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General Article

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SOURCES OF ALASKA LEGAL HISTORY: AN ANNOTATED BIBLIOGRAPHY, PART I ^{a1}

WESTLAW LAWPRAC INDEX

LIB--Library Management & Resources

The author provides an annotated bibliography of sources detailing the legal history of Alaska.

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***334 Introduction**

¶1 Nearly two decades ago, it was reported that the demand for legal history research was growing.¹ This bibliography helps meet that ongoing demand by contributing an annotated list of books, articles, occasional reports and papers, and selected unpublished materials that shed light on the rich, diverse, and vibrant legal history of Alaska, including both the territorial and statehood periods, as well as the period of Russian control, the period between U.S. acquisition in 1867 and the onset of territorial status in 1912, the Native Alaskan experience, and relevant federal law.

¶2 The bibliography is intended to be as comprehensive as possible. While I took a broad view of what constitutes Alaska legal history, I used certain guidelines for inclusion. I have included accounts of historical events with legal consequences, stories of legislative and court actions, and the biographies or biographical sketches of prominent members of the Alaska bar. I have also included sources that offer some history of the development of a particular area of Alaska law or that embed the state's legal history in a broader narrative. The bibliography also contains sections on crime and justice. In addition, since Alaska was under federal control for so long, and since federal rules and regulations still control much of the state, I include relevant federal legal history: for example, relations with Native Alaskans in areas such as education, subsistence, and land claims settlement. I also include materials on the “law ways” of the Alaska Natives, the distinctly Native and non-Western approaches to law and justice developed by the Alaska Natives prior to contact and beyond. Law from the period of Russian Alaska was a challenge. For one thing, I include only sources in English. For another, many of the rules used to govern were corporate rules from the Russian-American Company (RAC). Those are included, as are accounts of corporate history and the RAC's relationship and subservience to the imperial government.

¶3 To keep the size manageable, legal history sources found to be marginal or unhelpful are weeded out. Sources that merely present the state of an area of law at a given time or predict the effect of a court decision are excluded, as are most meeting proceedings, newspaper accounts, legislative journals, and anything that is not cataloged in the OCLC database. The purpose of the latter approach is to limit inclusion to those items that the reader can reasonably expect to obtain. General history items that are helpful for understanding Alaska's legal history and context are included and identified as such in the annotations.

*335 ¶4 Beginning with the online catalog of the Alaska State Court Law Library, I developed a list of subject headings that I then searched in OCLC's WorldShare database, as well as the catalogs of the Anchorage Public Library and the Alaska Resources Library and Information Services (ARLIS). I also searched some discrete subjects in JSTOR. As topics of interest emerged, I leveraged the new subject headings as well. I also searched the tables of contents of Alaska's two law reviews,² Alaska's two bar journals,³ and several other relevant periodicals.⁴ Finally, I browsed shelves, here in the Anchorage Law Library and in the Loussac Library, the main branch of the Anchorage Public Library. Each identified item was then obtained and combed for references to additional items. When the well ran dry, my research was at an end.

¶5 The bibliography is organized with a modified list of the subject headings used by Dr. Joel Fishman in a compilation project he led of legal history articles in *Law Library Journal*.⁵ While some entries fall under multiple subject headings, they are listed only once under the subject heading that seemed the best fit. Where appropriate, I include an explanation of the subject heading, allowing me to truncate some annotations in the interest of avoiding repetition. Part I covers the subjects Alaska Bar, Practice and Education, through Education. Part II, which covers the subjects Environmental Law through the Wilderness, will appear in the Fall 2018 issue of volume 110 of *Law Library Journal*.

Bibliography**Alaska Bar, Practice and Education**

Arnett, Russ. “The Origins of the Alaska Bar Association.” *Alaska Bar Rag* 19, no. 4 (1995): 12.

This brief article gives an outline account of the onset of the Alaska Bar Association shortly after the arrival of a court system in Alaska.

Arnett, Russ. Historical Bar. "Dealing with Death Up North." *Alaska Bar Rag* 13, no. 4 (1989): 11.

This brief article looks at the author's experience in carrying out his coroner duties as a U.S. commissioner in Nome during the territorial period.

Arnett, Russ. Historical Bar. No title. *Alaska Bar Rag* 13, no. 3 (1989): 22.

This brief article looks at the author's experience conducting weddings as a U.S. commissioner in Nome during the territorial period.

Arnett, Russ. Historical Bar. "For Commissioners in Nome It Was 'Law West of the Pecos.'" *Alaska Bar Rag* 13, no. 2 (1989): 14.

This brief article looks at the author's experience as a U.S. commissioner in Nome during the territorial period, with some definition of what the duties of commissioners were and how they were paid.

***336** Arnett, Russ. "Origins of the Alaska Bar Association." *Alaska Bar Rag* 2, no. 6 (1979): 5.

This one-column thumbnail gives the history of the Alaska Bar.

Carpeneti, Walter L. Historical Bar. "Early Juneau Judges: 'The Pioneers.'" *Alaska Bar Rag* 34, no. 1 (2010): 16-18.

This article, based on remarks made by Chief Justice Carpeneti at the Alaska Bar Association Conference in Juneau, 2009, focuses on three jurists who helped establish the court system of Alaska at statehood: Thomas B. Stewart, John H. Dimond, and James von der Heydt.

Carter, Mickale. "Rag Roots Revealed." *Alaska Bar Rag* 12, no. 3 (1988): 1, 16, 20.

This article presents a year-by-year account of the *Bar Rag*, the official publication of the Alaska Bar Association.

Cravez, Pamela. *The Biggest Damned Hat: Tales from Alaska's Territorial Lawyers and Judges*. Fairbanks: University of Alaska Press, 2017.

The author's purpose, gleaned from interviews in the 1980s, is to capture some of the character of Alaska's territorial bar and the uniqueness of Alaska legal experience in those halcyon days. The book depicts lawyers and judges at work and at play as they established the rule of law in the territory and laid the groundwork for statehood.

Cravez, Pamela. *Seizing the Frontier: Alaska's Territorial Lawyers*. Anchorage: Alaska Historical Commission, 1984.

There is often a sense among the practicing bar in Alaska that practice in the Last Frontier differs from practice anywhere else in the country. There was a time, before the Integrated Bar Act and before the Alaska Court-Bar Fight, when this was true. This book examines legal careers and the "Alaska Spirit" during the territorial period. It includes chapters on George Grigsby, Buell Nesbett, practice in Fairbanks, the Gold Rush, John Hellenthal, the U.S. Attorney's Office, and the Court-Bar Fight.

Cravez, Pamela. "The History of the Anchorage Bar Association: From the Lido Bar to Good Deeds." *Alaska Bar Rag* 26, no. 1 (2002): 24.

Part I of this article looks at the growth of the Anchorage bar until Alaska statehood, starting from an inchoate collection of practicing attorneys, through the floating courts, the Grigsby Era, and the controversy of the appointment of J.L. McCarrey to the federal bench by President Eisenhower.

Cravez, Pamela. "The History of the Anchorage Bar Association II." *Alaska Bar Rag* 26, no. 2 (2002): 20-21.

Part II builds on the first part by bringing the Anchorage bar into the 1960s and beyond. Issues addressed include lawyer discipline, an activist bar, and the Court-Bar Fight.

Cravez, Pamela. "A Revolt in the Ranks: The Great Alaska Court-Bar Fight." *Alaska Law Review* 13, no. 1 (1996): 1-32.

This article outlines the events and personalities regarding the Alaska Supreme Court's 1964 attempt to control the Alaska Bar Association and resistance by Alaska lawyers. It starts with a look at *United States v. Stringer*,⁶ a 1954 decision that many perceived as emblematic of the territorial court's inability to adequately regulate the legal profession.

*337 Delaney, Arthur K. *Alaska Bar Association and Sketch of Judiciary*. San Francisco: Sanborn, Vail, 1901.

This publication contains an overview of Alaska legal history from the Treaty of Cession to the turn of the last century, as well as a sketch of the Alaska judiciary, the constitution and bylaws of the Alaska Bar Association, a roll of attorneys and roll of members of the association, and a section “In Memoriam” of departed members.

Erwin, Robert C. “Compromise Eventually Settled Bar-Bench Dispute.” *Alaska Bar Rag* 42, no. 3 (2017): 13.

This article, by a former Alaska Supreme Court justice, reviews the practicing bar's resistance to the Alaska Supreme Court's attempt to control the Alaska Bar Association by placing it under the judicial branch of government and to seize its funds (known as the “Great Alaska Court-Bar Fight”).

Erwin, Robert C. “These Four Men Shaped Alaska's Judicial Future.” *Alaska Bar Rag* 39, no. 3 (2015): 23.

This short article, by a former Alaska Supreme Court justice, looks briefly at the careers and impacts of four prominent Alaskan jurists: John H. Dimond, Jay Rabinowitz, Jim Fitzgerald, and James von der Heydt.

Havelock, John. “Young Turks Eventually Gain Status Despite the Old Guard.” *Alaska Bar Rag* 42, no. 3 (2017): 15.

The author reminisces about the practice of law in Alaska when he was coming up through the ranks, immediately prior to and after statehood with some focus on personalities and admissions.

Havelock, John. Random Potshots. “What's Going On Out at the University?” *Alaska Bar Rag* 2, no. 8 (1979): 5-6.

This article reviews four years of academic studies focused on the priorities for legal education in the state. It then reviews the results and classes established at the University of Alaska Anchorage and the Criminal Justice Center.

Havelock, John E. *Legal Education for a Frontier Society: A Survey of Alaskan Needs and Opportunities in Education, Research and the Delivery of Legal Services*. Fairbanks: University of Alaska, 1975.

This report starts out as a study of the feasibility of support for a law school in Alaska. It then expands to inquire into broader issues of legal services in the state, including the demand for, and methods of, delivering legal and law-related services, supply of lawyers, and need for law-related education in the general public.

Murane, C.D. “My Legal Experience in Alaska.” *Case and Comment* 32 (1926): 39-43.

The author provides personal reminiscences of his time in Alaska, as both a former U.S. attorney in Valdez and a U.S. district judge in Nome.

Reed, Elmer. "The Law and Gus Boltz." *Alaska Sportsman* 10, no. 4 (1945): 12-13, 27-29.

This humorous article recounts the time nonlawyer Gus Boltz, a Nome character, managed to represent plaintiffs before the U.S. district court in Nome.

Stringer, Harold E. Historical Bar. "Practicing in the Territory." *Alaska Bar Rag* 12, no. 1 (1988): 16, 21.

The author briefly recounts what it was like to practice in Anchorage shortly after World War II, with a look at the bar examination of the period and some of the judges.

***338** Suozzo, Holly. Historical Bar. "Interviewing Alaska's Territorial Lawyers: Memories of the Last Frontier." *Alaska Bar Rag* 34, no. 1 (2010): 24-25.

This is a brief account of interviews with the living legal legends of Alaska's territorial period, including Jack Asher, Kenneth Atkinson, and Russ Arnett.

von der Heydt, James A. "Lawyer Nome Alaska." *Alaska Bar Rag* 22, no. 1 (1998): 19-20.

The author reminisces about his law practice in Nome in the 1950s.

Alaska Constitution and Constitutional Law

Alaska Constitutional Convention. *Proposed Constitution for the State of Alaska: A Report to the People of Alaska from the Alaska Constitutional Convention*. College: Alaska Constitutional Convention, 1956.

This pamphlet outlines and highlights the proposed Alaska constitution for the citizens who will vote on ratification.

Bowkett, Gerald E. "The Alaska Constitutional Convention." *Alaska Journal* 6, no. 3 (1976): 154-60.

This is a brief narrative of the Alaska Constitutional Convention, held in Fairbanks in the winter of 1955-1956. It contains a list of the delegates and their professions.

Coen, Ross. "Not Old Enough to Vote, but Able to Support Statehood: University of Alaska Students and the Statehood Movement, 1955-1957." *Alaska History* 24, no. 1 (2009): 1-14.

This article recounts the contributions of the University of Alaska student body, prior to the constitutional convention and after, to push the cause of statehood onto the national level. Students also attempted to directly influence the drafting of the constitution by lobbying to set the voting age in the new state at eighteen years of age.

Dionisopoulos, P. Allan. "Indiana, 1851, Alaska, 1956: A Century of Difference in State Constitutions." *Indiana Law Journal* 34, no. 1 (1958): 34-55.

This article compares the century-old Indiana constitution with that of the emerging state of Alaska, showing where they approached issues similarly and demonstrating how the delegates to the Alaska constitutional convention benefited from the constitutional experiences of Indiana and other states in constitution making.

Fischer, Victor. *Alaska's Constitutional Convention*. Fairbanks: University of Alaska Press, 1975.

Based on proceedings, minutes, recollections of participants, and related documents, this is a historical account of the drafting and ratification of Alaska's state constitution by a participant. Includes short biographies of convention delegates and consultants.

Green, Steven Keith. "Freedom of Religion in Alaska: Interpreting the Alaska Constitution." *Alaska Law Review* 5, no. 2 (1998): 237-61.

This article reviews Alaska court decisions regarding the free exercise and establishment of religion in Alaska, and is based on the Alaska Constitution, which provides greater protection of religion than the U.S. Constitution.

Grossbauer, John F. Note. "Alaska's Right to Privacy Ten Years After *Ravin v. State*: Developing a Jurisprudence of Privacy." *Alaska Law Review* 2, no. 1 (1985): 159-83.

This note looks at how Alaska courts have worked to establish a unifying test for ***339** interpreting the privacy amendment to the Alaska Constitution⁷ since the *Ravin*⁸ decision. It also focuses on developments in general personal and place privacy, informational privacy, and search and seizure.

Harrison, Gordon S. *Alaska's Constitution: A Citizen's Guide*. Juneau: Alaska Legislative Affairs Agency, 2012.⁹

This book, written for a nonexpert audience, covers the origin and evolution of Alaska's constitution and includes judicial interpretation and political history.

Harrison, Gordon S. Comment. "The Aftermath of *In Re 2001 Redistricting Cases*: The Need for a New Constitutional Scheme for Legislative Redistricting in Alaska." *Alaska Law Review* 23, no. 1 (2006): 51-79.

This article, by the former executive director of the Alaska Redistricting Board, provides a history of redistricting in Alaska from drafting the original constitutional provision in 1955-1956, through the 1998 constitutional amendment and the adoption of the final plan in 2002.

Havelock, John. *Let's Get it Right: Why We Need an Alaska Constitutional Convention*. Anchorage: Alaska Legal, 2012.

While making his argument, the author reviews the Alaska Constitutional Convention and the subsequent history of the state's constitution, including amendments.

Hellenthal, John S. "Alaska's Heralded Constitution: The Forty-Ninth State Sets an Example." *American Bar Association Journal* 44, no. 12 (1958): 1147-50.¹⁰

This account of the drafting of the Alaska Constitution, written by one of the delegates to the constitutional convention, includes a look at many of the "modern" constitutional provisions.

McBeath, Gerald A. *The Alaska Constitution: A Reference Guide*. Westport, CT: Greenwood Press, 1997.

This volume is part of a series of reference guides to U.S. state constitutions. It covers the history and development of the Alaska Constitution and then parses the document section by section, with accompanying commentary and interpretation by the courts and other governmental bodies.

Nelson, Ronald L. "Welcome to the 'Last Frontier,' Professor Gardner: Alaska's Independent Approach to State Constitutional Interpretation." *Alaska Law Review* 12, no. 1 (1995): 1-41.

With a focus on equal protection, privacy, religious freedom, and access to natural resources, this article examines Alaska's independent interpretation of those rights, based on the Alaska Constitution and separate from the federal Constitution. This approach--looking to state constitutions to protect civil liberties over and above the protections guaranteed by the federal Constitution--is part of what has been called the New Judicial Federalism.

Orlansky, Susan, and Jeffrey M. Feldman. "Justice Rabinowitz and Personal Freedom: Evolving a Constitutional Framework." *Alaska Law Review* 15, no. 1 (1998): 1-32.

***340** This article examines the individual rights jurisprudence of Chief Justice Jay Rabinowitz, who served on the Alaska Supreme Court for thirty-one years. Specifically, it looks at the background of the Alaska Supreme Court's personal freedom protections, at case law, and at Rabinowitz's impact.

Project Jukebox. *Judges of Alaska*. Digital Branch of the University of Alaska Fairbanks Oral History Program. ¹¹

This project provides online access to documentary, visual, and oral resources highlighting aspects of the history of Alaska's courts. The collection includes interviews with former judges and justices, posted in recorded form and sometimes with transcription, and with some thematic access. There are also slideshows.

Public Administration Service. *Constitutional Studies*. 3 vols. Fairbanks: Public Administrative Service, 1955.

These three volumes contain the twelve staff papers prepared by the Public Administration Service for the delegates to the Alaska State Constitutional Convention to assist them in their deliberations on specific topics, some of which corresponded later to specific articles in the Constitution.

I. The State Constitution Within the American Political System ¹²

II. Civil Rights and Liberties ¹³

III. The Alaskan Constitution and the State Patrimony (The Constitution and Natural Resources) ¹⁴

IV. Suffrage and Elections ¹⁵

V. The Legislative Department ¹⁶

VI. The Executive Department ¹⁷

VII. The Judicial Department ¹⁸

VIII. The Constitution and Local Government ¹⁹

IX. State Finance ²⁰

X. Legislative Structure and Apportionment ²¹

***341** XI. Constitutional Amendment and Revision ²²

XII. Initiative, Referendum, and Recall ²³

Sanders, Eric T. “*Sanders v. State of Alaska*: In the Supreme Court of Alaska.” ²⁴ *Issues in Law and Medicine* 17 (2001): 195-219.

The Alaska Supreme Court determined that the rights to privacy and liberty enshrined in the Alaska Constitution did not invalidate a state law prohibiting doctor-assisted suicide. Along the way, the court reviewed the development of the court's interpretation of those sections.

Schwaiger, Michael. “Understanding the Unoriginal: Indeterminant Originalism and Independent Interpretation of the Alaska Constitution.” *Alaska Law Review* 22, no. 2 (2005): 293-322.

In 1977, Justice William Brennan called on state judges to interpret their own constitutions before considering the federal Constitution as a way of enhancing individual rights in an approach that became known as the New Judicial Federalism. This article looks at the history of independent interpretation in Alaska and the historical context of the Alaska Constitutional Convention that helped make it possible.

Sharp, Gerald L. “Home Rule in Alaska: A Clash Between the Constitution and the Court.” *UCLA-Alaska Law Review* 3, no. 1 (1973): 1-54.

This article looks at pertinent trends in home rule as it developed nationally prior to 1960. With that as background, the author examines the drafting and adoption of the home rule section of the Alaska Constitution, and then examines the treatment of the home rule section by the Alaska courts.

Sheets, Victoria. Note. "Breaking Bad Law: Meth Lab Investigations Highlight Alaska's Current Approach to Privacy." *Alaska Law Review* 32, no. 2 (2015): 373-93.

Among other things, this Note reviews Alaska's right to privacy as written into its constitution and as interpreted by case law. It also analyzes the reasoning behind Alaska's current approach to privacy law.

Van Flein, Thomas V. "The *Baker* Doctrine and the New Federalism: Developing Independent Constitutional Principles Under the Alaska Constitution." *Alaska Law Review* 21, no. 2 (2004): 227-57.

Among other things, the author "reviews the current status of the nascent doctrine of independent state constitutional law and explores areas in which the Alaska courts have succeeded in giving life to the state constitution" and "mirrors early court doctrine first enunciated in *Baker v. City of Fairbanks*."²⁵

Wildlife and Fisheries Law Institute. *Colloquy on the Natural Resources Article of the Alaska Constitution*. Douglas: Wildlife and Fisheries Law Institute, 1991.

Article VIII of the Alaska Constitution concerns natural resources. The papers in this publication look at the history and application of section 4 (Sustained Yield) and section 17 (Uniform Application).

*342 Wise, Michael B. "Northern Lights--Equal Protection Analysis in Alaska." *Alaska Law Review* 3, no. 1 (1986): 1-47.

This article examines the development of an equal protection standard in Alaska under the Alaska Constitution and independent of the federal standard.

Alaska Court Procedure

Campion, Grady R. "Summary Judgment in Alaska." *Alaska Law Review* 32, no. 1 (2015): 181-212.

This article reviews the development and content of Alaska's summary judgment standard and compares it to the federal standard.

Di Pietro, Susanne, and Teresa W. Carns. *Alaska's English Rule: Attorney's Fee Shifting in Civil Cases*. Anchorage: Alaska Judicial Council, 1995.²⁶

As part of a study of [Alaska Civil Rule 82](#), this report briefly reviews the history of fee shifting in Alaska, discusses how it became the common rule, and examines the purpose of its adoption.

Fayette, James, and Stephanie Busalacchi. "'Letters I've Written, Never Meaning to Send ...': Conditional Relevance, Evidence Rule 104(b), and Mark Edwards' Curious Murder Trial." *Alaska Law Review* 26, no. 2 (2009): 171-211.

This article provides a brief history of the development of Evidence Rule 104(b) (Relevancy Conditioned on Fact), common applications of the rule, and a history of the *Edwards* case.

Henrikson, Gregory R. "Dimond, Not *Daubert*: Reviving the Discretionary Standard of Expert Admission in Alaska." *Alaska Law Review* 25, no. 2 (2008): 213-39.

This article examines the development of Alaska's standard for admission of expert testimony and its conflict with the federal approach.

Hughes, Gregory J. "Award of Attorney's Fees in Alaska: An Analysis of [Rule 82](#)." *UCLA-Alaska Law Review* 4, no. 1 (1974): 129-79.

As part of his analysis of [Alaska Civil Rule 82](#), the author provides a brief historical development of the Alaska practice of awarding attorneys' fees.

Kordziel, Kevin Michael. "[Rule 82](#) Revisited: Attorney Fee Shifting in Alaska." *Alaska Law Review* 10, no. 2 (1993): 429-67.

[Alaska Civil Rule 82](#) was amended in 1992. Before examining the amended version of the rule, the author reviews the history of fee shifting in Alaska prior to the amendment.

Rennie, Douglas C. "[Rule 82](#) & Tort Reform: An Empirical Study of the Impact of Alaska's English Rule on Federal Civil Case Filings." *Alaska Law Review* 29, no. 1 (2012): 1-50.

This empirical study of Alaska's Civil [Rule 82](#) examines whether the rule actually reduces meritless claims as held by tort reformers, who want to use [Rule 82](#) as a model for national reform. The results suggest that reformers will need a different model.

Sommers, Gordon. "The End of the Public Interest Exception: Preventing the Deterrence of Future Litigants with [Rule 82\(b\)\(3\)\(I\)](#)." *Alaska Law Review* 31, no. 1 (2014): 131-59.

*343 In 1973, the Alaska court started carving out a public interest exception to the English rule of making losing parties responsible for their opponents' attorneys' fees. This exception was adopted legislatively with HB 145.²⁷ This article traces these developments and looks at how the court has responded to HB 145.

Alaska Legislature

Clark, Walter E. "Alaska Makes Laws: An Account of the First Session of the First Legislative Assembly in Alaska." *Sunset*, August 1913, 322-27.

This brief article covers the election of the legislature, appointment of officers, and consideration and passage of legislation for the first session of Alaska's legislature.

DeArmond, William D. "Alaska's Pioneer Legislature." *Alaskan Southeaster* 5, no. 1 (1996): 10-15.

The Organic Act of 1912 established the Territory of Alaska and provided for a locally elected legislature, which met for the first time in 1913 in Juneau. Two senators and four representatives from each of the four judicial districts of the territory comprised the new territory's legislature. This article looks at the election, membership, and legislation of that first session.

