

Clans and Corporations: Society and Land of the Tlingit Indians

Rosita Worl

Native Corporations

Tlingit
Belong to the land.
Free to wander anywhere
Signing pieces of paper
Village
Regional CORPORATIONS
Land in corporations
Stocks replace fish drying
Dividends replace hides curing
Corporate offices replace
Tribal houses
Voting replace storytelling
We are of the land
Not corporations
This was forced upon us
Choices were never ours
Our forefathers taught us well
WE WILL SURVIVE
WE WILL ADAPT
WE WILL SUCCEED
WE WILL THRIVE!

Sherman J. Sumdum
Chookaneidi of Hoonah

With the rich resources of their homeland in Southeast Alaska, the Tlingit Indians developed one of the most complex cultures in indigenous North America. With their vast stores of surplus goods, they extended their aboriginal commerce along ancient trading trails through valleys and mountain passes to the northern interior regions of Alaska and Canada where they traded with the Athabaskans. They traded westward with the Eyak and the Chugach Eskimo along the Gulf of Alaska coast in south-central Alaska. In their 60-foot long canoes, they traveled south to the Queen Charlotte Islands in Canada to trade with the Haida and the Tsimshian on the mainland.

Relationship to the Land

The North Pacific Coast has always been a complex environment, abundant in resources but difficult in access. The indigenous population developed knowledge of their habitat, a specialized technology, and well-organized productive labor units to maximize the sustainable exploitation of the environment. Elements that the native population could not control by physical means were appeased through spiritual rituals. An abundant environment, an efficient extractive technology, and extensive methods of food preservation for later use allowed them to pursue a broad spectrum of activities.

A house group consisting of a chief, his brothers and their wives, children and maternal nephews was the basic production unit. Male children over the age of ten moved into their mother's brother's house and received a rigorous course of training from their maternal uncles. The house group had a well-defined organization of labor, which assigned its members various tasks in hunting, fishing, gathering, preparing and preserving their foods. All members of the house were expected to work. Grandparents took care of children too young to help, while their mothers gathered and stored foods for future use. The cycle of production was determined by the seasonal availability of resources. As long as fish were running, men harvested them, and women hung them up to smoke or dry.

Like most American Indian tribes, the Tlingits' relationship to nature is rooted in their religious systems. According to the ancient beliefs of the Tlingit, animals, like humans, are endowed with spirits. These ideas were the basis of their behavior towards animals; people felt a form of kinship with them. But their beliefs did not prevent their effective, sustainable exploitation of the environment and its wildlife. On the one hand, they were skilled hunters, fishermen and foragers who effectively utilized their environment; and on the

other hand, they revered their environment and attributed their success in its exploitation to the spirits and deities which abounded in their world.

The distinctive arts of the Tlingit and the Northwest Coast Indians were visual symbols of their relationships to one another and to nature. They mastered the use of horn, bone, stone, wood, skins, furs, roots and bark to satisfy their utilitarian and aesthetic needs. Their woodworking was unrivaled among American Indian tribes. Artistically inspired by their relationship to the environment, Tlingit adorned their bodies and homes with symbols of their real and supernatural world.

Historical Overview

Their rich environment and their social and cultural strengths enabled Tlingit to confront the initial arrival of western explorers and traders in 1741 much on their own terms. Fur trading was conducted from the ships that frequented Tlingit communities. Once tenuous peace agreements had been established between Tlingit and Russians, trading posts were built in Yakutat in 1796 and then Sitka in 1799 (Krause 1956). Tlingit used the goods they received in trade to enrich their society.

But nothing in their shamans' or herbalists' repertoire of medical care could resist the waves of infectious disease that the new visitors brought to their shores. The Tlingit aboriginal population, which is estimated at near 15,000, was reduced by more than 50% after the great smallpox epidemic of 1835-1840 (Boyd 1990; De Laguna 1990). With several villages reduced by as much as two-thirds, social and economic systems almost ceased to function.

Another significant element of their culture was undermined, and new religions gained influence, when the Tlingit learned that their shamans were powerless to combat the smallpox. Father Veniaminov observed that three months before the smallpox epidemic a Tlingit forced to submit to the needle probably would have torn the very flesh from his vaccinated arm. But when the Tlingit saw that Russians vaccinated against smallpox survived, they clamored to be vaccinated. Once they realized its effectiveness, they also began to accept the Russian Orthodox faith at the expense of their own religion (Fortune 1989). The Tlingit who had scoffed at many of the ways of the white men now sought the establishment of churches and schools.

The process of social disintegration heightened after American jurisdiction was established in 1867. Military forces brought other diseases and

vices, but perhaps more significantly they introduced a new legal system that suppressed Tlingit customary property laws and rights and paved the way for permanent American settlements and economic expansion into Tlingit territory.

In 1878 two salmon canneries were established at Sitka and Klawock followed by ten more in the next decade (Gruening 1968). And unknowingly, an Auk Tlingit named Kaawaa'ee unleashed the 1880 stampede into Southeast Alaska by showing Joe Juneau and Dick Harris — now credited as discoverers in most historical accounts — where gold could be found (Worl 1990). The biggest gold mill in the world was later established in Juneau (Gruening 1968). The United States recognized the Tlingit as the rightful owners of the land under aboriginal title, but ironically, did not allow them to file gold claims on their own land because they were not citizens of the United States. The traditional hunting and fishing economy that had supported the rich culture of the Tlingit was giving way to a new economic order, which they could neither control socially or share in economically.

