

Alaska Native Policy Center

= FAST FACTS =

ALASKA NATIVES IN THE TERRITORIAL LEGISLATURE & ENFRANCHISEMENT

As we engage in our research and policy work, the Alaska Native Policy Center at First Alaskans Institute sometimes collects quick information from readily available sources that others may also find useful. Although we cannot do it all the time, when we do we will share it via our website and social networks for others to access. We make no guarantees about the accuracy or currency of the information, but will make sure to include citation and important dates for others to pursue if they are interested.

ALASKA NATIVES IN THE ALASKA TERRITORIAL LEGISLATURE

- The first Alaska Native Territorial legislator was **William Paul** (Tlingit) of Ketchikan, elected for the 1922-23 session and reelected for the 1925-26 session. (Legislative sessions at this time were not annual, but were held approximately every other year.)
 - He failed his bid for third term, for the 1927-28 session, in part because the press published a scandal involving accusations that Paul had received campaign money from the commercial canned salmon industry, which Paul had lambasted in his public statements (as working counter to Alaska Native interests). He continued to be active politically through his involvement with the Alaska Native Brotherhood (ANB).
- 1944, **Frank Peratrovich** (Tlingit) of Klawock and **Andrew Hope** (Tlingit) of Sitka were elected to the Territorial House of Representatives.
- 1946, **Frank G. Johnson** (Tlingit) of Kake was elected to the House and **Peratrovich** to the Senate.
 - 1948, **Peratrovich** became Senate president.
- 1948, the first Eskimos were elected to the Territorial legislature; they were **Percy Ipalook** (Inupiaq) of Wales and **William E. Beltz** (Inupiaq) of Nome. Both were elected to the House.
 - **Beltz** was reelected to the legislature in 1950, this time serving in the Senate, where he served continuously until his death in 1961. He was elected Senate President for the first State legislature, which convened in 1959.
- 1950, **Frank Degnan** (Yup'ik) of Unalakleet – the first Yup'ik legislator – and **James K. Wells** (Inupiaq) of Noorvik won House seats.
- “In the legislative session which began in 1952, Natives held seven seats. Although this was a substantial gain from the time Paul was the only Native legislator, it was still a small minority of the total

membership.” (The chronology above was drawn from: http://www.alaskool.org/projects/landclaims/landclaims_unit3_ch13.htm)

- **NOTE ABOUT THE ABOVE:** In several places it was mentioned that three Alaska Natives served in the Territorial House (elected in 1950) and one served in the Senate (elected in 1948). That sort of brief comment, with no names attached, appears in several places. They may refer to early Tlingit legislators such as Peratrovich, Hope, and Johnson, and appear to list Peratrovich twice, since he served in both the Territorial House and Senate. In these examples we can also see that the exact dates of the various elections is constantly misreported or confused. For example, many sources list Paul’s first election as occurring in 1924, while others list the date as 1922. Many of these legislators served multiple terms, which is not reflected in this chronology; and some served on both the Territorial and State legislatures.

ENFRANCHISEMENT

- 1913, the first act of the Territorial legislature was to enfranchise women, reportedly because increasing the number of voters in the territory would improve any future bid for statehood (see: <http://www.akhistorycourse.org/articles/article.php?artID=171>).
 - The legislature at that time and for many years after was largely composed of miners, mine owners and investors, and others involved in the mining industry (this was, after all, shortly after the Gold Rush boom), and most of the Territorial legislature’s early laws concerned mine safety, mine operation, mining inspections, etc.
 - Due to the national Mining Act of 1874, which declared mine claims could only be filed by “citizens or immigrants in good standing,” Alaska Natives were categorically denied mine patents. The local mining committees who stood in their way argued that Indians were neither “citizens” (due to their legal status as Indians) nor “immigrants” (since they were born within the nation’s boundaries). For many years after the Treaty of Cession in 1867, these mining committees (simply composed of the local cadre of miners) were the only law in town, and were not what you would call overly sympathetic to Native rights or grievances.
- 1915, Alaska Natives were first given the chance to vote through the 1915 Territorial Act, insofar as ***if they relinquished all ties to their Indian tribe they could become citizens; and citizens could vote.***
 - Earlier national acts (like the General Allotment Act of 1887, a.k.a., the Dawes Act) had offered an Indian path to citizenship through the severing of tribal ties. The Alaska Territorial Act of 1915 formalized this severing at the local level by providing “a procedure through which a native, by proving his qualifications as a voter, and demonstrating his abandonment of tribal customs and his complete adoption of a civilized way of life, could obtain a certificate of citizenship.”
 - Specifically, to become a citizen within the Territory of Alaska, a Native applicant had to submit themselves:
 - ...to a local school to be examined by a majority of the teachers. “Such examination shall broadly cover the general qualifications of the applicant as to an intelligent exercise of the obligations of suffrage, a total abandonment of any tribal customs or relationship, and the

