

Danielle DiNovelli-Lang
Paper DRAFT prepared for the Agrarian Studies Colloquium, Yale University
April 1, 2011
Property, Territory, Bears

In his paradigm-shifting environmental history Changes in the Land, William Cronon sums up the result of the historical confrontation between Puritan settlers and the several Native tribes of the Connecticut river valley as, “a people who loved property little... overwhelmed by a people who loved it much,” (1983:81). This stark assessment concludes a section in which Cronon critically reads the work of John Locke, whose British prejudices led him to deny, in theory and in fact (Arneil 1996), the productivity of Native labor on the land. As against this Cronon meticulously and often beautifully documents the many ways in which Native hunters and farmers purposefully and effectively improved the material productivity of their territories, thus possessing them by a right of labor that Locke, his Puritan acolytes and liberal statesmen into the present should (still) have been able to recognize. Yet just at this moment Cronon seems to imitate more than criticize Locke, following the Two Treatises on Government in distinguishing Native Americans from English settlers precisely on the basis of each group’s relationship to property, but substituting Locke’s rude empiricist name-calling (e.g. “an [American] king of a large and fruitful territory... is clad worse than a day laborer in England,” 1988: 297) for the more culturally sensitive attribution, property unloving. To this, one might ask, which is it? Were these people so different? If they were, was it property that divided them? And if it was, was it Lockean property or some other?

In even asking these questions I am stepping much deeper into the Lockean morass than any non-specialist ought. As an anthropologist working in what has become the United States, I lack Cronon’s security that their determinations are historical. The discipline’s commitment to

relativism in this country began and to some extent continues as a reaction to the conservative Lockeanism that marks the dominant in US political and cultural discourse. We find Locke's distinction deplorable and Cronon's laudable because the Christian universalist Locke traces the Americans' apparently self-imposed poverty to their ignorance of God and the labor theory of value (perhaps because Locke had not yet made the Two Treatises available to them) while the anthropologically well-informed Cronon traces the settlers' ultimate prosperity to a culture of agrarian commercialism epitomized by Locke's writing and subsequently universalized through the colonial law it inspired. The linked structures of colonial progress and anthropological enlightenment compel us to provincialize Locke – as an Englishman, as Shaftsbury's accountant – instead of challenging his philosophy as truth. This task remains the purview of political philosophers, and their achievements, the glory of Europe.

Yet here again there is a telling symmetry. Political theory in the former British Empire is now as transfixed by the actual claims of indigenous people (Iverson et al. 2000) as it was once moved by their abstraction (or annihilation). This hemisphere's foremost Locke scholar, James Tully (1995) cites Cronon, among others, as providing evidence of the damage Locke's philosophical frame did to historical Native property arrangements. Unlike postcolonial scholars such as Uday Mehta (1990), Tully does not believe Locke's willful exclusion of Native others is constitutive of the whole of liberal political philosophy, but he does believe the legacy of this exclusion continues to prevent the fulfillment of liberal justice in the US and Canada, and that fundamental constitutional adjustments are required to remedy the situation. In Strange Multiplicity, Tully argues that Canada's First Nations should have the right to make claims upon the Canadian state at a forum and in a language they will have helped to determine, more in the style and spirit of ongoing treaty negotiations than formal appeals to a falsely neutral authority.

This involves coming to terms with the causes of that state's false neutrality, prominent among which is the chapter on property in Locke's Second Treatise on Government. (Tully 1995:59)

At risk of being overly pedantic, my point is that this move by Tully, made with the endorsement of Cronon and many, many others similarly influenced by a kind of anthropological reflection, is *itself* a judgment that the Native people of North America, if not every one of Europe's colonial others, are different from their colonizers, not just by virtue of colonialism and its ubiquitous violence, but by virtue of what John Locke wrote about their lands, labor and property. Insofar as Locke's writing merely provided a justificatory language for historical acts of dispossession carried out by patently unjust means, there is no arguing with Tully's judgment in this regard. But it is clear enough that Tully continues to revisit Locke because Locke's language, seemingly on its own, continues to sanction injustice at nearly every point of interaction between Native people and Anglo-American state systems. And it is this latter continuity that I doubt can be effectively interrupted by contextualizing Locke as ethnocentric, thus letting stand the structure of his diagnosis of difference in property.

Lockean property, which has become private property, marks indigenesness similarly to how gender marks femininity. It preemptively constrains indigenous political claims, forcing them to authenticate internal property relations rather than challenge property relations in general. What I would like to try to do, therefore, is indicate and trouble Lockean property as a marker of difference that, like race or gender, derives its force from "a set of repeated acts within a highly rigid regulatory frame that congeal over time to produce the appearance of substance," (Butler 1990:33). Of course it was Marx who, long ago, pointed out the congenital instability of private property, defining it "as the material, summary expression of alienated labor ... the relation of the worker to work and to the product of his labor and to the non-worker, and the

relation of the non-worker to the worker and to the product of his labor,” (1964:119). Property is not a quality or condition of individual actors, but a ineluctably relational concept that can only be enacted, felicitously or otherwise, by the complex concatenation of would-be subjects and objects whose relations it mediates or obscures. Still, I want to emphasize the poststructuralist insight that these relationships are only as secure as the people and things that bear them into action, that the apparent stability of systems rests on those who are excluded, and that, at least with respect to property, systematicity and exclusivity are the effects of their own assertion (Foucault 1994).