Fisher, James F. "Recalling the House of the 1st Alaska State Legislature." *Alaska Bar Rag* 33, no. 3 (2009): 18-19.

This article looks at the composition, priorities, and historical impact of the first state legislature in Alaska.

Harrison, Gordon S. "Streamlining the Legislature: Pursuit of Unicameral Reform in Alaska." *Alaska History* 7, no. 1 (1992): 32-51.

This article reviews the ultimately unsuccessful efforts to create a one-house legislature in Alaska, from when Congress created Alaska's bicameral legislature in 1912 until the 1970s.

Harrison, Gordon Scott. "Notes on Alaskan Native Electoral Politics." *Polar Record* 16, no. 104 (1973): 691-97.

This article surveys various factors surrounding Native electoral participation in Alaska and provides a summary of Native membership in Alaska's legislatures.

Ross, Jonathan S. "A New Answer for an Old Question: Should Alaska Once Again Consider a Unicameral Legislature?" *Alaska Law Review* 27, no. 2 (2010): 257-96.

This article reviews the creation of Alaska's territorial legislature and the consideration of unicameralism by Alaska's constitutional convention.

"Territorial Legislators: History of Alaska Legislation." *Alaska, a Monthly Magazine*, May 1917, 5-6.

This brief article provides an account of the work of Alaska Territory's Third Legislature. It is followed--through to the November issue--by brief biographies of the legislators.

Alaska National Interest Lands Conservation Act (ANILCA)

Cahn, Robert. *The Fight to Save Wild Alaska*. New York: Audubon, 1982.

This booklet outlines the development and passage of the Alaska National Interest Land Conservation Act, from citizen activism to legislative action, over a period of more than a decade.

*344 Conn, Stephen, and Bart K. Garber. "State Enforcement of Alaska Native Tribal Law: The Congressional Mandate of the Alaska National Interest Lands Conservation Act." In *1989 Harvard Indian Symposium*. Cambridge, MA: President and Fellows of Harvard College, 1990.

In this paper the author analyzes the legal history of ANILCA and concludes that the state must incorporate community-derived tribal law as the applicable minimum federal standard in formulating policies and regulation in state subsistence management.

Duscha, Julius. "How the Alaska Act Was Won: Setting the Crown Jewels." *Living Wilderness* 44 (Spring 1981): 4-9.

The author provides an account of the legislative effort to pass what became ANILCA, with brief coverage of earlier nonlegislative efforts that helped set the stage for congressional action in 1980.

Schiefelbein, Susan. "Alaska: The Great Land War." *Saturday Review*, February 17, 1979, 14-20.²⁸

This article covers the legislative history of what became ANILCA the following year, with some focus on those who supported the lands act (Representatives Morris Udall and John Sieberling, and Interior Secretary Cecil Andrus, on the one side), and those opposed and more in favor of tapping Alaska's mineral wealth (Senators Mike Gravel and Ted Stevens, and Congressman Don Young, all from Alaska).

Swem, Theodore R., and Robert Cahn. "The Politics of Parks in Alaska." *Ambio* 12, no. 1 (1983): 14-19.

This reworks the following article from the 1982 Congress, with a little more focus on the lessons learned from ANILCA.

Swem, Theodore R., and Robert Cahn. "The Politics of Parks in Alaska: Innovative Planning and Management Approaches for Protected Areas." In *National Parks, Conservation, and Development: The Role of Protected Areas in Sustaining Society*, edited by Jeffrey A. McNeely and Kenton R. Miller, 518-24.²⁹ Proceedings of the World Congress on National Parks, Bali, Indonesia, 11-22 October 1982. Washington, DC: Smithsonian Institution Press, 1984.

This article provides some of the historical background to the passage of ANILCA, including historical perspective, growth of public and congressional support, and conflicting interests.

Todderud, Eric. "The Alaska Lands Act: A Delicate Balance Between Conservation and Development." *Public Land Law Review* 8 (1987): 143-63.

This article provides a brief legislative history to ANILCA and also reviews the relevant Ninth Circuit decisions that addressed the conflict between development and conservation inherent in the legislation.

Alaska Native Land Claims and the Alaska Native Claims Settlement Act (ANCSA)

Anders, Gary C. "A Critical Analysis of the Alaska Native Land Claims and Native Corporate Development." In *Native Americans and Public Policy*, edited by *345 Fremont J. Lyden and Lyman Howard Legters, 85-98. Pittsburgh: University of Pittsburgh Press, 1992.

This article looks at the historical relevance of U.S. Indian policy to Alaska Natives, specifically with regard to Native profit-making corporations that were established to receive cash and title to land when aboriginal land title in Alaska was extinguished under ANCSA in 1971.

Anders, Gary C. "The Alaska Native Experience with the Alaska Native Claims Settlement Act." In *Struggle for Land: Indigenous Insight and Industrial Empire in the Semiarid World*, edited by Paul Olson, 127-45. Lincoln: University of Nebraska Press, 1990.

The author compares ANCSA with the General Allotment Act of 1887 (Dawes Act), looking at both as efforts to impose a capitalistic private property system on "collectively oriented subsistence practitioners."

Anders, Gary C. "Social and Economic Consequences of Federal Indian Policy: A Case Study of the Alaska Natives." *Economic Development and Cultural Change* 37, no. 2 (1989): 285-303.

This article examines the historical background leading up to ANCSA's passage, outlines some of the more important settlement terms, compares it with other federal policies toward American Indians, and then evaluates the effects of ANCSA with regard to Alaska Native development potential.

Anderson, Bob, and Lare Aschenbrenner. "Alaska Native Tribes Battle Discrimination." *Native American Rights Fund Legal Review*, Summer 1986, 1-7. ³⁰

This article looks at the effect of ANCSA fifteen years since passage on three issues of concern to Alaska Natives: land protection, subsistence, and tribal self-government.

Arnold, Robert D. "Looking Beyond Capitalism: Reflections on the 10th Anniversary of the Native Claims Settlement Act." *Alaska Journal* 12, no. 1 (1982): 25-30.

This article takes stock, from the perspective of Native Alaskans, of the achievements of ANCSA and where it fell short, particularly in the sense that Alaska Natives understood that corporations could not be substitutes for tribes and that the act failed to give meaning to the lives of Native Alaskans.

Arnold, Robert D. *Alaska Native Land Claims*. Anchorage: Alaska Native Foundation, 1978.

This illustrated book-length treatment of Alaska Native land claims contains chapters covering Alaska Natives and their lands and land claims struggles, as well as a review of ANCSA and issues such as settlement act organizations, money settlement, and land settlement.

Arnold, W.C. *Native Land Claims in Alaska*. Anchorage, 1967.

This is a treatment of the law on Native land claims in Alaska prior to the Alaska Native Claims Settlement Act of 1971.³¹ While it does not claim to be an exhaustive legal treatment, it nonetheless reviews developments from prior to the purchase of Alaska from Russia to the 1960s. The booklet also includes an appendix with case law and legislation.

*346 Arnott, Sarah. "Legislation: The Alaska Native Claims Settlement Act: Legislation Appropriate to the Past and the Future." *American Indian Law Review* 9, no. 1 (1981): 135-60.

This article provides a historical and legal background to ANCSA, starting with Russian settlement, and then proceeds through a narrative legislative history to the act.

Banner, Stuart. *Possessing the Pacific: Land, Settlers, and Indigenous People from Australia to Alaska*. Cambridge, MA: Harvard University Press, 2007.

This book analyzes, in discrete chapters, colonial treatment of Natives' rights to their own land around the Pacific Rim. One chapter reviews arguments on how to accommodate the Alaska Natives and how to balance those claims against demands by settlers.

Barcott, Patricia A. Comment. "The Alaska Native Claims Settlement Act: Survival of a Special Relationship." *University of San Francisco Law Review* 16, no. 1 (1981): 157-78.

This article discusses the historical relationship between the federal government and the Alaska Natives and the effect of ANCSA on that relationship.

Berardi, Gigi. "The Alaska Native Claims Settlement Act (ANCSA)--Whose Settlement Was it? An Overview of Salient Issues." *Journal of Land, Resources, and Environmental Law* 25, no. 2 (2005): 131-37.

This article provides a very brief history of ANCSA, including its incentives, and looks at ANCSA's role in natural resources policy making and social engineering.

Berardi, Gigi. "Natural Resource Policy, Unforgiving Geographies, and Persistent Poverty in Alaska Native Villages." *Natural Resources Journal* 38, no. 1 (1998): 85-108.

This article gives some background on ANCSA.

Berger, Thomas R. "Conflict in Alaska." *Natural Resources Journal* 28, no. 1 (1988): 37-62.

This article briefly reviews the history of ANCSA and some legal history of Native Alaskans, with an emphasis on assimilation. It also examines the Alaska Native Review Commission, which was established by the Inuit Circumpolar Conference as an independent entity to examine several issues, including ANCSA, Native corporations, and the social and economic status of Native Alaskans.

Berger, Thomas R. *Village Journey*. New York: Hill and Wang, 1985.

In 1983, Thomas R. Berger was appointed by the Inuit Circumpolar Conference to lead the Alaska Native Review Commission in a review of ANCSA (1971). That assignment took him to Native villages across Alaska in pursuit of evidence. This book is an account of that experience. He determined that the legislation had created new problems without fixing the old ones.

Block, William E., Jr. "Alaskan Native Claims." *Natural Resources Lawyer* 4, no. 2 (1971): 223-50.

This article gives an overview of the history of Alaskan Native land claims, focusing on both legislative and judicial efforts.

Bloxham, Steven John. "Aboriginal Title, Alaskan Native Property Rights, and the Case of the Tee-Hit-Ton Indians." *American Indian Law Review* 8, no. 2 (1980): 299-331.

Among other things, this article looks at the relevant case law and legislation that affect Native rights in Alaska, the applicability of the Indian Trade and Intercourse Acts to Alaskan Natives, the existence and character of their property rights under the 1884 Organic Act, and the cases leading up to and including the *Tee-Hit-Ton* decision.³²

Burch, Ernest S., Jr. "The Land Claim Era in Alaska." In *Arctic: The Handbook of North American Indians*, edited by William C. Sturtevant and David Damas, 5:657-62. Washington, DC: Smithsonian Institution, 1985.

This article posits that the "land claim era" was formally ushered in by the passage of ANCSA in 1971. It then looks at different aspects of the act, including Native Regions, Native Corporations, and Land Selection.

Burch, Ernest S., Jr. "Native Claims in Alaska: An Overview." *études Inuit/Inuit Studies* 3, no. 1 (1979): 7-30.

The author presents an overview of Alaska Native land claims in Alaska, reviews the events leading up to the passage of ANCSA, with summary of some of its major provisions, and brings the reader up to date with a synopsis of developments since passage.

Case, David S. "Commentary on Sovereignty: The Other Alaska Native Claim." *Journal of Land, Resources, and Environmental Law* 25, no. 2 (2005): 149-54.

This article briefly looks at the lack of provision in ANCSA to settle the Alaska Native sovereignty issue and the subsequent judicial attempts to define tribal existence and jurisdiction in Alaska.

Case, David S. "The Russian Legacy of the Alaska Native Claims." In *Russian America: The Forgotten Frontier*, edited by Barbara Sweetland Smith and Redmond J. Barnett, 237-43. Tacoma: Washington State Historical Society, 1990.

This essay looks at Russian legacy in resolving land claims of the Alaska Natives by briefly reviewing the Imperial charters for the Russian-American Company and the 1867 Treaty of Cession.

Emory, Meade, and Robert A. Warden. "Income Taxation of Distributions by Alaska Native Corporations: An Ambiguity in Need of Clarification." *Washington Law Review* 64, no. 3 (1989): 551-79.

The authors maintain that Congress intended to treat the settlement package as akin to personal injury damages when it came to taxing the distributions of Native corporations, which as such would not be taxable. The article then reviews the history of how the IRS interpreted the settlement in order to tax the distributions.

Ervin, Alexander M. "Styles and Strategies of Leadership During the Alaskan Native Land Claims Movement: 1959-71." *Anthropologica* 29, no. 1 (1987): 21-38.

This treatment studies the sophisticated lobbying effort of the Alaska Federation of Natives to secure their land claims, eventually resulting in the 1971 passage of ANCSA. The author looks at interest group formation and alliance, and particularly the attributes and strategies of their leadership.

Ervin, Alexander M. "The Emergence of Native Alaskan Political Capacity, 1959-1971." *Musk-Ox* 19 (1976): 3-14.³³

Due to the erosion of land claims and subsistence rights, Native Alaskans faced a crisis. This treatment examines the history of how they developed mechanisms and political capacity to solidify their rights by settling the land claim issue, which came to fruition with the enactment of ANCSA in 1971.

*348 Ervin, Alexander McKay. "Civic Capacity and Transculturation: The Rise and Role of the Alaska Federation of Natives." Ph.D. diss., University of Illinois, 1974.

The Alaska Federation of Natives, founded in 1966, is the largest statewide Native organization in Alaska. After founding it pushed to settle land claims in a just and fair way, ultimately leading to the passage of ANCSA. This dissertation provides a history of Alaskan Native-White relations in Alaska, the process of organization, and land claims issues and settlement.

Flanders, Nicholas E. "The ANCSA Amendments of 1987 and Land Management in Alaska." *Polar Record* 25, no. 155 (1989): 315-22.

This article reviews the history of both ANCSA and its 1987 amendments.

Ford, Marilyn J. War, and Robert Rude. "ANCSA: Sovereignty and a Just Settlement of Land Claims or an Act of Deception?" *Touro Law Review* 15, no. 2 (1999): 479-96.

This article provides a history of Alaska Native land claims and the passage of ANCSA.

Getches, David H. "Alternative Approaches to Land Claims: Alaska and Hawaii." In *Irredeemable America: The Indians' Estate and Land Claims*, edited by Imre Sutton. 301-35. Albuquerque: University of New Mexico, 1985.

This chapter compares the Native land claims experiences of Alaskan and Hawaiian Natives and includes a brief history of ANCSA and a review of its use in practice.

Goldschmidt, Walter R., and Theodore H. Haas. *Haa Aani Our Land: Tlingit and Haida Land Rights and Use*. Seattle: University of Washington Press, 1998.

This is a republication of a 1946 study of Tlingit and Haida possessory rights. A lengthy introduction places it in context and an eleven-page chapter examines customary land use and rights of the two tribes. It also includes descriptions of various regions of Native territories. Anthropologist Goldschmidt and lawyer Haas went from village to village and conducted interviews to discover who owned and used the lands and waters and under what rules. Their report established strong historical evidence to support Native land claims.

Haycox, Stephen. "Then Fight for It: William Lewis Paul and Alaska Native Claims." In *Let Right Be Done: Aboriginal Title, the Calder Case, and the Future of Indigenous Rights*, edited by Hamar Foster, Heather Rave and Jeremy Webber. 85-97. Vancouver: UBC Press, 2007.

This brief account describes the career of William Paul, the Alaska Native Brotherhood, the Tlingit-Haida Jurisdiction Act of 1935, and two pre-ANCSA court battles over Native land claims, *Tlingit & Haida Indians of Alaska v. United States*³⁴ and *Tee-Hit-Ton Indians v. United States*.³⁵

Haycox, Stephen. "Tee-Hit-Ton and Alaska Native Rights." In *Law for the Elephant, Law for the Beaver*, edited by John McLaren, Hamar Foster, and Chet Orloff. 127-46. Pasadena, CA: Ninth Judicial Circuit Historical Society, 1992.

In *Tee-Hit-Ton Indians v. United States*,³⁶ the U.S. Supreme Court ruled that while Indian title rights permitted Native Americans exclusive occupancy of aboriginal lands, they did not extend to property rights that required compensation under the Fifth Amendment to be extinguished. While this article is about the *Tee-Hit-Ton* decision, it also focuses on the efforts of the man who was most responsible for bringing the suit, William Paul, a former president of the Alaska Native Brotherhood.

Haynes, James B. "The Alaska Native Claims Settlement Act and Changing Patterns of Land Ownership in Alaska." *Professional Geographer* 28, no. 1 (1976): 66-71.

ANCSA required settlement of how the vast federal lands in Alaska would be administered, as private, federal, state, and Native. This brief article describes decisions immediately after enactment on how some parcels of land were to be allocated, with more to be determined later.

Haynes, James B. "Land Selection and Development Under the Alaska Native Claims Settlement Act." *Arctic* 28, no. 3 (1975): 201-08.

Under the terms of ANCSA, Native corporations were required to select about forty million acres of surface estate and mineral rights from ninety-nine million acres set aside from federal lands. This article looks at how, due to time constraints, one Native regional corporation, Doyon Limited, enlisted the assistance of the Geophysical Institute of University of Alaska to survey available land and resources.

Hensley, Elizabeth Saagulik. "Looking Back to Go Forward." *Alaska Law Review* 33, no. 2 (2016): 287-302.

This article reviews the foundation of the law as it applies to Alaska Natives, including the 1867 Treaty of Cession, 1884 Organic Act, and 1958 Alaska Statehood Act. It also looks at Alaska Natives and their relation to their land and tribal governance.

Hensley, William L. "Arctic Development and the Future of Eskimo Societies." *Indian Truth* 47, no. 1 (1970): 1-8.

Written a year prior to the passage of ANCSA, this article reviews the background of Native Alaskan land claims in Alaska, including treaties and federal legislation, and then looks at the major settlement proposals before Congress.

Hensley, William L. *What Rights to Land Have the Alaska Natives? The Primary Question*. Paper for Constitutional Law Class, University of Alaska Anchorage, May 1966.³⁷

This influential paper, written for a course taught by Judge Jay Rabinowitz, traces the legal rights of Alaska Natives to the property and resources on which they lived. The coverage starts from "time immemorial" and proceeds through Russia's sale of Alaska to the United States, various governing regimes during U.S. control, and on through the Alaska Constitution, but it stops short of ANCSA (1971).

Hill, Barry T. *Alaska Native Allotments: Conflicts with Utility Rights-of-Way Have Not Been Resolved Through Existing Remedies*. Report to the Chairman, Committee on Appropriations, U.S. Senate. Washington, DC: Government Accountability Office, 2004.

This report analyzes land claims and rights-of-way by utilities within Native allotments in the Copper Valley, but more broadly the legal principle of "relation back," a doctrine that "grants priority to allottees if the date of the allottee's claimed initial use and occupancy of available land predates other uses and rights-of-way, even if the allotment application was submitted after the right-of-way was issued." By way of background, the report provides a brief history of lands involving Alaska Natives.

***350** Jacobs, Harvey M., and Brian H. Hirsch. *Indigenous Land Tenure and Land Use in Alaska: Community Impacts of the Alaska Native Claims Settlement Act*. Madison: Land Tenure Center, University of Wisconsin-Madison, 1998.³⁸

This report looks at land tenure issues in the context of Alaska and the implementation and impacts of ANCSA. It also looks at the pre-ANCSA history of the Ahtna Alaska Natives and their traditional territory.

Jones, Richard S. *Alaska Native Claims Settlement Act of 1971 (Public Law 92-203): History and Analysis*. Washington, DC Congressional Research Service, 1972.

This report reviews the treatment of Alaska Native land claims from the time of Russian rule up to and including a section-by-section analysis of ANCSA.

Kruse, John A. "Changes in the Well-Being of Alaska Natives Since ANCSA." *Review of Social and Economic Conditions* 21, no. 3 (1984): 1-12.

It was hoped that the passage of ANCSA in 1971 would lead to an improvement of the prosperity and quality of life for Alaska Natives. This paper examines the data for evidence that hope was starting to come to fruition ten years after passage. In the end, it was determined that while things were improving, other developments may have been of more immediate effect. Still, the author was hopeful and noted impacts that ANCSA had that could bear fruit later on.

Lazarus, Arthur. "Native Land Claims in Alaska." *American Indian* 8 (Spring 1958): 39-43.

This article is about the *Tee-Hit-Ton* case,³⁹ in which the U.S. Supreme Court ruled that because aboriginal land claims by Alaska Natives had not been "recognized," Native groups could not sue for property loss under the Fifth Amendment.

Linxwiler, James D. "Alaska Native Claims Settlement Act at 35: Delivering on the Promise." *53rd Annual Rocky Mountain Mineral Law Institute*, 2007, Paper 12.⁴⁰ 53 RMMLI 2007.

This paper reviews the history of aboriginal title in Alaska and the extinguishment of title under ANCSA, reviews portions of ANCSA, and notes how those sections have played out in the thirty-five years since passage.

Linxwiler, James D. "The Alaska Native Claims Settlement Act: The First Twenty Years." *38th Annual Rocky Mountain Mineral Law Institute*, 1992, Paper 2.⁴¹ 38 RMMLI 1992.

This paper reviews the history of aboriginal title in Alaska and gives a section-by-section analysis of ANCSA noting twenty years of litigation and amendment.

Lysyk, Kenneth. "Approaches to Settlement of Indian Title Claims: The Alaskan Model." *University of British Columbia Law Review* 8, no. 2 (1973): 321-42.

This article contains a historical look at the legal and moral nature of Native title claims in Alaska and then looks at the development of a legislative solution.

McBeath, Gerald A., and Thomas A. Morehouse. *The Dynamics of Alaska Native Self-Government*. Washington, DC: University Press of America, 1980.

The purpose of this study is to review Alaska Native self-government in the context *351 of U.S. politics. Subsidiary themes are development of Native leadership and development of Native land claims, the latter of which includes a brief legislative history of ANCSA and a look at its implementation. The authors also look at the formation and experiences of the North Slope Borough, which they see as an advanced form of self-government for Alaska Natives.

McClanahan, Alexandra J. *Alaska Native Corporations: Sakuuktugut, "We are Working Incredibly Hard": The Land, the Money, the History of the Alaska Native Claims Settlement Act of 1971 and How Alaska Native People are Writing an Epic Story in Cultural and Economic Development*. Anchorage: CIRI Foundation, 2006.

In addition to providing an accessible history of ANCSA and subsequent law, this book reviews the struggle of Alaska Natives prior to passage, particularly in the realm of civil rights.

Mitchell, Donald Craig. "Alaska v. Native Village of Venetie: Statutory Construction or Judicial Usurpation? Why History Counts." *Alaska Law Review* 14, no. 2 (1997): 353-441.

This article examines the early congressional policy and legislation concerning Alaska Natives and looks at the evolution and definition of "Indian Country" and its application to Alaska, legislative history and intent of ANCSA, and the influence of the Alaska Native sovereignty movement.

Mitchell, Donald Craig. *Sold American: The Story of Alaska Natives and Their Land, 1867-1959: The Army to Statehood*. Hanover, NH: University Press of New England, 1997.

Overall, this treatment is the first part of a history of the U.S. government's relations with the Alaska Natives, from acquisition of Alaska from the Russians to statehood. Among other things, it includes an account of how non-Natives sought to monetize Alaska's Native resources and the rise of new forms of Alaska Native political leadership.

Mitchell, Donald Craig. *Take My Land, Take My Life: The Story of Congress's Historic Settlement of Alaska Native Land Claims, 1960-1971*. Fairbanks: University of Alaska Press, 2001.

This is the second part of Don Mitchell's history of the U.S. government's relations with the Alaska Natives. It focuses on "how and why Congress was persuaded that Alaska Natives should be compensated for the extinguishment of their legally cognizable possessory right ... to use and occupy the land on which they and their ancestors had hunted and gathered"⁴² and concludes with the 1971 enactment of ANCSA.

Naske, Claus-M. "Ernest Gruening and Alaska Native Claims." *Pacific Northwest Quarterly* 82 (October 1991): 140-48.