facts regarding the applicant's adoption of the habits of a civilized life [i.e., they no longer wore their indigenous clothing, spoke their Native language, attended cultural activities like potlatches, etc.],” the law said. The schools at that time were geared to promote assimilation of Natives into the white culture, so the teachers seemed the best able to make such judgments.

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

Then the certificate, after being endorsed by five citizens, had to be presented to the district court. To achieve citizenship, the Native had to say he was living "separate and apart from any tribe of Indians" and had "adopted the habits of civilized life." ⁷

- In essence, the Territorial Act (like the Dawes Act before it) made the categories “Alaska Native” and “US citizen” mutually exclusive. In many cases, during this era Alaska Native people lived a double life, appearing Westernized in public but maintaining their Native heritage “underground” (i.e., secretly eating Native foods, talking their Native language, performing their Native songs and dances, etc.).
- (For more on the above, see: <http://www.akhistorycourse.org/articles/article.php?artID=136> and http://www.alaskool.org/projects/native_gov/documents/anb/anb_3.htm#DISCRIMINATION)
- 1922, Alaska Natives won the right to vote through a legal case championed by Tlingit lawyer William Paul, who was elected to the Territorial legislature that same year (although see above regarding election dates). The specifics of the case are as follows: (See: http://www.alaskool.org/projects/native_gov/documents/anb/anb_3.htm#DISCRIMINATION)
 - In 1922, a traditional Tlingit gentleman and person of rank among his tribe, Charlie Jones, who had been accustomed to voting regularly, was prevented from voting by – apparently – an anti-Indian activist election official who had Mr. Jones arrested on the grounds that he was “voting ‘at a time when and a place where he was not eligible to vote,’ a felony” charge.
 - William Paul, along with the ANB (of which he was a member), fought the case – which had also drawn in his mother, Mrs. Tamaree, as an accomplice because she had attempted to act as a translator and advocate for Mr. Jones – and in 1922, he won the case, and thereby won the right for all Alaska Natives to vote in Territorial elections.
 - Subsequently (with the mentioned ambiguity over election dates), William Paul was elected to the Territorial legislature based partially on the strength of the collective voting power of an organized Alaska Native bloc (largely organized through the ANB). That bloc remained strong through the early half of the 20th century, managing to elect the other Tlingit congressmen mentioned above.
- Two years after Alaska Natives won the right to vote, all American Indians and Alaska Natives who had not yet become citizens were granted citizenship in 1924, and thereby won the right to vote.
 - ***These early victories were, however, undermined by the Territorial legislature, which in 1925 enacted a law conditioning the right to vote on the ability to pass an English literacy test***

(this was a common tactic of disenfranchising minorities); that law remained on the books (although perhaps not strictly enforced) until the Alaska constitution was ratified in 1956.

- During this same era, 20 other states, mostly in the South, as well as Washington and Arizona, instituted similar literacy laws. Most of these were instituted to disenfranchise Blacks (especially in the South), but Washington and Arizona also had large Indian populations, and it's conceivable that like Alaska, their laws were aimed at indigenous voters. (For more on the above, see: http://www.alaskool.org/native_ed/articles/literacy_act/LiteracyTxt.html).
- **NOTE ABOUT THE ABOVE:** This is a partial basis for Alaska's initial inclusion in the preclearance requirements under the Voting Rights Act (known as Section 5), compounded by ongoing issues and other court cases around voting and elections practices, redistricting, ballot languages and interpreter availability. These are not old or historic issues. The US Supreme Court just heard a case yesterday- February 27, 2013- challenging aspects of the Voting Rights Act. The State of Alaska is in support of the restrictions being lifted; the Alaska Federation of Natives has submitted an Amicus Brief supporting the absolute necessity of continuing the restrictions in Alaska in order to protect Alaska Native voting rights.