This is not as complicated (or novel) as it might sound. Anthropologists of development have for the past thirty years been providing empirical evidence of the repetitive discriminatory actions necessary to make the property forms favored by international development agencies appear to work on their own (e.g. Watts 1987; Carrier 1988; Ferguson 1990; Coronil 1997; Escobar 1995; Carrier and Miller 1998; West 2006). In another vein the history of anthropology in the Pacific has been a prolonged theoretical coming-to-terms with forms of property that overwhelm their supposed owners with subjective qualities, especially gender (e.g. Weiner 1992; Strathern 1988). On the one hand their interventions posit Lockean property as the normative Euroamerican alternative for the diversity of property relations found elsewhere. On the other hand, in the classic anthropological style of inversion, the descriptive power of certain non-Lockean theories of property illuminates the inadequacy of Locke’s theory to describe contemporary property relations in Europe, such as intellectual property (Strathern 1999). Finally, as I write these words the radio in the background has just played an advertisement for a real estate company claiming that “homeownership creates jobs.” We who live with Locke’s theory of property live it as a duty, not a right.

This has for a long time now included the people on whose backs Locke's vision was ploughed and sown. No sovereign tribe or unincorporated Native village of which I am aware has retained the power to completely insulate itself from the necessity of somehow enlarging its possessions if it wants to retain any of the remaining features of self-determination. To what extent Native economies once consisted of "a steady-state system of replacement production," (Tully 1995:75) it is ironic, if not ludicrous, to expect them to somehow represent this practice in the present¹ when it is impossible to represent anything before territorial states that at their *best* measure justice in wealth without demonstrating at least an interest in making (ever more) money. Yet this is almost exactly what is demanded of the Native communities I know best in Alaska: They are obliged to make, receive and, at the same time, eschew money as equal conditions of their political independence. These conditions are neither accidents of capitalist hegemony nor consequences of Locke's misrecognitions. They are necessary and frequent occasions for the reinstallation of property as the cause of relationships for which it is more often the effect, in the United States, including relationships that do not seem to have anything to do with the capacity of representative government to deal justly with its Native constituents.

One reason the occasions are so necessary and so frequent, their consequences so mobile and perpetual, is obvious. Locke was wrong. He was wrong about the actual conditions of extremely diverse American property forms and political organizations; he was wrong that people naturally consent to be governed, and wrong that governments protect private property; he was wrong that the use of money prevents the waste of resources, and so on. Yet, as the founder of what became political economy, he was wrong in a very effective way, a way that

¹ To be fair, Tully is very careful never to predetermine what difference Canada's First Nations should represent when/while they represent themselves. But if he meant to follow Locke in excluding substantially different economic arrangements out of hand, he does not say so.

provided a useable framework for the colonization of a continent, the development of capitalist industry and the demonization of the poor. He was wrong in such a brilliant way that his theory is not vulnerable to challenge by such obvious truths as the non-existence of the State of Nature or, for that matter, the garden of Eden. So instead of rereading Locke against what ethnographic truths I believe I have in my intellectual possession, I want to try something different. I want to see how the necessarily endless project of implementing Lockean property relations is faring on a dangerous, infertile and property-rich Alaskan island. We begin in Locke's time.

*

In the 17th Century, a rapidly advancing glacier obliterated the Tlingit village at Chookanheeni – a creek that prior to the Little Ice Age had opened into a broad silty estuary where protein-rich beach grasses grew, starches could be gardened and an incredible variety of berries proliferated. The Chookaneidi people, as they came to be called in exile, were forced to flee their ancestral home of the last several thousand years just ahead of a towering wall of ice that chased them miles and miles across land and water before it finally stopped at the point called S'ix'Xaayi all the way to the mouth of the bay from which they had come. Like any people so violently displaced, the Chookaneidi sailed in search of a landscape similar to the one they had been forced so traumatically to leave. Across the body of water that, sometime later, George Vancouver would helpfully rename Icy Strait after the icebergs that he saw calving from the enormous glacier directly into it, then southeast along the shore of a giant tree-covered island, the Chookaneidi came eventually to a bay that was a mirror image of their homeland, albeit on a much smaller scale. A few miles up the bay was a salmon stream and saltwater estuary strikingly similar to Chookanheeni and not evidently occupied by anyone other than their own fishermen, sporadically, in summers past.

