

Alaska Rural Systemic Initiative
Southeast Alaska / Axe Handle Academy Project

Civil Rights Resource Unit,
Using Examples from Southeast Alaska
(To be taught Spring 1999)

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The Main Theme of this unit is Civil Rights, Using Examples from Southeast Alaska. This is written on a Power Macintosh, using Microsoft Word 98. With the exception of Part 6 (which is a xerox master) this is available on disc upon request. Thanks go at the start to David Case, Mike Gaffney, and Steve Haycox for their valuable suggestions on the study questions and the bibliography, and to Bob Potrzuski for suggesting this fascinating topic.

Components of the Civil Rights Unit

(What are we looking for?)

1. General and basic study and research questions
(defining citizenship and civil rights)
2. List of sub-themes or topics
(the history of each "right" identified above: voting, schools, etc)
3. List of specific research topics
(specific acts & events: Organic Act, Alaska Voters' Literacy Act, etc.)

(Where do we find it?)

4. Suggested Core texts: *Haa Kusteeyi, Our Culture: Tlingit Life Stories* (Introduction, relevant biographies and appendixes); *Haa Aaní, Our Land: Tlingit and Haida Land Rights and Use* (Introduction and relevant sections; *The Land Is Yours* (VCR).
5. Annotated bibliography of additional readings and video tapes
(Sources for various research topics)
6. Xerox collection of texts of important but hard to find sources

(Wider applications and connections)

7. Student goals; Cross-reference to Alaska Standards
(How this unit meets Alaska DOE Standards of Dec. 1995, and Alaska Standards for Culturally-Responsive Schools, Feb. 1998)
8. Suggested links to broader history, social studies and literature topics
(US Constitution, Bill of Rights; literature about the rule of law)

Detailed Outline of the Components

(What are we looking for?)

1. General and basic study and research questions
(defining citizenship and civil rights;
discrimination and denial of civil rights)

These are some “starter questions” to “prime the pump.” Focus here and now should be on USA and Alaska; if examples from other countries come up, note them and discuss them whenever convenient under “Section 8” below, which deals with broader history and includes comparable and contrastive situations.

- What makes you a citizen of a country?
- What are the “civil rights” and privileges of citizenship?
(Most common: Voting, integrated schools & public places;
ownership of land & other property; equal opportunity in hiring,
Bill of Rights, freedom of speech, assembly, religion, etc.)
- Who determines these rights and privileges? How do we get them?
- What are barriers or threats to civil rights? (To equal access? To laws
being equally applied?)
- What are common historical bases for discrimination? (Commonly:
race, gender, ethnicity, religion, language, social class, physical
handicap. Others?)
- What are the duties of citizenship?
- Can your civil rights legally be revoked or removed? How and why?
- How is protection under the law the same as and different from civil
rights? What protection do individuals have regardless of
whether they are citizens or not?
- Why did Congress have to pass several Civil Rights Acts (1964, 1991)?
Why weren't Amendments 1-10, 14 and 15 of the U.S.
Constitution enough protection against discrimination?
- Is there any difference between “Civil Liberties” and “Civil Rights”?
- What is the difference between civil law and martial law?

2. List of sub-themes or topics

(the history of each “right” identified above: voting, schools, etc)

In this section, make a list of the specific “rights” or topics that arise from the class discussion above. This list can be used to help focus and direct class discussion, readings, research, and reports for the remainder of the course. The topics that follow are some of the most common, but the list is not complete.

- Citizenship
- Voting
- Ownership of land
- Ownership of property
- Integrated Schooling
- Integration of public facilities (movies, restaurants, etc)
- Equity in employment, esp. in canneries (See #8 below)
- Gender equity; women’s sports
- Handicap access

Another approach to the list is to view the video tape, *The Land Is Ours*, and use it to generate the topics. The tape addresses the following topics, more or less in this historical order:

- Land: rights to resources, esp. fisheries and subsistence; the fight against fish traps and the cannery interests
- Land: the right to ownership and title
- Land: the right to stake mining claims; fighting the mining interests
- Voting
- Citizenship
- Equal protection under the law; workman’s compensation, pensions
- Integrated schools
- Integrated public facilities (restaurants, etc.)

3. List of specific research topics
(specific acts or events: Organic Act, Alaska Voters' Literacy Act, etc.)

This section identifies some specific historical steps (especially landmark legislation) in the story of Civil Rights. Use the Core Reading texts and the annotated bibliography to research and study these topics. It is interesting that each legal act entered the story in a particular national and social context, and was designed to protect or enable a certain previously disenfranchised group. This section focuses on Alaska; see Section 8 for the larger picture (Magna Carta; US Constitution and Bill of Rights, etc.).

