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UMI®
"RED WATERS": CONTESTING MARINE SPACE AS
INDIAN PLACE IN THE U.S. PACIFIC NORTHWEST

by

Karen Samantha Barton

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A Dissertation Submitted to the Faculty of the
DEPARTMENT OF GEOGRAPHY AND REGIONAL DEVELOPMENT
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For the Degree of
DOCTOR OF PHILOSOPHY
WITH A MAJOR IN GEOGRAPHY
In the Graduate College
THE UNIVERSITY OF ARIZONA
2000
As members of the Final Examination Committee, we certify that we have read the dissertation prepared by Karen S. Barton entitled "Red Waters": Contesting Marine Space as Indian Place in the U.S. Pacific Northwest and recommend that it be accepted as fulfilling the dissertation requirement for the Degree of Doctor of Philosophy.

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Robert Williams 9/15/00
Athol Chase 10/1/00

Final approval and acceptance of this dissertation is contingent upon the candidate's submission of the final copy of the dissertation to the Graduate College.

I hereby certify that I have read this dissertation prepared under my direction and recommend that it be accepted as fulfilling the dissertation requirement.

Dissertation Director 9/15/00
Emily Young
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ABSTRACT

This study investigates the social construction of race, marine space, and resource conflict in one U.S. Native American community: the Makah Reservation, Neah Bay, Washington. A combination of archival records, news media coverage, and semi-structured interviews is employed in order to expose the historic roots of the Makah Tribe’s recent movement to reclaim control over traditional marine spaces. In particular, this research focuses on the gray whale controversy period between 1995-2000, when, to the consternation of conservation non-governmental organizations (NGOs), Makahs organized to resume a limited, cultural based harvest of the California gray whale in Pacific waters. This paper suggests that extant conflicts which developed between the Makah people, on one hand, and anti-whaling NGOs on another, were as much a struggle over marine space as they were a struggle over gray whale resources.

Three central conclusions are drawn from the study. First, it is shown that Pacific marine “space” serves as a distinct, historical territory upon which many of the Makahs’ political, cultural, and economic processes take form. Second, this research argues that NGO efforts to arrest the Makahs’ contemporary whale harvest in offshore Pacific waters have been interpreted by tribal members as a neocolonialist invasion into what was once customarily managed marine space. Third, these results show how, despite the dominance of anti-whaling NGOs, Makahs have effectively mobilized global media technologies in order to empower themselves politically, transcend the territorial boundaries of the reservation, and reclaim control over the marine environment.
1. INTRODUCTION

"About 40 percent of the world's 6,000 to 8,000 indigenous peoples have homelands, territories, and nations that encompass coastal ocean and island regions. Many of these coastal ocean peoples and their ecosystems are threatened by the expansion of continental peoples and their activities. And many coastal ocean peoples are organizing to protect their sea territories from destructive incursions."

(Nietschmann 1997: 193)

How have differing conceptions of marine space produced global conflicts over the indigenous use and protection of marine resources? This broad question, embedded with both theoretical and practical components, is at the core of my research study. The theoretical components, addressed more thoroughly in chapter two, involve concerns over the cultural dimensions of environmental struggles; the socio-political conception of marine environments; the role of law in reorganizing tribal spaces; and the globalization of local resource conflicts. From a practical standpoint, this question hints at the increasing number of conflicts that have developed between traditional sea peoples and global environmental forces when the fate of marine territories is at stake.

In recent years, the entry of global environmental groups into local resource struggles has had far-reaching consequences on the livelihoods of indigenous sea peoples. In Washington State, the focus of my study, the Makah Indians have found themselves pitted against their former allies — marine protection groups — following their recent proposal to resume a cultural harvest of the California gray whale. Interestingly, journalists have often characterized the Makah whaling conflict as one of the most important "resource" issues of the 20th century Pacific Northwest (Seattle Times 1995).
While this observation is accurate, the nature of the Northwest whaling controversy is much broader in scope. I suggest, in other words, that the conflict is not simply a debate about the appropriate use of gray whale resources (i.e. to kill or protect). Rather, this heated struggle is ultimately driven by conflicting views of Northwest sea space.

My research focuses specifically on the sea-based conceptions of the Makah people. In other words, I examine the space of the sea (and the resources therein) from the perspective of the Makahs. I argue, in particular, that the tribe’s ancestral conceptions of the marine environment have provided the ideological basis for their contemporary efforts to revive traditional whaling activities. My central research questions build upon this point. I ask: How, specifically, have Makahs managed to employ their sea-based world-view to revive vanishing cultural traditions and reclaim historic marine territories? What local, national and global processes have enabled and constrained their efforts?

With these specific research questions in mind, the present chapter now shifts to a brief discussion on the global dimensions of the Pacific Northwest conflict. In the following pages, I describe the study’s global scope; flesh out my research sub-questions: address the project’s significance; and expose its theoretical limitations. Finally, I conclude with a road map for the reader that charts the course of the seven dissertation chapters to follow. First, however, I turn to the foundation of the gray whale controversy: the Makah whaling proposal.

1.1 The Makah whaling proposal

In May 1995, the Makah Indians of Washington state drafted a proposal to the U.S. government outlining their request to renew a limited, cultural-based harvest of the
California gray whale (*Eschrichtius robustus*) (Makah Whaling Commission 1995). The Makah whaling proposal arrived as a great shock to the global community; over seventy years had elapsed since the tribe last harpooned and killed a whale, and no living tribal member possessed the experience necessary to conduct a modern-day hunt. In a 1995 press statement, the tribe explained their position on the proposed whale hunt:

"Many of our Tribal members feel that our health problems result from the loss of our traditional sea food and sea mammal diet. We also believe the problems which are troubling our young people stem from lack of discipline and pride and we hope that the restoration of whaling will help restore that discipline and pride. But we also want to fulfill the legacy of our forefathers and restore a part of our culture that was taken from us." (Seattle Times 1995)

The Makahs' indication that their whaling culture was "taken from them" was no exaggeration.1 Prior to European contact with Northwest peoples, whaling was Makah culture.2 For over 2,000 years, the tribe's traditional whale harvest had been intimately linked to their economy, social structure, and spiritual practices (Colson 1954; Renker 1990; Waterman 1920). In fact, the tribe's marked success at whaling had enabled them to become prominent economic leaders on the Northwest coast (Renker 1990; Taylor 1962). In several historic texts, Makahs were characterized as the "wealthiest, most industrious natives" in the Pacific Northwest (Gibbs 1855; Swan 1870). Whaling was so important to Makahs that during U.S.-tribal treaty negotiations in the mid-1800s, Makahs

---

1 "Culture" - defined here as the learned patterns of thought and behavior characteristic of a population or society.
2 Makah culture - a term used to describe, in general, what Makahs think (e.g. beliefs, knowledge, values), do (e.g. ceremonial traditions; subsistence activities), and the *material products they produce* (e.g. technology, architecture, artistry). Makah culture is shared, learned, symbolic, transmitted cross-generationally, and adaptive.
insisted on formalizing their historic rights “to whale and fish in usual and accustomed grounds” within the Treaty of Neah Bay (1855).

The tribe’s renowned whaling activities ceased, however, shortly after European commercial whalers penetrated Pacific waters in the 19th century and decimated gray whale stocks (Arima 1983). At that same time, federal policies designed to “assimilate the Indian” worked to reorient the Makahs away from whaling and fishing toward the more “civilized” pursuit of inland agriculture (Colson 1954; Pascua 1991). By the 1900s, in response to both commercial pressures and federal policies, Makah whaling was temporarily abandoned, and the tribe turned to other economic activities for survival.

With the exception of sealing, the tribe found less success in those ventures which followed whaling’s cessation. In conflict with both tribal social structure and Pacific Northwestern environmental conditions, several of the new ventures, particularly agriculture, were doomed to failure (Renker 1990). By the 20th century, Makahs were still considered “maritime people,” but they had lost their status as prominent whalers upon the Northwest coast (Taylor 1974).

In 1995, nearly one hundred years later, unemployment levels on the 2,200-member Makah reservation ranged between 55% and 75% (U.S. Census Bureau 1995), and paid jobs on the reservation remained scarce. The Community Food Bank regularly served 500 people, nearly one-fourth of the on-reservation tribal population. As a fishing dependent-community, the Northwest fisheries crisis of the 1950s-1990s had critically worsened the tribe’s economic state (Taylor 1999). Within this context, the Makahs
argued that the resumption of whaling would revitalize their culture, improve the economic base, and reconnect the tribe with the sea (Makah Whaling Commission 1995).

Two pivotal events preceded the Makahs’ proposal in May 1995. First, the California gray whale was removed from the Endangered Species List in 1994. With the gray’s removal, the Makah Whaling Commission considered the hunt to be legally and environmentally sound (MWC 1995). The second event occurred in March 1995, when a gray whale was found dead in Neah Bay after being entangled in a Makah fisherman’s net (Seattle Times 1995). Makahs concluded that the incidental capture of the gray represented a spiritual sign that the tribe was ready to resume whaling. In Seattle print media, the tribe declared, “this symbolic event shows us that the whale has finally returned home” (Seattle Times 1995: 1).

But in the aftermath of the tribe’s proposal, a climate of chaos, conflict, and anti-Indian sentiment emerged. Conservation non-governmental organizations (NGOs) lobbied to arrest the Makah whale hunt (Seattle Times 1995). State actors (e.g. Coast Guard, National Guard) mobilized to police the tribe’s whaling procedure (Seattle Post-Intelligencer 1996). And in Washington press, local citizens dubbed the Makahs as “savage” and “uncivilized” in what resembled a throwback to 19th century Indian oppression (Seattle Times 1998). Neah Bay, home of the Makah Nation, soon became a zone of occupation littered with anti-whaling activists, Coast Guard officers, and newspaper reporters. What began as a tribe’s longing to revitalize their culture through marine-based activities had evolved into an international war over whales in Pacific Northwestern waters.
In the wake of the Northwest controversy, two obvious questions emerged: Why?

First, why did Makah whaling manage to seize such global attention? Second, why did the tribe launch the Makah whale plan in the first place, despite the many hurdles in their path? In the following paragraphs, I respond briefly to the initial question by addressing the global scope of the Makah whaling proposal. The historical catalyst for the tribe’s whale plan – the why of Makah whaling – will be explored throughout the remainder of the dissertation text.

1.2 Global Significance

Despite the local origin of the Northwest conflict, the Makah whale harvest has become an event of national and international proportions. Given the hunt’s various global implications, however, the world’s fixation on Makah whaling is not unusual. First, the tribe’s proposal arrives at a time when global marine environmentalism is on the upsurge. Second, Makah attempts to renew culture through resource use are being matched by similar indigenous movements worldwide. Third, because the Makah proposal is framed in “cultural” terms, the tribe’s whale plan challenges the legal dimensions of existing global whale protection. Fourth, as Native American advocates and global whale protectorates, the U.S. confronts the Northwest conflict from contradictory political angles.

1.2.1 Global marine environmentalism

To begin with, the global fervor of the Makah controversy is produced in part by the broadening significance of international marine resources. As terrestrial environments become overburdened or depleted, there has been a steady reorientation toward the
marine environment and its uses (Buck 1998; Cicin-Sain 2000). In recent decades, control over marine spaces has intensified as more groups shift to the sea for subsistence needs, commercial resources, and recreation.

At the same time oceans confront increased resource use, however, environmental advocates have lobbied against marine resource abuse (United Nations 1990). The 19th century loss of several cetaceans due to large-scale commercial practices, coupled with 20th century collapses in key commercial fish stocks, contradicted the view of the ocean as a renewable, infinite, and inexhaustible frontier. Fishing, whaling, and other poor harvesting practices began to come under increased scrutiny (Vallega 1999; Webb 1998), and by the 1970s, the ocean had reached the center of major environmentalist agendas (Wapner 1996).

Conservation of the California gray whale

The California gray whale, the species targeted by Makah whalers, has been the focus of environmentalists agendas for several decades. A brief glance at the history of this species, however, reveals an environmental success story of global proportions. In the late 19th and early 20th century, international demand for whale products led population levels of the California gray to near collapse (Webb 1988). In 1973, amidst the fervor of the U.S. environmental movement, the gray whale was placed on the nation’s Endangered Species List (Scordino 1999). The species’ listing on the ESA was further aided by the global moratorium on whaling in 1986. Together, these policies, coupled with the efforts of marine mammal conservation groups, helped gray whale stocks to eventually rebound.
By 1994, the eastern Pacific population of gray whales was officially removed from the ESA list. Marine mammal scientists estimated that stocks of the gray now numbered over 23,000, a figure that exceeded historic population levels (Buckland et al.; Marine Mammal Commission 1997; Richardson 1997). In 1995, following the tribe’s whaling proposal, an environmental assessment concluded that the Makah whale hunt would not endanger gray whale stocks. Nevertheless, several conservation groups continued to resist the tribe’s whale plan, arguing that it represented a direct threat to global marine protection (Sea Shepherd Conservation Society 1995; Office of Protected Resources 1995).

Undeniably, NGOs opposed Makah whaling on both environmental and ethical grounds (e.g. species protection; animal “rights”). What was less apparent, however, was the way in which the Makah whale proposal challenged the political agenda of NGOs. Indeed, anti-whaling opposition was historically rooted in environmentalist concerns for the gray whale, its “right to live,” and its ecological role within marine ecosystems. NGO opposition to Makah whaling activities, however, was driven by both ecological as well as political concerns. By 1995, gray whales had come to symbolize a success story in marine conservation history. Thus, for anti-whaling NGOs, the Makah proposal threatened the gray, as species, but it also jeopardized the whale, as a global conservation symbol (for example, see Dedina 2000).

1.2.2 Indigenous rights movements

The Makahs’ struggle to reclaim marine resources is also matched by indigenous movements worldwide. While large-scale commercial groups are implicated in the
majority of marine species extraction, pockets of indigenous peoples also exploit the resources of marine environments (for examples, see Bourillon 1999; Chase 1998; Schug 1999). But with few perceived alternatives to their traditional way of life, marine societies maintain a considerable stake in preserving the integrity of the local resource base. When these resources are threatened, indigenous peoples often resort to overt collective resistance (Nietschmann 1997). In several cases, these groups have mobilized against state or commercial interests that erode the local resource base through policies of extraction (Hecht 1985; Hecht and Cockburn 1989; Pulido 1996). In other instances, indigenous groups have organized against environmental groups that control the local resource base through policies of protection (Young and Barton 1999).

While these environmental struggles are often couched in economic terms, Makahs have framed their particular movement as a strategy embedded in cultural survival (Makah Whaling Commission 1995). Along this vein, champions of native rights hope that Makah whaling will galvanize other incipient, cultural-based struggles throughout the indigenous world. Critics of the Makah whale plan, on the other hand, fear the ripple effect that the approved “cultural” harvest might produce (Jenkins and Romanzo 1998). In either case, within the context of indigenous struggles, the outcome of the Makah whale hunt will carry precedent-setting implications at the global scale.

1.2.3 The legal challenges of Makah whaling

A third concern with Makah whaling is that it challenges the legal dimensions of existing global whale protection. In 1946, the International Whaling Commission (IWC) was established under the International Convention for the Regulation of Whaling
(ICRW) in order to 1) safeguard the ocean for future generations; and 2) protect the population stocks of whales and other cetacea for commercial whaling (ICRW 1946). The establishment of the ICRW was perceived as one of the first international efforts to collectively manage global marine species. By 1986, however, recognizing that key population stocks were endangered, the IWC placed a global moratorium on whaling. This action contradicted the original mission of the ICRW, and thus signified the changing climate in global whale management from conservation to preservation (Webb 1988).

It is important to note that the 1986 global moratorium allows minor exemptions for 1) scientific whaling; and 2) aboriginal subsistence harvests based on nutritional need (IWC Scientific Committee 1989; Gambell 1993). At first glance, Makahs seemed to fall within category two, given their precontact history of subsistence whaling and their aboriginal status. However, in 1995, the Makah tribe’s whaling request was framed as a harvest of cultural need (Makah Whaling Commission 1995:1). Within this context, critics argued that the IWC’s approval of Makah whaling held precedent-setting implications for other “indigenous” groups planning their own cultural-based whale harvests (Jenkins and Romanzo 1998).

1.2.4 Federal-trust responsibility

Finally, the Northwest conflict produces friction for the United States’ two-fold stand on indigenous rights and global whale protection. As an active member in the IWC, the U.S. is a strong advocate of the global whaling moratorium. In June 1986, the U.S. Department of Commerce recommended trade sanctions against Norway for
"diminishing the effectiveness of the IWC conservation regime" by harvesting minke whales and defying the global ban\(^3\) (U.S.C. 1978: 22). The United States has similarly threatened actions against Japan for harvesting whales under the guise of scientific research (Office of Protected Resources 1997). The U.S. support of whales at the global level, through its active membership in the IWC, is coupled with a set of national laws designed to protect marine mammals and endangered species (U.S. ESA 1973, MMPA 1972). Through these combined legal efforts, the U.S. positions itself as a staunch defender of global whale protection.

While the U.S. is a key proponent in the movement to protect whales, it is also a “fair weather” advocate of indigenous rights worldwide. Not surprisingly, the Makah tribe’s request to renew whale harvesting places the U.S. government in a rather perplexing position. The Treaty of Neah Bay, negotiated by Governor Stevens in 1855, granted the Makahs the legal right to whale in traditional marine territories (Stevens 1855: 2). Thus when the U.S. Department of Commerce vowed to defend Makah treaty rights before the IWC, the global anti-whaling outcry began.

Part of the U.S.’s ardent support of Makahs is driven by the federal-trust responsibility (FTR), which stipulates that it is the state’s responsibility to serve as guardians or stewards to tribes (Brown 1995). Historically, the federal-trust has been loosely defined and often decontextualized to subjugate tribes under the guise of stewardship. This is underscored in the darker pages of U.S. history, when native peoples were colonized, forcibly relocated, and culturally assimilated in the name of federal-trust (Wilkinson

\(^3\) When Norway announced that it would suspend its whaling operations in 1986 and reduce its annual take in 1987, President Reagan decided against trade sanctions.
Following the Indian movements of the 1970s, however, the emphasis within U.S. Indian policy shifted toward notions of tribal self-determination, and later, indigenous sovereignty. In 1995, in consonance with the FTR and the current ideological shifts within Indian policy, the U.S. guaranteed the Makahs both political and economic support for their whale hunt (Jenkins and Romanzo 1998). Nevertheless, the concurrent defense of both Makah treaty rights, on one hand, and the IWC ban on the other, placed the United States in an unsettling global position.

In summary, the above section highlights the national and global complexities of the Makah whaling proposal. I show that despite its local roots, the Northwest conflict contains implications for global processes that are environmental (e.g. marine protection); indigenous (e.g. cultural struggles) and legal (e.g. IWC regulations and U.S. treaty law) in scope. A brief examination of these processes has explained why the Makah whale proposal has managed to achieve such worldwide proportions. Within this global context, however, I now shift the study's focus back to the local level of Neah Bay. I ask, what was the catalyst for the Makah whale proposal? Why whaling? In the chapters to follow, I employ historical archives, Makah media coverage, and semi-structured interviews/participant observation to explore this question. Using this data, I argue that the Makahs' cultural-based whale harvest is as much a struggle over customary marine space as it is a struggle over gray whale resources.
1.3 Research sub-questions:

The following are a set of research sub-questions that flesh out my empirical research question, based on the Makah tribe's movement to revitalize culture by resuming marine based subsistence activities:

1. How are marine spaces socially constructed by tribal groups in the Pacific Northwest?
   a) How are marine environments perceived or defined? b) What symbolic and spiritual values do Makahs draw from the sea? c) How are marine spaces and resources utilized in Makah society? d) How are marine spaces contested, negotiated, or guarded? e) How have Makahs used the media as a tool to reclaim access to marine space and resources? This first research sub-question underscores the importance of the marine environment as a site of multiple constructions for Makahs. I argue that the Makahs' constructions of the sea are reflected in modern everyday social and cultural life.

2. What historic processes have shaped conflicts over marine space in the Pacific Northwest? a) How did federal Indian law historically prevent or permit Makah access to land and water resources? b) How is customary tradition and ancestral authority linked to the debate over appropriate marine resource use? c) How has the Makah cultural revitalization movement evolved into an environmental resource conflict? d) How has the entry of new stakeholders (e.g. commercial whaling and fishing groups; NGOs) altered the nature of resource conflicts at Neah Bay? This second research sub-question highlights the historic processes that are at the core of modern resource conflicts between Makah people and other "stakeholders." I argue
that the contemporary conflict is a result of the diverging constructions of marine space produced by native world-views, federal law, and environmentalist ideology.

3. How has the globalization of marine space transformed the nature of local resource conflicts for indigenous peoples? a) How have the resource struggles of Makah people evolved since precontact times? b) How has the entry of different stakeholders (e.g. commercial whaling and fishing groups; environmental NGOs) altered the face of these conflicts? c) How has the geographical scale of conflicts enabled or constrained Makah efforts to control the seascape? This latter question targets the shifting global scale of local resource struggles within marine environments. I argue that tribal resource use has been challenged, but not paralyzed, by the entry of new stakeholders into Neah Bay.

1.4 Theoretical significance

The research sub-questions above produce significant results that add to the scholarly geographic literature along three major fronts. First, I contribute a unique theoretical and empirical treatment of marine space. Although marine space is a highly contested terrain endowed with its own history and meaning, it has been slighted in the geographic literature. Secondly, an examination of the cultural and historic processes underlying 4th world indigenous resource conflicts within 1st world countries supplements the literature on political ecology and "livelihood struggles" in the 3rd world. Through my case study, I show that 4th world environmental struggles must be examined within the context of regional history, cultural practices, and divergent world-views. Third, my research will illustrate the global dimensions of local conflicts in the marine commons. Though the
Makah case at first appears relatively localized, I show how the parameters of the gray whale controversy map out an international terrain of conflict. Whether the increased scale of the issue serves to enable or constrain local resource access will prove interesting for scholars of the social construction of scale.

1.5 Study limitations

Despite its significance, my research study is not without practical and theoretical limitations. The potential limitations of my study may be collapsed into four central categories, including: 1) factionalism, 2) generalizability, 3) longitudinal dimensions, and 4) non-indigenous social constructions.

First, while my study treats the Makah proposal as a “collective” movement to revitalize their cultural heritage through whaling, there is some dissent within the Makah community. While this discord has created several tensions within the tribal community, it has not developed into the degree of factionalism that the media has often described {Seattle Times 1996}.

Second, I have some concern regarding the generalizability of the Makah case study for other Native American tribes. Indeed, the Makahs are the only tribe with the legal right to whale in the contiguous United States. On the international front, however, several similar cases of cultural resurgence have crystallized in recent years. The Nuu-chah-nulth peoples of British Columbia, for instance, are also native hunters of the gray and have not whaled for one hundred years. The Nuu-chah-nulth, intermarried with and linguistic relatives of the Makah, are using the same discourses of rights and culture to guarantee that whaling is worked into their ongoing treaty negotiations with Canada.
Presumably, the Makah case may be instructive for tribes like the Nuu-chah-nulth who have yet to reach an intensive stage of resource conflict.

Third, I realize that my research could be improved by expanding my study’s longitudinal dimensions. Although I trace Makah history from the precontact times to the present, the socio-political aftermath of the Makah whale hunt must remain for future research. The long-term impacts that indigenous whaling has on the tribe’s cultural survival will not be felt for years to come.

Finally, within my research study, I deliberately neglect a discussion of non-indigenous social constructions of marine space in great detail. I acknowledge that in the same manner that tribes create marine space, anti-whaling groups maintain their own conceptions of marine environments. Though I do interview representatives from other sectors, my empirical questions focus predominantly on the tribe and their perceptions. A treatment of non-indigenous social constructions of marine space is a monumental task and must therefore remain a subject for future scholarly inquiry.

1.6 Summary

In summary, chapter one introduces the global dimensions of the Makah tribe’s movement to reclaim culture through marine-based traditions. I highlight the study’s sub-research questions, its implications, and limitations. In chapter two, I turn to the theoretical framework of the manuscript by drawing from the four bodies of literature that are relevant to my study. Chapter three describes the case study methodology, the data collection procedure, and the limitations of field research in Indian country. I present my efforts to triangulate using a combination of historical data, content analysis, and
participant observation/semi-structured interviews. Chapters four through seven describe the results of the data. Chapters four and five present the historical archives. Employing ethnological accounts, federal Indian legal documents, archaeological data, and the records Northwest explorers, I trace the history of resource struggles at Neah Bay from precontact times to the present. Chapter six presents a content analysis of Makah media coverage. Although news sources are used for the entire century, the bulk of the analysis focuses on the whale controversy period between 1995-1999. In chapter seven, the results of participant observation and semi-structured interviews are assessed. In contrast to the white-authored tribal records of chapters four and five, chapters six and seven present the Makahs' voice on resource struggles. Finally, chapter eight summarizes the central findings of my research study. I address the theoretical and empirical implications of my results, and suggest possible avenues for future geographic research.
2. THEORETICAL BACKGROUND

2.1 Introduction

This chapter presents the theoretical background for my research study. In the following sections, I provide an overview of the four bodies of literature relevant to my dissertation work: political ecology and liberation ecology; social construction of nature/environmental perception; critical legal studies; and the commons. First, I use insights from cultural and political ecology to examine the relationship between environmental degradation, conservation, and cultural survival. Second, I examine the social construction and environmental perception literature in order to reveal how conceptions such as place, Indianness, and marine space develop. Third, I draw from the critical legal studies literature to identify how historic tribal law constrained some everyday life practices of Northwest coast people, while enabling others to persist. Fourth, I review commons theory in order to highlight the theoretical complexities of resource conflicts in an increasingly globalized marine commons.

2.2 Cultural Ecology, Political ecology, and Postmodern Liberation ecology

2.2.1 Cultural ecology and traditional resource management

While many traditional peoples have disappeared under the onrush of global change, other cultures have managed to persist. Significant work in cultural ecology has examined how some indigenous peoples are able to meet long-term subsistence needs and endure, despite adverse ecological conditions (Alteri 1987). Research on traditional resource management (TRM), in particular, has explored the linkages between
indigenous production systems, ecological adaptation, and cultural survival (Altieri 1987; Denevan 1980; Klee 1980).

In general, theoretical treatment of native practices was traditionally ignored in the scholarly geographic literature. One notable exception was the work of geographer Carl Sauer, who, in 1956, wrote, “our agricultural programs pay little attention to native ways and practices” and of their “wise and durable systems of living with the land” (16). In Man's Role in Changing the Face of the Earth, Sauer also noted that “instead of going out to learn what native experience and preferences are, we go forth to introduce our ways and consider backward what is not according to our pattern” (Sauer 1956:17). Indeed, Sauer’s words were ahead of their time. Not until the 1970s-1980s did cultural ecologists turn to traditional systems for insights on sustainable resource management.

What is traditional resource management? TRM systems have been defined by several common characteristics, including “a localized scale of operation; high efficiency; low capital requirements; and high labor input” (Klee 1980). Empirical studies investigating the various dimensions of traditional systems abound in the literature (Altieri 1987; Gliessman 1993; Klee 1980). Treatment of agricultural contexts, for instance, suggests that traditional peoples developed complex systems of flood irrigation in Egypt (Manners 1980); biological insect control in East Asia (Whitney 1980); raised fields in Central America (Denevan 1980); and stone/earth wall terracing in Ethiopia (Beyer 1980) in order to promote conservation. Similarly, studies of traditional marine peoples in Palau and New Guinea illustrate how complex systems of marine tenure and species protection were established in order to encourage long-term sustainability (Klee 1980).
Much of the TRM literature -- both terrestrial and marine-based -- assumes a link between indigenous practices (e.g. terracing, ridged fields) and "indigenous systems of knowledge" (Altieri 1987; Brokenshaw et al. 1980; Richards 1985, 1986). Brokenshaw et al. (1980) for instance, argue that indigenous peoples possess a great deal of knowledge about their local environs (e.g. harvesting techniques, seasonal calendars, plant taxonomies), and have, over generations, developed successful ways to use it. Work by Alteri (1987) insists that indigenous knowledge ensures the longevity of traditional peoples and their TRM systems. Through its intergenerational transmission, local knowledge operates as a long-term adaptive strategy for indigenous peoples' ecological and cultural survival (15). Though traditional knowledge -- like indigenous systems themselves -- is not a panacea for environmental ills, there is considerable value in its local emphasis. Traditional knowledge links local cultures and communities to local nature; it also validates local cultural identity and decisionmaking by attributing worth to local knowledge (Brokenshaw et al. 1980).

While existing research on the ingenuity of indigenous peoples challenges early perceptions of traditional systems as "backward or inferior" (Sauer 1956), not all contemporary scholars endorse "native" resource management. In research on the New World context, for instance, several cultural ecologists have made notable attempts to debunk the "pristine myth" and its corollary, the "myth of the ecologically noble savage" (Butzer 1990, 1992; Denevan 1992; Doolittle 19921; Gartner 1997; Turner and Butzer 1992; Whitmore and Turner 1992). Such works critique the notion that precontact societies, replete with "noble savages", maintained pristine ecosystems by employing
environmentally sound resource management practices. To the contrary, work in cultural ecology has documented the damages and the alterations that were incurred by indigenous peoples in the Americas prior to the European Encounter. These studies illustrate that while some indigenous societies had developed conservation strategies, not all "traditional systems" were ecologically "noble".

Building upon the critiques of TRM, other scholars have challenged the notion that existing indigenous conservation practices necessarily reflect an indigenous conservation ethic (Vickers 1992). By applying western conceptions of conservation to indigenous contexts, such assumptions oversimplify TRM systems by ignoring other environmental, economic, and religious structures that mediate resource use (Bebbington 1993; Fairhead 1992). In the Pacific Northwest, for instance, some scholars suggest that the widespread abundance of Northwest marine species (e.g. salmon, whales) in precontact times -- compared with the more limited resource base of Southwestern or Plains Indians -- shaped a unique regional attitude toward local resources (Klee 1980; Renker 1990). Many studies point to Northwest-specific potlatch ceremonies as evidence that tribal peoples, in an ecological context of bountiful resources, focused heavily upon the accumulation of wealth and material goods (i.e. marine resources) (Klee 1980; Renker 1990). Yet at the same time Northwest tribes encouraged consumption and "accumulation", research shows that they also banned the use of marine species with spiritual and religious associations (Renker 1990). This hybrid environmental philosophy of Northwest peoples -- accumulation on one hand, and preservation on the other --
challenges the duality within some of the TRM systems literature which depicts native peoples as either conservation stewards or environmental felons.

Many scholars have acknowledged the limitations of TRM without abandoning the accomplishments of indigenous systems altogether (Altieri 1987; Bebbington 1993). Alteri (1987), for instance, argues that knowledge gleaned from traditional systems (e.g. polycultures, agroforestry) must be “linked” to modern agriculture to promote “a more environmentally and socially sensitive approach to agriculture” (i.e. agroecology). Similarly, Klee (1980: 7), in his advocacy of indigenous resource management, suggests that “we combine the best elements of modern society with the superior elements of primitive society.” From these standpoints, indigenous systems are not viewed as either “pristine” or “inferior.” Rather, they are examined on a case-by-case basis, and as such, often prove to be viable and compatible forms of “sustainable” resource management for modern contexts.

2.2.2 Political ecology and livelihood struggles

As the above research on TRM indicates, much of the early work in cultural ecology (or ecological anthropology) sought to explain the links between cultural form and environmental management practices as human adaptations within a closed system (Bennett 1976; Ellen 1982; Hardesty 1977; Orlove 1980). Beginning in the 1980s, however, work by Hjort (1982) and Grossman (1984) began to emphasize the need to couch cultural-ecological insights about human-environmental interactions within the wider context of political and economic structures that influence human activity and shape environmental change. Beginning in the 1990s, the integration of anthropological-
style local research with political-economic structural analysis was a key concern among political ecologists (Bassett 1988; Blaikie and Brookfield 1987; Hecht 1985; Little and Horowitz, 1987; Peet and Watts 1993; Simmons 1993).

A significant body of research within political ecology has focused on environmental problems besetting indigenous communities worldwide. In contrast to the ecosystem-bound theory of cultural ecologists, however, political ecologists have focused on the links between political-economic structures, such as global capitalism and state policy on one hand, and environmental change in indigenous communities on the another. Mekvichai (1988) and Lohmann (1990), for instance, examine the environmental consequences of commercial forestry in Thailand. Schmink (1988b), Brandford and Glock (1985), Hecht (1984, 1985), Schmink and Wood (1987), and Bunker (1980) assess the impact of capitalist development on Amazonian ecosystems. Kjekshus (1977), Vail (1977) and McCracken (1987) offer analyses on the force of state colonialism and capitalism on peoples and environments in East Africa. Bryant (1992) argues that state policies also play a pivotal role in contemporary human-environmental interactions by structuring the discourse of environmental change.

Yet in recognizing the political-economic dimensions of environmental change, the ability of local groups to contest their plight must not be ignored. Research reveals that peasants faced with a threat to their economic livelihoods often resort to overt collective resistance. These environmental resistance movements are typically framed as grassroots, popular, livelihood-based, resistance, environmental justice, or resource struggles (Pulido
Ultimately, however, what they share is a counter-hegemonic, or subaltern location; that is, they exist in opposition to prevailing powers (Guha 1988a: 35).

In general, the new social movements literature and more recently, liberation ecology (Bebbington 1996; Escobar 1992, 1996, Guha 1989; Moore 1996; Peet and Watts 1996; Scott 1990; Zimmerer 1996) have focused on the power of local peoples to resist capitalist and state structures of dominance. In particular, a vast number of scholars have explored the emergence of livelihood struggles in Africa, Latin America, and Asia. Agarwal and Narain (1985) and Omvedt (1989), for instance, survey the plethora of movements that have emerged in the Indian setting. Shiva (1987) and Weber (1987) outline the development of India's renowned Chipko movement. Hirsch and Lohmann (1989) study various movements launched by Thai people to contest eucalyptus plantations and hydroelectric dams. Redclift (1987) examines Mexican environmental movements, while Hecht and Cockburn (1989) and Schwartzman (1989) discuss the rubber-tappers' movement in the Brazilian Amazon.

Yet much of the above research concentrates on economically subordinate, ethnically dominant peoples. Indeed, there has been limited treatment of the links between ethnicity, environmental change, and political protest. Further research on the livelihood struggles of economically subordinate peoples who are also ethnically marginalized is lacking. Notable exceptions include Drucker (1985), Porter (1990), and Hurst (1990) who explore ethnic-minority resistance in Southeast Asia. In the Americas, Hecht and Cockburn (1989) and Cummings (1990) document the genesis of Indian struggles in the Amazon basin. Despite these advances, however, the majority of studies on livelihood struggles
are “place-ist” in that they continue to focus disproportionately on social movements in Africa, Latin America, and Asia (Bryant 1992; Bryant and Bailey 1997). A theoretical treatment on the “fourth world” (Bullard 1993; Nietschmann 1973; Stea and Wisner 1984) of economically and ethnically marginalized indigenous communities within the “First Worlds” of U.S. Canada, and Australia, for instance, is presently limited. Such a contribution would add another critical dimension to the already existing political ecological literature on livelihood struggles.

2.2.3 Cultural-based struggles

Though new social movements often develop as a result of struggles over economic livelihood, the cultural component of these struggles has been underestimated (Johnston 1992; Pulido 1996). Inevitably, environmental change that adversely affects local peoples’ access to resources also impacts the cultural fabric of societies (Donahue and Johnston 1998; Rollins 1997; Schmid 1992; Swidler 1986). A focus on cultural based struggles reveals how local groups enter the political process in order to assert economic rights to resources, but also to reclaim their cultural identity through natural resource use (Cornell 1988; Fischer and Brown 1996; Pulido 1996).

In the United States, instances of cultural-based livelihood struggles among economically and culturally disenfranchised groups have increased in recent years (Fenelon 1998; Hufford 1994; Kehoe 1989). The Indian movement to revive the buffalo population on the North American plains, for instance, provides one example of cultural renewal through the use of natural resources (Pickering 1997). In the Southwest, the Tohono O’Odham are reviving the saguaro ceremony in order to sustain the tribe’s
cultural base (Seivertson 1999). And in the Pacific Northwest, the focus of my case study, the Makah Nation’s move to resume whaling is being framed as an environmental struggle rooted in both economic survival and cultural identity (Makah Whale Commission 1995).

While Native American cultural movements take various forms, some scholars suggest these modern struggles share common roots within historic federal policy (Spence 1999). For instance, state-led forces in the 19th century U.S. colonized numerous Indian territories under the guise of “western development” and “economic growth”. By placing customarily managed territories under state leadership, many traditional areas fell into environmental decline amidst western themes of resource management (e.g. Manifest Destiny). Moreover, at the same time the environmental quality of native territories declined, tribal peoples themselves — largely dependent upon customary areas for livelihood, spiritual traditions, and social structure --- confronted an unprecedented social context of cultural and economic upheaval. State-led cultural assimilation policies exacerbated the erosion of Indian identities by prohibiting traditions that linked tribes to their resource base. Today, as Indian groups mobilize to recover disappearing cultural traditions and to restore impoverished economies, their particular struggles symbolize an age-old struggle against historic state control.

2.2.4 Conservation through cultural survival

The diverse struggles of native or indigenous peoples have captured the focus of non-governmental conservation organizations (NGOs) worldwide. Not surprisingly, research shows that NGOs, both mainstream and radical, frequently share in the same desires of
local communities to preserve habitats and protect species biodiversity (see for examples, 

Though NGOs and local peoples possess different motivations for protecting 
environments, their objectives -- to conserve or preserve-- frequently correspond (Soule 
and Lease 1995; Wapner 1996). Consequently, several global conservation organizations 
have joined forces with local indigenous groups in an effort to derail environmentally 
destructive activities in critically sensitive regions (Cornell 1988).

Alliances between indigenous peoples and NGOs are often framed as "win-win"
environmental ventures in the literature (Anaya 1996; De Lacy and Lawson 1997; 
Stevens 1997; Geddicks 1993; Herlihy 1997). Because environmental degradation is 
frequently driven by state-led development policies (Hecht 1989), scholars argue that 
new indigenous -NGO alliances allow locals to assemble a stronger political front 
against the state (Borrows 1997; Hurst 1990). Clairman (1993) adds that NGOs assist 
indigenous peoples with resource management by providing fiscal input and project 
recommendations. At the same time, for NGOS, "diverse" coalitions serve to strengthen 
the organization’s position and ultimately, its chance of prevailing on highly contested 
environmental issues (Geddicks 1993). Within this "win-win" framework, environmental 
and native groups have coalesced in an attempt to prevent development and resource 
exploitation in significant natural areas (Young 1990).

More recently, other scholars have argued for NGO-indigenous alliances using 
"conservation through cultural survival" as their central strategy (Nietschmann 1997; 
Stevens 1997). In other words, some studies suggest that because culture and
environment are inextricably linked, environmental protection is best achieved through a focus on cultural survival. As traditional resource users, indigenous groups maintain a considerable stake in the preservation of the natural resource base. Scholars argue that if NGOs hope to encourage sustainable resource management, they must first ensure the cultural survival of resource-dependent people (Herlihy 1997).

In a vast majority of cases, conservation through cultural survival has been promoted by NGOs through the establishment of indigenous protected areas. Such areas are typically designed to encourage indigenous self-determination and legitimize indigenous claims to natural resources and traditional territories. But this new model of conservation – and others that privilege customary tenure, community-based management, and co-management – operate in sharp ideological contrast to historic forms of park management.

Historically, the creation of national parks and protected areas entailed the expulsion of indigenous peoples from their ancestral lands. Ultimately, such preservationist philosophies denied indigenous peoples access to resources critical to their livelihoods. Significant work in cultural ecology has traced the failure of these historic conservation models to the overarching “National Park ideal” in the U.S. (Newmann and Schroeder 1995). Spence (1999), for instance, shows how the American wilderness ideal constructed an image of park landscapes as wild and primordial sanctuaries, free from human intervention. This particular philosophy served to necessitate and justify the large-scale displacement of native peoples that were living within national park boundaries.
In the aftermath of state-led conservation policies, many native peoples have contested their territorial dispossession. In fact, several cultural ecologists have documented widespread land and sea user resistance to protected area policies in the form of non-compliance, trespass, and even armed struggles. Such everyday resistance efforts reveal the widespread dissatisfaction that results when conservation policies work to erode indigenous resource control. As the failures of these early park models are increasingly revealed, many NGOS have turned to the "conservation through cultural survival" model for its willingness to recognize local participation and indigenous empowerment as valid "park ideals."

Thus while NGOS have played a critical role in the development of indigenous protected areas, some scholars have also exposed their shortcomings (Bebbington 1993; Clairman 1993; Grove 1990; Nietschmann 1997). Nietschmann (1997) describes how, along the Nicaraguan coast, groups that mobilized to assist the Miskito Indians in their movement to reclaim marine resources from the state proceeded to co-opt the efforts of the local resource managers they hoped to empower. Nietschmann deems such NGOs "predatory colonial conservationists" and criticizes their "highly regulatory, legalistic, centralized, and top-down" approaches to conservation (67). Within the Guatemalan context, Sundberg (1998) explores how NGO efforts often undermine existing community strategies and structures and lead to landscapes that reflect NGO conservation and development goals, rather than the aspirations of local people.

As a more broad critique of NGOs, Bebbington and Farrington (1993) argue that scholarly discussion of NGOs to date has tended toward "over-optimistic assessments of
their effectiveness as agents of grassroots change " (204). Furthermore, Callicot (1993), argues that NGOs often eclipse indigenous struggles by affording locals inadequate roles in the conservation process or by alienating them in the decisionmaking process. Collectively, these studies reveal that while the voices of NGOs are sometimes sensitive to indigenous concerns, NGOs do not always represent indigenous interests. Speaking more generally, this research illustrates how NGO - indigenous alliances – in their attempt to encourage both conservation and cultural survival – generate a number of critical obstacles at various scales.

2.2.5 Conservation vs. cultural survival

Interestingly, other studies show that conservation movements and cultural based-movements often ideologically diverge from the start. In the United States, for example, there have been several recent cases in which efforts to conserve threatened species have collided with goals to preserve indigenous customs (see United States v. Billie 1987; United States v. Dion 1986; Metcalfe v. State of Washington 1997). In general, when pitted against one another, cultural preservation endeavors have been less successful than species conservation ventures. Some scholars reason that the cause for this disparity is embedded within the history, scope, and power of conservation NGOs (Clairman 1993). While environmental groups crystallized at the grassroots level in the 1960s, today these NGO factions have evolved into dominant, transnational forces in global civil society (Wapner 1996). As a result, indigenous peoples, in their struggle to reclaim access to contested resources, have increasingly lost ground to the power and policies of conservation NGOs.
Yet the conflicts that emerge between NGOs and native peoples in their attempts to define access to natural resources are only partly explained by unequal power relations. Some environmental scholars argue that struggles over nature are as much about material conditions as they are about systems of meaning (Escobar 1992, 1996; Cronon 1995). Recent work in political ecology, for instance, has shown how conflicts over access to resources is linked to conflicting assumptions about nature and the human place within it (Pulido 1996). Because conservation NGOs and indigenous peoples create, invent, or construct nature in different forms, environmental conflicts often result.

My case study of the Makah builds upon this argument. I suggest that the Pacific Northwestern struggle between NGOs and Makahs generates is partly a result of conflicting definitions, uses, and meanings of nature. I add that while competing definitions of gray whales produce conflict in the Northwest, current NGO-tribal hostilities stem more generally from conflicting conceptions of marine space. I now turn briefly to the social construction and environmental perception literature in order to highlight how scholars have examined the relationship between nature and society.

2.3 Social Construction/Environmental Perception

Together, the environmental perception literature (Ittelson 1954; Saarinen 1976; Saarinen and Sell 1980; Saarinen et al 1982; Tuan 1990), and more recently, the social construction literature (Demeritt 1994; Dobson and Lucardie 1993; Elder 1996; Gerber 1997; Greider and Garkovich 1994; McNaughten and Urry 1998; Proctor 1998; Simmons 1993) have drawn critical attention to nature - society issues. The seminal citations for these two bodies of theory are alone voluminous. An exhaustive review of the perception
and constructionist literature, however, is not my intent, as other bodies of theory form
the theoretical core of my research. I draw from these two streams of literature mainly as
a heuristic device for understanding three other conceptions that are more central to my
research: the construction and perception of place, marine space, and Indianness.

To begin with, I clarify my working definitions of both “space” and “place”. In recent
years, these two concepts have received a great deal of attention both within and beyond
geographic borders. Theoretical treatment of space, in particular, has been a partial
response to the historical quantification of spatiality, where space was viewed primarily
as a function of distance and direction. More recently, however, several notable scholars
have offered a critical and thorough treatment on the social conception of space (Agnew
1989; Foucault 1986; Harvey 1989; Lefebvre 1986; Massey 1994; Smith 1984; Sack
1980; Soja 1988). Similarly, recent years have also seen a revival of interest in the notion
of place. In contrast to the earlier humanistic celebration of place (Relph 1976), recent
work has begun to explore the ways that certain places take on specific identities from a
range of processes operating at a much broader scale (Agnew 1987; Agnew and Duncan

For my study’s definition of space, I draw first from Soja (1988), where space is a
“socially produced” conception. Within this framework, “space influences society, but
society also shapes and informs space.” Soja also formulates a further distinction between
space and place, where space is defined as an “abstraction” and place is a “concrete
manifestation”. Though my study adopts Soja’s concept of space, I build upon his
definition of place as “concrete manifestation” with the work of both Entrikin (1991) and
Agnew and Duncan (1989). While Entrikin (1991) posits that "place represents both a context for social action and a source of identity", Agnew and Duncan (1989) more specifically define place as:

"A constantly re-energized repository of socially and politically relevant traditions and identity which serves to mediate between the everyday lives of individuals...and the national and supra-national institutions which constrain and enable those lives.” (Agnew and Duncan 1989: 7)

By combining these frameworks, I view place as "a source of identity and a context (e.g. concrete, symbolic) for everyday social action, both bound and enabled by national and global structures.” With this in mind, I now turn to a general discussion of both the environmental perception and social constructionist literature.

Environmental perception

Environmental perception research highlights the importance of the links between cognition, behavior, and environmental change (Bechtel 1997; Saarinen 1969; Saarinen et al. 1984; Sell 1983, Tuan 1990). Nature --society relationships are thus explained by exploring the links between peoples’ perceptions of nature, and the behaviors humans impose upon it. This strand of research places a particular emphasis on human agency, by empirically investigating peoples’ individual ideas and attitudes toward the environment (Bechtel 1997; Saarinen et al. 1984). Some perception scholars have used a set of unique methodologies to gauge individual perceptions of geographic environments (Eisele 1999; Sell 1983; Young 1977). Sell (1983) and Eisele (1999) for instance, utilize self-employed photography as a means to understand children’s perceptions of local environs in the American Southwest and Mexico, respectively. These methodologies have nicely complemented traditional text-based analyses by employing images as
valuable representations for how people perceive their world. Despite environmental perceptions' theoretical and methodological contributions to nature-society theory, however, it has been critiqued for its tendency to ignore the larger political-economic structures that mediate individual experiences (Elder 1996).

**Social construction**

In comparison, social construction theory is concerned with "the ways in which we think about and use categories to structure our experience and analysis of the world" (Jackson and Penrose 1995: 2). This strand of theory challenges the longstanding view that some categories are inherently "natural" or pre-given, bearing no trace of human intervention. Social construction theory contributes to the nature-society debate, in particular, by maintaining that our ideas and perceptions of nature are socially determined (Greider and Garkovich 1994). Constructionists draw from literature, arts, physics, and different political and religious worldviews, such as Buddhism or feminism, to show the diverse ways in which interpret the world around them (Simmons 1993). At its core, the social construction literature challenges the view of nature as "object," while offering a radical reinterpretation of nature as something that is symbolically as well as materially constituted (Demeritt 1984; Elder 1996; Escobar 1996; Haraway 1991; Lateur 1999; Proctor 1998). Social constructivism may thus be viewed as an attempt to move beyond "positivistic epistemologies" in order to understand the environment in a cultural, political and historical context (Dobson and Lucardie 1993).