Land Claims

Gathering the inner strengths that had given rise to this proud society, the Tlingit entered the 20th century. They were undaunted by losses — epidemics, Russian occupation, gold rush stampede, bombardments of their villages by the Navy, depletion of fish and wildlife, and dispossession of their ancestral lands — which might have demoralized other people. They strove to learn and use the institutions of the westerners to protect their society; but at the same time, they retained the elements of their ancient culture they deemed appropriate for the modern era.

They repeatedly brought their blankets adorned with clan crests to Washington, D.C. They showed Congressmen these blankets, which served as their title to the land. They told the clan stories and sang the songs that recorded the history of ownership of their territories. With a highly developed system of customary property laws, a powerful conviction of their inherent rights to their land, and a strong love for their homeland, they successfully appealed to the sense of fairness and justice of American jurisprudence. They achieved an unprecedented settlement with Congress and secured legal title to their land.

From the time of their first contact with Europeans, the Tlingit resisted outside claims on their land. They did not allow the first Europeans who set foot on their shores to leave. They removed a

cross the Spaniards left in 1775 as a sign of their claim to Alaska. They extracted payment from the Spanish not only for the fish they brought to them but also for the water the Spaniards got for themselves (Krause 1956). From the time the United States and Russia signed the Treaty of Cession in 1867, the Tlingit protested the foreigners' assertion of ownership. They argued that if the United States wanted to purchase Alaska then they should negotiate with its rightful owners. The Haida joined with the Tlingit to pursue a land claims settlement with the United States. They relentlessly pursued compensation for the land the United States forced them to surrender.

The Southeast Alaska Indians attained two separate land settlements with the United States: the first, a judicial settlement in 1968 through the U.S. Court of Claims; and the second, a legislative compact through an Act of Congress in 1971. The Tlingit and Haida used the first settlement of \$7.5 million to establish the Central Council Tlingit and Haida Indian Tribes of Alaska. Its primary function is to promote the social and educational welfare of its tribal members.

The second settlement achieved by the Tlingit and Haida was an unprecedented land settlement with America's indigenous populations. Its uniqueness was not in the size of the settlement, but rather in the means by which it would be accomplished. Under the Alaska Native Claims Settlement Act of 1971 (ANCSA), Congress ordered that the Alaska Natives form corporations to administer their land award. Clearly, the intent was economic assimilation. In previous judgments with American Indians, the United States itself acted as a trustee that held land for tribes under a reservation system.

Tribal Corporations

With an entrepreneurial drive and vigor worthy of their ancestors, the Tlingit and Haida eagerly joined the market economy with their new corporations. Under ANCSA, the Tlingit and Haida Indians reclaimed ownership of 616,480 acres of land in Southeast Alaska. They were compensated approximately \$200 million for the 2 million acres of land that were not covered by the first land claims settlement. They were required to establish regional village and urban corporations to implement their land claims settlement.

While the regional, village and urban corporations are autonomous, they are made interdependent through a unique land ownership scheme. Each village and urban corporation was awarded title to 23,040 acres of land, but they



Fish continues to be the primary source of food for native peoples of southeastern Alaska. However, in recent years, subsistence practices have been limited by governmental regulations. Areas designated for subsistence fishing may be far away from home. A subsistence fisherman skillfully fillets the fish to prepare for smoking and drying. Photo by Richard Dauenhauer

hold title only to the surface estate. The regional corporation, Sealaska, holds title to the subsurface estate of all village and urban corporation lands, in addition to its own 300,000 acres.

Each Tlingit and Haida is enrolled as a shareholder in the regional corporation. In addition, those residing in a village or in Sitka and Juneau were also eligible to enroll as members of their respective village or urban corporations. However, a large number of Tlingit and Haida were not enrolled as members of village or urban corporations because they resided outside their home village or in the five communities that did not receive land. They are classified as "At Large" shareholders enrolled only as members of Sealaska Corporation. The five landless villages recently organized to pursue their just land entitlements. These villages were unjustly denied land on the basis that non-Tlingit and non-Haida residents were a majority of the population in the communities.

While the corporations were organized to be

profit-making, shareholders also asserted other cultural values. A 1981 survey of Sealaska shareholders indicated they felt Sealaska should be more than a profit-making company that provides dividends to its shareholders. They insisted that the corporation provide jobs, educational assistance, support for cultural activities and special programs for the elders. In response, the elected boards of directors have devoted themselves to social as well as business matters. The regional corporation, Sealaska, calculates that as much as 25% of its annual operational costs are for social programs affecting its shareholders. Many of the village and urban corporations have organized separate charitable foundations to promote the cultural heritage of their shareholders. Others have established educational endowments or generous scholarship funds for shareholders. Perhaps the single most important issue is the protection of subsistence hunting and fishing. The corporations have taken the lead in opposing various attempts over the past several years to undermine the subsistence priority rights of rural residents, who are primarily Native.

The corporations have been successful in varying degrees. One corporation filed for protection under bankruptcy laws, while others have been extremely successful and have been able to provide substantial monetary distributions to their shareholders. Financial consultants continue to advise the corporations that they cannot successfully combine business and tribal practices in their corporate operations and focus. Tlingit and Haida continue to develop new forms of tribal corporations. They seek new ways of accomplishing their economic objectives while at the same time fulfilling the social and cultural responsibilities they acquired when they received title to their ancestral lands.

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