- Treat of Cession, 1867; references to "civilized" vs. "uncivilized" Native people, in regard to citizenship
- Organic Act of 1884
- Indian Allotment Act (1903??)
- Nelson Act, 1905
- Second Organic Act, 1912
- Alaska Native Citizenship Act, 1915
- Citizenship Act 1924 (Native Americans made US Citizens)
- Alaska Voters' Literacy Act, 1925
- Indian Reorganization Act, 1934
- Tlingit and Haida Jurisdictional Act, 1935
- Alaska Anti-Discrimination Act, Feb. 16, 1945
- Brown vs Board of Education, 1954
- Tee-Hit-Ton, 1955; 5th Amendment property rights case; (same Supreme Court that decided Brown vs Board of Education)
- ANCSA, 1971
- Alaska Bilingual Education Act 1972
- SB 35, June 9, 1975
- 1988; Elizabeth Peratrovich Day (Feb. 16) established as state holiday
- The Alaska Fisherman was a Tlingit-operated newspaper important in ANB and SE Alaska Civil Rights history. Check you local library for copies on microfilm.

(Where do we find it?)

4. Suggested Core Readings / Viewings

Goldin, Laurence. 1996. *The Land is Ours*. This is the very best video tape to begin with, and we recommend it as a “core viewing” for the course. It offers a concise history of the major battles in Tlingit civil rights. Produced by Laurence Goldin. Aurora Films, 1996. VHS, 58 minutes. (See also the “Treatment” in the xerox packet, Goldin 1994.)

Dauenhauer, Nora Marks and Richard Dauenhauer. 1994. *Haa Kusteeyí, Our Culture: Tlingit Life Stories*. Seattle: University of Washington Press. This book includes the biographies of over 50 Tlingit men and women. Several are important for the history of civil rights, including Elizabeth Peratrovich, Andrew Hope, William and Louis Paul, and the founders of the Alaska Native Brotherhood. It is a thick book, but you don't have to read it cover to cover; you can begin with the life of someone you know or who is important to you, and work out from there. The introduction is an introduction to Tlingit social and political history and places the biographies these contexts. It provides an overview of the struggle for civil rights including issues of citizenship, voting, education, land claims, and subsistence. We recommend this book as a core reference text for the course in civil rights. It is available from local bookstores, from Sealaska Heritage Foundation, and from the University of Washington Press. Discounts may be available for class orders.

Goldschmidt, Walter R. and Theodore H. Haas. 1998. *Haa Aani, Our land. Tlingit and Haida Land Rights and Use*. Edited with an Introduction by Thomas F. Thornton. Seattle: University of Washington Press, and Juneau: Sealaska Heritage Foundation. The Goldschmidt-Haas Report was first issued in 1946 as a federal government Indian land claims document titled “Possessory Rights of the Natives of Southeastern Alaska.” Its distribution was limited to libraries, archives, and federal repositories. It became an extremely important document for the land claims effort that culminated in 1971 in ANCSA. The 1998 edition reprints the entire original report, including maps, together with an introduction by Thomas Thornton, the original Native witness statements (not included in the 1946 report), and a reminiscence by Walter Goldschmidt written for the 1998 edition. This is an extremely important book, and readers will find the witness statements moving and powerful, many describing how people were removed from their traditional land by force. We recommend this as one of the “core” books for the civil rights course, and suggest that all students read the introduction and new Goldschmidt essay, and then choose other readings depending on personal and community interest. There is an index of clans and witnesses.

5. Annotated bibliography of additional readings
(Sources for various research topics)

(The bibliography is printed as a separate file because of its length.)

6. Xerox collection of texts of important but hard to find sources. The set of xerox master copies designed to be put in a loose-leaf binder accompanies this print out.

Contents of the Xerox Master Set
(See main bibliography for descriptions)

Beverly, James. 1987. "The Alaska Fisherman and the Paradox of Assimilation: Progress, Power, and the Preservation of Culture."

EMAIL. Two messages of December 1998 as examples of how electronic mail might be incorporated into the unit.

Goldin, Larry. 1994. "The Land is Yours." ANB / ANS 82nd Grand Camp Convention Program, Juneau, October 1994, pp. 16-20.

Hanable, William S. 1978. "When Quarterdeck Was Capitol."