Some scholars reason, however, that by deconstructing accepted definitions of nature or "natural", we summon the possibility of increased environmental risk and degradation
(Soule and Lease 1995. In other words, without standard definitions of nature, scholars warn that efforts toward nature-protection or environmental conservation will be delegitimized (Soule and Lease 1995: 7). Constructionists counter that by allowing groups to reimagine nature using their own criteria, “emancipatory” definitions of nature will result (Elder 1996; Simmons 1993; Woodgate and Redclift 1998). Suddenly, concrete urban spaces are seen in new dimensions, worthy of preservation in the same manner as rural spaces are (Kong and Yeoh 1996). Furthermore, the conclusion that society has reached the “end of nature” (McKibbens 1989) may be revisited, as our cultural definitions of “natural” are reconfigured to include cities or sidewalks. Moreover, input into what “counts” as nature becomes open to a diverse set of cultural and regional voices (Cronon 1995; Simmons 1993).

It is important to stress that construction theory does not deny the need for some kind of categorization. Human thought requires categories as fundamental communicative devices. Construction theory merely challenges the idea that some categories are more fundamental or “natural” than others. Jackson and Penrose (1995:3) argue that the objective of constructionism is “not to expose the falseness of constructs but rather to expose the falseness of our unquestioning acceptance of these constructs from which their legitimacy derives.” Within my study, social construction theory offers a radical form of analysis through which to challenge privileged definitions of nature in the Pacific Northwest.

The nature-society debate generated by environmental perception and social constructionism has implications for my sub-research on the conceptions of 1) place, 2)
marine space and 3) Indianness. With the exception of scholarly work on place and place-identity, these areas have been largely underrepresented in the literature. Because these three concepts are central to my empirical and theoretical research, I apply perception and constructionist theory in to explore their complexities.

2.3.1 Social construction of place

Social construction theory has been applied to theories of place within the past several years. Seminal work by Massey (1996), for instance, suggests that we make or construct places and spaces through which we live our lives, and that place and space are therefore politicized. But place construction possesses other elements besides the political. Davis (1995) and Yeoh and Kong (1995), for instance, explore the links between place and the micro-scale of everyday life. Within this framework, the “making of place” is said to be intertwined with individual biographies, identities, and geographies. On a broader scale, some scholars argue that place construction is also a product of collective politics, history, and ethnicity (Clark 1993; Anderson 1993). In these instances, groups, rather than individuals are seen as agents of place creation.

Yet while conceptions of place have received considerable attention in past years, the specific conditions under which place is constructed have not been fully addressed. Indeed, there is a critical need for empirical investigation into the ways in which local people create their “place” on the map for political and cultural ends (Buckingsfield-Hatfield and Percey 1999; Hershkovitz 1993; Jackson and Penrose 1994). Research by Gaffin (1994), for instance, explores how Faroe Islanders, in their relative isolation, establish themselves as place-markers or landmarks in the North Atlantic. The use of
specific tactics, Gaffin argues, allows Faroese Islanders to secure their place in the global 
world economy without sacrificing their unique, local identity. Building upon Gaffin’s 
work, my study of the Makah Indians investigates how the Makah reservation’s “remote 
location” in “the corner of the world” shapes the tribe’s collective identity, politics, and 
history. More importantly, I consider how Neah Bay, as place, is politicized by the 
Makah people as a central strategy. As in the case of the Faroese Islanders, I inquire into 
how place serves as site of empowerment in the Pacific Northwest.

2.3.2 Marine space

Geographic research on “marine space” to date primarily focuses on the physical 
dimensions and characteristics of aquatic environments (Walters and Winkler 1999; 
Wright 1999); political jurisdiction over sea territory (Glassner 1986; Honeychurch 
1999); coastal management (Nichols 1999); and environmental and global change (Dow 
1999; Vallega 1999). Yet despite the ocean’s varied socio-political dimensions, there has 
been little theoretical treatment of marine space as a site endowed with history, culture, 
and meaning. Empirical studies by geographers on the perception of marine space are 
also limited (Barton 1997).

There are several notable exceptions to the glaring gap in social theoretical studies of 
marine space. Trist (1999), for instance, examines recreational consumption and 
representation in the St. Lucia marine environment. Also in the Caribbean, Honeychurch 
(1995) explores the role of intervening sea channels as a continuous “territory” for 
Creoles. Griffiths (1989) analyzes the South African quest for independent access to the 
sea as a symbolic attempt to assert political dominance. Indeed, Steinberg (1999b) hints
at the need for a geography of ocean-space and a spatial understanding of the “maritime mystique” (403). Yet a detailed theoretical treatment of how marine spaces are socially constructed is lacking in the geographic literature. A more critical focus on marine environments would help scholars to reimagine marine space as both a physical location and a socio-cultural terrain. My research on the Makah seeks to bridge this gap in the geographic literature through a through examination of Pacific Northwestern marine space as a material and symbolic site of livelihood, spirituality, history, and protest.

2.3.3 The construction of Indianness/native perception

Finally, the social construction and perception literatures offer insights into the politics of Indianness and the significance of native world-views. On one hand, constructionists outline the problematic ways in which nativeness or Indianness is invented and conceived by dominant society. Through an exhaustive search of 20th century media, Weston (1996), for instance, explores how American print news depicted native groups as either “good” or “bad” Indians by patronizing, romanticizing, or ignoring them in the mainstream press. Weston suggests further that while media reflects Native American stereotypes prevalent within popular culture, it also perpetuates their reproduction via mainstream news. In contrast, Crozier (1997) and Brower (1990) assert that despite its abuses, the social construction of Indianness also serves as a source of power for native groups lobbying for their political goals. The American Indian movements of the 1970s, for instance, reveal how political power is drawn from the collective mobilization of group identity.
In comparison, the native perception literature highlights the ways in which native peoples perceive the appropriate relationship between nature and society (Bolm 1998; Doolong 1989). Research on "traditional world-view", for instance, suggests that certain native groups maintained a connection with nature that was dictated by an informal "ancestral authority" (Callicot 1993). Studies on sacred space reveal more generally how some indigenous peoples prioritized the sanctity of certain places over others (Bruchac 1996; Chidester and Linenthal 1995; Jacobs 1993; Korp 1990). Through these and other "early conservation efforts", researchers argue that native groups effectively managed local environments for long-term sustainable use (Momaday 1998). McGregor (1988) cautions, however, that such "traditional world view" philosophy must beware the danger of the ecologically noble savage. Rather than promote Pan-Indian generalizations, some scholars argue that "native perceptions" must be selectively viewed within a local context of history, politics, and place (Fagan 1998; McGregor 1988; Nazarea 1999).

My study builds upon this theoretical premise of a regionally specific Indian world philosophy. I investigate the historic roots of the Makah Indians' world-view and examine how their conceptions of nature shape their attitude toward marine space. Together, an analysis of the 1) the making of place at Neah Bay; 2) the social dimensions of Pacific marine space; and 3) conceptions of Makah Indianness will serve to enhance the social construction/perception literature. Through an examination of these three processes, I hope to shed light on the implications for the larger nature-society debate.

Traditional world-views of nature, as described above, compete with a set of distinct federal laws that mediate, restrict, or permit indigenous resource use. Held in tension with
one another, competing tribal and federal conceptions of resource use set the stage for resource conflicts. I now turn to the critical legal studies literature in order to place my case study within a spatio-legal context of historic Indian law, rights, and native resilience.

2.4 Critical legal studies

2.4.1 Law, Indian space, and the rights rhetoric

Critical legal studies (CLS) theory (Bauman 1996; Gooding 1994; Sibley 1995; Unger 1986) argues that U.S. federal Indian law plays a major role in reshaping the ways in which tribes have been organized across and within space. In the Pacific Northwest, historic legal doctrines influenced native cultures by constraining resource access, usurping rights, and forcibly reorienting livelihoods. First, through the establishment of the reservation system, allotment policies, and the Indian Reorganization Act, laws determined the political geography and physical parameters of reservation lands. Second, Indian law shaped the way in which Pacific Northwestern lands were utilized by determining native peoples' access to resources (Treaty of Neah Bay 1855, United States v. Washington 1974). Third, the legal definition of “Indianness” symbolically placed Indians. In this way, at the same time colonialism was an intensely geographical act through which space was explored, altered, and renamed by whites, indigenous people and their culture were constructed as the “other” and assigned to spaces that expressed their “place” in emerging colonial society (Sibley 1995). Putting people in their place was therefore more than a figure of speech. Fourth, these assigned geographies reveal that consequently, law also mapped peoples’ identities in space. Gooding (1994) suggests that
Federal Indian law constructed identities in its naming of indigenous groups, by
"decontextualizing and remapping identities to a fixed map of race." Borrows (1997)
argues more generally that this legal geography of Indian space ultimately served to
marginalize natives from environmental decision-making in areas that were once
traditional territories.

Several CLS theorists suggest that while certain federal laws controlled Indian
space, other laws and rights designed to assist Indians were also problematic (Sparer
1984; Tusnet 1984). The rights rhetoric, in particular, is often "vilified in CLS research as
part of the reifying attempt in Western ideology to obscure unresolved contradictory
values and dualities" (Williams 1987: 117). Sparer (1984: 516-517) suggests that these
dualities – freedom and necessity; individualism and altruism; autonomy and
community; subjectivity and objectivity - "pervade our legal system and our concept of
rights." Some critical legal theorists therefore see law as an attempt to hide the
unresolved contradictions embedded within our society’s value structures (Tusnet 1984).
CLS theorists argue that the existence of such societal contradictions undermines the
notion that rights can effectively transform the “oppressive character of our social
relations” (Brest 1982; Freeman 1978). In essence, CLS raises the possibility that “rights’
won under such cases as Brown v Board of Education (1957) or The Treaty of Neah Bay
(1855) are only makeshift concessions whose principal function is to preserve the
stability of the dominant order (Williams 1987).

My case study of the Makahs directly challenges the CLS stand on rights theory. I
suggest that The Treaty of Neah Bay (1855) represents one of the few mechanisms
available for the Makah tribe to exercise their legal right to whale in "usual and accustomed grounds." (Article IV). Though CLS theorists are correct to suggest that rights cannot transform "the oppressive character of our social relations" – in this case, society's behavior toward Northwest native peoples -- my study shows why rights themselves must not be rejected but embraced. While the rights afforded the Makahs under the Treaty of Neah Bay (1855) were likely designed as a symbolic "concession" to appease the tribe (Sparer 1984), in 1995, historic treaty "rights" ultimately served as a central source of power for the Makah people. In their efforts to reclaim access to customary marine resources, Makahs were able to effectively mobilize the treaty rights rhetoric in order to counter the force of anti-whaling NGOs in the courts and in the press (see chapters 4-6). In my study, I show that CLS, with its overemphasis on the "ideological pitfalls" of the rights rhetoric has simply ignored the practical role of rights in Indian country.

2.4.2 Indian challenges to legal doctrines

It is equally important to note that while legal doctrines controlled tribal space, Indians also challenged the socio-spatial constructions that were crafted from colonialism (Taylor and Pease 1995). In the Pacific Northwest, for instance, tribes worked to maintain a sense of place apart from that which was imposed upon them. In many cases, native peoples created sacred spaces for their own rituals and practices, as "spaces within inscribed space," set apart from governmental control (Borrows 1997). Moreover, despite critical legal theory that denigrates the placing of Indians on reservations (Gooding 1994), reservation lands nonetheless served as a site of identity for native peoples.
Groups like the Makahs still reside upon traditional homelands that serve as important sources of cultural meaning. Thus while indigenous people were in fact placed (Peters 1997), they also maintained a sense of place where they carved out their own cultural identities. While law and policy were controlling Indian space from the outside, internally, native people were creating new spaces and recreating themselves.

Indeed, some of the CLS literature inadvertently frames Indian peoples as passive agents without abilities to resist dominant legal structures of power and control (Gooding 1994; Borrows 1997). A more useful approach to tribes and treaties would be multi-directional in form, probing how legal structures reconfigure local spaces, as well as how tribal peoples are themselves agents who reshape the outcome of legal processes. Recent CLS work by Williams (1997) assumes a more multi-directional approach toward native peoples and legal canons. In his earlier work, Williams (1990) examines the oppressive ways in which Western law was used to justify the colonization of American Indian peoples in the 19th century. In a subsequent text, Williams (1997) presents the legal ideas that American Indians sought to apply to the west during the North American encounter.

Using historical archives, Williams illustrates how legal texts, such as the Spanish Requerimiento and the Doctrine of Discovery, legitimized European efforts to dominate and subdue the American continent (Williams 1990). At the same time, Williams shows that Indians actively responded to the West’s “will to empire” over them (Williams 1997). The Tale of the Grandfather (Williams 1997: 4), for instance, confirms that Indians used a combination of sophisticated social tactics to pursue their long-term strategy of decolonization. Together, Williams’ work (1990; 1997) reimagines the power
relations between Indians and the state as a two-way exchange. This more complete CLS framework suggests that structural factors, such as federal Indian law, at once enable and constrain Indian livelihood and culture. Within this framework, the Treaty of Neah Bay (1855) is more accurately viewed as both a symbolic reminder of European colonization and a legal validation of the Makahs’ right to whale.

2.4.3 Geography and Indian rights

Finally, despite CLS’s thorough treatment of the rights rhetoric, I suggest that there is limited investigation into the ways in which perceptions of rights are attached to geographical places. In order to understand the complex relationship between law and Indian peoples, further research must explore the geographical dimensions of rights. Forsythe (1989), for instance, argues that law serves as a background condition against which the debate over indigenous rights and politics occur. For deeply rooted, Northwest coast native peoples,¹ I suggest that place assumes the “background condition” upon which resource debates are constituted. For the Makahs, their perception of rights may well be attached to their unique location in the Pacific Northwest.

In summary, I employ CLS theory within my study to address how federal Indian law shapes the socio-spatial dimensions of Makah society. At the same time, however, I recognize the Makahs as active players in their own spatial constructions. As such, I will investigate how Makah conceptions of place, rights, and resource use take form and ultimately empower tribal members to regain control of traditional areas. But the extent of the Northwest conflict over marine space is not limited to federal laws, Indians, and

¹ Neah Bay, for instance, has served as the Makahs’ homeland for over 2000 years.
Neah Bay. The introduction of numerous stakeholders in the Makah case has served to globally broaden the legal scope of local resource struggles. I now draw from the commons literature in order to address the increasing global complexity of marine resource conflicts.

2.5 The "commons" literature

2.5.1 Tragedy of the Commons

As the global pool of nonrenewable resources diminishes, and the scale of global economic integration expands, conflicts over common pool resources have heightened dramatically. Resource stakeholders have multiplied and local struggles have intensified as common property dilemmas achieve global proportions. This has been particularly true within maritime contexts, as more groups shift to the sea for its potential uses (e.g. recreation, fishing, seabed mining). In the following paragraphs, I outline common property theory to date, expose its limitations, and discuss its insights for my case study of Pacific Northwestern marine space.

What is common property? To begin with, common property, or common pool resources share two central characteristics (Berkes et al. 1989; Feeney et al. 1996). First, these are resources for which exclusion (or control of access) of potential users is problematic. More specifically, the physical nature of common property resources (e.g. oceans, forests, and pastures) is such that controlling the access of potential users is difficult. In the case of migratory or fugitive resources (e.g. whales and fish), exclusion poses an apparent problem. Common resources are also beset by subtractability, where exploitation by one user subtracts from the amount available to others; as the quantity of
whaling boats increases, the catch per unit of effort for each declines. On the basis of these two characteristics, scholars have defined common property resources as a "a class of resources for which exclusion is difficult and joint use involves subtractibility" (Berkes et al. 1989: 91).

Garret Hardin's (1968) *Tragedy of the Commons* (TOC) predicts the inevitable overexploitation of all resources held in common. While resource economists Scott (1955) and Gordon (1954) are often credited with the conventional theory of the commons, Hardin is considered by many as the definitive insight. Hardin's notorious conclusion of unavoidable tragedy stems from four general assumptions: 1) common property resources are equal to open-access; 2) lack of constraints on individual behavior; 3) conditions in which demand exceeds supply; and 4) resource users who are incapable of altering the rules (Feeney et al. 1990). To avoid this tragedy, Hardin proposes two solutions: the transfer of common resources either to private property or to government control (Bajema 1991; Hardin 1977). In the years following Hardin's recommendations, "common property conditions" were frequently blamed for a host of social ills, including resource depletion, pollution, dissipation of economic surplus, poverty among resource users, backwardness in technology, and misallocation of labor and capital (Ciriacy-Wantrup and Bishop 1975).

### 2.5.2 Criticisms of the commons model

A number of recent works have challenged the predictions of Hardin's model as well as the tenets upon which it is grounded (Berkes 1985, 1989; Berkes et al. 1989; Feeney et al. 1990, 1996; McCay and Acheson 1987; McEvoy 1986, 1988; Ostrom 1990). On a
general level, scholars have heavily criticized the common property argument for its assumption that as common pool goods shrink, "rational economic" individuals will extract rather than conserve remaining resources. Several studies have shown that the commons model, in its assumptions about human behavior, fails to recognize existing social institutions that discourage resource depletion (Berkes 1985; Freeman 1989).

In indigenous North America, several empirical studies have pointed to the cultural norms and institutional arrangements that mediate community resource use (Feeney et al. 1990; Freeman 1989; Newell 1996). Freeman (1989), for instance, attacks the TOC model for its failure to recognize informal methods of local resource management. He illustrates how historically rooted conservation tactics and local knowledge have enabled the caribou-dependent communities of Hudson Bay, Canada to hold wildlife levels in balance. Also in Canada, Feeney et al. (1990) show how community-based arrangements were frequently employed by Amerindians to govern common-pool beaver resources in James Bay, Quebec. Through a "hunting territory system", indigenous beaver hunters utilized resources communally until the 1920s, when advances in transportation brought an influx of "outsiders" into James Bay. In an interesting twist, as natives lost control over customary territories, all trappers, including Amerindians, contributed to the "tragedy of the commons" (Feeney et al. 1990: 92). In the Pacific Northwest, the focus of my study, Newell (1996) argues that while natives possessed the technological capacity to destroy Pacific salmon populations, they effectively managed stocks for over 2,000 years. In contrast, successive state management systems in the Northwest, often developed on the advice of economists, created devastating effects on the stocks they
were designed to protect. Collectively, these studies reveal that some communities have the capacity to devise and enforce rules and norms that constrain the selfish behavior of individuals (Feeney et al. 1990).

The commons model has also been criticized for its limited theoretical scope. Some scholars (Berkes 1985; McCay and Acheson 1987; Ostrom 1990), for instance, have challenged Hardin’s model for privileging terrestrial environments (e.g. rangelands, forests) over marine spaces. Indeed, while common property studies within maritime contexts have increased in recent years (Feeney et al. 1996), Hardin’s original model was based on a metaphorical village common of herdsmen, stock, and pasture. Work by Roberts and Emel (1989), on the other hand, criticizes Hardin’s failure to discuss power relations within the commons. They suggest that questions of unequal access, although central to common property debates, have been virtually unexplored in the literature.

Using a political-economic approach, the authors illustrate how problems often attributed to the “common property condition” are more likely structured by dilemmas of uneven development (25). On another front, Feeney et al. (1996) describe the TOC model’s failure to address the tragedy of the “institutional commons”. More specifically, they show how the collapse of the California sardine industry – “one of the largest wildlife management failures in history” -- crystallized because of a TOC not only in the fisheries but also in the competing number of legal/political processes that were designed to counteract overuse (Feeney et al. 1996: 197). Collectively, these criticisms reveal that while the common property model is theoretically insightful, it is also incomplete.
2.5.3 Scale, local struggles and the global commons

In recent years, common property research has also expanded to include different geographical scales of analysis. While much of the earlier commons literature focused on small scale communities (Berkes 1989; Freeman 1989), the accelerated pace of global environmental change has pushed global commons tragedies (e.g. ozone depletion; carbon dioxide accumulation, high seas pollution) to the forefront of scholarly inquiry (Buck 1998; Dagsputa 1997; Dorfman 1997; Greif 1995).

Particularly within the past decade, theoretical treatment of the global commons has increased markedly (Buck 1998; Dagsputa 1997; Dorfman 1997; Grief 1995; Vogler 1995). In particular, there has been significant focus within the literature on the management of global commons under “international commons regimes” (Buck 1998; Vogler 1995). To begin, “regimes” is a technical term adopted from political scientists for “institutions used to govern a particular issue, and which comprise a set of norms, principles, rules, and decision-making procedures” (Vogler 1995: 18). Within “international” regimes (e.g. Montreal Protocol, Law of the Sea Treaty), states are almost invariably participants, but not necessarily exclusively so. The International Whaling Commission (IWC), for instance, offers one case of an ICR influenced by both state and non-state actors (e.g. NGOs).

The pronounced focus on international commons regimes, in particular, may be viewed in part as a response to political geography’s traditional focus on the nation-state as the territorial unit of analysis – or what Agnew (1994: 53) refers to as “the territorial trap.” Indeed, research on ICRs effectively acknowledges the existence of other structures,
besides states, through which power is deployed and consensus organized. Interestingly, much of the work within ICR theory has followed political scientists’ recent theoretical emphasis upon “world civic politics” (Wapner 1996: 6). Within this latter body of research, scholars have illuminated the ways in which non-state actors such as transnational environmental groups (e.g. Greenpeace, World Wildlife Fund) operating outside state systems give rise to influential forms of global environmental governance (e.g. ICRs). Wapner (1996) suggests that non-state actors “politicize global civil society”, and in doing so, they can influence the development and scope of international commons regimes (16).

In general, the global commons literature tends to point to international commons regimes as the most viable method of global environmental governance (see Buck 1999; Vogler 1995). Notable work by Buck (1998), for instance, addresses local, national, and international interactions between four global commons: Antarctica, the oceans and seabeds; the atmosphere; and outer space. In her discussion of ICRs, she speaks optimistically of the sustainability of Antarctic’s present regime, in particular. And while Volger (1995) provides valuable insights on the constraints of “regime effectiveness”, he nonetheless points to the utility of ICRs for global co-management. Together, these studies provide an analytic framework for understanding the development of international commons regimes.

But international commons regimes possess several important drawbacks. While ICRs may be, in Wood’s words, “all we have presently to tackle our planet’s threatened security” (Wood 1995), the ultimate effectiveness of these regimes is contingent upon
two central processes: both compliance and enforcement. When Volger (1995) and Buck (1998), in particular, highlight the theoretical implications of ICRs, they fail to adequately acknowledge the practical realities of weak compliance and ineffective enforcement within global commons. Norway's repeated failure to recognize the IWC's global moratorium on whaling (IWC 1986), for instance, symbolizes one of the many challenges faced by today's international commons regimes.

The recent shift within the common property literature toward global forms raises the inevitable question of scale. In other words, has the focus on the global commons rendered the local commons obsolete? As scholars strive to comprehend the global dimensions of common property debates, does the "local" still matter? In response to such questions, several scholars point to the links between global resources, on one hand, and local people, on the other (Buck 1998; Rubenstein and Connor 1999). Rubenstein and Connor (1999), for instance, provide an empirical look at the power of "local people in the global village". Through an exploration of Balinese society, the authors show how local peoples manage to articulate their political struggles over land and sacred space, despite the ways in which dominant global processes (e.g. international tourism; global economic development) have transformed everyday Balinese life. In a similar vein, Clark (1998) argues that within the global commons, concepts of local, region, and place are not erased, but rather redefined in relation to other scales. Together, these studies reveal that while the local commons "still matters," it is neither a bounded nor isolated system. Rather, the local is linked to the regional, national, and global political-economic structures that enable and constrain resource use.
2.5.4 Social construction of scale

The social construction/production of scale literature (Aitken 1999; Marston 1999; Smith 1992; Adams 1992), a product of recent years, provides a unique twist in the local-global commons debate. Generally speaking, scholars of scale construction argue that geographical scale is a social process through which our world is spatially bound. Within this theoretical framework, borders, boundaries, and regions are not viewed as fixed locations, but as processes through which people and place are demarcated. On one hand, this arbitrary bounding of space exposes the oppressive nature of scale construction. On the other hand, it hints at the emancipatory potential of scale (Staeheli 1994). In this latter case, it follows that scale production affords locals the ability to reconfigure the boundaries of scale to empower themselves at the national or global level (Adams 1992).

One form through which local scale has been reconstructed is the global media (Aitken 1999; Adams 1996). Notable work by Adams (1996: 419), for instance, illustrates how telecommunications may be used by subordinate groups to “challenge territorial boundaries which are fundamental to established systems of domination.” In other words, media may be employed as a form of protest to contest the production of scale. Adams cites examples of protest in China, the Philippines, and the U.S. to show that while protesters may be physically or “bodily trapped”, they can also utilize telecommunications to escape the social confines of territorial space (Adams 1996: 420).

Adams’ treatment of media space provides valuable insights for my case study of marine struggles in the Pacific Northwest. Along the Olympic coast, the Makahs’ traditional marine territories have been increasingly overrun by the intrusion of global
stakeholders. Northwest sea space, once perceived as Makah common property, is now accessed by multiple players at various scales. In an effort to reclaim traditional marine space from new stakeholders, the Makah tribe has employed media technologies to contest their resource rights at the global level. As chapter six will reveal, using “both text and image” (Adams 1996: 419), the Makahs have challenged their territorially imposed boundaries (436). News media have enabled the tribe to “shift their struggle across scales” (Staeheli 1994: 388) -- from the local to the global commons -- by publicly framing their cultural revitalization movement as a local struggle of global proportions.

2.6 Summary conclusion

In summary, this chapter outlines the four bodies of literature relevant to my study. First, I review political ecology and liberation ecology in order to explore the relationship between conservation, environmental degradation, and cultural survival. In general, I show how the cultural and “value” dimensions of indigenous-NGO conflicts have been underestimated in the literature. Second, the environmental perception/social construction of nature is highlighted. In particular, I explore the literature’s implications for concepts of place, marine space, and Indianness in the Pacific Northwest. Third, I draw from critical legal studies to reveal how the rights discourse is both an enabling and constraining force for Indian peoples. Moreover, I suggest that the CLS literature has slighted the rights rhetoric as a place-based process. Finally, I underscore the theoretical gaps in commons theory to date. I argue for a greater emphasis on the links between local-global scales in common property debates. Furthermore, I employ the construction
of scale literature to show that within the global commons, local peoples may mobilize
scale to reclaim traditional space.

With this theoretical context in mind, I now turn to the Makah case study. In chapter
three, I begin with a detailed description of the study methodology, data collection
procedure, and the limitations of conducting field research in Indian country.
3. RESEARCH METHODOLOGY

"While clamming today along the shores of Neah Bay, I inquired of a Makah elder (and father of the harpooner in this year's whale hunt):

Q: Do a lot of the kids still do stuff like this, Sam?
A: Yeah, they do it.
Q: Do they really...

I thought to myself: "Bingo. Additional evidence that Makah youth engage in multiple forms of traditional marine resource extraction. Now find out why, discover what compels them to clam. Perhaps it's a means for social interaction among young tribal members. Maybe clamming is an everyday life strategy employed to control marine space at the microscale.

Q: So I continue with, "Well, do you think the kids clam mostly for the fun, or is it a way to --
A: No - they like clams. (Long silence)"

Barton field note entry: 30-6-99
On the assumptions of social science

3.1 Introduction

The present chapter is divided into two major sections. First, I outline the research methods that I used to conduct the case study. These included: a) historical analysis of archives; b) content analysis of media coverage; and c) participant observation/semi-structured interviews. Second, I present the limitations of my research methods as well as the inherent problems of investigating modern resource conflicts in Indian country.

3.2 Methodology

3.2.1 Field plan

Data for the dissertation were gathered during seven field visits over a three-year period, from June 1996 to July 1999. Multiple visits to the study site served to answer the questions laid out in the dissertation proposal. Visits ranged in length from four days on the first trip, to nearly two months during the last. Time spent physically in

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1 The author has been granted permission to include the Makah elder's authentic name within this manuscript.
Washington covered roughly four months, including research sessions at the University of Washington’s (UW) Special Collections department in Seattle. Field research at the Neah Bay site involved a combination of participant observation, semi-structured interviews, and archival analysis of historical records. Research at the University of Washington focused on content analysis of news media and the collection of historical Makah data. I use the following sections to discuss these research methods in more detail.

3.2.2 Research design

Figure 3.1 presents a Venn diagram of my study’s methodological design. It is included here in order to illustrate the interactions between research techniques. Each data set was first examined based on how it helped answer the research sub-questions. Sometimes two different data sets answered the same research question. Sometimes a data set neither provided an answer nor even addressed a research sub-question. Overlap, however, became an intended part of my study’s design. Ultimately, the use of three data sources (e.g. archives, media, and interviews) allowed me to triangulate for the most accurate results.

*Historical/archival research*

In general, the archival portion of my research created a skeletal framework of the past (Sarankatos 1999). Archival records provided the foundation necessary for establishing the historic roots of modern Makah resource struggles. In contrast, both media articles and semi-structured interviews (see sections 3.2.3 and 3.2.4, respectively) were employed to fuse the “archival past” with the present. Archival data was gathered from two major locations: the Makah Cultural Museum (MCM) and the University of
Washington’s Special Collections Department (UW). Access to many historical archives at the MCM was limited to Makah tribal members, but documents published by the MCM on cultural history were available for public use. UW, on the other hand, maintains a collection of Northwest coast Indian treaties, tribal constitutions, Reports on the Commission of Indian Affairs, and other federal documents written during the mid-1800s to the time of Indian Reorganization in 1934. UW also houses a rare collection of photographs and ethnographic accounts of the Makahs dating back to the mid-19th century that describe Makah rituals, livelihoods, and resources.
Together, UW and MCM archival sources provide a historical context for understanding how Indian world-views, federal laws, and perceived past injustices serve to shape the current debate over marine space in the Pacific Northwest. More specifically, a treatment of these historic documents helps to understand the Makah tribe’s present movement to revitalize their cultural heritage through whaling and other marine activities.

Content analysis of news media

A significant portion of my field research involved the exhaustive search of newspaper articles related to the Makah Indians. Because newspaper sources often reflect societal attitudes in time (Babbie 1992), they were chosen as one data source for the study. More specifically, news articles were useful for determining: 1) the changing subject matter of Makah related news (e.g. Which Makah-related topics do the press perceive as newsworthy at different points in time?); and 2) overall representation in Makah news (e.g. Which “voices” are represented in Makah related news, and what is the content of these quotations? Do these “voices” and their discourses change through time?)

The University of Washington’s Pro-Quest database was used to search the Washington News Index and the National News index for articles and opinion/editorials pertaining to Makah society. The Washington News Index covers articles and opinions/editorials from newspapers around the state, including The Seattle Times, Seattle Post-Intelligencer, Columbian, News Tribune, and the Spokesman Review. The National News Index contains articles and opinions/editorials from newspapers nationwide,

While national news coverage of Makah society is limited prior to 1989, regional sources from Washington state are more numerous and widely available. The Special Collections Department card index was useful for locating earlier news sources on the Makah and other Northwest coast Indian tribes. This index was similarly searched using the keyword “Makah.” Citations from two regional news publications, the Seattle Times and the Seattle Post Intelligencer, were found for the period 1920 to 1989. For news information prior to 1920, citations from The Washington Standard, Seattle Mail and Herald, and Commercial Age were available. To complement the data from the major regional newspapers, I performed another comprehensive search of lesser-known regional publications, including Wassaja, the Everett Herald, and the Peninsula Daily News.

Limiting the search to one keyword, “Makah”, created a large volume of news data. While the use of more specific phrases, such as “Makah culture,” “Makah rights,” or “Makah fishing” would presumably decrease the data load, I felt that it would sacrifice breadth of coverage. For instance, although an article on traditional Makah halibut hooks may not directly mention “Makah cultural revitalization” in the text, halibut is a key aspect of Makah society and is therefore an important element of the study.
At the end of this exhaustive search, more than 700 news articles were gathered for the period 1900 to present. This specific time frame (1900-2000) was chosen largely because Makah newspaper coverage prior to 1900 was virtually absent. Because there were only six news articles written on the tribe in the late-1800s, half of which were "news briefs" of less than 25 words, I chose to limit my analysis to the 20th century. In terms of data storage for the 710 articles, news sources prior to 1989 were first collected in the UW News and Microfilm room, photocopied, and then filed. Post-1989 database sources were stored in electronic form and placed in "computer folders."

To begin analysis, news pieces were read chronologically in order to determine how Makah resource struggles evolved over the course of a century. On a general level, I inquired into such questions as: How did Makah press coverage change in content from decade to decade? For example, was Makah fishing more newsworthy in the 1950s than it was in the 70s, 80s, or 90s? Was whaling ever discussed in the Makah news media prior to the 1990s whaling controversy? Did specific topics seize the headlines during certain decades? I used this pre-1990s article search to establish major historical periods within 20th century Makah history, but also to provide a broader context in which to situate societal attitudes encountered during the 1990s.

Second, since the bulk of news sources were from the 1990s whale controversy, I assumed that the large volume of press coverage would provide a thorough "history of the present" and therefore serve to explain the link between stakeholders, media discourse, and political power. I asked the following questions: Were the Makahs, NGOs, and federal government equally represented in media coverage on the whaling
controversy? Were there any pronounced patterns in the rhetoric of the Makah whaling debate? Who were the stakeholders? Did the specific discourse of individual stakeholders evolve throughout the debate?

Third, Makah quotations within the media text were useful for understanding past and present tribal perspectives on history, cultural life, and struggles over marine space. For instance, how did Makahs implicate the federal government in their resource struggles? How often is marine space associated with cultural tradition in Makah discourse? What do marine activities mean culturally for the Makahs? Quotations extracted from news sources served to answer these critical questions. Overall, the analysis of Makah news coverage complemented the data from participant observation/interviews by providing a second medium through which to assess the content of tribal discourse.

**Participant observation/ interviews**

Participant observation served to illustrate the Makahs' contemporary constructions of marine space. In other words, during field visits, I observed how marine spaces were utilized, protected, and negotiated in everyday life. My central questions were, what type of livelihoods do Makahs draw from the sea? What representations of marine life are embedded in Makah architecture? How is Makah art a product of marine space? How do Makahs spatially define and defend marine environments? How is the ongoing process of cultural revitalization symbolically and materially linked to resources from the sea?

Observations were largely a result of my verbal and nonverbal interactions with people on the reservation. I spoke with fishermen, fish buyers and recreational clammers. I observed symbols of whales and fishes on mailboxes, inside homes, on totem poles, in
schoolyards, and in cemeteries. I viewed woodcarvers, weavers, whalers, and drummers as they practiced their traditions and their trades. Since I was invited to various potlatches and Indian parties, I observed whether songs and dances were oriented toward the marine environment in their words and movements.

A field log was used to record notes from observations and interactions on the reservation. Since note taking in the presence of others is considered rude and potentially suspect in many cultures, notes were recorded afterwards. In all but one instance, my living accommodations were at tribal homes or the tribally owned housing barracks. In both cases, I resided with Makahs and their relatives. Taking field notes within these settings was often difficult although not impossible.

In addition to notetaking, photographs and to a lesser extent, hi-8 video footage, were employed to provide a visual record of observations. Photographs and video footage primarily targeted places rather than people in order to avoid the “intrusive gaze” at native life (Gregory 1994). Photographs of marine activities, Makah art, beachside play spaces, canoes, Makah structures, yard art, and mailboxes are just a few of the images that were recorded. Overall, these images complemented the written text of both participant observation and interview notes by providing a selective visual record of my fieldwork.

Over the course of field visits, a series of 55 in-depth, semi-structured, and open-ended interviews were conducted with Makah tribal members. Off-reservation tribal members were not included in the study due to my own resource constraints, not because I perceived the perspectives of those who left the reservation as less significant.
Participant observation during initial field visits helped to frame the actual interview questions; together, participant observation and interviews served as a useful comparison for what people do, versus what they say they do (Babbie 1989; Singleton and Straits 1999).

The interview questions were purposefully open-ended and general. A complete list of interview questions may be found at the end of this chapter. Questions were designed to obtain personal information about interviewees' attitudes toward marine space, their perspective on the role of external “forces” in Makah life, and their personal experiences with the cultural revitalization movement. Questions also served as vehicles for the sharing of anecdotes about other peoples’ experiences, such as information about a great-grandfather who whaled, or an aunt who was forcibly enrolled in an Indian boarding school (Holstein and Gubrium 1995). Although interviews were semi-structured, they were not so specific that people might be afraid of sharing additional insights and information about other pertinent matters. Because of the controversy surrounding Makah whaling, interviewees were also informed that their names and interview transcripts would be held in strict confidence.

Entree into the community was made simpler by my status as a good friend of a high-ranking Makah family, whom I met during my initial trip to Neah Bay. Had this been strictly an anthropological study, this relationship could have been problematic (Smith and Kornblum 1996; Tolich and Davidson 1999). Because the Makah face their own intra-tribal conflicts, some fear that shared information will revert back to other families and heighten long-standing disagreements. The majority of my contacts, however, were
arranged independently. At the same time, my association with an honored Makah family certainly improved the number of party invitations I received.

3.3 Methodological limitations

The study methodology contains a number of limitations. First, it was noted in previous pages how the research plan was carried out over a four-year period. By conducting field visits in this segmented manner, my research sacrifices the more fluid temporal nature that accompanies traditional ethnographic research (Grills 1998). In this latter method, social scientists immerse themselves in the field for one or more continuous years to "study" a culture (Colson 1954). But this "cold-calling" approach to field research is inappropriate in the case of the Makah, for two key reasons. First, Makah tribal members maintain a general mistrust for social research, due to their historical acquaintances with researchers who misrepresented Indian culture in their anthropological texts. Second, whaling is a highly contested global issue, involving numerous stakeholders who support or oppose Makah whaling. In 1996, I assumed that the potentially high profile nature of the Makah whaling debate would make my make entree into the community difficult. Therefore, a sequence of visits was arranged -- initial short-term visits, followed by longer visits -- to show community members that my research intentions were sincere, long-term, and free of media affiliations.

During my final visit to the reservation, several Makahs expressed concern over social researchers who abruptly entered their lives to gather material for a book, never to be heard from again. After nearly three years of acquaintance with the Makahs, a tribal
member who was unfamiliar with my work on the reservation voiced the following concern during our first meeting in his office:

“You come into our lives for what, one-two weeks? Then you leave. You go home. We’re still here. You ask about our identity, our stories? Do you know who your grandfather was? If my wife met you, she would just shut you off. Click, just like that. Click.”2

This excerpt illuminates the second limitation of my methodology. In retrospect, I recognize that the offenses of field research are not limited to the misrepresentations of native peoples in geographic or anthropological texts. Oftentimes it is through the collection of stories, through the intrusive gaze at native life that the stories and communities of native people are consumed (Gregory 1994).

As chapters four through seven reveal, much of Northwest Indian society relies upon the potlatch system of reciprocal exchange. Within this context, perhaps the Northwest researcher’s record as passive observer must be abandoned in favor of participant observation. Without reciprocation and a sharing of the researcher’s own world-view, modern social research involving the Native American peoples of the Northwest will stand incomplete. It is important to note that my methodology incorporates a multidirectional flow of information exchange between interviewer and interviewee (Holstein and Gubrium 1995). Many of those interviewed are now my close friends and second family. Therefore, though I do my best to eliminate any blatant biases from this manuscript, I write this dissertation with compassion for the Makah people.

[2] Important to note is that the man quoted above was the only Makah to refuse an interview. His reticence to discuss Makah affairs was fully understood.
3.4 Summary

This chapter has presented the three methodologies employed in the Makah case study and highlighted the limits of conducting field research in Indian country. With this context in mind, I now turn to the data. In the next four chapters the study results will be presented by method in the following order: historical archives (chapters four and five); content analysis of Makah media (chapter six); and participant observation/semi-structured interviews (chapter seven). Though other formatting options were available, I chose to structure my dissertation by method because it was the most straight-forward way in which to present three large and inherently different data sets in their entirety. Not only did it prove to be more manageable. As the following chapters reveal, this format was also more systematic.
Interview Briefing: My name is Karen Barton. I am a doctoral student in the Department of Geography and Regional Development at the University of Arizona. Conducting dissertation research on tribal perceptions of the marine environment. How native identity is linked to the sea. Look at how the tribe’s cultural revitalization movement is connected to the sea, through language, art, weaving, fishing, whaling. And how outside forces - State, commercial, conservation groups have challenged life and livelihoods at Neah Bay. Interview data is confidential. Copies of dissertation will be made available to tribe. Names will be omitted from dissertation text. Ask interviewee if any questions.

Part A: Makah Demographics
1. name
2. sex
3. age
4. length of time living on reservation
5. occupation/trade
6. involvement in cultural revitalization movement
   a. weaver
   b. carver
   c. singer
   d. dancer
   e. drummer
   f. whaler
   g. teacher (language/culture)
   h. other ____________

Part B: Dimensions of Marine Space
1. Economic dimensions
   Would like to discuss the major marine industries at Neah Bay.
   
   **Fishing**
   - What do you know about the history of Makah fishing?
   - How has fishing changed over the past century?
   - Why do you or your family fish? What about your ancestors?
   - Do you feel you have the right to fish? What gives you that right?
   - What do you see as your or your ancestors important experiences at sea?

   **Whaling**
   - Do you oppose Makah whaling, or do you agree with the tribe’s plan?
   - Why or why not?
   - What do you know about the history of Makah whaling?
   - How has whaling changed? What caused the changes you mentioned?
   - Why do Makahs whale?
   - What is meant by the “right to whale”? What grants you that right?
   - What does whaling mean to you? Your ancestors?
2. Social/Cultural dimensions
   • How is your identity connected to the sea?
   • What are your greatest memories of living near the sea?
   • What inspires your artwork? Weaving? Songs?
   • Do you see the sea, or marine life in your artwork? Your carvings?

3. Political
   • How much time have you spent in Neah Bay waters?
   • What memories do you recall while out in the ocean?
   • Are there places out there that are of particular significance to you?
   • Do they have names?
   • From what you can recall, has the sea or the coast changed?
   • If so, what caused these changes?
   • What conflicts can you remember seeing, or hearing about in coastal waters?

4. Territorial Orientation toward sea
   • What are your favorite spots on the reservation? Why? Do they have names?
   • Where do you live? In which village?
   • How far from the beach do you live?
   • In what type of house-structure?
   • What type of home do you prefer? Why?

Part C: Consequences of Cultural Revitalization
Define cultural revitalization for interviewee using standard definition.
   • What do you think are the major consequences of the tribe’s cultural revitalization?
   • Do you have any questions that you would like to ask me?
4. HISTORICAL DATA: 1780s-1920s

"I want the sea. That is my country."
Ozette/Makah Chief, U.S.-Makah treaty negotiations (1855)

"Never was it the case that the imperial encounter pitted an active intruder against a supine or inert non-Western native. There has always been some form of active resistance." (Edward Said 1993)

4.1 Introduction

The next two chapters present the historical context for Makah resource struggles, using information gleaned from U.S. federal Indian legal documents, Northwest coast ethnologies, European explorers’ accounts and archaeological records to ground the case study. Whereas chapter two sets the theoretical framework for my study, these chapters provide the empirical background necessary for understanding the historical dimensions of present Pacific Northwestern resource conflicts.

As with most Native American groups, Makah history is extensive and intricate, and an attempt to encapsulate a 2000-year tribal record within the chapter text would be overly ambitious. Rather, my aim is to use the aforementioned archival sources to answer a set of specific questions in conjunction with my case study’s major objectives. This chapter is not an ethnography of the Makah people, nor does it provide a comprehensive policy analysis of Indian law in the Pacific Northwest. Instead, I focus specifically on: 1) the ways in which historical processes (e.g. commercial whaling pressures; ecological imperialism; federal Indian law) affected Makah resource use and access; and 2) how Makah spaces, both public and private, were reordered in the wake of European contact.
Due to the overwhelming quantity of data, the historical analysis is broken into two chapters. The present chapter covers Makah history from the 1780 to the 1920s. It first situates Makah society within the precontact period and then traces the tribe's history up until the latter stages of cultural assimilation. In contrast, chapter five begins in the 1920s with the period prior to Indian Reorganization and follows the tribe's struggles until the gray whale hunt of May 1999.

It is important to note is that most of the data sources in these two chapters present a distinctly non-tribal perspective. Early United States' federal Indian documents and ethnological accounts often failed to incorporate Makah perceptions into their historical records, portraying tribal peoples as either silent subjects of the state, or cultural curiosities for anthropological study. To fill this gap, chapters six (i.e. media analysis) and seven (i.e. interview data) specifically target Makah conceptions of marine space, tribal history, and cultural revitalization. In these latter chapters, I analyze tribal language in news media and semi-structured interviews in order to provide a more balanced portrait of Pacific Northwestern marine issues.

Within this preface in mind, I now turn to the historical context of Makah struggles. In the following section, I commence with some general background information on the Makah peoples, including the tribe's physical geographic location; subsistence history; settlement pattern; cultural practices; and regional trade relations during precontact times.
4.2 The Makah background

4.2.1 Physical geography of Makah territories

Neah Bay, Washington, the site of the Makah reservation, faces a set of extreme climatic conditions resulting from its geographical position at the tip of Cape Flattery (see Figure 4.1). Fierce storms, 40-mile per hour winds, and incessant rain during winter are in sharp contrast to Neah Bay's calm, clear summers. The annual temperature range of 46F-53F is slight, revealing the reservation's maritime position in the Pacific Northwest. Annual precipitation ranges from 90 to 110 inches, falling approximately 199 days annually (Blau 1980; Kirk 1962; Renker 1990).
The climatic effects of orographic lifting produce lush vegetation in the form of rainforests on the windward side of the Olympic Coast Range in Washington. The tribe's reservation is situated at the western edge of the Olympic range and possesses a similar biogeography. Ferns, alder, crab apple, hemlock, and cedar are some of the key vegetative species found upon the reservation's soil-poor, moisture-rich landscape (Kirk 1962). The Sooes and Ozette rivers crosscut the reservation, a process that serves to drain the moisture-laden Olympic watershed on its path to the Pacific.

The lands and waters comprising Makah territory provide habitats for abundant land and sea mammals, birds, and freshwater, saltwater, and anadromous fishes. The multi-storied aspect of Northwest coast forests creates environmental niches for bears, deer, wolves, elk, and various birds, including the federally and state-threatened American bald eagle (*Haliaeetus leucocephalus*) (Office of Protected Resources 1995). Within the various streams and rivers that span Makah territory, chinook (*Oncorhynchus tschawytscha*), chum salmon (*Oncorhynchus keta*), steelhead (*Oncorhynchus mykiss*), and sockeye (*Oncorhynchus kisutch*) make their annual runs. Coastal Pacific waters are also rich in biodiversity, including such marine fauna as the gray whale (*Eschrichtius robustus*), orca (*Orcinus orca*), harbor seal (*Phoca vitulina*) and common dolphin (*Delphinus delphis*), and such flora as inshore kelp communities (Office of Protected Resources 1995).

### 4.2.2 Makah subsistence history

Historically, Makahs subsisted upon these land and water resources in order to sustain their presence on the Northwest coast. Terrestrial flora were utilized for their various
technological (i.e. tools and construction), medicinal, and nutritional values. Ceremonial canoes were carved from cedar stands (Swan 1870; Waterman 1920); root plants provided medicinal properties (Curtis 1913; Wickersham 1899); and women gathered salmonberries, wild strawberries, and blueberries to complement protein-rich seafood diets (Gibbs 1855). Terrestrial fauna also supplied an additional source of raw materials, such as bone and antler extracted from birds and deer for use in weaponry and cooking (Renker and Gunther 1990).

