at least partly by the lack of affordable access. A good transportation system will be the backbone of our economy and will ensure a healthy economic future for our children and grandchildren.

Through extensive public involvement the Department of Transportation and Public Facilities has developed a long-range plan that lays out how to translate opportunities into action. This plan contains both long and short-range projects and goals which when implemented will significantly reduce our current dependence on long line ferries and provides better service to Alaskans. This plan provides a transition to a system of roads and shuttle ferries, operating on regular daily schedules which will link our island communities. Main line ferries will continue to service main line communities as traffic warrants.

The original mission of the Alaska Marine Highway System was to provide service between our towns and villages, and upon the construction of roads, the system was intended to transition into service from road head to road head. The creators of this system were correct in their vision and this plan will implement that goal. My goal is to provide Southeast Alaska with efficient, reliable, and cost-effective transportation. This can only happen by the development of a system of roads that are linked by short ferry crossings where applicable.

I wish to thank those who participated in developing this exciting plan, and ask each of you to join me in implementing this exciting vision to provide for our future by building a better, more reliable transportation system today.

Sincerely yours,


Frank H. Murkowski
Governor

APPENDIX G

ADOT E-MAIL CORRESPONDENCE



Date: Fri, 20 May 2005 14:46:39 -0800
From: "Andy Hughes" <andy_hughes@dot.state.ak.us>
Subject: Kake Meetings
To: "Katy Fulton" <kdiscourse@yahoo.com>
CC: "John MacKinnon" <john_mackinnon@dot.state.ak.us>

Katy,

In response to your request for a tape recording a 2003 hearing on roads, I believe you are referring to a town meeting arranged by the mayors of Kake and Petersburg conducted in Kake, attended by the City Councils and mayors of both communities with representatives from our department and the US Forest Service present. I estimate attendance at 50-60 people. This was a community organized meeting and the community may have recorded the meeting. We did not. We have no record of this town meeting.

The Department has since conducted meetings on January 27, 2004 and on January 25, 2005 in support of the Southeast Alaska Transportation Plan update and the Northern Panhandle Transportation Study—ongoing, respectively. While not taped they are recorded by note takers, I can either mail or FAX you copies of these meeting summaries.

Information regarding the Southeast Alaska Transportation Plan and Northern Panhandle Transportation Study can be access at the following web site: <http://dot.alaska.gov/satp/>
This web site provides links to the Northern Panhandle Transportation Study.

Please advise, if you are interested in our meeting summaries.

Andy Hughes

APPENDIX H

ADOT NOTES AND RECORDS OF KAKE PUBLIC HEARING

**Southeast Alaska Transportation Plan
Draft Update
Kake, Alaska****January 27, 2004**

Open House: 5:00-6:00

Public Meeting: 6:00-8:00

Kake Municipal Building

Meeting Staff**Verne Skagerberg**, Southeast Regional Planning, ADOTandPF**Randy Wanamaker**, Gateway Technologies, Consulting Team**Public Meeting Comments**

John Ashenfelter: Would it be faster to pave a road to Totem Bay? This could be determined based on a study, and the type of environmental impacts that are developed through the Sitka Access Study.

Bob Mills: Why not put a ferry terminal at Point McCartney? Is it feasible to run the fast vehicle ferries north to Southeast? How many vehicles can the FVF hold? You should see it when we have to share our Costco runs with Petersburg.

Roy Aceveda: Or when we are heading to Gold Medal!

Stu Ashton: You should see when the ferry leaves on Friday and returns on Saturday.

Delbert Kadake: If done they'll pre-plan on use of Taku four times a year. We're not in the Fast Vehicle Ferry plan, and during the meetings held here in Kake (with Petersburg councilmen), that Kake could be a potential hub site if the road were to go through (between Kake and Petersburg). Are we being left out now that we don't want the Kake-Petersburg connection?

Stu Ashton: Frustrating thing is that most communities have at least two or three scheduled ferry runs a week, and Kake as a step-child has one ferry once a week and no equal billing.

John Ashenfelter: Our transportation costs are higher, ticket prices are higher than other villages and we have the longest run to Juneau. Is this because it takes us longer to get to our destination?

Eric Gebhart: You say Rodman Bay is preferred, why? It's longer and we still have to take the ferry. Wouldn't it be easier to duck in and out of Kake and Angoon through Chatham route? This should be pushed up in the plan.

Gary Williams: Why not make them all faster ferries if they are less expensive? If Federal Government is paying, why not get fast ferry service for Kake – Petersburg – Ketchikan?

Bob Mills: That would work well, except for shipping out our fish. The freight kills us, we can't fly because it's too expensive, can't ferry, because we don't have the ferry service.

Paul Reese: The vote by City of Kake residents was 2–1 opposed to the Kake-Petersburg road (160 votes “against,” 80 “for”). We feel the vote has altered our communications with DOT. We will meet with the governor in regard to the roads and other matters, but we need focused time with the City Councilmen and the Tribal IRA Council, one-to-one, to articulate our needs and, based on that, I feel there is a need for a joint meeting with the DOT, City Council and IRA Council. They are still factoring in a road on the SATP 2011–2025 projections.

I feel there is a need for enhanced communication. The plan is a plan—using various hubs interfacing air/ferry/roads. How many Kake people go to Petersburg, Juneau, Sitka? And how often? The current plan doesn't strike me as serving Kake very well.

Stu Mach: Earlier discussion referenced page 13, mentioned that Kake has increased use, despite the failing services or decrease in population. Historically we've been told this data drives the ferry system scheduling. I think we can use ferry more, maybe it's worth the extra hours it would take to come in and out of Kake.

Bob Mills: December had a turnaround—left Friday and returned Sunday; this was perfect, there were no extra costs for us in this trip.

Ann Jackson: [Related her family's travel experiences last December to and from Juneau.] Northbound on the Taku it was very nice. Southbound on the LeConte was a nightmare. Passengers from other communities can be very rude and pushy, so Kake people end up with nowhere to sit or sleep. I was seventh in line, and ended up twenty-ninth because of rude and pushy people. We would have better service if the Taku came in to Kake two times in December, and if the Taku stopped in on its way to the All Native tournament that takes place in Prince Rupert. Taku needs to come in on its way to Gold Medal tournament and Celebration 2004 this June. It is an embarrassment to have the ferry terminal shelter the way it is. Could we have our own ferry without Angoon or Hoonah at the same time?

Stu Ashton: The tribe (Organized Village of Kake) collected 52 surveys, which were forwarded for SATP consideration. We need public comments if we're going to be united and get something done.

APPENDIX I

NORTHERN PANHANDLE STUDY ENDED

Northern Panhandle Transportation Study

North Panhandle Transportation Study contract was cancelled in May 2006 because the basis of the study and its recommendations were overcome by events.

- The Plan was over a year behind schedule.
- A draft plan was under review in May when a Coast Guard order was issued regarding the LeConte exceeding crew rest rules.
- At the time, a draft recommendation was under consideration to replace the LeConte service with a new, slightly smaller, more efficient and automated LeConte II, operating on a modified 24/7 route and schedule.
- The USCG order invalidated the assumptions upon which the proposed action was based. We were faced with the need to redo the entire analysis. We allowed the present contract to expire, because it could not accommodate the work required.
- AMHS, confronted with a short time period to address the USCG order, reconfigured LeConte service to a day boat hub and spoke service out of Juneau to serve Angoon, Hoonah, Tenakee Springs, Pelican and Haines. Mainline stops were increased to Kake and Hoonah. Contracts with commercial operators also supplemented service provided by AMHS.
- We intend to monitor the new AMHS service now in place and evaluate the response AMHS receives to a request for commercial service proposals.
- A future study, if needed, will be based on the current AMHS service experience.

APPENDIX J

NORTHERN PANHANDLE STUDY PARTIAL DESCRIPTION OF KAKE

Excerpts of Northern Panhandle Transportation Study**7.0 KAKE**

Kake is located on the northwest coast of Kupreanof Island along Keku Strait, 38 air miles northwest of Petersburg, and 95 air miles southwest of Juneau. The city boundary encompasses 8.2 sq. miles of land and 6.0 sq. miles of water.

TABLE 7-1

Kake Overview Current Population: 663 (2004 State Demographer estimate)

<http://www.labor.state.ak.us/research/pop/estimates/04t4-3.xls>

Incorporation Type: 1st Class City

Borough Located In: Unorganized

School District: Kake City Schools

7.1 Community Profile**7.1.1 Historical and current data on population**

Kake is an Alaskan Native community located on the northwest coast of Kupreanof Island. Based on data compiled by the Alaska Department of Labor and Workforce Development (DOLandWD), the population of Kake was 663 in 2004; this compares to 710 people in 2000 and 700 in 1990.

7.1.2 Per capita income data

The per capita income for Kake in 2000 was \$14,767, or 65 percent of the state average. The median household in the community had an income of \$31,653.

Population 663 710 700 **Per Capita Income** N/A \$14,767 \$13,193 65% 75%

Median Household Income N/A \$31,563 \$35,875 61% 87%

Sources: DOLandWD, 2004

(<http://www.labor.state.ak.us/research/pop/estimates/04t4-3.xls>) accessed March 15, 2005

DOLandWD, 2000 (<http://www.labor.state.ak.us/research/cgin/cenmaps/profiles>) accessed October 8, 2004

DOLandWD, 1999 (<http://www.labor.state.ak.us/research/cgin/cenmaps/profiles>) accessed October 8, 2004.

7.1.3 Sources of employment in the community

Traditionally, fishing and seafood processing and timber have made up a major part of the Kake economy. In 2003, 56 Kake residents held commercial fishing permits, though only 24 fished that year. Another 62 residents held commercial

crew licenses (Alaska Commercial Fisheries Entry Commission, 2003a). The closure of the town's sole fish processing facility, Kake Foods, in the summer of 2004 will have a significant impact on these numbers. According to 2003 DOLandWD data, Kake Foods, Kake Tribal Corporation and Kake Tribal Logging were the community's largest employers that year. There were a total of 309 jobs in the community on average. Kake Food employed 92 people at the season peak, though employment numbers may include some residents of Pelican. Other leading employers included the Kake City School District, and the Village of Kake. Southeast Stevedoring employed another 52 residents of Kake, which is not reflected in DOLandWD data.

7.1.4 Economic conditions of the community. Kake is currently undergoing economic upheaval due to the financial peril of its largest employer, the Kake Tribal Corporation. Kake Tribal faces possible bankruptcy, and operations at Kake Foods were suspended in 2004. As much as 20 percent of the community's population has left in the last year, according to Kake's mayor.¹

7.1.5 Community support industry profiles

There are two grocery and goods stores in Kake, as well as a fuel supply business. The community also has a health clinic that provides primary care in the community.

7.1.6 Community minority and low income profile

Native Alaskans make up 75 percent of the population of Kake according to the U.S. Census Bureau's 2000 Census. An additional 3 percent of the population is Asian, while blacks and African Americans, Native Hawaiians and Pacific Islanders, and other minority races make up less than 1 percent each of the total population.

Also reported in the 2000 Census, fifteen percent of Kake residents live in poverty, as do 13 percent of families.

7.1.7 Federally Recognized Native Entities and ANSCA Corporations

TABLE 7-3

Tribe/s Organized Village of Kake*

Village Corporation Kake Tribal Corporation

Regional Native Corporation Sealaska Corporation

* Native Tribal Entity, federally recognized and eligible to receive and provide services from and on behalf of the United States Government in Alaska

7.1.8 Community subsistence areas

Kake residents continue to utilize natural resources as part of a subsistence lifestyle. Residents harvest a broad range of resources over a large geographic area.

Deer:

Kupreanof Island.

Kuiu Island

Conclusion Island

Chichagof Island

Baranof Island

Vank Island

Port Houghton

Salmon:

Baranof Island

Kuiu Island

Kupreanof Island

Admiralty Island

Marine invertebrates (including shellfish):

Admiralty Island

Kupreanof Island

Kuiu Island

Baranof Island

Keku Islands

Seals:

Keku Strait

Kuiu Island

Admiralty Island

Waterfowl:

Kupreanof Island

Kuiu

Admiralty Island.

7.1.9 Population and commercial/industrial forecasts and supporting transportation infrastructure needs

The future of the economy of Kake is closely linked to the economic health of Kake Tribal Corporation, although the community has identified and presented a number of small development projects to state and regional entities for future consideration, including:

- Construction of an electrical intertie to Petersburg
- Relocation of the existing harbor breakwater and expansion of the harbor for an additional 90 permanent and 27 transient mooring spaces.

An electrical intertie would likely help lower the costs of living and doing business in Kake. The expansion of the boat harbor would provide improved access to the community. However, neither of these projects has the potential to significantly mitigate the effects of possible continued poor health of Kake Tribal. As a result, the Kake population is projected to slowly decline for the next five years.

7.1.10 Traffic forecasts based on developed population forecasts

Demand for transportation services would be expected to roughly mirror changes in local population. Improvements to transportation infrastructure could increase

visitor traffic to the community, resulting in overall increases in demand for travel.

7.2 Existing Transportation Services

(The writers go on to describe the transportation resources currently available and those desired in Kake.)

(The NPT study description of Kake ends with a discussion of transportation purposes and needs.)

Kake has identified Juneau as its most important and most frequent travel destination followed by Sitka and then Petersburg. The nature of the travel by Kake residents to each of the hub communities varies. The purpose in travel to Juneau is split between shopping, medical care and work. Travel to Sitka is primarily for medical care. Travel to nearby Petersburg yields the advantage of connection to mainline ferry service both North and Southbound and connection to jet service via Alaska Airlines at the Petersburg airport, but the demand is relatively low. Travel to the small communities in the study area is infrequent and primarily to visit friends and relatives. Kake residents also desire to travel to special events such as the Gold Medal basketball tournament, Celebration, school sports and other cultural and social events.

The December 2004, McDowell Group survey of Northern Panhandle households asked Kake residents the following questions: "How frequent would ferry service to Juneau/Sitka need to be to meet your needs?" The response for Juneau averaged 1.5 trips per week and the response for Sitka averaged 1.2 trips per week. The written comments and public meeting comments received regarding this study indicate a slightly higher desired frequency of service.

Separate from the discussion of frequency, Kake residents desire ferry service with the following characteristics:

- A direct connection to Juneau and Sitka
- Less travel time on ships without staterooms
- Improved hotel accommodations for longer ferry trips, particularly for Elders
- The ability to transport vehicles
- The ability to transport freight
- Lower cost
- Round trip turnaround sequencing that matches their trip purpose duration

Additionally Kake residents would like :

- Port calls by mainline ferries that are otherwise waiting for tidal windows at Sergins Narrows and Wrangell Narrows. This would require modifications to the exiting mooring facilities to accommodate larger vessels.

- A cost effective means of shipping fresh fish to market, most likely through an Alaska Airlines air freight connection in Juneau. A road to Petersburg would also facilitate movement of fresh fish to market via Alaska Airlines and movement of fish products through Petersburg marine hubs. The Kake economy would benefit from improved access to the required transportation system via Juneau, Sitka, and Petersburg.
- Continued adequate funding for the maintenance and operation of the state owned airport.

APPENDIX K

DAY-TO-DAY KAKE TALK ABOUT THE ROAD

Following are some of the comments I heard in 2003 and 2004 day-to-day conversations and through interviews about DOT plans for a road between Kake and Petersburg.

1) Non-Native man in his mid years.

I think one thing is, like you've heard the Petersburg ... or, the road between Petersburg and Kake is an issue. And the state department did come in and have a meeting. And I didn't make it. I was opening my classroom up and had kids there and, uh ... But I guess it got pretty hot. But at the same time at least they did come. And they did search for views. ... I know that the road issue got out a lot of people. More than usual. More than usual. (2003 taped interview)

2) Tlingit woman in her mid years.

Just like a drive from here to Petersburg. Even if it was paved. It would be 60-some miles because it would be, you know, winding. So, you know that it would take at least 1 1/2 to 2 hours. Doesn't make sense. I don't know what they're thinking of. It's kind of like north of Kupreanof City ... the town across ... across from Petersburg? Yeah. And it goes through those mountains that are on the northern end, and I can't even imagine the upkeep on those roads. Snow, mud slides. It's terrible. (2004 taped interview)

3) Two men in younger mid years. Speaker One is a Tlingit man, and Speaker Two is non-Native.

Speaker One: We don't have much of a market economy here. [chuckles]

Speaker Two: No. But people here tend to not like outside. Look at the road to Petersburg. Nobody wants that.

Speaker One: Yeah.

Speaker Two: Nobody wants the fast ferry to another island. Nobody wants anything to do with government. I mean people are really anti government.

Fieldworker: How do people communicate to government representatives?

Speaker Two: Oh, they get mad.

Fieldworker: Do they?

Speaker Two: Yeah, you go to these meetings that ... they have these meetings where they proposed, like, logging the watershed (Sealaska) and then... I don't know, any meeting like that, boy, they get hot under the collar. Everybody rushes down there and most people want to rush in and just say no, no.

Speaker One: I guess I can't really answer because I haven't been to meetings or like the one about the road.

Speaker Two: I think everybody gets a little worried that those kinds of things will affect the community and threaten it and, you know, break up the cohesiveness of the community.

Speaker One: If Kake people have to drive to Petersburg to get on the ferry or vice versa, Petersburg people have to come here just to pick up the ferry, that would be some real inconvenience.

Speaker Two: Well, and it's just, I don't know. These communities seem to like, what do you call it, [being] autonomous. Each has its own little thing, keeps it separate from everybody else, and you can do what you want within your own small community. 'Cause when you hear ... what is it, Prince of Whales, that has Craig and Klawock and ... and then they have, what, three or four different communities on the same island, you don't usually say those communities individually. You just say POW [Prince of Whales]. You refer to them as the island rather than the individual towns. And up here you have to refer to individual towns, and people like that.

Fieldworker: Do government agency representatives listen?

Speaker Two: That's an easy one, I would say. I mean, I hate to be point blank, but if it's going to benefit the economy for them [government agencies] than they'll accept it, why not? But if it's not going to help them, then they don't really care about it. I think that's true of any government, you know. Mostly they're dealing with money and fiscal dollar type things. (2004 taped interview)

4) City employee who is a Tlingit man in his middle years.

Speaker: Just like I said there ... a couple of months ago we had a community meeting there, we wanted to hear from everybody, and ... everybody came down here with an idea, whether it was pro or con, for that road to Petersburg there ... and after that town meeting there, we had ... we listened to what everybody had to say there and then voted in October there .. and the whole town. So ... by having the community being together on a ... a subject like that there that would affect everybody.

Fieldworker: They are going to build the road there?

Speaker: Yeah. I haven't heard that part there, but the ferry part they are going to do that. So, that just falls into place of what their overall plan is for ... [He starts looking for papers to show the SATP maps.]

Fieldworker: So, they're going to reduce the service of the ferries?

Speaker: _____ is writing a letter on behalf of the city right now 'cause I told him (what's going on down there). I talked to him a little bit about it in Seattle when I was down there, but he's going to go ahead and respond to them and let them know that we need more ferry service here and how those fast ferries are going to be pretty much just taking care of three communities up in Juneau, Haines, and Skagway. And Sitka.

Fieldworker: So they want people to drive more?

Speaker: That's why they're opening up ANWR. That's what I saw .They're even talking about going all the way from Pelican to, uh, by Sitka. I think that's what they said, ___ said. That's a lot of money for a few handfuls of people in Pelican.

Fieldworker: What's the motivation?

Speaker: Said it cost them 80 million a year to run the ferry system. And they only make 40 million, and they're losing out on that 40 million, and times that by 10 years—that's the money that's going to be saved by building the road. So, they can cut out most of those ferries. So, it's going to be cheaper to build all those road connections than it would be to run all those ferries.

Fieldworker: 400 million would build all those roads?

Speaker: No, they need more than that there, but that's what they were saying there.

Fieldworker: Doesn't someone have to maintain the roads?

Speaker: [mumbles agreement] That part too. They were asking about that too, the road to Petersburg, who's going to maintain it?

Fieldworker: The borough?

Speaker: Yeah, the borough. I see Petersburg getting anxious there too. You know we did call Petersburg to ask them for an invitation to come over and talk to them about the borough again, and they never sent an invitation to us yet. And we left a message for those guys too.

Speaker: Petersburg never wanted Kupreanof or anything to do with Kupreanof until that mining came up.

Fieldworker: When did that mining come up?