Haycox, Stephen W. 1986. "William Paul, Sr., and the Alaska Voters' Literacy Act of 1925."

Haycox, Stephen W. 1989. "Alaska Native Brotherhood Conventions: Sites and Grand Officers, 1912-1959."

Haycox, Stephen W. 1992. "Tee-Hit-Ton and Alaska Native Rights."

Haycox, Stephen W. 1994. "Felix S. Cohen and the Legacy of the Indian New Deal."

Haycox, Stephen W. 1994. "Acculturation: The Earliest Policies of the ANB." ANB / ANS 82nd Grand Camp Convention Program, Juneau, October 1994.

Hinckley, Ted C. 1970. "'The Canoe Rocks—We Do Not Know What Will Become of Us': The Complete Transcript of a Meeting between Governor John Green Brady of Alaska and a Group of Tlingit Chiefs, Juneau, December 14, 1898."

Hinckley, Ted C. 1980. "'We are more truly heathen than the natives': John G. Brady and the Assimilation of Alaska's Tlingit Indians."

Hinckley, Ted C. 1993. "Glimpses of Societal Change Among Nineteenth-Century Tlingit Women."

Hosmer, Brian C. 1993. "White Men Are Putting Their Hands Into Our Pockets": Metlakatla and the Struggle for Resource Rights in British Columbia, 1862-1887

Kan, Sergei. 1986. "Review of *Alaskan John G. Brady* by Ted C. Hinckley."

Kan, Sergei. 1996. "Clan Mothers and Godmothers: Tlingit Women and Russian Orthodox Christianity, 1840-1940.

Newton, Nell Jessup. 1980. "At the Whim of the Sovereign: Aboriginal Title Reconsidered (Tee-Hit-Ton)."

Oleksa, Michael. 1987. *Alaskan Missionary Spirituality*. Pages 322-23; 323-26; and 326-28.

U. S. Court of Claims. 1959. U. S. Court of Claims Decision Number 47900, October 7, 1959, *The Tlingit and Haida Indians of Alaska v. The United States*.

(Wider applications and connections)

7. Student goals; Cross-reference to Alaska Standards
(How this unit meets Alaska DOE Standards of Dec. 1995, and
Alaska Standards for Culturally-Responsive Schools, Feb. 1998)

THIS SECTION WILL BE COMPLETED LAST. Because it is important in completing this step to draw on the latest work and expertise of persons already working in this area, we propose to work with people who have experience in this area, including:

Ray Barhhardt, Co-Director, Alaska Rural Systemic Initiative
Annie Calkins, Assistant Superintendent, Juneau School District
Reinalda Cadiente, Juneau School District
Paula Dybdahl, Juneau School District
Jan Roan, Assistant Superintendent, Sitka School District
Bob Potrzuski, Sitka Middle School
Jody Marcello, Sitka School District at Blatchley
local curriculum team leaders.

Part of the general philosophy of this section is that the Civil Rights Unit and similar units can be examples of how to localize the curriculum but at the same time help teachers and administrators become comfortable with Native components in the curriculum by showing how they meet standards according to which the school will be evaluated and assessed. It is our feeling that this is partly a political issue, and partly pedagogical.

Note: In Summer 1998, the Alaska State Board of Education adopted the Alaska Standards for Culturally Responsive Schools in addition to the DOE Standards. Thus, these two sets of standards are not in conflict, and there is no reason to fear that using Native content will jeopardize meeting the DOE Standards.

We will work with appropriate persons to answer:

- How does the unit meet the Alaska DOE Standards of Dec. 1995?
- How does it meet the Feb. 1998 Standards for Culturally-Responsive schools?
- How does the unit meet these standards?

Some general student objectives are:

1. Students will appreciate that most contemporary issues in civics and social studies have a long legal, social, and political history.
2. Students will learn how to identify and explore landmark points in that history.
3. Students will become familiar with the basic “historical facts” involved (names, dates, etc.)
4. Students will become familiar with basic differing points of view in that history.
5. Students will become more aware of how local events and history relate to larger, national and international issues and concepts.

8. Suggested links to broader history, social studies and literature topics
(US Constitution, Bill of Rights; literature about the rule of law)

This section suggests wider connections to the theme of civil rights and law in a number of areas of study: American history, world history and culture, literature, movies and video.

Other than the first two topics, these study questions are not yet prioritized in order of importance, or in any suggested pedagogical order in which teachers might present them. Such an ordering might come out of future dialog as teachers experiment with this.

