

Elders: Words of Wisdom - Episode 4: Willie Hensley and ANCSA Transcript

Thomas Moore

Hi and welcome again to Elders - Words of Wisdom, a podcast from the National Resource Center for Alaska Native Elders and the UAA School of Social Work. I'm your host Thomas Moore and today we have a very special guest on our show.

Willie Hensley

Well, my name is Willie Hensley. Named from my grandfather, my mother's dad. His name was Iggiaġruk. I have that name.

Thomas Moore

I got a chance to sit down with Willie and talk to him about his life and career in Alaska and his work on the Alaska Native Claims Settlement Act. For those unfamiliar, ANCSA was a law signed by President Nixon in 1971 intended to resolve the longstanding land claims by Alaska Native people and to set clear titles to Alaska land and resources for the twelve regional corporations, established by the act, to claim. Here's Willie.

Willie Hensley

Well, it was an epic battle, for sure. The Russians showed up in 1741 and decided to stick around and hunt for the sea otter which was valuable and they were here for a century and a quarter, pretty much laying waste to the cultures along the way. Nonetheless, according to European notions of law they were the discoverers of Alaska, so consequently they had some standing in international law so they sold their interest to the United States in 1867, but the reality was that were virtual less than 600 Russians in Alaska at any one time. Still, that didn't stop the U.S. from acquiring what title they had. The notion that Congress had with the passage of the Statehood Act, was to convey over 100 million acres of Native land without paying for it, but they didn't extinguish our underlying title. That didn't come until 1971 with the passage of the Alaska Native Claims Settlement Act, which conveyed, really, a revolutionary change in American policy by conveying over 44 million acres to the Native people, through corporations that they own and control and almost a billion dollars, which seems like a lot, but really it's a pittance in terms of the amount of revenue that's come to the state, federal government, and corporations from the resources that were in our lands.

Thomas Moore

The Claims Act, provided the Native people corporations to manage the land and for doing business.

Willie Hensley

The corporations that we control through our share holders, means that we're in the drivers seat, so to speak.

Thomas Moore

So, for those who don't know, Willie was involved in the process of getting ANCSA passed, so I asked him if he could tell me a little bit about his experience.

Willie Hensley

You know, hardly anyone understood the nature of Indian title or the historic, legal, and regulatory arrangement that impacted Alaska Native lands. I think the main contribution I made was to essentially do a research paper. I saw that what was occurring. While our title had not been extinguished by the Statehood Act, the very selection by the state of a tract of land were signed by the Secretary of Interior, that in itself was an extinguishment. That was my "aha" moment that I realized we had to stop the process in order to protect our rights, because once that interim conveyance was made by the Interior Department to the state we were never, ever going to get that land back. And why we thought we could get it, I don't even know, because that's not the history of our country. The country was not the mode of conveying lands to Native people. It was in the business of taking lands and giving them a pittance through the court of claims over the Indian Claims Commission. So, that research paper I wrote gave me comprehension that many of our people didn't have that was sort've a paper trail. They felt that innately after 10,000 years of occupying the land that this was their land, but they didn't know what was said in the Treaty of Session or what the American Indian experience was in terms of their treaties and the Constitution. The paper was distributed by my buddy, Etuk, Charlie Edwardson from Barrow when we had the first AFN Convention in 1966.

Thomas Moore

After any law is passed there's both support and controversy. I was curious what the public perception was at the time.

Willie Hensley

Well, the perception before the act passed as that the non-Native community detested us because we scuttling their idea of getting wealthy from our lands, especially after the oil was found. But, we came together and it got passed but I remember, we met over at at APU, Alaska Pacific University, it was AMU at the time, Alaska Methodist University. There was not a lot of elation because we gave up 90% of the state, or thereabouts, for a measly billion bucks and also there's just the challenge of trying to figure out how to run a corporate institution. We didn't have any squat knowledge. But, you know, our people wanted that land and as a minority, you don't run the system you have to just do the best you can to get what you can and in our case we managed to revolutionize American Indian policy, but still it was tough to give up all that land. The reality is we were on our way to losing it, flat out losing it had we not risen up and battled tooth and tongue between 1966 and 1971.

Thomas Moore

So, I wondered how and if that perception has changed overtime.

Willie Hensley

Oh, I think so. It's part of our lives now. We know more about corporate life than most Americans. We participate. To us our corporations are apart of who we are now and they do more than just business. The corporations have fought for subsistence, they've fought for elders, they've fought for language, we do stuff that businesses don't normally do. I think that's a credit to our people for figuring out how to run it and how to use it to meet our people's needs.

Thomas Moore

The Claims Act passed almost 50 years go, but Willie thinks there's still more work to be done

Willie Hensley

If you have anything of value in society you're going to have to protect it and fight to protect it because somebody's out to try and get it. As a minority, you're always struggling, particularly in a colonialistic sort of situation which we've been in, first amongst the Russians and then the United States. You have to fight to keep your language, you gotta fight to keep your hunting and fishing rights, you have to fight to protect your lands. It'll always be a battle.

Thomas Moore

Above all else, Willie said there's one thing that we need to remember when considering the Alaska Native Claims Settlement Act

Willie Hensley

I feel like a broken record on this since about 1980, but we didn't go after land settlement to get corporations or even money for that matter. We were trying to get the land because they land is something that has nurture all of our cultures, really for ten to fifteen thousand years. And unlike a lot of tribes Outside, we're still in the places we've always been, pretty much. We've not been shunted around there and yon like they have. So, the feeling for the land is still very strong, but in my mind the key keeping our land is identity. If we lose our identity, then the lands going to go eventually.

Thomas Moore

A huge thank you to Willie Hensley for taking the time to talk to me. I really enjoyed it. Thanks for listening this month. If you wanted to stay informed on all NRC news, check us out on Facebook our website.