Speaker: Oh, it's been less than ten years since that mining claim started sticking up there. We called BLM there and checked with them there to tell how many actual claims out there. They said we'll let you know. I think the last time I heard there was like 15 hundred, 5 hundred, 10 hundred. The only ones that were out of Kake were the former mayor and his son. [laughs] That's why everybody's pretty upset about it, because nobody even knew about it here because the mayor didn't tell anybody about it here. I was getting my teeth worked on by the guy that's the spearhead of the operation there. He asked me if I wanted to get in on a good deal. And I told him, "Well, explain to me what the good deal is." He told me that I have a chance to jump in on some claims before

everybody knows about it. And \$100 bucks a claim there every year whether or not you do anything on it until people start drilling. And I just told him, "Well, just tell me all about it there now." And I was just sitting there listening and they said, "Yeah, ____ knows about it, and ____ was a mayor at the time, and he didn't tell anybody here. And, uh ... so I came back and I was at OVK at the time, and I asked them if they knew about it, and I came and asked ____ [the mayor] if he knew about it and he said, "No." This happened to be at a city council meeting and I brought it up. Asked ____ [the mayor] if he knew anything about it. First he denied it and said that he didn't know anything about it. Then he came out and told us that he did. So it was a big ... kind of like a big sledge hammer got knocked on our heads or something. Because we were wondering why all the helicopters were flying over, everybody flying in on Temsco.

Fieldworker: What if they start mining the island?

Speaker: That's what's going to be probably coming up there. ... white rock there, I don't know if you know where that is, out the road. That's on the road to Petersburg. That's the one that's actually going to connect up with Petersburg. If they do it, it's only like a mile and a half apart now. Anyway that's where it's located. (2004 taped interview)

5) Elder Tlingit man.

Fieldworker: So the road between the two communities has been decided?

Speaker: They said there is going to be ... if you go out this way, there's only three-quarters of a mile where the road (would be linked to other logging roads) to be specific. I went to the forest service there one time and they were talking about the logged areas and stuff. (How if they log this area it would help our economy). And ... join the road over here. They want to join the road here so they can take sports fishermen to Portage Bay. After he (Forest Service representative) got through talking there, I said, well ... I disagreed with him. And ... he said, "Ahh you (Kake people), clams is all you're worried about."

Fieldworker: Clams?

Speaker: Yeah. But I said there's places out there that the previous speaker talked about, gave reference to. You say you're going to help the economy, but when I've flown over that thing, there's no trees there. You know ... (and the road he wants there) where he wants to go, he wants to go to Portage Bay for sports fishing. And I told him (there are people) who are out there for trophy hunting, you know. And I said 'subsistence.' And one of the Forest Service people said, "Do you have that subsistence there?" And I said, 'Yeah.' When it's cold, and the wind was blowing, north wind, we go trolling out there for fish. We don't call it subsistence to make ourselves feel good there. But they're (government representatives) more definitive than that. It's a matter of survival (for us) because there's no money. There's no prices for the fish this summer,

last summer. They (fishers) were on limit, to, like, 2,000 fish a day or something. And there's no 'you can make money on 5 cents a pound.'

Fieldworker: So, they're out there fishing to eat. (2004 taped interview)

6) Elder Tlingit man.

Fieldworker: They really are going to build the road then?

Speaker: That's the impression the people have, you know. And the people, I think a majority of the people here voted against it. They had an advisory vote in the last election. The greater part voted against it. The thing (I found out there) just verbally on the street there, they didn't have no hearing. They (DOT) were probably remiss in calling a meeting, informational thing, on their own (about how the road would be maintained, what about emergencies), you know. And just the maintenance factor, we can't even take care of our own roads if there's snow. We (wanted to know) if we'd get money from the state for that. But then ... and then the safety, public safety, of course. Alcohol, And if they do get (into trouble on the way to Petersburg), whoever is going to come out. They won't ever come out of Petersburg, I'm sure. ... But some of the people that came out here said, "Well we need the road for hydro power [to bring electricity to Kake]. But not from one of the studies I've seen. They don't have roads for hydro for Petersburg and Wrangell, to Juneau for power. So why are they building roads here? (2003 taped interview)

7) Tlingit woman in her mid years.

I think we were aware of all of that (the mining claims). At least I was aware of it, and I'm sure a lot of people were aware of all about the mines and the claims and stuff, but it's just a matter of putting a value on it. And I don't think the people in Kake put in value into it. But when it comes to losing the land ... I think it was a little more important. And maybe this is in poor taste, but ... Petersburg is really looking at the mines and this stuff and looking at the economic value and that stuff, whereas I think people here are trying to ... Kupreanof is traditionally their (Kake's) island for hunting and fishing and that, I think, historically, Petersburg could care less about us or Kupreanof. And even ... that's why there are people living on Kupreanof, that were formerly in Petersburg, is to get away from Petersburg, you know. It was for the true value of the land and nature. And not so much for an economic type thing. Whereas ... I think you're looking a lot at those people that live there that do fish. You know, I mean, they're not ... I guess I feel if that road went through and all the Petersburg people and different things ... I think they're just looking at ... I don't want to go say raping ... but raping the land, raping whatever they can get their hands on. It's too money oriented. It's not ... you know, the care for the environment, the people of themselves. The people that have always lived here.

I don't think that's how that happens. Like [for people who migrated to the area from the lower forty-eight states, etc.] if it's a good fishing season, they'll go where the fish is. If it's a good mining time they're going to go where the mining is. You know, whereas, Kake and actually a lot of the people that live on Kupreanof side would live here even if there wasn't any mines or (fishing economy) or anything. You know they would be here. (2003 taped interview)

8) Young Tlingit woman.

I think if they [government agency representatives] started to learn our language, what concerns them is—it would be too objective [their language]. You know what I mean. We're coming off strong on one side and they have a belief the other way and so you're ... I don't know if there's a happy medium. You know, when Knowles was the governor, I really believed there was some potential to start merging and working, but right now ... but like I said, now, you know, and I'm not knocking anyone by party affiliation, because they're there to do their thing, or whatever, and they believe in their goals, but their goals, they all must have went to science school, because you can tell they don't ever put the environment and spirituality and people together as one. To them everything is a single ... you're going to make money from gold or silver or timber, you know, and that's their whole goal in life is to ... You know, they opened up ANWAR. I don't want to even get into that. That's just an example of what our leaders in this wonderful United States of freedom are choosing to do in this point in time, despite whether it's feasible or not. I mean, I've read reports on the gas line that that's not a feasible project, but we're going to do it. The roads ... no one's real happy with all of these roads and the transportation plan, but it's going to happen because of legislation and the administration feels it's the thing to do to connect us. And the bottom line is, all they want is our natural resources, but they don't ever just come out and say it. You know, they pad it so that it makes it look like they're doing (it all for our benefit and for us to grow). But maybe we don't want to grow. Maybe we don't want to be connected now. (2003 taped interview)

9) Two non-Native men, one in his mid years and one a younger man.

Speaker One: Yeah, we've become basically the only community in the Southeast that won't get high speed ferries.

Fieldworker: Because of the vote on the road?

Speaker One: Don't know. I don't know if it's because we didn't support the roads ... You know, because originally, at the meeting with DOT, and, uh ... they really wanted the road because they wanted us to be the ferry hub because it worked out better.

Fieldworker: Than?

Speaker One: [mumbles agreement]. They wanted to make us the hub because we're much more centrally located. And all of a sudden after the vote, and the community chose to reject the road system, they come back and ...

Speaker Two: Pretty overwhelmingly (the vote against the road).

Speaker One: Pretty overwhelmingly and now we, they left us with very poor service and low speed of (ferry service). So, we won't get serviced by any of the high speed ferries.

Speaker Two: Which, yeah, I mean, in those maps over there, they don't even have the ... you know, they were talking about that the first segment of the road was going to start fairly soon. And in those maps in the year, what, 2025, they still don't have the roads from Kake to Petersburg in there, so ... you know, but I'm not sure where that's coming from, 'cause that's brand new. But, uh ... it's almost like they'll leave us out here and see what happens to us. But, we'll see.

Speaker One: But as much as they come in, you know, from the outside on that, whether that's (leaving Kake out of fast ferry services) the case or not, a lot of it has to do with here, too. A lot of people don't want to play (the game). And I actually can't really say that it's a lot of people because it really isn't probably a lot of people ...

Speaker Two: A lot of the people here in town that have something to lose. And they just happen to be the economical, or economic and political powers that be here.

Speaker One: And they're the vocal ones.

Speaker Two: Yeah.

Fieldworker: So, would people that are involved with Kake Tribal Corporation, would they vote for the road or ... ?

Speaker One: I would think they would ...

Speaker Two: It would be beneficial. There would be a good chunk of them that would, but not necessarily every one. But there's a good chunk of them. ... It would be to the Kake Tribal council's benefit for those things to happen. It would be a benefit to the community economically for those things to happen. Culturally it's really a split in the road. They could either choose to use it as a boost to traditional ways and cultural preservation. But if they just took a non-issue stance on it, it would most definitely help us.

Speaker One: We would become probably a resort.

Fieldworker: Tourist area.

Speaker One: Well, anyways, it wouldn't be bad for us to be a tourist area. At all. With some, with some protective measures in place. You know, to check that kind of growth. Because they're worried about people coming into town and buying up all the land and, you know, outsiders, and having it turn into a—well, refer to Yakutat as a prime example, of the majority of the town is owned by fisherman from Seattle.

Speaker Two: They have nothing to do with the culture of the people there. You know, and it's a teeny little town. Three months of the year it's primarily white faces, and the other nine months it's, uh, Native. And, they don't like that. But the same time, they looked past the measures that (they could have) put in place to check that. (2004 taped interview)

11) One day a woman in her late middle years, who owns a Kake business, asked about my study. Although I never mentioned the road issue, her response to my study was that she did not want the road to be extended to Petersburg. She likes the isolation of the community. The road to Petersburg would mean that Kake people would travel to the Petersburg bars. People would get into more automobile accidents. There would be more drug trade. She wishes the government would assign a group to go from area to area in Southeast and do away with the drug people. She said that she knows there are drug people in Kake, but there are more in Petersburg.

12) A non-Native man, Speaker One, and a non-Native woman, Speaker Two, who have lived in Native villages much of their lives. Paraphrasing/Speaker One: The DOT road effort has a lot to do with Petersburg doing underhanded politics for their own interest. For example, mining claims out of Petersburg are all over Kupreanof. Petersburg wants to annex most of the island as part of its borough, then it would have jurisdiction over most of the island. Hunters like the idea of the road, but Speaker One says the island is game poor and outfitters and guides would make it difficult for Kake people. All of DOT's arguments in favor of building the road will have little positive outcome for Kake, said Speaker One. The reasons given in support of the plan will actually make it more difficult for Kake economically. One DOT justification for the road is to do away with a ferry stop in Kake. Kake people would access the ferry in Petersburg. Speaker One and Speaker Two say they don't see the advantage of having to drive forty miles on logging roads to Petersburg to get on a ferry. In Kake, everyone drives a quarter mile to get on the ferry. They don't like the idea of having to leave their cars unsupervised on Mitkof Island for as long as they are gone. DOT claims that the road would be used to connect Kake to

the electrical intertie. Speaker One says that there is an alternate route for the intertie that would reduce the electrical lines by ten miles without connecting the road to Petersburg. The former mayor was the one pushing for a road, according to Speakers One and Two, because of family mining claims. The speakers also talk about the history of Petersburg's prejudice toward Kake people. Speaker Two doesn't think it would be of any help to Kake people to be connected, based on Petersburg's history. She recounts how Tlingit people were once treated 'like dogs' and not allowed to go into restaurants, and how the merchants took the good stuff off of the shelves when Kake people came on the ferry to shop in Petersburg.

13) Paraphrasing a man in his late middle years. This speaker went to Washington D.C. and Juneau to ask policy makers about the purpose of the road to Petersburg. He said he never got an answer about why they want the road so much. "It's about power," he said in reference to the borough and the road. He told policy makers not to lie. He repeated several times that policy makers never told him why they wanted the road, just that they would send out a newsletter or information sheet to everyone in Kake. They never did send anything, he said.

APPENDIX L

TEXT OF SENATE CONCURRENT RESOLUTION 12

Senate Concurrent Resolution No. 12**SCR12 Bill Text (2004)**

00 SENATE CONCURRENT RESOLUTION NO. 12
01 Requesting the Local Boundary Commission to consider borough incorporation for
02 certain unorganized areas.
03 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:
04 **WHEREAS** Article I, sec. 1, Constitution of the State of Alaska, provides that all
05 persons are equal and entitled to equal rights, opportunities, and protection under the law, and
06 that all persons have corresponding obligations to the people and to the state; and
07 **WHEREAS** the State of Alaska requires organized boroughs, home rule cities in the
08 unorganized borough, and first class cities in the unorganized borough to operate a system of
09 municipal public schools as provided in AS 29.35.160 and 29.35.260(b); and
10 **WHEREAS** the State of Alaska significantly reduces public school funding to
11 organized boroughs, home rule cities in the unorganized borough, and first class cities in the
12 unorganized borough by an amount equal to the "local contribution" required of those
13 municipalities under AS 14.17.410, while no corresponding public school funding reductions
14 are imposed on the remainder of Alaska for operation of regional educational attendance
15 areas; and
16 **WHEREAS** the State of Alaska imposes significant obligations to provide other
01 fundamental public services, such as land use regulation, upon organized boroughs, home rule
02 cities in the unorganized borough, and first class cities in the unorganized borough, while no
03 corresponding obligations are imposed on the remainder of Alaska; and
04 **WHEREAS** no reasonable basis, such as fiscal or administrative capacity, exists to
05 distinguish those Alaskans who do not have obligations to provide a system of public schools
06 and other fundamental public services from those Alaskans within organized boroughs, home
07 rule cities in the unorganized borough, and first class cities in the unorganized borough upon
08 whom the State of Alaska has imposed significant financial and other obligations to provide a
09 system of public schools and other fundamental public services; and
10 **WHEREAS** borough incorporation of unorganized areas with relatively significant
11 populations residing outside home rule and first class cities, and with the fiscal and
12 administrative capacity to operate boroughs, would establish a reasonable basis to distinguish
13 Alaskans that have significant obligations to provide a system of public schools and other
14 fundamental public services from those with no such obligations; and
15 **WHEREAS** the Local Boundary Commission determined in its February 2003 report
16 entitled: "Unorganized Areas of Alaska that Meet Borough Incorporation Standards," that
17 seven unorganized areas of Alaska meet standards for borough incorporation, including fiscal
18 and administrative capacity to operate boroughs; and
19 **WHEREAS** four of the seven unorganized areas identified in the Local Boundary

20 Commission's February 2003 report have relatively significant populations residing outside
21 home rule and first class cities; those areas are the Upper Tanana Basin Model Borough, the
22 Copper River Basin Model Borough, the Glacier Bay Model Borough, and the Chatham
23 Region Model Borough, as those unorganized areas are defined by 3 AAC 110.990(9); and

24 **WHEREAS** the purpose of the local government article of the Constitution of the
25 State of Alaska is to provide for maximum local self-government with a minimum of local
26 government units, and to prevent duplication of tax-levying jurisdictions; and

27 **WHEREAS** Article X, sec. 1, Constitution of the State of Alaska, encourages
28 organization of boroughs to achieve the purpose of the local government article; and

29 **WHEREAS** the local option method of borough incorporation, first enacted in 1961
30 and currently codified in AS 29.05.060 - 29.05.150, has been generally ineffective in
31 promoting the fundamental constitutional objective of borough organization; and

01 **WHEREAS** the Local Boundary Commission has authority under art. X, sec. 12,
02 Constitution of the State of Alaska, to present borough incorporation proposals to the
03 legislature; and

04 **WHEREAS** the provisions of AS 44.33.812 require the Local Boundary Commission
05 to adopt regulations providing procedures for borough incorporation; and

06 **WHEREAS** the Local Boundary Commission has adopted procedures for
07 incorporation of boroughs under 3 AAC 110.400 - 3 AAC 110.660, including procedures in 3
08 AAC 110.610 for legislative review under art. X, sec. 12, Constitution of the State of Alaska;
09 and

10 **WHEREAS** the provisions of AS 44.33.812 require the Local Boundary Commission
11 to consider borough incorporation for areas requested of it by the legislature;

12 **BE IT RESOLVED** that the Alaska State Legislature requests the Local Boundary
13 Commission to consider borough incorporation for the Upper Tanana Basin Model Borough,
14 the Copper River Basin Model Borough, the Glacier Bay Model Borough, and the Chatham
15 Region Model Borough; and be it

16 **FURTHER RESOLVED** that the Alaska State Legislature requests the Local
17 Boundary Commission to present a recommendation for borough incorporation under the
18 legislative review method in art. X, sec. 12, Constitution of the State of Alaska, for each
19 model borough listed in this resolution that is determined by the Local Boundary
20 Commission, with any appropriate amendments or conditions, to meet applicable borough
21 incorporation standards under the Constitution of the State of Alaska, Local Boundary
22 Commission regulations, AS 29.05.031 and 29.05.100; and be it

23 **FURTHER RESOLVED** that the Alaska State Legislature requests the Local
24 Boundary Commission to include in each legislative review recommendation for borough
25 incorporation submitted under this resolution, details concerning the class, name, boundaries,
26 assembly composition and apportionment, proposed operating budget, taxes, and other
27 areawide and nonareawide powers to be exercised, measures to ensure a smooth transition to
28 organized borough status, and other elements essential to the establishment of each particular
29 recommended borough.

30 **COPIES** of this resolution shall be sent to the Honorable Frank Murkowski, Governor
31 of Alaska; the Honorable Darroll Hargraves, Chair, Local Boundary Commission; and to the
01 Honorable Edgar Blatchford, Commissioner, Department of Community and Economic
02 Development.

APPENDIX M

SENATOR WILKIN'S 2004 SPEECH

Gary Wilkin, sponsor of bill SCR 12 in a speech to the State Affairs Committee

March 2004. (Transcript of taped session)

Thank you Mr. Chairman, members of the committee, Gary Wilkin, representing district E in the state senate, and if you'll just give me a moment, let me get sort of organized. (Shuffling of papers) Okay. For the record Mr. Chairman I'd like to read into the record my sponsor statement and then a couple of brief comments before we uh go to your committee. Thank you for hearing the bill, members of the committee. Senate concurrent resolution twelve requests the local boundary commission, known as the LBC, consider borough incorporation for four areas of our state: the upper Tanana Basin Model Borough, the Copper River Basin Model Borough, the Glacier Bay Model Borough and the Chatham Region Model Borough. These four areas of the state were recently identified in a February 2003 report by LBC entitled "Unorganized Areas of Alaska that Meet the Borough and Incorporation Standards." And they were identified as meeting the existing standards for borough incorporation. Mr. Chairman, although the aforementioned model boroughs are named in the recent local boundary commission report as having the fiscal and administrative capacity to operate borough governments, the majority of the residents do not live in a home rule or a first class city. As residents of the unorganized borough, these Alaskans are not required to financially support their local school system. This resolution recognizes this fact and establishes a procedure to determine if the residents of the four areas have the ability to contribute to their local schools. SCR12 requests the local boundary commission to review these areas in depth and make a recommendation for borough incorporation for each of the model boroughs that is determined to have met the applicable borough incorporation standards. The exact details regarding the establishment of each particular recommended borough would be included in each legislative review as submitted to the legislature by the local boundary commission. Each proposed borough incorporation would be adopted unless the legislature disapproved of the recommendation within 45 legislative days. That concludes my sponsor statement. If I could make a few comments. This .. a year ago uh the legislature asked the local boundary commission to go out and produce a report. And many of you have seen this and read it. This is the report, and it's in three sections and the results of this report are that they recommend .. a .. seven areas, or at least identify seven areas that would have the capacity to support local government. Um all seven of these are within the unorganized borough. Um SCR12 identifies four of those seven, the

common thread being the support of local schools. Um the three that aren't addressed are first class or home-rule cities that currently support their local schools and are not a subject of SC12. Um this is in three sections. There's lots of information in here. And is the basis on which SCR12 is founded. Um and I believe Mr. Hargraves is on line and he may discuss that. In your packets, um I just want to review for you a profile of the unorganized borough, and it's on a sheet like .. it just says profile of the organized borough. I won't read all of those, but I will read four of them. The unorganized borough was created when our constitution was put together in the late 50s and when the mandatory boroughs were put in place in the early 60s it was created as an instrumentality of government in the state of Alaska. It encompasses 11 census areas across our state. It encompasses 13 percent of Alaska's population, or about 82,000 people, and it includes 37 of Alaska's 53 school districts. Approximately 70 percent. People often confuse the local boundary commission's effort as somewhat fuitive and somewhat arbitrary. And I just want to remind the committee today that this is a table, I believe it's in your packet, this table identifies the eleven different standards for borough incorporation, and you can see this the source of those of the or the sites for that authorization and authority on behalf of the state. And you can just look down the side there, it asks the boroughs whether they have adequate facilities. Is it in the best interest of the state to have an organized area? Do they have common large and stable populations? Do they have similar geographies? Those types of things. So you have to ask each of those eleven questions. You have to answer them by the laws set forth you'll see on the right columns before one is considered to be capable of supporting local government.