- Several specialists agree on an underlying problem in the study of civil rights: we should first try to come to grips with the major issues that arise over whether “civil rights” are “group rights” or “equal rights” or both. Native American cultures (and rights) often focus on the interests of the group and not the individual. Yet the American Constitution’s focus on civil rights is almost exclusively on individual rights. A strict adherence to concepts of individual liberty usually leads to a diminishment of Native American group rights. Witness the subsistence debate and ANCSA corporate stock ownership, to name only two.
- Sovereignty. The U. S. Constitution mentions only one group of people, and that is Native Americans. For many specialists in Indian law, this point is central to the study of Civil Rights from a Native perspective, that is, Native “group” rights vs individual U. S. rights. Consider the issue of tribal sovereignty for Native American groups. (This is most popularly manifested in laws regarding Casinos and sale of gas and tobacco.) What has the reaction to “Indian Country” been in the Alaska State Legislature?
- Magna Carta. This is one of the founding documents of civil and legal rights in Anglo-American tradition. In addition to the legal aspects of this topic, folklore and film abound about the evil Prince John, his good brother Richard the Lion-Heart, and, of course, Robin Hood. See the movie and video list.
- Las Casas and Sepulveda. The legal history of civil rights for Native American people begins with this famous debate in 1550 in Valladolid, Spain. The issue: do American Indians have a soul and are therefore equal with whites before God (and due the protection of the state) or are they to be treated as slaves and animals? The outcome is related to the division of the new world into Spanish and Portuguese spheres of influence, and varying treatment of the native populations. The movie, *The Mission*, is set in this context. See Hanke (1959) and Berger (1991) in the annotated bibliography.
- The US Constitution and Bill of Rights. The amendments that form the Bill of Rights were enacted at the same time as the Constitution to address specific concerns of the founders of the new American nation. Subsequent amendments address later concerns. Among these are: Abolition of slavery; making former

slaves citizens, and giving former slaves the vote. Later amendments address extending the right to vote to women. Additional amendments and legislation addressed other issues of equal rights or equal access for women, the handicapped, etc. It is interesting to study how each legal action entered the history in a particular national and social context, and was designed to protect or enable a certain previously disenfranchised group. It has been suggested that the U. S. Constitution was not a decent Human Rights document until such amendments as the 13th, 14th, 15th and 19th were passed.

- Native Americans and the rule of law. Thomas Berger in *A Long and Terrible Shadow* notes that American Indians have almost always had the law on their side, but that the laws proved hard to enforce when confronted with the social realities of the frontier. Even though the U.S. Supreme Court ruled on the side of the Indians, President Andrew Jackson controlled the Army and had the military power to ignore the Supreme Court and to force the Indian Removal. Consider the conflicts between law and custom, law and enforcement. Could a president defy a Supreme Court decision today? Chief Justice John Marshall argued for Native “group” rights (including land) vs. the American idea of individual rights only. The Jackson Removal policy is separate from the issue of Indian group rights, which they took to Oklahoma with them. (See Berger 1991 for more on this.)

- Readings on the rule of law. A common theme in great literature is the struggle to maintain and follow a uniform rule of law applicable to all citizens as a protection against mob rule, lynch-laws, and traditions of blood-feud and vendetta. Consider this theme in books and movies. For example, Bernard Malamud, *The Fixer*; *Njal's Saga*; *To Kill a Mockingbird*; *The Ox-Bow Incident*. In *Njal's Saga* and other medieval Icelandic sagas, there is great concern over the struggle for the rule of law as an alternative to family and clan feuds. There is also the concept of the “outlaw” not as a bandit or breaker of the law, but someone who is not protected by the law, with the result that others can harm or kill him with impunity or without fear of punishment.

- Japanese internment during World War 2. The internment of American citizens of Japanese birth or ancestry reached into many communities in Southeast Alaska. Much has been written on this topic, and some students may want to research this. An older book is *Farewell to Manzanar* by J. W. and J. D. Houston. Three recent books are G. Okihiro and J. Myers, *Whispered Silences*, M. Weglyn, *Years of Infamy*, and *Personal Justice Denied: Report of the Commission on Wartime Relocation and Internment of Civilians*. (See the bibliography for further references.)

- Aleut Internment. Many people are not aware that Aleuts, like the Japanese, were deported during WW 2 from their homes in the Aleutian and Pribilof Islands and relocated in Internment Camps in Southeast Alaska, such as Funter Bay, Killisnoo, and near Ketchikan. Some students might want to study this episode of Native history that is usually not included in history books.