For now camp was pitched, and the people set about building their clan house at the end of a winter that had lasted more than a year. But when summer finally returned, so too did large numbers of hungry island-dwellers who claimed the creek and the grasses and the berries for their own. They paid no heed to the Chookaneidi's claim, prompting the Chookaneidi to wage a war for the place they had hoped would mark the end of their flight from their northern home. This war lasted a long time, but eventually the Chookaneidi had enough. They negotiated a peace treaty with the island's occupants that would permit the people to establish in the bay an alternative village in a well-protected spot just a little to the north, in the lee of an imposing limestone cliff. While a fine harbor, the new site lacked the nutritious estuarian flora of its predecessor, and by agreeing to move there the people reoriented themselves forever towards the sea as their primary means of livelihood. Thus, they conceded most of the island's landmass and its potentially arable land to the ones by whose grace they had finally found refuge.

These events, as told above, are my slightly speculative sewing up of two moments in the Chookaneidi epic about the founding of the village of Gaawt'akaan. Told by the appropriate individual at the appropriate time, ideally in the Tlingit language, the real story constitutes the title-deed to the village as well as to the place John Muir named Glacier Bay. It also indicates where the village territory does not extend, by virtue of the peace treaty likewise contained within the story: It does not extend very far inland, and it does not extend to the marshland around Brown Bear Creek. For it was a group of Coastal brown bears who fought the war and made the peace with the Chookaneidi, and the strength of the latter's claim to the present village is literally the strength of the brown bear, embodied in Chookaneidi clan members in various ways and evident in the omnipresent and eerily non-violent three thousand or so present-day bears patrolling the island's evergreen forests. Despite the encroachment of industrial logging,

tourism, sport hunting and the modest growth of Gaawt'akaan itself, no bear has ever killed a human on this island. And although it is now known that Coastal Brown bears are less aggressive than their Grizzly brothers, never and not one is still an anomalous statistic, considering the number of likely encounters. There have of course been a few human-caused fatalities suffered by the bears, but these are quite rarely inflicted by the people of the village, and still more rarely by Chookaneidis.

The relationship between the people and the bears should not, however, be misunderstood as one of mutual protection, since as worthy adversaries neither side would have ever conceded to needing it. Rather, their relationship is a living definition of territory, a description of its being inclusive of the shared purposes of land, sea, bear and human. This is one reason why the Tlingit term for the territory and the people is the same – Huna Kaawu – and why for the most part these Tlingit people and their places have been relatively indifferent to whichever Johnny-come-lately property-systems have interposed themselves on the landscape. The dispositional rights and obligations of American-style private property, for example, ideally bind the owner to a piece of dirt coextensive with the owner's productive capacities. These can never reach as far as what it is the bears claim in their wanderings, which precedes and denies human effort. Towards boundaries – imaginary, natural, constructed – they show complete indifference, appearing in sheds, upon bridges, on either side of mountain ranges and fast-flowing rivers, inside and outside of refuges, wilderness areas, clear-cuts and municipalities. The only place they consistently avoid is the oldest portion of the modern village, the beach and wooden houses at Gaawt'akaan.

Similarly, but not quite inversely, the people of the village move freely between each other's Army-framed plots, gathering in roadways and traveling on pathways, unarmed and

without fear for themselves or their children. On the road-system outside of town they are more guarded, often armed, and expecting from the bears an equally active engagement in cautious and curious distance-keeping. This in turn contrasts with the broad territorial claiming expressed in their routes, habits and destinations accomplished by sea. All of these journeys, the epic as much as the everyday, take people across layers of plainly conflicting property forms, each of which mean to thoroughly determine the relationship between (and among) humans and the organic world in which they dwell. If the people are not as oblivious to the difference between one side of a point on the map or sign on the road and the other as the bears are, they do not show it. There are historically recent as well as ancient reasons for this, beginning before the peace with the bears and continuing after Congress granted Alaska Natives modest swaths of juridically private property instead of reservations in a bid to hasten the development of both the people and the state. Collectively these reasons rather overwhelm the very few patches of more-or-less straightforwardly private property in and near the village, begging the question of what the owners of these patches think they actually own.

The next nearest salmon-spawning stream to town, after Garteeni Creek, is Game Creek. It is broader than the former, and muddier, as it flows through one of the only chunks of (albeit marshy) grassland anywhere around. It was until recently a popular site for birding, when both the resident willow ptarmigan and sought-after species of migratory ducks were more abundant than they are today. The cove where the creek meets the bay is still checked by harbor seal-hunters, though the seal themselves, here as everywhere, have been growing scarcer. People fish in the creek for trout in early spring and salmon in September, mostly with rod and reel. Game Creek is not a key spot for salmon fishing by the more-efficient traditional beach-seine, possibly because at low-tide the fish school too far offshore, but probably because the south shore of

Game Creek has been inhabited since the mid-70's by a group of dozens of millenarian Christian farmers, planting potatoes, raising cattle, and practicing for the economic isolation of the apocalypse. Their religious fervor has subsided over the years, as have the numbers of people actually living on "the Farm," and a memoir has even been written (Botts 2007) finally revealing to people in town the hidden banality of the strange Farmers' lives.