The issue regarding the schools is shown in this chart here. It's one year behind but it's certainly gives the, it gives the message. You can see here that um, that this is money that organized Alaska, the people that I represent, uh in Fairbanks, contribute to mandatory, by mandatory contribution in order for them to receive their first dollar of uh, of uh local aid. Uh organized Alaska this year contributed \$254 million dollars before they get their first nickel of state aid. Uh out of that \$254 million, we'll turn around, and we will distribute \$125 and a half million to local REAA's that don't contribute anything for their local schools. They don't contribute to operation or capital. It's a gratis program on behalf of the state. This may have been .. this may have been appropriate in the late 50s or early 60s. I would suggest that today there are areas of the state that have reached the capacity to have wealth in their areas of the state that they can at least be asked or at least have the courage to look to see if they could indeed support some level of local government and support their local schools. A common refrain is, well, we can't afford it out here. Uh there's lots of data that show that perhaps one might. But I just refer you to one that I think is very telling. If you look at this chart here that shows 2002 wages earned in an unorganized area of our state, I don't identify them, that's not necessary today, but I think that the important part, and if you look under average monthly employment, and these are ESD reported wages. This is a federal uh quarterly ESD

reports that every employer would report, and is held accountable under federal law that they be accurate, you'll see there in the column second from the right, 16,541 people in two thousand and two go over to total wages paid and type, 16,541 people made 428.9 million dollars in 2002. And you can look down there and see where the higher wages are, but you can see group A there has an average wage of \$44,000. Uh right on down, the average is about \$25,900 in the unorganized Alaska. And what you'll see there for sure too is there are areas in the state that probably don't have the capacity for government and that's recognized by many, including myself. The local boundary commission has come before the legislature on a regular basis, and this is an example of January 2001 of the report, of the need to reform and to seek areas of the state that perhaps could support government and provide some relief to those taxpayers that are already paying taxes. But every year they give a report to the government, uh, to the legislature. Each of those reports for the seven years I've been here, they've all asked for relief to eliminate some of the disincentives that we have put in place for unorganized areas to become responsible for their own actions. With that Mr. Chairman I'll conclude my testimony.

Mr. Chairman, the best government is the government closest to the people. And there are areas of our state that are called out .. that are being called upon to contribute and help with education. And I think in these budget times, and I think as a matter of fairness, that as a fiscal issue, and that is obviously the dollars that would flow to the treasury and enable us to pay for education. But there's an almost, a like aspect of this, I think is very important that sort of swirls below the surface. That is those areas of the state that are able to support their schools to the level that the state mandates, the four mil limit, when people sit down to write a check every month or every year, for their schools, they start to care a little more about what happens in the little red school house. And I think that that's almost as important an issue, maybe even more so then the money issue itself. And I'll leave you with that thought, and be glad to answer any questions that you may have in regard to SCR12. Thank you.

APPENDIX N

ALBC CHAIRMAN HARGRAVE'S 2004 SPEECH

Testimony of Darroll Hargraves to the Senate State Affairs Committee

March 2004. (Transcript of taped session)

Mr. Chairman I'll make a very brief statement and be available for your questions, if that's Chairman and members of the committee I'm Darryl Hargraves, chairman of the Local Boundary Commission. Last year the legislature enacted a law, chapter 53 SLA 2002 (designating) the local boundary commission to determine which areas of unorganized borough (were qualified) for borough incorporation, and also directed the local boundary commission to file a report of its findings with the legislature by February of this year. This report was filed on Feb. 19, last month. (The papers) before you provide a summary of the report. That report should be a matter of your records. As noted in my summary, the commission recognizes that the legislature has a duty – per our constitution – to determine fundamental state policy on the matter of which boroughs will be organized. If adopted this Senate Concurrent Resolution number twelve (SCR12) constitutes the expression of fundamental legislative policy regarding borough formation. The resolution asks the local boundary commission to consider borough cooperation in these four specific areas, the upper Tanana Basin, the Copper River Basin, Glacier Bay, and the Chatham Region. These four areas were identified in the commission's uh Feb. 19 report meeting the standards for borough incorporation. Adoption of the resolution would initiate formal proceedings of the local boundary commission per specific proposals for the establishment of organization of organized boroughs for the four areas listed in the resolution. The commission would consider each proposal separately. If after further study and public hearings the commission (confirms) the determination expressed, in the Feb. 19th report, the four areas – or part of those four – meet the standards of incorporation, resolution asks the commission to take recommendations to the legislature under article ten section twelve of the constitution for an incorporation of these areas as boroughs, any such recommendations from the commission is subject to review by the legislature. The legislature can reject the commission's recommendations by adopting a concurrent resolution. Any recommendation not rejected would result in the formation of a borough outlined in that recommendation.

I spoke to you last month. I completed my (presentation) by stating that the local boundary commission ---- any future directives of the legislature a matter of boroughs in accordance with the law. The local boundary commission does in fact require Alaska Statute 44.33. and 812 to consider any incorporation proposal (entrusted) of it by the

legislature. This is saying, Mr. Chairman, that when the legislature speaks, it will be a directive to the local boundary commission. If the legislature adopts senate concurrent resolution number twelve, the commission will conscientiously carry out its duty and determine which boroughs it believes meets the standards, and which boroughs we recommend for boroughization. Mr. Chairman that concludes my prepared remarks. I can respond to any questions that you have.

APPENDIX O

ANGOON TESTIMONY IN RESPONSE TO SCR 12

A segment of public comments from Angoon to the State Senate Affairs Committee

March 2004. (Transcript of taped session)

Peter: Yeah this is Peter. First I'd like to say I appreciate the opportunity to testify. And I'd like to make a brief statement regarding the formation of a borough. Several years ago the community of Angoon considered the possibility of forming a borough but at that time it was determined that we had little benefit to be gained by being a borough, and then the unemployment rate is high in this area, very high, and what little income that comes into the community is seasonal. Most of the fishermen, the way fishing is going, the fishin for salmon is really a depressed area for this community. I don't see any benefits of forming a borough.

Chairman: Is that the end of your testimony?

Peter – And I'd just like to say that, I'd like to finish up by saying that the first time I heard about this was just today about one hour before I came up to the office here. And I think it's, and this was the first time I called em. Well I think it is, yes, and then what I'm saying is I don't think Angoon will benefit by being a borough.

Chair – Uh. Senator Stevens?

S – Thank you Mr. Jack. I appreciate your comments, but how do you suggest we pay for education in your community?

Jack – I think that's a good question. I think if we could think of a way to do it, we'd be doing it ourselves.

(chuckles)

Chair – uh okay. Thank you Peter.

You have a question senator Taylor?

Taylor – Yeah. In fact some years ago Angoon seriously looked at becoming a borough and that was because, I believe, the community was looking at taxing the Greens Creek mine. I think that that's the motivation that had the Green's Creek mine immediately run to Juneau to have Juneau tax them. Because I think they believed, or hoped at least, that they would end up with a lower taxation level than what they were gonna get from Angoon. And that's why I brought up the point earlier as to who should be taxing that facility out there. I can remember that, somewhat of a controversy going on about that at the time, and I believe the statement I just made is correct. I believe that at the time Angoon was looking at becoming a borough, uh Green's Creek was not in a taxing district at that time.

Chair – okay. You had one other person there at Angoon to testify?

Floyd – Yes my name is Floyd Jim.

Floyd – When you're talking about (LBC) to look at this community. We're still on an island (with) a national monument. But yet the federal government overlooked this community. It's the only community that is living on a national monument. (Need to) tell them to recognize us as one, to take care of us. Two (the rule that you can't claim or annex) over bodies of water could generally give our community the right borough to claim Green's Creek and the whole island. And to top it, off according to your, according to the way you guys are talking, a community has to have at least 1,000 or more to become borough. You guys are throwing all these communities together to form a borough. And then what it is going to amount to is all the communities that are put into one borough are going to be fighting over this money, that money. That's ridiculous. A borough it should be a community by itself, that is, like you say has to have a 1,000 people to become a borough. That's what you guys are overlooking. And without resolving other issues that are on the table instead of wasting money trying to figure out how to (pick out) boroughs for the state of Alaska. (Many) issues like for subsistence hasn't been resolved. ... and to me I oppose this borough issue until (rules are settled) like this on annexation of anybody's you know claim. (Idea that) you can't claim across a body of water. (pause)

Chair – Go ahead Jim. Are you done?

Floyd – Yes I'm done. I'm just letting you know I oppose it You can't claim across bodies of water. Generally being a borough we would claim the whole island. But being on a national monument, the state don't even look at it as being a what .. overlooked by the federal government, being a national monument, the only village out here. Why aren't they upgraded or anything?

Chair – Oh okay Jim. I think there's a question here. Senator Lincoln.

Lincoln – Well Mr. Chairman. I don't .. I appreciate you allowing me to ask a question but I just want Angoon and the others to know that you know not all of us feel that you all in the rural communities are not paying your way. I really do believe as one of the, as a village member, that we do pay our way, and I believe that in Angoon especially, you know you do have the raw fish tax that, it might not go directly back to education, but at any point that you can get employment out in our villages we end up by paying something for it. And certainly the village corporations and the regional corporations have assisted through the shareholders to help to pay the way for the state. So I don't want Angoon or others to feel that all of us here on the committee or in the legislature, that we're feeling that you're not paying your way. Because I'm one of those that believe that we are paying every bit that we can.

APPENDIX P

SELECTION FROM LBC 2005 REPORT TO THE LEGISLATURE

Selections from the Report of the Alaska Local Boundary Commission to the First Session of the Twenty-Fourth Alaska State Legislature, January 2005**Segment 1****CHAPTER 3 - POLICY ISSUES AND CONCERNS****Introduction (pgs. 83-85)**

This year marks the 50th anniversary of the convening of Alaska's Constitutional Convention. From November 8, 1955, to February 5, 1956, fifty five elected delegates gathered at the University of Alaska campus near Fairbanks to create the framework for Alaska's future state government.. Five decades later, the efforts of those delegates continue to be generally regarded as a great success. One of the biggest challenges facing the framers of Alaska's Constitution was to transform Alaska's anachronistic local government structure into a modern system that would serve the diverse areas of Alaska efficiently and effectively. At the time, local government in the Territory of Alaska was both rudimentary and flawed, as described below. Under territorial status, local institutions had undergone only limited development; there was little self-determination at the territorial and even less at the local level. Federal law prescribed the powers of the territorial legislature, severely limiting the scope and types of local government and restricting the powers that could be exercised by cities. For example, counties could not be established, bonding criteria were strictly delimited, and home rule could not be extended to cities. Victor Fischer, *Alaska's Constitutional Convention, 1975*, p. 116. Over the course of more than 44 meetings, the Committee on Local Government crafted the Local Government Article of Alaska's Constitution. When completed, the framework for local government comprised a mere 833 words. The delegates drafted a strikingly simple, yet effective, framework to provide local services to Alaskans. A copy of the Local Government Article is included with this report as Appendix A. Regrettably, certain key provisions of the Local Government Article of Alaska's Constitution were poorly implemented. Some say this was because decisions over complex issues were rushed. Of even greater concern is the fact that some constitutional provisions remain unexecuted, even after 46 years of Statehood. This may have been the result of deferring difficult decisions involving controversial matters. Jay Hammond's candid account of the enactment of initial borough legislation, which is discussed in Section I of this Chapter, does nothing to dispel such conjectures. The LBC outlines its concerns in this Chapter

regarding these matters in the context of its ongoing duty to study local government boundary problems (see AS 44.33.812(a)(1)).⁴⁰ Before discussing those concerns, the Commission acknowledges the contributions made by Victor Fischer, former Constitutional Convention Delegate. The only amendment to Article X occurred in 1972. It eliminated provisions regarding city council members serving on borough assemblies. As amended, the Local Government Article now consists of 784 words. The views expressed here are strictly those of the LBC, an independent commission with the duty to address “local government boundary problems.” Victor Fischer Local Boundary Commission Report to the First Session of the Twenty-Fourth Alaska State Legislature January 2005 Page 85 and State Senator, and Arliss Sturgulewski, former State Senator. These esteemed statesmen and experts in Alaska local government conferred with the Commission in the development of this report. The Commission and its individual members appreciate their critique of the concerns set out in the report and their endorsement of the importance of resolving the issues raised therein. Section I. Lack of Adequate Inducements for Incorporation of Organized Boroughs and Annexation to Existing Boroughs Subsection A. Statement of the Issue: Those who wrote the Local Government Article of Alaska’s Constitution clearly anticipated that the Alaska Legislature would provide sufficient inducements to prompt voluntary borough incorporation. Regrettably, that vision of the framers of Alaska’s Constitution – undoubtedly one of the most critical aspects of implementing the Local Government Article of Alaska’s Constitution – still awaits fulfillment.

The report goes on to quote the narratives of 1956 convention delegates and 1960, 1961 legislators to show the intent of convention decisions concerning borough formation. (Alaska LBC 2005:85-90) The report goes on to outline University of Alaska studies and statements by the Alaska’s First State Attorney General, John L. Rader that concluded the 1961 Borough Act was ineffectual in accomplishing the state’s goals for boroughization. Rader thought that mandatory formation would have to be enacted in order to do away with independent school districts and public utility districts that were unrecognized under the constitution. (Alaska LBC 2005:90-92) A 1971 study concluded that the state should encourage changes in local government before more local service areas are created and their boundaries hardened. In 1981 another study was published that pointed out ... “Alaska has not evolved as envisioned initially. Only eleven boroughs have formed since 1959; the rest of the state (nearly 75 percent) remains in the unorganized borough and depends primarily

on the State and federal support for services. John J. Kirlin, a professor of Public Administration at the University of Southern California helped with the study. He wrote: “This complex, jury-rigged non-system provides disincentives and barriers to change” (Alaska LBC 2005:95). In 1991 a task force was developed to discuss boroughs and the state constitution. “The tension between the constitutional intent that the state become completely organized into boroughs and the strongly held notion that citizens should only have as much local government as they desire was a dominant theme in Task Force deliberations” (Alaska LBC 2005:96). The task force concluded that there were large portions of the unorganized borough that lacked a regional resource base to support a borough government system. In addition, those areas that might support a borough government lacked incentives because of state and federal laws and programs. (Alaska LBC 2005:96)

- Regional Educational Attendance Areas had been established to allow local control of schools. This was said to have reduced incentives to form regional governments.
- The state’s sharing of National Forest receipts and Fisheries Business Tax receipts with communities in the unorganized borough also contributed to lack of incentives to organize regional governments.

In 2001, the Local Boundary Commission published a policy paper titled *The Need to Reform State Laws Concerning Borough Incorporation and Annexation*, and that asked the state to change laws that deterred local incentive to form boroughs. The report was cited in the 2005 report to the legislature. ...”the lack of a strong State policy promoting the extension of borough government [is] the most pressing ‘local government boundary problem’ facing Alaska” (Alaska LBC 2005:97).

Segment 2. (Alaska LBC 2005:98-100)

Promotion of Borough Formation Is Sound Public Policy.

(a) **Boroughs Promote Maximum Local Self-Government With a Minimum of Local Government Units.** Article X, section 1 of Alaska's Constitution sets out the purpose and construction of the Local Government Article. The purpose of this article is to provide for maximum local self-government with a minimum of local government units, and to prevent duplication of tax-levying jurisdictions. A liberal construction shall be given to the powers of local government units.

Referring specifically to section 1 of the Local Government Article, the Alaska Supreme Court observed that Alaska's Constitution encourages the creation of borough governments. See, *Mobil Oil Corporation v. Local Boundary Commission*, 518 P.2d 92, 101 (Alaska 1974). Eben Hopson, Native leader, member of the Territorial Legislature, and State Senator, offered the following insights concerning maximum local self-government: In 1958, when the people of the North Slope area voted overwhelmingly for Alaskan statehood, they did so for the same reason as nearly all Alaskans voted for statehood. They wanted the right to determine for themselves what they would do and when they would do it. . . . We wanted to change this system and we voted for statehood, almost every man and woman. . . . Throughout the eight years work of creating the North Slope Borough, we had the same thing in mind. Through the "maximum of local government," guaranteed us by the Constitution of this State of Alaska, we wanted the maximum of self determination. Eben Hopson, North Slope Borough Mayor, Official Position Paper: North Slope Borough Re: Proposed Ad Valorem Tax on Oil Properties (Fall 1973). "Through the "maximum of local government," guaranteed us by the Constitution of this State of Alaska, we wanted the maximum of self determination." Eben Hopson

Dr. Victor Jones, a professor at the Institute of Governmental Studies at the University of California, concluded as follows in the previously cited 1981 study on the unorganized borough: "The constitutional goal of 'maximum local government' can only be approached when a locality or region is organized." *Problems and Possibilities for Service Delivery and Government in the Alaska Unorganized Borough*, p. 115. By their general-purpose nature, boroughs serve as a mechanism to achieve "maximum local self-government." They are political subdivisions of the State and have the power to levy taxes, issue debt, enact laws, and otherwise exercise broad responsibilities of general local governments. In contrast, delivery of fundamental services in the unorganized borough is often carried out by single-purpose entities. For example, REAAs and federal transfer regional educational attendance areas (FTREAAAs) provide educational services for 100 of every 155 residents of the unorganized borough (64.6 percent).

Organized boroughs also achieve "maximum local self-government" in the sense that they are governed by assemblies comprised of local residents who are elected by local voters. In contrast, the State Legislature wields the power of the assembly for the unorganized borough, with the vast majority of its members elected by voters who do not live in the unorganized borough.⁴⁴ Having officials elected largely by one group (i.e.,

legislators elected by residents of organized boroughs) govern the local Article X, section 6 of the Alaska Constitution provides that: The legislature shall provide for the performance of services it deems necessary or advisable in unorganized boroughs, allowing for maximum local participation and responsibility. It may exercise any power or function in an unorganized borough which the assembly may exercise in an organized borough affairs of another group (i.e., residents of the unorganized borough) runs counter to basic democratic principles. In this case, approximately 87 percent (52 of its 60 members) of the assembly of the unorganized borough is elected by voters living within organized boroughs. That circumstance is hardly conducive to maximum local self-government. Organized boroughs promote the constitutional principle of a “minimum of local government units” because of their regional nature and broad powers. Boroughs provide many fundamental powers (e.g., education) to all residents. Moreover, approximately 100 of every 121 residents of the organized boroughs (82.9 percent) rely exclusively on borough governments for all municipal services. The remaining 17.1 percent of the residents of organized boroughs receive municipal services from both a borough and a city government. In contrast, the unorganized borough fosters fragmented service delivery. The Alaska Municipal League characterizes the matter as follows: Article X of the Constitution also states, “The purpose of this article is to provide for maximum local self government with a minimum of local government units.” In the Unorganized Borough the opposite is true. There is currently a minimum of local self-government with a maximum of local government units. • Alaska is the only state with no local government for a large geographical part of the state. • In the absence of boroughs, local services are provided by “over 400 governmental and quasi-governmental institutions. These include 150 municipal governments, 35 state sponsored quasi-municipal institutions (REAA’s, CRSA’s, and ARDOR’s), hundreds of tribal institutions, and scores of local and regional non-profit institutions (DCRA, 1996). The unorganized borough provides for “a minimum of local self-government with a maximum of local government units.”

Segment 3.

The headings of in the report under the section titled Promotion of Borough Formation is Sound Government Policy. (Alaska LBC 2005: 98-114)

- a. A good portion of the report outlines the reasons borough formation is imperative.
- b. Boroughs provide a legal structure for service delivery
- c. Boroughs offer stable and capable administrative capacity to provide services
- d. Boroughs foster local responsibility
- e. Boroughs promote accountability

- f. Boroughs exercise planning and platting responsibilities
- g. Boroughs provide a means to promote private ownership of land
- h. Boroughs have capacity to provide greater financial aid for schools
- i. Boroughs consolidate school districts
- j. Boroughs have capacity for regional control of alcohol and other substances
- k. Boroughs promote economic development
- l. Boroughs provide a proper role for state government
- m. Boroughs promote equity and fairness

APPENDIX Q

CITY OF KAKE 2003 LETTER TO LBC

Letter to the Local Boundary Commission from the City of Kake February, 2003.**Dear LBC:**

Though the Community of Kake already enjoys the opportunity to serve effectively within a municipal context, and as we look to the LBC to address those unincorporated regions, we look forward to providing input, assistance and local expertise as we consider this matter. Please accept this map representing an alternative drawing of boundaries for the suggested Chatham District. These boundaries and landmarks encompassing the Islands of Admiralty, Kupreanof, and Kuiu would serve the goals and intentions of the Commission identifying a borough that would serve the geographic, financial, and cultural, and social components of this discussion. Thank you for your consideration and please let me know if I can assist you in any matter I might clarify. Sincerely, Paul Reese, Mayor City of Kake.

Whereas, the community of Kake has existed from ancient times, enjoying culture, community, and its unique way of life.

Whereas the community of Kake has in earlier times enjoyed its independence, self determination, autonomy and now, as a first class municipality, the oversight of the welfare of our people.

Whereas the community of Kake is now composed of a dynamic and vital culture, and unique personality as has evolved from its rich history.

And whereas, the community has also been associated with and intimately connected with its traditional land, those lands used by its people for those traditional activities such as hunting, fishing, and gathering related to the lively hood of the people.

And as: the state now has mandated the Local Boundary Commission to address the matter of those communities now existing on unincorporated boroughs.

Be it resolved: that the Community and Municipality of Kake declare its resolve and determination to maintain its unique culture, personality and way of life.