Despite the abundant quantity of local forest resources, archaeological and ethnohistorical accounts confirm the Makahs’ affinity for sea resources (Densmore 1939; Gunther 1936; Huelsbeck 1983; Swan 1870; Taylor 1974; Wessen 1982). The Indian Claims Commission estimated that in 1855, seventy-five to ninety percent of Makah subsistence was derived from the sea (Indian Claims Commission 1970: 165, 174). Sea mammals such as whales and seals contributed the most to the Makah diet, followed by halibut, other marine fishes, and salmon (Renker and Gunther 1990).

*The Makah whale harvest*

Makahs subsisted off a variety of whale species that passed through their sea territories, including the gray, humpback (*Megaptera novaeangliae*), finback (*Balaenoptera physalus*) and right whales (*Eubalaena glacialis*). Numerous scholars concur, however, that Makahs maintained a substantial preference for the California gray whale (Colson 1953; Gibbs 1855; Huelsbeck 1988; Renker 1990; Swan 1870; Taylor 1974). Because the relationship with California gray whales was so crucial for the Makah people, it deserves a more detailed explanation here.
The California gray whale, the principal species hunted by Makah whalers, boasts the longest migratory path of any species on earth. Travelling over 7,000 miles, the gray whale migrates along the west coast of the United States between its summer feeding grounds in the Bering Sea, and its winter breeding grounds in Baja California Sur (Green 1995; Jones et al. 1984). For thousands of years, gray whales have fed in the species-rich marine spaces alongside Washington’s Olympic Peninsula while wandering up and down the Pacific coast (Busch 1997; Jones et al. 1984). In these coastal spaces, grays have encountered generations of Makahs hunters in search of food.

Makah males hunted gray whales in 30-foot cedar canoes that accommodated hunters. Hand-held harpoons, fitted with mussel shell and metal blades, were used to strike the whale. The barbed head of the harpoon was attached to a thirty to forty foot lanyard; the lanyard was then fastened to a buoy made of sealskin to keep the whale afloat after it had been struck (Swan 1870). Often as many as forty buoys were employed to prevent the whale from diving beneath the water’s surface (Waterman 1920). To further ensure that the whale would not sink, its mouth was stitched shut by a diver. After the animal was secured, Makahs would then haul it back to shore, a process that often took up to two-three days. For Makah whalers and their families, certain ancestral rituals preceded the tribal whale hunt. And for the entire Makah community, a ceremonial butchering and tribal celebration followed the whale catch (Drucker 1955).

Estimations as to the historic quantity of the Makahs’ whale catch vary. Research by Densmore (1939: 63), for instance, notes relatively high catch figures for Makah whale hunters; he writes: “In old times the average catch for a whaler was one or two whales a
year, but a man often caught four and occasionally five in a season. Wilcox (1895: 20), on the other hand, provides a more conservative appraisal of the Makah whale hunt. His figures indicate that between 1889-1892, Makahs averaged 5.5 landed whales per year, approximately one for each village (1988: 152). Despite these different estimates, most contemporary scholars agree that the number of whales taken by all Makah crews was probably around five per year (Goddard 1995; Renker 1995).

*Makah sealing*

In contrast to whaling, the Makah hunted northern fur seals (*Callorhinus ursinus*) in cedar canoes using three to four men. The sealer used a double foreshaft harpoon and a pair of inflated floats, which served to tire the seal or buoy up the canoe in bad weather (Scammon 1874: 154-155, 159). The Makahs preferred the taste of fur seal and its oil, and thus other seal species in the region were not fully exploited. Archaeological evidence, especially at Ozette, shows heavy subsistence upon fur seals (Friedman 1976; Huelsbeck 1983). While other tribes in the Northwest hunted the northern fur seal (the Nitinaht, Quileute, and Quinault), the Makah were in the most favorable location to hunt this species. During its spring migration northward, these seals came closest to the feeding ground off Umatilla Reef, in close proximity to the Ozette village (Renker 1995).

There are a number of similarities between Makah whaling and sealing. Indeed, both activities involved intensive pre- and post-hunt rituals, adept high seas navigation, and an intimate knowledge of marine mammals (Waterman 1920). Yet the harvest of whales, in particular, was by far the most prestigious occupation (Swan 1870). While all male Makahs could become sealers, whaling was strictly an inherited privilege. Unlike sealing,
whaling was (and is) an essential component of Makah everyday life, where it was manifest in tribal songs, dances, and artistry (Pascua 1991).

*Halibut fishing*

Halibut represented another critical source of Makah sustenance. These fish were caught in the spring with U-shaped hooks and kelp lines in the offshore¹ Pacific banks. Some archaeological evidence suggests that for several households, salmon, lingcod and rockfish were in fact more important than halibut (Huelsbeck 1983). Despite such evidence, it is generally agreed upon that halibut formed a cultural nucleus of Makah society, second only to whales (Marino 1990; Wilcox 1895). Like the whale, halibut were used in the gifting process as a means to simultaneously redistribute wealth and reveal one’s prominence in the community (Renker 1996). The symbol of the halibut was encountered in representations across the landscape, where, like whale representations, it remains today.

4.2.3 Settlement pattern and political organization

In general, Makahs are often described as a unified political group, yet in precontact times, five semi-autonomous villages existed: Neah Bay, Biheda, Wa-atch, Tsoo-yess, and Ozette (Swan 1870). The first four villages were located on sites within modern reservation boundaries, while Ozette’s location was approximately 12 miles south of Cape Flattery. Traditionally, Makahs distinguished themselves as members of one

¹ "Offshore" – generally defined by Makahs as the oceanic area that straddles Washington’s continental shelf; the deep waters where most whaling and fishing activities take place.

² "Nearshore" – generally defined by Makahs as the oceanic area between the Makah coastline and the start of Washington’s continental shelf; the shallow, waters within a few miles of the coast.
ancestral village based on hereditary kinship lines. Fundamentally then, a Makah was first Wa-atch, Tsoo-yess, Neah Bay, Ba-ada, or Ozette before she was Makah (Colson 1953). These villages were interconnected, but primarily through language, kinship, and tradition (Densmore 1939; Swan 1870; Taylor 1974).

It is important to note that the term, “Makah”, or “people who are generous with food” -- is actually a Clallam word conferred upon all five Makah villages and adopted by the federal government in 1855 in an attempt to name the tribe in the treaty record (Renker 1995). More accurately, the villages referred to themselves collectively as “qui-ich-di-aaz” or “People of the Cape region.” The Makahs have also self-identified as “a-a-ath” or “people outside, toward the sea” (Miller 1952). That the Makah villages named themselves based on geographic location suggests the centrality of place in Makah identity formation. This process -- what I refer to as the “tribal construction of place” -- will be addressed more explicitly in chapter seven.

4.2.4 Society and cultural practices

Within each village, Makah social organization adhered to principles of hereditary ranking, kinship recognition, and ambilateral descent (Drucker 1955). An ambilateral descent system allowed individuals or families to choose the most advantageous social situation possible (Renker 1990). Together, chiefs (or headmen), commoners, and slaves formed the core of a dynamic social framework. It was a shifting but structured society, where middle class commoners could advance or retreat in prestige through marriage and acquisition of social privileges (Miller 1952). The most restrictive positions were that of slave and chief. Chiefs tested and affirmed their position through the potlatch and slaves
within the chief's household were ranked relative to the chief himself. The chief was ordinarily a whaler, and his success in whaling enhanced his reputation in the community (Cavanaugh 1983). Makah social structure was inextricably linked to the Makah whaling tradition.

Makah social organization was also manifest within tribal house structures. Makah dwellings, known as longhouses, were organized according to ancestral patterns (Renker and Gunther 1990). These large structures were occupied by several extended families at once but governed by only one headman. The role of headman was invariably filled by a whaling chief and was therefore of tremendous ceremonial and political importance. Longhouses were built on a permanent frameworks that extended 60 feet long, 30 feet wide, and 15 feet high (Taylor 1974). The roofs were virtually flat and consisted of planks that could be shifted for ventilation. The wall planks, on the other hand, could be transformed to support fish drying racks. While the structures accommodated extended families, the architecture was flexible enough to allow for both privacy or shared experiences; partitions were easily removed to accommodate dancing and festivities (Swan 1870). In additional to its political and social functions, the longhouse provided an environment conducive to education. Common areas, for example, provided a space in which traditional knowledge could be transmitted from elders or parents to the youth (Colson 1953).

Makah ceremonial activities -- such as dance and song -- formed an integral part of tribal life. In certain cases, Makahs considered songs and dances to be common property.

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2 "Potlatching" appeared throughout the Northwest Coast area, though it varied considerably from group to group. In its broadest definition, the potlatch is a "congregation of people, ceremoniously and often individually invited to witness a
In other instances, they were the possession of specific families and could not be performed without permission from lineage heads. Research by Densmore (1939) provides a thorough account of Makah music in the early 1900s. The thunderbird, lightning, and klokwali dances are described in particular detail, as are the various whaling, war, and marriage songs. Though Makahs practiced some songs and dances within the home, most were performed for display at the potlatch and other tribal ceremonies (Taylor 1974).

Makah ceremonial practices reflect the tribe’s spiritual link with physical nature. In sacred streams, lakes, and rivers, whale rituals that mimicked the whale’s movement were performed to ensure a successful harvest (Reagan 1925). Furthermore, most ceremonial traditions were spatially linked to terrestrial and aquatic places, mapping out a set of “sacred” niches across the land and seascape. Although these Makah ceremonies and rituals varied between families and villages, generally speaking, Makahs followed ceremonial patterns of the Nootkan culture. The Makahs’ whale ritual (Drucker 1951; Ernst 1952), the Wolf ritual (Swan 1870; Drucker 1955) and the healing ceremony (Swan 1870; Densmore 1939) mirror the profile of their northern neighbors.

Anthropologically, the Makah people are considered Nootkan in linguistic family and Wakashan in linguistic stock (Colson 1953; Taylor 1974). The Makah tribe, however, is the only representative of the Nootkan cultural classification and Wakashan language family in the United State. Culturally, the Makah are more intimately allied to the central
“Northwest coast culture area”\(^4\) represented by the Nootkan and the Kwakiutl peoples of Vancouver island than they are to the southern “Northwest coast culture area” held by other peoples of western Washington. Thus on a linguistic basis, and on the basis of sub-cultural tradition, the Makahs have been described as the most readily differentiated of the aboriginal peoples of western Washington (Drucker 1955; Gable and Hunt 1999).

Makahs secured external relations between the Nootka of Vancouver and their own tribal people through the custom of intermarriage (Arima 1983). The Nuu-chah-nulth and the Makahs shared particularly close kinship ties, and marriages between both indigenous groups continue today (Parker 1991). Indeed, Makahs also interacted socially with several tribes within (what are now) Washington State borders. They shared certain features of material culture with their Salishan and Chimakuan neighbors, such as the shed-roof house and the two bar loom (Taylor 1974). Makahs also traded with the Clallam to the east, and allowed Quileute families in the south to fish in Makah waters (Frachtenberg 1921; Singh 1966).

Despite these links with Washington tribes, the preponderance of evidence suggests that Makahs were culturally oriented northward, across the Strait of Juan de Fuca and deep into the islands of British Columbia (Colson 1953; Drucker 1955). That Makahs were culturally closer to distant relatives across the Strait than they were to local, peninsula tribes suggests that marine space was not viewed as an obstacle for Nootkan peoples. Rather, the Strait of Juan de Fuca was treated as a contiguous terrain linking British Columbia and Cape Flattery.

\(^4\) The phrase, “Northwest coast culture tradition” is the specific term used by Northwest anthropologists to describe Native Americans of the Northwest coast region (Renker 1990).
4.2.5 Regional trade

Most Northwest scholars agree that since precontact times, Makahs served as middlemen or brokers in a coastal trade network that spanned from the Lower Columbia to Vancouver Island (Green 1915; Franchere 1854; Swan 1870: 30-31). Makahs received and transported trade products such as whale blubber and fish along interior waterways, navigating their way up the Strait of Juan de Fuca toward Clallam territory and other native terrain. The Makahs’ prime location on the Olympic peninsula helped Cape Flattery become the economic hub of Pacific Northwestern coastal trading. Consequently, Makahs were soon characterized as the wealthiest, most industrious natives in the Northwest (Smith 1853; Swan 1870).

Despite their history as important traders, contemporary Makahs have been often characterized as “geographically isolated Indians” living “at the end of the world” (Colson 1953; Miller 1952). Indeed, outsiders found it difficult to access Makah territories across land during historic times. Early writers often described the forests of the Olympic peninsula as an “impenetrable, green fortress” (Swan 1870; Gibbs 1855). But while Makahs were relatively isolated on land, they were much less so by sea. Many of the products and practices that eventually transformed Makah life arrived by way of the Pacific (Arima 1983). In the following sections, I show that this transformation, although beneficial, was also ecologically, culturally, and politically problematic.

4.3 Transition and Change on the Northwest Coast: 1780-1920s

As the previous section infers, Makah cultural practices, environment, and economy did not operate within a static, closed system. In the late-18th century, encounters with
external groups grew, and the encroachment of these "forces" upon native territories accelerated the transformation of Northwest coast resources and its residents. My study asks, which "forces" are implicated in the transformation of the Northwest coast? Invariably, anthropological texts (Cavanaugh 1983; Colson 1953; Pascua 1991; Renker 1990) point to both commercial groups (e.g. Euro-American traders and whalers) and state agents (e.g. Bureau of Indian Affairs) for their central role in modifying Makah environment and society. Together, through their policies and practices, commercial and state groups carved a new terrain out of the Northwest landscape that was in sharp contrast to precontact conditions. A closer examination of historical archives from the 19th and early 20th century reveals the direct and subtle ways in which these groups shaped the struggles and spaces of Makah society.

My discussion of the early historical archives (1780-1920s) is divided into four thematic sections. These include: 1) early trade and exploration (1780-1850); 2) commercial whalers in the eastern Pacific (1840-1900); 3) ecological imperialism on the Northwest coast (1790-1890); and 4) early tribal-federal relations (1850-1920). While these sub-sections focus primarily on the Northwest context, the analysis is also situated within a broader framework of U.S. Indian history. I now turn briefly to the earliest records of tribal-white contact on the Northwest coast: exploration and trade in the 1780s.

4.3.1 The market period (early trade and exploration): 1780s -1850s

Ever since the apocryphal voyage of Juan de Fuca5, English, French, Russian, and Spanish navigators had searched for an entrance to the "Northwest passage" on the coast

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5 The voyage of Juan de Fuca has been widely debated as to its authenticity (Taylor 1974).
of what is now Washington and Oregon. In the late 18th century, an entrance — though not the Northwest passage — was found far to the north of the area indicated in the Juan de Fuca legend. The northwest point of this entrance was eventually named Cape Flattery, and from that time onward, this location became a desired landfall of European explorers and traders. Consequently, there is a considerable wealth of early historical data on the Makahs left by those navigators who encountered the tribe on their way past Cape Flattery (Franchere 1854; Gibbs 1854; Swan 1870).

Scholars suggest that the earliest contact between Makahs and Europeans began in 1788 with the appearance of exploring expeditions and fur traders upon the Northwest Coast (Renker and Gunther 1990; Taylor 1974). The Spaniards were recorded as the first to enter Neah Bay, and by 1792 they had established a short-lived trading post in the village (Franchere 1854; Taylor 1972). After four months of hostile relations with Makahs, however, the Spanish fort was abandoned entirely (Taylor 1972; Wagner 1933). Various other historical accounts reflect the Makahs' attitude toward outside intrusion upon their native territories. For example, in 1809-1810, several ship-wrecked Russians and Aleuts were taken captive by Makah for invading the tribe's oceanic space (Renker 1990). And in 1833, several shipwrecked Japanese were also retained for trespassing on native domain (Gibbs 1855). Indeed, Makahs welcomed the new trading opportunities that accompanied European exploration, but they actively opposed foreign encroachment upon native land and sea territories.

On a broader level, this phase of tribal-European trade relations is often referred to as the "market period" by scholars of Indian history (Cornell 1988; Williams 1997). Of all
the phases of tribal-European contact in North America, this period is quite distinct in that Europeans sought reciprocal trade relationships with Indian tribes rather than direct control of Indian land. For Europeans, success and profit in early Native American ventures depended heavily on forging alliances with tribal trading partners. Thus, during the market era, tribes were often treated in theory as “rough political, economic, and military equals by their European trade partners” (Williams 1997: 141). While the market period arrived later for western than for eastern tribes, reciprocal trade relationships were equally important on the Northwest coast.

4.3.2 Commercial whaling in the Pacific Northwestern U.S.: 1840-1900

Initially, increased trade relations with Europeans enhanced the Makahs’ prime economic position on the Northwest coast. Ultimately, however, extended contact with commercial groups ushered in a host of unanticipated social and ecological costs. One of the greatest costs in the 19th century stemmed from the entry of commercial whalers into the eastern Pacific. Ultimately, their marked success at harvesting the riches of the Pacific led to the demise of the Makahs’ traditional resource base.

European and American commercial whalers began entering Pacific Northwest coastal waters as early as 1790, where they remained as late as the early-20th century (Arestad 1943; Webb 1988). Indeed, offshore Washington laid claim to several prized whale stocks, including orcas, humpbacks and grays. Between 1840-1900, in particular, both humpbacks and grays were heavily harvested off the Washington coast by whalers for

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6 There is some disagreement as to when commercial whalers “entered” Pacific waters. In general, however, it is argued that commercial whaling was not abundant on the Northwest coast until 1840-1900.
their baleen, blubber, oil, and bone; the gray whale stock faced tremendous biological pressure from whalers (Wooley 1984).

Commercial whalers disproportionately harvested gray whale populations for several key reasons. First, the regularity and size of the gray whale migration attracted whalers (Renker 1990). Second, the species' slow mobility also made them easy prey for hunters (Busch 1997). Third, and perhaps most importantly, the gray's north-south migration pattern along the North American coast placed the population in consistent jeopardy from whalers. Hunted by commercial whalers in both Baja California Sur, California, and the Pacific Northwest, and to a lesser extent, by the Makah peoples of western Washington, scores of whales were targeted at several sites along their migratory path. This concurrent harvest of gray whales at several spots on their migration trek may be appropriately characterized as the "one-two-three" punch of commercial whaling (Renker 1990). Table

<table>
<thead>
<tr>
<th>DATE</th>
<th>EVENT</th>
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<tbody>
<tr>
<td>1840s</td>
<td>American &amp; European whalers enter Pacific Northwest waters</td>
</tr>
<tr>
<td>1850s</td>
<td>Makahs begin trading whale oil with Hudson Bay Company</td>
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<tr>
<td>1854</td>
<td>Shore-based whaling in California begins</td>
</tr>
<tr>
<td>1858</td>
<td>Scammon discovers breeding grounds of gray in Baja lagoons</td>
</tr>
<tr>
<td>1865</td>
<td>Explosive harpoon gun invented</td>
</tr>
<tr>
<td>1880</td>
<td>Steam-powered whaling ships introduced on the west coast</td>
</tr>
<tr>
<td>1890s</td>
<td><strong>Whaling conditions decline, Makahs begin to shift to sealing</strong></td>
</tr>
<tr>
<td>1904</td>
<td>Inshore whales in Baja &amp; California were depleted; whalers move north</td>
</tr>
<tr>
<td>1905</td>
<td>First whaling station on Vancouver Island, Canada established</td>
</tr>
<tr>
<td>1938</td>
<td>Biologists estimate that 200 grays remain**</td>
</tr>
</tbody>
</table>


**Census on gray whale populations are estimated. Reliable data for this period is limited. Bold items are meant to emphasise those events that were crucial to the Makah context.
4.1 provides a timeline of the species’ early commercial catch history which illustrates the: 1) timing and location of gray whale hunts along the Pacific coast; and 2) other whaling-related developments occurring between 1840-1938.

An examination of early commercial catch statistics depicts the damage borne by gray whale stocks within a 100-year period. According to Captain Charles Scammon⁷, a prominent whaler in Baja California, between 1853-1856, the population of grays was approximately 30,000 (Busch 1997). Between 1883-1886, however, that figure had dropped to 8,000 -- 10,000. By 1938, biologists estimated that less than 200 gray whales remained, while others believed that the population was already extinct. Between 1840-1938, then, commercial whaling activities had nearly decimated gray whale stocks (Busch 1997).

At this juncture, several distinctions between European commercial whaling and Makah traditional whaling must be drawn. Indeed, while Makahs did participate in commercial whaling activities in the late-19th century – as part of the regional trade network in whale oil -- historical archives suggest that the technology, scale, and ideology of Makah whaling differed markedly from that of Europeans (Gibbs 1875; Swan 1870). First, commercial whalers employed large factory ships, explosive harpoon devices (i.e. penthritic), and killing lances to harvest considerable quantities of whales (Webb 1988). In comparison, Makah whalers utilized dugout cedar canoes, hand-held harpoons, and sealskin buoys to cull an average of five grays per year (Reagan 1925; Waterman 1920). Secondly, Makah and European whalers also maintained a different

⁷ Commercial whaler Charles Scammon is frequently credited as "discovering" the economic potential of the gray whale's warm water calving and breeding lagoons in Baja California Sur.
historical relationship with the California gray whale. Archaeological evidence indicates that Makahs had relied upon grey whales for numerous generations (Huelsbeck 1983; Huelsbeck 1988; Taylor 1962), and as such, whales formed the core of tribal social structure, cultural practices, and politics (Renker 1990). European whalers, on the other hand, had been transplanted from one environmental context to another; unlike the Makahs their marine knowledge was disconnected from the regional history and ecological nuances of the Northwest.

The activities of commercial whalers, in particular, had a significant impact upon Pacific marine ecology. First, commercial whalers increased the scale of resource extraction by culling as many whales as factory ships could accommodate (Taylor 1974). Their advanced whaling technology soon outstripped the biological limits of whale populations (Roulette 1984), and by the mid-20th century, many whale species, including the gray, had been harvested to commercial extinction (see again Table 4.1; Webb 1988). Second, commercial whalers also expanded the space from which marine resources were drawn. Whereas Makahs restricted their hunt to migratory grays within a few miles of Cape Flattery (Waterman 1920), the maritime technology of commercial groups allowed whalers the opportunity to harvest the gray along the full extent of its migratory path. In Magdalena Bay, Baja California Sur, for instance, many of the whales taken within and outside the breeding and calving lagoons were females of reproductive age. As a result, the Baja slaughters had dire consequences for the entire gray whale population (Busch 1997: 92).
In addition to its ecological impacts, the presence of commercial whalers in the Pacific transformed Makah resource use by challenging tribal rules and boundaries for customary marine space. Prior to European intrusion, hereditary Makah whalers hunted gray whale resources with unfettered access to the sea. While turbulent oceanic conditions often inhibited tribal entry into offshore waters, few other external obstacles existed (Gibbs 1855; Swan 1870). Internally, however, the tribe had established its own boundaries for the gray whale harvest. Social constraints on whale hunting, for instance, were set at the inter- and intra-village levels. In other words, village chiefs governed access rights to gray whale resources based on hereditary kinship lines (Renker and Gunther 1990). This rule served to limit the quantity of the Makahs’ own whale harvest during precontact times (Colson 1953; Taylor 1974).

With the arrival of commercial whalers, however, the Makahs’ customary marine spaces were inscribed with a new sense of competition, driven largely by Europe’s increasing demand for whale products. Moreover, by encroaching upon customary marine territories, commercial whalers violated tribal marine space and ignored the traditional processes used by natives to effectively manage marine species (Taylor 1974). Consequently, Makah resource use and access to gray whales was affected as stock levels plummeted in response to commercial pressure (Jones et al. 1984). In contrast to the Makah whaling ideology, European whalers had crafted a culture of competition in the Pacific that ultimately affected Makah subsistence patterns.

While whale hunts were still the “symbolic heart of the culture” (Marr 1987: 25), they continued to diminish in frequency as they became less cost-effective for the tribe.
The population of gray whales that swam closer to shore had been reduced by non-Makah hunters, making offshore hunting in canoes more difficult (Renker 1995). Because the Makah style offshore whaling relied on the ability of land-based lookouts to spot whales that swam close to shore, a lack of these whales effectively decreased the viability of the hunt. Without an abundant supply of migrating whales, the intensive investment – including ritual preparation and canoe maintenance – became difficult for Makahs to justify (Colson 1953). By the late-19th century, Makahs began to refocus their efforts on sealing activities in order to compensate for the collapse of the gray whale population (Huelsbeck 1983).

Indeed, the shift in Makah subsistence patterns from whaling toward fishing and sealing upset Makah social relations and tribal traditions. Unfortunately, it is difficult to isolate the impact that commercial activities had on Makah society and traditions in the late 19th century. That is to say, by the mid-1800s, two other forces – smallpox and the state -- had also made their way to Neah Bay. As the following sections reveal, European diseases and federal Indian laws had similarly affected the structure of Makah society. More likely, the combined effects of commercial whaling, massive smallpox epidemics, and government acculturation collectively changed the delicate and complex social dynamic that supported the traditional Makah whale hunt (Goddard 1995). Essentially, Makahs found themselves in an ecological, social, and political climate that no longer favored the pursuit of whales (Renker 1995). Further discussion on the social climate that emerged within Makah territories in the wake of 19th century forces is covered within the chapter’s summary.
4.3.3 Smallpox epidemics and ecological imperialism: 1790-1890

In addition to the impacts of commercial whaling, Makahs faced another tragedy in the wake of European encounters: disease. Throughout the Americas, pathogens proved to be one of the most fatal weapons of European conquest. Crosby (1986: 2) has coined the phrase, "ecological imperialism" to more broadly characterize the "uneven exchange of people, weeds and animals" between the Old and New Worlds, beginning in the 1500s. With this exchange, diseases such as smallpox, malaria, and the bubonic plague were transported to the Americas and rapidly made their way into indigenous communities. Without an acquired immunity to such diseases, populations of natives were quickly decimated. Though this process unfolded much later in the Northwest (1800s), Crosby's notion of ecological imperialism nonetheless applies to Northwest tribes.

While many diseases accompanied Europeans from the Old to the New World, smallpox has been designated as the most communicable and the deadliest.8 It arrived in Espanola in 1518, and for the next four centuries played an essential role in the advance of imperialism. Crosby (1987: 10) notes, for example, that smallpox was so communicable that it often spread far beyond the European frontier to peoples who had barely heard of the European invaders. This is particularly true in the case of the Northwest coast, where smallpox epidemics developed first in the wake of trading vessels (Colson 1953). By the time state forces arrived in Washington territory in the 1850s, smallpox had already reached the Northwest coast (Boyd 1990; Drucker 1955). In fact,

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8 Measles, diphtheria, whooping cough, bubonic plague, chicken pox, malaria, typhoid fever, cholera, yellow fever, dengue fever, scarlet fever, amebic dysentary, influenza are some of the other European maladies that plagued the Americas (Crosby 1987).
when George Vancouver sailed into the Puget Sound area in 1793, he described natives with “pockmarked faces, and human bones scattered across the beach at Port Discovery” (Vancouver 1793: 8). Vancouver suggested that the quantity of bones was “so large as to produce the impression that this area was a general cemetery for the whole of the surrounding country.” He concluded: “At no very remote period this country had been far more populous than at present” (Vancouver 1793:9).

But how did ecological imperialism transform the Makah landscape, in particular? Detailed accounts by Boyd (1990: 137) and Taylor (1974: 34) describe more specifically how “the blessings of civilization - gunpowder, rum, and smallpox --went to work on the Makah tribe” in the early-19th century. Collectively, these studies conclude that while physical skirmishes increased the number of Makah casualties, the vast majority of deaths was a consequence of disease rather than armed combat. Makah population losses due to smallpox, in particular, were considerably high in early contact periods. In his journal, Hancock describes the rapid and disastrous effects of the smallpox epidemic of 1853. This epidemic was so severe that the entire village of Biheda was nearly destroyed.

“It was truly shocking to witness the ravages of this disease here at Neah Bay...In a few weeks from the introduction of the disease, hundreds of natives became victims to it, the beach for a distance of eight miles was literally strewn with the dead bodies of these people, presenting a disgusting spectacle” (cited in Renker 1995: 182).

Overall, by 1854, the tribal population had plummeted from 2,000-3,000 to less than 150 individuals as a result of disease (Gillis n.d.: 1-15; Swan 1870: 201; Taylor 1962). Later work by Boyd (1990: 145) claims that between 1780-1890, in particular, the Makahs'
population dropped by 75%. The demographic collapse of the Makah tribe corresponds with general figures on population losses in the Americas during the contact period.⁹

For Makahs, the impacts of the smallpox epidemic extended beyond the number of human casualties it produced. The European introduction of smallpox indirectly altered tribal resource use, erased traditional knowledge, and reconfigured tribal space. First, subsequent losses in population from smallpox led to a disruption in Makah patterns of resource utilization. The death of whalers and fishers at the hands of smallpox, for instance, led to a decline in fishing and whaling activities upon which the tribe depended for subsistence and survival (Renker 1990). Second, the disproportionate number of Makah elders who died from smallpox gave rise to losses in traditional knowledge. As indigenous knowledge carriers, elders were respected and revered for their central role in Makah culture (Colson 1953; Swan 1860). The loss of key elders ultimately impacted tribal resource use by shrinking the knowledge base upon which Makahs relied to effectively manage resources. By the time state envoys arrived in Neah Bay in the mid-1800s, the incidence of smallpox had reached its pinnacle (Renker 1995).

4.4 Early state-tribal relations: 1850s-1930s

Though the Makahs faced considerable losses due to the arrival of European traders and whalers, the state’s role in transforming tribal life was unparalleled. In contrast to European whalers in the Pacific, state actions were driven by economic need as well as the socio-political desire to solve the nation’s Indian “problem” (Drucker 1955; Renker

⁹ Denevan (1992), for instance, notes that between 1492 and 1650, indigenous populations in the Americas dropped approximately 89%, from 53.9 to 4.6 million. In North America alone, Denevan argues that indigenous populations fell by 74%, from 3.8 to 1 million. The tribe’s demographic collapse thus reflects average population losses for indigenous North America.
and Gunther 1990). Unlike commercial groups, the state designed specific policies to appropriate tribal land, usurp resources, and encourage cultural assimilation (Colson 1953). In the following pages, these early linkages between the U.S. government and the Makah tribe are more clearly drawn. I turn first to a discussion of American territorial expansion, native dispossession, and the Northwest treaty period.

4.4.1 Territorial expansion and the Northwest treaty period: 1850s-1871

The process of westward expansion into native territories may be explained in part by Euro-American ideologies surrounding the American frontier. Frederick Jackson Turner (1920: 62) was the creator of the frontier thesis in American historiography. “The center of American history,” Turner argued, “was actually to be found at its edges.” As European-Americans proceeded westward, “the frontier was the outer edge of the wave—the meeting point between savagery and civilization in the line of the most effective and rapid Americanization” (Turner 1920: 64). Regardless of how historians have framed the frontier process, there is a certain truth about the formation of America: nation building necessitated the dispossession of indigenous peoples. The New World offered Europeans something that was a limited resource in the Old World: available land. Native peoples were therefore viewed an obstacle to colonial America’s goal of asserting control over territories that would produce a livelihood. Not unlike mountains and deserts, natives had to be overcome and “tamed” (Brown 1995; Wilson 1995).

Euro-Americans brought with them their own specific ideologies on how to deal with the native peoples of the New World. First, tribes were to be thought of as separate sovereign nations to be deal with on a government-to-government basis. Second, as
separate nations, the internal affairs of tribes were the responsibility of the tribal entity and were not to be tampered with. Third, relations with tribes were considered to be between two nations and were to be handled by the central government, not individual states. Acceptance of these concepts was necessary before treaties could be made with Indian tribes (Brown 1995). In other words, treaties were made only between sovereigns, by the central government, and they affirmed, rather than denied, the mutual right of self-government. These concepts eventually became the basis for early United States Indian policy (Bureau of Indian Affairs 1999).

Indeed, Indian policies proved to be the most powerful weapon of territorial dispossession. While muskets, and later, rifles, aided conquest, Indian treaties accelerated Euro-American claims to tribal territories. Treaty negotiations typically involved the transfer of native land to non-Indian governments and peoples. Promises were made that in exchange for land, friendship, alliance, and trade would be forthcoming. But negotiations were often marked by bad faith and misdirection if not fraud and deception (Brown 1995; Cohen 1986; Wilson 1995).

Native American territorial dispossession was exaggerated by several key factors. First, Indian treaties were generally negotiated after the capacity of the tribes for armed resistance was severely limited from the losses of war and disease (Kelly 1983). Second, intertribal ill feelings and warfare were exploited to the advantage of colonialists (Gooding 1994). Third, native governance was largely ignored as U.S. envoys arbitrarily chose the weakest tribal representatives with whom to deal. In the process, they bypassed

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10 There were more Indians than Euro-Americans for several generations after contact. This meant that a purely military solution would not suffice.
legitimate tribal leaders and later insisted that the tribe was bound by treaty law (Cohen 1986; Wilson 1995). By 1871, Congress had negotiated 370 such treaties with Native American tribes throughout the United States (Kelly 1983).

4.4.1.1 The Pacific Northwestern context

The treaty period developed much later in the Pacific Northwest than in other parts of the U.S. In fact, it wasn’t until the mid-19th century that state-centered territorial expansion led colonialists (both American and Canadian) into the frontiers of Northwest indigenous territories (Gooding 1994). Many territorial changes followed in the wake of imperialist intrusion. On a regional scale, the Strait of Juan de Fuca was divided between the United States and Canada (Royce 1899). This action served to formally divide the Nootkan peoples under different political regimes. While the creation of an international boundary line through the territories of the Nootkan peoples did not sever their cultural ties (Pascua 1991; Renker 1990), distinctive U.S. and Canadian indigenous policies set the Nuu-chah-nulths, of Canada, and the Makahs, of Washington, along different legal trajectories.

More specifically, in the 1850s, the U.S. government began treaty negotiations with Indian peoples of the Pacific Northwest (Stevens 1900). The Nuu-chal-nulths of British Columbia, however, would wait over 140 years before their land, water, and resource rights were negotiated with the Canadian state. At the time of this dissertation, the First Nations people of Vancouver were engaged in ongoing treaty negotiations with the Canadian government for the first time (WCW 1998). As Nuu-chah-nulths negotiate their resource rights for the 21st century, an examination of the Makahs’ treaty period
may serve as a framework for understanding future entitlements and inequalities in Canadian First Nations.

4.4.1.2 The Treaty Period and the Makah "Reservation"

How were the boundaries of Makah territories, in particular, transformed following treaty negotiations with the U.S. government? Today, the Makah Tribe resides on a 27,151 acre reservation in the northwestern corner of Washington state’s Olympic Peninsula. During treaty times, however, traditional Makah territories were considerably larger, expanding approximately 15 miles both to the east and south beyond the reservation’s modern boundaries (Colson 1953; Gibbs 1877; Swan 1857; Renker 1996). Historic tribal properties also encompassed marine territories, extending into offshore fishing banks and ocean grounds that stretched approximately 100 miles westward across the Pacific. To the north, Makah fishers accessed the fertile fishing areas of Swiftshore and 40-mile Bank, two historical Makah sites presently operating under Canadian jurisdiction. To the east, Makahs considered the Strait of Juan de Fuca up to Port Crescent as their distinct oceanic domain (Gibbs 1855). Southward, the tribe utilized waters off of Cape Johnson or "deep hole" for fishing and in-shore gathering (Renker and Pascua 1989). In contrast, then, the tribe’s current 27,000-acre reservation represents but a small fraction of their original land and sea territories.

Federal appropriation of Makah territory began in the 1855 when Governor Stevens — acting on behalf of the U.S. government -- initiated treaty negotiations with the Makahs (Stevens 1900). The Treaty of Neah Bay (1855) effectively created the Makah

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11 Other reservation properties include two offshore Islands, Tatoosh and Waadah, and a 719 acre parcel of land surrounding the Ozette village site (Pascua 1991).
reservation. Within this contract, the Makahs also agreed to cede large tracts of land to
the state in exchange for education, health care, and customary rights to marine space
(Royce 1899). For Makahs, the future of traditional marine space was of particular
importance during negotiations with Governor Stevens. In the following quote, 19th
century Makah Chief Tse-Kaw-Wootl reflects his overriding concern that continued
access to oceanic territories be incorporated into treaty negotiations with the state: “I
want the sea. That is my country” (Gibbs 1855). In response to Tse-Kaw-Wootl’s
demand, the tribe’s right to whale, seal, and fish in their “usual and accustomed grounds”
was included in Article IV of the Makah treaty (Treaty of Neah Bay 1855, IV). Though
the Makahs lost significant portions of their land territories to the state, rights to the sea
were firmly secured through treaty law. Indeed, the Treaty of Neah Bay makes Makahs
unique among all United States’ Indian tribes, for they are the only tribe whose right to
whale is recognized in a treaty with the U.S. government.

When the Treaty of Neah Bay was signed, the state did not formally recognize the
Makahs multiple village system (Swan 1870; Treaty of Neah Bay 1855). Instead, the state
redefined the Makahs as one tribe, village Chiefships were dismantled, and the newly
confederated tribe was placed under a tribal leadership inconsistent with Makah social
structure (Renker 1995). The process of “naming” the Makahs had achieved a two-fold
political effect. On one hand, it simplified the state’s treaty negotiations at Neah Bay by
combining five, semi-autonomous villages into one “tribe.” At the same time, this
process served to eliminate the role of village chiefs whose extant presence threatened
state control across the reservation.
The state's territorial negotiations with the Makah tribe were aided by the demographic effects of smallpox in Neah Bay. In 1854, the year preceding treaty negotiations, a smallpox epidemic had reduced the Makah population by 400 people (Boyd 1990; Gillis n.d.). Ecological imperialism had thus accelerated the pace of federal domination at Neah Bay. State envoys instructed Makahs to bury those who died from the epidemic in mass graves across the reservation (Wilcox 1895). Contrary to the Makah belief that the deceased be entombed in cedar boxes atop totem poles, these envoys mandated that smallpox victims be interred underground in accordance with western standards of civilization (Cavanaugh 1983). This act disturbed the altitudinal dimensions of the Makah spirit world by relegating the soul from the skies to the bounds of terra firma. By ignoring the cultural dimensions of Makah burials, the state had reconfigured the tribe's system of sacred space.

The state established mass burial sites in caves, forests, upon beaches, and in other pockets across the reservation (Schoolcraft 1857; Swan 1870), mapping out a new geography of death. State dominance in Indian burials signified that the state not only controlled the boundaries of reservation space, but it had begun to order many of the "spaces within reservation space" - the sacred sites of grave and body. In the years that followed, such actions would become part of the state's more far-reaching policy to assimilate Indians into mainstream American culture.

4.4.2 Cultural assimilation policies on the Makah Reservation: 1863-1934

Shortly after the establishment of the reservation system, a new thrust in Indian policy had emerged: civilizing the native. In 1870, President Grant's annual message announced
an Indian policy which sought to “Christianize and civilize the Indian” (Whitner 1977: 18). The focus of Indian law shifted from the tribe to the individual in an attempt to “kill the savage but save the man.” Cultural assimilation policies that developed in the U.S. were thus a direct attempt to acculturate native people into the white world. Debates over how best to manage the affairs of Indian tribes were soon dubbed the “Indian question” (ARCIA 1885-1904). The following excerpt, taken from the Commission of Indian Affairs’ annual reports, reflects the state’s position in 1903 on the Indian question and cultural assimilation:

“There are only two phases of the Indian question: One, that the American Indian shall remain in the country as a survival of the aboriginal inhabitants, a study for the ethnologist, a toy for the tourist, a vagrant at mercy of the State, and a continual pension upon the bounty of the people. The other, that he shall be educated to work, live, and act as a reputable, moral citizen, and thus become a self-supporting member of society. The latter is the policy of the present administration of Indian Affairs, and if carried to its legitimate conclusion will settle for all time the ‘Indian question.’.. To educate the Indian is to prepare him for the abolishment of tribal relations, to take his land in severalty, and in the sweat of his brow and by the toil of his hands to carve out, as his white brother has done, a home for himself and his family.” (ARCIA 1903)

With the benefit of white education, the state argued, Indians could become “self-supporting members of society.” Indians were thus viewed as a “ward” or “pension” of the state and treated as such. These assertions served to slight the Indian’s historical record as a self-sufficient manager of both livelihood and landscape.

“Indian agencies” were soon established on reservations as local level management bodies for implementing the cultural assimilation policies of the U.S. Commission on Indian Affairs (Colson 1953). In 1863, the Neah Bay Agency was placed on the Makah
reservation to oversee the everyday activities of tribal society (Drucker 1955). While in post-treaty years, state envoys or delegates attempted to manage affairs within Makah territories (for example, see previous discussion of smallpox), the Neah Bay Agency is credited as the state's first organized effort to control tribal activities (Gillis n.d.). In theory, the Neah Bay Agency operated on behalf of the Commission of Indian Affairs - later known the Bureau of Indian Affairs (BIA) -- whose role was to oversee federal-tribal relations. Figure 4.3 situates the Neah Bay agency within a larger framework of tribal-federal institutional relations between 1863-1934, prior to the 1934 Indian Reorganization Act.

Indian agencies were managed by Indian agents. Between 1863 and 1934, a total of 18 Indian agents served at the Neah Bay Agency (Colson 1953). Despite this terminology, “Indian” agents were white, not Indian. It was the role of the Indian agent to oversee health services, monitor education, and ultimately, guide the assimilation of native people (Drucker 1955). In Colson’s (1954) ethnology on the Makahs, she recounts the official role of Indian agents at Neah Bay:

“By the terms of their treaty, they were to be given an Indian agent to supervise Makah interests, tools and equipment for use in cultivating their land, and teachers and artisans to train them in civilized pursuits.” (Colson 1953: 40)

But the federal definition of “cultural assimilation” was broadly delineated, and this proved even more problematic for tribes. Isolated from the nation’s capital, Indian agents were left with the authority to interpret and implement the mandate as they saw fit (Kelly 1983). Thus, Indian agents maintained the power to regulate all aspects of Indian life,
including both public and private spaces. It was not uncommon for agents to abuse their power at the expense of tribal peoples.

Figure 4.2
The chain of federal supervision in Makah affairs: 1863-1934

The impacts that Neah Bay Indian agents had on Makah society have been widely cited in the Northwest anthropological literature (Arima 1983; Cavanaugh 1983; Colson 1953; Drucker 1955; Marino 1990; Pascua-Parker 1991: Renker 1990). The underlying theme in this literature targets the oppressive manner in which Indian agents -- informed by BIA policy -- endeavored to align Makah society with western standards of civilization. Indeed, Northwest coast anthropology is renowned for its rich documentation of the BIA's impact on the Makah reservation. Despite its scholarly contributions, however, this literature fails to address the important spatial dimensions of the BIA's
assimilation policies. In other words, how did cultural assimilation reorganize Makah spaces across the reservation? More importantly, how did Makahs adjust to the state's intrusion into tribal space? In the following sections, I argue that a socio-spatial approach to federal-Indian policy has been underestimated in the Northwest anthropological literature.

4.4.2.1 Indian policy and the spatial transformation of marine resource patterns

In terms of cultural assimilation policies, the greatest blow to tribal autonomy was the passage of the Dawes General Allotment Act of 1887 (Kelly 1983; Weston 1996). The Allotment Act provided that reservations be divided up into individual tracts of land for each member of the tribe to farm. All "surplus" land not allotted to tribal members was to be made available for purchase by whites. Indians could lease their allotments to whites, and, after a 25-year trust period expired or they were declared 'competent' by the government, could sell them (Weston 1996: 20).

For most Native Americans in the U.S, allotment was a disastrous policy. Overall, Indian land holdings declined from an estimated 113 million acres in 1887 to some 47 million acres in 1932 (Bolt 1987: 23). For many Indian peoples, land symbolized wealth and prestige. Indian land dispossession under the Allotment Act, coupled with the territorial losses of treaty times, therefore served to disempower those tribes whose sense of identity derived from their claim to traditional territories (Renker 1995). Moreover, Indian culture was largely communal, and under allotment tribes were forced to divide up the land base in accordance with western principles of property and ownership (Deloria 1985).
Though often overlooked, one of the underlying purposes of the Allotment Act was to reorient tribes toward agriculture by forcing them to farm upon the allotted parcels of land (Bolt 1987). Such a policy was particularly distressing for Northwest coastal tribes whose principle focus was marine- rather than terrestrial-based resources. For the Makahs, in particular, BIA policies which discouraged marine subsistence in favor of agricultural pursuits placed the most direct impact upon the tribe’s resource use (Cavanaugh 1953). As customary whalers and fishers, Makahs relied upon sea resources for both cultural and economic survival (Cavanaugh 1983; Gibbs 1877; Huelsbeck 1983; Scammon 1871; Swan 1871). But as historic agriculturalists, the state viewed farming as the true hallmark of a civilized society. In order to galvanize the assimilation process, the BIA encouraged Makahs to abandon marine activities and adopt agriculture in the name of cultural progress. Makah youth, for instance, were taught by Indian agents that agriculture was one of the few “civilized” or “worthy” pursuits (Colson 1953).

But the Makah landscape was not well suited to the conditions that agricultural ventures demanded. Coastal Pacific soils were poor, and its climatic conditions were variable (Drucker 1955; Kirk 1986). Consequently, exploits such as potato farming repeatedly failed despite continued BIA attempts to modify existing environmental conditions. Furthermore, the state’s call for agriculture at Neah Bay also confronted the hurdles of the Makahs’ cultural landscape; tribal architecture (e.g. longhouse), technology (e.g. tools and boats), and social structure (e.g. village system) had been oriented toward marine subsistence activities for over two thousand years (Gibbs 1855).
Though agricultural systems were inconsistent with the Makahs' cultural and ecological landscape, they coincided with prevailing ideas in federal Indian policy. The United States government did not want to encourage self-sufficiency, because self-sufficiency often encouraged hunters and gatherers to travel beyond the boundaries of the established reservations, and to maintain cultural practices considered savage and barbarous (Colson 1953; Taylor 1974). The best way to force a sedentary existence on a group of hunters and gatherers was to make the group dependent upon agriculture, which required a fixed resource base.

But state-led efforts to recast the Makahs' -- the people who live by the rocks and sea' -- as "agricultural people" met with considerable resistance from the tribe. The most notable instance of Makah resistance to Indian policy occurred in 1862 when assistance sent to the Makahs contained agricultural tools, rather than items which supported the Makahs maritime lifestyle. Instead of tools and materials which would help to procure, process, or preserve, whale, seal, or fish products, Makahs received pitchforks, scythes, hoes, and sickles from the federal government (Swan 1870). Ethnological sources show, however, that in response to this federal overture, Makahs proceeded to convert the tines of pitchforks into fishhooks, scythes into blubber knives, and sickles into arrowheads (Marr 1987: 29; Swan 1870). The anthropological literature frequently refers to this episode as a prime example of Makah "resistance" to state dominance (Renker 1990).

Despite the force of the state, then, efforts to permanently reorient the tribe to inland agriculture had failed.
4.4.2.2 *Indian policy and the reordering of tribal social space*

Other BIA policies focused less on tribal resource use, and more on the eradication of those native traditions deemed “savage” by western standards. Cultural assimilation policies of this type are often more broadly referred to as *syncretism* -- “the process of attempting to, especially inconsistently, to unify differing schools of thought” (Kelly 1983). Table 4.2 below provides an illustration of how this process affected Makah customs, in particular, beginning in the 1870s. We can note that while many of the BIA prohibitions focused their efforts on the school, other policies were directed at the entire Makah community.