The author of Wilderness Blues, as the book is named, came to the Farm from an army base in North Carolina, lived for ten years at Game Creek, and then moved himself and his large family into town, where he joined the ranks of the local men by becoming a commercial fisherman. His wife works in the business office at the town grocery store, and four of his adult children still live and work in town. He is not the only Farmer to have abandoned the Farm for the Native village across the water, and indeed, even those Farmers who remain on the Farm to this day have jobs and businesses in town and are an increasingly visible part of daily life here. The Farm's founding ideal of self-sufficiency, which the book confirms translated in those early days as starvation, has given way to a more modest separateness, maintained primarily through a continued devotional lifestyle, a pioneer style of dress on the part of the women, and, to the people in town, bizarre prohibitions governing relations between the sexes. Although the Farm's agricultural produce is consumed entirely at Game Creek, its economy is highly dependent upon income earned and fuel purchased in town. For the past three or four years they have hosted a Thanksgiving dinner "for all" at Game Creek, and, significantly, they participate in certain Tlingit memorial celebrations. Despite these developments, very few people in town have ever been on the Farm as visitors or guests, and most do not know anything of its layout beyond what can be seen in passing from the bay or traveling up the creek. This is of course by choice.

Or so we thought.

One Sunday in June, my friends and I were given a day off from the tourists and the rain at the same time, so we elected to go fishing. Our only problems at the outset were lack of a boat and the fact that only one of the three of us maybe had a fishing license. We did have an SUV, however, so we wasted a good portion of the morning driving around town looking for someone who might sell us some licenses, and also buying Vitamin Water and cigarettes. First we went to the tackle shop, which happens to be run by a couple from the Farm, so it was closed for religious observances. A snack stand that advertises fishing trips was also closed, but in this case the owners were officers of the Salvation Army. And lastly, the pastor of the downtown Pentecostal church, who also is a bear guide we thought might sell fishing licenses, was likewise preaching his sermon. We gave up on the letter of the law at that point, but not on the fishing trip. We headed “out the road” with the aforementioned provisions, a tackle box and three trout-rods, one .22 rifle, and a quarter tank of \$3.65/gal. gasoline. Besides my two companions, both of whom grew up in town and could trace their ancestry on at least one side to village-sites in Glacier Bay before the ice, there was my nine-month old mutt, who, though a little high-strung, was well on her way to becoming a reliable bear dog.

The first place we decided to try was Burnt Point, which had once been explained to me as “a kind of a beach.” Here a field of sedges followed by a cobble sandbar separate land from sea, which is a good deal more than the usual abrupt drop directly from full-fledged forest to oceanic depths. In the fall it is a popular camping spot for the people not-affectionately known as “weekend warriors” – out-of-town deer hunters who come to the island to hunt off the road-system with the aid of expensive toys like camouflaged ATVs and weather-proof tents. In the early summer it is just a point, in the sense of a destination, for those who may not have two hours to waste driving to the old logging camp at Freshwater Bay but are sick of the usual spots.

When we came through the narrow strip of trees between the road and the windswept point on this occasion, all the sedges had been flattened by ATVs driven around and around and around in circles. The fire-pit just in the lee of the cobble bar contained the requisite charred Coors Light can and a diaper or two. I marched up to the top of the bar and started casting into the ripples. I got the lure stuck on the second try, and with that we decided to go somewhere else.

We knew there were trout in Game Creek, but the only access-point we could think of was so thick with mosquitoes, it was impossible to exist there for more than about 10 minutes, even with plenty of deet and cigarette smoke. There was another way, though, one of my friends said, off the side of the road that goes to the Farm that she remembered from a trip there she'd taken as a high-school kid in the Eighties. The road ends quite a ways before it gets to the Farm, terminating in a kind of ad hoc parking lot for about eight different trucks with two sets of tires between them. A clearly marked pathway heads into a clear-cut from there, and we figured to follow the path, expecting at some point to hear the sound of the river directing us the rest of the way. After about a hundred yards in the muskeg, the path itself turned right and headed down into the woods, over a series of steps made of treated wood – “green death: now why would they use that shit,” the arms-bearer said – and lashed together with some very heavy purse-line that he much more fondly recognized. There was some talk at this stage, I think, of heading off into the woods in the likely direction of the river, but the one of us who remembered the place thought we should go a little farther on the path, which was turning as we hiked into a cart-track as the land flattened out and the evergreen forest fell away behind us.