Be it further resolved: that the community and municipality of Kake does now encourage and petition the Local Boundary Commission and all agencies to whom this matter is relevant to make all diligence to consider the interests and concerns of our community, in any mechanism that would result in the formation of a borough that would either include

or encompass the City of Kake or any of the traditional lands associated with the peoples of Kake.

Also, it is resolved: that the community of Kake does now express its position that no Borough be formed in or around the Municipality or the traditional lands of Kake without the expressed consent and endorsement of its peoples as provided by that mechanism made available by the ordinances of the City of Kake. Adopted, this 29th day of January 2003 by a vote of 6 yea's 0 nays and 0 abstentions. Signed Paul Reese Mayor.

APPENDIX R

KAKE TRIBAL CORPORATION 2003 LETTER TO LBC

Letter to the Local Boundary Commission from Kake Tribal Corporation, January 31, 2003

To the Local Boundary Commission State of Alaska

Dear Sirs:

Kake Tribal Corporation is opposed to any borough that includes Petersburg or Wrangell. It also opposes any borough proposal that includes the current Glacier Bay borough. The proposed Chatham Borough may work but must incorporate a method or direction on opportunities as well as potential detrimental effects on our existing government structure.

Kake Tribal Corporation is the largest single landowner in the community of Kake and vicinity and would like to participate in any discussion pertaining to this matter. Please consider the ramifications carefully and without prejudice to villages in Southeast Alaska. If you require further information or discussion please call me at the above number. Sincerely, Sam Jackson President CEO.

APPENDIX S

KAKE SCHOOL DISTRICT 2003 LETTER TO LBC VIA KAKE CITY

Appendix 21**Letter to the City of Kake from Kake City School District. January 30, 2003,
and forwarded to the Local Boundary Commission.**

Dear Mayor Reese,

I am encouraged to hear that you have the opportunity to meet with staff members of the Local Boundary Commission in Anchorage next week. I feel it is very important to be proactive in the issue of borough formation. The LBC has a very difficult task in that it is impracticable for a small commission with limited resources to set up and judge proper boundaries for people groups within a state as large and diverse as Alaska. If a governing body is to be responsive to and representative of the people under its authority, it must have a foundation in the history and culture that brought those peoples together in the first place. I am very concerned that the rich history and culture of the original Kake people is not being considered in the establishment of borough boundaries currently under consideration by the LBC. As a school district, Kake City Schools can not support the boundary of the Chatham Model Borough, the combination of the Chatham and Glacier Bay Boroughs or the inclusion of Kake in the Wrangell-Petersburg Borough. None of these options give sufficient respect to the culture or original lands considered home to the Kake Tlingit people.

In a newsletter article put out by First Alaskans Institute in the fall of 2002, President and CEO Byron Mallott says, "For Native people, education is about reconnecting us to a strong sense of who we are, where we've come from and where we're going. So long as the educational system of this state does not recognize that, the system will fail us. And if it fails us, it will have failed all Alaskans."

As an educator, I do not see any of the proposed borough boundaries as beneficial to the processes that Mr. Mallott speaks to. No borough that fails to consider the traditional territory of the Kake Tlingit people will be successful in meeting the educational and cultural needs of the people. The establishment of any of the LBC proposed borough boundaries would only exacerbate the educational disconnect of students in Kake and other Native communities.

Autonomy is very important to the people of Kake and the education of their children. This autonomy helps to preserve the culture and identity of the people. It is often difficult for those who do not have the strong traditions and ties to Native lands to understand its

power and value to the communities and people who have it. These factors are critical to the successful representation of the people by a government. Until these factors are recognized in the formation of boroughs, the likelihood of a successful borough government that will meet the educational and communal needs of the people will be remote. Sincerely, Eric Gebhart Superintendent.

APPENDIX T

OVK 1998 LETTER TO LBC

**Resolution in opposition to forming a borough with Petersburg.
Organized Village of Kake September, 1998**

Resolution No. 98-22 Proposed Petersburg Borough Boundary

Whereas, the Organized Village of Kake (hereinafter OVK) is a duly constituted Indian Tribe organized pursuant to the authority of the Federal Indian Reorganization Acts (hereinafter IRA) of 1934 and 1936 with the IRA Council as the duly elected governing body formed under its Constitution and By-Laws, and,

Whereas, the IRA Council has responsibilities to its Tribal Citizens (population of 615+ residing in the Kake area) that include, among others, powers of authority to “protect the general welfare and security of the village” and “protect and preserve the timber, fisheries and other property and natural resources: as put forth within the OVK Constitution and By-Laws; and,

Whereas, the lands and waters of Southeast Alaska in and around the current site of Kake, Alaska have been the traditional territory of the Kake Indians since time immemorial and includes, but is not necessarily limited to, a range that includes Kupreanof, Kuiu, Baranof and Admiralty Islands and adjacent mainland areas; and, Whereas, the Kake Indians functioned as a sovereign over this territory through a traditional form of tribal government since time immemorial; and,

Whereas, the Kake Indians, now functioning under a contemporary tribal government structure as referenced above under the governing powers of the Organized Village of Kake, continues to be recognized by the United States of America as a sovereign government; and,

Whereas, the governing body of OVK, and earlier forms of local tribal government, have never made agreements or treaties with other governments or entities (including Russia, United States and the State of Alaska) to relinquish any of the traditional lands, rights or precepts associated with Indian Country; and,

Whereas, information has been published which reports that the Petersburg City Council is proposing a Petersburg Borough, whose westerly boundary runs generally south from Big Creek to Big John Bay on Kupreanof Island which takes an inordinate share of the island with virtually no regard to Kake’s interests.

Therefore Be It Resolved, that the OVK, IRA Council strongly objects to Petersburg’s proposed boundary that takes an unfair share of Kupreanof Island and leaves Kake, which is located on Kupreanof Island, a ridiculously small portion – whether viewed from a

perspective of what simply looks and seems fair or from a historical use perspective established from time immemorial; and,

Be It Additionally Resolved, that in respect to the proposed Petersburg Borough boundary, OVK proposes that all of Kupreanof Island be retained under the use area of Kake and included with other Kake use areas for any future borough consideration, which is based on historical use and also contingent upon interest from the City of Kupreanof to join with any efforts from OVK to organize a borough; and,

Be It Finally Resolved, that the OVK IRA Council formally requests all governments and entities to maintain direct contact with OVK on the above Petersburg Borough Proposal, or any matters that may affect the People of Kake and or the traditional lands and waters that have been the territory of the Kake Indians since time immemorial.

Certification

This resolution was duly adopted at an IRA Council meeting held this 22nd day of September, 1998 by a quorum of 7 (includes president as non-voting chairperson except in case of tie vote) with 6 yes votes, 0 no votes, and 0 abstaining. Samuel Jackson President. Attested by Edna Jackson.

APPENDIX U

OVK 2003 LETTER TO LBC

Organized Village of Kake letter to the Alaska Local Boundary Commission.

January 29, 2003

Re: OVK Position and Written Testimony to Local Boundary Commission

Dear Mr. Bockhorst:

The Organized Village of Kake (OVK) is pleased to join with the City of Kake on this important undertaking for our community. It serves as an excellent opportunity for the tribal government and municipal government to work together on a common issue, which is in keeping with the philosophy being forged in the Intergovernmental Memorandum of Agreement between our two local governments.

With the above in mind, OVK wishes to submit its position in regard to the development of boroughs, associated boundaries and or other factors that could affect our tribal citizenship and the overall community. As a local government, OVK has responsibilities to its Tribal Citizens, which make up three quarters of the local population. These duties include among others, powers of authority to “protect the general welfare and security of the Village” and “protect and preserve the timber, fisheries and other property and natural resources” as mandated by the Organized Village of Kake Constitution.

The above governmental responsibilities continue in today’s world, the same as they applied since time immemorial as the Kake Indians utilized and rightfully claimed the lands and waters of our area as their homeland. The territory of Kake was long established before outside contact came to our shores and that area continues in use today and into perpetuity, as it is utilized for customary and traditional gathering (i.e. subsistence) in addition to other uses for the benefit of our people – whether for personal, spiritual, economic, and or other socio-economic activities.

Besides the tribe’s history, which we will present in this document, we wish to go on record that the Organized Village of Kake, under its mandate to serve its citizens, must object to any borough boundary or other action that will infringe upon Kake’s traditional boundaries. Further, any action that would diminish our local home rule, which is well established by our tribal government and also by the City of Kake as a first-class city, could not be justified as being in the best interest of our citizens – i.e. Kake being absorbed by another community and or another borough would be unacceptable.

In addition to local documentation, the boundaries of the Kake areas are corroborated by the Traditional Territory of the Kake Tlingit as published by the State of Alaska and

based on the Goldschmidt and Haas map 1946, Possessory Rights of the Natives of Southeast Alaska and Department of the Interior 1944, Hearings on Claims of the Towns of Hydaburg, Klawock, and Kake, Alaska. A copy of the Goldschmidt Haas map is attached to this submittal by our tribal government and is offered as documentation of our claim to our homelands.

In addition to the Goldschmidt Haas map, our other support documentation includes two attachments that go into more detail that the reader may review at his her convenience and thereby not detract from the body of this comment letter.

Thank you for your time as we present our tribal government position and if any further information or materials are needed, please contact myself or our executive directory Gary E. Williams, at our office. We plan to continue working with the municipal government on this common cause, but in the interest of efficiency, we ask that our office be added to your contact list so we can stay current with information concerning our community.

Sincerely, Casimero A Acevda Jr.
IRA Council President.

APPENDIX V

ATTACHMENT A OF OVK 2003 LETTER TO LBC

Attachment A of OVK's 2003 letter to the Alaska Local Boundary Commission.

From State of Alaska, Department of Fish and Game Subsistence Division Map, based on Goldschmidt, W.A., and T.H. Haas 11946 Possessory Rights of the Natives of Southeast Alaska and Department of Interior 1944 Hearings on Claims of the Towns of Hydaburg, Klawock and Kake, Alaska.

KEEX' KWAAN BOUNDARIES OF LAND AND CLAN OWNERSHIP

- A. Port Camden, that belongs to [*Sukteeneidi*]. I want to point out the place where they belong by looking at the chart, but if I am sitting down I cannot remember well.
- Q. Now, what English names do the members of your family have now?
- A. They never changed them.
- Q. Show me where it is.
- A. This is the bay I am referring to (indicating on chart).
- Q. Port Camden?
- A. Yes. And right across to Hamilton Bay and Rocky Pass (*sic*), right here (indicating). They call them Wuzinady (*sic*) [*Was'eneidi*] that owns this piece of property.
- Q. Now, Mr. Johnson that will be roughly Upper Rocky Pass?
- A. Well, that would be to Summit Island. And then from there on to Point Monte Carlo⁸, Kunedy (*sic*) [*Tanyeidi*] and then from there on to Point Barrie, and to Three Mile Arm, it belongs to that second name I gave you.
- Q. From there to Point Barrie and Three-Mile Arm, that belongs to the second one you named?
- A. Yes, sir.
- Q. That would be Wuzinady (*sic*) [*Was'eneidi*]?
- A. And from Portage Bay, and across, back to there---
- Q. (interrupting) From Portage Bay across to [the mainland?]
- A. Yes.

⁸ Arthur Johnson when interviewed by Viola Garfield mentioned Red Bay and the importance of sockeye salmon and that the Tanyeidi traveled to Red Bay for them.

- Q. Including Farragut Bay to---
- A. (interrupting) Fanshaw Point (*sic*).
- Q. And back to Cape Bendel?
- A. And back to Cape Bendel belonged to the Shuncocady (*sic*) [*Shangukeidi*]. And from here (indicating) to this place (indicating) is Naysuddy (*sic*) [*Naas.ádi*].
- Q. That is from Fanshaw to Windham?
- A. Yes that belongs to Naysceddy (*sic*) [*Naas.ádi*]. And then from there to this part---
- Q. (interrupting) That is from Windham to Cape Point?
- A. Yes, that belonged to Zeedquady (*sic*) [*S'eet kweidi*].
- Q. Then start at Cape Point again.
- A. That line goes back to this here part (indicating).
- Q. Does that belong to the same family?
- A. No. That is a different one again.
- Q. That is from where?
- A. To Point Hugh---
- Q. (interrupting) [*sic*] From Cape Point to Point Hugh, and on Seymour Canal as far as Gambier Island.
- A. That belongs to Gleanady (*sic*) [*Ĺ'eneidi*].
- Q. Who did Gambier Bay belong to?
- A. That is a different one. That is a different party.
- Q. Well, from where?
- A. That is from Gambier Point, this whole bay (indicating) that belonged to another party.
- Q. Gambier Bay belonged to whom?
- A. That belonged to Gahnukuddy (*sic*) [*Gaanax.ádi*].
- Q. I didn't get this clear, Charlie. What about Seymour Canal? Did you cover that?
- A. Yes. That was before Gambier Bay. And from there to Deep Water Point, that belonged to Quachuddy (*sic*) [*Kaach.ádi*].
- Q. That is from below Gambier Bay to Deep Water Point?
- A. Yes sir.
- Q. From Point Tybus (*sic*) [*Pybus*] to Deep Water Point?
- A. Yes. And then this here---the same party owns this point---the whole shore of this Cape Bendel, from Cape (*sic*) [*Point*] McCartney, the same one just previous to this that I have mentioned owns this place.
Now, we have to go down to this shore. That is the shore used by the Uithchunady (*sic*) [*X'al chooneidi*] from Hogaat (*sic*) [*Hoggatt*] Bay to [*Cape*] Ommaney.
- Q. Go on.

A. And Port Malmesbury and part of Tebenkof Bay belonged to Nossdady [*Naasteidi*], and the whole of Tebenkof Bay to Point Ellis belongs to Gautahnady (*sic*) [*K'waat'aa.neidi*], and from the south arm⁹ of Pillar Bay all the way across to the Portage belongs to Sukteenady (*sic*) [*Sukteeneidi*]. And the next one is the north arm¹⁰ (*sic*) to Washington Bay.

Q. The north arm¹¹ of Pillar Bay to Washington Bay?

A. Yes, and that belonged to the Shungocady (*sic*) [*Shangukeidi*]. And then from Washington Bay to Meade Point belonged to Kanage (*sic*) [*Tanyeidi*], and from Saginaw Bay and part of Kuiu Island back to the place I started from belonged to the Tsaquady (*sic*) [*Tsaagweidi*].

Q. What about Semour (*sic*) [*Seymour*] Canal? Will you come up here to the chart and tell us about that? Now, which one does Seymour Canal go in with?

A. It goes in with this whole bay and through the portage.

Q. And what is the family name?

A. Gleanady (*sic*) [*E'eeneidi*].

Q. Now, Mr. Johnson, you didn't say anything about Red Bay on Prince of Wales Island?

A. Yes.

Q. Did that belong to anybody?

A. You didn't ask me for that part. I could mark it out and tell you who it belonged to.

Q. You mark it out, then.
(Marks on map)

A. That belongs to Kunnady (*sic*) [*Tanyeidi*], that this belongs to (indicating).

Q. It belongs to the people that own the lower end of Rocky Pass?

A. Yes.

Q. And their name is Kunnady (*sic*) [*Tanyeidi*]

A. Yes, sir.

Q. I thought that that belonged to Bill Paul.

A. He tried to adopt it, probably.

Q. Well, was he a member of that family that owns it?

A. I don't know what he is a member of, but we know it from this place---they belong here---those Kunnady (*sic*) [*Tanyeidi*].

Q. Well, is William Paul a member of that family?

A. No. We remember that William Paul is entitled to Salmon Bay.

Q. What was his family name?

A. Who, William Paul?

Q. Yes.

⁹ In the early days Bay of Pillars was known as "South Arm." [See Rowan Bay below.]

¹⁰ Rowan Bay was earlier known as "North Arm."

¹¹ Rowan Bay in earlier times used to be referred to as "North Arm."

- A. Tihitams (*sic*) [*Teey Hit Taan*].
- Q. Now, don't the Thitams (*sic*) [*Teey Hit Taan*] claim Red Bay?
- A. No. Tunnady (*sic*) [*Tanyeidi*] sounds almost alike.
- Q. But is makes a lot of difference to Bill Paul?
- A. It makes a lot of difference with us, all right.
- Q. Did you know a man in your lifetime called Gambier Bay Jim?
- A. Yes, sir; I do.
- Q. What family did he belong to?
- A. He belonged to Gahnukuddy (*sic*) [*Gaanax, ádi*].
- Q. Now, this house or this family of Gambier Bay Jim, is that a Kake house?
- A. What is that?
- Q. Is that one of the Kakes? Gambier Bay Jim's family, were they Kake people?
- A. Yes. He is one of them. He is here---the one that is after him is here. He has got a house here in Kake now Charlie Mason, his name is.
- Q. But in olden times, were they from Kake or from Angoon, or from Killisnoo?
- A. I don't know where they used to be.
- Q. They were not here at Kake in the earliest days that you can remember?
- A. I cannot say offhand.
- Q. Did Gambier Bay Jim claim that bay?
- A. Yes, sir.
- Q. For himself?
- A. His clan claims it anyhow (*sic*).
- Q. And didn't he make the rest of the Kake Natives stay out of there, or prevent them from fishing there?
- A. I was not fishing in those bays. I don't know just how he used to do things.

APPENDIX W

ATTACHMENT B OF OVK 2003 LETTER TO LBC

Attachment B of OVK's 2003 letter to the Alaska Local Boundary Commission.

Pp 91-95, Haa Aani,' Our Land: Tlingit and Haida land rights and use by Walter R. Goldschmidt and Theodore H Haas; Edited by Thomas F. Thornton.

KEEX' KWAAN TERRITORY OWNERSHIP BY TRIBES

Excerpted from, "HEARINGS UPON CLAIMS OF NATIVES OF ALASKA PURSUANT TO THE PROVISIONS OF SECTION 201.21b OF THE REGULATIONS FOR PROTECTION OF THE COMMERCIAL FISHERIES OF ALASKA," SEPTEMBER 1944

[See hearings transcript of Charles S. Johnson's testimony September 22, 1944]

SUKTEENEIDÍ owns Port Camden.

WAS'EENEIDÍ Hamilton Bay and Rocky Pass to Summit Island, from there to Pt. Monte Carlo, Kennedy, then to Pt. Barrie and (*sic*) 3 mile arm; also from Portage Bay across to mainland, Cape Fanshaw.

SHUNGUKEIDÍ Farragut Bay to [Cape] Fanshaw Pt. (*sic*) and back to Cape Bendel

NAAS.ÁDÍ owned from [Cape] Fanshaw to Windham [Bay] to Cape Point.

The Naas.ádi is an extinct tribe. "Charles Newton, when asked by Viola Garfield, "Who would care for areas of extinct tribe?" Responded, 'Children of the last man would claim an area when the tribe becomes extinct.' [In this instance the S'EETKWEIDÍ.]

S'EETKWEIDÍ from Windham [Bay] to Cape Point and into the interior on the mainland.

L'EENEIDÍ owns from Cape Point to Pt. Hugh and on Seymour Canal as far as Gambier Island and whole of Seymour Canal area.

GAANAX.ÁDÍ owned Gambier Bay from Gambier Pt.

KAACH.ÁDÍ owned from Seymour Canal to Deep Water Pt. that is from Pt. Pybus to Deep Water Pt. Also whole shore from Cape Bendel and the creek [*Pt. White creek*] this side of Cape [Point.] McCartney.

X'ALCHOONEIDÍ owns shore from Hoggatt Bay N. to [Cape] Omaney.

SUKTEENEIDÍ owns from South Arm of Pillar Bay across to the Portage.

NASSTEIDÍ owns Port Malmsbury (*sic*) [*Malmesbury*] and part of Tebenkof Bay, southern shores.

K'WAAT'AA.NEIDÍ owns whole of Tebenkof Bay to Pt. Ellis.

SHANGUKEIDÍ owns North Arm of Pillar Bay to Washington Bay.

TANYEIDÍ owns from Washington Bay to Meade Pt.

TSAAGWEIDÍ owns from Saginaw Bay and part of Kuiu Island back to the place I started from. "*Viola Garfield Papers,*" *University of Washington Archives.* [Box 10 Accession Number 2027-72-25 location number T0908d, KAKE

APPENDIX X

ATTACHMENT C OF OVK 2003 LETTER TO LBC

Attachment C of OVK's 2003 letter to the Alaska Local Boundary Commission.

Excerpts from Organized Village of Kake Tribal Archives: "Keex' Kwaan Territory Ownerships by Tribes"; "Keex' Kwaan Boundaries of Land and Clan Ownership:: "Traditional Kake (Keex' Kwaan) Territory"; compiled by Tribal Historian, Charles Johnson Jr.

In our culture it is a well-understood principle of self-preservation that humans are just one small part of the land and of nature and not the dominant force; living in harmony with the land and with nature is an integral part of our traditional culture and self-identity.

We draw our identity, as a people, from our relationship to the land, sea, and its resources; it is a spiritual and sacred relationship; based on the need to co-exist with nature.