This article traces the lack of consensus between Governor Gruening and elements of the Interior Department (including Felix Cohen) on how to assimilate, acculturate, accommodate, and compensate Alaska Natives as federal policy toward them evolved. In particular, disagreements arose over whether the Alaska Natives should be given reservations or compensated outright. The time frame is from the Alaska New Deal to the passage of ANCSA in 1971.

*352 Nelson, Kathleen A. Comment. "The Alaska Native Claims Settlement Act After 1991: Looking Forward to the Future?" *Santa Clara Law Review* 31, no. 1 (1990): 261-98.

This Comment examines the original intent of Congress in passing ANCSA, the problems the 1991 amendments were intended to resolve, and various problems with the amendments.

Richards, Andrew P. "Aboriginal Title or the Paramountcy Doctrine? *Johnson v. McIntosh* Flounders in Federal Waters Off Alaska in *Native Village of Eyak v. Trawler Diane Marie, Inc.*" *Washington Law Review* 78, no. 3 (2003): 939-71.

The author reviews the history of Native Alaskan title claims to the seabed and ocean off Alaska.

Stoebner, Kerry. "Alaska Native Water Rights as Affected by the Alaska Native Claims Settlement Act." *American Indian Journal* 4, no. 3 (1978): 2-26.

This article looks at the history of Native Alaskan water rights prior and subsequent to the enactment and enforcement of ANCSA.

Summit, Ben. "The Alaska Native Claims Settlement Act (ANCSA): Friend or Foe in the Struggle to Recover Alaska Native Heritage?" *Thomas M. Cooley Law Review* 14, no. 3 (1997): 607-32.

This article gives a brief legal history leading up to the enactment of ANCSA before analyzing the law.

Tanana Chiefs Conference, Inc. *Interior Region Post ANCSA Impact Analysis*. 3 vols. Fairbanks: Tanana Chiefs Conference, 1983.

This three-volume report was compiled to assess the impacts of ANCSA on the Alaska Natives in the interior regions of the state. Of particular note are volume 1, which includes a history of the issue, and volume 2, which

includes individual issue papers on topics such as Native hunting and fishing rights, taxation under ANCSA, and the International Caribou Treaty.

Thomas, Monica E. "The Alaska Native Claims Settlement Act: An Update." *Polar Record* 24, no. 151 (1988): 328-29.

This very brief article reviews some of the changes made to ANCSA by Congress in 1988.

Thomas, Monica E. "The Alaska Native Claims Settlement Act: Conflict and Controversy." *Polar Record* 23, no. 142 (1986): 27-36. ⁴³

This article reviews the events that led to passage of ANCSA, as well as the need for amendments made in 1976 and 1980. The author also looks at the overall effect of passage and amendments on specific issues, such as stock alienation, viability of village corporations, and subsistence.

Vaughan, James Daniel. "Toward a New and Better Life: Two Hundred Years of Alaskan Haida Culture Change." Ph.D. diss., University of Washington, 1985.

This dissertation provides an overview of Haida cultural adaptation from the time of contact with the Russian fur traders to their later willingness to "Americanize." Archival research is coordinated with oral accounts by people in and near Hyadaburg. Included are political and commercial developments, as well as relevant federal legislation, including cooperative associations before ANCSA and Native corporations after ANCSA, such as Sealaska.

***353** Vollantine, Jim. "A History of the Land Laws and Policies of the United States Government Towards the Alaska Natives Since the Treaty of Cession." Student paper, University of Washington School of Law, 1973.

This paper reviews the application of federal laws to the different groups of Alaska Natives, 1867-1910, 1910-World War II, and 1941-1958.

Walsh, John F. Note. "Settling the Alaska Native Claims Settlement Act." *Stanford Law Review* 38, no. 1 (1985): 227-63.

This article examines the history and provisions of ANCSA and the history of the trust relationship between Alaska Natives and the federal government.

Weiss, Lawrence D., and David C. Maas. "Primitive Accumulation, Reservations, and the Alaska Native Claims Settlement Act." In *State and Reservation: New Perspectives on Federal Indian Policy*, edited by George Pierre Castile and Robert L. Bee. 189-211. Tucson: University of Arizona Press, 1992.

This chapter examines the experience of Alaska Natives from a Marxian standpoint, where "primitive accumulation" describes the separation of the direct producer from the means of production. An account of primitive accumulation in the United States is followed by a focus on Alaska, from the Russian colonial period through ANCSA.

Willson, Julia S. *Alaska Native Land Claims: A Review of the Legal History and of the Proposed Solutions*. Washington, DC: Library of Congress, Legislative Reference Service, 1969.

Commencing with the Russian administration of Alaska, this report reviews the treatment of Native Alaskan land claims and how they were subsequently treated by congressional, executive, and judicial activity in American Alaska prior to the passage of ANCSA.

Work, Shannon D. Comment. "The Alaska Native Claims Settlement Act: An Illusion in the Quest for Native Self-Determination." *Oregon Law Review* 66, no. 1 (1987): 195-218.

While this comment is primarily a look at how ANCSA fits into the history of overall U.S. Indian law, it contains a brief history of ANCSA itself.

Alaska Native Law Ways

De Laguna, Frederica. "Aboriginal Tlingit Sociopolitical Organization." In *Development of Political Organizations in Native North America: 1979 Proceedings of the American Ethnological Society*, edited by Elizabeth Tooker. 71-85. Washington, DC: American Ethnological Society, 1983.

This article includes brief sections on "Settling Trouble Cases," "Territorial Rights," and "Women."

Feldman, Kerry D. "Anthropology and Public Policy in Alaska: Recent Policy Related to Legal Systems, Native Subsistence and Commercial Fisheries." *Review of Policy Research* 1 (1981): 87-110.

This article discusses how anthropology can contribute to public policy and focuses on three areas: the Alaska legal system, Native Alaskan subsistence issues, and commercial fishing permits. With regard to the former, the author gives some focus to the work of lawyer-anthropologist Stephen Conn.

*354 Fienup-Riordan, Ann. "The Yupiit Nation: Eskimo Law and Order." In *Eskimo Essays: Yup'ik Lives and How We See Them*. 192-220. New Brunswick, NJ: Rutgers University Press, 1990.

This chapter reviews Yupiit leadership, law, and governance, focusing on the formation of the Yupiit Nation, traditional leadership, traditional laws, social control, and decision making.

Gilbertson, Albert Nikolay. "Some Ethical Phases of Eskimo Culture." *Journal of Religious Psychology* 6, no. 4 (1913): 321-74.

This article, in two parts, examines Alaska Native culture broadly, but also focuses on Alaska Native law aspects of that culture. This part examines sense of justice and mercy, homicide, good faith, and cannibalism.

Gilbertson, Albert Nikolay. "Some Ethical Phases of Eskimo Culture." *Journal of Religious Psychology* 7, no. 1 (1914): 45-74.

This second part looks at theft, inheritance, gambling, marriage, and divorce.

Graburn, Nelson H.H. "Eskimo Law in Light of Self- and Group-Interest." *Law and Society Review* 4, no. 1 (1969): 45-60.

The author believes that a great deal of variant behavior exists among different Eskimo groups and that variety can be reduced to certain consistent themes in their lives, especially in the way they react to conflict.

Guemple, D.L. *Inuit Spouse-Exchange*. Chicago: University of Chicago, Department of Anthropology, 1961.

This study reviews the two contexts of the Inuit institution of spouse-exchange from East Greenland to Kodiak Island. "Common spouse-exchange" is "mundane, secular, and unaccompanied by any form of ritual," whereas "ritual spouse-exchange" is "attended by some considerable religious ceremony."⁴⁴

Hennigh, Lawrence. "Functions and Limitations of Alaska Eskimo Wife Trading." *Arctic* 23, no. 1 (1970): 24-34.

This article reviews the elaborate rules involved with the institution of wife trading, as well as its social function.

Hippler, Arthur E., and Stephen Conn. "The Changing Legal Culture of the North Alaska Eskimo." *Ethos* 2, no. 2 (1974): 171-88.

Overall, this article is an anthropological study of how Native Alaskans developed legal mechanisms that suited their "cultural personality." But it also looks at the development of the village council and magistrate systems.

Hippler, Arthur E., and Stephen Conn. *Northern Eskimo Law Ways and Their Relationship to Contemporary Problems of "Bush Justice": Some Preliminary Observations on Structure and Function*. Fairbanks: Occasional Papers, no. 10, Institute of Social, Economic and Government Research, University of Alaska, 1973.

In 1970, the Alaska Judicial Council sponsored a Bush Justice Conference to examine the problems of improving justice in rural areas. This paper analyzes northern Native attitudes toward conflict resolution where the cultural traditions conflict or harmonize with Western legal approaches.

***355** Hippler, Arthur E., and Stephen Conn. *Traditional Athabascan Law Ways and Their Relationship to Contemporary Problems of "Bush Justice": Some Preliminary Observations on Structure and Function*. Fairbanks: Occasional Papers, no. 7, Institute of Social, Economic and Government Research, University of Alaska, 1972.

This analysis of Alaska Athabascan aboriginal law ways of dispute solving and conflict resolution discusses how they differ from contemporary Anglo-American legal processes.

Hoebel, E. Adamson. "Law-Ways of the Primitive Eskimo." *Journal of the American Institute of Criminal Law and Criminology* 31, no. 6 (1941): 663-83.

This article looks at the law ways of the Alaska Natives as a whole, not focusing on national boundary. While it does not focus on any particular groupings, it does include Alaskan units. The author recognizes that this can lead to a blurring of the picture but gives an overall account of property notions, homicide, evidence, and other legal concepts.

Hughes, Charles Campbell. "From Contest to Council: Social Control Among the St. Lawrence Island Eskimos." In *Political Anthropology*, edited by Mark J. Swartz, Victor W. Turner, and Arthur Tuden. 255-63. Chicago: Aldine, 1966.

While there was no formal social control structure in Native Alaskan society that could adjudicate disputes, mediate between parties, and dispense punishment, there nonetheless existed an informal council of elders that existed alongside clan structures to help settle controversies and keep the peace. This article looks at how the council functioned on St. Lawrence Island after the beginning of the U.S. presence in 1894.

Jones, Livingston F. *A Study of the Tlingit of Alaska*. New York: Fleming H. Revell, 1914.

This study of the Tlingit contains a chapter on “Native Jurisprudence” and also discusses treatment of slavery, miscegenation, education, and marriage.

Lantis, Margaret, ed. *Ethnohistory in Southwestern Alaska and Southern Yukon*. Lexington: University Press of Kentucky, 1970.

This volume primarily compiles ethnohistory papers originally presented in 1967. In the second part of the book, a kind of reconstruction of Aleut social structure, are sections on “Administration of Justice” and “Property and Trade.”

Lee, Nella. *Crime and Culture in Yup'ik Villages: An Exploratory Study*. Criminology Studies vol. 10. Lewiston, NY: Edwin Mellen Press, 2000.

This study examines the clash between Yup'ik and Western legal traditions, particularly how the two cultures dealt with crime, as well as the degree to which Western legal traditions have been absorbed.

Oberg, Kalervo. “Crime and Punishment in Tlingit Society.” *American Anthropologist* 36, no. 2 (1934): 145-56.

This article summarizes some of the different types of Tlingit crimes--for example, murder, stealing, and adultery--and how the importance of clan sovereignty and individual status affected the types of punishment that were exacted. It also looks at the difference between a criminal act and a shameful act.

Olson, Wallace M. *Tlingit Government in Context*. 6th Annual Alaska History Symposium. Anchorage: Alaska Historical Commission, 1983.

This paper shows that while the Tlingit in southeast Alaska governed their territory and had laws, their approach was different than the Euro-Americans who subsequently gained control.

***356** Pospisil, Leopold. “Law and Societal Structure Among the Nunamiut Eskimo.” In *Explorations in Cultural Anthropology*, edited by Ward H. Goodenough. 395-431. New York: McGraw-Hill, 1964.

While mostly a cultural analysis, this piece also looks briefly at the administrative and societal structure of law of the Nunamiut who, the author determines, have instituted legal structures and ways of adjudication.

Ray, Dorothy Jean. "Land Tenure and Polity of the Bering Strait Eskimos." *Journal of the West* 6, no. 2 (1964): 371-94.

This scholarly treatment of aboriginal culture and history is primarily anthropological. The article tries to correct early disregard of leadership, law, and political organization by giving a more informed and respectful look at such issues as well as territory and boundaries, alliances, and other elements of the twelve political units in the Bering Strait area.

Spencer, Robert F. "Spouse-Exchange Among the North Alaskan Eskimo." In *Marriage, Family and Residence*, edited by Paul Bohannan and John Middleton. 131-44. Garden City, NY: Natural History Press, 1968.

This chapter reviews the purposes and obligations of the historical Alaska Native practice of wife lending and wife exchange.

Spencer, Robert F. *The Northern Alaskan Eskimo: A Study in Ecology and Society*. Smithsonian Institution, Bureau of American Ethnology, Bulletin 171. Washington, DC: Government Printing Office, 1959.

This book contains chapters on family and kinship, customary law, economy and society, voluntary associations, and property, wealth, and status.

Worl, Rosita. *Principles of Tlingit Property Law and Case Studies of Cultural Objects*. Juneau: National Park Service, 1994.

This report looks at the basic tenets of Tlingit property law, which exists in the context of society, culture, and ceremony, and also examines the conflicts between claims brought under traditional property law and claims under U.S. law. In addition, the study is intended to integrate the traditional property law as a basis for cultural perspective with regard to the Native American Graves Protection and Repatriation Act of 1990.

Alaska Native Sovereignty

Bielski, John R. Comment. "Judicial Denial of Sovereignty for Alaska Natives: An End to the Self-Determination Era." *Temple Law Review* 73, no. 4 (2000): 1279-1335.

This student Comment includes a brief history of ANCSA, its subsequent amendments, and other legislative enactments. It also examines the historical development of the "Indian Country" concept and its application to Alaska.

Blurton, David M. “*John v. Baker* and the Jurisdiction of Tribal Sovereignty Without Territorial Reach.” *Alaska Law Review* 20, no. 1 (2003): 1-27.

This article examines the Alaska Supreme Court decision in *John v. Baker*,⁴⁵ in which the court refused to follow the interpretation of federal Indian law regarding tribal jurisdiction as put forth by the U.S. Supreme Court in *Alaska v. Native Village of Venetie Tribal Government*.⁴⁶

*357 Chrisbens, Erin Goff. Comment. “Indian Country After ANCSA: Divesting Tribal Sovereignty by Interpretation in *Alaska v. Native Village of Venetie Tribal Government*.” *Denver University Law Review* 76, no. 1 (1998): 307-29.

This article is primarily a critique of the *Venetie* decision. Nonetheless, it provides a history of the events and law that led to the decision as well as the historical relationship between the federal government and Native Alaska tribes.

Ford, Marilyn J. Ward. “Indian Country and Inherent Tribal Authority: Will They Survive ANCSA?” *Alaska Law Review* 14, no. 2 (1997): 443-70.

The purpose of this article is to analyze how ANCSA affected Indian Country and tribal authority in Alaska. Along the way, it presents a history of Native Alaskan land rights and then discusses the importance of Indian Country and tribal sovereignty to Alaska Natives. After looking at the *Venetie II*⁴⁷ decision, it reviews the legislative history and judicial precedent “traditionally applied to determine the existence of Indian Country and inherent tribal sovereignty.”

Goldberg, Carole E. “Public Law 280: The Limits of State Jurisdiction Over Reservation Indians.” *UCLA Law Review* 22, no. 3 (1975): 535-94.

Public Law 280,⁴⁸ passed in 1953, was an attempt by Congress to find a happy medium between “abandoning the Indians to the states and maintaining them as federally protected wards, subject only to federal or tribal jurisdiction.” It transferred criminal and civil jurisdiction over reservation Natives in five states from the federal government to the state governments, thus allowing state criminal prosecutions for crimes committed in Indian Country, with a secondary intent of opening state court jurisdiction to civil actions arising in Indian Country. Alaska was added to the list of states in 1958, applying the law to Alaska Natives. This article reviews the legislative history of Public Law 280 and later amendments, how Natives and states have sought to resolve troublesome issues, and the need for careful statutory interpretation.

Harring, Sidney L. “The Incorporation of Alaskan Natives Under American Law: United States and Tlingit Sovereignty, 1867-1900.” *Arizona Law Review* 31, no. 2 (1989): 279-327.

The article focuses on the incorporation into U.S. law of the Tlingit people, who were sovereign when the United States acquired Alaska in 1867. It also looks at the development of a distinct legal status for Alaskan Natives and then considers the impact of that status on the sovereignty of the Tlingit.

Harring, Sidney L. "The Struggle for Tribal Sovereignty in Alaska, 1867-1900." In *Crow Dog's Case: American Indian Sovereignty, Tribal Law, and United States Law in the Nineteenth Century*, 207-50. New York: Cambridge University Press, 1994.

This chapter looks at the legal structuring of Tlingit-White relations (Russian and American) in Alaska and specifically at Tlingit sovereignty and how Tlingit law was sometimes used by U.S. officials to maintain peace. In *Crow Dog's Case*,⁴⁹ the U.S. Supreme Court held that unless authorized by Congress, federal courts had no jurisdiction to try cases where the offense had already been tried by the tribe. Soon thereafter, Congress passed the Major Crimes Act,⁵⁰ which extended federal jurisdiction to Indian Country for certain crimes. The holding of *Crow Dog* was *358 effectively voided by decisions of Judge Matthew Deady, who refused to recognize Tlingit sovereignty in *Ex parte Sah Quah*⁵¹ and *Kie's Case*.⁵²

Josephson, Andrew. Comment. "*Katie John and Totemoff: The United States and Alaska Clash Over the Reserved Water Rights Doctrine and Native Alaska Hunting and Fishing Rights--The U.S. Supreme Court Passes on an Opportunity to Resolve the Subsistence Debate.*" *Dickinson Journal of Environmental Law and Policy* 6, no. 2 (1997): 225-52.

By analyzing the two cited opinions, this Comment focuses on conflict between the Alaska constitutional denial of special privileges to any resource user group, on the one hand, and the recognition by the federal government of special hunting and fishing privileges for Native Alaskans, on the other. Includes a look at state attempts to comply with federal law.

Kendall-Miller, Heather. "ANCSA and Sovereignty Litigation." *Journal of Land, Resources, and Environmental Law* 24, no. 3 (2004): 465-73.

This article looks at Native sovereignty issues with a particular focus on the *Venetie* case,⁵³ which addressed two very important issues for Native Alaskans: "(1) do federally recognized tribes exist in Alaska; and if so, (2) do they possess jurisdiction over members and non-members?"

Kisken, Sybil R. "The Uncertain Legal Status of Alaska Natives After *Native Village of Stevens v. Alaska Management & Planning*: Exposing the Fallacious Distinction Between Alaska Natives and Lower 48 Indians." *Arizona Law Review* 31, no. 2 (1989): 405-22.

This article contains a history of Alaska Native sovereign immunity in the courts, examines the history of the federal-Alaska Native relationship from 1867-1934, and looks at the distinction between the tribe, reservation, and village.

Magnanini, Vanessa. "Constructing Tribal Sovereignty for the 21st Century: The Story of Lawmaking in *Chilkat Indian Village, IRA v. Johnson*." *Boston College Third World Law Journal* 18, no. 1 (1998): 45-69.

In 1976, the Chilkat Tribe attempted to prevent the removal of artifacts from the Chilkat Village's *Whale House*. This article, told through a semiotic process, tells the story of the *Chilkat III* case,⁵⁴ focusing on the artifacts, players, procedural history, and litigation in tribal court to determine ownership and help define tribal sovereignty. The litigation, in both federal and tribal courts, lasted many years.

Matteoni, Paul A. Comment. "Alaska Native Indian Villages: The Question of Sovereign Rights." *Santa Clara Law Review* 28, no. 4 (1988): 875-904.

This Comment looks at the history of congressional intent with regard to Native sovereignty and to Alaskan Native Indian villages.

Nockels, Joan M. Note. "*Katie John v. United States*: Redefining Federal Public Lands in Alaska." *Environmental Law* 26, no. 2 (1996): 693-727.

Before making a polemical argument, this Note gives a brief look at subsistence hunting and fishing in Alaska from statehood through ANILCA, as well as background to the *Katie John* litigation.

*359 Pettit, Kenton Keller. Note. "The Waiver of Tribal Sovereign Immunity in the Contractual Context: Conflict Between the Ninth Circuit and the Alaska Supreme Court?" *Alaska Law Review* 10, no. 2 (1993): 363-99.

The author traces the history of the erosion of tribal sovereign immunity in the Alaska Supreme Court, which he sees as a contradiction to the federal line of cases.

Sansonetti, Thomas L. *Governmental Jurisdiction of Alaska Native Villages Over Land and Nonmembers*. Washington, DC: U.S. Department of the Interior, Office of the Solicitor, 1993.

This lengthy memo from the solicitor of the Interior Department to the secretary outlines the legal history of Alaskan Native village status and jurisdiction from pre-Russian law ways through ANCSA.

Thompson, Benjamin W. "The De Facto Termination of Alaska Native Sovereignty: An Anomaly in an Era of Self-Determination." *American Indian Law Review* 24, no. 2 (2000): 421-54.

A section of this article reviews the history of the termination of Alaska Native sovereignty, with reference to Public Law 280, ANCSA, and the *Venetie* decision. It also reviews some of the legal doctrines that supported the process.

Thompson, Patricia. "Recognizing Sovereignty in Alaska Native Villages After the Passage of ANCSA." *Washington Law Review* 68, no. 2 (1993): 373-94.

A historical review of the treatment of Native villages by Congress and the Alaskan and federal courts is provided in part I.

Worl, Rosita. "Models of Sovereignty and Survival in Alaska." *Cultural Survival Quarterly* 27, no. 3 (2003).⁵⁵

This article reviews Alaska Native sovereignty as it was impacted by federal legislation such as the amended Indian Reorganization Act (1936), ANCSA, and the ANCSA amendments.

Alaska Natives

Alaska Advisory Committee to the U.S. Commission on Civil Rights. *Racism's Frontier: The Untold Story of Discrimination and Division in Alaska*. Los Angeles: United States Commission on Civil Rights, 2002.⁵⁶

This fact-finding report includes a chapter on the "Administration of Justice" with regard to Native Alaskans in Alaska.

Anderson, Robert T. "Alaska Native Rights, Statehood, and Unfinished Business." *Tulsa Law Review* 43, no. 1 (2007): 17-42.

The author outlines the history of Alaska aboriginal rights through statehood (which clashed with Native claims) and ANCSA.

Arnett, Jessica Leslie. "Unsettled Rights in Territorial Alaska: Native Land, Sovereignty, and Citizenship from the Indian Reorganization Act to Termination." *Western Historical Quarterly* 48, no. 3 (2017): 233-54.

This article reviews the history of the Alaskan Native struggle for civil rights, land, and sovereignty but from the perspective that “citizenship,” “equal rights,” and “reverse discrimination” were used rhetorically to dispossess Alaska Natives of their land and sovereignty rights.

*360 Barsh, Russell Lawrence. “The International Legal Status of Native Alaska.” *Alaska Native News*, July 1984, 35-41.

This article looks at Native Alaska in terms of colonial status, as defined first by the League of Nations and then by the United Nations. In 1959, the UN resolved that Alaska had “exercised its right to self-determination and freely” chosen the status of statehood, which ended its colonial status.