It was like walking into another world. The air, which is never still in southeast Alaska, grew sultry, and a haze hung around the cottonwoods lining the track. Through this haze it was nothing short of shocking to see off to our left a herd of four-legged animals – cows, of all

things, grazing on the flats. And then between the trees right in front of us, the massive gray muzzle of a good sized draught horse. Horses! If my friends had ever seen a live horse before, they did not share their memory of the encounter but walked rather stiffly on ahead, taking care not to look back at the horses that had in fact started to follow us. I passed off the dog to one of them and went back to pat the lead horse on the nose, basically just to show off to my friends my familiarity with these strange animals. I pet the horse without consequence and we continued down the track, which turned ninety degrees to the left, bringing into view a shed and scattered pieces of farm equipment. We noticed some white domestic geese and passed a fuel tank I think and then, up ahead, a human figure dashed out of sight. Before we realized what was happening, the three of us were walking by a long brown building with a row of narrow windows just under the eaves. Through the first of these windows, looking out of what appeared to be a kitchen, a surprised, pale face was staring down at us. Moments later, as we rounded the corner at the far end of this building, we were suddenly surrounded by a pack of five or six dogs. They proceeded to give our dog, who was still on the leash, a hard time.

The dogs were strange. Although they were all around us, they seemed somehow indifferent to us, neither checking our responses nor our pockets the way normal dogs do. They were mostly yellow and black labs, or lab mixes, all pretty stocky except for one little yellow bitch that kept growling and gnashing her teeth at our dog. The dogs dogged us all the way to the river, which we found moments later on the other side of a rotten boardwalk between two smaller, empty-looking buildings. By the time we got settled into our spot, my friend who had been on the Farm before was sure it was the place she'd been looking for. A bit farther down river, in fact, we could see a couple of men fishing as well, but they were too far away to recognize. The spot was a little cramped, basically consisting of a four-foot wide bluff between

the spread roots of a willow tree, and it filled right up with three humans and seven dogs. While two of us fished and one of us smoked a cigarette, a couple of the Farm-dogs kept leaping off the bluff into the current, then struggling back and pulling themselves through the tree roots back to land. But when the small, unfriendly one tried it, the current was a little too much for her, and we watched in horror as she paddled in vain, drifting ever farther downstream. Then my rod jumped once, twice – I had a fish on! I looked down into the river and saw a big streak of silver shifting easily against the flow of water, and then, equally startling, a woman’s voice behind us: “Maya! Maya!”

She was calling to the disappearing dog. My friend started explaining that the dog had just jumped in along with the other dog, but she wasn’t strong enough for the current, but the woman didn’t care. She propped up her six-month old infant on the grass among all the other dogs and turned to us and asked what we were doing here. We explained that we were just fishing. Then she said, “this is private property, you know.” My friend that had been here before replied that we didn’t know, that we were just looking for a way to get to the river. “You didn’t know this was the Farm?” the Farm-woman asked incredulously. My friend said that we knew it was the Farm, but thought there was nevertheless a way through to the river. “The only way I know of is through this... private property,” our antagonist repeated. Then she said that maybe it would have been ok for us to come through the Farm to the river if we had called ahead and let someone know: “we would prefer it if you would call and give us a heads-up.” She also admitted that if we had come up Game Creek in a skiff, there would be nothing she could say, but since we had come over land through “private property,” we had erred. Maya the dog showed up dripping wet as I started to question the woman’s logic. But she just repeated the importance of “calling” and asking permission before coming through “private property,” and

then she left. “Bullshit!” said my friend with the gun, who had been quiet as a mouse during this whole conversation. “Let’s get out of here,” my other friend said. I had by then lost my fish, and although I was desperate to try for another, there was no further conversation. We packed up our rods and started marching back the way we had come.

Fortunately before we had even started to discuss what had just happened, and as we came alongside the big building again, we were met by a young man and young woman, each carrying an alarmingly high-caliber rifle. The man said that there had been “a mama bear and three cubs” around and warned us to be careful. We said ok and walked on. We hadn’t gone more than a few yards past the building when he showed up behind us again, this time to call off the dogs – “Tanner! Midnight!” – who had stayed right with us during our exit just as they had on our entrance. He didn’t have his gun anymore, and he asked if we had seen anyone “in the bingo hall,” earlier. He wanted to make sure someone had already let us know to call ahead before coming out to the Farm. He mentioned that although, “we haven’t put up any no trespassing signs,” this did not indicate permission to trespass. Then he said, rather chummily, “we can’t have everyone and their cousin coming out here.” After that, the conversation ended with nothing more than an exchange of pleasantries, and we walked away in a state of shock.

I don’t remember seeing any plants or animals the rest of the way back to the car, and it seemed like a much shorter walk than it had been on the way in. Once we started talking again, my friends and I kept repeating the fragments of conversation we remembered in disbelief, especially the line about “everyone and their cousin.” We realized pretty quickly that there had probably not been a bear around that day – why else was the woman so nonchalant with her baby? – and that we had come just short of getting run off the Farm at gunpoint. My friend said of the woman who talked to us at first, “she acted like she didn’t even *know* me,” even though

she and the woman's husband and sister-in-law have worked together in town. My arms-bearing friend started talking about which of his infamously pugnacious cousins he planned to bring along on his next visit to the Farm. Before we knew it, we were walking single-file along the muddy trail through the clear-cut. When we got back to the truck, it had somehow rained through the open sunroof, and the front seats were soaking wet.