On these lands, and waters, our ancestors lived and died; here we too make our homes. From these lands and waters we, as did our forefathers harvest in the measured quantities, what is needed to sustain ourselves; being careful not to unnecessarily disturb or destroy anything not required for our sustenance and physical well being. The migration of birds, animals and the spawning of fish predicated our annual calendar; for that reason there were autumn, winter, spring, as well as summer camps. We, as were our ancestors, are but a minute segment of a pilgrimage from one living generation to the next. Tlingit ownership of land antedates memory and was a sacred trust. They had a well-developed system of exclusive ownership, of land, rivers, riparian areas and waters; they had well-defined geographic boundaries in each Tribe's territory; and were owned in common by all its members. Those boundaries were well known and respected by all other Tribes and it was tacitly understood that there would be no trespassing, by non-members without the express permission of the traditional owners. Each Tribe's territory was further divided into separate holdings of clans, house groups and from among them by families, as specialized camp sites for harvesting animals, berries, fish, tidal area foods, trees, etc. They recorded title to their land with posted crest designs owned by various clans. Clan stories and songs recorded the history of how clans came into possession of their territories, which include, marine areas and transportation corridors. They even claimed mountaintops and glaciers.

Each clan traveled to their traditional historical areas; where they conducted their hunting, trapping, fishing and food gathering as well as harvesting other materials they

needed. Each location is pre-empted by particular families, and considered hereditary property, which is handed down from generation to generation. Those areas are still utilized, though not as camps, for harvesting traditional and cultural foods; fast boats are now used to get to and from those harvest areas, therefore camps at the sites are no longer necessary. Tlingit property laws were rigid and inflexible.

The original Tlingit name of the present Kake village site was "Ta' Aan," which literally interpreted, means sleeping village. It was sort of the 'Capital' of the Keex' Kwaan and came alive when it was used for special gatherings of the Keex' Kwaan. The people started building frame houses at the present site, after the U.S. Navy in 1869, wantonly destroyed not only all the houses, canoes in three Keex' Kwaan villages, but their winter food supplies that were cached at special garden site and campsites. The following winter was an especially harsh one and many children and adults perished for lack of food, proper clothing and housing.

APPENDIX Y

KAKE MAYOR'S 2003 SPEECH TO KUPREANOF

Mayor of Kake, talking to the Kupreanof City Council and other people in attendance.

Kupreanof City Meeting, Nov. 9, 2003. (Transcript of taped meeting).

Segment 1

Mayor: Let me give you the whole story, and with any story it gets bad before it gets good. So bear with me through the bad part. The Alaska state constitution mandates partitioning the state into boroughs. And I don't know why they use that word. The word county makes more sense to me, but I'm not sure what the difference is between borough and county. But it is factored in the state law, and that's probably something that gives a lot of momentum to this discussion, and necessitates small communities like yours and ours into having this kind of dialog. I'm not sure how long (it's been that) the state legislature commissioned the local boundary commission, that actually have their offices in Anchorage, to identify those regions which met the criteria for the formation of boroughs. And among those regions was a region called the Chatham District Model Borough. And that's a region of land including a part of (Admiralty Island, the community of Tenakee, Angoon, and half of Kupreanof and the city of Kake, and specifically the western half, the half that we're on. And this last February the local boundary commission presented that report to the legislature. Now before they presented that report, myself and (others) and two representatives from our tribal government were in Anchorage to meet with the local boundary commission. The borough that they had proposed, while I have no good adjectives to say how I feel about it, basically is an absurd proposal in that it is a proposal that lacked the land mass the population (etc.) that is needed to sustain a regional government. Our local boundary commission actually proposed a borough that was destined for failure. And I still am puzzled over why they would knowingly do that and what mechanism might be involved which would allow them to do that.

But we, in turn, countered that with our own proposal. And our proposal was a borough that would incorporate all of Admiralty Island, excepting the very northern part of the Greens Creek mines already (demolished) by the city borough of Juneau, all of Kuiu Island and almost all of Kupreanof Island. And just for the heck of it, I gave it the name the Tri-Islands Borough. Well at that time, we did have a discussion about Kupreanof

City. And it seemed expedient in the context of that discussion, and because we're (hadn't talked with Kupreanof) to actually draw a line, so to speak, around Kupreanof City, accepting that from our borough considerations at that time. We felt that was important because, like I've mentioned, we hadn't sought your discretion in the matter, and also to be candid, we were somewhat intimidated by the response we would get from the city of Petersburg. The proposal that we brought to the local boundary commission did make sense. Admiralty is a federal monument and so what happened was I talked with Dr. Sprague and I talked with the mayor of Angoon seeking an opportunity simply to become involved in the discussion and consider the possibility of inviting your community, Kupreanof, to join us in this consideration. The option that we brought to the local boundary commission does make sense. It does have enough people, there is the (four communities for a) regional government, there would be a land base that would make a lot of sense.

It's important that we pursue this discussion. We all enjoy our way of life, especially in Kake we enjoy our independence; we enjoy our autonomy. We enjoy our self-determination, likewise in Angoon. None of us wants to have this discussion, but because of the political climate in the state, not only are we forced to, but because of other considerations, it's now the advantageous time to be discussing this matter. Specifically there's a (can't hear the exact words here, but Paul says that Petersburg was called at the time they put together their proposal and Petersburg said it wasn't interested in forming a borough.) And because of that, that gives us an opportunity to begin to pursue options that would more adequately represent our communities' interests. So I took this information to our local city council and they (decided to look into what could be done) beginning to seek a petition for a second class borough that would include the three islands and now we are actually considering Kupreanof City within the context of that borough. Now the borough that we are considering is a borough that would have very limited powers on a regional basis. None of us really wants a borough and in Kake we thought it would be to our advantage to try to, if we have to go there, and we do, to (organize) something that would serve our communities as effectively as possible, and plus maintain our way of life. A second class borough would serve that more effectively than the full blown borough considerations like you see Juneau, Ketchikan, Sitka, Anchorage and so forth. A second class borough would maximize the independence of the communities, minimize the involvement of a regional government, and also, perhaps, what for us is one of the greatest considerations, is if we were able to achieve a borough, we would forever lay to rest any consideration of the annexation by the city of Petersburg, which is exactly why I'm here. We will all live long enough to see this region formed into boroughs. And the communities of Kake and Petersburg are, in some ways, very diverse and different. And you know it's my job and my duty to look to the interests of our community and if the Chatham District Model Borough as has been proposed goes through, we'll see the borough go belly up very quickly and it would actually create a -- well an opportunity to -- you know -- an annexation of a much larger borough context,

which we were thinking perhaps would end up like something like a Wrangell Petersburg borough. When we discussed Kupreanof City probably the one ... we were asking a number of questions like ... it was assumed that Kupreanof City would be ultimately annexed and absorbed into the city of Petersburg. And that was more like a given, and we challenged that on two points. And of course this is only the context of an informal discussion. And let me also remind you that in none of these discussions did we imply that we were representing your community in any way. We were just, we were looking at it in our perspective. But I was under the impression, and I believe that I am correct that you do enjoy your lifestyle and your way of life and don't particularly want to become a suburb of Petersburg. Likewise we were asked about schools and services to the community and our response was really simple. Children go across county lines to school all the time, and it's easy ... funding formulas are really easy to come up with to answer those questions. Now just lately in this last election in Kake, I don't know if you've heard about it, we've had a, on our ballot we had an advisory vote for a road to Petersburg. Did you hear about that?

Kupreanof representative: Yeah we heard about that.

Mayor: And two to one the people of Kake declined an opportunity to connect both communities. And we also, before that, about a week before that, we had a town meeting and the mayor of Petersburg and a couple of Petersburg councilmen came out and joined us, as well as representatives from the Department of Transportation, the ferries, the state planners and so forth to present their options, what they would do for us. It's interesting to note it was an advisory vote. We were real clear on that because we understand that Kake is also part of a regional community and interests of the state can overshadow the interests of a single community. And so these are some of the cards that we're playing with at this time.

What I can't underscore (enough) at this point that it is to the advantage of small communities like ours to have these discussions. The senator who is the prime mover of this, I believe he is republican, Senator Gary Wilkin. And he's the .. he's kind of the ... he's the one who's putting a lot of the energy into this. And of course the state's goal is to you know encourage municipalities to be more responsible in terms of schools and other funding issues, and that's what boroughs are all about. The second class borough that we're now discussing, like I mentioned, would have a very limited regional government. It would only speak to those interests that are relative to the region. And I'm just kind of, this is all kind of actually forming in my own mind even as we do this, because we have the opportunity at this time, if we do form a borough that would unite our three communities, Angoon, Kake, and Kupreanof City, we have the opportunity to form a borough that would have a charter that could serve all the communities effectively. For example in Kake, I could never bring to them as a mayor, a responsible mayor, I could never bring to them a borough that would be involved in the collection of property tax.

And the reason is, is to me it's a moral imperative that I never seek to tax Native people on their traditional lands. It would be writing a bad chapter in that history book.

So such a borough could never have a property tax.

(Someone chuckles)

Likewise, probably the biggest responsibility of a borough like I've mentioned would simply be to fund the schools, and we, Kake and Angoon, would share a common school system, and of course I would think it would be expedient to have a provision for those who enjoy alternative schools, home schooling and so forth. So I think that's about it. It's a discussion that is very much fluid at this time and I think I should also be candid. I realize, to be honest, when it comes to the discussions that the community of Kake is, well we're outgunned, we're outgunned. Other communities like Petersburg have a great deal more money, they have lobbyists, they have a lot more political pull than a community like ours has. The cards that we have up our sleeve that we could play effectively would be the fact that if we're successful in this borough endeavor the very fact that we would be the next region who would meet a criteria for boroughization would be somewhat a trophy for the legislature, and that might overshadow their listening to other interest groups that would not necessarily be of the thinking of our concerns and so forth.

Segment 2

Mayor: A second class borough is essentially, it's a borough with very very limited powers relative to the other boroughs.

Someone in the audience: Mmmhmmm

Mayor: And it's a borough that much more is involved in maintaining the autonomy of the communities involved.

Segment 3

Mayor: And so the challenge is, if we go there, how can we do this and genuinely serve all three of these communities, not to mention those people who live on the periphery of this borough.

Kupreanof representative: Is the object of this borough to pay the total cost of all the schools, the superintendent, the health nurse, the building, the janitor, or just to defray the cost of the schools and return that money for the schools to the state, whatever you can raise in proportion to your population and how much money they've got, whatever your tax? And then I have a follow up question too.

Mayor: The only way ultimately that we can serve your community, serve the community of Kake, serve the community of Angoon and achieve our goal of maintaining our way of life, enjoying our sense of self determination, preserving our autonomy would be a borough with very limited regional powers.

Kupreanof representative: You're preaching to the choir. I understand that. I just want to know literally what you're talking about.

Mayor: Here's the trick. A government that ... whose council ran by consensus rather than majority vote would actually be a kind of a new thing, and I'm still exploring this, but a government whose only forward motion could be with a consensus of all the communities, rather than Kake and Angoon against Kupreanof City so to speak. If we could factor that into the charter, then all these questions could be answered suitably. Now I'm not aware yet as to how, for example, forming formulas for the schools would work. A borough does take a much greater responsibility in funding of schools rather than those schools like Kake in unincorporated boroughs and money filters from the state in different ways. When the smoke clears I don't yet know how that will change. I do know that the borough would have its own school system and all schools and all the educational opportunities would come under ...

Kupreanof representative: And the borough's responsible for all the burden of all that economic ... all the salaries and all the teachers' salaries and retirement and medical insurance and all of that, the borough is responsible for all that, and it no longer comes from the state? If that's the case, I don't see it possibly happening. And then if the, the tricks of that is, are we going to harvest resources. Are you gonna utilize resource harvest?

Mayor: Well, you know I, if you look at the background of Kake, nobody wants to see what's in back of Kake happen to the rest of Kupreanof Island, or Kuiu for that matter, not even Kake does.

Kupreanof representative: The Port Camden Peninsula or North Kuiu or East Kuiu or even some of the new sales proposed, Kake has been very vocally opposed to those sales taking place, as proposed by the forest service, you know, more roads, more clearcuts, just moving across the land. So I don't see that flying as a total fix either for funding this borough. And I don't know, there's some holes there that we're going to have to find pant legs for, or we're not gonna have much to wear on this thing. (laughter)

Mayor: Yeah.. right, I understand what ... and I have to emphasize here that, you know, this whole thing, you know, is in a very formative state. You know I don't have the answers. I'm just starting at it myself. I do know though, that the reason I'm here is .. is it's a place we've got to go. And at this time, like I've mentioned, we are all in a unique position to speak to this issue in a way that would serve our communities other than having it superimposed on us 15 years down the road.

Kupreanof representative two: Uh, just to maybe catch you up ... You might check your records cause the City of Kupreanof has had meetings with Kake representatives, Mike Jackson, Lonny Anderson and among others on the council were talking about the same thing about five years ago .. so we've already a paper trail established. Like minded communities banding together under the threat of these impositions that are being foisted on us.

Kupreanof representative: Let me get back to my question again. I mean I don't envision, and I don't think anyone in state government envisions dropping the load of the schools, rural schools onto rural areas. It ain't gonna happen. There isn't an economic base there to support a school. The state, they're gonna be pumpin money in, you know. But what I

was trying to get to was a literal vision for, you know, the benefits that are gonna come to us by being together are not tangible things. We aren't gonna get services here. We aren't gonna have money here. We're not ... what we're avoiding is the worst train wreck down the road if we get, if we're annexed by next door, or Ketchikan or somebody else. That's what the benefits are to us is avoiding, you know, taking some kind of a smaller hit organizing together to avoid the train wreck that's gonna happen. What I want to know is literally, for example, I mean is it your vision that there might be simply three representatives, one from each community in the borough government and that we would rotate the borough seat, you know, year to year. And then on our turn, you know, perhaps the mayor of Kupreanof, Dick Sprague would be the borough ..

(lots of laughter)

Kupreanof Representative: The county seat, or the borough seat would be right here. And people and the representatives from Angoon and Kake could come over and we would meet and discuss whatever needed to be discussed to basically make ourselves official. And those positions might be even voluntary positions, or maybe obligatory that goes along with mayor, or something like that. See, I mean, is that a vision that is possible? I mean what do we have to do to comply to a second class borough status?

Mayor: Here's my vision. And I have to (adjust) my vision to what state bar allows it. But here's what I want. I want a borough with four representatives, Angoon, Kake, Kupreanof City and the at large representative for those who live (outside the cities). I would hope that either the mayor or the vice-mayor or a representative could be it.. I would hope that there would be no borough election. I would hope that there would be no borough mayor, and one of the four would be designated as the spokesperson, the chairperson. I would hope it would be a government that would function by consensus, like I mentioned.

Kupreanof representative: The county seat, rotating it, that could be somewhat cumbersome because of records and that sort of thing

Mayor: Yeah. And I think probably the most significant service that that borough would provide would be the monitoring of schools and perhaps because of logistics, Angoon would be the best place for the schools, you know the superintendent of schools. That's just, you know, my perception. Where the actual government meets? I think it should be rotated community by community and perhaps on a year or every other year basis. But there again I'm not sure what state law would allow us and how much we tailor within that charter to achieve that. You know, I'm really apprehensive, partly because Kake is the larger community, Kake could become the dominant community in the borough. But if Kake were, let's say for example we factored Hoonah into this discussion. Hoonah is not factored in this discussion but if Hoonah were factored in, now they would become the dominant community. And so I want to be real careful as we pursue this discussion, we pursue a charter that we design in such a way where we're not going to exclude small communities because of the population base. And so basically we'd have to have a charter that funding formulas relative to, you know, the basic services that we provide on a regional basis. There would be schools. I think there would be certain other funding

elements that would be involved in municipal governments. As you know Alaska support, the state's support to rural Alaska is really diminished. In the last few months in Kake we've been incredibly fiscally challenged. In one day we lost the (program) for revenue sharing has gone. Other, a lot of our roads, you know we have enough paved roads that also we're going to become really fiscally challenged in how we're going to keep up our roads with no money, and so it's ...

Kupreanof representative: With Hydaberg it's ..they're really, you know. It's affecting everyone ...

Mayor: Hydaberg, yeah, just a point of interest when I was first elected two years ago in October, five months after I was elected I laid off every single city employee in Kake.

Kupreanof representative: Really

Mayor: Yeah. The next March we hit bottom. We'd been going there a long time and when I was elected. At the point I was elected we had over a \$2 million debt, and we were running at a \$90,000 a month deficit.

Kupreanof representative: Whew

Mayor: And we just crashed hard. And it was a real interesting experience for me. I discovered that a first class city can't declare bankruptcy. There's not a provision in law for bankruptcy.

Mayor: So we had to kind of do it yourself. And within a year's time we were able to get financial equilibrium. Still, I had a lot of fun doing that. I went to court, the whole thing. The people took me to court .. all kinds of things ..

Kupreanof representative: The employees?

Mayor: No, not our people. You know basically people who we owed money to legitimately, and had every right. But so, but we did it, and with the support of the council and with some conservative fiscal strategies we managed to have balance. And now that we're there, all the sudden the state just goes off the deep end and now we're challenged again. Those are some of the logistics of what I see. Now I don't know if state law allows me to dream that way, but, you know, that's what I hope for. Now I'm like you. Our community's like yours. You know really what we want to do is we want to be left alone.

Kupreanof representative: Mmhm

Mayor: But it's not a luxury anymore. And we've heard lots of talks about boroughs, but what forces us into an immediate consideration has been this issue with the local boundary commission. The senate, the senator that I mentioned, and the fact that right now you want to pay attention to senate resolution number twelve and then you'll see Kake and two other regions involved in the potential of being essentially forced into a borough. Now the current, if the current legislation goes through, Kake will become a borough with Angoon and of course your community and the eastern half of Kupreanof Island will be exempted from that. But it's gonna set a heck of a precedent. You know and I'm, I still am mystified how a borough like that could work.

Kupreanof representative: I've got two questions Paul. On the ruling by consensus for the borough? I was wondering if there are any boroughs in the state that are doing that

presently that you know of? And is this one of the areas that you said you're not sure if it's legal or not? Can we do this? Can we rule by consensus?

Mayor: I don't know. And I hope so. And if we can't, I'm sure we could stretch the limit in terms of developing a charter that could certainly maximize the autonomy of the communities. There, you know, we do get to write the charter. Let me ... I know you have a lot more questions ... but let me tell you what I would like. You know this is politics and here's what I'm hoping down the road to get from the City of Kupreanof. And I would, to be candid, I would like a resolution from your community seeking to be a part of a borough with Kake and Angoon.

Kupreanof representative: I think you already have it.
It's done.

Mayor: Is it?

APPENDIX Z

HOONAH'S 2006 BOROUGH PROPOSAL

**Segments from *Glacier Bay – Chatham Borough Initial Feasibility Study. June 2006.*
Prepared by City of Hoonah.**

The proposed borough would include: Hoonah, Angoon, Kake, Gustavus, Pelican, Tenakee Springs, and Elfin Cove with a total population of 2,714 and an estimated 2,302,760 Tongass acres.

Segment 1 (pg. 3)**Introduction and Background**

Hoonah has been considering the feasibility and implications of borough formation in our region for several years. Our desire is to prepare a petition to form a borough and submit it to the State's Local Boundary Commission later in 2006. Some of the primary reasons we are pursuing this now include:

To ensure that we end up in a borough with Glacier Bay, the traditional territory of Tlingit from our community.

- Because it seems inevitable that borough formation is coming sooner or later, and we want the borough to be the one that is most advantageous for our region – both in terms of its boundaries and for how education and taxation are handled. We do not want to wait and have the Local Boundary Commission or Legislature dictate this to us.
- Because we want a borough that does not include property tax;
- Having a regional/borough voice will give us more clout with the legislature, Congress, funders and regional organizations; and
- Ketchikan, Wrangell-Meyers Chuck-Union Bay, and soon Petersburg-Kupreanof have petitions for borough formation or expansion before the Local Boundary Commission. As other areas in Southeast Alaska form or enlarge boroughs, this reduces our region's share of Tongass Timber Receipts (which helps pay for local education and roads), unless we too form a borough.

Organizing Principles for Our Borough (pg. 4)

The eight principles below are important to people in the Glacier Bay-Chatham region. Our borough will be formed around and promote these ideals.

1. High quality education

2. Keep our communities independent and unique;
3. Use our strong regional voice to advocate for both borough and each community's priority capital needs and projects;
4. Use borough resources to foster and support our communities and our regional needs;
5. Continued ability of residents to engage in subsistence harvesting and gathering activities;
6. Regional emphasis on reducing electrical rates, high quality docks and harbors, and a strong, sustainable marine highway ferry system.
7. Install and maintain high speed video-conferencing capability in all communities to support and enhance Assembly, School Board and citizen communication; and
8. No borough property tax.

Finally it is safe to say that every resident of every community in the region, including Hoonah, is leery about creating multiple layers of government. How do we create a borough that has functioning cities within it and prevent this? Here are some ideas.