<table>
<thead>
<tr>
<th><strong>Table 4.2</strong></th>
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<tr>
<td><strong>BIA prohibitions on Makah practices: 1780s</strong></td>
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<tr>
<td>• Tribal dance and song prohibited</td>
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<tr>
<td>• Potlatch ceremony banned on reservation</td>
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<td>• Makah language disallowed within schools</td>
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<tr>
<td>• Ancestral clothing not permitted in schools</td>
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<tr>
<td>• Construction of traditional longhouses discouraged</td>
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<td>• Existence of secret societies considered unlawful</td>
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It is important to stress, at this juncture, that state restrictions on tribal customs often occurred without a valid assessment of the ritual’s significance, purpose, or roots. In the following excerpt from the Report on the Commission of Indian Affairs, for instance, the state freely characterizes the Makahs’ cloqually dance as both heathenish and barbarous (i.e. non-Christian) without knowledge of its form or function:

“All heathenish and barbarous practices I have endeavored to stop, and where possible prohibit altogether, such as the “cloqually dance.” This dance, from what I have heard of it, must be a cross between the devil’s dance and the can-can.” (ARCIA 1887, p. iii)
As the above quote indicates, many rituals were banned by the state largely because their reputation preceded them (see for other examples, Colson 1953; Renker 1990).

**Ceremonial spaces**

To begin, the prohibition of the Northwest potlatch ceremony in the 1870s was particularly disheartening, for “potlatching” represented the tribe’s most effective mechanism to ensure that wealth was redistributed and prestige maintained (Arima 1983; Cole and Chaikin 1990). On one hand, chiefs enhanced their status within the community through the potlatch’s process of gifting. On the other, slaves and commoners received public recognition and customary goods during potlatch as compensation for their loyal role as artists, fishers, or craftpersons to a chief (Colson 1953). Because the potlatch served to reinforce Makah social structure, its existence posed a direct threat to BIA control over the reservation. Several anthropological scholars argue that following the potlatch’s prohibition in the late 1780s, the historic social structure of the tribe began to dissolve (Arima 1983; Renker 1990).

Other scholars highlight the subversive ways in which Makahs ensured that the potlatch remained central to everyday tribal life. First, Renker and Gunther (1990) describe how, despite state restrictions, Makahs relocated the potlatch and other ceremonies to nearby Tatoosh Island. Off-limits to Indian agents, Tatoosh was soon recognized as a “safe space” where Makah traditions and ceremony could be practiced without cultural surveillance. Today, Tatoosh Island is recognized by Makahs for its instrumental role in preserving tribal customs in the face of federal dominance (see for example, interview data in chapter seven). Second, the potlatch also persisted through
non-Indian customs introduced by the BIA. For instance, while both Christmas and birthday celebrations developed their historic roots in distant lands, Makahs rapidly adopted these traditions from Indian agents living on the reservation (Colson 1953; Drucker 1955). Since birthdays, for example, involved “gifting,” Makahs were able to practice the potlatch under the guise of a western custom. An excerpt from Colson’s ethnological account recounts the Makahs’ attempts to preserve cultural tradition in the presence of BIA officials:

“The Makah did not tamely accept the numerous attacks upon their own customs. They showed considerable ingenuity in adapting their customs to suit the agent’s whims while still retaining the essential elements. After potlatches were forbidden, one member of the tribe who had some acquaintance with European customs succeeded in giving a potlatch with the agent’s approval by quietly waiting until Christmas time, when he put up a spruce tree, hung his goods upon this and then gave them away as Christmas presents with the blessings of the agent and the missionary.” (Colson 1953: 23)

Finally, the potlatch endured despite state prohibition because the ideology of the “gifting” pervaded all sectors of Makah life. Potlatch was a formal ceremony, but it was also an informal method for redistributing resources like halibut after a day’s catch (Goddard 1995). Thus while BIA agents were able to regulate official potlatch ceremonies, the everyday instances of gifting remained outside state control.

*The space of education*

BIA assimilation policies specifically targeted Makah youth through the creation of a tribal school at Neah Bay in 1863. It was thought that Euro-American schools were the best means to protect kids from the so-called barbarity and savageness of Indian life. As a result, children were schooled by non-Indian headmasters in “the civilized pursuits” of
carpentry, agriculture, and blacksmithing for boys, and housekeeping, sewing, and cooking for girls (Renker 1990). Traditional Indian attire was replaced with western-style school uniforms, and the use of the Makah language was strictly forbidden (Parker 1991).

Indian languages, the state argued, strengthened the cultural barrier between the "reds" and the whites. Through the obliteration of the Makah dialect the BIA hoped to accelerate the course of cultural assimilation and eliminate existing divisions. The following excerpt from the ARICA archives summarizes the state's motive for abolishing the Makah language:

"It is also believed that teaching an Indian youth in his own barbarous dialect is a positive detriment to him. The first step to be taken toward civilization, toward teaching the Indian the mischief and folly of continuing in their own barbarous practices, is to teach them the English language...If we expect to infuse into the rising generation the leaven of American citizenship, we must remove the stumbling-blocks of hereditary customs and manners, and of these language is one of the most important elements. (Report of the Commission of Indian Affairs, 1887, p. xxiii)"

While the BIA defined Indian language as the "stumbling-blocks of hereditary customs", to Makahs, language united the five villages and strengthened their collective cultural identity. Their "Nootkan" dialect, for example, distinguished Makahs from nearby Washington tribes while uniting them with their ancestors across the Cape.

Language also connected Makahs to the resource base upon which they depended. Makahs identified whales, fish, and invertebrates with different names based on the species' size or its seasonal activity within customary waters (Sapir and Swadesh 1955). One species of salmon, for instance, was historically referred to as "tsoo-wit", "twow-thl," "hah-dib", or "cheech-ko-wis", depending on the season in which it was captured.
(Swan 1870: 96). Makah language, then, served as a specialized mechanism for relating to marine resources. But rather than build upon the Makahs’ marine-based taxonomy, English terms were soon substituted for Makah vocabulary. Eventually, BIA policy forced traditional language use to diminish across the reservation. Yet many tribal members continued to speak their native tongue in secrecy (Renker and Gunther 1990). Fortunately, the BIA-elected schoolmasters were unable to control the space of the home, where fluent elders taught Makah to the youth in defiance of the state.

Indian agents soon discovered that efforts to inculcate the youth were being undermined by the teachings of tribal elders. Colson’s (1954) ethnological work explains how “older relatives” effectively weakened the Neah Bay day school’s primary goal of assimilation:

"After an initial experiment with a day school at Neah Bay, it was decided that this was not sufficient since it left the children exposed to two educational experiences: that of school and that which they received from daily contacts with older relatives who were passing on to them the culture of their group." (Colson 1953: 34)

Yet providing a “multicultural education” for young Makahs was not the state’s intent. The BIA responded to the day school dilemma with the establishment of mandatory tribal boarding schools in both Seattle and Port Angeles. These institutions transplanted Makah youth from traditional learning centers into self-contained classroom environments away from the reservation (Colson 1953). The sea or longhouse as “learning space” was essentially replaced with the American school, where Indian agents rather than elders provided the youths’ educational experience (Drucker 1955; Renker 1995).
Makah parents who refused to send their children to boarding school were quickly jailed for their resistance to federal policy. For Makah youth who physically attended school but evaded its indoctrination, the BIA enacted a policy of ridicule to weaken student efforts at passive resistance. Students who insisted on wearing ancestral clothing or speaking Makah in the classroom, for instance, were publicly reprimanded for their insubordination (Drucker 1955). Moreover, once revered for their role as traditional knowledge carriers, elders were consistently derided by schoolmasters for their Indian "superstitions" and savagery. According to Colson (1954), who spent three years living on the reservation:

Children were taught in boarding schools to regard their own elders as ignorant and superstitious barbarians whose advice should be ignored. (Colson 1953: 79)

Makah youth were presented with a choice framed by schoolmasters as "barbarity" on one hand, versus "civilization" on the other.

Many youth chose to continue their alliances with Makah elders. The elders' insistence that they educate youth, however, led the BIA to consider drastic measures in order to curtail their influence. In the following excerpt from ARClA, one Indian agent suggests that "sub-reservations" be established as a logical solution to the "old Indian" problem:

"After the girls and boys who have attended (boarding) school settle down among their tribes, they are soon overcome by the jeerings of old Indians at any attempts they make to live like white people - sitting at the table to eat their meals wit china plates and dishes, and knives and forks, or at the least attempt to act as Christians should. The influence exerted by these older savages over them is deleterious. If they go to live in the lodges with the older ones they soon succumb, and in a few years can scarcely be distinguished from those who have not attended school. As a remedy for this, it has struck
me that it would advance these people many years toward civilization could a reservation be set apart for all old Indians, say all that are over fifty-five years of age. Let them live and die together, having no intercourse with the younger ones except at long and rare intervals. By the time the old ones die, my belief is that the others would be living in a civilized manner as the same class of white people; indeed, perhaps better. It certainly would, I think, be an economical solution to the Indian question (ARCIA 1863: 6)

The proposed policy to create a separate reservation for elders never crystallized. However, agents continued their efforts to marginalize elders and control Makah youth through policies that targeted the home.

The space of the home

The concept of private spaces was transformed when the state began to monitor activities within tribal households. In the following excerpt, an Indian agent describes his efforts to regulate the "irregular" living conditions of the Makah longhouse:

"I have made it a part of my duties to visit each separate lodge once a week and examine their daily mode of living, correct irregularities reprimand any cases of misdemeanors, and impress on the minds the importance of a higher standard of morality, which, added to their expanding ideas of civilization, is having the desired effect on the Indian mind (ARCIA 1863: 6)

Constant supervision of "morality" within the longhouse, however, was time-intensive, and the BIA reconsidered its present strategy. Spacious longhouses accommodated extended family under one roof, but the BIA feared that the structure's configuration promoted savage living conditions.

Furthermore, as a traditional site of education, longhouses enabled ongoing interaction between youth and elders. In response, Indian agents had the construction of
traditional longhouse suspended and then encouraged Makahs to move into single-family
dwellings (Marino 1990). As a result, extended families were now divided spatially into
nuclear units. The BIA assumed that by recreating the space of the home to exclude
elders, the site of education would shift to the boarding school (Colson 1953). Indeed,
Makahs continued to resist the force of boarding school pedagogy by creating learning
spaces within the newly recast home. Inevitably, however, the principles and values of
the BIA were inscribed upon Makah consciousness.

More generally, BIA schools produced an added effect upon intervillage relations in
early 20th century Makah society (Renker and Gunther 1990). Because both the Indian
agency and the day school were placed in one village, Neah Bay increased in importance,
while the role of other Makah villages diminished. Though isolated families continued to
live at Ozette, Tssoyess, and Wayatch after 1914, Neah Bay became the primary village
of residence and the center of the cash economy on the reservation (Colson 1953; Taylor
1974). Thus while BIA policies focused primarily on the assimilation of the Makah
Indian, state policies also served to reconfigure the spatial dimensions of the tribe's five-
village system. After 70 years of the BIA’s presence, the tribe’s 2000 year-old settlement
pattern and society had been radically altered.

4.4.2.3 Nationwide cultural assimilation

Makahs were not the only Indian peoples in the U.S. whose lives were transformed in
the wake of cultural assimilation policies. Tribal peoples across the nation were affected
by the BIA’s movement to “civilize” the Indian. Not unlike the Makahs’ situation, many
of policies focussed on curtailing the ceremonial practices of Native Americans. In the
American Southwest, for example, the Hopi snake dance was outlawed when Reverend Sweet, an inspector for the Department of the Interior, reported that “certain evils accompanied Hopi dancing festivities” (Kelly 1983: 84). By prohibiting such activities, Sweet hoped to “lift these Indians out of their stone-age condition into human society” (85). In the Northern Plains, the BIA also noted the “injurious effects of dancing among the Sioux” Indians (Kelly 1983: 87). Subsequently, local Indian agents put a stop to all ceremonies that “interfered with the Sioux’s industrial pursuits” (88). Another example surrounds the BIA’s response to the Pueblo sun dance. Because the Pueblo’s “so-called religious ceremony” involved “the reckless giving away of property; prolonged periods of celebration; the injurious use of drugs; and excessive performances that promoted idleness,” it was banned by the federal government in 1920 (Kelly 1983: 97).

The above cases of cultural suppression have been included in order to underscore the fact that U.S. cultural assimilation policies targeted not only Northwest peoples, but the nation’s entire Indian population. Few Native American groups were immune from the 19th century movement to police native cultures. Interestingly, the central goal of these nationwide policies – that is, to assimilate Native Americans – ultimately failed. By the 1930s, federal Indian policies began to reflect an ideological shift in the government’s attitude toward Native American peoples. This critical period, known as Indian Reorganization in U.S. Indian policy, will be addressed more specifically in chapter five. At this point, however, I turn to a summary of the present chapter.
4.5 Summary discussion

The present chapter has traced the history of Makah resource struggles from the precontact period up until the 1920s. I have employed a large quantity of historical data in order to: 1) highlight the impact of historical processes (e.g. commercial whaling, ecological imperialism, federal Indian law) on Makah environment and society; and 2) describe how Makah spaces, both public (e.g. the ocean, community, school) and private (e.g. home, grave, body), were reordered in the wake of European contact. Together, ethnographic accounts, treaty records, the chronicles of Northwest explorers, and archaeological data have been utilized in order to illustrate my major points. My central arguments may be summarized follows:

1) First, the beneficial role of market forces in Makah resource affairs has been addressed. In this chapter, I show that trade relations with European peoples enhanced the tribe's economic conditions on the Northwest coast. Strategically positioned along the Northwest coast trade network, the Makahs clearly benefited from the increased trade in whale oil and blubber that accompanied European contact. In this vein, I suggest that the "market period" proved to be one of the most equitable phases for tribes in the history of European-tribal relations. It was during this stage, in particular, that Europeans sought reciprocal economic relationships with Makahs, rather than direct control of Indian spaces.

2) Second, I argue that despite the economic benefits associated with the market period, prolonged contact with European traders and explorers ushered in a host of inevitable social and environmental costs. I turn first to the mid-1800s, the time-frame
during which large numbers of European whalers began to enter Pacific waters and deplete the resource base upon which Makahs depended. I show that stock levels of grays, orcas, and humpbacks plummeted in response to such commercial pressures, and Makahs were temporarily forced into alternative economies. While the efforts of commercial whalers devastated the tribe's resource base, the European ideologies (i.e. capitalist consumption) that surrounded whaling redefined the Pacific as a space of competition. I conclude that ultimately, the scale of commercial activities and the dominance of European ideologies served to eclipse the tribe's customary system of marine management.

3) Third, I expose the impacts of ecological imperialism (Crosby 1986) on 19th century Makah environment and society. I document how smallpox epidemics that followed in the wake of European contact eventually led to the tribe's demographic collapse. Using ethnological sources, I show that between 1780 -1890, the Makah population dropped by nearly 75% due to smallpox. In addition, I argue that the impacts of smallpox extended beyond the number of human casualties it produced. Although its effects were indirect, the introduction of Old World diseases also altered tribal resource use, erased traditional knowledge, and reconfigured tribal space. I suggest that as Makah whalers and fishers died amidst smallpox epidemics, the tribe's everyday subsistence patterns were disrupted. Furthermore, the death of key elders served to reduce the traditional knowledge base upon which Makahs depended to manage resources. At the height of the epidemic, smallpox victims were scattered across the Makah landscape, mapping out a new geography of death on the reservation.
4) Finally, I emphasize the historical role of the state in Makah resource affairs. I document the ways in which the U.S. government, beginning in the 1850s, worked to expropriate Makah land, usurp traditional resources, and rename the tribe in the treaty record. I argue, however, that while the Treaty of Neah Bay (1855) deprived Makahs of vast portions of land, it also played a crucial role in securing their rights to customary marine space. In fact, the tribe’s insistence that continued access to their "usual and accustomed fishing and whaling grounds" be incorporated into the treaty record highlights the agency of the Makah peoples. Ozette Chief Tse-Kaw-Wootl’s claim to the ocean during treaty negotiations with the state suggests that despite the dominance of European legal paradigms, Makahs were able to express their own legal visions on how to settle territorial conflicts with the U.S. government.

I then turn to the 1870s, beginning with President Grant’s announcement of a new wave in Indian policy: cultural assimilation. During this time, it became the government’s goal to civilize and Christianize the red man into the white world. I show that with this paradigm, the focus of Indian law shifted from the tribe and the reservation to the individual in an attempt to "kill the savage but save the man." In my case study of Neah Bay, I reveal the ways in which assimilation policies served to reorder the public and private spaces of Makah environment and society. During the early stages of acculturation, for example, Indian agents encouraged Makahs to reorient their marine-based society to inland agriculture in the name of "civilization." Eventually, a state-run Indian boarding school was established, ceremonial traditions were banned, and Makah language was outlawed.
I also illustrate that the state's intrusion into tribal life was not limited to the Makahs' public sphere. In the late 1800s, Indian agents also began to invade the private spaces of tribal life. The tribal grave, the home, and the body soon became subject of state-led surveillance. I argue, however, that despite state-led efforts to reorder tribal space and suppress cultural practices, Makahs' were able to create alternative spaces in which their traditions could survive. Within the home, on nearby Tatoosh Island, and in sacred places across the reservation, the tribe managed to evade the "cultural surveillance" of the Indian agent. Ultimately, Makahs had undermined the state's efforts to annihilate their historic traditions. This particular conclusion confirms Said's (1993) quotation in the introduction to this chapter that indigenous peoples at the time of contact were not "supine or inert non-Western natives pitted against an active intruder." Though Makahs operated within the structures of federal Indian law, there was always some form of agency available to them.
5. HISTORICAL DATA: 1920s to 1990s

"The feds told us to use the gun, it's what the greens wanted. They said it was more civilized." (Makah tribal member 1999)

5.1 Introduction

This chapter presents the historical context for Makah resource struggles from the 1920s onward. Following the format for chapter four, the present chapter focuses specifically on: a) the way in which historical processes (e.g. federal law; commercial fishing pressures, neocolonialism) transformed Makah resource use and access; and b) how Makah spaces were transformed in the aftermath of 20th century globalization. I begin in the 1920s with the ideological development of cultural pluralism and the nationwide movement toward Indian reform. Then, in the pages that follow, I trace the tribe’s struggles up until the controversial gray whale hunt of May 1999. I now turn to the 1920s.

5.2 Indian Reorganization

Many historians regard the two decades after World War I as a turning point in federal-Indian relations (Kelly 1983). The ambitious program to Americanize the Indian did not work as BIA advocates had intended. As the 20th century advanced, "poverty, disease, and inferior education" were considered serious problems within most Indian communities (Berkofer 1978: 22). By the 1920s, it became evident that the attempt to assimilate Native Americans into mainstream American culture had ultimately failed. According to Prucha (1984: 2), these turn-of-the century Indian policies did not succeed because they were "too narrow to take Indian cultures into account." Consequently, in the aftermath of
assimilation, many Indians found themselves positioned between two divergent worlds. Prucha describes the social climate within post-WWI Indian country as follows:

"The educational programs (of the BIA) broke down the Indians' heritage and cultural pride without substituting anything in its place, until many Indians became demoralized, lost between their historic identity and the white American culture they could not totally accept" (Prucha 1984:19).

It was within this context, however, that non-Indians began to argue for the preservation -- rather than the modernization or assimilation -- of Indian tribes like the Makahs (Bolt 1987; Deloria 1984). During this time, white reformers across the U.S. began calling for fundamental changes in the way whites perceived Native Americans.

These "cultural pluralists", led by John Collier, lobbied to stop cultural assimilation and worked to promote the preservation of native cultures (Kelly 1983).

John Collier had developed his approach to ethnic relations during the nation's "Progressive Period." In the 1920s, Collier spent a year in residence with the Pueblo Indians of Taos, New Mexico. In the communal existence of the Pueblos, Collier found a progressive model for reforming United States society at large (Bolt 1987). Initially, he helped Pueblos to organize opposition to federal legislation that threatened their Spanish land grants and suppressed their Indian dances. By 1930, however, Collier began a more general assault on existing Indian policies, challenging the ways in which they degraded tribal culture. In 1931, he wrote:

"The government can not save or usefully assimilate the red man by crushing him of his soul, stripping him of his racial memories, and forcing him to become a premature social half breed" (65).

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Collier's crusade was aided by his appointment as the Commissioner of Indian Affairs under FDR. In 1933, he established the Indian New Deal, which included tribes in most of the New Deal’s relief and recovery program. As the architect of this new program, Collier sought to guarantee the cultural and religious freedom of Indians, and above all, to restore the communal land base (Berkofer 1978; Taylor 1980). In marked contrast to 19th century ideologies of cultural assimilation, Collier’s platform was based on notions of cultural pluralism.

The Howard-Wheeler Bill embodied the themes of cultural pluralism sought by Collier (Bolt 1987). It was a landmark legislation intended to end allotment and the shrinkage of the tribal land base and to allow Indian tribes an unprecedented degree of self-governance. Rather than forcing Indians to become like whites, the new policy encouraged them to realize their Indianness (Weston 1996). The education section of the original version of the bill specifically repudiated assimilation when it said that:

'It is hereby declared to be the sole purpose and policy of Congress to promote the study of Indian civilization and preserve and develop the special cultural contributions and achievements of such civilization, including Indian arts, crafts, skills, and traditions.'

In 1934, on the crest of FDR's administration, Congress passed the Indian Reorganization Act (IRA). Indeed, the IRA was, in many ways, a compromise to Collier's Howard-Wheeler Bill. It kept many of the Howard-Wheeler provisions ending allotments and remnants of the self-government scheme, but much else was changed or eliminated, including the court of Indian affairs and the language of endorsing Indian civilization and
cultures (Deloria 1984). Tribes were, however, empowered to form corporations that would be operated by tribal councils that had written constitutions and by-laws.

In retrospect, while many of Collier's achievements were impressive, tensions and inconsistencies underlay the IRA. Although the philosophy behind his Indian policies was cultural pluralism (Taylor 1980), the interpretation of this notion was very much Collier's particular view of what Indians needed. Like the earlier reformers who formulated the Dawes Allotment Act (1887), Collier had imposed his notions of "welfare" and "collective democracy" upon a reluctant Indian population. In the words of Prucha, "The IRA was a paternalistic program for Indians, who were expected to accept it willy-nilly." (Prucha 1984: 62) The IRA, despite its intentions, had made Indians subject to yet another bewildering variety of policies.

Despite shortcomings, Collier's views were still more cognizant of traditional cultures than those of his predecessors. Scholars of Indian history argue that both the IRA and Collier's administration stand as one of the most significant 20th century policies to affect Indian country (Kelly 1983). For Makahs, acceptance of the IRA marked the much-anticipated termination of the Indian agency and the close of the BIA-led boarding school. Makahs, having spent 70 years under the Indian agency's charge, were now on the road to self-governance. A constitution was drafted (United States Government 1936), a tribal council established (United States Government 1937), and Makah politics began to resemble that of western democracy (Renker and Gunther 1990).

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Despite the reservation's political transformation under the IRA, the role of the state in Makah life remained dominant throughout much of the 20th century. While the IRA had significantly increased the Makahs' self-government powers, the federal government dictated the tribe's form of government (i.e. western democracy). Moreover, the Department of the Interior retained final authority over tribes, effectively limiting true Makah autonomy (Renker and Gunther 1990; Taylor 1974). Thus while the 19th century structures of cultural assimilation had been removed, the state continued to shape the Makahs' course into the 20th century.

5.2.1 Spatial reorganization of the Makah Reservation

In the early 20th century, other state policies served to further modify Makah society and reconfigure the tribe's spatial relations. The introduction of cash and the increasing availability of non-Indian goods, for instance, facilitated the Makahs' acceptance of measures that linked the reservation to non-Indian territory (Marino 1990). In the 1930s – 40s, the Makah reservation underwent a series of spatial changes that served to forge new linkages between the tribe and the region (Colson 1954; Drucker 1955). For example, before Washington State road 112 was completed in the 1930s, the Makah reservation was accessible only by water travellers. With the construction of the road, however, Makahs were able to travel over land to other towns on the peninsula. At the same time, route 112 now enabled tourists to visit the reservation by land. Tourist access increased in the following decade when the Army Corp of Engineers completed the breakwater linking Waadah Island to the mainland (Taylor 1974). The Waadah breakwater created a sheltered harbor that attracted both tourist boats and fishing vessels into Neah Bay.
The spatial transformation of the Makah reservation in the 1930s ultimately led to rapid changes in the tribe's economic base. By the end of the 1940s, tourism, fishing, and to a lesser extent, logging\(^3\) (Renker 1990) were major occupations on the Makah reservation (Colson 1953; Hall 1983; Taylor 1974). The rise of tourism accelerated the development of the native craft industry in Neah Bay. Woven baskets and carved masks that were once designed for village ceremonies soon became commodities to be sold in the tourist trade. Eventually, Makah artwork began to adopt a more homogenized appearance in order to suit consumer demand for certain styles (Drucker 1995).

Furthermore, the increased number of overnight travellers to Neah Bay—mostly sport-fishermen off Cape Flattery—necessitated the construction of motels, cafes, and other services (e.g. fuel, dairy) in order to accommodate visitors.

Despite the increasing influx of tourists into Neah Bay during the 1930s-1940s, fishing activities ultimately proved more successful for the tribe. Though Makah fishers targeted several different fish species during this time, their harvest of halibut and salmon, in particular, was by far the most profitable. One estimate shows that in 1937, the Makah fisheries generated over $210,000 for the tribe’s economy (MTC 1938: 11). In addition to its economic benefits, the expansion of the tribal fisheries also increased employment levels at Neah Bay. In 1937, nearly 61% of Makahs were engaged in some aspect of the tribe’s commercial fisheries (MTC 1938: 6). Men managed the fisheries catch, while women cleaned and readied the fish for regional markets. In addition, many Makahs, both

\(^3\) Colson (1954) has addressed the relationship between early-20\(^{th}\) century logging practices and Pacific Northwestern tribal lands. My study, however, is focused on the marine-based rather than terrestrial-based aspects of Northwest resource struggles.
men and women, found considerable prosperity as fish buyers in both Port Angeles and Seattle (Renker 1995)

The fact that Makahs found economic success within the commercial fisheries was not surprising. First, as chapter four illustrated, Makah peoples had successfully harvested the marine resources of the coastal Pacific for over 2,000 years (Drucker 1955). As a result, fishing activities had become an integral part of the tribe's livelihood and social structure. Second, commercial-type ventures were not new to the tribe. Back in the 1800s, Makahs served as key middlemen in a commercial trade network that spanned the Northwest coast (Swan 1870). Ultimately, the tribe's prosperity in the 1940s fisheries reflected their maritime successes in historic times.

5.3 The Northwest Fisheries Crisis

But Northwest Indians were not the only ones to succeed in the 20th century fisheries. By the turn-of-the-century, non-Indian commercial fishers had already begun to capitalize on the Northwest fisheries stocks. On the Columbia River alone4, commercial landings of chinook salmon, for example, escalated from 4.1 million pounds in 1870 to more than 30 million pounds in 1920 (Cone and Ridlington 1996: 6). In addition, between 1880 and 1920, the canneries of the Columbia had packed over 300,000 cases of salmon per year (Lang 1996: 348). Despite the magnitude of these early harvests, in the decades following 1920, Northwest fisheries stocks were to eventually collapse (Michael 1999).

Large-scale fisheries harvests in the Pacific Northwest were largely influenced by the prevailing environmental ethos of the time: the myth of abundance. One particular remark
made by Samuel Clarke, a commercial fisheries enthusiast of the late-19th century, reflects the pervasive attitude that stocks of salmon were there to be caught, rather than conserved:

"The immense supply of the chinook salmon that forms the staple of this great commerce is to be had for the taking" (Cone and Ridlington 1996: 92).

But beliefs about the inexhaustibility of salmon were soon followed by environmental concern for its long-term survival (Michael 1996). Some of the earliest warnings of declining salmon runs arrived as early as the 1880s, only two decades after commercial fishing had begun in the Northwest. In 1894, Marshall McDonald, the U.S. Commissioner of Fish and Fisheries, warned about the linkages overfishing and salmon decline:

"There is no reason to doubt that the number of salmon now reaching the head waters of streams in the Columbia River basin is insignificant in comparison with the number which some years ago annually visited and spawned in these waters. We must look to the commercial fisheries for explanation of this decrease, which portends inevitable disaster to these fisheries if the conditions which have brought it about are permitted to continue." (McDonald 1894: 3)

Over 40 years later, in 1939, the biologist Willis Rich (1939) echoed a similar concern about commercial fishing and the fate of the fisheries:

"The future outlook for the salmon fishery is not bright, but neither is it hopeless. The situation calls for energetic measures if further measures if further depletion is to be prevented. It will be necessary to restrict the commercial fishery to reduce catches." (Rich 1939:2)

Unfortunately, salmon catch figures for western Washington streams and rivers are not available for this time period.
Not surprisingly, most of the early warnings as to the danger of commercial fishing activities were dismissed. Concern over the health of salmon stocks was obscured by the fact that the Northwest commercial fisheries – particularly the salmon industry – had already come to symbolize the lifeblood of the region's economic base.

5.3.1 The role of structural forces in the fisheries crisis

While it is safe to say that commercial fishing activities played a crucial role in the decline of the Northwest salmon stocks, certain structural factors set the fisheries crisis into motion. First, back in the late-1800s, the state had encouraged whites to settle the lands of the newly acquired Washington territories (Renker 1995). In the aftermath of white settlement, however, population levels rose dramatically (Sibley 1995). Table 5.1 provides a sense of the dramatic growth that occurred between 1850 and 1990 in the Northwest region. In the 1940s - 1950s, as the region’s fisheries crisis heightened, there were over 2 million people living in Washington state alone (USDC 1940-1950).

![Table 5.1: Population Growth in the U.S. Pacific Northwest (Idaho, Washington, Oregon): 1850-1990](image)

As the populations increased in Washington, Idaho, and Oregon, the demand for fish rose throughout the Northwest (Cone and Ridlington 1996). While the commercial fisheries
expanded to suit the region’s demand, human population levels placed a tremendous amount of pressure upon the fisheries resource base.

The development of storage dams in the Northwest, many of them federally-funded, also accelerated the fisheries crisis. Table 5.2 presents a timeline that displays the quantity of dams built in the Pacific Northwest between 1860-1990. Beginning in the 1930s, in particular, large numbers of dams were constructed by the U.S. Army Corp of Engineers (Cone and Ridlington 1996). Many of these dams were part of FDR’s public works projects, designed to provide jobs and stimulate the Depression economy. While the construction of dams made it possible to manage river flow, new dams also enabled communities to maximize hydroelectric generation and provide sufficient water for navigation, irrigation, industry, and recreation (Michael 1999). Despite these economic advantages, however, the pursuit of hydroelectric power and irrigation agriculture marginalized salmon stocks by severely altering the chain of salmon smolts on their down-river journey (Taylor 1999). While the Army Corp of Engineers recognized the impacts of dams on salmon spawning, fish were not considered “as valuable as the wealth created by dams” (Cone and Ridlington 1996: 68). Essentially, Northwest rivers and their wealth (i.e. salmon) had been transformed into a cost-benefit equation at the expense of salmon populations.
Logging practices also altered the quantity of salmon stocks in the Northwest. In spite of statues that prohibited loggers from loading debris into natural stream channels, large quantities of organic debris were left in many streams and rivers after logging activities ceased (Taylor 1999). Some fisheries biologists became alarmed at the degradation of fish habitat, barriers to migration, depletion of oxygen, and high stream temperatures that followed in the wake of heavy logging activities (Michael 1999). Despite these observations, Northwest logging activities, many of which were subsidized by the federal government, continued unabated during the crisis.

5.3.2 Conflicts within the Northwest fisheries

Driven by these federal development policies (Northwest settlement, dam construction, and logging activities), the resultant fisheries crisis eventually led to conflicts between Indian and non-Indian fisheries. In the mid-1900s, as fish stocks plummeted, non-Indian commercial fishers relocated their activities to other fishing territories. Problematically, many of the marine territories targeted by commercial groups
were already utilized by Northwest Indian tribes (Renker 1990). Consequently, by the
1950s-1960s, heated conflicts between Indian and non-Indian fishers emerged over
questions of access, rights, and territory.

Hostilities that developed between Northwest Indian and non-Indian commercial
fishers transpired upon the ocean, in the court system, and to a lesser extent, within the
press (for examples, see chapter six media analysis). Thus many fishing related disputes
took the form of physical skirmishes upon river and oceanic territories. At sites where
marine access was in dispute, Indian boats, nets and gear were often sabotaged by
commercial groups (Goddard 1995). In other cases, incensed fishers staged political
“fish-ins” at disputed marine sites across the Northwest (Taylor 1999). Adamant fishers
vowed to remain in contested waters until fishing rights were settled. Such instances
suggest that subsequent fishing rights cases were as much a conflict over resources as
they were a struggle over space.

Friction in the Northwest fisheries unleashed a wave of anti-Indian sentiment (Seattle
Times 1968). Fishing-dependent Indian communities such as the Makahs were soon the
subject of public discrimination and racism. Yet Northwest tribes were not passive in the
face of racial intolerance. By the 1970s, the ardency of the civil rights movement had
reached Indian country. On a national level, the occupation at Wounded Knee, South
Dakota⁵ in 1973 and the Indian takeover of Alcatraz Island⁶, California in 1969-1971
symbolized the Indian movement to reclaim sovereignty and reassert rights (Cornell

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Back in Washington State, several Indian nations mobilized their resources accordingly (Boxberger 1979); with the help of the federal government, treaty tribes brought their fishing rights case to the courts.

It is important to note that by 1970, the non-Indian commercial fisheries had preempted the traditional fisheries of both Puget Sound and the Olympic Peninsula. At this time, Northwest tribes were harvesting only 2 percent of the salmon runs because non-Indian fisheries in the ocean and the Sound had left little salmon for the tribes (Cone and Ridlington 1996). Table 5.3 provides a more specific look at commercial landing figures for Washington between 1970 and 1974, the years preceding court intervention (NMFS 2000). An examination of chinook, chum, and coho salmon landings in Washington, in particular, reveals a marked contrast between the total quantity of salmon harvested by the state’s entire commercial fisheries in comparison to the harvests of the tribal commercial fisheries alone. Furthermore, after allowing these heavy non-Indian harvests (see Table 5.3), the State of Washington frequently imposed the entire conservation burden on tribal fishers to ensure a sufficient number of spawners (Taylor 1999).

5.3.3 The Courts’ response to the crisis

As a result of these inequities, as trustee for the tribes, the federal government filed suit, claiming that Washington State’s discriminatory regulation violated the promises of the Stevens treaties, and that those treaties entitled the tribes to a “fair share” of the harvest. Along with its request of a “harvest share” for tribal fishers, the federal
The Court's response to the federal suit was asserted in *United States v. Washington* (1974), a landmark judgment known more commonly as the *Boldt* decision. Undeniably, *Boldt* established one of the most far-reaching precedents in treaty-based fishing rights in U.S. case law (Guerrero 1992; Wold 1989). In 1974, Judge Boldt of the District Court of Washington not only found in favor of off-reservation fishing rights; he ruled that tribes of Washington State retained the right to up to 50% of the annual catch of fish based on treaties signed in the mid-19th century (Gooding 1984; United States Congress 1987). Judge Boldt consulted experts to assist him in reconstructing 19th-century tribal culture, including a reconstruction of the definition of the phrase "usual and accustomed places" in Chinook jargon, the 19th century trade jargon in which the treaty negotiations of the
1850s were carried out. Largely on the basis of his interpretation of this phrase in Chinook, Judge Boldt found in favor of the tribes' treaty rights to fish in "usual and accustomed grounds" (Bureau of Indian Affairs 1977). While Boldt settled the question of "harvest shares" for tribes on traditional, off-reservation territories, he died before he could resolve the hatchery and habitat issues.

Despite the ways in which Boldt benefited the tribal fisheries, other anxieties still remained for Northwest tribes. Makahs, for instance, had developed considerable concerns over the relationship between Indian and non-Indian fishing areas. In other words, marine territories were not viewed as fixed containers filled with static resources. Rather, Northwest species of salmon (as well as Pacific whales) are migratory, while halibut populations often shift locations in response to subtle oceanic changes (Trumble 1993). Indeed, a successful harvest of these migratory resources was dependent upon the reliable flow of population stocks into one's particular marine territory. Furthermore, the method by which fugitive fish stocks were harvested within one's marine territory ultimately impacted stock levels in another (Taylor 1999). Non-Indian and Indian marine territories were therefore ecologically interdependent.

5.3.4 Native world-view and fishing space

Dissatisfied with Boldt's failure to address these "habitat issues," Makahs began to caution that the activities of non-Indian commercial fishers would cause severe damage to the tribal fisheries (Seattle Times 1965). Such dire prophecies were soon validated. In several cases during the 1970s, commercial fishers "fished out" their politically designated sections of salmon runs, leaving few species "downstream" for natives to

In response to the worsening fisheries crisis, Washington State imposed seasonal-based limits on fishing activities around Cape Flattery (Taylor 1999). But the time constraints of the open and closed seasons encouraged the development of “derby-style fishing.” In other words, fishers would rapidly overharvest Pacific salmon and halibut stocks before competitors did the same (Cone and Ridlington 1996; Taylor 1999). Northwest seasonal restrictions were succeeded by new fishing quotas and stricter limits on catch size. Nonetheless, stock levels continued to deteriorate. Analysts deduced that while legal restrictions had slowed the collapse of the Pacific fisheries, the effectiveness of fisheries policy was fundamentally impaired by the state’s inability to fully regulate marine activities (Michael 1999). The incapacity to completely regulate fishing activities, analysts argued, reduced fishing policies into laws on paper (Lichatowich 1999).

In 1978, several Indian tribes in Washington contradicted these scientific assessments on the state of the Pacific fisheries (Taylor 1999). Tribes argued that policy-based solutions to the fisheries debate were misdirected. Select tribes, led by Makahs, challenged the underlying assumptions of fisheries policies. They suggested that policy assumptions needed to be revised to create better policies. Tribal members maintained that a healthy fisheries base was instead produced through environmentally-sound values
and sustainable marine management practices (Lichatowich 1999). Since such principles were rooted in Northwest Indian culture, tribes argued, the incorporation of native worldview into environmental policies would deter habitat destruction (Northwest Indian Resource Committee 1974). Unfortunately, this call for a new focus on habitat and environmental ethics was not accompanied by a specific working plan for reducing abuse in the fisheries.

In 1980, following tribal appeals to marine protection, the courts returned to Boldt’s unresolved issues of habitat and hatchery in *United States v. Washington*, Phase II. Presiding over the case, Judge Orrick encountered little difficulty ruling that hatchery fish were included in the tribe’s 50 percent share; in the 1980 decision he writes:

> "If hatchery fish were to be excluded from allocation, the Indians’ treaty-secured right to an adequate supply of fish - the right for which they traded millions of acres of land and resources - would be placed in danger" (6).

Also in Phase II, Judge Orrick addressed the issue of whether the treaties protected fish habitat from destruction by acts of Washington State fisheries. In 1980, Orrick writes:

> "Their treaties reserve to the tribes a sufficient quantity of fish to satisfy their living needs, subject to a ceiling of 50 percent of the harvestable run. This is the minimal need which gives rise to an implied right to environmental protection of the habitat. Therefore, the correlative duty imposed upon the State (as well as the United States and third parties) is to refrain from degrading the fish habitat to an extent that would deprive the tribes of their moderate living needs" (7).

On appeal, however, the Ninth Circuit Court of Appeals affirmed Judge Orrick on the hatchery issue, but vacated his ruling on habitat protection. An eleven-judge panel of the appeals court determined that establishing such as "environmental right" by declaration,
without a concrete factual controversy, was an improper use of the judicial function (Cone and Ridlington 1996). The court expressed no opinion on the merit of Judge Orrick's opinion, simply ruling that he had no right to make the decision.

Despite this legal setback in Phase II of United States v. Washington, the Makahs' voice throughout the fishing conflicts had set the stage for Indian empowerment in the Northwest. The Northwest fishing rights cases, of which Makahs were a critical player, represented an important first step toward Indian self-determination. Looking back on the 1920s and 1930s, cultural pluralism had been a movement manufactured by whites who opposed Indian oppression (Kelly 1983). In contrast, much of the fishing rights rhetoric of the 1960s was initiated, authored, and mobilized by Northwest Indians themselves. In an effort to protect marine spaces from dispossession or abuse at the hands of commercial groups, Makahs and other Northwest tribes had utilized the sea and the courts to contest their plight.

5.4 The Ozette "Discovery" and the Makah Renaissance: 1970s-1980s

Indian Reorganization in the 1930s, coupled with tribal self-determination in the 1960s and 1970s, allowed considerable reservation power to shift from the state to the tribe (Hertzberg 1971). By the mid-1970s, Makahs possessed a greater degree of authority in the administration of tribal affairs. The political transformation of Indian country was

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7 Despite this ruling, a number of other decisions indicate that, where there are concrete factual disputes, the treaty promise does in fact contain a right to habitat protection. For example, the treaties have enjoined dam construction (Confederated Tribes of the Umatilla v. Alexander, 440 F. Supp. 553 (D. Or. 1977)), changed dam operations (Kittitas Reclamation District v. Sunnyside Irrigation District), limited irrigation withdrawals (Joint Board of Control v. U.S.), and blocked construction of a marina (Muckleshoot Indian Tribe v. Halt). Since the Supreme Court has ruled that the central purpose of the Stevens treaties is to provide the tribes with a livelihood, if the tribes can show that they are being prevented from earning a living because of, for example, timber operations, they may be able to obtain judicial relief.
succeeded by a cultural metamorphosis led by newly empowered Makahs. Makah cultural traditions (e.g. language, potlatch ceremony) were now legally entitled to a public place in Makah territory. Accordingly, tribal tradition began to reemerge from decades of secrecy.

As early proponents of cultural renewal, Makah elders began to publicly assert how BIA policies had disrupted the traditional transmission of Makah language and culture. By the mid-1960s, native speakers had established informal language and culture classes in the reservation’s public schools (Renker and Arnold 1988). These initial efforts at cultural revival grew into a Makah cultural renaissance in 1970, when excavation at the Ozette archaeological site revealed the imposing precontact society of Makah people (Huelsbeck 1988; Kirk 1986).

Ozette, where a catastrophic mudslide buried five houses in AD 1500, has been extensively excavated (Huelsbeck 1983; Kirk and Daugherty 1974; Kirk and Daugherty 1978; Wooley 1984). Makahs from the 1960s public school culture classes were able to work with the investigative teams to unearth the Ozette site (Renker and Arnold 1986). The early interest generated in Makah language and culture, in addition to the sheer number of Ozette artifacts – 50,000 artifacts, as well as countless structural remains and faunal samples – encouraged the tribe to commit its resources to the development of a tribal museum to maintain and display the Ozette archaeological collection (Renker 1990). Plans evolved into a more broad-reaching cultural center housing archival, linguistic, educational, and ethnographic research and outreach programs.

The Makah Cultural and Research Center (MCRC) administered one of the most active and successful language preservation programs in the United States. The Makah
Language program raised Makah language proficiency from 50 percent in adults and 33 percent in children in 1980 (Renker 1980) to 57 percent in adults and 78 percent in children in 1985 (Renker 1985). By 1986, elders and Makah instructors were conducting language and culture classes for 297 children in the reservation’s Headstart program and in grades K-12 in the public school system (Renker 1990).

While Ozette’s excavation stimulated a renaissance in Makah cultural practices, the specific content of Ozette artifacts also confirmed that Makahs were, as oral histories suggested, people of the sea. Innumerable whaling and fishing implements from the dig proved that Makahs were the preeminent, precontact leaders on the Northwest coast. Ultimately, the establishment of the Makah museum grew to represent the tribe’s history as distinguished whalers and fishers. Situated on the reservation, the museum was a visible reminder of a tragic but celebrated Makah past. Moreover, the MCRC’s mission – to promote language acquisition and tribal culture in the youth -- served to frame the museum as a symbol of hope for the Makah future.

5.5 Makahs, Whales, and Neocolonialism

In 1995, almost twenty years after Ozette, the Makah tribe announced their plan to resume an aboriginal harvest of the California gray whale (Makah Nation 1995; Office of Protected Resources 1995). A period of seventy years had elapsed since the tribe last harpooned and killed a gray. Since that time, the Makahs’ cultural, economic and environmental landscape had drastically changed. The 2,300-member tribe faced unemployment levels between 55 and 75% (U.S. Census Bureau 1995). While cultural revitalization during the 1970s-1980s had improved Makah literacy (Renker 1980, 1985),
paid jobs on the reservation remained scarce. Furthermore, further losses in the tribal
fisheries during the 1980s-1990s had worsened the tribe’s economic state. Within this
social context, Makahs argued that a modern whale harvest would revitalize their culture
and reconnect the tribe and sea.

The Makah whaling proposal outlined the tribe’s plan to revive a limited whale
harvest along the Pacific Northwest coast (Makah Nation 1995). In keeping with levels of
their historic harvest, Makahs requested a quota of five gray whales per year – one for
each traditional village. However, not surprisingly, a great deal of resistance was
generated in response to the Makahs’ whaling proposal. The tribe’s proposal eventually
evolved into one of the greatest environmental controversies in the Pacific Northwest.

The Makah whaling proposal received a great deal of attention, largely because it was
seen as a second threat to eastern Pacific gray whale stocks. At the southern end of the
species’ migratory route, a number of development projects had been recently proposed at
gray whale calving lagoons along the west coast of Baja California Sur (see Dedina 2000;
Dedina and Young 1995; Young 1995). In the mid-1990s, Dedina and Young (1995)
outlined three potential activities that might adversely impact gray whales and their
habitats in Baja, including: 1) development of the Mitsubishi salt production facility near
Laguna San Ignacio; 2) future industrial and tourist development at Bahia Magdalena⁸,
and 3) continued growth of whale tourism in the North zone of Bahia Magdalena. In other

⁸ This project was recently cancelled by the Mexican government on the grounds that it would irretrievably
destroy a landscape formally protected as a biosphere reserve.
words, in 1995, two regional threats to gray whale populations – both in Baja California and in Washington – were now under serious consideration.

Makahs, then, in their bid to renew whaling, faced several difficult hurdles at the regional, state, and global scales. As the following sections reveal, in many cases, these obstacles served to challenge, mediate, and redefine the Makahs’ whale hunt. With this in mind, I now begin with an overview of the regional dimensions of the Makah whale conflict.

5.5.1 Regional politics: the OCNMS and gray whale tourism

Much of the initial opposition to Makah whaling developed at the regional level. In the wake of the Makah proposal, several local and regional groups began to express their concerns for the region’s marine ecology. Makah whaling, Washington groups feared, placed both the integrity of the Olympic Coast Marine Sanctuary (OCNMS) and the future of the region’s whale watch industry at risk.

Interestingly, there is a direct spatial link between Makah whaling sites and the location of federally protected marine spaces. Indeed, it may be argued that the most recent generation of federal policy governing Makah territory has been directed at marine protection, rather than the Makahs. The OCNMS includes the traditional fishing areas of four coastal Indian tribes: the Quileute, Hoh, Quinault, and Makah, and several of the Makahs’ historic whaling locations also fall directly within the modern boundaries of the sanctuary (Gibbs 1877; Makah Whale Management Plan 1995; Swan 1870). In 1995, Designated in 1994, the OCNMS is the first National Marine Sanctuary in the Pacific Northwest (U.S. Sanctuaries and Reserves Division 1993).
there was some concern that whaling in this zone would adversely impact the sanctuary as well as the image of the National Marine Sanctuary Program. Although the OCNMS is designated for multiple use -- a designation that includes "traditional resource activities" - - Washington residents nonetheless resisted the prospect of whale bloodshed in sanctuary waters (OCNMS 1995).