As we drove away, I turned on my digital voice recorder:

Those dumb dogs would have jumped into the water anyway.

No, we definitely did not force the dog into the water.

No, they both jumped in.

No, they were just jealous that we tamed their stupid dogs.

Yeah, after hanging out...

... not chased us out of town

...uh, huh ...

...or out of camp.

You're probably right about that.

They wanted to go with us.

Yup. "Fuck this place: Please take us with you!"

[Laughter]

Now they're gonna eat 'em, cause they're useless.

[Much more laughter]

Pig *and* doggie brains for breakfast.

Poor Tanner and Midnight.

That little Maliah or whatever her name was, she was a little bitch dog boy.

I didn't like her.

The black ones were ok.

Fluffy was ok.

Tanner was a little... always a troublemaker. Gets in to mischief!

Probably inbred dogs.

They totally let them out, though, because if those dogs had already been out, the way
they were acting...

Mm hmm.

... they would have been hanging on us from the beginning.

Yeah.

And it wasn't until we saw the people in the house and walked past the house.
Yeah. The one lady that walked in, she was looking at us kind of funny. The one in the window, shit, I grew up with her and them.
You know when you go to Whitestone, no one stops you there and says this is private property.
Just for that I'm gonna win a couple three million dollars and buy a piece of property real close and open up a... the loudest nightclub you can think of right there.
Casino?
Ha. Yeah.
Casino. Fuckin' stateside Indians –those Indians over there – are making money hand over fist.
Well, I wanted to open up a floating restaurant [...] and we could sell porn to the people on the Farm.
[Laughter]
That could be our other business.
... Porn!
Debbie does Dallas in Game Creek too.

I wish the next chapter in this story was a community uprising against those power-structures whose exercise would impede people's access to the traditionally owned, and hence deliberately shared, resources of the water. But if that were the next step, then our story would serve as an explanation for the subsequent political conflict – the ethnographic means by which a colonial misunderstanding is reversed. Instead, the events described above *were* the political conflict, or rather, encounter, around which that thing subsequently glossed as cultural identity is produced and through which power then moves according to more or less predictable patterns. Indeed we did try to start an uprising as soon as we got back to town, telling everyone who would listen for the next several days that we had been run off the Farm at gunpoint. Although people expressed astonishment, and in several cases promised revenge, the actually existing relationship between the Farmers and the townspeople is so utterly opposite to the one our story seemed to indicate that any straightforwardly political response would have suffered for lack of a

basis. There is no question that the white Farmers depend heavily upon their Tlingit hosts for knowledge, income, food and fuel as well as access to transportation and medical facilities; all of which resources are relatively highly developed in town as a direct result of at least two separate Native land-claims settlements. In this light, it would be plainly facetious for me to now, in writing, reconstruct *ex post facto* the Farm-lady as some sort of colonial administrator, and worse for me to describe the group consisting of my white American self and my two Tlingit friends as if we were authentic representatives of pre-colonial tradition.

The Farmers were, if anything, objects of pity rather than fear. The prevailing attitude in town, my friend told me, was that if they were crazy enough to try and survive “out there” in the wilderness, they were welcome to it. The wind and the rain and the bears, especially, would judge their claim. Seen in this light, the results have clearly been mixed. The Farm survived, but only because of a steady stream of income from men, including the author of Wilderness Blues, who preferred to work in town. The road system has grown over the years, hand in hand with industrial-scale logging on the Native corporation land that surrounds the Farm on all sides, pushing back the enveloping forest and bringing potential human visitors, such as ourselves, to the very threshold. Their resident population has dwindled from close to one hundred to maybe two dozen. And since the beginning they have been in an unending war with the bears. This has provided them with a little food, so the story goes, but no respect from town nor forest. Brown bear meat is considered foul by most southeast Alaskans, and the fact that the Farmers ate it was proof of their desperate condition, and specifically their failure to know the land well enough to eat the good things off it. While the Farmers are no longer “starving,” their present fortune is attributable to their better integration into the local Native community, certainly not to their agricultural skill.

Our encounter with them nevertheless revealed the instrumentality of the concept of private property, specifically the way it works to sever more complex relationships of dependency between people, animals and land and water. Furthermore we showed that when private property or other social structures, “work,” they do so through their practitioners, who willfully, strategically, and, in most cases, fearfully enter a state of rigidly determined meanings and sanctioned ignorance. The woman who originally intercepted us on the Farm did not only fail to recognize my friend as a niece of the Wooshkeetaan clan leader, the man who controls the made-objects that equal aboriginal title to the creek upon whose shores we stood; she failed to recognize her at all, as a woman she had known personally for more than twenty years. She not only failed to appreciate the possibility that what she mistook as public property in town is actually the overlapping house-sites of five mighty clans in an uneasy truce; she failed to remember that the road we had come in on was private property belonging to the village Native corporation (whose officers do not neglect to post “no trespassing” signs) in which my two companions held voting shares. Extant social relations (or what we thought were extant social relations), not cultural difference, were the things ignored.