Make sure from day one, that duties and responsibilities between the borough and the cities do not overlap.

Learn from other Alaskan boroughs that are doing this.

We should consider co-locating the main borough offices with city offices in the communities where they are located. We should be able to share rent and some administrative and overhead expenses between cities and the borough, and hopefully between schools and the borough school district.

Segment 2

Why a Glacier Bay – Chatham Borough?

This borough would combine two of the state's model boroughs plus some additional territory. We think this makes more sense for three main reasons:

- More people and territory gives depth and strength to support borough government. This borough option results in significantly more state and federal revenue for our region and a larger borough land entitlement. Since there will be local taxation to support education (and other borough responsibilities) this option allows distributing this burden/responsibility out over more people and territory and thereby reducing it for any one individual or business.

- Joining several traditional Tlingit areas and people together under the umbrella of one regional government would create a strong Alaska Native voice in this part of Southeast Alaska.
- Some communities in this region have more economic activity going on than others, however, major activities and opportunities are similar throughout:
 - ✓ Subsistence Harvest and Gathering: Hoonah, Kake, Angoon, Gustavus, Pelican, Tenakee Springs, Elfin Cove.
 - ✓ Sport Fishing: The same communities.
 - ✓ Commercial Fishing: The same communities.
 - ✓ Fish processing: Hoonah, Kake, Gustavus, Pelican
 - ✓ Large cruise ship tourism: Hoonah, Glacier Bay
 - ✓ Independent tourism: All seven communities.
 - ✓ Industrial Support (timber, mining): Hoonah
 - ✓ Significant Government Sector Employment (school, local, tribal, state, federal): Hoonah, Kake, Angoon, Pelican

Finally, you may notice a dashed line around the Greens Creek mine area on Admiralty Island (Figure 2). This small part of Admiralty Island is already in the City and Borough of Juneau. Angoon residents have very strong historic and cultural ties to this area; many have not forgiven the state Local Boundary Commission for assigning this piece of their traditional territory and island to Juneau for government purposes. Our borough formation petition could include asking that this area be detached from Juneau and become part of our borough. However, this would likely generate strong objection from Juneau, and there are ties now between mine operation and Juneau. Our proposal does not include this option, but we are interested in the region's views on this matter.

The borough population would be 2,714 people.

The annual budget for schools, personnel, travel, utilities, and community support would be \$2-2.5 million.

Funds would likely be raised through a 1-2 percent sales tax and 1-2 percent fish or excise tax on resources extracted from the borough, perhaps just fish. Hoonah assumes the communities would not want a property tax. If the borough is formed, state and federal revenue to the region will increase from \$1.4 million to \$1.8 million. This would be due to higher National Forest Receipts because of the Tongass National forest acres that will be within the borough. Receipt payments are based on the amount of national forest acreage within the borough boundaries in proportion to the entire acreage of the national forest. Payments to cities and schools are made on the basis of school enrollments and according to state and locally maintained miles of roads. However, September of 2006 is the last year that funding will be available, unless Congress reauthorizes it. Even if it is reauthorized, it is expected that Congress will ratchet down the amount of funding over the next six years.

APPENDIX AA

SHORT BIOGRAPHIES OF LEGISLATORS

Green

Senator Lyda Green. Born: October 16, 1938 Livingston, Texas

Residency in Alaska: Anchorage: 1962 - 1966, 1968 – 1984 Wasilla: 1984 – present

Occupation: Former Business Owner and Educator

Education: Brazosport High School; Freeport, Texas: 1952 - 1956

Sam Houston State University; Huntsville, Texas: 1956 - 1959

University of Alaska Anchorage: 1986 - 1988

Hargraves

Chairman of LBC, Darroll Hargraves Appointed March 2003. Retired June 2007.

Commissioner Hargraves holds a Masters degree and an Education Specialist degree from the University of Alaska Fairbanks. Additionally, Oakland City University awarded him the Doctor of Humane Letters. Commissioner Hargraves has been school superintendent in Nome, Ketchikan, and Tok. He was the Executive Director of the Alaska Council of School Administrators from 1998 to 2002. Commissioner Hargraves previously served as Chair of the LBC from 1992-1997 under Governors Hickel and Knowles. His current term on the LBC ends January 31, 2008. (ADCA: <http://www.dced.state.ak.us/dca/lbc/lbcmemberbios.htm>)

Kookesh

Representative Albert Kookesh. Born: 11/24/48; Juneau, AK

Residency: Angoon; 1948-present

Occupation. Lawyer, Lodge Owner, Store Owner, Private Businessman

Education: High School - Mt. Edgecumbe High School, 1964-67, diploma

College/University - Alaska Methodist University, 1970-72, B.A.

Post Graduate - University of Washington, 1973-76, Law Degree

Lincoln

Senator Georgianna Lincoln. Born: 2/22/43; Fairbanks, AK

Residency in Alaska: Rampart, 1943-51, 1988-present; Fairbanks, 1951-88

Occupation: Commercial Fisherperson, Legislator

Education: High School - Lathrop High School, Fairbanks, 1960, diploma

College - University of Alaska Fairbanks and distance delivery

Olson

Senator Donny Olson. Born: June 18, 1953; Nome, Alaska

Residency: Lifelong Alaskan - Golovin, Alaska

Occupation: Doctor, Pilot, Reindeer Herder, Businessman

Education: Various flight schools. Seattle Pacific College; University of Minnesota, Duluth, B.A. Chemistry; University of Alaska, Fairbanks;

Oral Roberts School of Medicine, M.D.;

University of Colorado School of Law;

Cambridge University, Cambridge England

Salmon

Representative Woody Salmon. Born: August 13, 1952; Fort Yukon, Alaska

Residency: Lifelong Alaskan

Occupation: Chief, Chalkyitsik. Professional pilot and air service operator for 20 years, Oil business (worked in oil fields, pipeline construction, operations and maintenance).

Education: Lathrop High School, Diploma

University of Alaska Fairbanks, 2 years study in Electronics.

Stedman

Senator Bert Stedman. Born: 1956 Anchorage, Alaska

Residency in Alaska: Petersburg: 1958 – 1969 Sitka: 1969 – present.

Occupation: Self-employed: Financial Services. Former Commercial Fisherman. Former Heavy Construction Trade in Sitka.

Education: Sitka High School: 1974. University of Oregon: 1985. B.S. College of Business Administration. Concentration in Finance.

Wilson

Representative Peggy Wilson. Born September 8, 1945, Anamosa, Iowa

Residency in Alaska: 1993 – present. Wrangell: 1997 – present. Tok: 1993 - 1997

Education: High School: Manchester, Iowa: 1960 - 1964

Kirkwood Community College: 1969 – 1973 Associate Degree in Science. Associate Degree in Registered Nursing. University of Alaska: EMT Training, Continuing Education. University of Chapel Hill: Nationally Certified School Nurse

Wilkin

Senator Gary Wilkin. Born: January 24, 1946, Tacoma, Washington

Length of Residency in Alaska: 42 years Fairbanks: 1951 - 70, 1975 - present.

Occupation: Small Business Owner.

Education: Diploma, 1964: Lathrop High School, Fairbanks; B.S. 1968, Oregon State University; M.B.A.1970; Oregon State University.

APPENDIX BB

KAKE TAX AND INCOME DATA

Alaska Division of Community Advocacy, 2006, information about Kake, Alaska.

Since 2004, a third of Kake's population has moved due to lack of economic opportunities.

(Alaska Division of Community Advocacy 2006)

2006 Per Capita Tax Revenues:

Property Tax 0

Sales Tax \$167,354

Other Taxes \$5,686

Total Taxes \$173,040

Population 598

Per Capita Revenue \$289

Southeast Conference and Central Council Tlingit and Haida Indian Tribes of Alaska
2001 Southeast Comprehensive Development Strategy (CEDS). Prepared for
the United States Department of Commerce Economic Development
Administration.

http://www.commerce.state.ak.us/oed/oedp/pubs/SEConf_CEDS.pdf

Before Kake Tribal Corporation closed its fish processing plant and logging enterprises in 2004, the 1999 the CCTHITA¹² Native Census Count reported (CEDS 2001: 14-19): 69.3 percent of Native households in Kake lived below the USHHS poverty level. 73.4 percent of the 745 person population was Native. 29.4 percent of Native persons were unemployed. Average Native household income was \$23,773.

¹² CCTHITA refers to the Central Council Tlingit and Haida Indian Tribes of Alaska.

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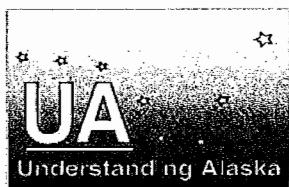
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APPENDIX CC

ULMAR AND KNAPP RESEARCH SUMMARY



Changing Alaska's Salmon Harvesting System: What Are The Challenges?

September 2005

By Fran Ulmer and Gunnar Knapp

UA Research Summary No. 5

Institute of Social and Economic Research • University of Alaska Anchorage

The Chignik fishing co-op is a cautionary tale about why restructuring in Alaska's salmon fisheries is so hard and so controversial—and why it's unlikely to happen until Alaskans clarify their goals for the fisheries and establish ways to achieve those goals.

"Restructuring" means changing the rules about who can fish, when and where they can fish, and how much they can catch. Such changes can help fishermen compete, by reducing costs or improving the quality and value of the catch. Competition from farmed salmon and other factors have battered the fisheries, earnings of fishermen have plummeted, even as harvests reached near-record highs.

In 2002, some Chignik permit holders decided to form a co-op to cut costs—if the Alaska Board of Fisheries would agree to change the rules and allocate part of the harvest specifically to the co-op. After much debate, the board agreed. More than 75 of the 100 Chignik permit holders joined, and for the past four years they've caught their annual allocation with about 20 boats. Independent permit holders also have an allocation and fish in separate openings.

This co-op is the only recent example of restructuring in the salmon fisheries. But bitter controversy over its equity and social and economic effects has divided Chignik, and legal uncertainty hangs over it. The Alaska Supreme Court ruled in March 2005 that the co-op regulations violated state law. But after the Board of Fisheries modified those regulations—and after subsequent legal challenges—the court agreed to let the co-op operate during the 2005 season. But the court could still find the co-op illegal, and co-op opponents have now taken their fight to the federal courts as well.

Whatever happens next, the co-op vividly shows two fundamental obstacles to restructuring. The first is the tension between social and economic goals. Spreading benefits broadly among Alaskans has

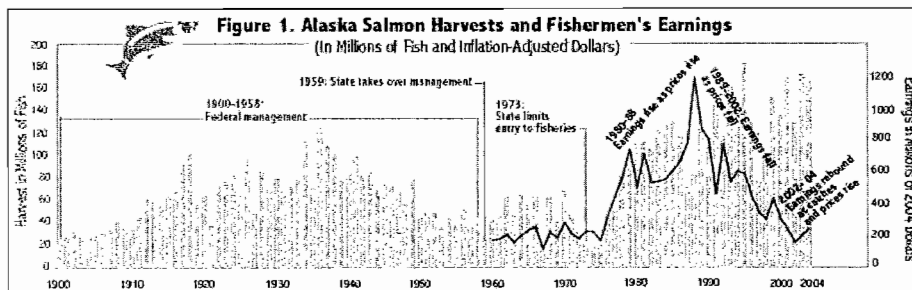
been an important management goal since statehood. But as the value of salmon catches shrinks, so do the benefits—and it gets harder to spread them broadly. The co-op is one way of making the fishery more profitable, but it also reduces the number of people fishing and spreads the benefits in a different way. Restructuring requires difficult choices about what kinds of benefits Alaskans want from the salmon fisheries—and who should get those benefits.

The second fundamental obstacle is that no organization in state government today has clear responsibility for the economic success of the fisheries, or clear and broad authority to make significant changes in the rules for salmon harvesting. As the court fight over the co-op shows, it's uncertain just how the Board of Fisheries can change the harvesting rules, or for what reasons. Only the Alaska Legislature can clarify that authority.

Besides those obstacles, other factors also make restructuring complicated and controversial. The fisheries are diverse; in every one there are different challenges and opportunities. Restructuring has far-reaching and sometimes uncertain effects. Not everyone will benefit; some people could end up worse off.

And finally, some Alaskans argue that restructuring isn't necessary at all, either because changes already underway will be enough to put the industry back on its feet, or because the problem will take care of itself, when those who can't make money quit fishing.

We disagree. Better marketing and new products are helping. Salmon prices in some fisheries have gone up in the past three years. But the underlying challenges of growing competition and changing global seafood markets remain. For Alaska's salmon fisheries to become and remain profitable, we will have to find ways of catching salmon at lower cost and raising the quality and value of the harvests.



Understanding Alaska (UA) is a special series of ISER research studies examining Alaska economic development issues. The studies are paid for by the University of Alaska Foundation. UA reports are available from ISER's offices and at: www.alaskaneconomy.uaa.alaska.edu

OVERVIEW OF ALASKA'S SALMON INDUSTRY

Alaska's wild salmon harvests are the world's largest. They make up about 40% of wild salmon harvests worldwide and 15% of combined wild and farmed production. The salmon fisheries are part of a broader Alaska seafood industry that also includes groundfish, shellfish, halibut, and herring. But many fishermen, processors, and communities rely mainly on salmon.

The state government manages Alaska's 26 commercial salmon fisheries, under a system that includes several organizations that can make decisions affecting fisheries; constitutional provisions and laws that provide the framework for management; and a complex set of regulations implementing the laws (Figure 2). The state legislature has the ultimate management responsibility.

The diversity of the salmon fisheries makes any discussion of salmon issues complex. The state has five salmon species—pink, chum, coho, sockeye, and king—and different stocks of the various species return annually to hundreds of streams. Many types of boats and gear—seiners, trollers, and gill, drift, and set nets—harvest salmon in both coastal and river fisheries. In every fishery there are different issues, challenges, and opportunities.

The state controls the number of boats under a limited entry permit system and regulates harvests through restrictions on boat size, gear type, and timing of openings. Alaska's biological salmon management has been very successful; the Marine Stewardship Council (an international non-profit group promoting well-managed fisheries) has recognized Alaska's management as "sustainable."

The salmon industry is still one of Alaska's top employers, with thousands of jobs in fishing and processing and many more in other businesses that depend indirectly on salmon fishing.

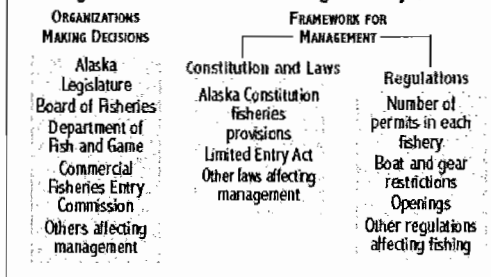
WHAT'S THE PROBLEM?

The prices fishermen are paid for their catches have plummeted. From the peak in the 1980s to the bottom in 2002, total annual earnings in the salmon fisheries plummeted by two thirds. And as salmon prices and fishermen's earnings fell, so did the value of limited entry permits. Overall permit values declined about two thirds, with losses varying among fisheries. And if we adjust those figures for inflation—to show the change in purchasing power over time—the fall in both earnings and permit values is even steeper, near 75%.

Unable to cover their costs, thousands of salmon permit holders—both residents and non-residents—quit fishing. But Alaskans have been hardest hit. The number of resident permit holders actively fishing dropped 40% between 1988 and 2002, compared with 27% among non-residents. The decline among Alaskans was bigger because the small-scale operators who are most affected by lower prices—set-netters and hand trollers—are predominantly Alaskans.

The causes of the decline are complex and vary by fishery. The biggest has been competition from farmed salmon, but smaller sockeye harvests, changes in the food industry, and an economic slowdown in Japan (historically Alaska's most important market)

Figure 2. Alaska Salmon Management System



have also contributed. Since hitting lows in 2002, total earnings are up—but not in all fisheries.

WHY RESTRUCTURE?

Restructuring can have many goals—but keep in mind that it is not an attempt to improve conservation: Alaska's salmon runs are healthy. The basic goals of restructuring are to lower the costs of harvesting salmon or increase the quality and value of salmon harvests—or both—by addressing problems that occur, to varying extents, in many of Alaska's salmon fisheries. These include:

- More boats fish than are needed, adding to costs.
- Fishermen compete to catch fish as fast as possible, making it difficult to handle fish carefully
- Fishermen build faster and more expensive boats, trying to catch a larger share of the fish—raising total costs for the same overall catch.
- Fish harvests are concentrated in short openings rather than spread out over the season. Quality suffers when processors can't handle large volumes from short openings.

Some people argue that we don't need restructuring to deal with these problems—that they'll resolve themselves when fishermen who can't make money drop out. But under this "market forces" approach, fishermen who drop out may get nothing from their investments in boats and gear—and many are likely to start fishing again if market conditions improve. By contrast, buyouts or other restructuring options compensate fishermen for leaving the fisheries permanently.

Figure 3. Individuals Fishing Salmon Permits

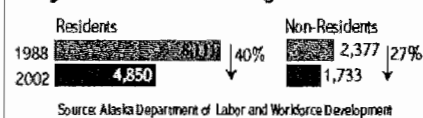


TABLE 1. LOSSES IN ALASKA SALMON FISHERIES, 1986-90 TO 2000-02 (In Million of Dollars)

	Not Adjusted		Adjusted for inflation*	
	1986-90	2000-02 Decline	1986-90	2000-02 Decline
Average Annual Earnings	\$580	\$196	\$845	\$215
Value of Limited Entry Permits	\$882	\$304	\$1315	\$329
		66%		75%

Source: Calculated from data of Commercial Fisheries Entry Commission *In 2004 Dollars

OPTIONS FOR RESTRUCTURING

Table 2 lists a few examples of the many possible restructuring options. We want to emphasize that we're not advocating any specific change, and what makes sense will vary from fishery to fishery.

Most of the options would reduce the number of fishing boats—for instance, by establishing harvester co-ops (like the Chignik co-op); by allowing several permit holders to stack their gear on a single boat; or by buying some permit holders out of the fishery.

Some options are similar to what the federal government has done in the offshore fisheries it manages—making allocations to individuals, communities, or other groups. Those options are intended to end the “race for fish” and give fishermen the chance to improve the way they handle their catch.

All the options raise questions: Who would pay for buybacks? How much gear could be on a single boat? Would allocations be based on past catches, and if so, during what years? They also raise concerns about equity, job losses, administrative difficulties, effects on gear and boat value, and effects on processors.

Some would represent much bigger changes than others, and all would face legal, constitutional, and institutional challenges.

CHALLENGES OF RESTRUCTURING

If restructuring could help Alaska's salmon industry compete, why has the harvesting system stayed essentially the same, after more than a decade of economic crisis? For several reasons:

- The salmon fisheries are diverse, with each facing its own issues.
- Restructuring is complex. There are many possible changes, each carrying its own potential benefits, design considerations, and concerns—as well as uncertainties. Rural communities, especially those that depend heavily on salmon, have specific concerns about effects of restructuring.
- There's a long-standing tension between social and economic goals for the fisheries, and no consensus among Alaskans about what restructuring should accomplish—or who should benefit.

• No organization in state government has clearly defined responsibility for the economic success of the fisheries; clear and broad authority to make major changes in the harvesting system; and resources to study and take action on restructuring proposals.

It's those last two obstacles—conflicting goals and lack of clear responsibility and authority—that pose the most fundamental challenges to restructuring, as we discuss below.

CONFLICTING FISHERIES GOALS

The multiple and sometimes conflicting goals of salmon management have their roots in territorial days. Under federal management, salmon runs plummeted (Figure 1), and processors based in Seattle controlled the fisheries, using salmon traps to take much of the harvest. Alaskans resented both the Outside control and the traps. They were also afraid overfishing would destroy the fisheries.

With statehood in 1959, Alaskans won control of the salmon fisheries. The state constitution includes several principles for fisheries management, reflecting Alaskans' territorial experiences. Fisheries are to be managed for “sustained yield” and for the “maximum benefit” of Alaskans; they are reserved for “common use” with no “exclusive right or special privilege” to be created.

Those general principles are the basis for management—but they don't clearly define management goals, or say how to rank the various goals. The clearest is conservation: managing for “sustained yield.” Alaskans agree conserving salmon resources is critical. The legislature has delegated conservation authority to the Alaska Board of Fisheries and the Alaska Department of Fish and Game and provided money to pay for research and regulation.

But there is no such clarity or consensus about how to manage for “maximum benefit.” For much of the time since statehood, achieving maximum benefit has meant spreading the fisheries wealth broadly among Alaskans. And the “no exclusive right or special privilege” provision was specifically intended to insure that fisheries benefits would be widespread—not concentrated among a few, as they had been under federal management.

