

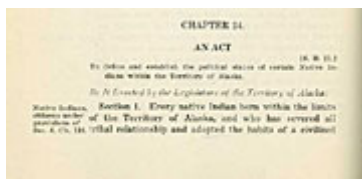
Governing Alaska

Native Citizenship and Land Issues

Native Citizenship

The 1867 Treaty of Cession with the Russians spelled out that the inhabitants of Alaska "with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States. . ."

The Native peoples of Alaska were not second-class citizens. They were simply not citizens at all, at least the way most people understood the law. As the treaty put it, "The uncivilized tribes will be subject to such laws and regulations as the United States may, from time to time, adopt in regard to aboriginal tribes of that country."



An act to define the political status of certain Native Indians within the Territory of Alaska, April 1915

It wasn't until 1915 that the territorial legislature came up with a complicated procedure for Natives to become citizens of the United States. The Alaska lawmakers said that every Native "who has severed all tribal relationship and adopted the habits of civilized life" could become a citizen.

A Native was eligible for a certificate by going to a local school to be examined by a majority of the teachers. "Such examination shall broadly cover the general qualifications of the applicant as to an intelligent exercise of the obligations of suffrage, a total abandonment of any tribal customs or relationship, and the facts regarding the applicant's adoption of the habits of a civilized life," the law said. The schools at that time were geared to promote assimilation of Natives into the white culture, so the teachers seemed the best able to make such judgements.

After the teachers approved the application, a Native person had to have at least five white citizens who had been in Alaska at least one year testify that they knew the applicant for at least a year. The witnesses also had to say that the prospective citizen had met the requirements of the law.

Then the certificate, after being endorsed by five citizens, had to be presented to the district court. To achieve citizenship, the Native had to say he was living "separate and apart from any tribe of Indians" and had "adopted the habits of civilized life."

This Alaska action had its roots in the federal Dawes Act of 1887, where Indians born within the United States could become citizens if they removed themselves from their

tribes and "adopted the habits of civilized life." One of the supporters of the Alaska law was the Alaska Native Brotherhood (ANB), formed by Southeast Natives to promote citizenship for Alaska Natives, education, and the end of aboriginal customs.

The Alaska measure did help lead to significant Native participation in the voting process in Southeast. William Paul, an attorney and active member of the Alaskan Native Brotherhood, won election to the legislature in 1924, mainly on the strength of the Tlinglit vote for him in the villages of Southeast. Shortly before that election a new federal law went into effect that recognized Native Americans as citizens.

In the meantime, the legislature adopted a requirement that all voters pass a literacy test, as another means of keeping Natives from voting. It was amended before final passage, in a compromise worked out by William Paul, to allow "grandfather rights" to illiterate Natives who had voted in 1924.

Information Courtesy of the Alaska Humanities Forum