Critically, the Makah whale controversy was the first instance in OCNMS's brief history where environmental and indigenous issues were found at odds. In 1995, in response to local concerns, the Office of Protected Resources\textsuperscript{10} conducted an environmental impact assessment (EIA) on the Makahs' whale plan (Office of Protected Resources 1995). Results of the EIA concluded that Makah whaling would not have a significant ecological impact on the OCNMS (10). Makahs, in their effort to resume their whale tradition, now faced one less obstacle on the legal front.

Yet local and regional groups also argued that Makah whaling was detrimental to the region's whale watch tourism industry. Studies revealed that in 1995, whale tourism accounted for several million dollars in revenue for Washington State alone. In 1995, again in response to local concerns, the Office of Protected Resources (OPR) investigated the potential impact of Makah whaling on gray whale tourism. The OPR found Washington's whale watch industry primarily targets orca whale excursions in the Puget Sound area. Orca-generated tourism was found to be the most "popular, well-

\textsuperscript{10} The Office of Protected Resources is a division within the National Marine Fisheries Service, Washington, DC.
known, and economically valuable” whale watch industry in the Northwest.¹¹ In response to these findings, the OPR concluded:

“Since the focus of the whale watching industry in the Northwest is currently on orcas in the vicinity of the San Juans, whale tourism would not be directly affected by the tribal harvest of gray whales on the outer coast of northwest Washington.” (NMFS 1997).

According to the OPR, the Makah whale hunt would have no negligible impact upon the state’s whale watch tourism industry (NMFS 1997: 17). Therefore, the “scientific” findings of the OPR had helped Makahs to temporarily calm the region’s overriding concerns: the protection of Northwest sanctuary space and the development of Washington whale tourism. As the voices of regional opposition diminished, however, Makah whaling soon faced major hurdles on the both national and global fronts.

5.5.2 Federal politics

The state also responded to the Makahs’ whale plan. The nature of the federal-trust responsibility, however, bound the state to legally defend the Makahs’ proposal. At the same time, as federal “guardians” to the tribe, the state was free to redefine the proposal’s content and its course. Initially, the Makahs’ whale plan was designed to follow historic and traditional hunting protocol. Using sealskin buoys and cedar harpoons (see Waterman 1920), Makah whalers aimed to slaughter a maximum of five gray whales per year in a thirty-foot cedar canoe (Makah Tribal Council 1995). When the Makahs’ request was made public, however, the state encountered considerable resistance from both the IWC

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¹¹ In Westport, salmon charterboat companies do arrange limited gray whale watching excursions during March and April to view whales on their spring migration.
and animal rights activists (Letter to the Makah Nation 1995). The IWC scientific committee (IWC Scientific Report 1995: 4), for instance, argued that the tribe’s use of a ceremonial harpoon in the whale hunt was inhumane. Indeed, historical records revealed that when harpooned, whales oftentimes took up to three full days to perish (Swan 1870). In that same year, animal rights activists concurred with the IWC’s preliminary assessment and the ceremonial harpoon was publicly condemned for its inhumanity.

As an active member in the IWC, a visible player in the global environmental movement, and an advocate of indigenous rights, the state faced a political dilemma. Its response arrived in late 1995, when the state mandated that the tribe use a .50 caliber high-powered rifle to kill the gray (US Department of Commerce 1995). As a symbol of both tradition and humanity, the Makahs would throw a ceremonial harpoon into the whale’s flesh; the harpoon’s strike would be immediately followed by a .50 caliber rifle shot to the whale’s brain. The state, motivated by strong global sentiments toward whales, had transformed the Makah’s traditional hunt into its version of an "environmentally conscious" slaughter.

Regulation of ceremonial harpooning was only the beginning of state involvement in Makah efforts to resume whaling. In 1995, the National Marine Fisheries Services earmarked $200,000 in grant money for the Makah whale plan. First, the state required that the tribe use a portion of the monies to hire a Virginia-based veterinarian who specialized in humane-killing methods. Second, federal monies allowed Makahs to travel from Neah Bay to Arctic waters, where Inuit whalers educated them on the proper procedures of a whale hunt. Third, a portion of the federal monies was also used for IWC-
related travel. In 1998, over 14 tribal members travelled to the IWC meetings in Monaco to argue their case before the Scientific Committee. Interestingly, several state “representatives”, working on behalf of tribes, accompanied Makah tribal members to Monaco, where they remained until the meetings’ conclusion.

State policy also restricted the commercial aspects of contemporary Makah whaling. As chapter four reveals, during precontact times, Makahs transported whale oil and blubber across the Pacific Northwest along an elaborate coastal trade network. Although the majority of whale products were utilized for the tribe’s subsistence, in the late 1800s, whale oil was transported to Seattle, where it was used to illuminate homes and businesses in this increasingly populated metropolis (Swan 1870; Waterman 1920). Historically then, Makah whaling contained the properties of a commercial venture. In fact, some scholars argued that if the tribe resumed commercial whaling today, such actions would be considered legal under treaty law (Freeman 1998; see Treaty of Neah Bay 1855: Article 5). In 1995, however, the Makahs assured the state that commercial whaling was not in the tribe’s present whale management plan. In June of that same year, the tribe signed a formal agreement with the government validating their claim. Under its terms, Makah export of whale meat, blubber, oil, bone, and baleen was strictly prohibited.

In June 1997, the Makahs’ whaling proposal was approved at the IWC meetings in Monaco. In response, NGO resistance to Makah whaling heightened,
and state actors worked to protect the tribe against the possibility of attack. Many predicted that animosity toward the Makahs’ legalized hunt\textsuperscript{12} would manifest itself at the 1998 Makah Days Festival in August. To avert the possibility of riots at the festival, the state intervened and 800 National Guard troops were sent to Neah Bay. The reservation was “occupied” by the National Guard for two straight days. Although protests occurred along the boundary of the reservation, violence during and at the festival was absent. In the aftermath of Makah Days, however, Washington residents protested the National Guard’s presence in Neah Bay on economic grounds. The mobilization of troops had cost taxpayers $751,000 dollars (\textit{Seattle Times} 1998: A4).

As the hunt neared, the U.S. Coast Guard also played a direct role in the protection of Makah whalers. In 1998, several NGOs vowed to block and sink the Makahs’ ceremonial canoe if whalers threatened the life of a gray (Sea Shepherd Conservation Society 1998). In response, the U.S. Coast Guard established a “moving 500-yard radius exclusionary zone” around the Makah canoe. Animal rights groups and media boats were prohibited from entering the zone and obstructing Makah whaling activities. With the introduction of the Coast Guard’s buffer zone, however, the Makah whale hunt developed an interesting spatial pattern: As NGOs struggled to safeguard the whale, the state (via the Coast Guard) battled to protect the tribe. Both the gray and the Makahs were framed as endangered populations in need of protection in their battle upon marine space.

\textsuperscript{12} Makahs were granted a 20 whale quota over a 5-year period in a joint arrangement with the Chukotka of the Siberian peninsula. The Chukotka people relinquished several gray whales from their quota in a “back-room” meeting at the IWC. This “arrangement” has been heavily criticized.
Throughout the course of the controversy, the state's prominent role in the "Makah" whale plan became increasingly evident. In retrospect, while the Makah whale hunt was indeed locally initiated, its course was mediated by the state's own global concerns. On one hand, the state's support of the Makahs' whale proposal underscores the persistent nature of the federal-trust responsibility. On the other, the state's inclination to uphold the mandate of the IWC, thereby recreating the Makahs' "traditional" whale hunt, reflects its role as a major player in the management of global marine commons.

5.5.3 Global politics: marine NGOs

As the above section suggests, marine NGOs also occupied a prominent position in the Makah whale hunt. Anti-whaling NGOS opposed the Makah hunt on a number of different ideological grounds. "Marine mammal sentience" and "animal rights" were just a few of the arguments used to oppose Makah whaling. As chapter six reveals, however, the underlying discourse of NGO arguments was that Makah whaling was unjust.

Early NGO opposition to Makah whaling was manifest in both verbal and text-based forms. The anti-whaling ideologies pervaded throughout web pages, listservs, press releases, news, and television sources. The discourse of opposition was thus directed at various geographical scales. Because Internet access allowed people to read on-line news sources for most major cities, the public scanned the Seattle-Post Intelligencer as easily as they did NY Times. Seattle-based news articles related to the Makah controversy were thus viewed and contemplated by people worldwide. Moreover, NGO representation in Makah related news articles was relatively high during the height of the controversy; NGO's were quoted in the news as often as the Makahs themselves (see chapter six). As
such, the articulations of both pro-whaling Makahs and anti-whaling NGOS diffused across the globe.

The NGO globally oriented strategy of propaganda (news and Internet) was complemented by local level strategies designed to physically control and monitor tribal space. NGOs "occupied" Neah Bay, by sea, by land, and by air. Protesters blocked the road headed into the reservation. Helicopters lofted above Cape Flattery, awaiting signs of an impending hunt. Million dollar ocean-going vessels positioned themselves in the bay. With world renowned conservation groups stationed at the northwestern most contiguous point in the US, Neah Bay, in its long-lived isolation, was suddenly thrust into the limelight, becoming a publicly recognized site of resistance.

The most prominent player among the anti-Makah whaling contingent was the Sea Shepherd Conservation Society (SSCS), a marine conservation group founded by Captain Paul Watson and based in Monterey, California. Watson's active participation in the Makah case began immediately after the tribe put forth their whaling request to the federal government in 1995. SSCS subsequently declared a "war to save the whales," and utilized news, television, radio, press releases, and the Sea Shepherd's web page to mobilize public support against Makah whaling. A total of 78 Sea Shepherd publications associated with the Makah were posted on Watson's web site between 1995 to 1999, the height of the controversy. Moreover, a total of 11,320 persons "hit" the SSCS site during this period. While the intensive use of the SSCS web site is partly explained by the

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13 The SSCS has been on the front lines since 1977 defending the world's marine wildlife in order to maintain global biodiversity. Their organizational goals are achieved through "the research, investigation and video-documentation of violations of international laws, regulations and treaties established to protect marine species."
exponential rate at which Internet use has increased in recent years, it is also emblematic of the public’s interest in the organization’s mission at Neah Bay.

SSCS’s propaganda was followed by a series of strategic maneuvers designed to: 1) ensure the safety of migrating gray whales along Washington’s coast; and 2) direct public attention to Makah whalers who planned to render the species harm. In 1998, the SSCS stationed two vessels off Cape Flattery in a tactical attempt to destabilize Makah whalers on their way to the Pacific, and as a symbolic reminder of the organization’s enduring resistance to the slaughter of whales. SSCS remained in Neah Bay waters for nearly sixty days.

During this time, the hull of the *Sirenian*, one of the larger ships in the SSCS fleet, was painted to resemble an orca (killer whale) and stationed just off Neah Bay. Sound recordings of killer whales were then broadcast from the hull of the *Sirenian*. Gray whales, like all cetacea, rely upon echolocation for communicating in aquatic environments, so SSCS deduced that broadcast sound waves would be intercepted by migratory gray whales. Since orcas occasionally attack the California gray, SSCS assumed that grays would avoid marine spaces occupied by their (virtual) predator. This conception of “saving whales by scaring them” -- or forcibly relocating a species away from an “unsafe” habitat -- highlighted a novel strategy of environmental activism.

Through its activism, SSCS framed the conflict as a military battle over control of Pacific Northwestern marine space, where “refugee whales” could return to their rightful place after the “peace-keepers” -- the SSCS forces -- settled the uprising of the “Makah
whaling militia.” SSCS effectively framed a battle on the seascape, building an exhibition where whales and Indian were at war. As chapter six reveals, the discourse of activism assembled by this organization was similarly prone to militarization. Terms like "war", "strategy" and the "sovereignty of whales" were pervasive throughout SSCS press releases during the height of the Makah controversy. Repeated references to Paul Watson as “captain” of the Sirenian reinforced the public perception that Neah Bay was a geographical space in conflict, with esteemed, titled, leaders “fighting” for its protection. In retrospect, it is difficult to assess the efficacy of SSCS’s actions, for Makah whalers proceeded to slaughter the first gray after SSCS vessels had left the area.

Like the SCSS, the Sea Defense Alliance (SDA) was also directly involved in the Makah tribe’s effort to resume whaling in Washington coastal waters. Its role in the controversy did not begin until 1998, eight months before the Makahs killed a whale. Despite the organization’s brief involvement in the conflict, SDA was remembered for its attempt to intervene with Makah whalers en route to harpoon a whale. Their intervention in the whale hunt resulted in the Coast Guard’s seizure of two SDA vessels and the arrest of six SDA crewmembers for violating the Marine Mammal Protection Act. Ironically, in an attempt to protect the gray whale from slaughter, SDA crewmembers literally ran over the whale with their vessel. The U. S. Coast Guard arrested the crew not only for its MMPA violation, but also for ignoring the federally imposed 500-yard radius exclusionary zone established around the Makah canoe. While SSCS and SDA both

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14 SEDNA identifies itself as a “biocentric group” with a mission to “defend the oceans and its inhabitants through education, Direct Action (capitalization not added), and the enforcement of local, state, federal and international law.” SEDNA embraces the “principles of non-violence and veganism.”
threatened to physically interfere with the Makah hunt, SDA was the only organization to follow through on its pledge.

Other anti-whaling groups employed less radical tactics than SSCS or SDA in order arrest the Makahs’ whale hunt. In 1998, several groups made repeated attempts to navigate their way through conflicting ideologies and negotiate with the tribe. PAWS, for instance, offered financial assistance to help Makahs begin a profitable whale watch industry at Neah Bay. Millionaire James Macaw offered the tribe an unspecified amount of cash to cease whale activities.15 Rumors also surfaced that Greenpeace had offered the tribe an untold sum of money if they agreed to abandon their proposal. By 1998, the Makahs had been showered with economic appeals, the majority of which focused on the merits of whale watch tourism as a viable compromise to the pending whale harvest.

This time, NGOs rather than local business owners pitched the prospect of whale watch tourism as a prime opportunity for Makahs to participate in a profitable sector of the Northwest economy. In reality, however, the success of whale tourism at Neah Bay was constrained by economic, environmental and cultural variables: 1) its remote location from metropolitan city centers that would presumably supply tourism’s demand; 2) unpredictable weather on the Cape which makes whale sighting conditions poor; 3) general disinterest on the part of the Makah Indian tribe to engage in whale tourism. Most importantly, the Makahs’ disinterest in whale tourism stemmed from the fact that their collective identity was rooted in whale-harvesting rather than whale-watching traditions.

15 Interestingly, Macaw’s entry in the Makah whale debate was often portrayed as “Macaw meets Makah” in the media (Seattle Times 1998).
In 1998, Makahs refused all negotiations with NGOs, arguing that the tribe's treaty rights were not for sale. NGOs continued to press the tribe to adopt whale tourism as a viable alternative to whaling, but Makahs remained fully entrenched in their plan to resume the hunt. On the morning of May 17, 1999, Makah whalers harpooned, shot, and killed a juvenile gray whale in offshore Neah Bay. Reactions to the slaughter rippled across the globe as environmentalists mourned the loss of the gray. In Seattle, members of the SSCS held a candlelight vigil to honor the whale. Yet others reveled in the aftermath of the slaughter. In Neah Bay, in particular, the Makah Nation rejoiced in its reclamation of both culture and tradition. The whale meat was divided and apportioned to Makah families, and a potlatch was held in honor of the hunt.

In retrospect, the flavor of the tribe's post-hunt celebration was reminiscent of the Ozette discovery. Recall that in the 1970s, Makahs worked with Washington archaeologists to unearth the past. The Ozette relics were enshrined within the tribe's Cultural Resource Center, a world-renowned museum that came to symbolize the Makahs' cultural renaissance. But there was one crucial difference between the Ozette excavation and the Makah whale hunt. By 1995, the tribe had shifted its focus from the historic remains of Ozette to the marine resources of the Pacific. They were no longer a "museum culture" whose identity dwelled in a celebrated past. In May of 1999, Makah whalers made their first attempt in the 20th century to physically reclaim the sea, its resources, and their identity.
5.6 Summary discussion

This chapter has traced the history of Makah resource struggles from 1920 to 1999. Following the format for chapter four, I have focused predominantly on: a) the way in which historical processes (e.g. federal law; commercial fishing pressures, NGO neocolonialism) transformed Makah resource use and access; and b) how tribal spaces were modified in the aftermath of 20th century globalization. Beginning with a discussion of cultural pluralism in the 1920s, I trace Makah history up until the controversial gray whale hunt of 1999. The chapter’s principal points are summarized as follows:

1) First, a critical analysis of 20th century Indian history has revealed periodic shifts in Makah-state power relations. In the 1920s, for instance, it became evident that state policies designed to thwart tribal practices and reorder tribal space had ultimately failed. Informed by both the failures of assimilation and the promise of John Collier's cultural pluralism, new attitudes toward Indian peoples began to crystallize. The subsequent creation of the Indian New Deal (IND) and the passage of the IRA (1934), for instance, reflected this early 20th century paradigm shift. In sharp contrast to the goals of assimilation, the IRA was designed to increase the power of Indian peoples to govern themselves. But the IRA was beset with its own inconsistencies. Though tribes (including the Makahs) had achieved partial autonomy from the state, the Department of the Interior still possessed the final authority over Indian space.

On the Makah reservation, state-led development policies that grew out of the New Deal period served to transform the spatial relationship between the tribe and the region. The construction of both the marina and state road 112, for example, reorganized the
tribe's economy around tourism, logging, and fishing activities. While Makahs benefited from fishing ventures, in particular, by the 1940s, a severe crisis had begun to emerge within the Northwest commercial fisheries. In this chapter, I suggest that the commercial destruction of salmon stocks in Washington was ultimately driven by federal "growth" policies that encouraged settlement, dam construction, and poor logging practices.

As the fisheries crisis progressed into the 1970s, it exposed, on one level, a fundamental conflict between the ideologies of Indian and non-Indian fishers (see discussion #2 below). I suggest, however, that the direction of the crisis also revealed an important shift in relations between Northwest tribes and the nation-state. In other words, guided by the fervor of the civil rights movement, tribes such as the Makahs had begun to lobby for themselves rather than through the state. Fishing rights cases such as Boldt, in particular, reflected the tribe's willingness to politicize their rights to customary resources. By the time Ozette was "discovered" by archaeologists in the 1980s, the Makahs had begun to pave the way to political empowerment.

Constructed in 1980, The Makah Cultural Resource Museum served to showcase the Ozette artifacts to the rest of the world. Simultaneously, it provided a vehicle through which Makah traditions, once suppressed by the state, could be regenerated. Through language, dance, and ceremony, Makahs began to reclaim control over the everyday spaces of tribal society. The period of the 1970s and 1980s eventually grew to symbolize a renaissance in Makah "culture." It was in the 1990s, however, that tribal-state relations once again began to shift. Between 1995-1999, in particular, the Makah whaling controversy made clear the fact that state forces still controlled many aspects of tribal life.
Therefore, while the tribe had conceived of the plan to revive the Makah whale hunt, the state regulated its technology, course, and scope.

2) Second, I emphasize the role of 20th century commercial forces in Makah resource affairs. I return to the 1950s-1970s, the time frame in which commercial demand for marine resources began to jeopardize the Northwest fisheries base (see #1 above). Within an increasing context of limited resources, conflicts between Indian and non-Indian commercial fishers began to emerge. Indeed, the landmark Boldt decision (1974) served to formally recognize the extent of Indian and non-Indian fishing rights. Nevertheless, salmon and halibut stocks continued to suffer from commercial overuse. In response, some tribes lobbied for long-term conservation measures as the best solution for saving the fisheries. Makahs, in particular, suggested that native world-view be incorporated into the next wave of Northwest fishing policies. Indeed, the tribe's articulations were never accompanied by a practical working plan. I argue, nonetheless, that the tribe's "call for conservation" reveals their willingness to challenge the dominant ideologies of the non-Indian commercial fisheries.

3) Finally, I highlight the more recent role of NGOs in Makah resource affairs. I show how, between 1995-1999, NGOS employed both verbal and physical tactics in order to arrest the tribe's controversial whale hunt. More specifically, I expose the way in which SSCS's global, anti-whaling Internet propaganda was coupled with local-level tactics designed to physically occupy tribal marine space. Furthermore, I argue that SSCS managed to link local and global scales through the use of global news technologies that ran images of the Sirenian's local level occupation of Neah Bay. In the process, a
feedback loop was produced: SSCS had thrust Neah Bay into the global limelight and redefined it as a contested, militarized place; as a constructed space of conflict, Neah Bay continued to seize global media attention until the final days of the hunt. In general, I conclude that NGO involvement in the Northwest whaling controversy exemplifies the complex way in which global forces have attempted to police local marine space.

With this historical background in mind, I now turn to a media analysis of Makah resource struggles. Though the Makah voice has been absent in the present chapter, chapter six focuses predominantly on the tribal related discourse. In general, this chapter implies that NGOs controlled the space of the media during the Makah whaling debate. In contrast, chapter six will expose the tribe's role in framing the gray whale controversy
6. MEDIA DATA

“Our most powerful weapon is cameras.”
--Captain Paul Watson, Sea Shepherd Conservation Society

6.1 Introduction

This chapter presents a content analysis of Makah related media coverage for the period, 1900 to 1999. Newspaper articles were employed as data sources with three principal objectives in mind: (1) to trace the history of Makah resource struggles at Neah Bay using only media sources; (2) to determine the Makah tribe’s changing representation in news media throughout the 1900s; and (3) to examine the tribe’s reflections on marine resource struggles based on the content of their news quotations.

Note how objectives one and two above overlap with the stated objectives of chapters four and five (e.g. historical archives) and seven (e.g. participant observation/interviews). In this regard, it is not my goal to create redundancies within the study design. Rather, I draw from multiple sources to answer the same research sub-question(s) in order to triangulate for the most accurate results. Such an approach serves to enrich rather than discount my study’s conclusions.

For example, both the ethnographical sources in chapters four and five and the media data in the present chapter were employed in order to “trace the history of resource struggles” at Neah Bay. This approach was chosen largely because anthropological data (i.e. chapter four-five) and media sources (i.e. chapter six) are two inherently different data sets. The major difference between the two data sets lies in their respective methods.
of data acquisition. Although there are exceptions, anthropologists often "immersed" themselves within Makah culture (Colson 1954; Renker 1990), while typically, news reporters do not. Will these different information-gathering approaches produce two different timelines of Makah resource struggles? Or will one data set confirm the other's results? I assess any disparities in the study's conclusion section. As a second example, using both media (i.e. chapter six) and interview data (i.e. chapter seven), I examine "Makah reflections on resource struggles." Presumably, both data sources would produce similar results. But media and semi-structured interview contexts are quite different social forums for human expression. Will these inherently different contexts produce two different tribal discourses on Makah resource struggles? Or will the resulting data possess similar themes? Again, at the study's conclusion, I respond to these important questions. For now, however, I submit that any overlap between chapters is a necessary part of triangulation.

An additional point to note is that the media analysis privileges the discourses of Makahs. Recall, however, that this study inquires specifically into tribal conceptions of marine space. For this reason, I focus primarily on the quantity and content of tribal discourse in Makah related newspaper coverage. The discourses of marine NGOs\(^1\), federal officials\(^2\) and local peoples\(^3\) in Makah news are also presented, although mainly as a basis for comparison of trends through time.

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\(^1\) Throughout this text, the term "marine NGOs" generally to marine non-governmental organizations such as the Sea Shepherd Conservation Society and Sea Defense Alliance.

\(^2\) The terms "federal" and "state" are both used to denote the central U.S. government. The term, "federal officials" includes governmental bodies that were involved in Makah affairs. This includes the Department of Commerce, Department of Fish and Wildlife, and the United States Coast Guard. The state of Washington is generally referred to here as Washington state.
Finally, in the pages that follow, the results of the media analysis are divided into three general sections: (1) quantitative analysis of the dominant subject matter in Makah news articles from 1900-1999; (2) quantitative assessment of quotations in Makah news articles from 1900-1999; and (3) qualitative analysis of quotations in Makah news articles for the period 1995-1999. Using Microsoft Excel, a series of graphs have been created (see Tables 6.2-6.16) to illustrate key findings. A summary discussion follows the presentation of results.

6.2 Content of Makah news coverage: 1900-1999

An exhaustive search of Makah related news media for the period 1900-1999 revealed a total of 710 articles. The vast majority (i.e. 535/710) were published between 1995-1999, during the height of the Makah whaling conflict. In terms of analysis, each of the 710 articles was read and then classified according to its general subject matter. An article’s “general subject matter” was determined based on the text of the article rather than the text of the headline.

Initially, newspaper articles on the Makahs appeared to cover a wide range of individual subjects, from basket weaving to fishing rights to canoe races. After careful review, however, it became evident that the majority of articles embodied four central “themes”: cultural resources, whaling, federal Indian policies, and fishing. Table 6.1 presents the distribution of Makah media subject themes, and provides examples of articles that are included within each of the four themes. Only ten of the 710 articles fell outside the range of all four thematic categories. These miscellaneous articles were not

3 "Local people" are defined as residents of western Washington. While Makahs are also local residents, they are not
cohesive or numerous enough to warrant a fifth thematic class and were therefore
excluded from analysis. Also note that several news pieces fit more than one theme, and
as such, they were classified under multiple categories.

<table>
<thead>
<tr>
<th>Theme</th>
<th># quotes (N = 710)</th>
<th>Sample news topics per theme</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. whaling</td>
<td>535</td>
<td>history, rights, tradition, experience</td>
</tr>
<tr>
<td>2. cultural resources</td>
<td>150</td>
<td>Ozette, Makah museum, Makah art</td>
</tr>
<tr>
<td>3. fishing</td>
<td>80</td>
<td>fishing quotas, conflicts, rights</td>
</tr>
<tr>
<td>4. federal policy</td>
<td>60</td>
<td>federal assistance, Indian law</td>
</tr>
</tbody>
</table>

Table 6.1 Makah media coverage 1900-1999: major thematic categories

Table 6.2 places the four thematic categories from Table 6.1 along a nonlinear timeline
in order to illustrate the historical patterns of Makah media themes. Note that each line
represents the total number of Makah news articles per theme. Set against a timeline, the
lines reveal thematic trends in 20th century Makah news coverage. For example, over 70%
of Makah news pieces with the major theme of "federal policy" were published between
1900-1950. The remaining 30% of Makah pieces on "federal policy" were published in
later historical periods. Similarly, 93% of all Makahs news pieces with "whaling" as the
principal theme were published between 1990-1999. As Table 6.2 illustrates, single
themes tend to dominate Makah related news coverage for each of the four historic
periods. Table 6.2 also provides a three-dimensional version of the same data in order to
illustrate thematic dominance per period.

included within this category. Instead, members of Makah tribe are included in the "Makah" category.
Table 6.2 also reveals that the thematic media coverage of Makahs is consistent with the tribe’s major historical struggles at Neah Bay. During the 20th century, there were four general periods of conflict for the Makah people: (1) 1900-1950: late stages of
cultural assimilation; period of Indian Reorganization; (2) 1950 - 1970: era of fishing crisis; (3) 1970-1990: archaeological excavation of Ozette, creation of the Makah Cultural Museum, and beginning of Makah cultural renaissance; (4) 1990 to present: gray whale removal from the ESA, and Makah whale hunting controversy. The media data therefore restate what many Northwest coast scholars view as the major stages of Makah resource history. Table 6.2 thus highlights the role of the media in local resource conflicts. It suggests that the media has consistently tracked the major resource conflicts of the Makah tribe throughout the past century, since major media themes correspond with key Makah historical periods (for a detailed historical discussion, see chapters four and five). Based on the “peaking” of news themes within historical periods, the data also suggest that news media cover the extremes of Makah life, both its triumphs and their tragedies. The Makah Indians are consistently portrayed by the press as struggling and surviving, living out a series of historical highs or lows.

Particularly within the last 30 years, the Makahs’ newsworthiness has grown exponentially, beginning with the Ozette excavation in the 1970s, and the gray whale controversy of the late 1990s. The media’s fascination with Ozette, in particular, may be explained in part by society’s preoccupation with archaeological discoveries of “lost” civilizations (e.g. Pompei). In National Geographic, for instance, the Ozette excavation was characterized as the North American Pompei (Pascua 1980: 38). The media’s focus on the gray whale controversy may be explained along similar lines. As “charismatic megafauna”, whales – like sea turtles, dolphins, or panda bears --have received considerable public attention worldwide (Kellert 1996: 11). That a United States’ Indian
tribe was willing to hunt and slaughter one of America's sacred megafauna made the gray whale conflict appear more compelling to the press.

At the same time the press consistently presents Makah struggles, it is not apparent from the above data whether the media accurately portrays Makah history. Do the media narrate the struggles of the Makah, or does the tribe speak for itself in Makah related press coverage? An examination of the relative representation in Makah news reveals the extent to which the tribe has developed its own "voice" in media discourse.

6.3 Quantitative assessment of Makah media

6.3.1 Quantitative assessment: 1900-1999

An assessment of the quantity and distribution of quotations found within Makah media is one method for determining stakeholder representation through time. Quotations within each news article were first counted and then categorized based on the source of the quote: statistically significant categories include Makahs, NGOs, local, state, and to a lesser extent, commercial interests. While the counting and categorization of quotes for 710 news articles was a lengthy and detailed process, it produced impressive results for multiple time scales (e.g. century; decade; year; month).

*Makah-state relations 1900-1999*

Table 6.3 begins with the distribution of quotes for both the Makah tribe and the federal government as gleaned from 1900-1999 Makah related print media. The original news data has been consolidated from the "month-day-year" format to a "year" only format, in order to illustrate significant trends rather than thousands of daily "spikes". There are three central points to be drawn from this particular graph.
The first point to note from Table 6.3 is that the four major discourse peaks on the graph for both Makahs and the state correspond with historical dates at Neah Bay. These include the following: 1) tribal fishing rights cases of the 1970s, particularly Boldt; 2) Ozette's excavation and the establishment of the Makah Cultural Resource Museum; 3) successes with the Makah language program; and 4) the Makah whaling conflict of 1995-1999.

Further examination of Table 6.3 reveals that prior to each major peak (see numbers 1-4), a series of smaller, preceding peaks forecast the major discourse "crests". For instance, prior to the 1970s Boldt decision peak, there are two instances where both the state and the Makahs become vocal in Makah related media. The same situation occurs prior to the Makah whale hunt in 1999. This small to mid to large peak process on Table 6.3 presumably reflects two separate processes: 1) the increasing level of media interest in Makah struggles as they become sexier, newsworthy stories, and 2) the willingness of both Makahs and the state to engage the media in discourse as issues escalate. Both of these points will be addressed in the pages that follow.

Second, and perhaps more critically, Table 6.3 traces the intimate relationship between the Makahs and the state during the past century. The graph shows that where Makah discourse occupies a "verbal" space in the media, the federal government is equally represented. According to the data, the link between Makah and state media discourse in the 20th century is invariable. Clearly, this finding reflects the nature of the tribal-state relationship as laid out in the U.S. federal-trust doctrine. While linkages between the federal government and the Makah tribe are ever present, Table 6.3
illustrates that pivotal events (e.g. fishing rights) make the state-tribal relationship more visible. As the Makahs face their 20th century struggles, the state consistently moves in to fulfill its trust responsibility.

Table 6.3
20th century Makah related media: Makah and federal quotations

<table>
<thead>
<tr>
<th>Year</th>
<th>Makah Whaling</th>
<th>Makah Language Program</th>
<th>Ozette Dig</th>
<th>Fishing Rights</th>
<th>Makah Whaling</th>
</tr>
</thead>
<tbody>
<tr>
<td>1910</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>1920</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>4</td>
</tr>
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<td>1930</td>
<td>3</td>
<td>4</td>
<td>3</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

Third, the data in Table 6.3 also reveal the shifting nature of tribal-state relations. Up until 1968, the graph shows that the number of state quotations in Makah related media coverage exceeds the number of Makah quotations. From 1968 onward, however, at no point is the tribe's discourse eclipsed by state rhetoric. At this point, the Makahs begin to speak for themselves in the news. The 1970s, the time period for this shift, represents a unique stage in Makah history in that Indians began to reclaim rights to fishing resources. The data clearly reveal that from 1970 onward, Makahs began articulating their major stories to the press, from fishing to Ozette to whaling. Though the federal state
maintained a continued presence in Makah media from 1970 onward, it was obscured by the tribe's own rhetoric.

At this juncture, it is important to note that Table 6.3 does not address the number of quotations for NGOs, commercial interests, and local peoples. This is due to the fact that until the 1990s, these groups remained relatively "silent" on Makah issues. The data do indicate that commercial interests, particularly those of commercial fishermen, briefly enter Makah related media in 1968, a few years prior to the landmark *Boldt* decision. Between 1968 and 1972, commercial fishing interests are quoted 22 times in media coverage. Beyond 1972, however, commercial fishers are no longer significantly represented in Makah press coverage. Commercial whale watching tour groups also penetrate Makah media, but only in 1995, during the incipient stages of the Makah whale conflict. Their presence diminishes immediately thereafter. Similarly, NGOs and local Washington citizens are not substantially represented in Makah coverage until the 1990s.

From 1995-1999, however, the rhetoric of these stakeholders (e.g. NGOs; tour operators) increases rapidly in press coverage on the whale hunt. Subsequent sections of this chapter discuss the critical role of these latter groups in the 1990s. It is important to note here, however, that prior to the 1990s, Makah resource struggles were a not a major focal point in the Pacific Northwest. Commercial fishers briefly stood their verbal ground in 1970s media, but otherwise, the "guardian" state was the only consistent 20th century voice. Only when Makah whaling enters public consciousness do the discourses of "silent" stakeholders increase.
In essence, these broad patterns of representation in 20\textsuperscript{th} century Makah media reveal two separate phenomena. First, Table 6.3 shows that Makah resource affairs are fundamentally tied to issues of both state control and indigenous self-determination. While the state remains a dominant voice in Makah resource struggles throughout the 20\textsuperscript{th} century, in 1968, the rising incidence of tribal discourse reflects the Makahs' self-expression and their ultimate claim for sovereignty. Second, the data also reveal the expanding roles of NGOs in the environmental arena. While environmental issues have plagued Neah Bay in the past (e.g. Tenya Maru oil spill), NGOs do not address Makah resource problems until 1995. A quantitative examination of 1995-1999 discourse provides a more in-depth look at the late 20\textsuperscript{th} century shifts in patterns of media representation.

6.3.2 Quantitative assessment: 1995-1999

The next sequence of graphs focuses specifically on the period of the Makah whaling debate, 1995-1999. Because the largest quantity of Makah news articles are published during this period, I was able to adequately gauge quantitative trends for a set phase in time. Table 6.4 presents the overall distribution and quantity of news quotations for Makahs, NGOs, state, and locals for the period January 1995 – June 1999. Using Microsoft Excel, the news data has been consolidated from the original “day-month-year format” to a “month-year format” in order to show significant patterns rather than hundreds of spikes representing discrete days.

There are several interesting points to draw from Table 6.4. First, in general, significant peaks on the graph correspond with major events in the Makah whaling
controversy. The key events of the controversy may be collapsed into five critical stages.

These include: (1) May 1995: the Makahs publicly announce their commitment to renew whaling; (2) June 1996: the tribe presents their whaling proposal to the IWC, and subsequently withdraws the request; (3) October 1997: the following year at the IWC meeting in Monaco, in which the Makah hunt is indirectly approved; (4) August to November 1998: NGO occupation of Neah Bay waters; federal government begins series of maneuvers designed to protect the safety of Makah people, enlisting the aid of the Coast Guard and the National Guard at Neah Bay; (5) May 1999: Makahs hunt and kill the first gray whale in 70 years.

Table 6.4

<table>
<thead>
<tr>
<th>Date</th>
<th>Category</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.95</td>
<td>Makah</td>
<td>Makah proposal presented</td>
</tr>
<tr>
<td>6.96</td>
<td>IWC meetings</td>
<td>Makah withdraw request</td>
</tr>
<tr>
<td>10.97</td>
<td>IWC in Monaco</td>
<td>Makah hunt indirectly approved</td>
</tr>
<tr>
<td>10.98</td>
<td>NGOs in Neah Bay</td>
<td>Makah hunt indirectly approved</td>
</tr>
<tr>
<td>5.99</td>
<td>Makah</td>
<td>Makahs kill gray whale</td>
</tr>
</tbody>
</table>
Second, though all four stakeholders are represented during each major stage in the controversy, there are subtle differences in the timing and degree of their representation. For instance, the data show that at most of the critical stages, the Makahs maintain a significant voice in the media, particularly after the IWC meeting in Monaco; the time of NGO occupation; and the May hunt. The state, a dominant presence in the resource struggles of the Makah, also maintains a strong voice in the media throughout the controversy, but to a lesser extent than in previous history (see Table 6.3: 20th century Makah coverage). Invariably, the state’s voice and the Makahs’ voice are inextricably linked. The NGO voice reveals a marked increase in Makah related media as the hunt draws near. Note that the incidence of NGO discourse corresponds with the timing of Makah discourse without surpassing Makahs in quotation frequency. Finally, the media discourse of local people exhibits the most interesting time trend in the 1995-1999 data. Local people are significantly represented in Makah media articles, but most of their discourse surfaces a few days or weeks after the discourse of other stakeholders. This latter point hints at the fact that local people are not key players in the whaling controversy. Rather, the data show that their point of entry is more indicative of the media’s ability to shape local opinion. In the following paragraphs, I elaborate upon this point in greater detail.

Table 6.5 provides a closer glimpse of Makah related media discourse for May 1999, the month of the Makah hunt. It attempts to illustrate the “lag time” effect of local peoples’ discourse by magnifying the time scale to May only. The data show that the local lag effect is most visible during the periods May 10-15 (see #1); May 25-30 (see #2), and
May 30-June 1 (see #3), the periods following major waves of Makah, NGO, and state discourse.

That local opinion on Makah related issues peaks at later stages in the whaling debate than the discourses of other stakeholders is indicative of the manner in which local people acquire information on the Makah. More generally, the process is emblematic of the critical role that the media maintains in framing issues for local people. This requires further clarification. Between 1995-1999, very few local residents were quoted directly within Makah news pieces. Rather, the vast majority of what I term, “local discourse” is an accumulation of letters-to-the-editor and opinions/editorials gleaned from the Seattle Times and the Seattle P.I. (86% of “local” discourse category). This suggests that the majority of local discourse in print news was generated in response to the media’s portrayal of the conflict. Locals interpreted the Makah conflict through the

Table 6.5
May 1999: Makah whale hunt news coverage
Makah, NGO, state, and location quotations

<table>
<thead>
<tr>
<th>Date</th>
<th>Makah Quotes</th>
<th>NGO Quotes</th>
<th>State Quotes</th>
<th>Local Quotes</th>
</tr>
</thead>
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<td>4/25/99</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>4/30/99</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>5/1/99</td>
<td>3</td>
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<td>5/5/99</td>
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<td>5/10/99</td>
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<td>8</td>
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</tr>
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<td>6/4/99</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
</tbody>
</table>
news, and they also responded to the conflict through the news. This reveals that unlike state, Makah, and NGO interests, local people were largely “introduced” to Makah struggles by way of the press. Their “local voice” manifests itself a few days or weeks later, because the story is presented to them, and created for them, at a subsequent stage in time. Clearly, the media, as a political institution, plays a central role in shaping the course of highly contested resource issues. As the following sections confirm, the media played a critical role in shaping the course of the Makah whaling debate.

In summary, the above section outlines the quantitative distribution of quotations for 20th century Makah media coverage in order to assess relative stakeholder representation through time. An examination of Makah discourse reveals a steady historical trend in the tribe’s willingness to increasingly engage media in a public dialogue. And while the state’s voice in Makah media is consistent through time, NGO, commercial, and local groups have only recently entered the verbal fray.

In the following section, the qualitative content in Makah news quotations for the period 1995-1999 is assessed in order to explain the shifting language of stakeholder discourse during the gray whale conflict. The main objective is to reveal the compelling ways in which discourses are framed, adapted, and refashioned as both political and cultural strategies. While the primary focus is on the Makah tribe, I provide an abridged qualitative analysis of NGO, local, and state discourses as a basis for comparison.

6.4 Qualitative analysis of quotations in Makah media: 1995-1999

The Makah press coverage from 1995-1999 provides a rich source of data for analyzing the changing language of tribal resource struggles among different and
competing stakeholders. I focus primarily on this particular historical period due to the large quantity and quality of available data (N = 535). The discourse of each stakeholder group was analyzed, categorized, and graphed along a timeline in accordance with major themes found in the language of their quotations. I turn first to an analysis of the tribe’s collective discourses.

6.4.1 Makah discourse

A detailed examination of 1995-1999 news media reveals a total of five, interrelated discourses on whaling (see Table 6.6). While Makahs expressed several themes within print media (e.g. justice, struggle), I limit my discussion to the most dominant discourses: (1) subsistence; (2) treaty rights; (3) sovereignty; (4) identity; and (5) perceptions of marine space. On one hand, I draw out these individual sub-themes in order to illustrate the complex and varied layers of the Makah whaling conflict. On the other hand, I explore these sub-themes, in particular, in order to build upon my study’s theoretical focus on Indianness (i.e. Indian identity), marine space, and the rights rhetoric (see chapter two).

Table 6.6 presents the shifting distribution of Makah discourse themes for 1995-1999. This particular table has been included in order to provide a general illustration of Makah discourses. In the pages that follow, separate graphs are presented for each discourse (see Tables 6.7-6.11) and all themes are discussed in greater detail. With this in mind, I turn to the first set of results.
Table 6.6
Makah: major themes in media discourse on whaling - 1995-1999

6.4.1.1 Subsistence

Undeniably, subsistence began as one of the tribe's central themes in their plan to resume whaling. In fact, the Makahs' subsistence discourse was the most dominant of all tribally-generated discourses for 1995. As Tables 6.6 and 6.7 reveal, when the press first inquired about the Makah whaling proposal in 1995, tribal members tended to appeal to "subsistence" needs in their responses. One example of the Makah subsistence discourse is as follows:

"Our tribe faces 50% unemployment. The economic conditions here are oppressive, and whaling will provide one means to fill our nutritional need. We don't want an Albertsons in our neighborhood when there are 23,000 gray whales in the sea."
Through the use of this rhetoric, the tribe painted themselves as a hungry nation in need of nutritional sustenance. Their only desire was to whale, and to do so on a “small-scale.”

The tribe’s brief employment of a public relations expert to “sell” their case to the media might provide one explanation for the straightforward and succinct news statements that crystallized in early stages of the debate. The following quotation by one Makah in 1995 illustrates this point:

“The Makah nation requests international approval for five gray whales per year for both ceremonial and subsistence purposes.”

Though ephemeral, the rhetoric of subsistence laid the groundwork for the rest of the debate, by provoking questions on the nature and definition of culture, need, and survival.

6.4.1.2 Treaty rights

By 1996, the short-lived discourse of subsistence faded as other themes emerged in Makah media. In 1995 news articles, the tribe’s appeal to treaty rights was also employed, although to a lesser extent than the rhetoric of subsistence. Unlike subsistence, however, treaty rights sustained a permanent place in the Makahs rhetoric
throughout the entire course of the debate. The language of treaty rights was consistently portrayed as simple, solid, and grounded in the canons of federal Indian law. The following quotation is a prime example of the way in which Makahs initially expressed the link between whaling and treaty rights in 1995 media:

“Our legal right to whale was attended to in the 1855 Treaty of Neah Bay. We have been granted the right to harvest five gray whales per year. The U.S. government supports our treaty rights to whale. The Makah nation has no intention of harvesting more than the quantity allotted in the treaty.”

As the conflict evolved, however, Makah quotes citing the importance of treaty rights began to embody the escalating ardency of the conflict. As external opposition to the hunt increased, tribal members chose to fashion a more passionate discourse on the links between whaling and treaty rights. The following quotation from 1997 media reflects the evolving nature of the treaty rights rhetoric:

“Whaling is our treaty right. And our rights are not for sale.”

The language of treaty rights had thus evolved into a more abridged version of the 1995 rights rhetoric in a shift that served to increase its potency in the media. Another example of the terseness of treaty rhetoric in later years is as follows:

“We shouldn’t even be talking about this [whaling]. If you have questions, just see our treaty.”

A closer examination of Tables 6.7 and 6.8 reveals that the treaty rights rhetoric peaked in 1997, the same year that Makahs were granted the right to whale by the IWC in Monaco. It seems appropriate that the Makah rights rhetoric diminishes shortly after this point and other discourses emerge to fill the gap. With the IWC in check, the Makahs
faced a new opposition, NGOs and the citizens of Washington. The infusion of new stakeholders required a language more complex than that of treaty rights. Moreover, Makah discourses that emerged after Monaco reflected an evolution in the tribe’s own thinking on the meaning and scope of whaling.

### 6.4.1.3 Sovereignty

In 1997, as news reporters continued to press the tribe for information on the whale hunt, Makahs began to frame their responses in terms of sovereignty (see Table 6.9). At its simplest, sovereignty may be defined as “the ability a people living in a specified area to exert control over their territories” (Wilson 1996: 222). Indeed, Makahs had become increasingly frustrated with outside attempts to define (e.g. state) and obstruct (e.g. NGOs) the hunt. Interference with Makah whaling, the tribe argued, represented a direct threat to indigenous self-determination.
In some instances, the sovereignty rhetoric revealed the ways in which Makahs began to resent the constant need for federal approval in manners pertaining to the hunt. From the time the Makahs made their 1995 request known to the federal government, the state had dictated the technology and course of tribal whaling. The tribe had also grown more dependent upon the federal government and the funds it meted out for the coming harvest. Whether lobbying for cash to attend the IWC in Monaco, or paying the requisite veterinarian to instruct the Makahs on humane killing tactics, some tribal members felt that it was no longer a "Makah whale hunt" but a federally choreographed spectacle. An earlier quotation reflects the Makahs' initial willingness to obey federally imposed stipulations, before resentment set in:

"Japan wanted to give us money, to help us buy boats, to show us how to kill whales, everything. We said no because we knew it would be controversial, and we want to do everything by the book."

But by 1997 the Makah rhetoric had shifted from acquiescence to defiance. The tribe began to suggest that their self-determination had been co-opted by the state. The
following quotations more accurately reflect the tribe's mounting dissatisfaction with the federal government's overbearing role:

"We held off (whaling), preserving a 3-year record of following federal rules and regulations, traveling the globe to seek approval for the hunt from the International Whaling Commission, jumping through all the white man's hoops."

"We are tired of the white bureaucracy telling us how to steer our sacred canoe."

In other instances, however, the sovereignty rhetoric symbolized the tribe's frustration with the increasing number of marine NGOs stationed in Neah Bay. Indeed, NGO presence in tribal territories came as a familiar reminder of the historic policies of the state. The parallels drawn between the present NGO occupation and historic Indian law resounded throughout Makah media discourse. Ardent characterizations of NGOs, such as the following quotations were common:

"Them being here (NGOs in Neah Bay) is like bringing a blanket of smallpox."
"I wish those neo-colonialists would go home."

Parallels between the federal government and NGOs were repeatedly relayed through the discourse, as Makahs expressed their displeasure with the expansive and vocal NGO opposition.

"These people (NGOs opposing the hunt) are like the second coming. Telling us that our way of life is wrong, inferior, our attitudes are backward and incomplete."

Whether Makahs viewed NGOs or the state as the dominant threat to Makah sovereignty became less evident through time. The more the tribe discussed the topic of whaling in the media, the more the boundaries between past federal conflicts and modern environmental frictions blurred. Given the history of tribal-state relations (see chapter
is likely that the Makahs' contemporary struggle with marine NGOs was reminiscent of, and rooted in, a historic federal past. 