TABLE 2: EXAMPLES OF POTENTIAL RESTRUCTURING OPTIONS FOR ALASKA SALMON FISHERIES

Option	Rationale	Examples of Potential Design Issues	Examples of Potential Concerns
Divide permit holders into groups that fish at different times	Reduces total boat and fuel costs	What is the basis for dividing permit holders into groups?	Fishing opportunities may differ between groups
Allow permit holders to combine operations and fish more gear from one boat (permit stacking)	Reduces total boat and fuel costs	How much gear do combined operations get to use?	Potential for participation by permits that would have gone unfished—thus increasing total gear use
Permit buybacks	Reduces boat and fuel costs	Which permits get bought out, and for what price? Who pays for buybacks?	Cost of buybacks Increased investment by remaining boats Decline in local ownership of permits
Harvester co-op allocations Community allocations Individual allocations	Ends “race for fish” and focuses effort on reducing costs and improving quality	Who gets the allocations? Are allocations transferable?	Consistency with constitutional “no exclusive right” provisions Managers' ability to achieve and enforce allocations Administrative costs
Changes in boat restrictions Changes in gear	Reduces costs and enhances quality	Should restrictions be similar in different fisheries? Over what period are changes phased in?	Loss in value of original boats or gear Access to funding for new boats or gear

The harvesting system in many ways evolved to allow as many Alaskans as possible to work in the fisheries. But it's not enough to fish: fishermen also need to be able to make money. So another aspect of "maximum benefit" is economic: keeping the fisheries profitable. But there's a tension between spreading the wealth and keeping the fisheries profitable—because the more fishermen participate in a fishery, the harder it is for them all to make a living.

A big reason why the state hasn't taken any broad action toward restructuring so far is that Alaskans haven't resolved that fundamental tension. Restructuring generally tries to make the fisheries more efficient, but that efficiency often comes at the expense of fishing jobs. One of the arguments raised against the Chignik co-op is that it has eliminated jobs.

Alaskans haven't reached any consensus on what restructuring should accomplish—nor on who should benefit. For example, to what extent do Alaskans want to try to preserve jobs, especially for rural Alaskans with few other options? What is the state's obligation to current permit holders? Should permit holders who haven't fished recently be considered on the same footing with those who have fished? If we allocate salmon, what should be the basis for the allocations?

AUTHORITY FOR RESTRUCTURING

The second fundamental obstacle to restructuring—as the Chignik co-op makes plain—is the lack of clear authority. No state agency has (1) clear responsibility for the economic success of the fisheries; (2) authority that is clear enough and broad enough to allow it to make major changes in the harvesting system; and (3) adequate money and personnel to study restructuring options and put them into effect. Unlike for conservation, the legislature hasn't delegated clear responsibility or broad authority to the Board of Fisheries or the Department of Fish and Game to change salmon harvesting rules to achieve economic goals.

LESSONS FROM LIMITED ENTRY

Despite these considerable challenges, the state did make a fundamental change in the harvesting system in the early 1970s, when shrinking salmon runs collided with growing numbers of fishermen. At that time, there were no restrictions on the number of boats fishing for salmon. But with a major resource industry at risk—from both conservation and economic standpoints—the governor and the legislature took action. They asked voters to approve a consti-

tutional amendment (allowing an exception to the "no exclusive right" provision). The legislature passed the Limited Entry Act, based partly on recommendations of a special limited entry study group. A new agency was established to administer the program and issue a limited number of permits for each fishery.

The challenges facing today's salmon industry are different. But the history of limited entry shows that the state can make difficult and controversial changes in salmon management—when the governor and the legislature become actively involved.

CONCLUSIONS

It won't be easy to make changes in Alaska's salmon harvesting system. Not everyone will benefit; some people could end up worse off. But the costs of doing nothing are also high. Thousands of Alaskans have already seen severe losses in fishing income and in boat and permit values, and many have had to quit fishing for salmon. The fundamental challenges in changing the harvesting system will be:

- *Deciding how we want to balance economic and social goals for our fisheries*
- *Establishing clear responsibility for restructuring and broad authority to make changes—and supplying the necessary resources to study options and put changes into effect*

A Salmon Industry Restructuring Panel, established by the Board of Fisheries, is studying restructuring issues and will make recommendations to the legislature in 2006. No major restructuring will happen until the legislature itself acts, or gives some state agency clear authority to act. Salmon is no longer Alaska's dominant resource industry. But it remains a mainstay of many communities, and if the industry is to become and remain profitable, we need to face—and find ways of addressing—the complex, difficult issue of restructuring.

Fran Ulmer, ISER's director, was on the North Pacific Anadromous Fish Commission for 10 years, and as Alaska's lieutenant governor she participated in salmon industry forums, chaired the Bering Sea Task Force, and spoke on Alaska's fishing economy to national and international groups.

Gunnar Knapp, a professor of economics at ISER, has for the past 15 years studied and written about Alaska salmon markets and the effects of market changes on the salmon industry.

A longer paper by the same authors, *Challenges in Restructuring Alaska's Salmon Fisheries*, is available from ISER (907-786-7710) for \$5 or at: www.alaskaneconomy.uaa.alaska.edu



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APPENDIX DD

ULMAR AND KNAPP COOPERATION, RESPECT, SHARING ANALYSIS

Excerpts from *Changing Alaska's Salmon Harvesting System: What are the Challenges?*

Conceptual or direct references from the document to cooperation, respect, sharing, and food. The following examples are not meant to be comprehensive, but show patterns of discourse.

Cooperation:

- ..the co-op vividly shows two fundamental obstacles to restructuring. The first is the tension between social and economic goals. (Cooperation is difficult when people attempt to combine social and economic goals.)
- No state agency has clear responsibility for economic success of the fisheries; authority that is clear enough and broad enough to allow it to make major changes in the harvesting system; adequate money and personnel to study restructuring options and put them into effect. (Cooperation between agencies is difficult so there is a need for a central power.)
- Alaskans resented both the Outside control and the traps. They were also afraid over fishing would destroy the fisheries. (The federal government as a central power failed to foster cooperation before statehood.)
- Allow permit holders to combine operations and fish more gear from one boat (permit stacking). Reduces total boat and fuel costs. How much gear do combined operations get to use? Potential for participation by permits that would have gone unfished-thus increasing total gear use.(Allowing cooperation between fishermen.)
- Divide permit holders into groups that fish at different times. Reduces boat and fuel costs. (Regulated cooperation between fishermen to take turns fishing.)
- Fish harvests are concentrated in short openings rather than spread out over the season. Quality suffers ... (Regulating turn taking would enforce cooperative fishing behavior.)
- Chignik permit holders decided to form a co-op to cut costs - if the ABF would agree to change the rules and allocate part of the harvest specifically to the co-op. (Cooperation between fishermen and between fishermen and the state.)
- More than 75 of the 100 Chignik permit holders joined, and for the past four years they've caught their annual allocation with about 20 boats.

- The legislature has delegated conservation authority to the Alaska Board of Fisheries and the Alaska Department of Fish and Game and provided money to pay for research and regulation. (Cooperation between arms of the government.)

Food:

- Competition from farmed salmon and other factors have battered the fisheries; earnings of fishermen have plummeted, even as harvests reached near-record highest. (Earnings as food)
- Alaska's wild salmon harvest is the world's largest. They make up about 40 percent of wild salmon harvests worldwide and 15 percent of combined wild and farmed production.
- But many fishermen, processors, and communities rely mainly on salmon.
- Earnings in the salmon fisheries plummeted by two thirds ... so did the value of limited entry permits.
- The salmon industry is still one of Alaska's top employers, with thousands of jobs in fishing and processing and many more in other businesses that depend indirectly on salmon fishing.
- The state has five salmon species-pink, chum, coho, sockeye, and king-and different stocks of the various species return annually to hundreds of streams.

Respect:

- The clearest is conservation: managing for 'sustained yield.' Alaskans agree conserving salmon resources is critical. (Respect for the non-human environment is referred to as 'sustained yield.')

Sharing:

- 'Restructuring' means changing the rules about who can fish, when and where they can fish, and how much they can catch.
- But it's not enough to fish: fishermen also need to be able to make money. So another aspect of 'maximum benefit' is economic: keeping the fisheries profitable. But there's a tension between spreading the wealth and keeping the fisheries profitable-because the more fishermen participate in a fishery, the harder it is for them all to make a living.
- By contrast, buyouts or other restructuring options compensate fishermen for leaving the fisheries permanently
- Some people argue that we don't need restructuring to deal with these problems - that they'll resolve themselves when fishermen who can't make money drop out. But under this 'market forces' approach, fishermen who drop out may get nothing from their investments in boats and gear

- The basic goals of restructuring are to lower the costs of harvesting salmon or increase the quality and value of salmon harvests - or both - by addressing problems ..
- Not everyone will benefit; some people could end up worse off. But the costs of doing nothing are also high. Thousands of Alaskans have already seen severe losses in fishing income and in boat and permit values, and many have had to quit fishing for salmon.
- Restructuring generally tries to make the fisheries more efficient, but that efficiency often comes at the expense of fishing jobs. One of the arguments raised against the Chignik co-op is that it has eliminated jobs.
- The harvesting system in many ways evolved to allow as many Alaskans as possible to work in the fisheries.
- What is the state's obligation to current permit holders? Should permit holders who haven't fished recently be considered on the same footing with those who have fished? If we allocate salmon, what should be the basis for the allocations?

APPENDIX EE

BEDFORD 2005 TESTIMONY TO HOUSE COMMITTEE ON FISHERIES

Mr. David Bedford, Deputy Commissioner, Alaska Department of Fish and Game to the House Subcommittee on Fisheries and Oceans.

July 6, 2005

Introduction

Good morning Mr. Chairman. For the record, my name is David Bedford. I serve as Deputy Commissioner of the Alaska Department of Fish and Game focusing on fishery issues. I also serve as the Commissioner for the State of Alaska on the Pacific Salmon Commission, the body responsible for developing conservation and harvest sharing agreements for Pacific Salmon under a treaty between the United States and Canada. I am appearing on behalf of Governor Murkowski. He appreciates your invitation but was called away on other pressing business and asked that I appear on his behalf. I want to welcome you and the members of the Committee to Alaska and thank you for the opportunity to offer comments to the Committee on Alaska's stewardship of its bountiful fishery resources. Alaska's people depend on our fisheries as a source of livelihood, recreation and nutrition. Alaskans take advantage of our fishery resources in subsistence, commercial, sport and personal use fisheries. Over half of the total harvest of fish in the United States is taken from the waters off Alaska. Our fisheries support half of the jobs in Alaska fully or in part. I intend to address the questions raised by the committee in its letter inviting Governor Murkowski to testify. Management in Alaska is divided between state and federal waters. It is my understanding that the Committee has invited other witnesses who will speak directly to federal management under Magnuson Stevens so I will focus my comments on management under the state system.

I. Fishery Management in Alaska. Fishery management in Alaska is divided between federal waters fisheries and state waters fisheries with different bodies of law, management agencies, and regulatory authorities engaged in each. Alaskan fishery management is grounded on obligations set in the state constitution requiring management of fish and wildlife to provide for sustained yield and reserving fish and wildlife for the common use of the people. Thus, the constitution sets the standard for conservation of the resource with the objective of allowing for human use of that resource in perpetuity. To meet these basic obligations Alaska's founders divided management responsibility between the Department of Fish and

Game and a seven member Board of Fisheries. In broad-brush strokes, the Board is charged with developing management plans that provide for resource conservation and allocate harvestable surplus among users. The department is charged with conducting research, monitoring resource status to generate the information necessary to support development of management plans and with managing harvest consistent with those management plans. The state's management program embraces an array of human uses including sport, personal use, commercial and customary and traditional subsistence fisheries.

Subsistence, which accounts for a small percentage of the total harvest, is accorded a priority under state law. After providing for the subsistence opportunities, the Board of Fisheries allocates the remaining harvestable surplus among the other fisheries. The state manages a wide variety of fisheries with management plans in each region of the state that address specific fisheries for identified species. For example, the Alaska Administrative Code has nine management plans for the harvest of finfish in subsistence fisheries with the first applying to Kotzebue in Western Alaska and proceeding across the state to Southeast Alaska where we currently sit. Elsewhere, the code contains twelve management plans for the commercial harvest of salmon in the Bristol Bay region. Each area has a set of plans that fit its unique set of fisheries and may cover salmon, herring, crab, black cod, rockfish, ling cod and a variety of other species. Federal waters fisheries are subject to regulation under the Magnuson-Stevens Fishery Conservation and Management Act with the North Pacific Fishery Management Council responsible for developing fishery management plans. NOAA Fisheries is the principle management agency but the management of many federal waters fisheries is delegated in substantial measure to the State of Alaska. This is not surprising since fish move freely between state and federal waters and the state had a fully developed management program for many of the species of concern to the Council and NOAA when the Magnuson-Stevens Act was adopted. The Council and Alaska Board of Fisheries collaborate in development of fishery management plans when the stocks and fisheries overlap their respective jurisdictions.

II. Major turning points in the development of fisheries management in Alaska

The major turning points in the development of Alaska's fishery management were marked by events that increased local control. Prior to Statehood, in 1959, salmon fisheries were managed by federal agencies in Washington D.C. With statehood, Alaska gained local control of fishery management, replacing federal management with the state agency and Board of Fisheries. In 1976, with the passage of the Magnuson Act, the United States began to take control of fisheries in federal waters from 3 to 200 miles off shore and vested regulatory authority in the North Pacific Fishery Management Council, a body with a majority from Alaska. Federal

management of salmon in Alaska was an unqualified failure. Under federal management, fishery seasons were set prior to the beginning of the fishery with little resource monitoring or in-season control of the fisheries.

In 1953, President Dwight Eisenhower declared a disaster in Alaska because salmon runs had declined precipitously and at statehood in 1959 the total harvest had fallen to 25 million fish, the lowest catch since 1900. The crisis in the salmon fishery was one of the principle driving forces behind Alaska's efforts to secure statehood. Bill Egan, President of the Alaska Constitutional Convention put it succinctly in a message to the Delegates of the Convention, February 5, 1956:

It is my very firm conviction that, in the immediate years following the advent of statehood to Alaska, our fisheries conservation problem will be solved. With local control of our fisheries, the annual pack of salmon taken from territorial waters will quickly take an upturn because conservation policies would then be laid down by Alaskans intimately familiar with the problem. ...the solving of the problem of perpetuation of our great fisheries resource can only be accomplished with the right to fully govern ourselves.

With statehood, Alaska replaced distant, disengaged federal management with direct, local, hands-on control. Area management biologists were empowered to open and close fisheries based on the data collected during the fishery. Instead of establishing fishing periods at the beginning of the year, openings were modified weekly or even daily. While this approach introduced day-to-day uncertainty for fishermen and fish processors, it gave substantial assurance that conservation goals would be met thereby improving prospects for harvests in future years. With local control, sustained yield came first. As one management biologist put it, "If you put too many salmon in the river and short changed the fishermen's harvest you could expect some pointed criticism. But if you put too many fish in the fishermen's nets and shortchanged the escapement you could expect to lose your job." By the early 1980's, the salmon runs were restored and the 1990's saw a series of record harvests. The other significant turning point came with the implementation of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) in 1976. The MSA was intended to extend the United States' control over submerged lands and marine resources out to 200 miles off shore. MSA Americanized the offshore fisheries, which at the time, were controlled by foreign fishing fleets. It also established the fishery management councils, which created a substantial level of local control over the developing federal waters fisheries.

Prior to the MSA, the foreign fleets had every reason to maximize harvest and no reason to support long-term conservation since harvests were not limited and any fish forgone by one vessel would likely be hauled in by someone else.

As Ted Stevens observed:

As a young Senator, I once went to Kodiak... and flew up to the Pribilofs. As we flew up there we counted 90 factory trawlers that were fishing out there during the winter. This was right about the time of the Russian Christmas. We were appalled. I sent them back to make some photographs of the decks of those trawlers. There was everything on the decks from ocean mammals to all types and species of fish. Many of the trawlers had a hole in the center of the deck. They just shoved everything in -- there was a big grinder inside and everything that went down the hole was ground up into meal. Being appalled about that I went back and talked to my friend, Warren Magnuson, and that was the beginning of the 200-mile limit legislation. (Testimony of U.S. Senator Ted Stevens, U.S. Commission on Ocean Policy, Alaska Regional Meeting, Anchorage, Alaska, August 21, 2002.)

With the creation of the North Pacific Fishery Management Council and the consequent local control under MSA, the council instituted a management program similar in many ways to that employed by the State of Alaska with conservation and long-term sustainability at the heart of its management program.

III. Strengths of Alaskan fisheries management

Alaskan fishery management is successful because it is based on a long-term perspective, seeking to conserve fishery resources for use both today and by succeeding generations. Alaska relies on a number of strategies in its management to achieve these ends:

- *The resource comes first.* To assure long-term use and sustained yield, management must begin by setting conservation objectives and control harvest to ensure that these objectives are met.
- *Management is based on science.* Fishery resources are studied to determine life history, long-term conservation requirements and harvests are set based on the resource that is surplus.
- *Where possible, management is adaptive and uses current information.* Alaskan managers monitor the fishery harvests and respond with fishery openings and closures or other modifications as new information becomes available. If there is no source of current information the harvest is set at conservative levels.
- *Harvest allocation and resource management are distinct.* The managers responsible for monitoring the fishery resource and making decisions on when and where the public can harvest must make objective decisions based on science and dictated by the status of the resource. Decisions on allocating the available harvest users should be and is decided by another body, the Board of Fisheries.
- *The public has a meaningful role in allocation and management decisions.* The resource allocation process conducted by the Alaska Board of Fisheries is open to the public with the issues debated and decisions made

in public session. In addition, the Department of Fish and Game has established a number of advisory groups to help develop strategies to implement fishery management plans. Meaningful public involvement in resource management engenders support for resource conservation and helps in the development of harvest plans that increase efficient use. The management of federal waters fisheries is parallel in many regards. Harvests are established based on the best available science with caution increasing as the certainty of the data decreases. Furthermore, the activities of the council are kept distinct from that of scientific advisors with the council limiting harvests to levels below the maximum determined acceptable by the Scientific and Statistical Committee. As with state fisheries, management of the federal waters fisheries relies on in season catch monitoring with the fisheries closed as harvest levels are reached. A single important distinction between management under MSA and the state management program is the effect of litigation on fishery management. While the state has comprehensive statutes governing the regulatory process relatively few decisions of the Board of Fisheries are overturned in state court and it is rare that implementation of a management plan is delayed by litigation. In contrast the Council's regulatory process is often interrupted by litigation, generally a claim asserting a procedural violation of the National Environmental Policy Act (NEPA). This is unfortunate since the public process that the Council follows and the rigorous science that grounds Council actions satisfies the policies that underlie NEPA and covers most of the substance of the Act.

IV. Progress toward ecosystem-based approaches to fisheries management;

The state management program takes ecosystem considerations into account both in the science underlying management and in the regulatory process. For example, the department generally manages salmon stocks for a biological escapement goal, that is, the number of salmon returning to a river that is necessary to provide for maximum sustained yield. Biological escapement goals, when calculated, take a holistic view toward identifying the escapement level, on average, that will, in perpetuity, provide these yields, given all other mortality to the stock, the ecological role of the stock and its function within the various ecosystems in which it is involved.

While ecosystem management is a new and developing approach to fishery management, quite frankly the ecosystem factors of greatest impact in Alaska are large-scale environmental changes over which we have little influence and to which we can only react. For example, the cyclical changes in weather and water temperatures of the Pacific Decadal Oscillation have very substantial effects on the abundance and distribution of marine populations with consequent impacts on opportunities for human use. At the federal level, the North Pacific Fishery Management Council currently includes many ecosystem considerations in the development of fishery management plans. I understand that the Council has

constituted a committee that is assessing how ecosystem management might be better incorporated into existing management process and is looking at developing a Fishery Ecosystem Plan for the Aleutians Islands.

V. Lessons from the North Pacific for the reauthorization of the Magnuson-Stevens Act;

The success in maintaining abundant resources and viable fisheries in Alaska leads to the conclusion that Magnuson-Stevens is, in many regards, effective as written. Some provisions of MSA are particularly important if we expect to continue this record of success:

- The Council structure should be kept as is, with the governors making recommendations for council appointments and the seats designated by statute left unchanged. Local knowledge and local control of the fisheries is one of the keys to the success of management at both the federal and state levels.
- Science is the firmament on which management stands. Therefore, the Act should maintain the use of credible science with a clear separation between resource assessment and allocation by utilizing an independent Scientific and Statistical Committee.
- The North Pacific Fishery Management Council has proved to be an effective steward of the marine resources. Consequently, the Act when reauthorized, should continue to support the council process by:
 1. Maintaining current authority of the Council to address cold water corals/fisheries interaction issues through fishery management plans and Essential Fish Habitat (EFH) provisions.
 2. Maintaining current authority of the Council to regulate Marine Protected Areas (MPAs) through Fishery management plans.
 3. Maintain “rollovers” of Fisheries Management

Plans if they are not approved by NOAA Fisheries in a timely manner once approved by the Regional Fishery Management Councils. While the Act, as written, has in general permitted effective management of fisheries in the North Pacific, there are some amendments to the Act which would improve management:

• **Reconcile MSA, NEPA, APA, etc. in the interest of a more efficient process.** The Magnuson-Stevens Act, NEPA, and the Administrative Procedure Act (APA) all influence fishery management planning and program development, sometimes creating long delays in permitting and decision-making. These delays are unnecessary and cost the government, the fishing industry, and coastal communities time and money. The MSA could include the best parts of NEPA and the APA – such as ensuring public participation and thorough environmental and economic analyses – while removing many of the cumbersome requirements.