The moment was then not essentially one in which force decides between equal rights or opposing determinations, although private property’s shared genesis with legitimate violence could not but have but played a part. It was more of a moment in which concrete social relations were abandoned for ideology: Even the slight material reality private property has come to have on the island – corporation land is marked by certain (albeit State of Alaska-legislated) logging practices; non-Native private property may be exchanged for cash – was pushed aside in favor of its fantastical suburban entailments, thus bringing into play the otherwise only ephemerally present United States, its laws, its social order and its imperial reach. Nevertheless, colonial

ideology, if not any ideology, when strategically deployed in a social setting, does have an immediate material effect, like a snowball with a chunk of ice in the middle. This particular enactment of colonialism and consequent display of its internal contradictions left us momentarily frozen in place, unable to speak or act or even, most importantly perhaps, to understand. In the first place, it hurt our feelings. Only later, in the car, did we begin to take account of the way it also offended our sensibilities and challenged our beliefs. We wouldn't have gotten to that point and, indeed, none of what happened ever would have happened, nor been made intelligible to our ensuing analysis, if it had not been for the mediating presence of the dogs.

“The black ones were ok.” “Fluffy was ok.” We were being generous, with the dogs as well as ourselves in a sense, as we had been chatting from the moment the dogs appeared about whether or not they showed signs of corruption as a result of having been raised in a Christian community. Now, months later and miles away, and after another strange encounter with the same dogs, I suppose their peculiarity was more than likely a result of their relative freedom from man-made constraints than indoctrination into a cultish religious sect. At the time our consensus was that they were somehow different than the dogs we knew in town, including the one we'd brought with us. Despite this prejudice, as our dog dutifully submitted to their sniffing and nipping, and as they calmed down enough to allow us at least to continue walking, we started appreciating the individual dogs. One of the black ones in particular, we speculated was my friend's lost dog, who had disappeared the previous fall and was believed to have been eaten by a bear. A combination of wishful thinking and the relative placidity of the particular dog prevented my friend from dismissing the possibility that her old dog had somehow made his way to the Farm. But as soon as our first unpleasant interview at the riverbank was over, she

immediately turned to the dog and said, “you’re not [him].” I asked her what made her say that, and she said, “the eyes.” Then she went on to say that her dog would never act like that dog was acting, as if he and the other dogs had been the ones to challenge our right to fish in Game Creek.

Of course the dogs *had* challenged us, by swarming us and momentarily blocking our way, by growling at our dog and following us to the creek. But they had also, clearly we thought, been let out of “the bingo-hall” specifically in order to challenge us in these ways at least. Whether the dogs or some human actor initiated the meeting, they quickly became more interested in our dog, and in her place in their hierarchy, than in any trained or ingrained complex of guarding activities vis-à-vis the three of us humans. Our dog responded in kind to the extent she could given the fact that she was on one end of a leash of which I was on the other. As we went on towards the river, the meeting of dogs went on as well, and it continued until they were called off as we were finally leaving the zone of private property. Their socializing visibly overwhelmed our intent – certainly our intent to fish – and drew us into their world, into which the Farmers too were already drawn. Both times a Farmer talked to us about calling ahead before crossing private property, she and then he first called to the dogs, then turned to us as if surprised that we were also present, as if the dogs had led each of them to discover us where we were somehow hiding. (When we met the man and woman with the guns we did not talk about dogs, but we did not talk about private property either: We talked about bears.) For our part we were careful not to show or enact any hostility towards these dogs, whose territory, not property, we well knew we were traversing. We did not try to shoo them away as we would have if we had been similarly accosted in town, thereby acknowledging the claim they made themselves as well as the slightly different claim they made on behalf of the Farmers.

We had not, for sure, done anything to make “Maya” jump into the creek, though my friend who knew the first Farmer personally felt immediately guilty at the mere suggestion: “They just jumped in!” she had shouted, distressed, when the woman first arrived behind us on the bank. My friend was signaling to the Farmer both her humanity, in the sense of being someone who is nice to dogs, and our specific tolerance of the dogs because that place was their home, not ours. But our acknowledgement of the dogs’ place on the Farm and by proxy the Farmers’ place was not the same as acknowledging the Farmers’ place directly. The latter place has less to do with home in the Heideggerian sense of dwelling, where routinized social actions wear people and animals into the landscape, and the landscape becomes, in turn, a familiar, and more to do with home in the speculatively juridical sense of the location of privacy and the rights that inhere in it. This opposition is neither two halves of the same coin, nor is it reducible to the cliché opposition between indigenous peoples who, “belong to the land,” and colonizing ones to whom such land belongs. Tlingit people have always had a sense of owning land in an at least theoretically exclusive manner, including, since 1924, as private property in fee-simple; and, although there will be more to be said on the connection between phenomenology and indigenous anthropology, one should not confuse Martin Heidegger for Black Elk. The difference, rather, hinges on the manner in which the social relations of material possession – of the land, in this case – are mediated: This can be seen again, in this case, through the dogs.