Bray, Tamara L., and Lauryn Guttenplan Grant. “The Concept of Cultural Affiliation and its Legal Significance in the Larsen Bay Repatriation.” In *Reckoning with the Dead: The Larsen Bay Repatriation and the Smithsonian Institution*, edited by Tamara L. Bray and Thomas W. Killion. 153-57. Washington, DC: Smithsonian Institution Press, 1994.

In the 1930s, human remains were excavated from Larsen Bay on Kodiak Island and removed to the Smithsonian anthropological collection. Prior to and following the 1990 passage of the Native American Graves Protection and Repatriation Act (NAGPRA),⁵⁷ the Larsen Bay Tribal Council demanded the repatriation of the remains. This article examines the legal issue of cultural affiliation in the successful effort to have the remains repatriated.

Byrne, Christopher S. “Chilkat Indian Tribe v. Johnson and NAGPRA: Have We Finally Recognized Communal Property Rights in Cultural Objects?” *Journal of Environmental Law and Litigation* 8 (1993): 109-31.

The author offers a case study of the Klukwan Artifacts dispute to help frame his argument that there are flaws in NAGPRA when it comes to recognizing and protecting communal property rights of Native Americans.

Carpenter, Kristen A. “Interpreting Indian Country in *State of Alaska v. Native Village of Venetie*.” *Tulsa Law Journal* 35, no. 1 (1999): 73-161.

In this lengthy treatment, the author examines the *Venetie* opinion against the history of federal Indian law, ANCSA's effect on Native sovereignty (Indian Country), and the history of the litigation, including a focus on an opinion issued by the solicitor of the Department of Interior.

Case, David S., and David A. Voluck. *Alaska Natives and American Laws*. 3rd ed.⁵⁸ Fairbanks: University of Alaska Press, 2012.

This panoramic treatment recounts the laws historically applied to Alaskan Natives, but also how those laws have been, and are being, refashioned into tools by Native Alaskans for their own use.

Cole, Terrence M. "Jim Crow in Alaska: The Passage of the Alaska Equal Rights Act of 1945." *Western Historical Quarterly* 23, no. 4 (1992): 429-49.

While racial discrimination by Whites against Native Alaskans was taken for granted in prewar Alaska, in the 1940s resistance began to grow. This article addresses the fight against segregation by Territorial Governor Ernest Gruening, the Alaska Native Brotherhood, Roy and Elizabeth Peratrovich, and a young Native woman named Alberta Schenck who was arrested for sitting in a "Whites only" section of a Nome theater in 1944, eleven years before Rosa Parks refused to give up her seat on an Alabama bus.

*361 Conn, Stephen, and Bart Kaloa Garber. *Moment of Truth: The Special Relationship of the Federal Government to Alaska Natives and Their Tribes-- Update and Issue Analysis*. Anchorage: University of Alaska Anchorage, Justice Center, School of Justice, 1981.

This report examines the relationship and obligations of the federal government, in both the legislative and executive branches, to the Alaska Natives, especially after the enactment of ANCSA and the termination of most land-related trust obligations. It includes an appendix by Stephen Haycox, "Historical Aspects of the Federal Obligation to Alaska Natives."

Conn, Stephen. "Aboriginal Rights in Alaska." *Law and Anthropology: Internationales Jahrbuch für Rechtsanthropologie* 2 (1987): 73-91.

This article reviews the import of ANCSA on, among other things, the legal status of Alaska Native groups, recognition of family/kinship structures, customary law and the impact on the criminal justice system, and local methods of dispute resolution.

Conn, Stephen. "Bush Justice Unplugged: The Road Taken and the Research Trail Left Behind." Presented at the First Alaska Native Studies Conference, University of Alaska Anchorage, Anchorage, AK, April 2013. ⁵⁹

The author reviews the working relationship between village and state legal processes in Alaska since 1970. While there was an initial response by state agencies, they eventually resisted what they perceived as power sharing between competing sovereign entities.

Conn, Stephen. "Smooth the Dying Pillow: Alaska Natives and Their Destruction." Paper presented at Symposium III, Group Rights at the Close of the Twentieth Century: Strategies for Assisting the Fourth World; Session 3,

Evaluating Strategies for Change, Commission on Folk Law and Legal Pluralism. 12th International Congress of the IUAES, Zagreb, Yugoslavia, July 24-31, 1988. ⁶⁰

This paper examines how ANCSA affected tribal government as a fundamental unit of service delivery and its survival as a third order of government within the U.S. federal system.

Dombrowski, Kirk. *Against Culture: Development, Politics, and Religion in Indian Alaska*. Lincoln: University of Nebraska Press, 2001.

The author looks primarily at cultural issues as they relate to the Natives of southeastern Alaska--the Haida and Tlingit--but he also analyzes the effect of ANCSA on indigenous cultural and political processes.

Federal Field Committee for Development Planning in Alaska. *Alaska Natives and the Land*. Anchorage: Federal Field Committee for Development Planning in Alaska, 1968.

Chapter 5 of this volume contains a brief review of laws and policy in Alaska from 1867 to statehood, and reviews the contemporaneous status of lands, statewide and regionally.

*362 Ford, Marilyn J. Ward. "Twenty Five Years of the Alaska Native Claims Settlement Act: Self-Determination or Destruction of the Heritage, Culture, and Way of Life of Alaska's Native Americans?" *Journal of Environmental Law and Litigation* 12, no. 2 (1997): 305-36.

This article discusses, in part, the impact of ANCSA on Native Alaskans, with a focus on the Eyak Tribe. It also looks at the "conflicts that exist between the Eyak Corporation, an ANCSA corporation, and its minority Native American shareholders, the Eyaks."

Franklin, Jonathan. "Digging for Ivory: The Challenge of Preserving Alaskan Archaeological Sites." *Stanford Environmental Law Journal* 12 (1993): 164-207.

This article examines the laws that have been developed to protect archaeological sites on federal and Alaska Native land, both under current Native control, including by Native corporations, and after the property has lost its Native character. It also provides a brief history of ANCSA and other federal legislation enacted to specifically protect certain archaeological finds.

Harrington, Andy. "Exclusive of What? The Historical Context of the 1970 'Metlakatla' Amendment to PL 280." *Alaska Law Review* 23, no. 1 (2006): 1-49.

The primary intent when Public Law 83-280 was enacted was to allow state criminal prosecutions for crimes committed in Indian Country, with a secondary intent of opening state court jurisdiction to civil actions arising in Indian Country. This article looks at the historical and legal contexts of the 1970 “Metlakatla” amendment to Public Law 280 ([PL 91-523](#)) and whether it divested the Metlakatla Indian community of its own jurisdiction for trying crimes committed in Metlakatla territory.

James, Elizabeth. “Toward Alaska Native Political Organization: The Origins of *Tundra Times*.” *Western Historical Quarterly* 41, no. 3 (2010): 285-303.

This article is primarily about the forging of Native collective identity and political consciousness in Alaska and its manifestation by the publication of the *Tundra Times*. The legal aspect revolves around opposition to the Atomic Energy Commission's “Project Chariot.” The proposal, to use “nuclear engineering” to harness an atomic blast to excavate a deep-water harbor near Otagoruk Creek on the Bering Sea, united the groups in opposition, sparked the spirit of cooperation, and gave visibility to Native voices statewide.

Jenness, Diamond. *Eskimo Administration: I. Alaska, Technical Paper no. 10*. Montreal: Arctic Institute of North America, 1962.

This technical paper reviews the Native Alaskan experience in Alaska, economic, education, law enforcement, subsistence economy and its breakdown, and federal and territorial responsibilities during three periods: 1867-1896, 1896-1939, 1939-1960.

Jones, Dorothy Knee. *A Century of Servitude: Pribilof Aleuts Under U.S. Rule*. Lanham, MD: University Press of America, 1980.

This book is a treatment of the Pribilof Aleut experience of servitude under federal and territorial jurisdictions, including as refugees during World War II relocation, and after their return.

Keatley, John H. “A New Race Problem.” *Atlantic Monthly* 66 (August 1890): 207-11.

This article reviews the issues and challenges faced by the federal government in relations with the peoples native to Alaska after acquisition from Russia. The author recognizes that relations appear different from those with other racial *363 groups on the U.S mainland and therefore require a different approach. He also focuses on the issue of education for the Alaska Natives.

Kelly, Eugene. “Justice for the Alaska Indians: Shall We Play the White Man's Game Once More?” *American Indian* 1, no. 4 (1943): 3-11.

This article examines the effects of policies applied to the Alaska Natives in the mid-twentieth century.

Knapp, Lyman E. "A Study on the Legal and Political Status of the Natives of Alaska." *University of Pennsylvania Law Review* 39, no. 5 (1891): 325-39.

The author traces the history of Alaskan Native status during the Russian and U.S. territorial periods and in the context of a U.S. Senate bill to define citizenship and qualification of voters in Alaska.

Korsmo, Fae L. "Problem Definition and the Alaska Natives: Ethnic Identity and Policy Formation." *Policy Studies Review* 9, no. 2 (1990): 294-306.

This article reviews the 1971 passage of ANCSA, comparing the cultural understanding of the need for the legislation and the legislative process itself between the members of Congress involved in legislating and the Native Alaskans who participated. Problem definition, legislative hearing structure, and issues of meaning and culture are analyzed.

Lantis, Margaret. "The Current Nativistic Movement in Alaska." In *Circumpolar Problems: Habitat, Economy, and Social Relations in the Arctic*, edited by Gösta Berg, 99-118. New York: Pergamon Press, 1973.

The author examines the formation of the Alaska Federation of Natives and the history of the prior organizations that led to it, particularly in the context of Native Alaskan land claims. The author gives context to the "nativistic movement" and also examines the role of the *Tundra Times*.

Lathrop, Anthony. "People of the Caribou in the Land of Oil: Climate Change, the *Venetie* decision, and Oil Development in the Arctic National Wildlife Refuge." *Wisconsin Environment Law Journal* 8, no. 2 (2002): 169-96.

This article focuses on the Gwinich'in people in Alaska and their relation to the Alaska National Wildlife Refuge. The author includes a history of their relation to ANCSA and their opposition to the drilling in the refuge, as well as the background of the *Venetie* decision, which limited sovereignty of the Native village.⁶¹

Luerhmann, Sonja. *Alutiiq Villages Under Russian and U.S. Rule*. Fairbanks: University of Alaska Press, 2008.

The author reviews the legal culture of Russian and American Alaska with regard to regulation of Native Alaskan labor and the legal status of Alutiiqs and Creoles before and after the 1867 Treaty of Cession.

Madden, Ryan. "'The Government's Industry': Alaska Natives and Pribilof Sealing During World War II." *Pacific Northwest Quarterly* 91, no. 4 (2000): 202-9.

For many years, starting during the Russian period of control, Aleuts were forced to harvest fur seals on the Pribilof Islands in the Bering Sea. During World War II, they were evacuated to the Alaska Southeast but still brought back to harvest the seals as a cash crop for the federal government. After the war, they were threatened with not being allowed to return unless they continued the harvest. This article reviews the history of Aleut seal harvests and government threats, and the Aleuts' subsequent activism to gain civil rights.

***364** Martin, Fredericka. "Wanted: A Pribilof Bill of Rights." *American Indian* 3, no. 4 (1946): 15-25.

This article examines and airs the living conditions of the Aleut sealers on the Pribilof Islands in the middle of the twentieth century. To make their lives better and integrate them into U.S. citizenship, the author recommends entrusting their cultural, educational, and social problems to the Office of Indian Affairs, which would treat them as wards, rather than to the Fish and Wildlife Service, which treats them as employees.

Marston, Blythe W. Note. "Alaska Native Sovereignty: The Limits of the Tribe-Indian Country Test." *Cornell International Law Journal* 17, no. 2 (1984): 375-405.

This note opines that traditional Indian sovereignty criteria do not apply well to Alaska Native sovereignty after ANCSA. It then proposes a new sovereignty analysis to use in deciding *Native Village of Tyonek v. Puckett*.⁶² The author gives the history of the village and the litigation, as well as a brief look at Alaska Native sovereignty.

Matal, Joseph D. "A Revisionist History of Indian Country." *Alaska Law Review* 14, no. 2 (1997): 283-351.

This article reviews the history of tribal sovereignty and case law on Indian Country and determines that the only true Indian "reservation" in Alaska is in Metlakatla.

Metcalf, Kimberly L., ed. *In Sisterhood: The History of Camp 2 of the Alaska Native Sisterhood*. Juneau: Hazy Island Books, 2008.

Alongside their brothers in the Alaska Native Brotherhood, the Alaska Native Sisterhood fought for civil rights and equal justice, among other things. In this book, women from the Sisterhood tell of how the organization impacted their lives and their activities.

Metcalf, Peter, with Kathy Kolkhorst Ruddy. *A Dangerous Idea: The Alaska Native Brotherhood and the Struggle for Indigenous Rights*. Fairbanks: University of Alaska Press, 2014.

This book gives an account of the activities of the Alaska Native Brotherhood and William Paul in their efforts to secure Native rights and protect their unsettled claims prior to statehood (and in anticipation of ANCSA). Some litigation is reviewed, including *Tee-Hit-Ton Indians v. United States*⁶³ and *Tlingit & Haida Indians of Alaska v. United States*.⁶⁴ The period covered is circa 1945 to 1958.

Miller, Lloyd Benton. "Caught in a Crossfire: Conflict in the Courts, Alaska Tribes in the Balance." In *1989 Harvard Indian Symposium*. Cambridge, MA: President and Fellows of Harvard College, 1990.

Unlike other Native American tribes, Alaskan Natives were not conquered and pushed off their ancestral lands. Yet, while they have generally been able to maintain their cultures and lifestyles, they have been denied a right recognized as basic by other Native tribes: the right of tribal self-government. This paper examines the historic context of this issue and also looks at relevant state and federal case law.

***365** Moritz, Deborah. "The Case of the Alaska Native: How to Exploit and Destroy a People." *Civil Rights Digest* 2, no. 3 (1969): 6-13.⁶⁵

This article gives a quick review of challenges faced by Alaska Natives in obtaining justice, particularly with regard to traditional land rights. It was written prior to the passages of ANCSA and ANILCA.

Moster, Todd. Comment. "The Effects of Increased Tribal and State Autonomy on the Special Relationship Between Alaska Natives and the Federal Government: An Overview." *UCLA-Alaska Law Review* 10, no. 2 (1981): 183-217.

This article examines American Indian law, its "special relationship in Alaska" and with Alaskan Natives, and efforts to increase tribal and state authority.

Philp, Kenneth R. "The New Deal and Alaskan Natives, 1936-1945." *Pacific Historical Review* 50, no. 3 (1981): 309-27.

While much has been written about the Indian New Deal and the Indian Reorganization Act of 1934, the author seeks to focus specifically on how they affected Alaska Natives, especially regarding the need for the addition of the Alaska Reorganization Act of 1936.

Price, Robert E. *Legal Status of the Alaska Natives: A Report to the Alaska Statehood Commission*. Fairbanks: Alaska Statehood Commission, 1982.

The Alaska Statehood Commission was convened to study the relationship of Alaska to the other states and make recommendations if any changes were desirable. The purpose of this report by the Department of Law was to provide the commission with legal information about Alaska Native interests.

Rieger, Lisa, and Caroline Brown. *The Changing Legal Environment and ICWA in Alaska: A Regional Study*. Report prepared for the Bureau of Indian Affairs. Anchorage: Justice Center, University of Alaska Anchorage, 2001. ⁶⁶

This report provides a historical analysis of Indian Child Welfare Act implementation in Alaska. It includes a review of Alaska case law.

Schneider, William. *The Tanana Chiefs: Native Rights and Western Law*. Fairbanks: University of Alaska Press, 2018.

This study examines the 1915 meeting between a group of Alaska Native leaders and James Wickersham, representative of the U.S. government. It was the leaders' first official opportunity to gauge the government's intentions regarding Alaska Native rights under U.S. law. According to the author, by participating in the meeting, Judge Wickersham "publicly recognized [Natives'] concerns and legal status." Appendices include the original transcript of the meeting.

[S. Rep. No. 85-1872](#). *Amending the Law with Respect to Civil and Criminal Jurisdiction over Indian Country in Alaska*. 85th Cong., 2d Sess., reprinted in 1958 U.S.C.C.A.N. 3347, 3347.

In *In re McCord*,⁶⁷ the U.S. district court ruled that petitioners could not be tried for statutory rape under territorial law because their village of Tyonek was part of Indian Country and therefore subject to Native law. This brief report explains that Congress acted to undo the decision because Alaskan Native villages did not have the means to enforce criminal or civil law within the territory. Alaska was there- *366 fore added to the list of states and territories that have jurisdiction over offenses and civil causes in the Indian Country within their boundaries.⁶⁸

Skinner, Ramona Ellen. *Alaska Native Policy in the Twentieth Century*. New York: Garland, 1997.

Congress did not start imposing Indian policy on Alaska Natives until the twentieth century. This treatment reviews the history of the gradual imposition on Alaska Natives of the same policies that were applied to Natives in the lower forty-eight states.

Smith, Eric, and Mary Kancewick. "The Tribal Status of Alaska Natives." *University of Colorado Law Review* 61, no. 3 (1990): 455-516.

The first section of this article describes the case law governing the tribal status of Alaska Natives, as well as relevant federal statutory law and administrative actions. It also reviews contemporaneous litigation.

Sockbeson, Henry J. "The Larsen Bay Repatriation Case and Common Errors of Anthropologists." In *Reckoning with the Dead: The Larsen Bay Repatriation and the Smithsonian Institution*, edited by Tamara L. Bray and Thomas W. Killion, 158-62. Washington, DC: Smithsonian Institution Press, 1994.

This article looks at the legal restrictions on the treatment of human remains and draws some lessons from the successful effort to repatriate the Larsen Bay remains, which had been excavated in the 1930s and placed in the Smithsonian anthropological collection.

Strommer, Geoffrey D., and Stephen D. Osborne. "'Indian Country' and the Nature and Scope of Tribal Self-Government in Alaska." *Alaska Law Review* 22, no. 1 (2005): 1-34.

This article reviews the basis for Native self-government and jurisdiction in Alaska and explores the scope of nonterritorial tribal rights and jurisdiction in Alaska.

Thornton, Thomas F. "From Clan to Kwáan to Corporation: The Continuing Complex Evolution of Tlingit Political Organization." *Wicazo Sa Review* 17, no. 2 (2002): 167-94.

While this article is primarily about the political and cultural revitalization of the Tlingit tribe, it also looks at how federal legislation influenced that revitalization.

Torrey, Barbara Boyle. *Slaves of the Harvest*. St. Paul Island, AK: Tanadgusix, 1983.

This book relates the history of the Aleuts on the Pribilof Islands. Included is coverage of the legal conditions under which they worked during the periods of Russian and U.S. control, the island sealing industry in which they were forced to labor, relocation during World War II, and their struggle for economic and political freedom.

Ukas, Josephine. "Alaska Native Sisterhood Started in Fall of 1914." *Voice of Brotherhood* 8, no. 8 (1962): 1.

This one-column article provides a personal recollection of the genesis of the Alaska Natives Sisterhood by one of its founders.

Williams, Maria *Shla Tláa*. "100 Years of Activism: The Alaska Native Brotherhood." *Forum* (Fall, 2012): 20-22.

This brief article recounts the Brotherhood's century of success, particularly in the area of civil rights.

***367 Alaska Statehood**

Bowkett, Gerald E. *Reaching for a Star: The Final Campaign for Alaska Statehood*. Fairbanks: Epicenter Press, 1989.

This book provides a narrative of the final stages of the push for Alaska statehood, primarily by reviewing debates in the constitutional convention on key issues, but it also looks at the end game.

Coen, Ross. "Statehood Lobbying by Alaska Republicans." *Alaska History* 29, no. 1 (2014): 42-49.

Most accounts of lobbying for Alaska statehood in the late 1950s focus on the efforts of Democrats, such as Bob Bartlett, Ernest Groening, and William Egan. This brief article looks at efforts by Republicans.

Cole, Terrence. *Fighting for the Forty-Ninth Star: C. W. Snedden and the Crusade for Alaska Statehood*. Fairbanks: University of Alaska Foundation, 2010.

This book looks at the roles of C.W. Snedden, publisher of the *Fairbanks Daily News-Miner*, and his protégé Ted Stevens in securing Alaska's admittance to the Union. One issue treated here is the opposition of southern members of Congress who feared that the admittance of Alaska (and Hawai'i) would tip the balance of power in Congress away from segregation.

Frederick, Robert A. *Alaska's Quest for Statehood, 1867-1959: An Essay with Historical Photographs and Cartoons*. Anchorage: Anchorage Silver Anniversary Task Force, 1985.

This slim publication provides an overview of the efforts to bring representative government to Alaska and then statehood.

Gruening, Ernest. *The Battle for Alaska Statehood*. Seattle: University of Washington Press, 1967.

This personal account by the former territorial governor of Alaska and U.S. senator from Alaska describes the successful drive to statehood following World War II.

Naske, Claus-M. *49 at Last! The Battle for Alaska Statehood*. Kenmore, WA: Epicenter Press, 2009.

This comprehensive history of the movement for statehood in Alaska starts with “Seward's vision,” through the Organic Acts, and other efforts in and out of the halls of Congress.

Naske, Claus-M. *A History of Alaska Statehood*. Lanham, MD: University Press of America, 1985.

This treatment covers the movement for Alaska statehood from the first statehood campaign in 1915 through the 1955-1956 Constitutional Convention on to the final push and achievement of statehood in 1959.

Naske, Claus-M, John S. Whitehead, and William S. Schneider. *Alaska Statehood, the Memory of the Battle and the Evaluation of the Present by Those Who Lived It: An Oral History of the Remaining Actors in the Alaska Statehood Movement*. Fairbanks: Alaska Statehood Commission, 1981.

This publication describes how the actors in the statehood movement understood the event and how they assessed it in 1981. Includes numerous interview summaries.

Naske, Claus-M. “Little Men’ Demand Statehood for Alaska.” *Journal of the West* 13, no. 4 (1974): 40-50.

This article tells the history of the final push for statehood in the 1950s and the involvement of the average citizen in that effort and process.

***368** Naske, Claus-M. “103,350,000 Acres.” *Alaska Journal* 2, no. 4 (1972): 2-12.

Prior to statehood, most of Alaska's territory was controlled by the federal government. Upon statehood, Alaska was entitled to select and acquire up to 103,350,000 acres in a land grant formula that departed from the formula used when other states entered the Union. This article tells how the formula came to be included in the Statehood Act of 1958.

Seaton, Fred A. “Alaska's Struggle for Statehood.” *Nebraska Law Review* 39, no. 2 (1960): 253-64.

This article, written immediately following Alaska statehood by the sitting Interior Department secretary, provides a history of the march to statehood from the purchase from Russia to admittance to the Union.

Whitehead, John S. Introduction. "C. W. Snedden Recollects the Campaign for Statehood." *Alaska History* 20, no. 1 (2005): 43-57.

As publisher of the *Fairbanks Daily News-Miner* newspaper, C.W. Snedden promoted, supported, and participated in the Alaska statehood movement, including lobbying in Washington, D.C., after the adoption of the Alaska Constitution. Snedden's letter, following the Introduction, describes his role in the statehood movement.

Whitehead, John S. *Completing the Union: Alaska, Hawai'i, and the Battle for Statehood*. Albuquerque: University of New Mexico Press, 2004.

This in-depth treatment of the admissions process for Alaska and Hawai'i--they were admitted into the Union almost simultaneously--starts with their roles in World War II and then follows the process through the events of the day until 1959.

Whitehead, John. "The Governor Who Opposed Statehood: The Legacy of Jay Hammond." *Alaska History* 7, no. 2 (1992): 14-28.