What it means to Alaska: Alaska’s fishing industry is its largest private sector employer and produces over half of the nation’s seafood harvests. The economy of

many Alaska coastal communities is dependent upon fisheries. A streamlined regulatory process helps assure the timely and responsive fisheries management that the Alaskan fishing industry and dependent coastal communities require to maximize fisheries value. Amendment: Insert language into MSA deeming Fishery Management Plans (FMP) to be the functional equivalent of a NEPA document.

To achieve this functional equivalency, Congress may choose to require an FMP include:

- a. a description and assessment of alternatives;
- b. an evaluation of the relationship between local short-term uses of the fishery resources and the maintenance and enhancement of long-term productivity;
- c. an assessment of significant impacts on nontargeted species;
- d. an assessment of significant adverse effects to the marine ecosystem which cannot be avoided should the proposal be implemented;
- e. an assessment of significant social and economic effects, including those to coastal communities;
- and
- f. a public participation requirement that is fulfilled through oral and written public testimony to the Regional Fishery Management Councils (RFMCs).

• **Assure an appropriate definition for an ecosystem-based approach to fisheries management.**

Ecosystem approaches to management are the new trend in marine management. If ecosystem-based approaches to fisheries management is added to the MSA, it must be appropriate to implement, scientifically defensible, and recognize human uses as essential. Therefore, socioeconomic data must be an integral component of an ecosystem-based approach to management. Ecosystem variables must be explicitly defined, new funding made available so that base programs are not sacrificed, and research priorities made clear. What it means to Alaska: The State of Alaska and the North Pacific FMC already manage resources with the ecosystem in mind, as Alaska's sustainable fisheries demonstrate. Proposed changes to law such as, compelling RFMCs to consider matters that aren't scientifically defensible or fiscally feasible, or that fail to account for human uses, threaten Alaska's current sustainable fisheries management regimes.

Amendment: Provide a definition of an ecosystem-based approach to fishery management that recognizes human uses as a vital ecosystem component, evolves with new science, and expands to sufficiently support the approach. Since the

number of factors that might be involved in ecosystem approaches to management would be numerous, MSA should specify the factors that RFMCs must consider or establish a process in which the RFMCs make that determination. If the RFMC identified the factors, the Science and Statistical Committee should be identified as the source of expert advice in statute.

• **Authorize Dedicated Access Privileges (DAPs) for use by RFMCs.**

The NPFMC has implemented several successful fishery management programs that allow fishermen to fish with DAPs – including Individual Fishing Quotas (IFQs), cooperatives, and community development quotas (CDQs). Every RFMC should have the opportunity to develop and utilize DAP programs in the future, if they feel it appropriate for their fisheries. If use fees are implemented as part of DAPs management, a share of such fees should be allocated to states to assist with their share of research, data, management, and enforcement costs. What it means to Alaska: The race for fish has intensified in Alaskan fisheries; as a result fishermen are more efficient and fleets are overcapitalized. Fast-paced, compressed fisheries encourage productivity over safety for fisheries participants, restrain bycatch reduction, reduce attention to habitat concerns, and hinder use of quality handling practices that provide for product and market diversity and increased value.

Alaska’s experience with IFQs and cooperative management demonstrates that share-based fishery management effectively addresses these problems. DAPs are a tool that must remain in the RFMC management toolbox. Amendment: DAPs should be authorized for use by RFMCs and replace “IFQ” throughout MSA.

• **Change the definition of “overfishing” to acknowledge natural impacts.**

Shifts in water temperature, degradation in habitat, pollution, or disease can cause fish populations to drop below harvestable levels. Currently, there is no codified term for natural population declines, so the terms “overfished” and “overfishing” are used. Using these terms unfairly places the blame on fishermen, when fishing is not the cause of a population decline.

What it means to Alaska: In Alaska, while there is little habitat degradation or pollution, there is widespread evidence of climatic changes that have affected the distribution and abundance of marine resources. In order to avoid unnecessary and undesirable economic and regulatory consequences, it is important that when stocks of groundfish and shellfish are at lower levels of abundance, as a result of changes in the natural environment, they are not mislabeled as “overfished”. Amendment: The terms "overfishing" and "overfished" should refer only to the effects of fishing harvests and pressure, not to the effects of habitat degradation, pollution, or natural environmental of climatic changes.

• **Support federal funding of VMS deployment requirements, as necessary.**

Vessel Monitoring Systems (VMS) can monitor, among other things, vessel location, when a boat is fishing, and surface water temperature. Tracking vessels by

satellite can facilitate search, rescue and enforcement efforts. However, VMS should not be required, but used as necessary, practicable, and feasible. When VMS is used, state and federal agencies should jointly determine the appropriateness of its use and share VMS data, something not currently occurring. VMS data is not protected from the Freedom of Information Act and therefore, confidentiality is of concern. When VMS is required, capital costs should be borne by the federal government. What it means to Alaska: Alaska's fisheries are prosecuted by a very diverse fleet, ranging in size from under 30' to the largest factory trawler. A one-size fits all approach to VMS requirements is inappropriate given this diversity.

Amendment: Congress should require a cost/benefit analysis to determine the feasibility of VMS use for its potential conservation, enforcement, and safety benefits, as well as a cumulative impacts examination as to existing, overlapping, and redundant requirements for commercial fishing vessels. Data-sharing agreements between state and federal agencies should be developed, while considering individual confidentiality.

• **Prevent Data Quality Act infringement on RFMC use of science for management.**

The Data Quality Act has recently come to our attention. While we have not yet had the opportunity to fully explore this Act, we do believe that, that as written, it has the potential to have significant ramifications on the RFMC process and could result in major delays in management actions, as well as a defacto deregionalization result.

Amendment: Given the uncertainty that this Act interjects into the RFMC process, we recommend that inclusion of language in MSA which stipulates that a properly constituted Scientific and Statistical Committee could serve as the peer review panel for influential and highly influential data and analyses related to management of the fisheries in the U.S. Exclusive Economic Zone.

VII. Sources and levels of funding for fisheries management and scientific activities;

Alaska manages fisheries in both state and federal waters and is subject to commitments entered into by the United States under international fishery treaties. Furthermore,

the state receives grants under entitlement programs available to all the states for the development and management of sport fisheries. Consequently, Alaska's fishery management program is supported by both state and federal funds. Overall, the state will provide approximately \$36 million for fishery management in fiscal year 2005. The federal contribution to management of commercial fisheries will be approximately \$14 million. Additional federal resources are available for fisheries research through the Alaska- Yukon-Kuskokwim Sustainable Salmon Initiative and the North Pacific Research Board.

VIII. What new challenges do you foresee.

In general, Alaska's fisheries face the same challenges as any other fishery ranging from changes in weather to changes in water temperatures. As I mentioned previously, these factors have the potential to affect marine populations, and as a consequence, are likely to impact human use opportunities. But perhaps the greatest challenge that the State of Alaska will face, is preserving the active role that our state plays in fisheries management. As Congress considers MSA reauthorization, the establishment of a national oceans policy, and other relevant fisheries-related legislation, the State of Alaska's greatest challenge and highest priority will be to ensure that Congress (1) acknowledges our state's jurisdiction, (2) considers our state's unique characteristics, (3) recognizes our management successes; (4) incorporates local knowledge in the management process; and (5) fosters strong federal-state partnerships.

The driving force behind Alaska's statehood was the opportunity to gain sovereignty over the management of our fisheries resources. The exercise of this sovereignty is responsible for the sustainability and success of our fisheries. As we discuss fisheries policy at a national level, it is this sovereignty and local control of the fisheries and fishery resources that the state will seek to maintain. We also face the challenges created by ever-increasing globalization of the economy. In the past, markets were regional. Now, they are global. Improvements in technology, communication, and transportation have changed the socio-economic landscape of our world. While these changes present new opportunities, they also present new challenges. Take, for example, the proliferation of finfish farming around the world. Today, farmed salmon raised in Chile compete directly in market places around the world with wild Alaska salmon. Farmed salmon has provided a cheaper alternative to wild Alaska salmon, and as a result, has depressed salmon prices around the globe. In recent years, Alaskan fishermen and the State of Alaska have been working diligently to promote the benefits of eating wild Alaskan salmon. And, our promotion efforts are yielding impressive results. Still, the realities of this global marketplace are presenting some unprecedented challenges. Finally, we face the difficult challenge of balancing economic and social interests associated with fisheries. One need only look to the debate over crab fishery rationalization in the Bering Sea or groundfish fishery rationalization in the Gulf of Alaska to understand how difficult slowing "the race for fish" can be. In many of these cases, fisheries that used to last for weeks are now executed in days thanks to better technology and gear. But these improvements, and the speed of the fisheries, have impacts on the health of our fishery resources. As the State of Alaska attempts to slow "the race for fish," public debates over rationalization and cooperative structures are ensuing. As responsible managers of our state's fishery resources, we face the difficult tasks of finding a way to sustain our fisheries, increasing the value of our catch, and providing economic benefits to the state, our local communities, and individual

fishermen. Balancing these interests will not be easy and will take time, but I'm confident that Alaskans are up to the challenge.

APPENDIX FF

BEDFORD COOPERATION, RESPECT, AND SHARING ANALYSIS

Segments from Testimony of Mr. David Bedford, Deputy Commissioner, Alaska Department of Fish and Game to the House Subcommittee on Fisheries and Oceans.

Conceptual or direct references from the document to cooperation, respect, sharing, and food. The following examples are not meant to be comprehensive, but show patterns of discourse.

Cooperation:

- Federal waters fisheries are subject to regulation under the Magnuson-Stevens Fishery Conservation and Management Act with the North Pacific Fishery Management Council responsible for developing fishery management plans. NOAA Fisheries is the principle management agency but the management of many federal waters fisheries is delegated in substantial measure to the State of Alaska. This is not surprising since fish move freely between state and federal waters and the state had a fully developed management program for many of the species of concern to the Council and NOAA when the Magnuson-Stevens Act was adopted. The Council and Alaska Board of Fisheries collaborate in development of fishery management plans when the stocks and fisheries overlap their respective jurisdictions.
- Finally, we face the difficult challenge of balancing economic and social interests associated with fisheries.
- Fishery management in Alaska is divided between federal waters fisheries and state waters fisheries with different bodies of law, management agencies, and regulatory authorities engaged in each.
- Management in Alaska is divided between state and federal waters. (Sharing the decision making processes. Not just one group decides for everyone.)
- MSA .. it also established the fishery management councils, which created a substantial level of local control over the developing federal waters fisheries.
- To meet these basic obligations Alaska's founders divided management responsibility between the Department of Fish and Game and a seven member Board of Fisheries.

Food

- The economy of many Alaska coastal communities is dependent upon fisheries.
(Indirect reference)
- Our fisheries support half of the jobs in Alaska fully or in part. (Indirect reference)
- Alaska's fishing industry is its largest private sector employer and produces over half of the nation's seafood harvest.
- Alaska's people depend on our fisheries as a source of livelihood, recreation and nutrition.
- Alaskans take advantage of our fishery resources in subsistence, commercial, sport and personal use fisheries.
- In recent years, Alaskan fishermen and the State of Alaska have been working diligently to promote the benefits of eating wild Alaskan salmon.
- Amendment: Provide a definition of an ecosystem-based approach to fishery management that recognizes human uses as a vital ecosystem component, evolves with new science, and expands to sufficiently support the approach. (Indirect reference)
- Over half of the total harvest of fish in the United States is taken from the waters off Alaska.
- Subsistence, which accounts for a small percentage of the total harvest, is accorded a priority under state law.

Respect:

- (for MSA) The success in maintaining abundant resources and viable fisheries in Alaska leads to the conclusion that the MSA is, in many regards, effective as written.
- (for time) A streamlined regulatory process helps assure the timely and responsive fisheries management that the Alaskan fishing industry and dependent coastal communities require to maximize fisheries value.
- (for sustainability) The exercise of this sovereignty is responsible for the sustainability and success of our fisheries.
- (that Congress respects) ... highest priority will be to ensure that Congress acknowledges our state's jurisdiction, considers our state's unique characteristics; recognizes our management successes, incorporates local knowledge in the management process, fosters strong federal-state partnerships.
- (for public involvement) Meaningful public involvement in resource management engenders support for resource conservation and helps in the development of harvest plans that increase efficient use.
- (for slowing time) As the State of Alaska attempts to slow 'the race for fish,' public debates over rationalization and cooperative structures are ensuing.
- (for ecosystem considerations) For example, the department (state) generally manages salmon stocks for a biological escapement goal, that is the number of salmon returning to a river that is necessary to provide for maximum sustained yield.

- (for ecosystem approaches) Ecosystem approaches to management are the new trend in marine management. If ecosystem-based approaches to fisheries management are added to the MSA, it must be appropriate to implement, scientifically defensible, and recognize human uses as essential.
- (for fairness) Harvest allocation and resource management are distinct.
- The North Pacific Fishery
- The resource comes first.
- (for science) Management is based on science.
- (for the council and process) Management Council has proved to be an effective steward of the marine resources. Consequently, the Act when reauthorized, should continue to support the council process by:
- (the public role) The public has a meaningful role in allocation and management decisions.

Sharing:

- After providing for the subsistence opportunities, the Board of Fisheries allocates the remaining harvestable surplus among the other fisheries. (Indirect reference)
- Alaskan fishery management is grounded on obligations set in the state constitution requiring management of fish and wildlife to provide for sustained yield and reserving fish and wildlife for the common use of the people. (Indirect reference)
- In broad-brush strokes, the Board is charged with developing management plans that provide for resource conservation and allocate harvestable surplus among users. (Indirect reference)
- The state's management program embraces an array of human uses including sport, personal use, commercial and customary and traditional subsistence fisheries. (Indirect reference)
- Thus, the constitution sets the standard for conservation of the resource with the objective of allowing for human use of that resource in perpetuity. (Indirect reference)
- Authorize Dedicated Access Privileges for use by RFMCs. (IFQs) (CDQs). (Setting a sharing limit)
- Alaska's experience with IFQs and cooperative management demonstrates that share-based fishery management effectively addresses these problems. DAPs are a tool that must remain in the RFMC management toolbox.

APPENDIX GG

A BRIEF TIMELINE OF EURO-AMERICAN CONTACT

1867: Treaty of Cession between the United States and Russia

When the United States acquired Alaska territories from Russia, the Treaty of Cession stated that the United States had dominion over all properties except those owned by “private individual property holders” (Case 1984:57). Cession of territory was to be unencumbered by any corporate or incorporated companies, reservations, privileges, franchises, grants, etc. Because aboriginal title is usually tribal or group title, some have claimed that the treaty extinguished the rights of Indian title at the same time Russian title was ended. The treaty gave all but the Indians the “advantages and immunities” of citizens of the United States. As such, Natives could not “legally” claim land, not being United States citizens (Case 1984:57-58). Before 1867, Tlingit people followed their own social rules that differentiated land and resource use boundaries. They knew places through their family ties to them (de Laguna 1960; Goldschmidt and Haas 1946). Clans and house groups periodically occupied certain rivers, berry picking areas, and hunting grounds through seasonal subsistence practices. Outsiders could gain access to lands, resources and local knowledge by showing genealogical connections and a proper awareness and deference to the local clan status. Permission could be obtained to share in resources (Thornton 1997).

1869: Kake War**1884: The Organic Act**

The act stipulated that settlers and others could not take lands that were in actual use and occupation by Indians (Case 1984:58). The Organic Act recognized a degree of property interest on the part of Alaska Natives, and was cited in later courts to demonstrate that the 1867 treaty did not extinguish aboriginal title to properties (Case 1984:67). Newcomers failed to consider that for centuries Tlingit people had moved seasonally throughout each year to harvest locations that were connected to their clans. Tlingits did not occupy these places year around. Although the Organic Act protected occupied Native lands, newcomers took land when Natives were elsewhere, thus excluding Natives from access to traditional harvest locations and restricting Native movement (Dauenhauer and Dauenhauer 1994).

1902 –1909: Pres. Theodore Roosevelt designated a reserve called the Tongass National Forest

The boundaries of the new federal reserve closed off seven thousand square miles of Southeast Alaska from private acquisition and unregulated private logging (Mitchell 1997). Eventually the designation would also prevent state title to the land. The boundaries of the reserve excluded land that contained white settlement, but it encompassed Tlingit and Haida villages. The General Land Office considered those areas uninhabited (Mitchell 1997:162-164), although 800 Natives lived on Prince of Wales Island, 100 lived on Kuiu Island, 500 lived on Kupreanof Island and more than 500 lived on Chichagof Island. While the reserve failed to recognize the Tlingit or Haida rights of use and occupancy, primarily protecting the rights of white settlers, the reservation of lands inadvertently prevented several major development projects such as mining and logging that would have encroached, to a greater extent, on Native subsistence access. The withdrawal of national forest lands “probably unintentionally” protected Native land rights for Tlingit and Haida land claims and for the Alaska Native Lands Settlement Act (Mitchell 1997). Yet the Tongass National Forest boundaries took from the Natives their fishing and other food gathering rights in areas they once used and occupied as clans and from which non-clan persons could be excluded (Johnson 2003:26). In the next 60 years, during subsequent legal claim hearings, various levels of concessions were made concerning aboriginal title to land and subsistence.

1946-1947: Walter Goldschmidt and Theodore Haas report to the United States Commissioner of Indian Affairs

The report, reprinted in 1998 as “Haa Aani, Our Land: Tlingit and Haida Land Rights and Uses,” is a legal document that Southeast Alaska Natives continue to cite and use in legal struggles to preserve land and customary and traditional use rights (Thornton 1998:Introduction). The document is the result of researching the “Possessory Rights of the Natives of Southeastern Alaska,” which involved interviewing and recording Native Tlingit and Haida representatives about clan, house group, and family use areas and territories. Goldschmidt (anthropologist) and Haas (chief counsel for the Bureau of Indian Affairs) spent three months in 1946 taking sworn affidavits from Tlingit and Haida people. In their report, Goldschmidt and Haas described the land tenure system of Tlingit and Haida groups and depicted territories in detail based on ethnographic data and recorded testimony (Goldschmidt and Haas 1947, 1998; Mills 2000; Thornton 1998).

Thornton, in his 1998 introduction, describes how Natives claimed 90 percent of Alaska up until the Goldschmidt and Haas report. The report was a legal tool for Natives to validate their claims. However, when the land claims were “settled” through the 1971 Alaska Native Claims Settlement Act (ANCSA), Natives received 11 percent of their

lands. They received \$3 an acre as compensation for the remaining 89 percent of their territories (Mills 2000; Thornton 1998).

1958: Alaska Statehood Act

Alaska had been categorized as a United States civil and judicial district since 1884, but received little federal attention (Gislason 2007). In 1955, after several fights in Congress, 55 delegates were elected based on geographic apportionment, and met in Fairbanks to design a state constitution. During the convention the rights of natives to land were debated extensively, but in early 1959, when President Dwight D. Eisenhower signed a proclamation that made Alaska the 49th State of the Union, neither the federal government nor the new state government had effectively defined Native land title and rights. It would take more than a decade to “settle” the question Fisher (1975).

1971: The Alaska Native Claims Settlement Act (ANCSA)

The settlement act transferred 11 percent of Alaska’s lands to Native groups in compensation for lands taken. The land was to be administered through Native corporations, 13 regional corporations and more than 200 local Native “village” corporations. This act “settled” competing claims to lands that would have inhibited or slowed oil pipeline development in the state (Thornton 1999). Within this act, Congress made clear its intent that the State of Alaska and the Secretary of the Interior should protect the subsistence needs of the Natives. The act emphasized a subsistence priority (Thornton 1999:206). In the meantime, the law also required Native corporations to make a profit from their allotted lands. Thus, Kake Tlingit residents became shareholders of the Kake Tribal Corporation and members of Sealaska Tlingit Haida Regional Corporation.

1980: Alaska National Interest Lands Conservation Act (ANILCA)

ANILCA was enacted in order to strengthen congressional commitment to Native subsistence through ANCSA. After compromising with the State of Alaska about wording, Congress stated that rural (rather than Native) preference would be given for customary and traditional uses of Alaska’s natural resources. According to ANILCA, “it was in the national interest of protecting both subsistence resources and a subsistence way of life that an administrative structure be established for the purpose of enabling rural residents who have personal knowledge of local conditions and requirements to have a meaningful role in their management” (Thornton 1999:208). Congress stipulated that the State of Alaska should control regulation of federal lands as long as the state complied with ANILCA and the rural subsistence preference. However,

political and legal debate within the state prevented state compliance with ANILCA requirements. Thus, the federal government took over regulation of federal lands in 1990 and regulation to protect subsistence fisheries in 1999 (Thornton 1999:208-209).

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