Dogs have a long, indeed ancient, history as guardians of diverse human territories. They are associated with food storage and therefore a certain degree of sedentism, but their domestication precedes bona fide agricultural settlements by at least 3000 years. Although dogs have not been kept in all places at all times since then, they have certainly been kept by people representing every anthropological type, including so-called hunter-gatherers before as well as

after the arrival of so-called farmers in their territories. While dogs have been used for an almost limitless number of purposes, most contemporary dog trainers would argue that dogs' trainability for most of these ends hinges on their simultaneously social and territorial disposition. The implication is that dogs are both social and territorial in ways that humans are not, and that humans must learn to imitate dog sociality and territoriality in order to successfully manipulate them. The fact is, however, that while there may be some important differences between the social and territorial practices of a pack of wild dogs and a completely domesticated human group, for the most part domestic dogs and their human companions become a part of each other's social and territorial structure. The dogs I grew up with in the city guarded the yard we lived in from other dogs and other people. Dogs in Gaawt'akaan are raised to keep brown bears out of the village, in accordance with a definition of territory based on the presence or absence of bears. Except for a brief period during which an ill-advised leash law was enforced in the village, these dogs have been strikingly successful at defending their shared territory.

To my knowledge, this has not been the case at Game Creek, where such territorial relationships are out of joint. The social relations that are supposed to correspond to the institution of private property are not in place on the island, nor even on the Farm itself, which is, after all, a commune. The contradictory terms of the Farm's communal, yet authoritarian, organization – specifically the requirement that half of all wages earned be turned over to the church elders – are what ultimately drove men such as the author of Wilderness Blues, along with several others, into the village. Here, wages and a modicum of privacy are both permissible, but their determinations are readily dismissed in those instances in which they would contradict more enduring social and territorial practices, such as those involving fishing, or taking a shortcut to school, or changes in social status. All these are reflected in the dogs who

know the human to whom they belong and the relatively private house in which they dwell, but who share the territory of the village with the other humans and the other dogs. On the Farm, the dogs' society and territory does not appear to have much correspondence to that of their supposed masters, and the latter is much too large to deter bears from crossing, as we did, through the Farm to the river. The dogs treated us as strangers but not trespassers, when to the Farmers we were trespassers but not strangers. But since to be a trespasser, one has to be a stranger, the Farmers who intercepted us had to call the dogs first, making use of the mark of strangeness they had put upon us, and ignoring their own.

References

- Arneil, B. (1996) John Locke and America. Oxford, Clarendon Press.
- Botts, T. B. (2007). Wilderness Blues. Beaverton, OR, Good Catch Publishing.
- Butler, J. (1990). Gender Trouble. London, Routledge.
- Carrier, J. (1988). The Ponam Fish Freezer: Analysis of the failure of a small-scale development project in Manus.
- Carrier, J. G. and D. Miller, Eds. (1998). Virtualism: A New Political Economy. Oxford, Berg.
- Coronil, F. (1997). The Magical State: Nature, money and modernity in Venezuela. Chicago, University of Chicago Press.
- Cronon, W. (1983). Changes in the land : Indians, colonists, and the ecology of New England. New York, Hill and Wang.
- Escobar, A. (1995). Encountering Development. Princeton, Princeton University Press.
- Ferguson, J. (1990). The anti-politics machine : "development," depoliticization, and bureaucratic power in Lesotho. Cambridge; New York, Cambridge University Press.
- Foucault, M. (1994 [1976]). The Order of Things. New York, Vintage.
- Locke, J. (1988 [1688]). Two Treatises of Government. Cambridge, Cambridge University Press.
- Marx, K. (1964). The Economic and Philosophic Manuscripts of 1844. New York, International Publishers.
- Mehta, U. (1990). "Liberal Strategies of Exclusion." Politics and Society. **18**(4).
- Strathern, M. (1999). Property, Substance and Effect. New Brunswick, Athalone Press.
- Tully, J. (1995). Strange Multiplicity: Constitutionalism in an age of diversity. Cambridge, Cambridge University Press.
- Watts, M. Ed. (1987). State, Oil and Agriculture in Nigeria. Berkeley, University of California Press.
- West, P. (2006). Conservation is Our Government Now. Durham, Duke University Press.
- Weiner, A. (1992). Inalienable Possessions. Berkeley, University of California Press.