- What have the concepts of citizenship and civil rights been in the history of SE Alaska? What were they in pre-contact Tlingit society? Consider social class, slavery, and the clan system. What were they in Russian America (1794-1867)? What made you a citizen of the Russian Empire? Consider serfdom and class stratification. How did the Tlingit and other Native American people fit into the system? Compare and contrast Russian and American ideas of colonial management. Consider the Creoles: their achievement and role in management of the colonies. What have they been in the American period (1867-present)? (This question loops back to the main themes in Sections 1, 2 and 3 above.) (Note: may be related to the Sah Quah case, 1886??)
- Slavery. Many kinds of slavery have existed in the world, with different rights for the enslaved. For example, in the Ottoman Empire, every individual was considered a slave of the Emperor, regardless of race or social status. (See Toledano.) What kinds of slavery were practiced in Alaska Native cultures?
- Civil rights in other countries. Countries around the world differ in their concepts of civil rights. It is interesting to consider the civil rights of women, Christians, and Jews in Saudi Arabia today. Of Koreans in Japan? Of women in India. (See B. Munkergee, *Jasmine*.)
- The Holocaust. The Holocaust is one of the most frightening examples of the suspension of civil rights in modern history. Consider how the Nazi takeover of Germany was completely “legal,” in that they “got out the vote” and were elected to office, and then gradually passed legislation that legally diminished the rights of German citizens, especially the Jews. There are many books and movies about this, including *Schindler’s List*, *The Diary of Anne Frank*, and the recent memoirs of Joseph Bau, one of the Schindler Jews, *Dear God, Have You Ever Gone Hungry?*.

Cemeteries in Plaszow, Poland and Sitka, Alaska. In a moving and chilling passage from his memoirs, *Dear God, Have You Ever Gone Hungry?*, Joseph Bau, one of the “Schindler Jews,” describes the prisoners in the Plaszow concentration camp forced to smash the headstones in the Plaszow Jewish cemetery and then further crush the marble up into gravel for one of the paths in the camp (Bau 1998: 97-103). In 1897, the Orthodox Tlingit Chiefs of Sitka wrote a petition to the President of the United States protesting Gov. Brady’s taking a right of way through the village and cemetery, stating that “with the bones of some he banked his ground and some he threw into the water” (Oleksa 1987:325). Discuss these experiences.

- Title 9. This legislation extended equal opportunity in sports to women. It is interesting to study the US performance in the Olympics as related to Title 9.
- The Alaska Native Brotherhood and the African National Congress were both founded in 1912. Compare the ANB struggle for civil rights in SE Alaska and the ANC struggle in South Africa.

- Sitka is very important in ANB history. Read the biographies of the ANB founders in HK and discuss the Sitka connections.
- Martin Luther King and Elizabeth Peratrovich Day. In April 1988, Gov. Steve Cowper signed legislation establishing Elizabeth Peratrovich Day (February 16) as an Alaskan state holiday. Feb. 16, 1945 is, in turn, the date on which Governor Ernest Gruening signed into law the Alaska Anti-Discrimination Act passed on February 8 by the Territorial legislature. This was the first civil rights act of its kind in the nation. For many people, this day has become a subject of focus on the history of Alaska civil rights, much in the same way as Martin Luther King's birthday (observed on the 3rd Monday in January) provides an opportunity to focus on the Black Civil rights movement in the south.
- Gulag. The history of "Revolutionary Terror" and the establishment of the Gulag system of slave-labor camps in the Soviet Union, in which an estimated 60 million "enemies of the state" died or were murdered, is also unprecedented in world history. Solzhenitsyn's *Gulag Archipelago* and some of his fiction documents this. In the 1990s, Russian historians have been examining their country's revolution, the murder of the Tsar and his family, and the legacy of Lenin and Stalin.
- Subsistence. Is the right to take fish, game, berries, etc in the traditional manner a "civil right?" Is the violation or destruction of habitat, or denial of access to a fishing spot a violation of civil rights? The Tlingits protested this in a petition to the President of the United States in 1897, over 100 years ago (Oleksa 1987:325). In 1953, President Eisenhower declared the fishing communities in S.E. Alaska disaster areas due to the abuses of fish traps and other fishing and logging practices. Along with Sovereignty, Subsistence is one of the important issues not addressed by ANCSA, and it remains unresolved and bitterly debated.
- NAGPRA. Native American Graves Protection and Repatriation Act, 1990. To what extent do civil rights extend to protection of graves and ceremonial objects?
- Native American Religious Freedom. In theory, freedom of religion is protected by U.S. law. Has this freedom historically been extended to Native Americans? Students might want to research the history of various Native American religious freedom legislation. Check the Indian Civil Rights Act, 1968. In 1996 (?) Congress overturned a Supreme Court Ruling on a peyote case, but the Supreme Court may have ruled this Congressional act as unconstitutional. In Alaska, recent court cases have "illegal" hunting for meat for ritual distribution at a potlatch: an Athabaskan hunting out of season for moose, and a Tlingit man hunting for seal in a restricted (but traditional) area, Glacier Bay.
- How is the Indian Civil Rights Act (1968) different from the U. S. Bill of Rights? What are the individual rights of tribal members vs. the sovereign immunity of a tribal court? (See the Santa Clara Pueblo Case.) It seems that tribal members may have less opportunity to redress grievances against their