While the push for statehood was popular in Alaska in the 1950s, sizeable opposition to it existed as well, and for a variety of reasons. Jay Hammond opposed statehood because he feared overdevelopment. Later, as governor, he supported the establishment of a permanent fund to smooth economic growth and save some of the oil boom for later needs. This brief article examines Hammond's career in light of his opposition to statehood.

Alaska Statutes

Asher, Jane F. "Alaska Statutes: Revision of Alaska Law." *Alaska Law Journal* 1, no. 1 (1963): 1-6.

An account of the "bulk formal revision" of the 1949 Alaska Code and subsequent session laws, a five-year effort.

Brown, Frederic E. "The Sources of the Alaska and Oregon Codes, Part I: New York and Oregon." *UCLA-Alaska Law Review* 2, no. 1 (1972): 15-33.

This history of the Alaska Statutes starts with the transference, in stages, of the Oregon Codes to Alaska. It is demonstrated that the early Oregon Code derived from postcolonial New York, with some "flirtation" with the early code of Iowa.

Brown, Frederic E. "The Sources of the Alaska and Oregon Codes, Part II: The Codes and Alaska, 1867-1901." *UCLA-Alaska Law Review* 2, no. 2 (1973): 87-112.

This article picks up the tale of the early Alaska Code from part I and includes a section on "Alaska Without Law, 1867-1884," the period immediately after purchase from Imperial Russia during which there was no provision made for civil government.

*369 Alcohol and Controlled Substances

Anderson, Thayne I. *Alaska Hooch: The History of Alcohol in Early Alaska*. Fairbanks: Hoo Che Noo, 1988.

This book attempts an encyclopedic look at the role of alcohol in early Alaska history, Russian, American, and tribal. Included in its universe are accounts of attempts to control alcohol, enforcement, violence, and punishment by all three stakeholders, miner's courts, and other groups.

Berman, Matthew, and Teresa Hull. "Alcohol Control by Referendum in Northern Native Communities: The Alaska Local Option Law." *Arctic* 54, no. 1 (2011): 77-83. ⁶⁹

In 1981, Alaska changed its alcohol laws to accommodate local option referenda, ⁷⁰ which would allow residents to regulate how alcohol comes into their communities. This article reads the evidence as suggesting that not only do the local option laws likely reduce adverse effects of alcohol in Alaska Native communities, but they also help restore limited self-government.

Berman, Matthew, and Teresa Hull. "Community Control of Alcohol in Alaska." *Alaska Review of Social and Economic Conditions* 31, no. 1 (1977): 1-4.

This brief article looks at the history and function of Alaska's local option laws. It includes a timeline and a map.

Brandeis, Jason. "The Continuing Vitality of *Ravin v. State*: Alaskans Still Have a Constitutional Right to Possess Marijuana in the Privacy of Their Homes." *Alaska Law Review* 29, no. 2 (2012): 175-236.

This review thoroughly recounts the nearly forty-year history of efforts to support or tear down the landmark *Ravin* opinion, which validated the possession and use of marijuana in the home on a right to privacy argument.

Conn, Stephen. "Town Law and Village Law: Satellite Villages, Bethel and Alcohol Control in the Modern Era--The Working Relationship and Its Demise." Paper delivered at the 1982 Meeting of the American Society of Criminology, Toronto Canada, November 4, 1982.

This paper examines the breakdown of the relationship between official law and village social control, which was tied to alcohol control. "It also assesses the role of town liquor policy, town police, and treatment resources on alcohol-related violence in the villages in the 1970's."⁷¹

Conn, Stephen. *Alcohol Control and Native Alaskans--From Russians to Statehood: The Early Years*. Paper delivered at the 1982 Meeting of the Academy of Criminal Justice Sciences, Louisville, Kentucky, March 26, 1982.⁷²

This paper looks at the enforcement of alcohol control laws in Alaska and the dependence on law as a vehicle for social control, with the law enforced differently when applied to Natives as opposed to territorial Whites.

***370** Conn, Stephen, and Antonia Moras. *No Need of Gold: Alcohol Control Laws and the Alaska Native Population*. Alaska Historical Commission Studies in History #226. Anchorage: School of Justice, University of Alaska, 1986.⁷³

The first section of this publication is a treatment of the history of alcohol consumption control in Alaska from the Russian period through the first ten years of statehood. Patterns characterizing that history are noted and analyzed.

DeLorme, Roland L. "Liquor Smuggling in Alaska, 1867-1899." *Pacific Northwest Quarterly* 66, no. 4 (1975): 145-52.

This article is an account of the challenge federal officials had in trying to limit the importation of liquor into Alaska, as well as enforcement of the regulations and tariffs in court and before juries.

Ehrlander, Mary F. "The Paradox of Alaska's 1916 Alcohol Referendum: A Dry Vote Within the Frontier Alcohol Culture." *Pacific Northwest Quarterly* 102, no. 1 (2010-2011): 29-42.

This article endeavors to understand why two-thirds of the voters in a territory with a frontier ethos and a prevalence of libertarian anti-authoritarian attitudes would vote to "go dry."

Friedman, Martin. "The Problem of Drunk in Public Offenses in Alaska." *Alaska Law Journal* 8, no. 1 (1970): 17-20.

This article looks at legislation, municipal law, and case law regarding public intoxication in Alaska.

Grinëv, Andrei V. "Distribution of Alcohol Among Natives of Russian America." *Arctic Anthropology* 47, no. 2 (2010): 69-79.

This article reviews how for moral and economic reasons the Russian-American Company limited alcohol access to fight drunkenness and alcoholism among Alaska Natives. The author concludes that alcohol "played an insignificant role during contacts with the aboriginal population" during Russian colonization.

Harrington, Andy. "Whatever Happened to the *Seveloff* Fix?" *Alaska Law Review* 32, no. 1 (2015): 31-91.

This article reviews the claim that Native Alaskan villages lack authority to control alcohol in their jurisdictions beyond state enforcement of state and local option laws. It also reviews federal Indian liquor laws, their reformulation in 1953, and how the laws were brought to Alaska.

Lee, Nella. "Impossible Mission: A History of the Legal Control of Native Drinking in Alaska." *Wicazo Sa Review* 12, no. 2 (1997): 95-109.

The author explores the history of alcohol use by Alaska Natives and looks at reasons for the failure of alcohol control.

Lonner, Thomas D., and J. Kenneth Duff. *Village Alcohol Control and the Local Option Law: A Report to the Alaska State Legislature*. Anchorage: Center for Alcohol and Addiction Studies, School of Health Sciences, University of Alaska, Anchorage, 1983.

This report includes a history of alcohol control in the Alaska Bush, a history of the Local Option Law in Alaska, and a history of village alcohol use and control.

*371 Sherwood, Morgan B. "Ardent Spirits: Hooch and the *Osprey* Affair at Sitka." *Journal of the West* 4, no. 3 (1965): 301-44.

This article provides an account of the experience of the Tlingit Indians under Russian and U.S. rule until about 1880, with a focus on the role of alcohol in their interactions and the attempt to regulate alcohol. The *Osprey* was a British warship that in 1879 temporarily "protected" White settlers in Sitka until the arrival of U.S. patrol vessels.

Smith, Becky. "Prohibition in Alaska: When Alaskans Voted 'Dry.'" *Alaska Journal* 3, no. 7 (1973): 170-79.

Alaska had two periods of prohibition, the first of which accounted for forty-eight of the first sixty-six years under the U.S. flag. The second came after territorial status when voters adopted the "Alaska Bone Dry Law" by a two-to-one margin. This article is a history of how that happened, with a look at the initial prohibition as well.

Sparks, Larry Arthur. "The Failure of Prohibition in Alaska: 1884-1900." M.A. diss., Western Washington State College, 1974.

This dissertation reviews the liquor policies and problems of enforcement in the Alaskan territory at the end of the nineteenth century.

Yamashiro, Jane M. "Alcohol Control in Alaska Eskimo Communities: Communal v. 'Official' Law." In *Indigenous Law and the State*, edited by Bradford W. Morse and Gordon R. Woodman, 441-65. Providence, RI: Foris, 1988.

The author of this piece demonstrates how the unresponsiveness of governmental actions, laws, and structures failed to meet community needs in Alaska regarding alcohol control and management. This historical context is reviewed, followed by focus on crime, village councils, the police, and magistrates.

Aleut Relocation

¶6 The 1942 invasion of the Aleutians--including Attu, Kiska, and Dutch Harbor--by the armed forces of Imperial Japan brought a U.S. military response and presence. A side effect of the U.S. military involvement was the evacuation of the natives of the Aleutian and Pribilof islands, ostensibly for their own protection. They were relocated to the Alaska Southeast where they were interned in abandoned canneries and mines and neglected despite squalid camp conditions. The result was a harsh existence that led to avoidable suffering and death. After the war they were allowed to return home--except to Attu and some other islands--only to find that their homes and churches had been looted by U.S. servicemen. Eventually, they were compensated by the same legislation that compensated the Japanese Americans who had also been interned during World War II, and funds were set aside to repair and restore their damaged churches.

Aleutian/Pribilof Islands Association. *The Aleut Relocation and Internment During World War II: A Preliminary Examination*. Anchorage: Aleutian/Pribilof Islands Association, 1981.

This report examines the constitutional and civil rights issues of the relocation and internment of the Aleuts during World War II.

Commission on Wartime Relocation and Internment of Citizens. *Personal Justice Denied: Report of the Commission on Wartime Relocation and Internment of Citizens*. Washington, DC: Commission on Wartime Relocation and Internment of Citizens, 1982.

***372** The Commission on Wartime Relocation was charged by Congress with reviewing the circumstances and orders behind the relocation of U.S. citizens and permanent resident aliens and recommending appropriate remedies. Part I reports on the treatment of the Nisei and Issei. Part II is about the Aleuts, including their evacuation during World War II.

Estlack, Russell W. *The Aleut Internments of World War II: Islanders Removed from Their Homes by Japan and the United States*. Jefferson, NC: McFarland, 2014.

This book tells the story of the treatment received by the Aleuts before, during, and after relocation. It also covers the internment in Japan of forty-two Attuans.

Kirtland, John C., and David F. Coffin, Jr. *The Relocation and Internment of the Aleuts During World War II*. Anchorage: Aleutian/Pribilof Islands Association, 1981.

This eight-volume collection of narratives and documents describes the military relocation of Aleuts during World War II, with coverage from the “military situation” through evacuation, camp conditions, repatriation, and resettlement. Includes four volumes of island-by-island depositions by persons evacuated.

Kohlhoff, Dean. *When the Wind Was a River: Aleut Evacuation in World War II*. Seattle: University of Washington Press, 1995.

The author describes the evacuation and internment by U.S. authorities of 881 Aleuts from their homes in the Aleutians after the Japanese occupation of Attu and their attacks on Dutch Harbor and Kiska. The author uses personal accounts and documentary evidence to tell the story.

Kohlhoff, Dean. “A Matter Very Close to the Aleut Heart.” In *Alaska at War, 1941-1945: The Forgotten War Remembered: Papers from Alaska at War, November 11-13, 1993*, edited by Fern Chandonnet, 297-99. Anchorage: Alaska at War Committee, 1995.

This article reviews how the Aleuts sought restitution for damages to and loss of their property during their evacuation in World War II.

Madden, Ryan. "The Forgotten People: The Relocation and Internment of Aleuts During World War II." *American Indian Culture and Research Journal* 16 (1992): 55-76.

This article looks at the tragic history of the evacuation and its effect on those evacuated, and who they were, where they went, how they were treated, and what they found when they returned.

Mobley, Charles M. *World War II Aleut Relocation Camps in Southeast Alaska*. Anchorage: National Park Service, Alaska Region, 2012.

The introduction of this glossy and well-illustrated volume provides a brief history of the evacuation and internment. Subsequent chapters focus on individual internment camps.

Smith, Barbara Sweetland, and Patricia J. Petrivelli. *Making It Right: Restitution for Churches Damaged and Lost During the Aleut Relocation in World War II*. 3 vols. Anchorage: Aleutian/Pribilof Islands Association, 1993.

Volume I lays out the background of the evacuation of the Aleuts during World War II and the condition of their property when they were allowed to return. It also summarizes the views of experts who evaluated the churches as well as a review of each church: background, impact of the war, architect's report, art conservator's report, and estimate for repair and restoration. The other two volumes provide documentation.

*373 Smith, Barbara Sweetland. "Making It Right: Restitution for Aleut Churches Damaged and Lost During the Aleut Relocation in World War II." In *Alaska at War, 1941-1945: The Forgotten War Remembered: Papers from the Alaska War Symposium, Anchorage, Alaska, November 11-13, 1993*, edited by Fern Chandonnet, 371-75. Anchorage: Alaska at War Committee, 1995.

The Aleut Restoration Act of 1988 set aside funds to repair and restore Aleut churches damaged during U.S. military occupation from 1942 to 1945. The damage was aggravated by several cumulative factors, including vandalism by troops, a break in the normal maintenance cycle, the need to use green lumber after the war for immediate maintenance, adverse conditions when evacuating art works, and inexpert repairs, among others.

Bibliography and Research

Alaska Judicial Council. *Alaska Rural Justice: A Selected Annotated Bibliography*. Anchorage: Alaska Judicial Council, 1991.⁷⁴

This bibliography is divided into sixteen subject categories.

Bromberg, Erik. "A Further Bibliography of Theses Concerning the Pacific Northwest and Alaska." *Pacific Northwest Quarterly* 42, no. 2 (1951): 147-66.

This is a nonannotated bibliography of academic theses on a variety of subjects regarding the Pacific Northwest and Alaska. There is no separate heading for law.

Carter, Nancy Carol. "The Special Case of Alaska: Native Law and Research." *Legal Reference Services Quarterly* 22, no. 4 (2003): 11-46.

This article comes in two parts. First, a review of some major themes in the history of Alaska Native law, and second, a selective and annotated bibliography.

Cohen, Felix, and Nell Jessup Newton, eds. *Cohen's Handbook of Federal Indian Law*. New Providence, NJ: LexisNexis, 2012.

This treatise provides in-depth analysis of specific areas of federal Indian law, as well as general overviews, with treatment of specific legislation and specific tribes. Coverage of Alaska Natives includes history of Native land claims, ANCSA, ANILCA, hunting and fishing rights, and tribal self-government. ⁷⁵

Falk, Marvin W. *Alaska History: An Annotated Bibliography*. Westport, CT: Praeger, 2006.

This volume contains more than 300 pages of annotations on a wide variety of Alaska historical subjects, both Russian and American. There is no separate heading for Alaska law.

Hales, David A., and Mark C. Goniweiecha. "Alaska Native Claims Settlement Act and National Interest Lands: Some Major Resources." *Reference Services Review* 14, no. 1 (1986): 35-40.

This brief bibliography outlines some of the major resources regarding ANCSA.

Haycox, Stephen W. and Betty J. Haycox, eds. *Melvin Ricks' Alaska Bibliography: An Introductory Guide to Alaskan Historical Literature*. Portland, OR: Binford & Mort, 1977.

This lengthy bibliography is topically comprehensive. It contains listings for some sources of Alaska legal history.

*374 Hinckley, Ted C. "Researching Alaska's Pioneer Years, 1867-1912." *Journal of the West* 16 (1977): 52-62.

While this article is not directly on point, it does provide information on how to approach historical research on issues in territorial Alaska and therefore may assist those who are looking to drill down deeper than this bibliography does.

Justice Center. *Alaska Rural Justice Issues: A Selected Bibliography*. Anchorage: University of Alaska Anchorage, 2006.

This volume contains a twenty-page overview by Antonia Moras, broken into a variety of areas which include courts, corrections, and juvenile justice. It also contains a twenty-page list of annotated citations to relevant Alaska Native legal cases and some justice system maps.

Lautaret, Ronald, comp. *Alaskan Historical Documents Since 1867*. Jefferson, NC: McFarland, 1989.

This collection of legislation, case law, reports, and other materials starts with the 1867 Treaty of Cession with Russia.

Stern, Richard Olav. *A Selected Annotated Bibliography of Sources on Reindeer Herding in Alaska*. Occasional Papers on Northern Life, no. 2. Fairbanks: Institute of Arctic Biology, University of Alaska, 1977.

This lengthy bibliography contains references to resources on all aspects of the industry and culture of reindeer herding, both annotated and non-annotated, as well as a list of relevant library and archival resources.

Ulibarri, George S. *Documenting Alaskan History: Guide to Federal Archives Relating to Alaska*. Alaska Historical Commission Studies in History no. 23. Fairbanks: University of Alaska Press, 1982.

This book is a guide to and description of the Alaska-related holdings of the National Archives, particularly major records groups, series, and subseries of records.

Van Buren, Jessica. "Alaska Prestatehood Legal Research Materials." In *Prestatehood Legal Materials: A Fifty-State Research Guide, Including New York City and the District of Columbia*. Vol. 1, edited by Michael Chiorazzi and Marguerite Most, 31-50. New York: Haworth Information Press, 2005.

This article provides a brief legal history of Alaska during its prestatehood period, as well as a brief list of primary and secondary sources of prestatehood Alaska law, including books, manuscripts, papers, theses, speeches, and articles.

Biography

_____, Historical Bar. "The Storied Career of Territorial Lawyer George Grigsby." *Alaska Bar Rag* 34, no. 4 (2010): 16-17.

This article gives an account of the long legal career of George Grigsby, who served in various capacities around the territory and in Washington, D.C., as delegate to Congress.

_____, In Memoriam. "John C. Hughes: May 22, 1915-December 4, 2016." *Alaska Bar Rag* 41, no. 1 (2017): 8.

This obituary recounts a long legal career that began on Kodiak Island in 1947.

_____, In Memoriam. "Robert Wagstaff, Alaska's Flying Attorney, Dies." *Alaska Bar Rag* 42, no. 2 (2017): 3.

This memorial piece reviews the career of Robert Wagstaff, a legendary Alaska trial lawyer and appellate advocate, whose work ranged far and wide but who also *375 focused on constitutional rights and civil liberties and who also argued the *Ravin* right to privacy case. Following the article are reflections by contemporaries.

_____, "Shines in Role as Magistrate." *Alaska Law Journal* 4, no. 7 (1966): 97-99.

This article give a contemporaneous account of the role of Magistrate Nora Guinn in the community of Bethel, as well as some of Guinn's background.

Arnett, Russ. "Wendell Kay, the Silver Fox." *Alaska Bar Rag* 21, no. 1 (1997): 20.

This is a brief appreciation of a prominent practitioner with basic biographical facts and several anecdotes.

Arnett, Russ. "Stan McCutcheon Remembered." *Alaska Bar Rag* 21, no. 2 (1997): 21.

Part I. This is a brief appreciation of a prominent practitioner with basic biographical facts and several anecdotes.

Arnett, Russ. "Stan McCutcheon Remembered." *Alaska Bar Rag* 21, no. 3 (1997): 6.

Part II. This is a brief appreciation of a prominent practitioner with basic biographical facts and several anecdotes.

Atwood, Evangeline. *Frontier Politics: Alaska's James Wickersham*. Portland, OR: Binford & Mort, 1979.

This is the standard biography of Judge Wickersham, the preeminent figure of early twentieth century Alaska history, who served as the lone federal judge from 1900 to 1908 and delegate to Congress off and on between 1909 and 1933.

Bazely, Judith. "An Interview with M. Ashley Dickerson." *Alaska Bar Rag* 5, nos. 7, 8, 9 (1982): 11-12, 14.

This article contains part of an interview with Ashley Dickerson, a prominent Anchorage lawyer, whose practice started before statehood. She was also the first African American lawyer in Alaska.

Blackman, Margaret B. *Sadie Brower Neokok: An Iñupiaq Woman*. Seattle: University of Washington Press, 1989.

The author reviews the life and public service of Sadie Brower Neokok, who was Barrow's first Bureau of Indian Affairs schoolteacher and then served for twenty years as Barrow's magistrate. She also helped introduce the U.S. legal system in the Alaska bush and won the right to use Native language in court when the defendant could not speak English.

Boraas, Kristin. "Mildred Robinson Herman: Queen Mother of the Alaskan Statehood." *Alaska Bar Rag* 27 (May-June 2003): 32-33.

Part I of a two-part series about a prominent early woman lawyer in Alaska. This part reviews her practice in Juneau.

Boraas, Kristin. "Mildred Robinson Herman: Queen Mother of the Alaskan Statehood." *Alaska Bar Rag* 27, no. 4 (2003): 26-27.

Part II of a two-part series about a prominent early woman lawyer in Alaska. This part reviews her involvement in the push for statehood and Alaska's Constitutional Convention.

Cashen, William R. *Farthest North College President: Charles E. Bunnell and the Early History of the University of Alaska*. Fairbanks: University of Alaska Press, 1972.

Prior to his time as president of the University of Alaska, Charles Bunnell ran for delegate to Congress against James Wickersham and also served as an Alaska judge on the Fourth Judicial Circuit. This book covers Bunnell's academic career, his campaign against Wickersham, Wickersham's charges of corruption while *376 Bunnell was on the bench, and one notorious case, that of William Dempsey. Dempsey was found guilty of murder, had his death sentence commuted, corresponded with Bunnell seeking release from prison, and then escaped, never to be seen again.

Central Council of Tlingit and Haida Indian Tribes of Alaska. *A Recollection of Civil Rights Leader Elizabeth Peratrovich, 1911-1958*. Juneau: Central Council of Tlingit and Haida Indian Tribes of Alaska, 1991.⁷⁶

Elizabeth Peratrovich was a civil rights activist who worked on behalf of Alaska Natives. Her advocacy helped secure the passage of Alaska's Anti-Discrimination Act of 1945, the first antidiscrimination law in the United States.

Connor, Roger C. "Dimond Holds Place in History: Tribute to Judicial Leader." *Alaska Bar Rag* 9, no. 3 (1985): 4, 23.

John Dimond was a judicial and political leader during Alaska's territorial period. This brief biographical account covers his life until the end of World War II.

Conrad, David E. "Emmons of Alaska." *Pacific Northwest Quarterly* 69, no. 2 (1978): 49-60.

George Thornton Emmons had a long association with Alaska, starting in 1882. Among other things, he was a consultant to the State Department on the boundary dispute with Canada, conceived and promoted what became the Tongass National Forest, and advised President Theodore Roosevelt on determining federal policy toward Alaskan Natives. This article provides an account of his activities.

DeArment, Robert K. *Alias Frank Canton*. Norman: University of Oklahoma Press, 1996.

This biography recounts the career of legendary "lawman" Frank Canton, whose real name was Joe Horner and whose career included a period of law enforcement but also a period of criminal activity. A chapter is devoted to his law enforcement career in Alaska.

DeArmond, Robert N. "Saginaw Jake: Navy Hostage, Indian Policeman, Celebrity." *Alaska History* 5, no. 1 (1990): 23-33.

This article follows the life of Kitchnatti, an Alaska Native, who was taken as prisoner/hostage aboard the USS *Saginaw* in 1868 as the result of some trouble on shore. He was released months later. In 1882, he gained further notoriety for his involvement after the destruction of Angoon by the Navy. Eventually he was commissioned as a policeman.

Dickerson, M. Ashley. *Delayed Justice for Sale: An Autobiography*. Anchorage: Al-Acres, 1998.

This is an autobiography of the first female African American attorney in Alabama, Indiana, and Alaska, where she homesteaded and had a lengthy and eventful career. She was also the first African American president of the National Association of Women Lawyers.

Fischer, Victor. *To Russia with Love: An Alaskan's Journey*. Fairbanks: University of Alaska Press, 2012.