For Makahs, then, the sovereignty rhetoric was invoked in order to publicly assert rights to self-determination. As external forces (e.g. NGOs, state) increasingly interfered with Makah whaling activities, the sovereignty rhetoric similarly ascended. Furthermore, this discourse remained high until the final days of the hunt (see again Table 6.9). 

6.4.1.4 Identity

References to identity also increased in Makah discourse around the same time that tribal appeals to sovereignty emerged. In 1997, the tribe began to argue that whaling was ultimately linked to a collective Makah identity. Whaling, the tribe maintained, was an integral part of Makahness. As Table 6.10 reveals, the identity discourse accounts for a significant portion of Makah discourse in latter stages of the whaling debate. In 1998 the identity rhetoric reaches a remarkable high, dropping only slightly in the subsequent year.

<table>
<thead>
<tr>
<th>Year</th>
<th>Identity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>0</td>
</tr>
<tr>
<td>1996</td>
<td>10</td>
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<tr>
<td>1997</td>
<td>20</td>
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<td>1998</td>
<td>60</td>
</tr>
<tr>
<td>1999</td>
<td>70</td>
</tr>
</tbody>
</table>
Indeed, there are similarities between the language of Makah sovereignty and the discourse of Makah identity. In general, both discourses possess arguments about self-determination. Despite this parallel, there are important differences between the two rhetorics. The sovereignty rhetoric involves the Makahs’ claim that the tribe -- rather than environmental NGOs or state agencies -- should control activities within customary territories (e.g. the tribal whale hunt). The identity rhetoric, on the other hand, involves a more specific and complex argument about tribal rights to self-expression within those same boundaries. In this vein, the Makah whale hunt is characterized as a medium through which the tribe may express their identity as whalers.

To begin, the identity rhetoric represents one of the most complex of all languages employed by the Makahs. It was either steeped in the literal prose of “identity” or shadowed in a nuanced language of creation stories, ancestral beliefs, and spiritual traditions. Much of the discourse is thus quite straightforward in its approach, as some of the following 1997 quotations indicate:

“Whaling is who we are.”

How do we identity as a tribe? Who are the Makah? Whalers. That’s the first word out of the mouth.”

By 1998, however, the discourse of identity had evolved from simplistic revelation to elaborate explanation. For instance, when questioned by reporters about the whale hunt, Makahs frequently offered analogies to the press to explain their position. In the following example, one tribal member points to the “American identity” as a basis for comparison:
“You shouldn’t underestimate the spiritual and cultural significance of whaling to this tribe. It’s a basic identity, like baseball or the right to drive cars in America.”

At the same time, other identity discourses portrayed American culture as an example of what Makahs hoped not to become, exemplified by the following abbreviated but poignant quotation:

“We our whalers. We don’t want a Wonderbread culture.”

The aversion to an identity other than Makahness was not limited to the tribe’s disapproval of a national, Wonderbread, American culture. Makahs also highlighted their distaste for global society in 1998 media discourse:

“Our children and our tribe won’t be lost in the computer world of the 21st century, because we have a strong sense of who we are. It’s placing us on solid ground.”

“We quit whaling because we were told to. The whales are back. Whaling is what we do. It’s what our songs and our stories are all about. It’s the way we can maintain a definite distinction between the Makahs and the rest of the world.”

Yet at the same time Makah discourse shamed the trappings of national and global society, the tribe publicly recognized itself as a global player. When one tribal member was interviewed by a Seattle Times reporter on the impact Makah whaling might have on society, his response was simply:

“Quite an impact. The tribe sees themselves as participants in the world.”

In that same year, when tribal members were asked why Makahs were willing to permit a “media boat” for limited sectors of the press, the tribal member replied:

“We don’t want to slam the door in the faces of the rest of the world.”
One might suggest that the tribe contradicts itself by advocating a tribal identity opposed to computers and Wonderbread on one hand, but acknowledging themselves as willing, global participants on the other. Alternatively, it can be deduced that Makahs utilized national and global arenas for more strategic purposes: (1) to rally public support for the Makahs’ case, in order to better secure a tribal, local identity through whaling; and (2) to broadcast their personal struggle in order to support those nations facing similar resource struggles around the globe. A quote gleaned from 1998 news media illustrates this point. While training for the hunt, one Makah was quoted as saying:

"We've just started. We've come full circle and we know who we are. This act (whaling) will inspire native people everywhere."

A close reading of the identity discourse thus reveals that the Makahs recognized the global dimensions of their own resource struggles, and tried to mobilize this process to their advantage.

As the fervor of the whaling debate heightened, however, the tribe’s identity rhetoric also shifted from a general language of identity --- "Whaling is who we are" --- to a more precise discourse that incorporated detailed references to traditional practices and ancestral beliefs. Beginning in 1998, a discourse emerged that explicitly outlined Makah origins and ancestry. Anecdotes such as the following Makah creation story were prevalent in 1998 news pieces:

"Whaling has always been part of us. During the Ice Age, a man went to the mountain to pray for starvation to come to an end. That’s when Thunderbird brought the whales to all the beaches. This changed the Ice Age, brought warmth back to the land. The whales beached themselves for us. They saved the people from hunger."
As the target hunt date neared, Makahs also began to relate spiritual practices that were being performed by whalers in preparation for whaling:

We’re getting into our spiritual potential now, starting to fast, bathing in the creeks and rivers and the ocean. Going out there, it’s like paddling down and seeing my grandpa’s reflection in the water.”

The Makahs’ sharing of such intimate, tribal narratives in news media arrived in sharp contrast to the guarded, legal rhetoric of rights and subsistence employed in 1997. Moreover, the sheer volume of identity quotes during these latter stages was overwhelming. A total of 128 quotations fell into the thematic category of “identity” between the period 1997 and 1999. In fact, the identity rhetoric marks the largest thematic category in Makah related discourse between 1995-1999.

Not surprisingly, some Makahs began to criticize their own people for revealing the essence of Makahness to a detached world. Several Makahs argued that these very personal media disclosures were contrary to the traditional Makah way of deeds, rather than words. But while the tribe defied their own tradition by sharing Makah identity with the world, they empowered themselves in the public eye through the “opening up” of discourse. This navigation away from the sterility of subsistence and treaty rights language, toward the frankness of sovereignty and identity, was also evident in the final rhetoric of Makah media: perceptions of marine space.

6.4.1.5 Perceptions of marine space

It was not until 1998 that references to marine space and tribal perceptions of marine space significantly appeared in Makah related press. Prior to that time, Makahs periodically referenced the marine environment, but not to a significant extent. The
marine-based rhetoric provided an interesting shift in the language of Makah media. In contrast to the guarded discourses of the 1995 media (e.g. subsistence, treaty rights), Makahs began to broaden their language to include personal experiences and perceptions. More specifically, for the first time in the 1995-1999 media, Makahs had publicly acknowledged both the rewards and challenges of working at sea. Most of the initial marine-based discourse included historical references to the sea, such as the following quotation:

“My grandfather whaled and fished off Cape Flattery. The sea has always been Makah. We’ve lived and died there.”

Another tribal member, when asked to respond to the Makah whale controversy, referred to the past:

“During negotiations with the federal government, Tsoo-sel said, ‘Give me the ocean. That is my country.”

Interestingly, most of the Makahs' 1995 recollections of marine space were drawn from a distant history, rather than immediate experiences in Pacific Northwestern waters. This phenomenon, however, shifted during the latter stages of the conflict.

Marine references rose sharply in 1999. This finding is attributed in part to the increasing number of Makah whalers willing to share their experiences with the press as the hunt grew near. Modern whalers began to create their own biographies at sea, building upon the history of their ancestors. Some of these whalers referenced ocean space and its corresponding challenges, adventures, and experiences:

“They say the gray whale can turn like a cat and attack like a dog. We got stealth on the water though.”
"It was a good, rough day on the water. Demanding, but we work as a team without ego."

The above references to marine space were a product of frequent “press conferences” that the media held with the Makah tribe in 1998-1999. Here, whalers and Makah officials would recount the days’ activities to a press that had been starved of information during the formative years of the conflict. In contrast to the initially guarded attitude toward a media presence at Neah Bay, the tribe came to anticipate and prepare for news reporters’ questions. Moreover, the Makahs’ provision of a “media boat” allowed a select group of journalists the chance to view the hunt on the water, if and when it occurred. The relationship between the press and the tribe had shifted dramatically.

Marine-centered quotations were also a direct response to the presence of NGOs stationed in Neah Bay. In this set of quotations, Makahs repeatedly expressed annoyance at the visible imprint that NGO “outsiders” placed on their seascape.

“We wish they would go away. The sea is in our life, our blood, our history. Seeing the Sea Shepherd (in the Bay) in our
waters is an insult. I'm tired of looking at them there.”

“That is our home out there. They have no right to be here.”

Since a great deal of Makah history is tied up in oceanic space, NGO presence in offshore waters was perceived by the tribe as a flagrant “trespassing” violation on tribal territory.

The last significant increase in Makah discourse pertaining to the marine environment occurred on the day of the tribal hunt in May 1999. The majority of tribal quotations from that day specifically referenced the sea, the whale, or the Makahs’ intimate link to leviathan and its oceanic world. Some of the following quotes reflect these tribal sentiments:

“Today the whale gave up its life so that we can remain whalers.”

“Thanks to the whale, our tribe has come full circle back to the sea.”

“We were afraid that people would catch us on our way out, and so we left early this morning. We prayed to the Creator to keep us safe. I saw a shimmery spot on the whale right before the harpoon struck. I knew that the time had come.”

In summary, the large number of references to the sea in late 1998/1999 were a product of: 1) the tribe’s vocal frustration with the NGO presence in offshore waters; and 2) the increased number of Makah whalers willing to engage the media in semi-structured discussions on the hunt. Yet one other critical factor serves to explain the notable increases in the Makahs’ “marine environment” discourse. While training for the hunt, Makah whalers had begun to accumulate their own personal experiences in marine space. Rather than “plagiarize” the experiences of their ancestors, in 1998, Makahs began to narrate their own biographies at sea. The “marine perceptions” discourse was thus rooted
in Makah history, but it was also a product of the present. Makahs mobilized this discourse to recreate themselves as a marine people in the eye of global media, linking the past and the future.

6.4.2 Makah media in contrast: NGO, state, and local discourses

As the tables on the following pages reveal, Makahs were not the only group to use media as a vehicle for representation and protest. Makah related press coverage for the period, 1995-1999 also reveals how the content of state, local and NGO discourses shifted during the course of the whaling debate. A qualitative analysis of these other discourses demonstrates how stakeholders introduced, discarded, and adapted their media rhetorics based on the shifting discourses of other stakeholders. Beginning with the data for NGOs, the subsequent section presents a condensed analysis of NGO, local, and state media discourses between 1995-1999.

6.4.2.1 NGO discourse

Marine NGOs played a leading role in Makah media discourse throughout the course of the whaling controversy. As with Makah discourse, the quotations of NGOs were analyzed, categorized, and graphed along a timeline in accordance with major themes found in the language of their news quotes. Table 6.12 presents the distribution of major themes found within NGO news quotations. Four consistent themes over the five-year period were drawn from NGO quotations, including the following: (1) species rights; (2) global implications; (3) nativeness; and (4) perceptions of marine space. The significant aspects of each theme are discussed in turn.
species rights was a rallying point for environmental NGOs. In 1995, NGOs disproportionately invoked the rights rhetoric in favor of other discourses. Furthermore, as Table 6.13 reveals, both the NGO animal rights rhetoric and the Makah treaty rights rhetoric followed similar trajectories throughout entire the course of the conflict. In its early stages, the NGO species rights rhetoric was succinct in its approach. Gray whales, NGOs argued, possessed clear and certain rights not unlike the rights of humans. The following quotation, extracted from 1995 media, characterizes the NGO discourse on species’ rights:
"The California gray whale, like all mammals, possesses an intelligence equal to, if not in excess of humans. That we have yet to afford whales the same rights as humans — the right to life—is evidence of one of history’s greatest betrayals."

Indeed, both the Makahs’ treaty rights rhetoric and the NGOs’ animal rights rhetoric were argued on similar grounds. Yet the NGO discourse appeared less credible with the gray whale’s removal from the ESA in 1995. In other words, while the Makahs — backed by the Treaty of Neah Bay (1855) — could unequivocally invoke treaty rights in their media discourse, the NGO’s appeal to species’ rights contained no substantive legal backing. In response, NGOs began to criticize the state for what it defined as a “premature removal of the gray from the ESA.” Some groups, such as the Sea Shepherd Conservation Society, called for the ESA to reconsider the gray as threatened.

Yet the NGO rhetoric of rights was not altogether abandoned. Other NGOs shifted their discourse in the direction of “unwritten animal rights.” This rhetoric was embedded
in a language of animal cruelty and marine mammal sentience that relied upon the public's obsession with whales.

"How can we allow the Makahs to viciously slaughter a species that is so much like us? The whale should have rights, for it represents the future of conservation."

From this perspective, the future of the gray whale hinged upon its unwritten right to live. More generally, this excerpt suggests that for NGOs, the fate of the gray whale symbolized the fate of environmental conservation. In other words, by hunting the gray, Makahs jeopardized the life of a mammal and the symbol of a movement.

The species rights rhetoric remained relatively constant throughout the whaling controversy, dropping slightly in 1996, and peaking again in 1997 prior to the IWC meetings in Monaco. At its core, the NGO rights rhetoric was an emotional bid to the public. It was an appeal for citizens to consider equally the rights of whales and their ultimate "stake" in the Makah conflict. It was a logical, inevitable response to the Makah treaty discourse, and a language that was repeatedly invoked throughout the entire course of the debate (see again Table 6.12).

Beginning in 1995, countering claims that local resource rights supercede those of outsiders, NGOs implored the Makahs to consider the "global implications" of their imminent slaughter. References to the hunt's global reverberations soared in NGO discourse, particularly in 1997 as the IWC meetings drew near. By stirring up global sentiment, NGOs hoped to provide a stronger political front against Makah whaling in time for Monaco. The following quotations are characteristic of the "global implications" language employed by many NGOs during that time:
"The Makah whale hunt will have far-reaching consequences for other groups who are looking for excuses to revive whaling. Soon Japan and Norway will claim their intent as being "indigenous."

"Makah whaling will open the door for whaling around the world. We appeal to the Makah Nation (emphasis added) to reconsider the impact of their actions."

The "global impacts" discourse provided an engaging twist, for it challenged the impacts of Makah whaling without directly condemning Makahs. By publicly summoning the assistance of Makahs in the global fight to preserve whales, NGOs positioned the tribe at the intersection of salvation and sin. At the same time the "global" discourse surfaced in media, NGOs quite strategically offered alternative resource options for the tribe, including: support of ecotourism development; assistance to publicly stage a "nonlethal symbolic gray whale hunt"; and outright cash donations. The tribe swiftly reacted with a public declaration that "their treaty rights were not for sale." With the Makahs' entrenched resistance, and the 1998 IWC approval of the Makah hunt, the NGO global impact discourse soon lapsed. NGOs then found it necessary to develop a more appropriate rhetoric to help tackle the Makahs’ nationally and internationally approved whale slaughter.

"Nativeness" is the third thematic category of NGO discourse in Makah related media. The data clearly show that in 1997, NGOs began to challenge the authenticity of the tribe, shortly after the IWC formally approved the Makah whale plan. With the IWC’s firm endorsement, little bargaining power now remained at the international level (i.e. IWC) for NGOs. NGOs had likewise abandoned their hopes of Makahs as allies, and in
response, they began to paint the tribe as definitive foes rather than potential friends. In short, Makah nativeness was soon questioned and challenged. The tribe was portrayed as a disquieting mix of the savage and the modern, as "red" necks with rifles, as cultural relics "playing" Indian.

The nativeness rhetoric began with a critique of the tribes' "traditional" hunting methods, and quickly shifted toward a language that precariously bordered the fringes of racism. Initially, the Makahs' use of the .50 caliber rifle was disputed in NGO media discourse for its "nontraditional" elements:

"Aboriginal hunting? Aboriginals hunted in cedar canoes with mussel tipped harpoons and sealskin floats. The Makahs' slaughter of the gray with a modern assault weapon is by no means traditional."

The .50 caliber rifle was not "traditional" by Makah standards, but it was required by the state in order to ensure a humane and swift kill of the whale. Its use in the hunt made social criticism of the Makah's method inevitable. Moreover, because the whale hunt was now approved by law, it was a logical next step for NGOs to focus on critiquing the method of the kill rather than the kill itself.

The criticism of Makahs' "traditional technology" was anticipated. However, the extent to which NGOs would challenge the tribe's authenticity as natives was unexpected. Yet in late-1997, several statements made by NGOs began to deny that Makahs still maintained an ancestral connection to the past.

"There is nothing traditional about what they're doing out there. I think their ancestors would be ashamed."
These statements struck at the core of the Makah world-view. Makahs viewed themselves as acting on behalf of an ancestral authority that permitted them to proceed with the hunt, and NGOs were publicly discrediting this native link. During the final days of the hunt, the NGO "nativeness" discourse had reached its culmination, as exemplified in the following two poignant quotations:

"We'll mourn for the whale. They're acting like a bunch of redneck hunters having a good time."

"We're obviously very upset that the Makah went ahead with killing an innocent sentient creature in such a bloody and untraditional way. So long as there is murder on the water, there needs to be criminals."

The Makahs had evolved in the NGO mindset from ecologically noble friends to redneck environmental felons.

Perhaps more important than the content of the NGO "nativeness" discourse was its timing relative to Makah discourse. Interestingly, when the Makah "identity" rhetoric ascended in 1998-1999, the NGO "nativeness" rhetoric followed suit. In other words, the more the Makahs used the media as a tool to reveal their tribal identity, the more NGOs mobilized news media to discredit the tribe's Indianness. For the reader, a reexamination of Tables 6.6 and 6.12 will this confirm this point.

Finally, NGO references to the "marine environment" also increased in 1998, as groups like the Sea Shepherd and In the Path of Giants positioned their vessels in Neah Bay in anticipation of the slaughter. NGOs were often quoted in Makah related media on their sea experiences while stationed off Cape Flattery:
"We saw two resident whales today off Cape Flattery. We’ve named one, Buddy. It’s been 40 days now (on the boat). No whales killed."

The vast majority of NGO quotes that comprise this category, however, reflect NGO perceptions on the nature of conflict in Neah Bay waters, and the difficult challenges that the Pacific environment posed. As Makahs increased their training time on sea, physical tensions between environmentalists and whalers mounted, and the inevitable scuffle ensued. Since the whale conflict had moved directly to sea, it seemed natural that NGOs introduced more marine-based references in their discourse. Some NGOs, such as the Sea Shepherd Conservation Society, used the language of sovereignty, war, and strategy to portray Pacific Northwest waters as a military space in conflict. In fact, up until the final day of the hunt, NGOs typically referenced the marine environment in news coverage in the form of whales, water, or war.

NGOs, like the Makahs, publicly created their case against whaling in the eye of the media, using the ocean as a political backdrop. NGO leaders acknowledged the vital role of media in staging the whale controversy, as the following quotes indicate:

"Our most powerful weapon is cameras."

"The best strategy against the hunt would be to let the world see the actual killing. Whatever people believed intellectually would be overpowered by the sheer drama of a public slaughter."

Both of these quotes, articulated by Paul Watson of Sea Shepherd, reflect his recognition of the media as a powerful tool for shaping environmental debates. Ultimately, both NGOs and Makahs realized that they needed a global constituency on their side in order to advance their agendas.
6.4.2.2 Local discourse

Watson could not predict the significant impact that his prophecy would have on public opinion in the Makah case. For this reason, I turn to the results of the local discourse analysis in order to draw linkages between NGO and local rhetorics. As with preceding discourses, the news quotations of locals were analyzed, categorized, and graphed along a timeline in accordance with major themes found in the language of their quotes. Table 6.14 presents the distribution for major themes found within local news quotations during the whaling controversy. Four consistent themes over the five year period were drawn for local quotations, including the following: (1) local rights; (2) global implications; (3) social justice; and (4) nativeness. Each theme is discussed in turn.

Table 6.14 shows that in 1995, “local rights” and “global implications” both began as dominant local discourses. I turn first to a discussion of the local rights discourse. To
begin, embedded within 1995 local media was the general sentiment that whaling
activities jeopardized both the livelihoods and lifestyles of local peoples. There are two
points here that require further explanation. First, within print media, many locals argued
that gray whales migrating off the coast of Westport represented a source of tourism
revenue for the region. Because of the Makah reservation's close proximity to Westport,
however, many locals argued that nearby whaling activities would endanger the
community's potential as a lucrative whale watch site. The following quote provides one
element of this rhetoric:

"We thought about whale tourism in Westport. But now, with this mess (gray
whale hunting), no one would come near the coast. Everyone is talking about
Makah rights but what about ours."

Ultimately, these locals believed that Makah whaling effectively endangered their right to
establish and maintain livelihoods in Westport.

Secondly, local peoples also argued that whaling activities might place their own
participation in coastal whale watch excursions at risk. The following statements, made
by two Washington locals in mid-1995, reflect this particular rhetoric:

"If the Makahs hunt gray whales, it will affect the quality of Washington's whale
watch tours. Whale tourism is one of our biggest industries. Whales will get so
used to the canoes and then they'll be scared away from the tour boats. You know,
we have as much a right to see the whales as the Makahs have to hunt them."

"The Makahs are in no position to harpoon whales. Whales should be left for the
children of the future, so they can see whales in their natural environment, the
same way I did. My kids deserve the right to touch a whale out on the open sea."

At first glance, these quotations suggest that Washington citizens are simply defending
the cultural and economic benefits of whale watch tourism. I argue, however, that these
quotes reflect the ways in which local people attach consumer rights to gray whale resources. Phrases such as, "we have a right to see whales", or "my kids deserve the right to touch whales" are fundamentally tied to conceptions of consumerism. This point draws from the argument made by Urry (1995) that in recent years, consumer rights have increasingly expanded into the environmental context in the form of tourism. The fact that local peoples have contested their rights to gray whale resources in Washington shows that the consumer rights rhetoric has extended into marine environments as well. Clearly, the local rights discourse, particularly as it applies to consumer rights to "nature", provides an interesting avenue for future scholarly inquiry. Unfortunately, the results of this media analysis provide too small a sample size to draw any broad theoretical conclusions.

While the local rights rhetoric was abundant in 1995, it fell off sharply in 1996. Yet it 1997, it began its second ascent. I suggest that the regeneration of the local rights discourse in 1997 was in direct response to the IWC's resolution on the Makah whale harvest. Recall that in 1997, Makahs received IWC consent to begin their hunt. Presumably, as locals received word of the IWC decision, their concerns that whaling might impact both local livelihoods and lifestyle resurfaced in the press.

Also in 1995, local references to the global dimensions of the gray whale hunt soared in news coverage (see Table 6.14). Local people pointed to the inevitable rippling effect that Makah whaling would have on other tribes and indigenous peoples that hoped to resume whaling. This prediction was fairly accurate, for when the World Council of Whalers (WCW) met in 1998, the committee called for a unification of indigenous
whaling forces around the world. During the course of the meetings, the WCW publicly acknowledged the Makahs for serving as a global model for indigenous whaling nations (WCW proceedings 1998). The fact that both Norway and Japan sent representatives to the meeting increased citizens' alarm.

But not all locals stood in direct opposition to the hunt. In numerous letters to the editor, it was evident that locals saw Makah whaling within a larger context of social justice. As Table 6.14 reveals, much of the local discourse fell into this third thematic category. In these quotations, locals argued that NGO opposition to Makah whaling was both “unjust” and “unfair”. For instance, concerned locals often compared the actions of NGO/anti-whaling activists in Neah Bay with the historic behavior of the U.S. government. The following quotation, extracted from a letter to the Seattle Times editor, provides a general sense of local peoples’ frustration with the historic treatment of Native Americans:

“You want the Makahs to cease whaling? Then give them back the land we stole from them over 100 years ago. We took everything from the Makahs. The ocean is theirs.”

Within this discourse, there is a sense that Makahs “deserve” what is “legitimately” theirs.

Other references to social justice were directed at the inconsistencies within the anti-whaling rhetoric. If NGOs were adamantly opposed to the cruelty of Makah whaling, some locals argued, then they should also contest slaughterhouses, leather purses, or meat from shrink-wrapped packages. As one local from Sequim argued:

“Anybody other than a vegan is in no position to oppose the Makahs.”
Interestingly, local references to social justice never peaked during the controversy, but remained constant across the five-year period. In contrast, the extreme number of references to “local rights” and “global implications”, were quickly eclipsed by the fourth discourse of “nativeness.”

Nativityness represents the most theoretically compelling among the local discourses generated during 1995-1999 period. It began a slow ascent in 1995 and peaked sharply in 1998, shortly after NGOs discredited the Makahs’ “Indianness” in news media. The strong parallels between the timing of the NGO “nativeness” discourse and the period in which local “nativeness” rhetoric emerged are remarkable (see Table 6.15). Presumably, local people read and interpreted NGO discourse in electronic and front-page news media. In response, they adopted or modified the NGO stance on whaling. The following quotation from one Seattle local reflects this sentiment:

“Sea Shepherd is only trying to save whales. I wish these guys (Makahs) would get with the 20th century. The Makahs are not acting like their ancestors, who lived in harmony with the environment, using only what they needed. The Makahs, with their supermarkets and cars, no longer need to kill a being as sentient as our mammoth whales.”

As the above statement indicates, locals, much like NGOs, had constructed an image of the authentic Makah native. Antiquated yet untraditional, barbaric yet modern, the modern Makah was not a bona fide Indian. Moreover, the ancient Makah was characterized as the quintessential Indian. In contrast to the modern Makah, locals argued, the ancestral Makah was the more conservative, wise, and ecologically noble of the two.
Indeed, Watson's contingent was keenly aware of its ability to shape environmental debates, using the camera as a refined weapon. Yet while NGOs helped to frame and fuel local articulations of "nativeness," environmentalists did not give birth to anti-Indian sentiment. Rather, the production of the local nativeness discourse was conceived long before the intrusion of NGOs in Pacific waters. A series of fierce invectives, derogatory comments, and outright threats to Makahs revealed that racism in the Northwest was a present reality, not an unfortunate but forgotten historical circumstance. The following page presents the most extreme examples of racism and prejudice drawn from local news coverage during the Makah controversy. Though shocking in their flagrancy, they are precise quotations derived from modern newspapers in the "civilized" world. I provide several excerpts in order to stress the abundance of anti-Indian sentiment in modern society.

"I have to say that enough is enough. We are now almost in
the 21st century, and if the Makah are not willing to live in this
time period, then that's just too bad! No one is responsible anymore
for their alcoholism, their inability or unwillingness to adjust to the
world the way it is, except them. The real beasts are those on the
land trying to kill innocent living things for no good reason at all."

"To the Makahs: maybe you can try just as hard at getting an
education as you did training for the kill. Why don't you start
a new tradition: take pride in yourselves. And work for a living
instead of finding your courage in the death of a defenseless
animal or at the bottom of a bottle."

"They are a modernized welfare race. I personally hate the Makah
tribe. I hope and pray for a terrible end to the Makah tribe, slow
and painful."

"These people want to rekindle their traditional way of life by
killing an animal that has probably twice the mental capacity
they have. These idiots need to use what little brains they have to
do something productive besides getting drunk and spending
federal funds to live on."

"I have a very real hatred for Native Americans now. It's embarrassing
but I would be lying if I said it wasn't the truth. What do you think
will be my private thoughts deep inside my brain when a Native
American drops off an application for a job with me?"

"I am anxious to know where I can apply for a license to
kill Indians. My forefathers helped settle the west and it
was their tradition to kill every Redskin they saw. The only
good Indian was a dead Indian, they believed. I also want to keep
with the faith of my ancestors."

"Natives were often referred to as savages, and it seems that little has changed.
God Bless America and all those members of the Makah tribe
who once again were successful in resurrecting latent feelings
of racial hatred."

Many of these quotations were extracted during the days preceding and following the
Makah whale kill on 17 May, and therefore reflect the emotionally fueled language of the
period. Nevertheless, the collective message was clear: Responsible for their own
despair, the cruel, savage, alcoholic, unintelligent, federally dependent Makah had not only slaughtered a sentient whale, but in the process, restored a certain violence and hatred for their own race. Makahs were thus deemed both perpetrator and victim in their own “desperate” state.

In summary, at the same time the Makahs were “opening up” their identity to the world, defying the Makah Way, their personal disclosures were being replaced by the public’s own manufacture of the native Makah. Steeped in a history of Pacific Northwestern anti-Indian sentiment and fueled by NGO “nativeness” discourse, locals denounced Makahs for their lack of authenticity. In short, this “modern welfare race no longer behaved like the ecologically noble savages we once knew”. The above local data thus reveal how NGO and local stakeholder groups shaped the course of the Makah whale debate, while constructing an image of the appropriate “native”.

As outlined in chapter four, racism is firmly entrenched within the history of the state. In the 1800s, governing bodies like the BIA crafted policies to save and civilize the savage Indian. Today, an examination of state discourse reveals the contemporary ways in which the federal government controls and articulates Indian affairs. This section also serves to bring the media results presentation to its conclusion.

6.4.2.3 State discourse

Finally, state discourse in Makah news articles was analyzed, categorized, and graphed along a timeline in accordance with major themes found in the language of their quotes. Table 6.16 presents the distribution of key themes gleaned from state news quotations in 1995-1999 Makah press. Four consistent themes over the five-year period
were drawn, including the following: (1) treaty rights; (2) global policy; (3) science; and (4) tribal protection. A cursory look at the data reveals that together, “treaty rights”, “global policy”, and “science” references comprise a significant portion of state discourse during the initial years of the whaling controversy, while “tribal protection” did not emerge until the close of the conflict. These thematic categories will first be explained, and then compared in relation to the discourses of other stakeholder groups.

First, the state’s inclination to reference treaty rights in news media reflected its role as guardian in the federal-trust relationship with tribes. The easily reproducible language of treaty rights remained one of the state’s most consistent arguments in support of the Makah, exemplified by the following quotation:

“We uphold the treaty of Neah Bay and support the efforts of Native Americans like the Makahs.”

The state’s rhetoric of treaty rights seldom wavered during the course of the debate. Though its presence fluctuated in conjunction with the timing of the IWC meetings, seldom did the language of rights deviate. Rather, the state consistently portrayed the
Makahs' *Treaty of Neah Bay* as a legitimate, impermeable legal document, exempt from dispute.

Secondly, in 1995 the state referenced "global policy" issues at the outset of the gray whale debate. The IWC, the global moratorium, and the potential impact that Makah whaling held for these institutions were frequently mentioned in state discourse. The following quotation reflects the extent of federal support for the Makah tribe at the international level:

"We go before the IWC this week to request international approval for Makah whaling. We respect the global moratorium on whaling, but argue that Makah whaling falls within IWC exemptions for aboriginal need. We ask the international community to consider the proposal."

Interestingly, in these initial periods, the Makahs were portrayed by the state as a collective "we" rather than a "they"; the state was the tribe. Though state support served to strengthen the Makah front against a growing NGO opposition, it weakened the tribe's ownership of the whaling process because the state defined the method and procedure of the hunt.

The third discourse that emerged during the formative years of the controversy involved the state's appeal to science in its support of the Makah plan. References to "stock assessments" and population models were employed in order to assure the world that the Pacific gray had reached "sustainable" levels, and its removal from the ESA was thus warranted. With the Makahs' "limited" take of "five" grays per year, the "population" was in not "statistically" in danger from the impending "harvest." In contrast to NGO characterizations, the state portrayed the gray as a known, quantifiable
"resource" rather than an indefinable, conscious, being. The state's employment of the "science" rhetoric began as the most significant rhetoric of 1995 (peaking at 23 quotes), plummeting to a total of 4 quotes by 1999. At this time, other discourses also faded. After the Makahs were granted the right to whale by the IWC, state references to "global policy" also diminished. Because the IWC had already approved the hunt, the state reduced its international appeals in support of the tribe. And though the treaty rights rhetoric remained steady, its representation was nominal compared to the sharp increase in the fourth theme of state discourse, native protection.

The theme of "tribal protection" emerged in state discourse early in the debate, but mounted in 1998-1999 in reaction to the heightened tensions at Neah Bay. As Makahs felt the threat of an NGO occupation, federal agencies like the National Guard and Coast Guard moved in to protect the tribe. As chapter four revealed, actual violence between the Makahs and NGOs was rare. However, it was the threat of physical conflict that convinced the state to keep close watch of Neah Bay. Federal actions to protect the tribe from "potential threats" were fiercely criticized by the citizens of Washington. For instance, when the state employed 800 National Guard troops to safeguard the tribe's annual Makah Days celebration, citizens raged at its cost to taxpayers: $751,000. The federal government's response to local discontent hinted at its commitment to protect the Makahs at the expense of public dissatisfaction.

"We sent troops to Neah Bay for Makah Days, yes. We do not anticipate trouble, but we plan for it. It is our job to protect the tribe in their efforts to engage in cultural activities under treaty law."
It was never made clear whether the term, 'cultural activities' was a direct reference to Makah Days, or the state's indirect allusion to Makah whaling. In either case, the federal government's willingness to protect the sanctity of the Makah Days celebration was evident in quotations such as the above.

The state continued to employ the "native protection" rhetoric following Makah Days, particularly as the hunt drew near. The Coast Guard, federally mandated to protect the tribe, was also vocal throughout this latter period of the controversy. For instance, when scuffles ensued between NGOs in Neah Bay and Makah hunters on practice hunts, the Coast Guard physically intervened to mediate potential problems. The Coast Guard's undivided support of Makah whaling was apparent in their abridged sound bites to the media, as the following quote indicates:

"In the event that protesters try to interfere with the Makah hunt, the Coast Guard is legally responsible for ensuring a 500-yard exclusionary zone around the tribe. We will enforce this zone."

Clearly, the Coast Guard did enforce the exclusionary zone, and as such, was able to physically protect the Makahs from anti-whaling opposition up until the final days of the hunt. During this latter period of the controversy, federal management bodies like the Coast Guard and National Marine Fisheries service had become informal spokespersons for the state. It seemed appropriate that the role of media spokesperson was relinquished to local, federal management bodies that were in greater proximity to the conflict.

In late 1998 - early 1999, the state's use of the "tribal protection" rhetoric was a response to NGOs' planned blockade of the hunt. As NGO and local nativeness discourse increased, the state employed its "native protection" rhetoric in order to protect the tribe
and fulfill its federal trust responsibility. Indeed, the discourse of protection remained the most dominant of all state rhetorics up until the conclusion of the hunt.

The Makah whale hunt was televised live in Seattle on the morning of 17 May 1999; by that afternoon it had reached networks throughout the nation and the world. While the broadcast hunt provoked an initial flurry of responses from the tribe, NGOs, local people, and to a lesser extent, the state, after 23 May media discourse related to the Makahs had all but evaporated. Within two weeks, the Makahs were no longer deemed newsworthy by Washington newspapers (let alone national coverage), evidenced by the fact that prime coverage had abruptly switched to more pressing national and global issues. I now turn to a summary discussion of the media results.

6.5 Summary discussion

Results of the media analysis are summarized by three major points. First, an analysis of the dominant subject matter of 20th century Makah related news media reveals the evolution of major resource struggles at Neah Bay. The news data for this period outline four major historical epochs on the Makah reservation, including: (1) 1900-1950: federal policies; (2) 1960-1970: fishing rights cases; (3) 1971-1990: Ozette/cultural revitalization; and (4) 1990-2000: the whaling debate. The domination of time periods by singular themes, such as fishing rights or whaling, (see Table 6.2) indicates that media consistently cover the extremes of Makah life: its triumphs, tragedies, struggles, and pitfalls.

Second, a quantitative analysis of quotations from Makah news coverage reveals the shifting distribution of stakeholder "voices" in Makah conflicts. While the state and tribe
were the only groups represented in Makah media between 1900-1970, beginning in 1970s, two things occurred: 1) Makah rhetoric eclipsed that of the state, and 2) other "stakeholder" groups began to enter the verbal fray. Though this in part indicates the evolving nature of the federal-tribal relationship, it also highlights the articulations that result when multiple stakeholders intrude upon local resource struggles.

Finally, through a thorough qualitative exploration of 1995-1999 Makah news coverage, I assess and graph the content of news quotations in order to understand the shifting nature of stakeholder discourse. A detailed analysis of Makah quotations, for instance, reveals that Makah rhetoric in the gray whale conflict evolved from the sterile language of treaty rights, to a more "open" dialogue of sovereignty, identity, and perceptions of marine space. Furthermore, the changes in Makah rhetoric were as much a product of the tribe's own struggles over the meaning of whaling, as they were a reaction to the dominant, developing discourses of other stakeholders.

In contrast, the abridged presentation of NGO, local, and state discourse was also fruitful, for it too showed the complex ways in which stakeholder discourses were modified or recast to counter competing rhetorics. Thus when the NGO discourse of animal rights and global impacts failed, NGOs employed the nativeness card, challenging the authenticity of the Makah people in an attempt to destroy the hunt. The local discourse also evolved throughout the debate. Though the local rhetoric was fueled by the NGO's authenticity argument, it was not a direct product of environmentalist rhetoric. Instead, the fierce local invectives that deemed the Makahs "savage, cruel, and unintelligent" were painful evidence that racism was not a historical remnant but a
practical reality in the Northwest. Finally, the state’s consistent dialogue revealed its role as guardian, steeped in the language of treaties and federal-trust doctrine, and driven to the task of tribal protection by the mandate of law.

**Theoretical implications**

This chapter also contains two important theoretical implications. First, the data show that media serves as a symbolic space in which resource struggles are contested. I argue that while the Makah whaling conflict was fought in Pacific marine space (i.e. material), the controversy also transpired within the space of print media (i.e. symbolic). At sea, NGOs and Makahs struggled over the fate of the gray whale using vessels and weapons. In the press, NGOs and Makahs contested the fate of the gray whale using both text and image. Together, these mediums – both media and marine space – served as dominant sites in which the struggle over gray whales played out.

Secondly, this chapter illustrates that marginalized groups may challenge territorially imposed boundaries by using media to shift across geographical scales. I do not mean to suggest, however, that social conflicts can completely transcend their material base. Indeed, Makahs are physically stationed in one of the most isolated regions of the Pacific Northwest. Nevertheless, I show that between 1995-1999, the tribe used print media to reframe their locally-based conflict within global terms. In doing so, Makahs managed to enter the global arena and challenge the limits of their geographic boundaries. Following Adams (1996), I argue that media provided a means for Makahs to contest the social production of scale. In other words, Makahs showed that they were only “bodily trapped”
in the Pacific Northwest (Adams 1996). Print media presented the tribe with an alternative space, besides the reservation, in which to contest their rights to whale.

Third, this chapter highlights the need for future theoretical work on the discourses of "consumer rights to nature." Traditionally, animal rights advocates have framed nature protection in terms of species rights. Yet in many cases, market and consumer forces are driving forces in the movement to preserve and protect wildlife. As the section on local discourses reveals, whale watch tourism provides one case where nature is not simply protected "for its own sake." Nature tourism also supplies the "visual" and "aesthetic" demands of consumer culture. An exploration of the "consumer rights" rhetoric --through the use of media, survey, and interview data --would help to illustrate these recent developments in western attitudes toward nature.

In essence, chapter six has presented a content analysis of Makah media coverage. In contrast, chapter seven will examine both participant observation and semi-structured interview data for their insights into my study's sub-research questions. I now turn to the final set of data.
7. PARTICIPANT OBSERVATION/INTERVIEW DATA

Turf – colloq. "one's own home territory; an area of activity, operation, influence; a territory, space." (Concise Dictionary of Slang/Unconventional English 1994)

7.1 Introduction

This chapter presents the results of both participant observation and semi-structured interview data. I have employed these methods with two distinct objectives in mind. First, I examine the "space of the sea" from the perspective of the Makahs. Here, I use interview data to flesh out the ways in which Makahs have constructed marine space (e.g. economically, culturally, and politically) as a distinct tribal place. I show that Makah whaling activities must be seen as but one part of the tribe's larger movement to reclaim control over both marine "turf" and sea-based traditions. Second, I highlight the ways in which the spaces and struggles of Makah society have been transformed. Indeed, previous chapters have covered this second topic in depth. This chapter differs, however, in that it uses anecdotal evidence to expose the tribe's perspective on the relative role of outside forces in shaping Makah affairs. Third, I present Makah views on the consequences of the gray whale controversy. I show, on one hand, how the tribe's sea-based "cultural resurgence" unleashed a wave of anti-Indian sentiment in the Northwest. At the same time, I conclude that extant racism has not arrested their movement to reorient themselves toward marine space. I now turn to the interview data.

7.1.1 Interview procedure

The study's original set of interview questions illustrates the extent of my inexperieince working with Native American tribes in the United States. Drafted in 1997,
the first series of questions was overly journalistic in style. This resulted in a set of responses as terse as the questions. After a number of iterations, I discovered that the richest results were the product of open-ended, in-depth discussions rather than structured interview questions. During my final trip to Neah Bay in June-July 1999, I audio-taped a total of 55 interviews coinciding with this more flexible format. The results were overwhelming. While some interviews lasted thirty minutes, many continued for two to three hours. This large volume warranted the use of 23 full 90-minute audiotapes in order to ensure accurate and reliable coverage of responses. Working eight-hour days, transcription of the tapes covered three weeks, and resulted in 140, single-spaced typed pages of text. In addition to the audiotape, interview notes were recorded in the event of unforeseen audio disasters, some of which inevitably occurred (i.e. dead batteries). An assistant was present in all but ten of the 55 interviews. Her status as a native Hawaiian served to further enhance our entree into the community. Familiar with the native sovereignty movement in Maui, she was able to draw parallels between the Makah struggle and the Hawaiian context, forging an invaluable atmosphere of kinship and comfort.

The June interviews were predominantly directed at the pulse of the community using a "snowball" sampling technique (Smith and Kornblum 1996). In other words, at the completion of each interview, the interviewee was asked to recommend another person who might be interviewed. This strategy proved fruitful, for oftentimes, the present interviewee delivered us to the front door of a potential participant. In general, the study targeted those persons engaged in the "movement" of cultural revitalization: whalers,
fishers, weavers, artists, carvers, linguists, dancers, drummers, and educators. Together, Tables 7.1 and Table 7.2 illustrate the demographic results of my sample population, including age, sex, “role” in cultural revival movement, and occupation of interviewees. As Table 7.2 illustrates, Makahs possess multiple vocations, some paid and unpaid. While some vocations are considered simply as a job, others are viewed as a "trade" that is vital to Makah culture.

7.1.2 Interview analysis

A core list of interview questions was devised to correspond with the study’s main objectives (see chapter three). During interviews, however, participants were not restricted to answering specific questions. While all respondents were asked the same set of questions, the open-ended, semi-structured format of the interview enabled interviewees to elaborate further on their particular areas of interest, experience, and expertise.

The texts of interview transcripts were analyzed and categorized based on interviewee responses to the semi-structured questions. I then searched for common themes, insights, and threads among interviewee responses in order to flesh out my central conclusions. I did not, however, quantify all the results of the interview data. In contrast to the media results, I found that most of the semi-structured interview data did not lend itself well to rigid quantitative analysis. Reduction of interview data to numerical values would form a misleading and incomplete picture due to the complexity and richness of the stories and ideas expressed by the Makahs.
Table 7.1
Interview Demographics: Age and Sex

<table>
<thead>
<tr>
<th>Age</th>
<th>Female</th>
<th>Male</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 18</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>20-30</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>30-40</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>40-55</td>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td>55-above</td>
<td>7</td>
<td>5</td>
</tr>
</tbody>
</table>

N = 55

Table 7.2
Interview Demographics: Trade/Occupation by Sex

<table>
<thead>
<tr>
<th>Trades of Cultural Revival</th>
<th>Female</th>
<th>Male</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Artist</td>
<td>15</td>
<td>10</td>
</tr>
<tr>
<td>2. Carver</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>3. Weaver</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>4. Singer</td>
<td>2</td>
<td>15</td>
</tr>
<tr>
<td>5. Drummer</td>
<td>2</td>
<td>13</td>
</tr>
<tr>
<td>6. Canoe paddler</td>
<td>4</td>
<td>10</td>
</tr>
<tr>
<td>7. Cultural teacher</td>
<td>7</td>
<td>4</td>
</tr>
<tr>
<td>8. Linguist</td>
<td>7</td>
<td>4</td>
</tr>
<tr>
<td>9. Whaler</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>10. Trad’l fishing</td>
<td>3</td>
<td>16</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>General occupations</th>
<th>Female</th>
<th>Male</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Tribal offices</td>
<td>10</td>
<td>9</td>
</tr>
<tr>
<td>2. Commercial fishing</td>
<td>10</td>
<td>8</td>
</tr>
<tr>
<td>3. Student</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>4. Unpaid domestic</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>5. Child care</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>6. Small business</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>7. Retired</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>8. Unemployed</td>
<td>7</td>
<td>5</td>
</tr>
</tbody>
</table>
Exemplary interview segments are included within the chapter's sub-sections. Names of interviewees are not provided in the manuscript in order to guarantee tribal members' privacy. Again, quotations are intended to represent common themes found within the Makah interview data; interview quotes do not "stand alone." Rather, exemplary interview segments were chosen for the way in which they represent the perceptions and values of the sample population.

Two major sections follow this paragraph. The first commences with a detailed treatment of the tribe's sea-based conceptions. In this section, I describe the ways in which Makahs have socially constructed marine space. At the same time, I show how commercial groups, the state, and NGOs have transformed the spaces and struggles of Makah society. The second section explores, from the tribe's perspective, some of the immediate consequences of the Makahs' sea-based cultural resurgence. Within each these sections, the results of participant observation have been included at appropriate junctures in order to enhance the presentation of interview results. I now turn to the first section.

7.2 Tribal Conceptions of Marine Space

Both interview and participant observation data demonstrate that Makahs draw a wealth of "material" (e.g. food) and "symbolic" (e.g. artistry) resources from the Pacific Ocean. In the following sub-sections, I use this data to flesh out the tribe's historic and contemporary conceptions of the sea. In particular, I expose the economic/cultural (e.g. fishing and whaling industries), cultural/religious (e.g. artistry, song, and dance), political (e.g. mapping, environmental protection), and terrestrial (e.g. architecture, settlement pattern, land-based representations) connections between Makahs and marine space.
7.2.1 Economic/cultural linkages:

During interviews, respondents were first asked a series of open-ended questions about the history of the tribe’s maritime industries. Individual questions focused specifically on two of the tribe's most important sea-based economies: fishing and whaling. I included the whaling-related questions within the interview design for obvious reasons. Clearly, the tribe’s movement to revive their traditional whaling activities was the fundamental impetus for my case study. Thus, I felt it was important to the study to ask Makah respondents about their whaling history, traditions, and rights.

But interviewees were similarly asked a series of questions about their historic fishing economies (e.g. salmon and halibut industries). This set of questions, on the other hand, was designed in order to help situate the tribe’s contemporary movement to revive whaling within the larger context of their historic sea-based traditions. Indeed, as chapters four and five reveal, Makah fishing activities have played a crucial role in the tribe’s historic maritime economy. Fishing, then, served as another vehicle, besides whaling, which enabled the tribe to connect to the sea. In this vein, the inclusion of fishing-related interview questions is designed to provide a more complete picture of the ways in which Makah respondents envision marine space and the activities therein.