tribal government than a citizen of the U. S. has against state and federal governments.

- From the point of view of the history of Civil Rights, consider the following ideas. Many American concepts of Democracy come from Ancient Greece. How democratic was Ancient Greece? Who qualified to share in the democracy? Consider the roles and rights of men, women, and slaves.
- The founding documents and concepts of American Government state that “All men are created equal” and are endowed with the rights to “life, liberty, and the pursuit of happiness.” How widely did this apply throughout American history, especially for Blacks, women, and Native Americans?
- Consider the concepts of “citizenship” and “freedom” in various times and places. If citizens are free, who is not a citizen and who is not free? Who are the non-citizens, such as slaves, serfs, residents of colonies, etc. Places to consider might include ancient Greece and Rome, England at various times in its history, Russia and the liberation of the Serfs in the mid-19th century, the British, Belgian, Dutch, and other 19th and 20th century Empires, the position of residents in American territories such as Puerto Rico and Samoa, the Palestinian residents of Israel.
- Consider the concept of the “Rule of Law” vs. the concept of “Justice.” How does it relate to the concept of civil rights. Is it a Western concept, in contrast to Asian traditions such as China and Japan? How does the Western concept of “Justice is Blind” compare and contrast to systems that are contextualized in concepts of relationship, kinship, hierarchy, and duty? (Lao Tsu, Confucius, “The Art of War” CHECK AUTHOR). Explore other concepts of law, such as Quranic law. Application of “law” may not result in “justice”—a theme in Federal Indian law. For Southeast Alaska, see the Tee-Hit-Ton Case, 1955.
- Explore similar patterns and problems in Canadian First Nations legal history. The Tsimshian are among the closest First Nations neighbors to the Tlingit. An appendix to a forthcoming book by Anderson and Halpin (Univ. of British Columbia Press) includes a good overview of their struggle for civil rights. (See Jennifer Joseph in bibliography.)
- Canneries in Southeast Alaska and in other parts of Alaska have always had a multi-ethnic work force. Explore questions of civil rights in this history by reviewing what written materials are available and especially by interviewing people who worked in the canneries. (You may find that the oral sources are far richer than the written sources, and that your class research can make a valuable contribution to the written historical record!) Consider: hiring procedures, work assignments, wages, housing, sanitation, union activities, etc. In addition to Southeast Alaska, you may find people who worked in Bristol Bay, Prince William Sound, Kodiak, the Aleutians, and in other areas. (Check biography of Frank Johnson.)

- The Gold Rush is one of the highlights of Alaska History. To what extent were Alaska Natives allowed to participate in the Gold Rush? Were Native people allowed to stake mining claims in Southeast Alaska? In Nome? In other gold fields? (Check Ralph Young and other biographies; also the video *The Land is Ours*.) In legal history, look at the Re: Minook case decided by Judge Wickersham.
- Ethnography of Speaking. This study question connects the discussion of group vs. individual rights to the domain of linguistics and the legal implications of different ways of speaking in public discourse and in classrooms. Many policy makers insist that individuals are free to choose how they speak; many linguists, on the other hand, argue that each of us is socialized to speak and interpret what we hear in very culture-specific ways, and that it is difficult or even impossible to consciously choose how we do this. The question then becomes to what extent certain groups of people experience unfair treatment (even if not intended) in what are called “gatekeeping” situations, because their way of speaking differs from the “gatekeeper.” Typical situations are job interviews, counseling, schools, pretrial sentencing recommendations, etc. Part of the problem of reaching a solution to the question is the deep-rooted distinction in the American mind between the domains and the responsibilities of the group vs. the individual.