In this autobiography, Vic Fischer reviews his long engagement with Alaska public affairs and gives insights into the Alaska Constitutional Convention (to which he was a delegate) and his time serving in the Alaska Senate.

*377 Fisher, Gregory S. "Alaska Mourns the Loss of Judge Fitzgerald." *Alaska Bar Rag* 35, no. 2 (2011): 1, 6.

This memorial reviews the career of James M. Fitzgerald, who served as an Alaska superior court judge, state supreme court justice, and federal district court judge.

Folta, Richard C. *Of Bench and Bears: Alaska's Bear Hunting Judge*. Anchorage: Great Northwest, 1986.

Apart from his adversarial prowess regarding bears, Judge George W. Folta was a well-regarded jurist in his time. A reader of this volume will learn that Judge Folta had no formal law school education but started as a territorial court clerk, passed the bar, and worked his way up to solicitor, prosecutor, and appointment to the territorial U.S. district court in Juneau in 1947. This volume was written by his son and contains an introduction by Judge Robert Boochever.

Fuld, Judge William. "Tribute to Wendell Kay: A Fine Barrister Remembered." *Alaska Bar Rag* 10, no. 3 (1986): 16-18.

This article reviews the career of Wendell Kay, who the author esteemed as a “brilliant trial lawyer [and] probably the best criminal defense attorney who has ever practiced in the State of Alaska.” Also noted are some of the cases Kay tried and his service in the state legislature.

Gallagher, Hugh Gregory. *Etok: A Story of Eskimo Power*. Clearwater, FL: Vandamere Press, 2001.

Charles Edwardsen, Jr.,--aka, Etok--was an Alaska Native activist who fought to protect Native land rights. This book gives an account of how Alaska Natives fought to bring about ANCSA.

Groh, Cliff. “John Rader: Legal and Legislative Pioneer on the Last Frontier.” *Alaska Bar Rag* 37, no. 2 (2013): 1, 6-7.

This article presents a brief look at the impact of the legal and public career of the first attorney general of Alaska.

Groh, Cliff, Jr. “Cliff Groh Remembered: A Distinguished Path.” *Alaska Bar Rag* 22, no. 5 (1998): 1, 22-23.

This memorial, by one of the subject's children, examines the life and legal career of Clifford Groh, including some time he spent in the state legislature.

Gruening, Ernest. *Many Battles: The Autobiography of Ernest Gruening*. New York: Liveright, 1973.

This autobiography by Alaska's most prominent territorial governor relates some of the author's perceptions and understanding of the Alaskan legal and statehood battles in which he participated.

Hammond, Jay. *Tales of Alaska's Bush Rat Governor*. Fairbanks: Epicenter Press, 1994.

Jay Hammond was governor of Alaska from 1974 to 1982. In this autobiography, he recounts his experiences as governor as well as in the state legislature and gives his views on some of the legal challenges of his time, including the initiation of the Permanent Fund and the Alaska lands fights of his second term.

Hancock, Suzanne. “Pioneer Judge Calls Kodiak Home.” *Alaska Bar Rag* 9, no. 1 (1985): 12.

This brief account describes the life and postwar legal career of Judge Roy Madsen of Kodiak.

*378 Harrison, E.S. "Judge James Wickersham." *Alaska-Yukon Magazine* 4 (November 1907): 266-67.

This brief piece focuses on the integrity of Judge James Wickersham, in particular with regard to his effort to expose and unravel the manipulations of the judicial system by the "Spoilers" who tried to wrest gold claims from rightful claim holders in Nome. The author's view is that "[we] should love him for the enemies he has made."⁷⁷

Harte, Grace H. "The One Woman Lawyer of Alaska." *Women Lawyers Journal* 27, no. 1 (1940): 16-17.

This brief article is an appreciation of Mildred B. Herman of Juneau.

Hensley, William I. <<unknown character>><<unknown character>>ia<<unknown character>>ruk. *Fifty Miles from Tomorrow: A Memoir of Alaska and the Real People*. New York: Sarah Crichton Books, 2009.

This is the memoir of Willie Hensley, long an active voice for Alaska Native issues and interests, as well as a state representative and senator, businessman, founder of the Nana Regional Corporation, and author of an influential constitutional law course paper at the University of Alaska. Written in 1966, *What Rights to Land Have the Alaska Natives: The Primary Issue* explored the background of Alaska Native land claims issues. Not long after that class he was a lobbyist for the settlement of those issues and the eventual passage of ANCSA in 1971.

Hinckley, Ted C. *Alaskan John G. Brady: Missionary, Businessman, Judge, and Governor, 1878-1918*. Columbus: Ohio State University Press, 1982.

This volume contains references to the early Alaskan judiciary and looks at John Brady's role in Alaska, including his service as a judge and as district governor, appointed by both Presidents William McKinley and Theodore Roosevelt.

Hunt, William R. "Deadly Frank Canton: First Lawman on the Yukon." *Alaska Journal* 16 (1986): 244-49.

This article briefly tells the story of Frank Canton, who served as deputy U.S. marshal in the Alaska interior from 1898 to 1899. It also touches on the strain between civilian and military roles in Alaska law enforcement.

Hunt, William R. "Judge Ballou of Rampart." *Alaska Journal* 2 (Winter 1972): 41-47.

This article reviews the background and exploits of William B. Ballou, a prospector from Vermont who settled in Rampart, Alaska, before the turn of the last century. He served briefly as a U.S. commissioner in Rampart.

Hymes, Molly Hootch. *Molly Hootch: I Remember When: Growing up in Alaska on the Kwiguk Pass of the Lower Yukon River*. Anchorage: Publication Consultants, 2012.

This is the autobiography of the plaintiff in the “Molly Hootch Case,” *Tobeluk v. Lind*, which resulted in a consent decree requiring the state of Alaska to provide high schools in Native villages. The author reviews her life and provides an account of her participation in the *Tobeluk* case.

Johnson, Erling. “Anthony Dimond Known as True Pioneer.” *Alaska Bar Rag* 32, no. 3 (2008): 24.

This article provides a brief account of the career of Anthony Dimond, prominent lawyer and delegate to the U.S. House of Representatives.

***379** Jones, H. Wendy. *Women Who Braved the Far North: 200 Years of Alaskan Women*. Vol. 1. San Diego: Grossmont Press, 1976.

This book contains thumbnail biographical sketches of prominent Alaskan women, including politicians, jurists and court personnel, and governors' wives. This volume also contains several thumbnail biographies of actors in the law.

Jones, H. Wendy. *Alaska's Dynamic Women: 200 Years of Alaskan Women*. Vol. 2. Newport Beach, CA: Detail Quality Printing, 1977.

This book contains thumbnail biographical sketches of prominent Alaskan women, including politicians, jurists and court personnel, and governors' wives. This volume continues the listing of lawyer biographies.

Lazell, J. Arthur. *Alaskan Apostle: The Life Story of Sheldon Jackson*. New York: Harper & Brothers, 1960.

This biography of the Rev. Jackson reviews the background of law and order, as well as his efforts to establish education as general agent of education, his efforts to bring reindeer to Alaska to establish a herding industry, and his interaction with Alaskan leaders.

Lundquist, Weyman I. “George Grigsby and Lawless Alaska.” *Litigation* 4, no. 2 (1977-1978): 43-44, 54-55.

This article provides an account of the career of George Grigsby, who started his legal career in Alaska as assistant U.S. attorney in Nome, where he was involved in resisting the machinations of U.S. District Judge Arthur E. Noyes and the “Spoilers” when they tried to jump legitimate mining claims.

Macdonald, Alexander. "Erskine Mayo Ross: Courageous Jurist and Generous Benefactor." *American Bar Association Journal* 33, no. 12 (1947): 1173-76, 1243-45.

This article is an appreciation of the career of Judge Erskine May Ross, a federal appeals court judge in California, who oversaw the appellate proceedings regarding the "Spoilers" (the conspiracy to jump mining claims in Nome). This article gives an account of his role in those proceedings.

Mangusso, Mary Childers. "Anthony J. Dimond and the Politics of Integrity." In *An Alaska Anthology: Interpreting the Past*, edited by Stephen W. Haycox and Mary Childers Mangusso, 246-66. Seattle: University of Washington Press, 1996.

The author reviews the role of Anthony Dimond as a reform senator in the Alaska territorial legislature. Issues examined here include regulation of the salmon industry, jury reform, and literacy requirement for voting.

Mangusso, Mary Childers. "Tony Dimond Finds His Future After Career as Miner Fails to Pan Out." *Alaska Journal* 12, no. 4 (1982): 11-23.

Anthony Dimond was a prominent member of the Alaska bar who also served as a nonvoting delegate to Congress (1933-1945) and federal district judge when Alaska was still a territory. This article recounts his early experiences in Alaska.

Middleton, Collin. "Justice Compton Reminisces About His Career." *Alaska Bar Rag* 23, no. 1 (1999): 16-17.

In this short interview by the author, Justice Allen Compton surveys his career and experiences in the law.

Movius, Phyllis Demuth. "First Woman Lawyer in Fairbanks Leaves Legacies of Reform." *Alaska Bar Rag* 28, no. 1 (2004): 22-23.

This brief account describes the career and legacy of Aline Chenot Baskerville Bradley Beegler (1867-1943), physician, lawyer, and political activist.

***380** Movius, Phyllis Demuth. *Place of Beginning: Five Founding Women of Fairbanks, Alaska*. Fairbanks: University of Alaska Press, 2009.

Among the five Fairbanks foundresses focused on here are brief biographies of Aline Chenot Baskerville Bradley Beegler, the first female lawyer in Fairbanks, and Sarah Margaret Keenan Harrais, a prominent local participant

in the Women's Christian temperance movement, later a U.S. commissioner during the territorial period, and then a deputy magistrate in Valdez after statehood.

Munsey, Sylvia Falconer. "Margaret Kennan Harrais." *Alaska Journal* 5, no. 3 (1975): 144-52.

Margaret Kennan Harrais served as a U.S. commissioner in territorial Alaska and as a deputy magistrate in Valdez after statehood.

Naske, Claus-M. *Edward Lewis Bob Bartlett of Alaska: A Life in Politics*. Fairbanks: University of Alaska Press, 1979.

Bob Bartlett was a giant of Alaska politics in his day. This full account of his life includes chapters on the effort for statehood, the effort to pass the Alaska Mental Health Enabling Act, and some reference to prestatehood judiciary.

Naske, Claus-M. "The Judge and the Murderer." *Fairbanks Daily News Miner Heartland Magazine*, January 26, 1986. ⁷⁸

Alaska Judge Charles Bunnell, later president of the University of Alaska, sentenced William Dempsey to hang for a 1919 murder conviction, after which Dempsey threatened to kill all court officials connected with the case. After Dempsey's sentence was commuted to a life sentence, he began writing to Bunnell seeking his recommendation for release. Bunnell feared for his life in 1940 when Dempsey escaped the McNeil Island penitentiary road camp and was not recaptured.

O'Tierney, Daniel Patrick. "Retrospective: Chief Justice Daniel A. Moore." *Alaska Bar Rag* 20, no. 1 (1996): 17.

This is a brief appreciation of a former chief justice with basic biographical facts and a few anecdotes.

Paul, Fred. *Then Fight for It: The Largest Peaceful Redistribution of Wealth in the History of Mankind*. Victoria, BC: Trafford, 2003.

This book is part autobiography, part family biography, and part behind-the-scenes look at the Native land claims movement in Alaska and the creation of the North Slope Borough.

Peterson, Art. "Jay A. Rabinowitz: A Memorial Tribute Before the National Conference of Commissioners on Uniform State Laws." *Alaska Bar Rag* 25, no. 5 (2001): 14-15.

This tribute reviews the career of Chief Justice Rabinowitz and his significance to the legal history of Alaska and beyond.

Rabinowitz, Robert. "Rabinowitz: A Legacy of Law ... and Justice." *Alaska Bar Rag* 25, no. 4 (2001): 1, 14-15.

This reflection on Jay Rabinowitz by his brother Robert was delivered at a memorial service shortly after the chief justice's death. Also included in this issue are other memorials and remarks touching on his life and career.

*381 Richardson, David. *Shamrocks on the Tanana: Richard Geoghegan's Alaska*. Snoqualmie, WA: Cheechako Books, 2009.

Richard Geoghegan was an English Esperantist who relocated to Alaska shortly after the Klondike gold rush. While this book reviews Geoghegan's many activities in Alaska, it is of use for the legal historian because it gives an account of his relationship with Judge James Wickersham and his time as a court reporter in Fairbanks in the early twentieth century.

Ross, Wayne Anthony. *Courtrooms, Cartridges, and Campfires: Layering on the Last Frontier--Alaska*. Anchorage: Publication Consultants, 2012.

In recounting his life experiences in the Last Frontier, the author reviews his legal career in Alaska, which included government service and private practice, and provides observations about his encounters with judges, practitioners, and clients.

Spude, Catherine Holder. "'King of Skagway': Progressive Era Mayor and Game Warden in Alaska." *Pacific Northwest Quarterly* 99, no. 1 (2007/2008): 16-29.

Chris Shea, a bar owner, was elected as a reform mayor of Skagway in 1907 and served until appointed as game warden in 1909, serving in that position until 1912. He helped change the city's tax structure to more equitably rely on taxing corporations, such as railroads, and also advanced the cause of publicly owned utilities.

Stebing, David G. In Memoriam. "Remembering Judge von der Heydt--A Legacy of Grace." *Alaska Bar Rag* 39, no. 1 (2015): 4-6.

Prior to statehood, Judge James von der Heydt served as U.S. marshal, U.S. commissioner, and U.S. attorney in Nome. In addition, he helped to plan and create the new constitution and served a term in the last territorial legislature. After statehood, he helped initiate the judiciary of the new state as the first superior court judge

assigned to Juneau and then was appointed to the federal bench, where he served for three decades. This article treats the career and the person.

Taylor, Kelly. Historical Bar. "With Delaney's Passing a Chapter of Anchorage History Closes." *Alaska Bar Rag* 35, no. 1 (2011): 11.

This one-page article gives a brief account of the life of Jim Delaney, a prominent Anchorage lawyer, and his family.

Tower, Elizabeth A. "Anthony J. Dimond: Statehood Pioneer." *Alaska History* 13, nos. 1 & 2 (1998): 28-50.

Tony Dimond was an Alaska politician, delegate to Congress, and federal judge. He was also, while in Congress, an early promoter of adding Alaska as the forty-ninth star to the U.S. flag. This article reviews his career, with a focus on his efforts and strategy to secure statehood.

Tower, Elizabeth A. "Captain David Henry Jarvis: Alaska's Tragic Hero-- Wickersham's Victim." *Alaska History* 5, no. 1 (1990): 1-21.

This article looks at the career and tragic end of David H. Jarvis, customs collector for Alaska, as well as friend and advisor of Judge James Wickersham, the preeminent Alaska politician and jurist of the early twentieth century in Alaska. Their friendship foundered on differences in developing Alaska, including the Alaska Syndicate, an effort by the House of Morgan and the Guggenheim Brothers to develop the Bonanza copper mines.

***382** Van Tuyn, Peter. "Compton Retires from the Alaska Supreme Court." *Alaska Bar Rag* 23, no. 1 (1999): 1, 15.

Justice Allen Compton spent eighteen years on Alaska's Supreme Court, from 1980 to 1998, and four years before that on the superior court. This appreciation is a brief account of his time on the high court.

Wickersham, James, and Terrence Cole, eds. *Old Yukon: Tales, Trails, and Trials*. Fairbanks: University of Alaska Press, 2009.

Judge Wickersham is the giant of early twentieth century Alaska history, serving as the lone federal judge from 1900 to 1908 and delegate to Congress off and on between 1909 and 1933. This abridged and annotated edition of the judge's memoirs provides a lively account of his legal exploits on the Alaskan frontier.

Boundary Dispute and Border Issues

¶7 Alaska's boundary with Canada was ambiguously defined in the 1825 Anglo-Russian Treaty, which was inherited by the United States when it purchased Alaska in 1867. It was not a matter of strong concern until gold was discovered in the Klondike in 1896. At that point, both Canada and the United States needed to define deep water routes from the Alaskan panhandle to the mines. The following treatments are about the treaty negotiations and the later dispute and its resolution. This section also examines the history of the maritime jurisdiction since the 1825 treaty with Russia. Some books and articles are listed without annotations; these listings tended to be on subjects that had already been explored in full by other annotations.

Bailey, Thomas A. "Theodore Roosevelt and the Alaska Boundary Settlement." *Canadian Historical Review* 18, no. 2 (1937): 123-30.

This article is an account of the dispute as revealed in the papers of Theodore Roosevelt.

Bourne, C.B., and D.M. McCrae. "Maritime Jurisdiction in the Dixon Entrance: The Alaska Boundary Re-Examined." *Canadian Yearbook of International Law* 14 (1976): 175-223.

Campbell, Charles S., Jr. *Anglo-American Understanding, 1898-1903*. Baltimore: Johns Hopkins University Press, 1957.

Classen, H. George. *Thrust and Counterthrust: The Genesis of the Canada-United States Boundary*. New York: Rand McNally, 1965.

Dickinson, J. M. "Alaskan Boundary Case." *American Law Review* 38, no. 6 (1904): 866-98.

Foster, John W. "The Alaska Boundary Tribunal." *National Geographic Magazine* 15, no. 1 (1904): 1-14.

Harper, William A. "The Alaska Boundary Question: The Seattle Commercial Interest and the Joint High Commission of 1898-99." *Journal of the West* 10, no. 2 (1971): 253-73.

Hodgins, Thomas. "The Alaska-Canada Boundary Dispute." *Canada Law Journal* 38 (September 1902): 571-88.

Hodgins, Thomas. "The Alaska Boundary Commission." *Canada Law Journal* 39 (March 15, 1903): 170-82.

*383 Holmsted, George S. "The Alaskan Boundary." *Canadian Law Review* 3 (1904): 59-69.

Huculak, Mykhaylo. *When Russia Was in America: The Alaska Boundary Treaty Negotiations, 1824-25, and the Role of Pierre de Poletica*. Vancouver, BC: Mitchell Press, 1971.

Hyde, Charles Cheney. "Concerning the Alaskan Boundary." *Harvard Law Review* 16, no. 6 (1902-1903): 418-35.

Kurtz, Rick S. "Disputing Wilderness on the Canadian-American Frontier: The Case of Glacier Bay National Park." *Journal of the West* 43, no. 1 (2004): 67-73.

This article reviews the effect the 1903 boundary settlement has had on Glacier Bay National Park, with a focus on the Windy Craggy mining controversy in the early 1990s.

Mason, Arthur. "Neglected Structures of Governance in U.S.-Canadian Cross-Border Relationships." *American Review of Canadian Studies* 38, no. 2 (2008): 212-22.

This article looks at cross-border concerns in policy planning, using a proposed natural gas pipeline in Alaska as an example. In particular, the author looks at the Alaska Natural Gas Transportation Act of 1976 and the contemporaneous Northern Pipeline Act of Canada to allow a pipeline to straddle the border. The pipeline was never built, and when the issue came up again the relevance and utility of the 1976 law was open to question.

Munro, John A. *The Alaska Boundary Dispute*. Toronto: Copp Clark, 1970.

This collection of primary and secondary materials includes treaties, papers, and letters.

Murray, Keith A. "The Peter Martin Case." *Alaska Journal* 2, no. 1 (1972): 48-58.

The boundary between British territory and Russian territory in Alaska had not been resolved in what is now the Alaska panhandle (Southeast Alaska) at the time of sale by Russia to the United States. Peter Martin was a miner who was arrested by British authorities for brawling. Subsequent legal action from this otherwise obscure case put the spotlight on jurisdiction and hence on the border issues.

Paisley, Richard Kyle, and Timothy L. McDaniels. "International Water Law, Acceptable Pollution Risk and the Tatshenshini River." *Natural Resources Journal* 35, no. 1 (1995): 111-32.

This article reviews the history and controversy of the Windy Craggy mine proposal and its effect on international water law.

Penlington, Norman. *The Alaska Boundary Dispute: A Critical Reappraisal*. New York: McGraw-Hill Ryerson, 1972.

Thonger, Charles. *Canada's Alaskan Dismemberment: An Analytical Examination of the Fallacies Underlying the Tribunal Award*. Niagara-on-the-Lake, ON: Charles Thonger, 1904.⁷⁹

Varney, George J. "The Landward Boundary of Alaska." *Green Bag* 8 (April 1896): 152-57.

***384 Business Law**

Lee, Molly. "The Alaska Commercial Company: The Formative Years." *Pacific Northwest Quarterly* 89, no. 2 (1989): 59-64.

While this short article is primarily concerned with the formation of the Alaska Commercial Company, it also covers how the company was able to secure an exclusive but controversial U.S. government lease on the Pribilof seal fishery.

Lee, Timothy. Note. "Alaska on the Asset Protection Map: Not Far Enough for a Regulatory Advantage, but Too Far for Convenience?" *Alaska Law Review* 29, no. 1 (2012): 149-73.

This Note examines the legislative history of Alaska's 1997 Trust Act and looks at ensuing amendments.

Strauss, Philip Reed. Note "Control and/or Misconduct: Clarifying the Test for Piercing the Corporate Veil in Alaska." *Alaska Law Review* 9, no. 1 (1992): 65-91.

This Note reviews the history of the Alaska Supreme Court's development of veil-piercing doctrine within the state in which it toggles between two competing tests: a "disjunctive" test (must show *either* excessive control *or* other corporate misconduct to pierce the veil) and a "conjunctive" test (must show *both* excessive control *and* other corporate misconduct to pierce the veil).

Toiv, Helene, *The Jones Act: Impact on Alaska Transportation and U.S. Military Sealift Capability: Report to the Ranking Minority Member*. Subcomm. on Merchant Marine, Comm. on Commerce, Science, and Transportation, U.S. Senate. RCED-88-107. Washington, DC: Government Accounting Office, 1988.

This report examines the effects on costs of transportation in Alaska trade of the federal Jones Act,⁸⁰ which generally requires that domestic cargoes be transported in U.S.-built, U.S.-flagged, U.S.-owned, and U.S.-crewed ships. It also summarizes the act's provisos and other related laws.

Children and Minors

Andrews, Mark. "'Active' Versus 'Reasonable' Efforts: The Duties to Reunify the Family Under the Indian Child Welfare Act and the Alaska Child in Need of Aid Statutes." *Alaska Law Review* 19, no. 1 (2002): 85-117.

This article looks at relevant Alaska law in the 1970s and the 1976 legislative changes, analyzes distinctions between the requirements of the federal Indian Child Welfare Act ("active efforts") and Alaska's Child in Need of Aid statutes ("reasonable efforts"), and analyzes decisions of the Alaska Supreme Court, which moved the state closer to the "active" requirement.

Jones, Dorothy M. "Child Welfare Problems in an Alaskan Native Village." *Social Service Review* 43, no. 3 (1969): 297-309.⁸¹

This article is about the issues that can result from the disruption of traditional community child welfare practices. It also traces the history of agency structures and practices.

*385 Meehan, Daniel L. Comment. "Native Children in Alaska: The State of Tribal Self-Determination in Child Custody Proceedings." *American Indian Law Review* 32, no. 1 (2007-2008): 167-87.

This Comment reviews and analyzes the case law and statutes pertaining to Alaska Native child custody cases, starting with *Native Village of Nenana v. Department of Health & Social Services*,⁸² through the *Venetie* cases, *John v. Baker*,⁸³ and beyond.

Newman, Tony. "Stepping Forward, Stepping Back: The Alaska DJJ Copes and Succeeds with Change." *Corrections Today* 70, no. 3 (2008): 84-85, 92.