In general, interviewee responses to both fishing and whaling questions mirror the data found in the historical and the media analysis chapters. Despite this overlap, interviewee anecdotes are unique in that they provide more intimate details about Makah maritime activities and economies. To further illustrate this point, I turn first to the results of the fishing-related questions.
7.2.1.1 Fishing

Interviewees were asked a number of fundamental questions about their fishing experiences and attitudes. The core questions are listed as follows: What can you tell me about the history of Makah fishing? How has fishing changed over the past 100 years? Do you or your family fish? Why do you fish? What do you know about the fishing activity of your ancestors? Do you see yourself as having a right to fish? What do you see as your (or your ancestors) most memorable fishing experiences? Based on these open-ended inquiries, four major topics of discussion resulted. I have categorized these as follows: a) traditional fishing; b) impacts on the tribal fishing industry; c) fishing rights; and d) fishing experiences. Each is discussed in turn.

Traditional fishing

Historical archives revealed that Makahs have relied upon fishing activities as the mainstay of their economy since precontact times (see chapters four and five). Indeed, interview results also confirm the important role of fishing in Makah history. In particular, references to "traditional" fishing, or the "way people used to fish" formed a substantial portion of interviewee discussions (82%). Furthermore, while numerous sub-themes surfaced within discussions on traditional fishing, an overwhelming number of interviewees singularly referenced the traditional halibut harvest (77%). Therefore, the importance of halibut fishing to the Makah people is addressed here in greater detail.

When interviewees spoke of traditional fishing methods and experiences, the halibut surfaced as a major symbol of Makah pride. The halibut, some interviewees explained, played an important role in the tribe's historic social structure (72%). In the
following quotation, one ex-commercial fisher describes the significance of the halibut in everyday social life:

"I came back from fishing one day and I pulled up to the docks, with a boat full of halibut. An elder was sitting on the dock. He sees my boat of fish, looks at it, and says, "I'll take that one and that one." Those were the best fish I had. And that's just how it worked. No questions, no big deal. By distributing fish, we redistributed our wealth. Not only that, but it kept everyone in their place."

Halibut was also seen as a key resource because of its use in the ceremonial potlatch, where it was similarly distributed among tribal members as a way of "gifting." Much like the gray whale, although to a lesser extent, the halibut was a central feature in ceremonial practices, artistry and song.

Other interviewees took pride in their sophisticated methods of harvesting halibut (43%). Many fishers, for example, who could recall the "glory" of the halibut period praised the "unrivaled and unparalleled fishing gear" used to catch halibut. The vast majority of references specifically address the strategic use of the "chabooz" fishing hook for its success in "ensuring a large catch". When asked about traditional Makah fishing, one fisher shared his perspective on the role of the chabooz in the halibut harvest:

"I had a good feeling fishing halibut, probably because it was the old Indian way with the hand lines and everything. We fished with chabooz, Indian hooks, right out of canoes. It was extremely hard work, not easier than the other ways I fished. But I sure enjoyed doing the halibut, and because -- at the end of the season we'd go out again, and catch another boatload and come back. Because we always had our boats, and we'd dry the halibut and the halibut would last through winter. We'd have great big boxes of extremely hard, dried halibut. And halibut, is such a good, good fish. It never loses its taste, better than salmon."

Makah fishers continued to use the chabooz hook to catch halibut up until the 1950s, long after the state tried to reorient the tribe to modern methods. Unlike other sea-based traditions, halibut fishing was able to persist on a small-scale into the 20th century. Some
elders suggest that the tribe’s reluctance to replace halibut hooks with newer hooks represented the Makahs’ “trying to hang on to their Indian way, right to the end.”

In short, the fact that Makahs disproportionately mention halibut in their interview references to “traditional fishing” is not altogether astonishing. For the Makahs, the ‘halibut’ represents a historical enterprise based on the “way fishing used to be” in Neah Bay. In contrast to some of the tribe's contemporary economies (e.g. tourism), the halibut harvest enabled Makahs to utilize traditional technologies (e.g. chabooz) and preserve the integrity of their social structure (e.g. “gifting” of halibut).

In the recent wake of the gray whale controversy, rumblings of a “halibut revival” have reverberated in fishing circles throughout the community. In fact, some Makahs have made efforts to recreate the traditional chabooz hook. Such efforts suggest that Makah whaling is just one part of the tribe’s larger movement to revive sea-based traditions and reclaim control over their customary turf. As one tribal fisher explained:

“Yeah, we brought whaling back, proved it wasn’t dead. But halibut, aaah halibut. It’s not as if halibut fishing is dead either. And it’s not as if there aren’t halibut out there in the ocean. Those scientists don’t even know what’s out there. I seen them out there. I know where they are. And the halibut hook, we know how to make those! It’s simple but effective, and I don’t see why more of us don’t go back to that type of fishing. I’ve started to make the chabooz hook myself. I want to catch some halibut. It’s funny, you know, people think it’s just a fish. But it’s more than that. It’s part of the way our community worked, the way halibut were given away to elders and other families, like the whale.”

The plan to "go back to" traditional fishing illustrates that the tribe's "cultural renaissance" manifests itself in many different forms (e.g. whaling, fishing, weaving).

But despite plans to revive the halibut harvest, Makah respondents still recognize the constraints imposed upon them by the Northwest fisheries crisis. By the 1970s, it became
clear to the tribe that non-Indian commercial fishers had “devastated offshore halibut stocks.” And halibut were not the only species targeted by non-Indians. During interviews, Makahs repeatedly cited the ways in which commercial fishers had “damaged” coho, chinook, chum, and Pacific salmon populations as well. Because interviewees spoke of the "impacts on fishing" quite frequently, this theme is discussed in greater depth in the next section.

Impacts on fishing

Chapter five discussed the ways in which external forces (e.g. commercial, state) constrained the fishing economy of the Makahs. Interview results are unique, however, in that they present the tribes’ perceptions of these impacts. In general, interviewee references to fishing "impacts" or "changes" fall into three different categories. Some Makahs shared anecdotes about the decline in the salmon industry and its effect on personal, economic livelihood (64%). Others invoked a tone of blame, implicating commercial groups, for instance, for their abusive impact on the Pacific fisheries (46%). Still others ascribed the dire state of the fisheries to the absence of Indian world-view in fishing policy (47%). Each theme is discussed in turn.

First, downcast tales of fishermen forced to sacrifice their jobs due to economic hardship carved an indelible mark upon the interview results. Elders, middle-aged fishermen, and upstart 20-somethings shared the disquieting ways in which their fishing experiences had been staved off by the collapse of salmon stocks, stricter fishing quotas, and increased commercial competition. One of the most poignant accounts of the crisis in the tribal fisheries was drawn from an interview with a “retired” Makah fisher.
"I think it was about '96 but it was just bad, you know. We lost everything. And after that year I was just like so physically tired that I got sick. I had a wife and child on the way, and I knew I had to do something to take care of them. And at that point, there's no turning back. There's no way I was gonna go and do that. Like I can say now that I am retired from fishing, commercially, and I'm only 24."

Interview results revealed how tribal fishermen, both "young" and "old", were forced to move into deeper waters for fish or retire from the industry altogether. But deep-sea fishing required newer vessels and more sophisticated technologies. With little capital or credit to buy larger boats, Makahs explained that fishers "opted for early retirement" from the sea or chose to segue" into an "alternative" trade (e.g. construction, carpentry).

A second sector of interviewees denounced structural forces for their role in altering the fisheries resource base. "Non-Indian fishers", the "feds", and "commercial loggers" were each implicated in Makah discussions on the detrimental transformation of the fishing industry. These narratives abound, and are too numerous to fully present here. (For a detailed look at the role of structural forces in the Northwest fisheries crisis, see chapter five). One exemplary account, however, characterizes the way in which these structural forces (e.g. commercial fishers, loggers, and the state) interacted with the tribe's own agency to produce current conditions:

"The decline in the salmon --It’s due to many things. The destruction of habitat on the rivers, logging, commercial fishers, federal quotas, you name it. Because the tribal agency made our sacrifices in the fisheries up here. We let all these King salmon go by, uh for the upper Puget Sound rivers and so we sacrificed every year for 15 years..And there was no improvement in that escapement in that species of fish. So with all our sacrifices in the fisheries and everything, there was something wrong with their waters up their where the fish are going. And of course the price of salmon was dropping because of the competition of Atlantic salmon. When I started out, they maybe had 10% of the market. They’re up to 60% now. They accomplished their goal. Our salmon is behind them, we can’t get the price they do now."
Interviews with Makah fishers, ex-Makah fishers, and even non-fishers revealed criticisms in consonance with the excerpt above. Collectively, the central theme of these criticisms was clear: The Makahs had done their part to save the fisheries, but control over the crisis was not in their hands.

Other Makah dialogues were more hopeful in tone. These interviewees spoke of the ways in which the tribal fisheries might be "restored", "rejuvenated," "healed," or "saved." The majority of these respondents pointed to "traditional world-view" as the "best solution" for healing the commercial fisheries. Interviewees frequently called for a return to the "Indian way" of "traditional resource management," beseeching other industries (e.g. logging, fishing) to utilize "environmentally-sound practices" in order to "rescue" fish stocks. The following quote, in particular, elucidates one interviewee's view on the potential of TRM systems versus the pitfalls of the derby-style quotas:

"You know, about this quota system we got tied up in. I guess, it's kind of like, if you don't get out there and get your share, then I guess it goes under. You snooze, you loose. He he. You know, that kind of scenario. That's not the traditional, that's not the ----way we used to fish-- Actually, in our case, when you snooze, you probably gain something. Give them some time to recuperate. It's kind of a sad thing to see this whole thing pushed into a kind of derby fishing with the quota system. That was never our deal. Take only what you need or you'll screw yourself later on."

Tribal members argued that through fishing quotas, the state had created a "legally sanctioned system of abuse" for both Indian and non-Indian fishers. In the capitalist system, where "greed kinda motivates things", to quote one fisher, all fishers found themselves in the hopeless position having to compete for limited resources. According
to interviewees, traditional marine management offered a “gentler and more “appropriate solution” to the crisis.

_Fishing rights_

The third major theme within interviewee discussions on fishing was that of fishing rights. As chapter five illustrated, conflicts over Northwest “fishing rights” peaked in the 1970s at the time of Judge Boldt’s landmark decision (U.S. v. Washington 1974).

Interview data illustrates that overwhelmingly, Makahs view the Boldt as a distinct political period involving the “fight for rights.” But what do Makahs mean, in particular, by the phrase, fishing “rights”? A closer analysis of interviewee responses shows that the tribe’s view of fishing rights is highly complex and shaded with subtleties.

When interviewees were asked to describe the tribe’s fishing history, our conversation invariably led to a discussion about Indian fishing rights. The dialogue of fishing rights, however, involved a mixed language of the legal (55%), ancestral (64%), and place-based (41%) rights. References to the tribe’s legal right to fish were the most dominant group of all. Those who spoke of legal rights always mentioned the Boldt decision and the “rights by law” it afforded the Makahs. Statements such as “Well, under Boldt we have the right to those fish”, or “The right to 50% of fish is guaranteed in U.S. v. Washington” were quite common in interview transcripts. Interestingly, the way in which Indian fishing was discussed in terms of “legal rights” was similar to the manner in which the treaty rights rhetoric was invoked during the gray whale conflict. In both cases, Makahs cited western legal canons as evidence of their tribe’s right to fish in the Northwest.
Some interviewees, on the other hand, appealed to "ancestral rights" in our conversations on the politics and history of fishing. For these Makahs, fishing is viewed as a culturally based right grounded in "tribal history", "tradition," and "religious values". According to interviewees, the ancestral right to fish is granted to the tribe through hereditary transmission and spiritual channels. Therefore, contemporary Makahs fish because their ancestors fished, but also because Creator has told them that it is appropriate to do so. The following quotation by one Makah elder clarifies this concept of ancestral rights:

"Everyone talks about treaty rights and fishing. Maybe because that's easier. But fishing is quite a bit more than that, I think. Fishing is our hereditary right, our historic rule, if you understand. My ancestors fished, and so did theirs and theirs. That makes it a right. But it's also more than that, too. It's about the spirit and the creator. We fish only if it's okay with the Creator. When he tells us to stop, we'll stop. And we have. But even if we stop when we're told to, we still got that spiritual right. You know. All that together is ancestral, or whatever you wanna call it. That's been with us way longer than the treaties."

Thus while Makahs are well-versed in the Boldt decision, it is still widely viewed as secondary to ancestral rights. In spite of 150 years of federal control, the Makahs consider historic or ancestral rights to take precedence over federal ones. This result highlights the fact that separate "authoritative bodies" still exist beyond the western legal realm. For Makahs, an "ancestral authority" ultimately guides the tribe's management of fishing space.

Place-based rights formed the final category of rights referenced within interviewee discussions on Makah fishing. In these instances, tribal members argued that Indian rights to fish are intimately linked to the tribe's "long history" at Neah Bay. Rights are
therefore seen a product of tribal "residence" rather than legal rule, justified by tribal possession of the coastal strip and the Makahs' historic association with the sea. In this regard, Makahs employ a kind of "squatters-rights" argument in order to lay their claim to the ocean's bounty. The following quote from one tribal member exemplifies this "we were here first" argument:

"We have been here for thousands of years, before grocery stores, before espresso, before treaties with the feds. It is our right to fish. We fish because we've always fished here. That's what we do. That's what we do here. What else would we do? We know this place, we know how to manage the sea, because we live here, not in some office in Seattle pushing a pencil. This place comes with rights yeah, but also the responsibility to manage it."

While the above quotation illustrates the Makahs' notion of place-based rights, at the same time, it conveys the tribe's recognition of its role as marine steward.

Ultimately, these sketches of legal, ancestral, and place-based rights show that interviewee attitudes toward fishing rights are more complex than media results reveal. The Makahs' notion of "rights" draws from the margins of western law (e.g. Boldt), but it also incorporates traditional conceptions based on place and customary tradition.

Attitudes toward fishing

Finally, interview results highlight the tribe's perceptions of the fishing industry as a way of life. Interviewee data show that despite major losses in tribal fisheries, fishing remains the preferred trade for men. The tendency to favor fishing as a vocation in spite of its economic disadvantages proves that fishers draw more from the sea than material resources. The sea provides a source of economic livelihood for fishers, but also serves as a site of identity formation, education, and challenge. For instance, when Makahs were asked to indicate which trade or vocation they most identified with, 72% of males replied,
‘I’m a fisherman.’ Interestingly, only 52% of those males interviewed were currently employed as fishermen. These figures suggest that being a fisherman is a critical part of Makah identity. The following quote provides one respondent's insights on the force of the fishing industry in tribal life:

“Even the guys that drank all the wine, and spent their time boozing would knock off that booze to go fishing. They just dropped it all. Because it was, it was an important part, fishing. It was life to the Makah.”

In addition to its role in identity formation, fishing allows an alternative schooling site for the education of young Makahs. Some 34% of interviewees acknowledged that the sea served as a critical location for “classes on life,” where students learned to master the challenges of fishing in a highly variable setting. As one fisher explained:

“I wasn’t much of a student in school. I learned most of what I know now out at sea. Makes sense, I spent most of my time there, even when I was ten I was fishing... There you learn to take risks, and when to manage them. Just like college. (Laughter). You learn from other fishers, not by instruction, but by watching. Just by watching. And there’s never a doubt that you won’t be able to learn something when you’re out there. It’s just a given. You have no choice but to learn and to learn fast if the fish are biting, or a storm is blowing. (Laughter).”

Beyond its role in education, the sea, as the above quote infers, also provides a set of distinct challenges unmatched by the terrestrial environment. Between the inclement weather of the Pacific and the biological whims of fish populations, fishers stated that they were continually drawn back to the sea’s physical and mental challenges (57%). In addition, several fishers professed an affinity for the sea because of its link to the struggles and challenges of their ancestors (29%), as one tribal elder explained:

“I often think of my ancestors on the water and I suddenly have to get back out there. The halibut and the whales those guys caught in high seas and rough
weather. It inspires me, being out there, knowing they paddled these waters with so little, but with so much, if you know what I mean. It makes me want to struggle. To go for the muscles, you know. To get stronger, just in case.”

As the above quote indicates, fishing is thus preferred not only for its physical challenges, but for its vital link to the past. On a broader level, then, interviewee anecdotes on the “experience of fishing” suggest that the tribe draws more from the ocean than salmon or halibut. Fishing also provides a marine-based site of physical challenge, alternative education, and a space where Makah identity is crafted.

In summary, interviewee responses to fishing-related questions produce four major areas of discussion. These included: traditional fish harvests; the fisheries crisis; Indian fishing rights; and the experience of fishing. The tribe’s intimate knowledge of fishing history, culture, law, and crises suggests that Makah whaling is but a small piece of a much larger tradition of sea relations. Fishing, much like whaling, provides another in way in which Makahs have economically and culturally forged linkages with marine space.

7.2.1.2 Whaling

Interviewees were also asked a number of fundamental questions about the tribe’s whaling history. The core questions are listed as follows: Do you oppose Makah whaling, or do you agree with the tribe’s whale plan? Why or why not? What do know about the tribe’s whaling history? How has whaling changed? What caused the changes you mentioned? Why do the Makahs whale? What is meant by the “right to whale”? What does whaling mean to you? As with fishing, whaling-related interview questions produced four major areas of discussion: a) historical references to whaling; b) federal
and commercial impacts on Makah whaling; c) whaling rights; and d) whaling experiences/attitudes. On a general level, these results confirm the important relationship between Makahs and their sea-based traditions. More specifically, interviewee anecdotes show how whaling activities provide a social, cultural, and economic link between Makahs and marine space.

**History of whaling**

In many ways, interviewee responses to whaling-related questions mirrored the tribe’s responses to fishing-related questions. For instance, during interviews, Makahs made repeated references to the historic context of whaling “prior to European contact”.

Interview transcripts were replete with references to the “way whaling used to be”, “the old days,” and “how things were back then” (79%). As chapter four revealed, in the 19th century Makahs formed the central hub of a trade network in whale oil and blubber that stretched from Oregon to Alaska. Undeniably, whaling forms an integral part of the Makahs’ past. According to interview data, contemporary Makahs are well aware of their renowned history as whalers. In the following exemplary excerpt, one Makah describes her familiarity with the historic success of the Makah whaling industry:

“The Makahs were the center of whaling in history. Everyone knew who the Makahs were. We were whalers. People both feared and respected us. We were a rich tribe, and well known up and down the coast.”

In retrospect, then, Makahs are keenly aware of their economic successes within the maritime industries of historic times.

References to the tribe’s historic whaling methods also surfaced during semi-structured interviews (51%). Interestingly, these references closely resembled the content
of earlier discussions on traditional fishing technology. In the same way that the chabooz hook is respected for its role in the halibut harvest, the technology used for whaling activities is similarly revered. The importance of the “cedar canoe”, the “harpoon”, and the “sealskin buoy”, in particular, were frequently addressed during interviews. The following excerpt from one interview transcript exemplifies the way in which contemporary Makahs view the ceremonial whaling canoe:

“Yeah, I wonder how people can call Indians dumb. We had the simplest design for our canoes and our paddles. But it worked. We could go out in those waters and hunt a whale with that kind of equipment, and people think we were primitive? It was a simple design, but it was sacred. And that’s all part of the success.”

Thus, not only was the economic success of Makah whale hunting respected, but the method of the hunt was revered for its simplicity and spirituality.

Other interview references to historic whaling articulated the importance of the link between whales, Makahs, and tribal social structure (26%). As chapter four illustrates, the whale harvest brought nutritional sustenance to the tribe, but it also provided a sense of community and a means to reinforce tribal tradition. In the following quotation, one young Makah woman explains the ways in which whaling touched multiple layers of the tribal community:

“As you can see, there’s only eight people catching the whale, harpooning it. But the whole village plays a part, and you know, as soon as the whale gets on the beach, it has to be cut up and divided. And there’s a feast, you know. Everybody has their part and it’s best that way so there’s not any competition going on. And I think that that’s really cool that we can live together in this united, you know, community.”
Interestingly, interview references to the historic links between whaling and social structure were overwhelmingly framed in favorable terms. Yet while traditional whaling reinforced social structure, it also perpetuated a society that was reliant upon a stratified system of slaves and chiefs. Interviewees did not criticize their history of slavery, but instead characterize the past as a system that worked to their society’s advantage. The tendency to look favorably upon Makah whaling history is a consistent theme within all interviews. Changes in the tone of this dialogue do surface, however, when Makahs are asked to elaborate on the way in which their historic whaling economy was transformed.

**Whaling Impacts/Changes**

The interview dialogue on “whaling impacts” is the third theme drawn from whaling-related interview questions. Not surprisingly, this dialogue closely resembles that of the fishing impacts dialogue, save one minor exception. Unlike the case of fishing, few living Makahs are able to recall the hey-day of whaling or its demise. Therefore, most of the anecdotes included within this section are second- and third-hand accounts of “how” and “why” the tribe’s whaling culture disintegrated. In general, the vast majority of interviewees attribute the demise of Makah whaling to three interrelated processes: 1) the impact of commercial whalers on whale stocks (65%); 2) the state’s reorientation of the tribe away from whaling and toward inland agriculture (82%); and 3) changes in the Pacific that resulted from “a revolution in whaling ideology” (53%). Each is discussed in turn.

The first set of Makah interview references (65%) implicates commercial whalers for their role in drastically altering the resource base of whale stocks. Before the
government attempted to restrict Makah whaling, commercial whalers had already invaded the offshore Pacific to lay claim to the gray whale. With the entry of commercial whalers into the eastern Pacific, the Makah tribe began to view the sea as a site of competition and confrontation. One Makah elder recounted a story told to him by his great-grandfather, a "diver" on the whale crew:

"My grandfather told me that things began to change out there. The Cape used to be a place to whale freely, he said, but soon the Europeans came in and took everything. Slaughtered the gray for its baleen, for corsets, for the rich young girls in Europe. He said that maybe they had no idea of the damage they had done—that they were doing. I personally don't think they cared. They could go back to Europe after the damage was done. We had to live here. And then less whales were left. We had to compete with those giant boats, and it got harder and harder for the tribe, he said."

Interviewees describe how the "competition with commercial whalers" influenced the tribe's decision to temporarily abandon whaling. The sea, with the infusion of European interests, was no longer a distinct Indian space. By the late 19th century, gray whale stocks had been severely depleted, and while "some Makahs went to work on commercial whale boats in deeper waters," most "relinquished the traditional harvest" altogether. Some Makahs found economic success in the sealing industry, but sealing did not carry the same cultural weight as whaling. By 1920, according to interviewees, Makah whale hunts were perceived "a thing of the past" by outsiders.

While Makah respondents clearly recognized the adverse impacts of European whaling, they placed the greatest blame on the state for undermining sea-based cultural traditions. In 82% of interviews, respondents pointed to the federal government's historic role in altering the course of Makah whaling. Repeatedly, Makahs explained the ways in which the state attempted to "reorient" the tribe toward inland agriculture as a means to
“civilize the savages.” One young woman recounted a story told to her by her great-grandfather, which described the government’s attempt to impose agriculture upon sea-based peoples:

“My grandpa used tell me how the government would send out agricultural tools. They tried to farm, but the soils were so poor. It was a total loss. But geez, even if the soil was good and farming worked, he said that potato farming wouldn’t keep the Makah out of the sea. That was their home.”

Interview results therefore showed that Makahs, both young and old, were well versed in the state’s historic attempt to control all aspects of Makah livelihood, including whaling. However, respondents equally referenced historic examples of Makah resistance to state-imposed agriculture. In the following account, one respondent shares her account of the tribe’s attempt to contest the intrusion of agriculture at Neah Bay:

“Yeah, well you probably know this, but the when the feds sent those agricultural tools, we just made them into whaling tools. Hoes and sickles and everything. All the parts were used for the hunt. We had our own resistance movement going. At least for a while.”

Clearly, despite Makah attempts at resistance, state policies eventually disrupted Makah whaling activities by eroding the social fabric of the tribe. Through the state’s dismantling of the Makah chief system (see chapter four), many whaling clans had dissolved by the close of the 19th century. Traditional whaling still existed, but its socio-structural conditions had collapsed.

Between federal policy and commercial exploitation, then, the Makahs had been forced ashore, away from traditional marine territories toward an inland with little economic promise. In the following anecdote, one Makah elder recalls the implications of what he defines as the “new face of the Pacific” in the wake of these structural changes:
“Imagine, thousands of years you’re doing what we did. The biggest outside threat we faced was the weather. And the whale. If we weren’t strong enough, we didn’t get the whale that day, or that month. Then the big ships came in, and neither us or the whales had a shot. The waters were competitive now, something we never imagined. Then the government’s there, too. The feds. They tell us not to whale, it’s not civilized. Controls on this, controls on that. The waters have these rules now, but only for us. That’s something we never imagined. There was a new face on the Pacific.”

In essence, marine space was being constructed in new ways in the aftermath of European contact. On one hand, it had become a site of competition and capitalism for the activities of European whalers. At the same time, however, it had come to signify another space for imperialist rule. Indeed, the federal government had already dispossessed Makahs of much of their land territories during treaty times. But with its agricultural policies, the state had indirectly co-opted control over the tribe’s sea-based turf.

Finally, in several interviews, Makahs outlined the ways in which whale populations, including the gray, would have been better managed had “traditional world values” been employed. During interviews, some respondents blamed the loss of whale stocks on the “revolution in whaling ideology” and the “move away from customary management” (53%). An interview with one female elder highlights this perspective:

“Even without the federal government’s interference whale stocks would have plummeted like they did because of commercial whaling. It was inevitable. Greed got the best of them. Those guys were using methods so different from us, so whaling didn’t evolve, it revolved, so to speak. It was a revolution. Big ships and lances turned the industry upside down, but so did their way of thinking. They had a different way of thinking about the whale than we did. They saw it as a resource. We saw it as life. Our blood was in the whale and the whales’ blood was in us. Many of those whales would still be alive if those whalers thought like we did.”
According to these Makah respondents, it was the commercial whalers' "way of seeing the whale" that ultimately impacted the resource base.

But not all respondents agreed that traditional management could have staved off the commercial destruction of whale stocks. When asked to elaborate on this argument, some interviewees explained that Europeans, unlike Makahs, had "little to lose" in the Pacific:

"There's no way they would've used those techniques like we did. Conserve the gray whale. Kill less of them so you'll have more later. And I'll tell you why. They didn't care because they didn't live here. We lived here. We live in this place. That's part of why we cared. We conserved them because we worried about our great-great-great-great granddaughters. We also cared because we really knew the whale...Our ancestors saw the bloodshed and the unused carcasses wash up on the shore. The commercial whalers went back home to Europe and ignored their impact."

In essence, these respondents argued that gray whale conservation could only be understood by those who had a vested stake in the whale's survival. In contrast to Europeans, Makahs were highly dependent upon local marine space. Indeed, it was in the tribe's best interest to incorporate an "ethic of conservation" into their world-view.

In summary, Makah respondents identified several reasons why the tribe shifted away from traditional whaling activities during the turn-of the century. Nonetheless, two interrelated themes may be drawn from the interview data. First, backed by Indian law, the state worked to reorient the tribe away from sea space toward inland agriculture. In the process, interviewees argued, the tribe's crucial role as historic "guardian" of the sea was overlooked. Second, the entry of commercial whalers into the Pacific launched the species' demise. Unlike the Makah peoples, interviewees argued, Europeans possessed no "ethic" or vested local stake in gray whale conservation. Moreover, with the
established form of marine management removed from its place (i.e. the Makahs),
commercial whalers were free to overexploit gray whale stocks.

I argue, however, on a conceptual level, that non-Indians had begun to construct
customary marine space in a new way. For the state, the sea represented a new source of
power and dominion over indigenous peoples. For European whalers, on the other hand,
the offshore Pacific provided another a space in which to apply capitalist logic.
Ultimately, customary conceptions of the sea had become increasingly obscured in the
wake of European contact.

Whaling rights

Whaling "rights" was the third theme drawn from whaling-related interview
questions. In general, Makah respondents spoke of their whaling rights in the same way
that they described their rights to fish. Interestingly, both sets of responses were similar
despite the 25-year lapse between the Northwest fishing conflicts (e.g. 1970s) and the
Makah whaling controversy (e.g. 1995). Presumably, this illustrates the fact that Makahs
view whaling and fishing activities as part of a larger set of sea-based rights.

When Makahs were asked to discuss their right to whale, 95% of those interviewed
mentioned the importance of either treaty, ancestral, or place-based rights. Some 33%
specifically referenced the Treaty of Neah Bay and its "legal" provision for the Makahs'
aboriginal whale harvest. Interestingly, the interview language of treaty rights closely
resembled the rights rhetoric of Makah related news media (see chapter six). The
following sample from one Makah interview reveals strong similarities to quotations
found in media coverage:
"Well, whaling is our right under treaty law. Our whaling activities are in accordance with the Treaty of Neah Bay."

In contrast, the vast majority of interview references to whaling rights invoked ancestral (57%) and place-based (47%) defenses rather than legal explanations or justifications. This result may be indicative of a number of different factors. First, interviewees assumed my familiarity with the Treaty of Neah Bay, and chose to limit their comments on legal rights. Second, Makah respondents consider ancestral and place-based rights to be more important than treaty rights. Hence, interviewees mention this category of rights more frequently. It is more likely, however, that the results reflect not one, but both phenomena.

Descriptions of ancestral-based rights surfaced frequently in whaling-related interview discussions (57%). In the following quotation, one Makah describes her belief that the tribe possesses an ancestral, hereditary right to whale:

"We've been whaling for thousands of years. A 70-year lapse is just a blip in time. We have treaties with the government, yeah, but we've also been granted the right to whale through our forefathers. I think that's more important. The treaty just makes our life easier with the U.S. government."

Again, there are strong parallels here between Makah fishing and whaling dialogues. The belief that an ancestral authority grants the tribe a "right" to whale resembles the case of Makah fishing, where the order of ancestry rather than rule of the state is said to "oversee" the Makahs' relationship with the sea.

But given the tribe’s position within an increasingly interconnected world, their traditional perceptions of "authority" pose obvious problems. In contrast to the social climate of the precontact period, the eastern Pacific is now a highly politicized space.
Through the years, ancestral law has been eclipsed by a set of national and international policies that designate the appropriate uses of marine space. Indeed, interview results show that Makahs are keenly aware of contemporary marine laws. Nevertheless, Makah respondents still believe that local, “alternative discourses” of marine management should be afforded equal measure in Western legal paradigms. In the following anecdote, one interview shares his view on the beneficial relationship between ancestral law and marine conservation:

“So now we have U.S. laws that tell us what we can and can’t do out there in the ocean with those whales. Then we have international laws that tell us what not to do, what to do, and funny, they’re different from what the U.S. tells us what we can do. It seems like we should have a say, too. The world is supposed to be getting smaller. Everybody has a voice, right? Well our voice is the voice of ancestry. And our rules, our laws, they worked. They’re traditional laws, so people laugh at all that Indian stuff now. But we didn’t destroy the whale. We knew how to manage the sea. How come nobody asks us how to save the whales? Our ancestors would make better consultants than any of them out there, but no one asks for our opinion.”

Indeed, Makah respondents do not feel as if they are responsible for the gray whale’s earlier collapse. In fact, they argue that their “historic record” makes them best equipped to be the gray whale’s saviors.

Finally, some respondents explained that the tribe possesses a “place-based” right to whale (47%). In a manner similar to the fishing rights dialogue, interviewees stated that their right to harvest the gray stemmed from their long-term residence at Neah Bay. This argument, at its core, is about the tribe’s “squatters-rights.” In other words, respondents frequently cited how they were the “first at Neah Bay” and they had therefore “earned the right to use the sea.” An interview with one Makah woman, in particular, exemplifies this sense of a place-based right to whale:
"So I don’t know if this make sense, but it’s kind of like a right to the ocean, you know. In one way, we live here, we manage the sea, we’re kinda like watchdogs over the ocean. Like a lighthouse, he he. But it’s not just cause we live here in Neah Bay, you know. Because so many of our guys spend half our time out there, on the ocean. And besides, when we signed the treaties with the government back then, all we wanted was the sea. We kept the sea because of the whales and everything else. That is like our land. So you know, we live out there. And it’s our right to what’s there.”

From this angle, then, the sea is viewed as a part of the tribe’s home or territory. The right to engage in activities within sea space is viewed as a logical extension of the tribe’s terrestrial-based rights.

In summary, place-based arguments and appeals to ancestral authority were employed to a greater extent that the language of treaty rights in the Makahs’ interview dialogue on whaling. Indeed, this confirms that the language of whaling rights was far more complex than news media coverage revealed. Possibly, the interview context provided opportunities for a more open dialogue on Makah perceptions of rights than the print media could provide. Alternatively, Makahs tactically chose to present a more concise, “legal” language of treaty rights to the news media, in order to communicate a streamlined, digestible message to a captive public.

Whaling attitudes/experiences

As described in the previous sub-section on whaling history, the Makah tribe reveres its historic whaling heritage. Attitudes toward contemporary whaling differ, however, and extant factionalism within the tribe became increasingly evident as interviews progressed. This point requires further clarification. First, there is a distinct difference between attitudes toward Makah whaling rights and attitudes toward Makah whaling. The overwhelming majority (95%) of interviewees argued that indeed, the tribe maintains a
right to whale the gray in limited quantities. Only 75% of those interviewed, however, suggested that the tribe should exercise their rights to harvest the gray. The other 20% percent was opposed to contemporary Makah whaling, and two people refused comment.

First, I must stress that tribal opposition to Makah whaling (20%) manifested itself in a variety of forms. For instance, several members of the Makah tribe made public their resistance to tribal whaling by joining ranks with well-publicized anti-whaling contingents. Yet the vast majority of intra-tribal opposition was less visible than the media had portrayed. The bulk of opposition was more directly linked to intra-tribal conflicts on the method and scope of the hunt. For example, in several interviews, Makahs argued that the “tribe was not spiritually ready to whale,” and on these grounds, they opposed the hunt. Other factions opposed to the Makah hunt disapproved because of the “wrongful” links between whaling and the federal government. These interviewees suggested that the federal government should “remove its hand from Makah whaling”, and that the Makah Whale Commission was “behaving like puppets in a federal whale hunt.” Indeed, these criticisms were not anti-Makah whaling. Rather, they provided a cautionary note for the tribe about its diminishing “ownership” of the whale hunt. One Makah elder confessed to me the following:

“I'm not saying I'm against whaling. Just that they're doing it all wrong (the whale commission). When we hunted before, it wasn't subsidized by the federal government. Also, we were commercial whalers. We could get $3 a pound for that whale meat today. We need money here, who's fooling who. But oh, we have to do what they say. The commission is jumping through hoops.”

In essence, Makah factionalism had grown more complex than critics first realized. Indeed, some Makahs were anti-whaling, but others were decidedly anti-Makah Whale
Commission, reluctant to support a tribal body that served as a "puppet of the state". As one Makah professed, the Makah Whaling Commission had become "all that Makahs were not." When questioned further, his expressed his "disapproval of the hunt".

In contrast, the other 75% of those respondents approved of the Makah whale hunt. (Please note that several Makahs were interviewed in a post-whale hunt climate). In fact, the tribe’s success in the 17 May whale hunt was described in glowing terms during most Makah interviews. Historically reflective phrases such as "this is our freedom from years of captivity," "we’ve come full circle," or "we are returning to our roots" surfaced in numerous interview dialogues. Other interviewees described the immediate social changes that whaling had brought to the local community. For example, some respondents suggested that whaling helped to "heal old wounds" and "unite the community like it was before." In fact, members of the young whaling team were described as taking a "180 degree turn in their lives" since joining the crew. Elders spoke of how whaling had affected the children in the form of "identity", "self-esteem", and "cultural pride."

The most frequent reason cited in support of Makah whaling, however, was attributed to whaling’s role in creating a "living culture" for the tribe. An overwhelming 55% of those in support of whaling rights argued that whaling had "moved their people out of the museum, and back into the sea." Indeed, the Makah Cultural Resource Museum, established after Ozette in the late 1970s, had served to institutionalize the tribe’s renowned whaling heritage and put the Makah back on the map. But it was the tribe’s decision to revive whaling that enabled them to actively engage in their sea-based
heritage. The following excerpt, drawn from an interview with a high school senior, best illustrates this crucial point:

"So a lot of people tell us to just be satisfied with our museum. After all, it has made us famous. It revived our culture and our language. There's no sense killing whales, say the antis. What have you got to prove, Makahs? Your proof is in the museum. Look, see, you were whalers. Let's leave it at that huh. What they don't understand is that whaling was our "way of life." Ozette inspired the movement, so to speak. But it couldn't provide all that we needed. We want back a living, breathing whaling culture. I don't want to stand behind the red rope, put my nose on the glass cases, point up at the whale bones in the museum, and think 'Wow, we were whalers.' I want to get out there on the ocean and be part of it. Actually part of it. I want to be a whaler."

Clearly, whaling represents but one of several steps in the tribe's sea-based cultural resurgence movement. Nevertheless, I suggest that the Makah whale hunt is one of the first efforts the tribe has taken to physically reclaim marine space.

As the above paragraphs indicate, most respondents were willing to share with me their attitudes toward the Makah whale hunt. Some interviewees, on the other hand, spoke more intimately about the experience of whaling at Neah Bay. These descriptions of whaling in many ways mirror the historical accounts of fishing for halibut. In other words, most anecdotes of the "whaling experience" are also second-hand, as the only living whalers are the eight-man crew from the 17 May hunt. Anecdotes of whaling experiences at sea are not fully reproduced here, due largely to the sacred nature of the hunt, and out of respect for the whalers. Also in part, I found that whalers were repeatedly "unable to put their whaling experience into words," as more than one whaler suggested. This may be partly attributable to a lack of perspective, as interviews with whalers took place almost immediately after the hunt, allowing little time for personal
reflection. Alternatively, the experience of whaling is perhaps impossible to accurately articulate to a non-whaler such as myself. I include a singular quotation by one Makah whaler in order to illustrate the complex and personal nature of the modern whale hunt:

“Hunting that whale, being on the sea with just the water and the paddle, I felt like I was speaking to my ancestors.”

In summary, interview results reveal that whaling, like fishing, serves as an important economic and cultural link between Makahs and the marine environment. Despite these critical linkages, interview results confirm that in the late-19th century, both state (i.e. BIA) and commercial forces (i.e. fishers, whalers) began to reconstruct Pacific marine space as they saw fit. As stock levels of marine species plummeted, the tribe’s customary sea spaces came to symbolize Europe’s dominant ideologies of both colonialism and capitalism. Despite these setbacks, in the 20th century, the tribe worked to strengthen its economic (e.g. fishing) and cultural (e.g. Makah museum) associations with the sea. Nevertheless, the 1999 whale hunt marked the first step taken by Makahs to physically reclaim marine space. Though not all respondents agreed with the current method and scope of the hunt, the majority concurred that Makahs retain the ancestral, legal, and place-based right to resources of the Pacific.

7.2.2 Cultural/religious linkages: artistry, ritual, and symbolic representations

On a different tack, interview respondents were also asked a series of fundamental questions about Makah artistry, ritual, and representations. The core questions are listed as follows: How is your identity connected to the sea? What are your greatest memories of living near the sea? What inspires your artwork? Your weaving? Your songs? Do you see the sea and its marine life within your artwork? What about your artwork? These
particular questions were posed in an attempt to flesh out the tribe's cultural and religious conceptions of the sea. Unlike the previous sub-section, these results have not been quantified due to the highly complex nature of the data. Short quotations and exemplary anecdotes are included where necessary.

In general, interview and participant observation data reveal that the sea is not limited to its practical, utilitarian, functions in tribal life (e.g. fishing and whaling). Rather, the tribe also draws a number of important cultural, spiritual, and artistic resources from the marine environment. Some of these “resources” ultimately evolve into tangible, material forms to assist the Makahs’ economy. Other “resources” are more symbolic in orientation, and as such, they add to the ongoing construction of a tribal identity. Examples of each are provided and discussed.

Participant observation reveals that "traditional Makah art" is oftentimes a direct product of the ocean. The Makahs' “eight strand” necklace, for instance, is assembled from olive shells that arrive in June each year along the beaches of Neah Bay. Migrating from the shores of Aoteroa (i.e. New Zealand) on ocean currents, the olive is perceived by Makahs as a rare and valued “raw material”. Makah women, in particular, revere the shell for its global oceanic "struggle", and for the direct link it maintains with "a kindred sea culture" at the other end of the world. Sitting beside a cedar table with hundreds of olive shells splayed across its top, one young Makah woman explained the story of the olive:

"The shells travel like thousands of miles, across the world, to get here. It's hard to believe such a little thing could survive out there. But every year they come. They just like tear across the Pacific, no matter what. From Zealand, you know. I
always wanted to see what those natives do with the shells there, the Maoris. They have canoes like us, too, you know. I bet you they’re warriors like us.”

Her husband interjected: “You mean the Maoris, or the shells.”

This perception of the olive shell as a symbol of Makah culture should not be discounted. Indeed, there are notable similarities between the ecological strife of Pacific marine resources and the historic struggles of the Makah nation.

While many of the olive necklaces are distributed for ceremonial potlatches, others are sold in the tourist trade for $30US and higher. In addition to the artistic uses of olive shells, mussel shells are also gathered from the sea and fashioned into smooth, round, eye-like shapes. The eyes are then used to adorn “button blankets” or to anthropomorphize wood-carved masks. As with the olive necklaces, masks are destined for ritual, ceremony, or gift shop sales. While some masks are retained for potlatches, most are sold in Seattle galleries to Pacific Northwestern native art collectors for prices that peak at $750-$1000. Clearly, then, sea-based raw materials represent an important source of income for those tribal members who rely upon traditional artwork for economic survival.

Not surprisingly, some tribal artists adamantly protest the cultural commodification and trinketization of Makah art. For example, in many of the interviews held with tribal artists, it was plainly expressed that “art is intended for Chiefs, not slaves or tourists.” As discussed in chapter four, the federal government worked aggressively to dismantle Makah social structure in the late-19th century. Prior to these social-structural changes, however, Makah artists fashioned masks, necklaces, and totems specifically for their Makah whale Chief. Even if an artist was relegated to slave status, the manufacture of
Makah art was perceived as a mark of cultural pride. Today, Makah artists resent the ways in which the western, capitalistic model has transformed Indian society through the infusion of the “democratic dollar.” Though Makahs are no longer slaves to their chiefs, they now liken themselves as slaves to a market that determines the demand for art and defines its style. For example, when questioned about his wood-carved, mussel-shell mask, a young Makah woodcarver implicated capitalism, culture, and art in his response:

“I don’t see this form of work as an obstacle, but it’s something that’s kind of forced a new method or technique of you know, making a living. Cause in this modern day and age we’re you know, forced with this bondage to money. This monetary system. I’m forced to distribute my art in a different way. Sometimes I feel like I’m exporting my culture.”

Some Makah artists have responded to such commodification by refusing to produce masks or totems for “export”; instead, they opt to sell or grant pieces to regional tribes for ceremony and ritual. The decision to create Makah art for "natives only" is in part a reaction to the problems of cultural commodification mentioned above. For others, however, the sale of Makah art more broadly represents the selling off of the sea. As such, the topic of native art produces a stiff and fiery reaction from Makahs once broached. An excerpt from a discussion with one Makah woman elucidates this point:

“A lot of people may think I’m just some crazy Indian, but my “art” (gestures with two quotation marks) is not for sale. The wolf mask and the shells you girls seen up at the store? They use cedar and mussel pieces and olive shells, right? That stuff comes from our waters, right out there (gestures). All that stuff does. You walk along the beach, and you see sand dollars, right? Some people even take them home. It’s kind of like a memory, a reminder from peoples’ trips. It doesn’t seem all that bad, right? But it’s not safe. That stuff out there is part of who we are, and it’s not for sale.”

To this woman and others, selling the sea equates to a selling of identity.
Not all artists are opposed to the sale of Makah art to tourists. Other Makah artists argue that the artwork industry promotes cultural renewal, generates income for the tribal economy, and encourages a global appreciation for Makah culture. In general, there is a disparity between those Makahs who perceive Indian art as being a "vending machine full of trinkets for the white mans' passing interest," versus those who deem it an "economically viable alternative." Despite such disagreements, both groups of Makahs acknowledge the role of the ocean as a material taproot for artistic endeavors. All tribal artists are strongly dependent upon the sea for raw materials, regardless of whether the piece is reserved for ceremony or sale.

For artists engaged in the cultural revitalization movement, marine space also provides inspiration and "vision" for the creation of carvings, totems, paintings, songs, and dances. For example, when one Makah artist was asked to discuss the circumstances that inspire his carving, he replied:

"You'd be surprised at how simple that is. I could be diving. I dive commercially part of the year. I might see a bird down in the corner of my eye and I look up. I could be 50 feet down and there's this bird from up on top swimming by me. And he's catching minnow or whatever, little fish. It might give me an idea, it's like I'll put that in my mind and say, yeah, I'm going to paint that. Or I might see a feather falling on the water. Like a whole picture will appear in my mind. And it isn't just that one thing. It's like that one thing and all the ways it connects with different things I've seen out there."

While explaining this vision, the man pointed to the walls of the room, scattered with his paintings of canoes, orcas, sea-birds, and paddles in progress. Gesturing to the paintings, he added, "Neah Bay is the home of all this, man." In addition to paintings, some carvers claim to have "carved masks in their head out on the ocean" while fishing or paddling.
And for women that spend little time at sea, living aside the ocean also serves to inspire the style of cedar baskets and necklaces. Gray whales, lightning symbols, and cedar paddles against an oceanic backdrop dominate the designs of their Makah basketry. The sea as a font of inspiration is not limited to the material artists — the carvers, the weavers -- of the cultural revitalization movement. The content of traditional songs and ceremonial dances is also motivated by historical interactions between the Makahs and the marine environment. Native dances, for instance, imitate the stages of the whale’s movement upon the water, from the onset of the hunt to the final harpoon strike. The words in some traditional songs narrate the creation story of the sea. Other songs recount the history of battles waged at sea between Makah ancestors and neighboring coastal tribes. The words of this song are translated as "Who is equal or can compare with me? I have forty whales on my beach." In one form or another, the vast majority of Makah songs and dances reference the sea, its history, or its resources. In summary, Makah carvers, painters, necklace makers, drummers, weavers, and singers rely upon the ocean, both for its raw materials and its symbolic content. Some have become economically reliant upon the ocean through the public sale of sea-based artwork. While several Makahs have acknowledged the pitfalls of such economic ventures (e.g. the commodification of culture, the "selling the sea"), few tribal members deny the ocean's important role in the perpetuation of Makah culture (e.g. song, dance, artistry). Undeniably, sea-based artistic traditions -- whether for sale or for ceremony -- have served to fuel the cultural revitalization movement in the Pacific Northwest.
7.2.3 Political linkages: territorial markers, protection, and contestations

Makah respondents were also asked a series of questions about their political conceptions of the sea. The core questions included: What do you consider to be Neah Bay waters? How much time have you spent in those waters? What memories do you recall while out on or near the ocean? Are there places out at sea that are of particular significance to you? Do they have names? From what you can recall, has the sea or coast changed? What conflicts can you remember seeing, or hearing about, in coastal waters? How would you describe them? These questions were designed in order to flesh out the tribe's attitudes toward marine space as a political “site.” Again, results were not quantified due to the nature of the interview data. However, exemplary citations are used to illustrate common themes in the dialogue of respondents.

In general, this portion of the interview results suggests that the Makahs' economic, cultural, and religious reliance upon the sea necessitates a set of distinct processes for its interpretation and protection. In the following sections, the tribe's attempts to demarcate, safeguard, and contest Pacific marine space are explored. I begin, however, with a discussion of the Pacific as a demarcated or “mapped” Indian space.