This brief article reviews five years of "systems improvement" and program development at the Division of Juvenile Justice.

Courts

Alaska Court System. *The Alaska Court System: Celebrating 50 Years*.⁸⁴ Anchorage: Alaska Court System, n.d.

This online brochure marks the fiftieth anniversary of the Alaska state court system with text and photos covering highlights from that period.

Alaska Judicial Council. *Evaluation of the Outcomes in Three Therapeutic Courts: Anchorage Felony Drug Court, Anchorage Felony DUI Court, Bethel Therapeutic Court*. Anchorage: Alaska Judicial Council, 2005.⁸⁵

This report provides some history, background, and descriptions of the Alaska therapeutic courts, as well as an evaluation of three of them.

Armstrong, Barbara. "Therapeutic Courts in the Alaska Court System." *Alaska Justice Forum* 33, nos. 2-3 (2016): 2-6.

Therapeutic courts, also known as "problem-solving" courts, take a more holistic approach to offenders and the underlying issues that bring them into court. This article reviews the development of the different therapeutic courts in Alaska.

Arnett, Russ. "The Mudsill of the Judiciary." *Alaska Bar Rag* 20, no. 3 (1996): 14.

The author briefly recounts his nine-month stint as a U.S. commissioner in Nome in 1952.

Arnett, Russ. "Formation of the Alaska Court System." *Alaska Bar Rag* 2, no. 6 (1979): 5.

Following a brief outline of Alaska's territorial court system, this article briefly reviews the formation of Alaska's court system, with a focus on the pressure brought to bear by the Alaska bar to get trial courts up and running sooner rather than later.

Barnett, Paul. "A Brief History of the U.S. Commissioners in Alaska." *Alaska Bar Rag* 26, no. 5 (2002): 16-17.

The Organic Act of 1884 provided Alaska with its first civil government, which included a single federal judge appointed by the president. That judge was assisted by commissioners, also appointed by the president, fulfilling certain judicial and quasi-judicial duties. This article looks at the commissioner system, how it functioned, and how effectively.

*386 Baumgartner, R.E. "Organization and Administration of Justice in Alaska." *American Bar Association Journal* 20, no. 1 (1934): 23-26.

This brief article reviews the development of Alaska's judicial system from the Organic Act of 1884, when it essentially began, through the 1909 congressional alteration of the Alaska judicial system. Prior to 1884, Alaska had no state judicial system.

Branson, Harry A. Historical Bar. "A Brief History of the Federal District Court in Alaska." *Alaska Bar Rag* 33, no. 4 (2009): 13-19.

This article reviews the history of the U.S. district court in Alaska from its inception in 1884. Sections include "Early Judges," "The Floating Court," "The Integrated Bar Act," "Statehood," "The Establishment of the Alaska Court System," and appreciations of several noteworthy judges.

Carns, Teresa White. "Selecting and Evaluating Alaska's Judges: 1984-2012." *Alaska Justice Forum* 30 (Summer 2013): 11-13.

The author reviews the third report by the Alaska Judicial Council on the judicial selection and retention process. Among other things, the author reviews how the judicial selection process works in Alaska, and then looks comparatively at how the demographics of the applicant pool and those selected (and appointed) have changed over the years.

Carns, Teresa W., Michael G. Hotchkin, and Elaine M. Andrews. "Therapeutic Justice in Alaska's Courts." *Alaska Law Review* 19, no. 1 (2002): 1-55.

The purpose of therapeutic jurisprudence is to emphasize rehabilitation over retribution as a goal of the legal process--in other words, to leverage laws and legal process for therapeutic purposes. This article, after defining and exploring the concept, traces the history, development, and contemporary structures of therapeutic courts in Alaska.

Conn, Stephen, and Arthur Hippler. "Paralegals in the Bush." *UCLA-Alaska Law Review* 3, no. 1 (1973): 85-102.

Prior to expounding about para-professionalism in a larger context, the authors review the history and use of paralegals in the Alaskan bush.

Connelly, Hugh H. *The Magistrates' Role in Alaska, Past and Present*.⁸⁶ Fourth Judicial District, c. 1968.

Written by the presiding district court judge, this article examines the historical origins of the magistrate in Alaska and follows the position into statehood.

Connors, John F., Teresa W. Carns, and Susanne Di Pietro. *Resolving Disputes Locally: Alternatives for Rural Alaska*. Anchorage: Alaska Judicial Council, 1992.

This publication includes brief histories of the Sitka and Minto tribal courts and of PACT, a conciliation organization in Barrow. (PACT is an acronym for the Tagalog (Filipino), Inupiat (Eskimo), and English words for “come together.”) It also includes a brief history of federal-Native relations in Alaska.

Courts of Justice in Alaska. Report no. 754, U.S. House of Representatives, 46th Congress, 1880.

This brief report to Congress supports a bill to provide a federal district court in Alaska.

***387** Cravez, Pamela. *Trials and Tribulations in Alaska's Early Legal System*. Sixth Annual Alaska History Symposium. Anchorage: Alaska Historical Commission, 1983.

This paper looks at the legal system in Alaska in the nineteenth century, a system imposed from outside and responsive to certain special interests but not at first to Alaskans as a whole.

Cureton, Frank W. Note. “The Reportorial Power of the Alaska Grand Jury.” *Alaska Law Review* 3, no. 2 (1986): 295-329.

This Note briefly reviews the history of the grand jury, with a focus on Alaska, and then “analyzes the pertinent constitutional history of [\[Alaska Constitution\] article I, section 8](#) in order to define the scope of the grand jury's power.”

Erwin, Robert C. “A History of Alaska Appeals from 1960 to 1980.” *Alaska Bar Rag* 40, no. 4 (2016): 4.

This brief article gives a history of the Alaska Court of Appeals and reviews and lauds the work of the few Alaska lawyers who specialized in appeals during the first twenty years of statehood.

Farris, H.S. “Alaska's Inferior Court.” *Case and Comment* 22 (1915): 16-19.

This brief article provides a summary of the duties of U.S. commissioners in Alaska during the territorial period, accompanied by some anecdotes from the field.

Fellows, Cynthia. "Law Libraries of the 'Last Frontier.'" *Legal Information Management* 4, No. 4 (2004): 257-264.

The author provides a brief history of the state court law libraries in Alaska, and also offers a brief review of pre-statehood history of Alaska's laws and constitution for background and perspective

Fisher, Gregory S. Historical Bar. "Law in the Last Frontier: Commemorating the District of Alaska's 50th Anniversary." *Alaska Bar Rag* 34, no. 1 (2010): 19-23.

This essay celebrates the fiftieth anniversary of the U.S. District Court for the District of Alaska, which was commissioned in February 1960. It briefly examines some of the significant state and federal cases that have shaped Alaska law and policy.

Greenstein, Marla. "History of KAROL--The Khabarovsk-Alaska Rule of Law Partnership." *Alaska Justice Forum* 24, no. 4 (2008): 2.

This is a brief account of the founding and organization of KAROL, under the umbrella of the nonprofit Russian-American Rule of Law Consortium, organized to promote dialogue between legal professionals and the courts to improve justice in the represented communities and create and maintain fair, predictable, and accessible courts.

Haycox, Stephen, and Claus-M Naske. "'A New Face': Implementing Law in the New State of Alaska, 1958-1960." *Western Legal History* 11, no. 1 (1998): 1-21.

This article provides a look at the construction of an effective Department of Law and state judiciary in the earliest days of Alaska statehood, significant challenges because the Territory of Alaska left problems that were unaddressed by the territorial legal system and courts. The problems are outlined, challenges defined, and personalities revealed of those responsible in both the new legislature and court system for creating a new effective and constitutional system.

Hermann, Mildred R. "Building a State Judiciary." *Nebraska Law Review* 39, no. 2 (1960): 265-72.

This is an account of how the first Alaska judiciary was put together after statehood. The author observes that the Alaska judiciary was widely recognized as the best of the fifty states' systems and opines that it could have been because Alaska had no judiciary prior to statehood to undo, with no need to reconcile old and new practices.

*388 Jaeger, Lisa. *Tribal Court Development: Alaska Tribes*. Fairbanks: Tanana Chiefs Conference, 2002. ⁸⁷

This report presents a panoramic view of Alaska tribal courts, including a brief history of the Alaska tribal courts and some case law.

Kelly, Raymond J. "The Lore and Law of Alaska." *Michigan State Bar Journal* 37, no. 5 (1958): 8-16.

This article describes the territory of Alaska--its people, the land, industries--and then gives a brief account and history of its courts and judges.

Lundquist, Weyman I. Historical Bar. "Alaska Frontier Justice." *Alaska Bar Rag* 14, no. 4 (1990): 16-17.

The author reminisces about his experiences riding circuit, from Anchorage to Ketchikan to Nome, as a federal judge in Alaska in the early 1960s.

Madison, Roy H. "A History of the Kodiak Bench and Bar Over Their First Century." *Alaska Bar Rag* 39, no. 3 (2015): 4-5.

This article remembers some of the commissioners, judges, magistrates, and court procedures in Kodiak, starting in 1895, much of it from the personal recollection of the author, a retired superior court judge.

Naske, Claus-M. *A History of the Alaska Federal District Court System, 1884-1959, and the Creation of the State Court System*. Anchorage: Alaska Court System, 1985.

This study was prepared pursuant to an agreement between the Alaska Court System and the Geophysical Institute at the University of Alaska, Fairbanks. Each chapter represents a discrete topic in the history of the Alaska courts, including the Nome scandals (the "Spoilers"), poaching of pelagic seals in the Bering Sea, taking care of Alaska's mentally ill, the Floating Court, and creation of the state court system.

Naske, Claus-M. "The Shaky Beginnings of Alaska's Judicial System." *Western Legal History* 1, no. 2 (1988): 163-210.

This history of the Alaska judicial system covers the period from the promulgation of the first Organic Act of 1884 through the scandal of the "Spoilers," the Nome gold "conspiracy" in the early twentieth century. Along

the way, the author focuses on the first officers and officials of the new district court and their challenges, Judge James Wickersham, and the murder trial of Fred Hardy.

Naske, Claus-M. "The United States Commissioners in Alaska." *Pacific Northwest Quarterly* 89, no. 3 (1998): 115-26.

After Congress passed the Organic Act of 1884, Alaska was given one federal district court with one judge and four commissioners. The number of districts, judges, and commissioners was later expanded. This article looks at the role, duties, payment, and vital work of U.S. commissioners in Alaska during the territorial period.

Naske, Claus-M. "The U.S. Commissioners in Alaska: Relentless Problems in the Federal Territorial Judicial System." In *History of the Bench and Bar*, by Stephen Haycox, Claus-M. Naske, and Pamela Cravez. Anchorage: Alaska Bar Association, 1996.

Commissioners played a vital role in Alaska courts because they were needed to punish minor crimes, record mining claims and vital statistics, and handle minor civil cases, including probate. This history starts in 1884 but also focuses on the *389 role of Joseph W. Kehoe as territorial representative of the U.S. attorney general from 1943 to 1944 with a portfolio to study the judicial system in Alaska and recommend changes.

Niedermeyer, Deborah. Note. "'The True Interest of a White Population': The Alaska Indian Country Decisions of Judge Matthew P. Deady." *Journal of International Law and Politics* 21, no. 1 (1988): 195-257.

Matthew Deady was the federal district court judge in Portland, Oregon, who wrote every Alaska Indian Country decision from 1868 to 1886. This article examines those decisions and their ultimate relevance to interpreting ANCSA. The author also examines *United States v. Tom*⁸⁸ and its influence on Judge Deady's opinions.

Wickersham, James. "Judicial System and Courts of the Territory of Alaska." *Alaska Digest* 1 (1938): v-xii.

The author, a former federal judge in the territory and its delegate to Congress, provides an overview of the judicial systems in Alaska from the beginning of the Russian period through U.S. occupancy after cession, including miners' meetings, the Organic Act of 1884, provision of penal and civil codes, and the creation of the territorial legislature. He also provides a list of all governors and judges in Alaska until the time of publication.

Willard-Jones, Donna C. "Alaska's Territorial Court: Frontier Justice on Snowshoes." *Alaska Bar Rag* 38, no. 3 (2014): 22.

This is a one-page treatment of the early years of the federal territorial court in Alaska.

Crime and Vice

Allen, June. *Dolly's House: No. 24 Creek Street*. Ketchikan, AK: Tongass, 1976.

This booklet gives a short history of prostitution in Ketchikan but then focuses on the career of Dolly Arthur, a successful Ketchikan madam.

Bateman, Annaliese Jacobs. *Regulated Vice: A History of Seward's Red Light District, 1914-1954*. Seward: National Park Service, Alaska Support Office, 2002.

This publication reviews the panorama of prostitution in Seward from demographics, to economics, to public health. It also provides biographical sketches of selected Seward prostitutes and madams.

Bleakley, Geoffrey T. "Murder on the Koyukuk: The Hunt for the Blueberry Kid." *Alaska History* 11, no. 1 (1996): 14-25.

This article briefly reviews the career in crime of Thomas "Blueberry Kid" Johnson, and then focuses on the effort by Alaskan authorities to apprehend Johnson after the disappearance of three passengers from his ship, the *Seal Pup*.

Brennan, Tom. *Cold Crime: How Police Detectives Solved Alaska's Most Shocking Cases*. Kenmore, WA: Epicenter Press, 2005.

This book is a collection of thirteen criminal investigations in Alaska taken from police files.

Brennan, Tom. *Murder at 40 Below: True Crime Stories from Alaska*. Kenmore, WA: Epicenter Press, 2001.

This is a collection of stories about ten notorious murder cases in Alaska. One of the standouts is the story of Robert Stroud, who gained later notoriety as the "Birdman of Alcatraz."

***390** Clifton, Robert Bruce. *Murder by Mail and Other Postal Investigations*. Ardmore, PA: Dorrance, 1979.

This book tells the story of the efforts of the law enforcement agency of the U.S. Postal Service to solve postal crimes committed in territorial Alaska.

Cole, Terrence. *Crooked Past: The History of a Frontier Mining Camp: Fairbanks, Alaska*. Fairbanks: University of Alaska Press, 1991.

This book tells the story of a con man, who happened to be the founder of Fairbanks, and its mayor, E.T. Burnette, as well as the culture of that city near its founding.

Cole, Terrence. "Dead Man on Deadman's Slough." *Alaska* 44 (Sept. 1978): A9-A10.

This is a brief account of the murder of Jacob Jaconi on a slough near Fairbanks in 1904, which led to the first death sentence in Alaska the following year. The accused was Vuko Perovich, who was never executed.

Collier, William Ross, and Edwin Victor Westrate. *The Reign of Soapy Smith, Monarch of Misrule: In the Last Days of the Old West and the Klondike Gold Rush*. Garden City, NY: Doubleday, Dorain, 1935.

This is an early and colorful criminal history of Soapy Smith and his gang.

Haigh, Jane G. *King Con: The Story of Soapy Smith*. Whitehorse, YT: Friday501, 2006.

This slim volume outlines the life of the most famous confidence man of the Klondike Gold Rush who, for a year, dominated Skagway with phony businesses, rigged card games, and murder.

Hall, Brian Taliaferio. *Capital Crimes: A History of Crime and Law Enforcement in Juneau, Alaska's Capital City*. Juneau: Black Diamond, 1999.

By looking at a gallery of colorful characters, this work tells the story of how the early territorial government of Alaska tried to bring law and order to Juneau.

Heaton, John W. *Outlaw Tales of Alaska: True Stories of the Last Frontier's Most Infamous Crooks, Culprits, and Cutthroats*. Guilford, CT: Morris, 2010.

This book recounts the tales of notorious criminals in the Last Frontier, from Soapy Smith to the Blueberry Kid to the Blue Parka Bandit.

Hinckley, Ted C. "Punitive Action at Angoon." *Alaska Sportsman*, Jan. 1963, 8-9, 43-45. Part II, Feb. 1963, 14-15, 40, 42.

In 1882, a Hoochinoo shaman was accidentally killed by an exploding harpoon. These two articles set the scene and tell the story of the fallout. At the time, the Navy was in charge of administering Alaska and enforcing the peace.

Montgomery, Maurice R. "An Arctic Murder: A Cultural History of the Congregational Mission at Cape Prince of Wales, Alaska, 1890-1893." M.A. diss., University of Oregon, 1963.

This work is heavier on the history of mission work in Alaska than on the murder of the Rev. H.R. Thornton, but the author focuses on other areas of interest as well, such as policy toward Native Alaskans before and after the Organic Act of 1884 and planning for Arctic schools.

Montgomery, Maurice. "The Murder of Missionary Thornton." *Pacific Northwest Quarterly* 54, no. 4 (1963): 167-73.

Harrison Thornton was a missionary who came to Alaska to bring Christianity to the Alaska Natives and educate them. In 1891, he was murdered in his home by Natives, who were then judged and executed by their fellow villagers. This article is an account of the crime and the clash of cultures.

***391** Morgan, Lael. *Good Time Girls of the Alaska-Yukon Gold Rush*. Seattle: Epicenter Press, 1998.

During a gold rush, there are two ways of making a fortune: mining for gold and mining the miners. This book gives a history of one approach to the latter.

Naske, Claus-M. "The Case of Vuco Perovich." *Pacific Northwest Quarterly* 78, nos. 1-2 (1987): 2-9.

This article tells the story of the 1905 trial of Vuco Perovich, who was convicted of the 1904 murder of Jacob Jaconi, the operator of a fish wheel near Fairbanks. What sets this tale of murder apart is that in 1909 Perovich's lawyer secured a presidential commutation of sentence from death to life imprisonment, against the wishes of his client. In 1927, the U.S. Supreme Court upheld the commutation, ruling that it did not require the consent of the convict.

Naske, Claus-M. "The Red Lights of Fairbanks: Prostitution in Alaska in 1909." *Alaska Journal* 14 (Spring 1984): 28-32.

According to the author, finding information about prostitution on the mining frontier is difficult because of the lack of reliable sources. In this instance, he came across the report by Kazis Kraueczunas, an officer of the Immigration Service, about his arrest of sixteen men and women in the Alaskan interior (he would have arrested more but could get no cooperation). The report is reproduced.

Oleksa, Michael. "The Death of Hieromonk Juvenaly." *St. Vladimir's Theological Quarterly* 30, no. 3 (1986): 231-68.

This article looks at the life of Russian Orthodox priest Hieromonk Juvenaly and his missionary work among the Chugach Sugpiag and Athabaskan Natives in Kodiak and the Alaska mainland. Juvenaly disappeared while evangelizing among the Yup'ik in 1796. No material evidence of his death has come to light, but there are oral traditions and other accounts. Oleksa weighs the scant evidence. Juvenaly is considered a martyr and a saint in the Russian Orthodox Church.

Oleksa, Michael. Notes and Comments. "The Oral Tradition about the Death of Fr. Juvenaly Among the Native Peoples of Southwestern Alaska." *St. Vladimir's Theological Quarterly* 27, no. 2 (1983): 133-37.

This article weighs the oral history among Native Alaskans regarding the murder of Fr. Juvenaly and finds agreement among the Athabaskans and Yup'iks regarding the circumstances and location. The author also suggests that further information or corroboration should be sought from the Quinhagak.

Rivers, Ralph J. "The Black Bear Case." *Alaska Journal* 5, no. 4 (1975): 211-16.

In 1923, William Duffy was transporting a payroll of \$30,000 when he was robbed in Flat, Alaska. Nellie Beatty, known as Black Bear, was accused of the crime and prosecuted twice, resulting in a hung jury and acquittal. This is an account of the crime and trials.

Robertson, Frank C., and Beth Kay Harris. *Soapy Smith: King of the Frontier Con Men*. New York: Hastings House, 1961.

Gold rushes attracted fortune seekers, adventurers, and those who would take advantage of the latter. Crime was rampant in gold rush towns, and occasionally a criminal became legendary. One such legend was Jefferson Randolph "Soapy" Smith, who operated as a con man, crook, and violent gangster in Skagway during the Klondike Gold Rush. This book tells his story.

Schroeder, Lucinda Delaney. *A Hunt for Justice: The True Story of a Woman Undercover Wildlife Agent*. Guilford, CT: Lyons Press, 2006.

This book provides an inside look at undercover wildlife investigation by providing an account of an elaborate sting operation in the Alaska wilderness.

*392 Sherwood, Morgan. "A North Pacific Bubble, 1902-1907." *Alaska History* 12, no. 1 (1997): 19-31.

As a victim of a gold mining scam in Aurora, on Kachemak Bay, Henry Derr Reynolds appropriated the scam himself and reorganized it in 1903 as the Reynolds-Alaska Development Company for which he lured in Governor John G. Brady as a director. The prospectus listed gold and copper mining, smelting, colonizing, agriculture, and lumber as its activities. It was a pyramid scheme that expanded as far as Valdez, much of which Reynolds acquired. This article is an account of the scam and its off-shoots.

Smith, Jeff. *Alias Soapy Smith, the Life and Death of a Scoundrel: The Biography of Jefferson Randolph Smith II*. Juneau: Klondike Research, 2009.

This account of the life and times of the famous frontier scoundrel was written by a great-grandson of the subject and is informed not only by primary sources but also from unpublished family records.

Spude, Catherine Holder. *Saloons, Prostitutes, and Temperance in Alaska Territory*. Norman: University of Oklahoma Press, 2015.

The author explores the rise and fall of prostitution, gambling, and saloons in Skagway between the time of the gold rush in 1898 and the onset of prohibition in 1918, with a focus on money and politics.

Steckler, Gerard G. "The Case of Frank Fuller: The Killer of Alaska Missionary Charles Seghers." *Pacific Northwest Quarterly* 59, no. 4 (1968): 190-202.

Missionary Charles Seghers was bishop of Vancouver Island. His diocese included Alaska, which he visited five times for missionary work. In 1886, his goal was to establish a mission in the upper Yukon, at Nulato, hoping to preempt Anglican efforts. One of his companions on the journey was Frank Fuller, a layman, who killed the bishop near their goal. This article explores the crime.

Strickland, Dan. "Murder at the Mission: The Death of H. R. Thornton at Cape Prince of Wales in 1893." *Alaska Journal* 15 (1986): 208-15.

H.R. Thornton was a minister posted in 1890 to the Prince of Wales Mission, on the tip of the Seward Peninsula, by the Congregational Church's American Missionary Association. This article reviews his life and career and reports on his murder by three Kinugumiut Native Alaskans.

“Mr. Thornton Murdered.” *American Missionary* 47 (November 1893): 339-42.

A contemporaneous account of the 1893 murder of Harrison Thornton at the Congregational Mission at Cape Prince of Wales, Alaska.

Criminal Law

Everett, Ronald S., and Deborah Periman. “‘The Governor’s Court of Last Resort’: An Introduction to Executive Clemency in Alaska.” *Alaska Law Review* 28, no. 1 (2011): 57-96.

This article provides a history of clemency from ancient times to the present with a look at its development in the United States and the Alaska Territory. It then focuses on its use during the period of Alaska statehood up to the administration of Sarah Palin.

Galie, Peter J. “State Constitutional Guarantees and the Alaska Supreme Court: Criminal Procedure Rights and the New Federalism, 1960-1981.” *Gonzaga Law Review* 18, no. 2 (1982/1983): 221-62.

***393** This article reviews the decisions of the Alaska Supreme Court as it developed and protected individual rights in the area of criminal procedure. The period covers the court’s jurisprudence with regard to the new Alaska Constitution as well as the period when the Burger Court made significant changes to Warren Court decisions.

Johansen, Lauren G. “Guilty but Mentally Ill: The Ethical Dilemma of Mental Illness as a Tool of the Prosecution.” *Alaska Law Review* 32, no. 1 (2015): 1-30.

This article examines the legal developments that led to the decision in *State v. Clifton*.⁸⁹ In particular, it reviews the affirmative defense of insanity, the use of evidence of diminished capacity for undercutting proof of intent, the guilty but mentally ill defense, and civil commitment. It also examines the history of the case and the subsequent development of relevant state statutes.

Johnson, Matthew B. “The Emergence and Significance of the ‘Mallott Rule’: The Legal History.” *Journal of Psychiatry and Law* 29, no. 2 (2001): 121-46.

At the time this article was published, the Mallot Rule,⁹⁰ which requires that police electronically record custodial questioning of suspects, had been adopted by only Alaska and Minnesota. The author provides a history of its adoption in both states.

May, Raymond W. "An Outline of Criminal Correction and Sentencing in Alaska." *Alaska Law Journal* 6, no. 9 (1968): 260-65.

This paper, given at the Criminal Correction Conference in Anchorage (July 10, 1968), includes sections on the history of criminal correction and sentencing before and after statehood.

Criminal Procedure and Justice

Carns, Teresa White, and John Kruse. *Alaska's Plea Bargain Ban Re-evaluated: Executive Summary*. Anchorage: Alaska Judicial Council, 1991.

Alaska banned plea bargaining in 1975, which dramatically shifted responsibility for sentencing convicted defendants. This report reviews and reevaluates the ban, looks at the long-term effects, and then makes recommendations.

Cary, Rob. *Not Guilty: The Unlawful Prosecution of U.S. Senator Ted Stevens*. Eagan, MN: Thomson Reuters, 2014.

The trial of Senator Ted Stevens on federal corruption charges was controversial from the beginning. This account of the government's case, the trial, and the senator's defense is given by one of his attorneys.

DiPietro, Susanne D. "The Development of Appellate Sentencing Law in Alaska." *Alaska Law Review* 7, no. 2 (1990): 265-98.

This article traces the development of Alaska's appellate sentencing law, starting in 1966, and its relationship to presumptive sentencing and the ban on plea bargaining.

Erwin, Robert C. "Five Years of Sentence Review in Alaska." *UCLA-Alaska Law Review* 5, no. 1 (1975): 1-21.

The Alaska legislature enacted a sentence review statute in 1969 giving the Alaska Supreme Court jurisdiction to review sentences in serious criminal cases. Subsequently, the courts gave definition to the statute. This article reviews the first five years of that case law.

***394** Feldman, Jeffrey M. "Search and Seizure Law in Alaska: A Comprehensive Review." *UCLA-Alaska Law Review* 7, no. 1 (1977): 75-122.

After reviewing search and seizure law from several perspectives, the author “categorizes and analyzes Alaska search and seizure cases according to object or area searched.” He then “breaks down Alaska's search and seizure cases by author, isolating individual philosophies and styles among the [then] present members of the Alaska Supreme Court.”

Groh, Cliff. “Bill Allen Takes the Witness Stand in the Stevens Corruption Trial.” *Alaska Bar Rag* 39, no. 2 (2015): 24.

Bill Allen was the longtime CEO of the VECO Corporation, an oil field services company. He was also a personal friend of U.S. Senator Ted Stevens and the key witness in the 2008 corruption trial. This is the first in a series of articles on the Stevens trial.

Hall, B. Teleferio. *Crime and Punishment: A History of Criminal Justice in Alaska's Capital City*. Juneau: Juneau-Douglas City Museum, 1993.

This study, which spans 100 years, looks at efforts of the territorial government to establish law and order in Juneau, as well as some of the characters who tried to make it happen.

Hinckley, Ted C. “Alaska as an American Botany Bay.” *Pacific Historical Review* 42, no. 1 (1973): 1-19.

This article recounts the unsuccessful effort to place a penal colony in Alaska in the late nineteenth century.

Kynell, K.S. *A Different Frontier: Alaska Criminal Justice, 1935-1965*. New York: University Press of America, 1991.

In tracing the evolution of criminal justice in Alaska from 1935 to 1965, the author analyzes Alaska as a unique area that did not evolve along the same lines as other U.S. frontiers. His method includes analysis of major crimes--homicide, burglary, robbery, theft--as well as social mechanisms used for control.

Marenin, Otwin. “Policing the Last Frontier.” In *Native Americans, Crime, and Justice*, edited by Marianne O. Nielsen, Robert A. Silverman, and Otwin Marenin. 132-45. Boulder, CO: Westview Press, 1996.

This chapter reviews the history of policing in Alaska as well as the Village Public Safety Officer Program.

Murton, Thomas O'Rhelius. *The Administration of Criminal Justice in Alaska, 1867-1902*. Master's thesis, University of California, Berkeley, 1965.

This thesis examines the interim criminal justice “system” in Alaska prior to Alaska's receiving its first complete judicial system in 1902. Starting with acquisition from Russia in 1867, the territory was governed first by the army, then the navy, then by civilian governments. The author also distinguishes administration in three areas: Bering Sea, Interior, and Cape Nome.

Murton, Thomas O'Rhelius. “The Alaska Penal and Correctional Institutions in Transition, 1952-1967.” Doctor of Criminology diss., University of California, Berkeley, 1968.

This dissertation examines the accelerated evolution of Alaska's correctional system after a period of relative stasis between 1884 and 1953. The coming of statehood sped up the process, where the state took over from federal control.

***395** Nordhoff, Charles. “What Shall We Do with Scroggs?” *Harper's New Monthly Magazine* 47, no. 277 (1873): 41-44.

After reviewing the limitations of the prison system in New York, the author proposes Alaska as a suitable penal colony, which would be run by the military.

Rubinstein, Michael L., Teresa J. White, and Stevens H. Clarke. *The Effect of the Official Prohibition of Plea Bargaining on the Disposition of Felony Cases in the Alaska Criminal Courts*. Anchorage: Alaska Judicial Council, 1978.

In July 1975, the Alaska attorney general officially ended plea bargaining, allowing few exceptions. This report evaluates the new policy and also looks back at the Alaskan practice prior to the ban.

Searches and Seizures Under Prohibition Laws in Force in the Territory of Alaska. Juneau: Department of Justice, Office of United States Attorney, First Division, District of Alaska, 1922.

This publication includes an opinion by T.M. Reed, judge for the District Court, District of Alaska, for guidance in issuing and serving search warrants in the district, followed by a treatise by N.H. Castle on the laws relating to search warrants under the National Prohibition Law and the Alaska Bone Dry Law.

Stern, Barry Jeffrey. “Presumptive Sentencing in Alaska.” *Alaska Law Review* 2, no. 2 (1985): 227-69.

This article reviews the legislative and judicial developments in presumptive sentencing since the revision of the criminal code in 1978, with focus on two components: use of prior convictions to establish repeat felony offender status, and aggravating and mitigating factors.

Stern, Barry Jeffrey. "The Proposed Alaska Revised Criminal Code." *UCLA-Alaska Law Review* 7, no. 1 (1977): 1-74.

This article, written before the criminal code revision was enacted, provides a history of the revision, discusses the need for the revision, and then compares the first two parts of the tentative draft with the then existing code.

Death Penalty

Gallihier, John F., Larry W. Koch, David Patrick Keys, and Teresa Guess. *America Without the Death Penalty: States Leading the Way*. Boston: Northeastern University Press, 2001.

Chapter 7, "The History of Death Penalty Abolition in Alaska," relates the history of capital punishment in Alaska from the Russian period through abolition in 1957 and on through attempts to reestablish it legislatively from the 1970s through the 1990s.

Green, Melissa S. "A History of the Death Penalty in Alaska." Anchorage: Justice Center, University of Alaska Anchorage, 2001.

There has been no death penalty in Alaska under statehood. This article reviews the death penalty in Alaska during the years prior to that, including under the "miner's laws" in the late nineteenth century.

Lerman, Averil. "Capital Punishment in Territorial Alaska: The Last Three Executions." *Frame of Reference* 9, no. 1 (1998): 6-9, 16-19.

The Alaska death penalty was abolished by the territorial legislature in 1957. This article tells the stories of the last three executions, of Nelson Charles, Austin Nelson, and Eugene LaMoore.

*396 Lerman, Averil. "The Trial and Hanging of Nelson Charles."⁹¹ *Alaska Justice Forum* 13, no. 1 (1996): 1, 8-12.

This article gives an account of the murder of Cecelia Johnson in 1938, followed by the trial, postconviction actions, and hanging of Nelson Charles. It also contains a brief overview of the death penalty in territorial Alaska.

Wilson, R. Michael. *Legal Executions in Alaska & Hawaii: A Comprehensive Registry*. Charleston, SC, 2011.

This short volume provides accounts of all fourteen people who were executed in Alaska between 1869 and 1950 when the death penalty was in force.

Domestic Violence

Clark, Paula A. "Mandatory Arrest for Misdemeanor Domestic Violence: Is Alaska's Arrest Statute Constitutional?" *Alaska Law Review* 27, no. 2 (2010): 151-94.

While making its argument, this article analyzes the legislative history of Alaska's Domestic Violence Prevention and Victim Protection Act⁹² and its interpretation by the courts since passage.

Johnson, Laura S. "Frontier of Injustice: Alaska Native Victims of Domestic Violence." *Modern American* 8, no. 2 (2012): 2-20.

This article summarizes some general legal history, with case law, of Native Alaskan jurisdiction in Alaska, as well as remedies available to Native Alaskan victims of domestic violence and ways to strengthen Native Alaskan jurisprudence to combat domestic violence.

Trimmer, Beth Goldstein Lewis. Comment. "A Sexual Relationship, Did We Have One? A Review of the Definition of 'Sexual Relationship' Within the Context of Alaska's Domestic Violence Laws." *Alaska Law Review* 24, no. 2 (2007): 237-62.

As part of trying to identify a definition of the term "sexual relationship," the author of this Comment reviews the legislative history of AS 18.66.990, the definition section of the Alaska Statutes' chapter on domestic violence.

Earthquake 1964

Anderson, William A. *Disaster and Organizational Change: A Study of the Long-Term Consequences in Anchorage of the 1964 Alaska Earthquake*. Columbus: Disaster Research Center, Ohio State University, 1969.

This report reviews the patterns of changes instilled in the functions of organizations in Anchorage following the Good Friday earthquake. Predisaster and post-disaster structures are compared for several organizations, including the police and fire departments.

Engle, Eloise. *Earthquake! The Story of Alaska's Good Friday Disaster*. New York: John Day, 1966.

While this book primarily describes the effect and damage of the earthquake, and the immediate recovery efforts by the military in Operation Helping Hand, the final chapter describes legislative efforts to assist recovery, both federal and state, by the establishment of the Federal Reconstruction and Development Planning Commission for Alaska and the State of Alaska Reconstruction and Development Planning Commission.

*397 Federal Reconstruction and Development Planning Commission for Alaska. *Response to Disaster: Alaskan Earthquake, March 27, 1964*. Washington, DC: Federal Reconstruction and Development Planning Commission for Alaska, 1964.

This report was produced by the special planning commission called into existence to chart a path forward for Alaska after the devastating Good Friday earthquake. After reviewing the situation, the commission makes recommendations for special legislation.

Wohlforth, Eric. "Financing 1964 Alaska Earthquake Reconstruction: LBJ, Egan, and Congress." *Alaska History* 29 (Fall 2014): 1-21.

This article recounts the federal legislative effort to fund reconstruction in Alaska after the devastating 1964 earthquake. Included in those efforts was the establishment of a Reconstruction Commission.

Education

Barnhardt, Carol. "A History of Schooling for Alaska Native People." *Journal of American Indian Education* 40, no. 1 (2001): 1-30.

This article provides an overview of the Alaska context, reviews federal policies that directly affected Alaska Native education, and analyzes the evolution of education for Alaska Natives with attention to the dual federal-Alaska system of schools as well as state and federal reform efforts.

Barnhardt, Carol. *Historical Status of Elementary Schools in Rural Alaskan Communities 1867-1980*. Fairbanks: Center for Cross Cultural Studies, College of Human and Rural Development, University of Alaska Fairbanks, 1985.

This publication provides a brief historical summary of major educational systems in Alaska.

Berardi, Gigi. "Schools, Settlement, and Sanitation in Alaska Native Villages." *Ethnohistory* 46, no. 2 (1999): 329-59.⁹³

This treatment primarily analyzes the role of education in the transition for Native Alaskans from traditional mobile villages to the more settled approach of "persistent" villages and the challenge of providing adequate sanitation for them. Along the way, the author reviews the mission and activities of the Bureau of Education, both in bringing education to the Alaska Natives and for promoting education as a "civilizing" force.

Bonner, Evelyn K. "Dr. Sheldon Jackson: Pioneer Alaskan Educator for All Seasons." In *Education in Alaska's Past: Conference Proceedings, Valdez, 1982*, edited by Gary Stein, 42-52. Anchorage: Alaska Historical Society, 1982.

This paper focuses on the life and the efforts of Dr. Jackson to establish schools in Alaska but also to encourage people to send their children to them.

Cole, Terrence M. *A Land Grant College Without Land: A History of the University of Alaska's Federal Land Grant*. A Report to the University of Alaska Statewide Office of Land Management. Fairbanks: University of Alaska, 1993.

This report reviews the history of land grants for higher education in Alaska from the Tanana Valley Agricultural College Reserve in 1915 through statehood, with some prior coverage of the Morrill Act of 1862.⁹⁴

***398** Cotton, Stephen E. "Alaska's 'Molly Hootch Case': High Schools and the Village Voice." *Educational Research Quarterly* 8, no. 4 (1984): 30-43.⁹⁵

Prior to the 1976 settlement in the *Tobeluk v. Lind* case,⁹⁶ children in Native villages throughout Alaska who wanted education above the elementary school level had to enter a boarding program. The *Tobeluk* consent decree committed the state of Alaska to providing high schools in Native villages. This article reviews the history of education in the villages and of the case itself.

Darnell, Frank. "Alaska's Dual Federal-State School System: A History and Descriptive Analysis." Ph.D. diss., Wayne State University, 1970.

The author provides a lengthy survey of education policy and legislation in Alaska from the Russian period until 1968.

Dauenhauer, Richard. "Education in Russian America." In *Russian America: The Forgotten Frontier*, edited by Barbara Sweetland Smith and Redmond J. Barnett, 155-63. Tacoma: Washington State Historical Society, 1990.

This essay provides an introduction to the Russian approach to education in its North American colony.

Ducker, James H. "Out of Harm's Way: Relocating Northwest Alaska Eskimos, 1907-1917." *American Indian Culture and Research Journal* 20, no. 1 (1996): 43-71.

In the nineteenth century, the federal government determined that Alaska Natives were largely self-sufficient and did not need comprehensive paternalism provided by the Bureau of Indian Affairs. Therefore, the federal role was limited to educating Alaska Natives, which was the responsibility of the Bureau of Education. This article analyzes the effort to provide education as an end in itself and to establish remote schools to induce Alaska Natives to relocate away from the corrupting influence of White civilization in mining towns such as Nome.

Getches, David H. *Law and Alaska Native Education: The Influence of Federal and State Legislation upon Education of Rural Alaska Natives*. Fairbanks: Center for Northern Educational Research, University of Alaska-Fairbanks, 1977.

This thirty-nine-page paper reviews the laws that shaped Alaska's educational system, focusing on Native education (but excluding military "on-base" schools). Sections include "History: Evolution of Alaska's Parallel System of Education," "Federal Programs of Financial Assistance," and "Localizing Education and Its Controls."

Haycox, Stephen. "'Races of a Questionable Ethnical Type': Origins of the Jurisdiction of the U.S. Bureau of Education in Alaska, 1867-1885." *Pacific Northwest Quarterly* 75, no. 4 (1984): 156-63.

This article reviews the frustrated efforts to persuade the U.S. government to make firm provisions for the Natives living in the newly purchased Alaska, including provisions for their education. Organic legislation was finally adopted in 1884, with education provisions for "children of school age" "without reference to race." In 1885, Sheldon Jackson was appointed the first general agent of education for Alaska.

***399** Haycox, Stephen W. "Sheldon Jackson and the Constitutionality of the Contract School System: A Chapter in the History of Federal Indian Policy." In *Education in Alaska's Past: Conference Proceedings, Valdez, 1982*, edited by Gary Stein, 26-41. Anchorage: Alaska Historical Society, 1982.

This paper is about the legitimacy of using church groups and religious individuals to develop and administer education and federal Indian policy in Alaska.

Haycox, Stephen W. "Sheldon Jackson in Historical Perspective: Alaska Native Schools and Mission Contracts, 1885-1894." *Pacific Historian* 28, no. 1 (1984): 18-28.

This article shows how and why Sheldon Jackson broke ranks with the common federal policy of educating Native American children away from their tribes and villages. Instead, Jackson believed that Alaskan Natives could be better educated and acculturated in their own villages.

Henningsen, Victor William, III. "Reading, Writing, and Reindeer: The Development of Federal Education in Alaska, 1877-1920." Ed. D. thesis, Harvard University, 1987.

This thesis provides a history of the origins and development of federal education programs in Alaska from 1877 to circa 1920, with a focus on how education was used as a means to assimilate Alaska Natives.

Hinckley, Ted C. "Conflicting Priorities, Conflicting Opinions: Alaska Development and Sheldon Jackson, Educator." In *Education in Alaska's Past: Conference Proceedings, Valdez, 1982*, edited by Gary Stein, 1-25. Anchorage: Alaska Historical Society, 1982.

This paper is about the efforts by Dr. Jackson and others to bring education to Alaska in the late nineteenth century.

Hirshberg, Diane, and Suzanne Sharp. *Thirty Years Later: The Long-Term Effect of Boarding Schools on Alaska Natives and Their Communities*. Anchorage: Institute of Social and Economic Research, University of Alaska Anchorage, 2005. ⁹⁷

As part of its introduction to the study of boarding schools, this publication provides a brief history of schooling for Native Alaskans, from the Bureau of Indian Affairs boarding school system in the nineteenth century through the changes required by the *Molly Hootch* case and other changes. It also looks at the issue of whether boarding school assignment was mandatory or by choice.

Hultgren, Claes Leonard. "Education in Alaska." *Alaska-Yukon Magazine* 5, no. 5 (1908): 301-07.

This article provides a brief history of education in Alaska with a focus on the efforts of Sheldon Jackson and the ensuing years.

Jackson, Sheldon. *Report on the Condition of Education in Alaska*. S. Exec. Doc. No. 47-30 (1882).

The Rev. Jackson reviews the history of education in Alaska, primarily for Alaska Natives, from the period of Russian control into U.S. control. He references government policy, or lack thereof, as well as particular schools.

*400 Jackson, Sheldon. *Report on the Condition of Education in Alaska*. S. Exec. Doc. No. 49-85 (1886).

In this report, the Rev. Jackson builds on his 1882 report with reference to his experience as general agent for education in Alaska, under the supervision of the federal Bureau of Education, and looks at education in geographic areas and discrete groups.

Jones, Zachary R. "Yánde Gaxhyinaakh aa Káxh/You Will Stand Up to It: Indigenous Action in Southeast Alaska Native Education, 1878-1945." *Pacific Northwest Quarterly* 106, no. 1 (2014/2015): 3-16.

This article reviews the experiences, voices, and actions of the Tlingit, Haida, and Tsimshian peoples in their interaction with the Native education system in Alaska. Two overall periods are encompassed: 1878 to 1912, which saw litigious actions by the Tlingit community, and 1912 to 1945, in which the Alaska Native Brotherhood was involved. The primary focus overall is on the Tlingit.

Koponen, Niilo E. "The History of Education in Alaska: With Special Reference to the Relationship Between the Bureau of Indian Affairs and the State School System." Ed. D. diss., Harvard University, 1964.

This work examines the history of education in Alaska with a focus on integration from the Russian period, through the development of local government, territorial status, post-World War II, and briefly into statehood.

Lavrischeff, Tikhon I. "History of Education in Alaska." Ed. D. diss., University of California, 1935.

This is a detailed study of education in Alaska from the Russian period into the territorial period.

Marsh, William R. *North to the Future: The Alaska Department of Education in Alaska, 1785-1967*. Juneau: State of Alaska, Department of Education, 1967.

This report highlights Alaska's educational programs from 1785 to 1917 and educational legislation from 1913 to 1967. It also examines the changing structure of the Department of Education.

Miller, Keith H. *Arthur Miller of Alaska: The Story of a Pioneer Alaskan and the History of the Bureau of Education in the Far North from 1885 to 1935, Including the Bureau's Development of the Reindeer Industry*. Anchorage: Keith H. Miller, 2009.

The subtitle says it all.

Oleksa, Michael, and Richard Dauenhauer. "Education in Russian America." In *Education in Alaska's Past: Conference Proceedings, Valdez, 1982*, edited by Gary Stein, 53-66. Anchorage: Alaska Historical Society, 1982.

This paper is a survey of the Russian approach to education in Alaska prior to the 1867 Treaty of Cession.

Poole, Charles Pinckney. "Two Centuries of Education in Alaska." Ph.D. diss., University of Washington, 1948.

This dissertation covers Alaskan educational history from 1741, under Russian control, until 1948, when Alaska was a U.S. territory, and divides the period into six parts.⁹⁸ Approaches, challenges, and legislation are examined.

***401** Slama, M. Bruce. "Creation and Dissolution of the Alaska State-Operated School System." Ed. D. diss., University of Wyoming, 1984.

This dissertation provides background on the history of education in Alaska from the Russian period until the mid-twentieth century, and focuses more deeply thereafter on the period after statehood. The author's primary interest is the development and evolution of the educational systems in Bush (rural) Alaska. He identifies case law and legislation where possible.

Smith, Glenn. "Education for the Natives of Alaska: The Work of the United States Bureau of Education, 1884-1931." *Journal of the West* 6, no. 3 (1967): 440-50.

This article reviews the efforts of the U.S. Bureau of Education through different directors and approaches. Because of the vast distances involved and difficult tasks, some directors sought to rid the bureau of its Alaska responsibilities.

Starr, J. Lincoln. *Education in Russian Alaska*. Alaska State Library Historical Monographs No. 2. Juneau: Alaska State Library, 1972.

Relying on Russian language sources, the author reviews the functioning of the mission schools in Russian Alaska from 1759 to 1867, as well as both secular education and religious seminaries in Sitka. He also provides appendices that include the tsar's 1836 ukase decreeing compulsory education for children of settlers in Russian Alaska and a review of the regulations, statistics, and curriculum of the Colonial Institute at Sitka, which opened in 1860.

Wallace, Isabel Weir. "History of Education in Alaska." Master's thesis, University of Washington, 1918.

This thesis reviews the history of education in Alaska, including legislation, from the Russian period to World War I America.

Footnotes

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- aa1 Public Services Librarian, Alaska State Court Law Library, Anchorage, Alaska. I offer my sincere appreciation to Professor Stacey Gordon Sterling, Director of the Jameson Law Library, University of Montana, Missoula, Montana; Dr. Joel Fishman, Duquesne University Center for Legal Information/Allegheny County Law Library, Pittsburgh, Pennsylvania; Justice Peter Maassen, Alaska Supreme Court, Anchorage, Alaska; and Michael T. Schwaiger for their advice and assistance in reviewing this work. I also thank my colleagues at the Alaska State Law Library for their forbearance, in particular Susan Falk, Alaska State Law Librarian, Anchorage, Alaska; and Therese Veker, Library Assistant III, Alaska State Court Law Library, Anchorage, Alaska.
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