The mapped terrain of the Pacific

The Makah tribe interprets and demarcates the sea as they draw from its resources. Indeed, the Pacific is not viewed as the stereotypical “uncharted, aquatic frontier”. Rather, respondents define the sea as a mapped terrain replete with familiar features and set locations. This observation is particularly true for Makah fishers, who depict the sea as a three-dimensional, differentiated space not unlike the terrestrial environment.
During an interview with one Makah fisher, he shared the following description of a fixed geographical “location” in offshore Neah Bay:

“You got these deep spots and shelf spots. There’s a big drop off that goes down 200-300 fathoms. And then you go about 4 or 5 miles beyond that and then come shelves up to 50,000. That’s why we call that the “prairie”. That’s a prairie out in the ocean.”

While the term “prairie” is a derivative of the North American plains, Makahs also designate marine sites using tribal specific names. An anecdote from another Makah fisher better illustrates this point:

“And not just that, but there’s a lot of Makah names that we got as fishing places. So we got a map that has all these names going up to the clear 40 mile banks where we can fish. Fish and bank and rock formations that use Makah names.”

Other tribal members, besides fishers, maintain their own geographies of the sea. Makah paddlers on their way to Canada, for instance, identify the importance of “learning to read the water like a roadmap”, watching for “landmarks” such as wind, swells, and fog. Indeed, such ”mapping of the water” is a practice common to fishing communities throughout the world. For maritime peoples, including the Makahs, the creation of these highly detailed mental maps exposes their in-depth, intimate knowledge of marine space.

But the Makah Tribe is not the only coastal group to interpret the map of Cape Flattery. First Nation paddlers from Canada, for example, recognize and respect the ways in which Neah Bay waters are inscribed with an informal mosaic of boundaries and borders. Cultural rules serve to maintain the position of these tribal boundaries, as one Nuu-chah-nulth explained:
"When we paddle to Neah Bay, we wait in the water many yards off shore. We make our announcement to the people that we are here. There are a number of conditions to observe. The tribe makes their reply and then they call out their welcome. Only then is it right to paddle toward land."

While no formal Makah map of offshore waters exists, it is evident that Makahs (and other coastal tribes) perceive marine space as a coded, etched, environment.

The activities mentioned above (e.g. fishing, paddling) have been traditionally defined as the specific domain of men. In historic times, Makah women did not engage in sea-based navigation. Despite the dominant role of Makah men at sea, however, Makah women played (and continue to play) an important role on land as fish buyers or cleaners. In fact, during interviews, women frequently characterized themselves as the "inshore skippers" of the Northwest coast. Undoubtedly, the inshore or land-based nature of female work allowed Makah women to construct marine space using their own geographical metaphors. One elder woman's account of fishing during the 1950s illustrates this point:

"I used to look out at the sea, and there were so many little lights from the fishing boats, that those boats looked like a village on the water. Like a big village with all their lights. There were more lights on the water than there were in Neah Bay."

Interestingly, during interviews, several women provided similar descriptions of this metaphorical "village on the water." I suggest, on one hand, that this broad observation underscores the importance of marine space as a distinct Makah place. Indeed, because Makah men spent such a large proportion of their time at sea, marine space came to be viewed as its own "village", place, or community. But I also argue that the "village" metaphor serves to expose the exclusive, genderized nature of tribal marine space.
Clearly, the visibility of fishing lights enabled women to monitor the oceanic activities of men from the shore, but their actual experience of "village life" remained off-limits.

The quotation above also hints at another key point related to the Makahs' "map" of the sea. The excerpt suggests that marine space is not an isolated terrain, for the "village on the water" takes many of its reference points from coastal landforms. This point requires further clarification. Though contemporary fishers now use LORAN or GPS for ease of navigation, a number of Makahs still utilize mountains, waterfalls, and rivers to triangulate their position at sea. Indeed, the Makahs have depended upon terrestrial landforms as markers for sea navigation since precontact times. This use of traditional knowledge to "place" oneself at sea underscores the Makahs' reliance upon the interplay of two, contiguous environments: both land and water. In this regard, the ocean is more aptly defined as a mapped terrain that forms the hinterland of the Makah reservation. Connected both physically and culturally to the reservation, the offshore Pacific is perceived by Makahs as an extension of home, if not home itself.

*The sea as protected terrain*

The Makahs' reliance upon the sea also necessitates a process for its protection. Though the Makahs are renowned for their marine resource extraction (e.g. fishing, whaling), they are also historical advocates of coastal and marine protection. Not surprisingly, the tribe's role as the "watchdog" and "protectorate" of the coastal strip has been overshadowed by the fervor of the gray whale controversy and the 1970s fishing conflicts. In these cases, Makahs were often framed as resource abusers rather than resource guardians. Interviews with tribal members reveal that in contrast to such labels,
Makahs perceive themselves as "safe-guarders" of the ocean and not "Satans of the sea." As one tribal member explained:

"People seem to forget that we live out here. We have no other choice but to protect those resources, because it's our life. We've proven ourselves already, look at history. Everyone talks about us like we're the Satans of the sea or something, but we're far from that."

In order to articulate their role as ocean protectorates, several interviewees referred to the tribe's "blemished" 2,000-year record of successfully conserving the marine resource base. Respondent argued that under tribal stewardship, whale populations had remained at "reasonable levels", fish stocks were "well managed," and overall "water quality was high". In contrast, commercial interests and state policies were deemed accountable for the both "demise of the gray whale" and the "collapse of Pacific fish populations".

In several other interviews, Makahs described specific historical events in order to prove the tribe's role as environmental guardians. For instance, several Makahs recounted their responsive role in the 1991 oil disaster, when the Chinese freighter "Tuo Hai" collided with the Japanese fishing vessel "Tenyo Maru" approximately 25 miles northwest of Cape Flattery. At the time of the collision, the freighter contained approximately 354,800 gallons of intermediate fuel oil and 97,800 gallons of diesel aboard, which was released as the vessel sank (Tenya Maru Oil Spill Natural Resource Trustees 1999). The resulting slick was carried south and east by currents and wind and ultimately affected much of the Washington coasts.
Estimates reveal that between 3,740-19,559 common murres (*Uria aalge*) and 161-273 (7-11% of the total outer coast population) federally threatened marbled murrelets (*Brachyramphus marmoratus*) were killed, in addition to substantial numbers of rhinoceros auklet (*Cerorhinca moncerata*), tufted puffin (*Fratercula cirrhata*), Cassin’s Auklet (*Ptychoramphus aleuticus*) and pigeon guillemot (*Cepphus columba*) (Tenya Maru Spill Natural Resource Trustees 1999; Wilson 1996).

Due to its location, Neah Bay was particularly hard hit by the spill (Seattle Times 1991). Although countless seabirds and seals died under coats of viscous, the tribe received little immediate assistance from the federal government, and the disaster’s impact on Neah Bay ecology went virtually unrecognized by marine NGOs. The tribe’s subsequent organization of a major clean-up to abate the oil disaster’s impact was frequently mentioned in Makah interviews. The following anecdote provides a sense of the pride the tribe felt in rescuing those marine species endangered by the spill:

“That was a really bad situation. There was oil at Waatch and Hobuck and clear down to Sooes. Birds were covered in slime. Yeah, it was no Exxon Valdez. But it made things look ugly and different and foreign, you know. But uum, the tribe worked together, I was really proud. I remember big guys holding birds and cleaning their wings. There was a seal, too. God, man... we did what we could. But we weren’t like, trying to be heroes. We did what we had to.”

This language of “responsibility” (i.e. “we did what we had to”) emerged consistently in the interview dialogue on coastal protection. While interviewees confessed that oil clean-up activities were motivated out of respect for the “sanctity of wildlife,” their efforts were also encouraged by the tribe’s own self-interest. As one Makah declared during an interview:
"It was in our own interests to protect the sea and the fish. Wouldn’t you if you lived here?"

Ten years later, Makahs still refer to the 1991 catastrophe as one of the worst “environmental disasters” to plague Neah Bay in the 20th century. More importantly, during interviews, the tribe repeatedly cites its own historic role in curtailing the effects of the 1991 coastal catastrophe. This result, and others, suggests that the tribe perceives itself as credible, proven caretakers of the oceanic domain.

In recent years, the tribe petitioned the state to place a tugboat at the Neah Bay Coast Station in order to escort oil tankers on their way to the Port of Seattle. At the time of this dissertation, the tribe, supported by the Coast Guard, has met firm resistance to this request. Today, the state’s reluctance marks a source of major contention for the tribe. Stationed alone at the tip of Cape Flattery, the reservation lies in direct line of future oil spill trajectories. Without federal assistance, the Makahs are compelled to guard marine space in relative isolation.

Other acts of stewardship referenced by Makah respondents include the tribe’s success in stopping dam construction on the Elwa River in 1975. Led by a contingent of tribal leaders, Makahs lobbied against the dam, arguing that construction would upset the already delicate balance of dwindling salmon stocks in the Elwa River. In 1977, plans for the dam were tabled and Makahs rejoiced in their political and environmental success. In retrospect, tribal members characterize the event as an act driven by both economic necessity and environmental good will. The following quote illustrates these two-fold sentiments:
"The outcome of the dam case was pretty neat for us. The last thing we wanted to see was another dam. They're obnoxious what they do to wildlife. But you know we were in it for the salmon, too."

In summary, despite characterizations of the Makahs as predators of the sea, history reveals the tribe’s consistent protection of coastal resources. As historic residents and resource users of the oceanic strip, the Makah people maintain a clear economic and cultural stake in defending the sea’s integrity. With little support from the state, and increased competition from resource exploiters, Makahs have actively decided to serve as guardians of the Pacific.

**The sea as contested terrain**

Interview results also demonstrate that the sea is a contested Makah terrain. There are subtle differences between the Makahs’ protection of the sea, as mentioned above, and the tribe’s contestations in Pacific waters. In these latter instances, Makahs physically engage “outsiders” in struggles on oceanic terrain. During interviews, Makah respondents repeatedly described the most memorable “skirmishes, “battles,” “struggles”, “scuffles,” and “wars” upon sea space.

Historically, the majority of the struggles that took place in Neah Bay waters were intra-tribal. Warring Northwest tribes, including the Makahs, would frequently stage battles as a public display of tribal dominance throughout the region. A number of interviewees referred to these historical anecdotes. It was the more recent sea-based struggles, however, which were mentioned most frequently in Makah interview dialogue. Out of all these references, the 1970s fishing battles and the 1995 gray whale controversy were the most widely discussed. I turn first to the “fishing battles” of the 1970s.
Between the 1950s-1970s, as the Northwest fisheries base diminished, tensions between Indian and non-Indian commercial fishers began to mount (see chapter five). Discordant fisherfolk held political “fish-ins” in nearshore and offshore waters within visible sight of their adversaries. Tempers mounted because livelihoods were at risk, and much of the resultant conflict took place on the water in the form of “rock throwing, boat sabotage, and racist exchanges.” While fish served as the central source of political contention, the ocean represented the site of conflict where stakeholder struggles played out. In several interviews, tribal members cite the Boldt era as one of the central epochs in Pacific Northwest history in which sea space was marred by physical battles over greed:

“From what I hear, it was just like whaling back then, although I can only speak for the fishing situation. People were mad, both us and them (commercial fishers). It got dangerous on the water. But our people fought for our rights, and for other tribes, too. It was pure greed out there, and that kind of thinking ruined fishing. It gave being on the ocean a whole new feel, if you understand. It was like a constant battle out there.”

Interviewees frequently characterize the Northwest fishing conflicts as a period in which physical “skirmishes” and “fights” transpired in Neah Bay waters. But when Makahs were asked to discuss the gray whale controversy, it was described as a war upon the seascape. Chapter five emphasizes the fact that the gray whale conflict was a symbolically produced conflict. Interview results, on the other hand, more clearly illustrate the material or physical dimensions of the whaling conflict. Clearly, the Northwest whaling controversy was a “real-world” struggle involving several different
participants. Furthermore, each participant (i.e. the state, NGOs, and Makahs) played a central role in the battle’s outcome.

The state served the physical role of tribal guardian throughout the course of controversy. Its hands-on role became most evident when the Coast Guard, based at Neah Bay, established and regulated the 500-yard radius exclusionary zone around the Makah canoe in order to protect the whalers from harm. Marine NGOs, led by SSCS and the Sea Defense Alliance, physically occupied marine space through their resolute presence in Makah whaling waters. Finally, the Makahs’ central position in the gray whale controversy was unequivocal. While part of their battle was waged in the media, the tribe’s struggle became most visible at sea when whalers took to the Pacific in cedar canoes. This combination of Makah canoes, Coast Guard vessels, and NGO zodiaks created the sense that a physical battle was in place upon the seascape. Unwavering, the Makahs continued to pursue the gray whale despite protest and death threats. A quote from one interviewee provides a sense of the intensity of the whale conflict in May 1999:

“\text{It had been a long time since we had fought at sea, but it was like a war out there. The hunt was dangerous enough by itself, but with the guard and Sea Shepherd and those other guys, it was really dangerous. I thought for sure that lives would be lost. I wondered how long it could all go on like that before something happened. Something had to happen. It was like a war out there.}”

The tribe’s “fight” to reclaim marine space through whaling activities played out on the seas and in Makah related media coverage until the 17\text{th} of May, the date of the final hunt, when a 30-ton juvenile whale was harpooned, shot, and killed by the Makah Nation. In the process, however, Cape Flattery had become the contested site of a cultural-based war.
In summary, this section attempts to illustrate how Makahs have interpreted, protected, and physically contested marine space in recent historic times. Previous sections of this chapter have revealed the tribe’s economic, cultural, and religious connection to the Pacific Ocean. The present section, on the other hand, uncovers the way in which the tribal marine space has become an increasingly politicized site.

7.2.4 Terrestrial based linkages: spatial orientation

Finally, Makah respondents were asked a series of questions about the spatial configuration of the reservation itself. These included: What are your favorite spots on the reservation? Do they have names? Where do you live? In which village? In which type of house-structure? What type of home do you prefer? Why? These questions were designed in order to determine the ways in which the Makah reservation was oriented toward marine space. In general, the results indicate that the sea manifests itself in the “terrestrial” spaces of Makah everyday life. More specifically, I suggest that the Makah reservation is physically, architecturally, and symbolically oriented toward marine space. Both interview results and participant observation better illustrate these three points.

Modern settlement pattern

Physically, 90% percent of the 156 Makah house-structures on the reservation are situated within 1km of the shore. While seasonal migration between villages frequently occurs, the overall settlement pattern has changed little since precontact times. The most populated village, Ba-Haida, is located only several meters from the fishing marinas, the place from whence commercial fishers depart. Because many Makahs still engage in fishing, proximity to the ocean is an economic necessity.
But the site of one's residence is also driven by other factors besides fishing activities. Respondents confess that the seascape's "aesthetic" appeal as well as one's ancestral associations with "precontact seaside tribal villages" also influence modern settlement patterns at Neah Bay. Despite these differences, most interviewees agree that "the closer you are to the sea, the better off you are." As one tribal member further explained:

"I used to live down on Front Street with my relatives, overlooking the beach, where the eagles are in the morning, you know. We could see the fog and the boats come back from long-lining or trawling or whatever. I moved here. My ancestors lived in this village, my Ba-aida family, that's why I stay. I like this house (refers to home), but I really need to be near the water, like before."

This anecdote illustrates the cultural "premium" that is placed on the Makah oceanfront. Ironically, the Makah woman who offered this statement resides less than one block from the marina. The principle of relative distance applies in the case of residential location on the reservation.

Architectural orientation

Second, the tribe's orientation toward the ocean is reflected in the Makahs' traditional architecture and the overall built environment. Longhouses, fashioned out of locally extracted cedar in long planks, served to manipulate the course and force of winds that frequent the rugged and unpredictable coast. Attachments for halibut racks were used to dry fish through their strategic placement on the windward side of the longhouse, taking advantage of microclimatic zones. As one young Makah explained, traditional architecture alone proved the tribe to be "creative innovators," in that they consistently forged environmental adaptations in a perpetual and literal "climate" of chaos:
But the Makahs have known how to use the environment to their advantage. Because there’s a prevailing wind, coming this way, blowing from the sea to Tatoosh, to the inland. And that keeps the flies and the bugs off the island. So that you’re not always constantly like batting bugs away from your meat that’s you know, naturally drying. Cause if you did your research, you’d see that that is how like every Makah let their halibut dry on the racks. If it wasn’t on stands in front the longhouse, they were on boards. And they’d go up on the roof, you know, they’d move some boards across and climb up and put all their halibut up there. And you know, if oh, it’s gonna rain all they’d have to do is move some boards, and go up there, and kinda move stuff down a little bit.”

Though northwestern Washington endures one of the most invariably wet climates in the United States, the winds are deemed “unpredictable elements” by Makahs. As the above quote illustrates, despite these circumstances, Makahs were able to adapt techniques for drying halibut to local weather conditions.

An observation of contemporary Makah architecture reveals the effects that federal Indian law had on the configuration of the tribal home. Though remnants of longhouses still exist on the reservation (i.e. the museum’s replica), most of these structures were outlawed by the turn of the century when BIA agents resided at Neah Bay (see chapter four). Fearing that the longhouse, in its promotion of extended family and kinship, contradicted the western architectural model and promoted “savage” living conditions, the BIA “encouraged” Makahs to build more appropriate structures. The stick-framed, under-insulated, dilapidated homes that litter Neah Bay today are additional evidence of the federal government’s unrelenting overhaul of Makah social structure. Indeed, the state’s dismantling of the longhouse led to losses in traditional knowledge of the built form, and a change in the social composition of the “family” home.

Yet interview results reveal that although the tribe was consistently “reoriented” in the early 20th century, Makahs discovered ways to reclaim their relationship with the sea
through architecture. Tatoosh Island was off-limits to the BIA, and oftentimes Makahs would take refuge there and rebuild traditional structures. More recently, after Ozette and during the cultural renewal period of the 1970s, Makahs reconstructed longhouses, primarily as exhibitions for the cultural museum. Beginning in the 1990s, however, several tribal members began to consider rebuilding the longhouse structure as a household dwelling rather than a cultural vestige. In the following passage, one Makah discusses his reasons for wanting to revive this tradition:

"My family and I want to build one [a longhouse]. We’re not doing it to go back in time either, we want to build one because it makes more sense than this house. Longhouses were for extended family, now we’re all separate. And they were meant for this area by the sea. You’ve probably know this already, but it was made, it ...the home was designed for our halibut fishing, and the offshore winds, and everything else. They have one down at the museum, go take a look. But it’s not the same. People come and see it and they say, “Wow, look. Indians lived in them.” But it’s no good at the museum. It wasn’t meant for that."

The shift in Makah architecture corresponds with the recent timing of the gray whale controversy. Whaling, on a broader level, may therefore be seen as but one of the many ways the Makahs are attempting to revitalize culture by reclaiming their sea-based heritage. Traditional architecture represents an additional means, besides the whale hunt, through which the Makahs may strengthen their cultural orientation with the sea. Other Makahs, however, have already begun to reconstruct the longhouse structure. In this anecdote, an interviewee describes the significance of such an undertaking:

"So now we have a situation where pressure treated wood has replaced the long cedar planks we used to use in our longhouses. You see that treated wood stuff a lot. It's all over the patio decks in Seattle and it's on some of those homes on Front Street. It costs bucks a yard, and it still can't do what cedar did — what cedar does for us. Cedar is ancient and it's timeless like halibut. Mention the word Tatoosh to any Makah and they'll tell you its [cedar] is not dead. Even today, cedar’s not dead. It's no wonder Frank is building a longhouse. It’s about god damn time."
Symbolic orientation

Third, I suggest that the tribe is symbolically aligned toward the sea and its resources. Sprinkled across the Makah reservation, marine representations confirm the tribe's solid orientation toward the sea. The symbol of the whale, for instance, is emblazoned upon T-shirts, painted on store facades, and carved atop totems across the reservation. Cemetery headstones, school mascots, and yard art together reflect the ways in which the tribe's history is bound up in marine space.

The insides of many homes also teem with representations of the Pacific, such as fishing nets, poles, canoes, paddles, and shells. During one interview with a Makah fisher/carver, he spoke while carving the nose of a five-meter sealing canoe that was stationed in the middle of his living room. Both the interviewee's father and uncle were also in the process of constructing canoes in their homes. Furthermore, not all of these symbolic representations belong to adults in the family. The "kelp car", a toy fashioned by Makah children out of seaweed, provides another example of a sea-based representation. In the following account, a Makah youth describes the creation of the kelp car:

"Oh, you'd just start to cut the kelp, you know, they got a hole in them, and you put wheels on them and use a piece of stick you know. And poke it through the kelp there and put these other portions of the kelp, and make wheels out of them so you'd get kelp cars. Yeah. So we'd drag them down to the beach with us."

As this example reveals, varied representations of the sea enliven family homes throughout Neah Bay, illustrating the intimate relationship between Makahs and marine
space. Together, the presence of these symbolic representations verifies the tribe’s strong orientation toward the Pacific.

Interview results also reveal the ways in which Makah creation stories and legends are symbolically oriented toward sea. The fables of the trickster Kwaiti and the tales of Hishka, for instance, narrate the ways in which Pacific coastal landforms and rivers were formed. Legend suggests that sea stacks such as Strawberry Rock, and the river of Su-ez, were the creative product of Kwaiti’s mischief along the coast. Through the historical accounts of Hishkus and Kwaiti, space and place were born. Other legends explain how the tribe came to utilize certain resources throughout history, such as the halibut and the gray whale. The tale of the thunderbird, for instance, suggests that the gray whale was “flown in” as a gift to the native people in times of economic despair. Today, not all Makahs give credence to these creation stories, but legends are nonetheless embedded in the tribe’s collective history as they’re passed on to subsequent generations. The unbroken, multi-generational chain of creation stories serves as a constant reminder that Neah Bay and its resources were made for Makahs.

In summary, interview and participant observation data reveal that the Makah Tribe is physically, architecturally, and symbolically oriented toward the Pacific Ocean. This spatial configuration suggests that in addition to its cultural, economic, and political forms, the sea maintains an important place in the everyday spaces of Makah society.

Section 7.2, more generally, has presented an argument about the various ways in which Makahs socially construct Pacific marine space (i.e. economic, cultural, religious, political, terrestrial). On one level, I have tried to emphasize the vital role that the sea and
its resources play within historic and contemporary Makah society. On another level, I have exposed the ways in which the tribe’s vision of sea space — and how its resources should be utilized — has come into conflict with the spatial constructions of Euro-Americans (i.e. colonialism, capitalism, gray whale preservation). In essence, I have used this section to emphasize the divergent, and therefore, problematic ways in which sea space has been conceived in the Pacific Northwest.

But this argument is insufficient in and of itself. Indeed, the tribe’s movement to reclaim sea space generated a host of other important social consequences. On one hand, their sea-based resurgence showed that Makahs, after generations of federal dominance, had begun to strengthen their identity as an Indian nation. But concurrent with the tribe’s "identity formation," some groups began to doubt the extent of the tribe’s “Indianness” (see chapter six). In other words, the notion of Makah whale hunters, replete with 50 caliber rifle and cedar canoe, conflicted with dominant western views of the ecologically noble savage. Thus, as the tribe attempted to construct its Indian identity through sea-based traditions, the anti-whaling opposition worked to tear it down.

In the remainder of this chapter, I use interview data to elaborate upon these “outcomes” of the Makahs’ sea-based cultural renaissance. While chapter six has covered this topic in considerable detail, this chapter presents the tribe’s perspective. I ask, what did Makah respondents see as the “consequences” of cultural revitalization? Did the movement serve to strengthen the tribe’s identity? Did it exacerbate extant anti-Indian sentiment in the Northwest? In order to answer these questions, I once again return to the interview and participant observation data.
7.3 The Consequences of Sea-based Cultural Resurgence

At the close of interviews, respondents were asked to identify the most important consequences of the tribe's cultural revitalization movement. Cultural revitalization was defined as "beginning with the Ozette period (1980s) and ending with the gray whale controversy (1990s)." Interviewee responses fell into two different categories. These included: 1) the resurgence of a collective tribal identity (58%); and 2) anti-Indian sentiment in the form of racism, intolerance, and prejudice (55%). These results, on one hand, show that the revitalization of sea-based traditions served to strengthen the tribe's collective identity. On the other hand, they expose widespread conceptions about the "appropriate" role of Indians in U.S. environment and society. In the following paragraphs, I clarify these two points in greater detail.

The construction of Makah identity

Some 55% of interviewees cited either "racism," "intolerance", "anti-Indian sentiment", or "prejudice" as the most significant outcome of the tribe's cultural renaissance period. While many interviewees recognized the way in which cultural renewal had strengthened Makah identity (58%), they were more inclined to detail its negative consequences during interviewees. For this reason, I focus primarily on interviewee accounts of anti-Indian sentiment in this section.

Makahs faced the first wave of anti-Indian sentiment in the form of racist letters written to the Seattle Times editor. In general, these letters were published shortly after the Makahs submitted their whaling proposal to the U.S. government. Makahs were keenly aware of these publications; during semi-structured interviews, they expressed
"outrage" and "frustration" with what they termed "civilized hatred," "misdirected loathing," and "mean-spiritedness." Electronic media sources were not immune to anti-Indian sentiment either. In 1998, anti-Makah web sites such as "www.Makah.org." were developed. This particular site portrayed a digitally enhanced photo of the Makah Nation dripping with red blood, an image meant to symbolize the tribe's impending slaughter of the gray. Derogatory remarks littered the web page, and Makahs feared the "constant threat" of "physical harm."

Interview results also suggest that racism against the Makahs was masked in subtle and varied disguises. Interestingly, it was the less obvious forms of racism that the tribe found particularly disheartening. For instance, several Makahs spoke of circumstances in nearby Port Angeles (PA) where tribal members were refused service in "anti-Makah whaling restaurants" solely because of their Indian status. Ironically, several of the Indians barred from entry were not Makahs, but instead belonged to neighboring Quileute or Elwa tribes. In the following account, one Makah describes the unwritten costs of this type of Indian discrimination:

"The worse part of that restaurant situation wasn’t that Indians couldn’t eat there. There are plenty of other restaurants in PA. The worst part was that those Indians were put in a situation where they had to say, ‘Well, I’m not one of those Makahs. I’m a Quileute or I’m an Elwa or something.’ So they had to make that distinction. They have to explain who they are. That’s a big cost.”

Many of the interviewees felt that these subtle forms of racism were in fact more damaging. Makahs explained that it wasn’t the "outright racist remarks", but the gross "generalizations", which brought the greatest frustration to the tribe.
In a number of other circumstances, the Makah peoples have experienced the force of the Pan-Indian generalization. Makahs, like many indigenous Americans, have often been treated as members of a singular, homogenous group called "Indians", with little or no credit attributed to their unique cultural identities. Not surprisingly, such generalizations have been particularly disheartening for the Makah people. In the following excerpt, one Makah artist implicates the "native art" market, in particular, for its conspicuous construction of Pacific Northwest "Indianness":

"Oftentimes, a gallery will want you to like do a certain mask that is northern Nootka. That's not even Makah! Or they want us to explain the story behind the Nootka mask. How can we do that? It's not even our place to do that. Some people, some artists do it for them, I don't want to criticize them, but geez - it's like we're generic or something!"

Indeed, several of the interviewees acknowledged both Port Angeles residents and the Seattle art market for their role in exacerbating Pan-Indian generalizations. But not all interviewees identified these groups as the instigators of Indian stereotypes. Instead, respondents argued, these groups were merely perpetuating a process that has its roots in historic tribal-state relations.

Interviews with several tribal members reveal that the federal government maintains its own criteria for "what counts as Indian". Although the focus of Indian policy has shifted, the state's extant conceptions of "Indianness" still impact the everyday spaces of Makah society. An interview with one Makah artist, in particular, exemplifies the contemporary role of the state in constructing Indian identity. In 1998, this artist was asked by the U.S. Department of Wildlife and Fisheries to develop chapter illustrations...
for a book series on endangered species of the Pacific Northwest. In the following account, the artist explains the state’s response to his first set of draft illustrations:

“So they sent me a list of animals that were on the list to draw the pictures, and I drew them up. I was overwhelmed. I was just trying to draw them, pictures of the animals like that. I was trying to give that to the state (points to photo). And the guys says, ‘Oh no, we want Indian designs.’ I’m thinking, ‘Indian designs?’ Here I am feeling kind of pigeonholed, thought I’d have a chance to express myself. (He laughs). The guys says, ‘We picked you because we wanted Indian designs.’ Here I am racking my brain, trying to draw real animals. Here I thought I had a little place to display my work, and as a matter of fact, you know something? If I would have did regular wildlife art, I betcha I would go unnoticed just because it was ordinary wildlife art. I’ll probably get more from Indian designs, because they’re Indian designs, right?”

On one hand, this anecdote shows that the modern state maintains its own definitions of Makah Indianness. Moreover, the state's inclusion of "Indian designs" within the published record reveals one way in which popular myths about Indians are perpetuated. On the other hand, a closer reading of this excerpt shows that Makahs are keenly aware of the ways in which Indians are perceived, labeled, and judged.

Interestingly, interview results indicate that Makahs often play a role in the perpetuation of their own stereotypes. Several of these stereotypes are tongue in cheek, such as the Makah who jokingly explained to me:

“Yeah, sometimes I look around my home and say, ‘Yeah, this looks like an Indian home. Fish on the table, carvings on the wall, we’re broke, stuff’s falling apart’. But we’re not trying to make it look Indian. He he. Look, we got a T.V. and food on the table. Geez, people are surprised when they come up and see the Makahs have shoes. Imagine if they saw that T.V. in the corner. (Laughter.)”
Other interviewees made repeated, self-mocking references to “us lazy Indians” who “refuse to join the modern world.” Another Makah suggested I title this dissertation, “Indians don’t pay taxes”. When I inquired as to why, he responded:

“That’s what they want to hear, cause they think we’ve got it made. Let them think that way. Tell them we don’t pay taxes. We know who we are and what we do.”

By the Makahs’ own mocking of the Indian caricature, perhaps such stereotypes lose some of their power.

Some Makahs, in contrast, have chosen to stand up and reject popular stereotypes. One young interviewee, for example, explained the way in which anti-Indian sentiment was harnessed by the tribe in order to fuel the cultural revival movement:

"Racism on the web sites and stuff hurt kids. But it spurred many, even the slackers, to take notice of their heritage."

Another interviewee describes a similar response to the mass of racist slurs he found in Seattle print media:

"You know, when I read all the racist things that people were saying about us in the Seattle news, it really affected me. You know, all that 'kill a Makah, save a whale.' It was weird though. I didn't get mad. I got sort of pumped. I realized the importance of what we had and what they {the racists} had lost. I knew we weren't 'lazy' or 'savage' or 'barbaric.' 'We have traditions,' I thought. 'We are whalers!' I thought. We have pride. What do they have? I was so pumped. I went right to work on a new mask."

Still other interviewees, however, argued that anti-Indian sentiment that developed in the wake of Makah whaling activities was "peripheral", "unimportant," or "inconsequential" to the tribe's cultural resurgence. During interviews, I found that elders, in particular, consistently emphasized the point that racism was secondary to the
“movement”. When one elder, for example, was asked to elaborate on the effects of racism facing the reservation today, he did not respond directly, but replied:

"That's not important. Why should we care. We're back on the Red Road."

In other words, while it is clear that the construction of Indianness perpetuates racial intolerance, it has not destabilized the Makahs' efforts to reclaim their identity through sea-based traditions. Indeed, the tribe has acknowledged the various ways in which Indians are both marginalized (through discrimination) and manufactured (through identity construction) in the eye of the public and through the policies of the state. Nevertheless, these setbacks have not arrested the Makah tribe's cultural resurgence.

7.4 Summary discussion

This chapter has attempted to combine an unwieldy amount of participant observation and interview data into a clear, manageable, and cogent format. While the results hint at numerous potential avenues of scholarly inquiry, I draw five critical points from the data in conjunction with the study’s primary objectives.

First, I argue that Makahs have constructed marine space as a symbolic Indian place. In particular, I use interview data to expose the economic (e.g. whaling and fishing), cultural (e.g. song and dance), political (e.g. mental maps), and terrestrial (e.g. architectural) ways in which Makahs conceive of their historic marine territories. I show that the Pacific has, in numerous ways, become a vital extension of the tribe's land-based reservation. This result suggests that in addition to its physical form, the sea is also a socially produced space (i.e. the village on the water).
Second, I argue that the tribe’s conceptions of sea space have been in conflict with dominant Euro-American spatial constructions since post-contact times. I point first to the arrival of American and European whalers into the eastern Pacific in the 19th century. The European whaling industry, driven largely by western notions of competition and accumulation, served to inscribe customary waters as a capitalist space. But the state, too, played a significant role in the construction of the Pacific marine space. Concurrent with the entry of commercial whalers, the state reoriented Makahs away from the sea toward inland agriculture. The promotion of a fixed resource base (i.e. farming), the state reasoned, limited the tribe’s mobility while increasing federal control over Indian life. This particular strategy showed that marine territories had become the next site through which the state could colonize tribal space and control Indian behavior. Eventually, these European spatial constructions (e.g. capitalism, colonialism) began to obscure Indian conceptions of customary marine space.

Third, I suggest that the Makah whale hunt is but a small part of the tribe’s larger movement to decolonize the space of the sea. Indeed, interview results have shown that the tribe is taking steps to revive many of its sea-based traditions. The ceremonial canoe, the chabooz hook, and the longhouse structure represent just a few of the historic traditions that Makahs, in recent decades, have attempted to restore. Despite this observation, I suggest that the Makah whale hunt represents a unique aspect of the tribe’s sea-based cultural resurgence. Unlike many other traditions, the Makah whale hunt symbolizes one of the tribe’s first attempts to physically reclaim marine space.
Fourth, I emphasize the complex and varied ways in which Makahs claim their "rights" to sea space. I show, on one hand, that some respondents view their rights to fish and whale as a product of "treaty law." On the other hand, I show that Makahs also claim a set of "ancestral" and "place-based/squatters" rights to the sea. This result has interesting implications for the contemporary tribal-state relationship. In other words, despite generations of state rule, Makahs still believe that ancestral and "squatters" rights to the sea take precedence over federal Indian law.

Finally, I argue that the tribe's efforts to reclaim its sea-based traditions have exposed a vein of extant racism in the Pacific Northwest. I illustrate how, in the wake of the Makah whale hunt, anti-Makah sentiment took many forms. While some anti-Indian sentiment was direct (e.g. racist slurs, anti-whaling restaurants), other forms were more subtle (e.g. pan-Indian generalizations). I suggest, on a broader level, that the racist response to Makah whaling activities can be explained in part by the myth of the ecologically noble savage. In other words, the Makah whale hunt -- replete with .50 caliber rifle and speed boat -- upset widespread conceptions of the "good and noble American Indian" (Weston 1996). Thus, as Makah Indians tried to strengthen their identity through sea-based traditions, others worked to tear them down to the level of "savage."
8. SUMMARY CONCLUSION

8.1 Introduction

This final chapter of the dissertation begins with a recapitulation of the study background and methodology. It then summarizes the most salient findings, discusses certain theoretical implications, and concludes with suggestions for future scholarly research.

8.2 Study background

In 1995, the Makah Nation shifted from relative obscurity into the global spotlight when tribal members proposed a controversial plan to resume a "culturally" based-harvest of the California gray whale (Seattle Times 1995). In the wake of the proposal, marine NGOs lobbied to arrest the whale hunt, state actors mobilized to police it, and the media aimed to document the slaughter. On the surface, a fight over "rights" appeared to emerge. On one side were the "rights of an endangered culture," backed by treaty law (i.e. the Makahs). On the other side were the "rights of a threatened species", endorsed by IWC regulations (i.e. the whale). In the global mindset, gray whales and Makah Indians were effectively framed as opponents at war in a battle over justice.

In my case study, I demonstrate that this overly simplified portrayal of the Northwest whaling controversy is incomplete. Rather, I suggest that the Makah whale hunt must be viewed as but one part of the tribe's larger struggle to revive their historic sea-based traditions (e.g. fishing, sea-based art, whaling). Furthermore, I argue that the tribe's movement to reclaim sea-based traditions is as much a symbolic struggle over customary marine space as it is a material struggle over marine resources. I hypothesize,
more generally, that the gray whale controversy epitomizes the global dilemmas that are produced when constructions of marine space are in conflict.

Indeed, Northwest marine space is best understood from multiple viewpoints (e.g. state, NGO, commercial fishers). Nevertheless, this study places its primary focus upon the Makah tribe’s conceptions. Because Makahs are historic residents of the coastal strip, I suggest that their narratives, in particular, contribute important insights on the transformation of Northwest sea space. Given this background review, I now turn to the study’s research questions.

8.3 Central findings

Research questions

At the beginning of this study, I flesh out three specific research sub-questions based on my central research question: How are Makahs using their conceptions of marine space to reclaim resources and revive tradition? Collectively, these sub-questions draw from the already existing literature on political ecology and livelihood struggles, environmental perception/social construction, critical legal studies, and global commons theory. More specifically, I asked the following interrelated sub-questions: 1) How are marine spaces socially constructed by Makahs (e.g. economically, culturally, politically, terrestrially)? 2) What historic processes (e.g. federal Indian law, ecological imperialism, neocolonialism) have shaped the tribe’s struggles over marine space in the Pacific Northwest? 3) How has globalization transformed the nature of local marine conflicts for the Makahs?
To operationalize these sub-questions, I employed three specific research methodologies. These included: historical analysis of Northwest archives; content analysis of print media coverage; and participant observation/semi-structured interviews.

To begin, each of the three data sets was examined based on how it helped answer the research sub-questions. Sometimes two different data sets answered the same research question. Sometimes a data set did not answer or even address a research question. Overlap, however, became an intended part of my study's design (see Figure 3.1). In essence, the use of multiple data sources (e.g. archives, media, interviews) allowed me to triangulate for the most accurate results (see Table 8.1).

<table>
<thead>
<tr>
<th>Research sub-question</th>
<th>Link to Methodologies</th>
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<tbody>
<tr>
<td>1. expose the ways in which Makahs construct sea space</td>
<td>-interviews/participant obs.*</td>
</tr>
<tr>
<td></td>
<td>-media analysis</td>
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<tr>
<td>2. demonstrate how historical processes (eg. federal Indian law, ecological</td>
<td>-historical archives*</td>
</tr>
<tr>
<td>imperialism, neo-colonialism) have reordered tribal space</td>
<td>-interviews/participant obs.</td>
</tr>
<tr>
<td>3. illustrate how globalization (eg. media technologies) has transformed the nature</td>
<td>-media analysis*</td>
</tr>
<tr>
<td>of the tribe's resource conflicts</td>
<td>-historical archives</td>
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*Denotes data set that best answers a particular research sub-question
Study results

The study results have been presented and discussed in considerable detail in chapters four through seven. Nevertheless, I provide a set of abridged summaries here. First, chapters four and five employed historical archives in order to ground the Makah case study. Using information gleaned from European explorers' accounts, Northwest coast ethnologies, federal Indian legal documents, and archaeological records, these chapters establish the historical context in which to understand present Northwest resource conflicts. Together, chapters four and five exposed the ways in which historical processes (e.g. Indian law, ecological imperialism, commercial fishing/whaling activities, eco-colonialism) reordered the spaces (e.g. both public and private) and struggles of Makah society.

Second, chapter six traces the history of Makah resource struggles using Makah-related print news coverage for the period, 1900-1999. Despite this chapter's historical emphasis, its primary focus is centered on the more recent gray whale controversy (1995-1999). Here, I analyze newspaper discourse in order to highlight the ways in which Makahs have mobilized media to empower their sea-based cultural resurgence (see section 6.4). I show, in conclusion, how print media afforded the Makahs an alternative space through which to challenge the dominant forces of neo-colonialism (e.g. marine NGOs).

Third, chapter seven presents the results of semi-structured interview and participant observation data. Here, I flesh out the most crucial theme of my study: the social construction of marine space. First, I highlight the ways in which Makahs have
constructed the sea (e.g. economic, cultural, political) as a distinct tribal territory. I show that the Pacific has, in numerous ways, become a vital extension of the tribe’s land-based reservation. Second, I argue that Makah conceptions of sea space have been in conflict with dominant Euro-American spatial constructions (e.g. colonialism, capitalism) since post-contact times. The gray whale controversy, then, represents a modern example of the frictions which result when indigenous (e.g. Makahs) and non-indigenous (e.g. marine NGOs) constructions of the sea diverge. Together, these results suggest more generally that in addition to its physical form, the sea is also a socially produced space (i.e. the village on the water). Third, chapter seven explores the way in which Makah Indianness is constructed in the Pacific Northwest. This result, in particular, was not central to my original study design. Nonetheless, this finding has exposed the prevalence of Indian stereotypes and anti-Indian sentiment on the Northwest coast.

Clearly, these four chapters address a variety of important issues. Despite this broad wealth of information, however, I draw four central themes from the collective data set (e.g. archives, media, and interviews) in conjunction with my study’s research sub-questions. The most salient findings are summarized as follows:

1) *In Neah Bay, marine space is socially constructed as an Indian place.* For Makahs, the coastal Pacific embodies a distinct set of economic, cultural, spiritual, political and terrestrial forms. First, sea resources, such as whales and fish, have provided economic livelihoods for the Makah people. Second, fishing and whaling traditions serve as conduits through which social systems endure, cultural activities flourish, and spiritual beliefs generate. Third, the tribe’s firm reliance upon sea resources necessitates a set of
political tactics through which Makahs may map, safeguard and contest the ocean’s use and safety. Finally, the tribe’s terrestrial-based representations of the sea confirm the ocean’s persistent role in everyday tribal life. Study results show that among Makahs, the sea has been employed, revered, and defended as a geo-cultural space since precontact times.

2. A combination of structural forces (e.g. state, commercial, NGO) has mediated the Makahs’ customary relationship to Northwest marine space. Of these forces, the state is implicated most frequently by Makahs for its role in transforming tribal society and space. Indeed, through historic federal Indian policies, the state has inscribed its mark upon the tribe’s land and sea territories. According to Makahs, however, the state continues to dictate the course of Makah resource affairs (i.e. the Makah whale hunt). In contrast, the role of other structural forces (e.g. commercial and NGO) is downplayed.

3. The Makahs’ contemporary movement to revive sea-based traditions and reclaim marine space has been empowered by both formal legal structures (i.e. state) and informal customary processes (i.e. tribal). Though formal treaty rights served to federally legitimize Makah whaling activities, the tribe’s “ancestral authority” spiritually enabled the Makahs’ return to customary marine use. Within both interview dialogue and media discourse, Makah respondents repeatedly invoked the authority of their traditional ancestors as the driving force in the whale hunt. The treaty rights rhetoric was also employed, but predominantly during the nascent stages of the gray whale controversy. This finding suggests that despite 150 years of federal dominance, Makahs still believe that ancestral authority takes precedence over federal Indian law.
4. The globalization of Northwest marine space has transformed the nature of Makah resource conflicts from a context of colonialism (i.e. the state), to a climate of commercial competition (i.e. whalers and fishers), toward a struggle against neocolonialist forces (i.e. marine NGOs). Makahs, however, have not been passive victims in the historic fight to secure customary marine space from outsiders. When dominated by the state in the 19th century, Makahs persevered. Collectively, they crafted alternative spaces through which sea-based cultural traditions could endure. In the 1960s, when commercial fishers penetrated customary Makah territory, tribal members lobbied their fishing rights cases before the courts. And in 1995, when the Sea Shepherd Conservation Society militarized local marine space, the Makah tribe employed global media technologies to contest their struggles before the world. I suggest that the Makahs are not victims of increasing globalization, nor are they necessarily models of native “resistance” to existing power structures. Rather, they are enduring symbols of resilience upon the Northwest coast.

Bearing these four findings in mind, I now shift to the central research question: How, specifically, have Makahs managed to employ their sea-based world-view to revive vanishing cultural traditions and reclaim historic marine territories? I conclude that the tribe used two mediums, one symbolic and one material, in which to contest their rights to the sea. Thus while the Makah whaling conflict was fought in Pacific marine space (i.e. material), the controversy also transpired within the space of print media (i.e. symbolic). At sea, NGOs and Makahs struggled over the fate of the gray whale using vessels and weapons. In the press, NGOs and Makahs contested the fate of the gray
whale using both text and image. Together, these mediums - both media and marine space - served as dominant sites in which the struggle over gray whales played out. Given this conclusion, however, the gray whale conflict must not characterized simply as a political struggle over gray whale resources. Instead, I stress that the tribe's contemporary whale hunt is only one part of a larger movement to reclaim sea-based traditions and decolonize customary marine space.

8.4 Theoretical implications

Socially produced marine space

The findings of this study contribute to the scholarly literature along four major fronts. First, I provide a solid theoretical and empirical examination of marine space. As chapter two suggests, a social theoretical treatment of sea space has been largely ignored in the geographic literature. Indeed, oceanographers and climatologists have paid critical attention to the ocean's physical form, its processes, and its resources. Despite these efforts, however, the sea is seldom conceptualized as a human space or place. In my study of the Makahs, I provide important insights into the complex ways in which marine spaces are socially produced.

I recognize, on one hand, that between the fish-ins of the 1970s, and the whaling controversy of the 1990s, Northwest sea space has served as the physical or material location for several major environmental conflicts. But while these struggles take place somewhere in material space, my study reveals that resource conflicts often simultaneously play out in the symbolic realm. Quite frequently, these symbolic
struggles are fought in the discursive sphere of the press, where words and images, rather than fists and rifles, are used as weapons in the battle over resources.

My study therefore reveals that contests over environmental resources often have loose grounding in their local material realities. For instance, in the same way that the fight to save the Amazon became a symbolic global struggle to preserve biodiversity, the Makahs’ movement to revive their local, sea-based traditions was also recast as an event of international proportions. This finding suggests that local sea spaces, then, are also part of the larger, “symbolic” global marine commons. Thus while livelihood struggles over such environments are still in part local, they cannot be disconnected from the larger global forces that shape the “stakes” of the conflict, the terms of the debate, and its final outcome.

Political ecology and First/Fourth World livelihood struggles

My study also points the lens of political ecology upon 4th world struggles within first world economies. Indeed, Native Americans reside on some of the most marginal lands in the United States. Increased resource degradation has only exacerbated the environmental conditions of the reservation. For natural resource-dependent tribes, in particular, the deterioration of their resource base has only worsened social conditions (e.g. unemployment). Furthermore, political-economic forces (i.e. state, commercial), through their policies and practices, have played a critical role in the degradation of Indian land and resources. In essence, the livelihood struggles within Indian country are ideal subject matter for political ecologists. Why, then, given the environmental conditions of the reservation, have U.S. Indian communities been ignored in the literature
in favor of Third World (e.g. Central American, African, and Asian) livelihood struggles?
My research on the Makah has worked to fill a small part of this “place-ist” gap in the political ecology literature.

Clearly, the large body of existing literature on third world political ecology lends important insights into the livelihood struggles within these First/Fourth World communities. In both First and Third World contexts, for instance, livelihood struggles are often linked to issues of cultural identity, land tenure, and the larger political-economic forces that ultimately restrict (or enable) local resource control. What makes First/Fourth World livelihood struggles unique from those in Third World environments, however, is the relative power and position of First World states. In the U.S., for instance, not only does the state possess more physical resources, but it also maintains the international might to support its indigenous communities in their resource struggles, if it chooses to do so. My research contributes to political ecology’s understanding of these First/Fourth World environments by exploring the political context in which certain states mobilize to assist rather than aggravate the livelihood struggles of Fourth World communities.

CLS, the rights rhetoric, and the state

Third, my study sheds light on the role of the rights rhetoric within Indian country. More specifically, I have attempted to flesh out the varied and complex ways in which rights to marine space are conceived and contested. Following the CLS literature, I have acknowledged the crucial role that treaty rights play in the articulation of contemporary Indian struggles. At the same time, however, I have exposed a set of Indian rights beyond
those that have been established by federal treaty law. I show, from the Makah perspective, that access to marine space is similarly viewed as an ancestral and place-based Indian right. This finding suggests that a set of "rights," beyond treaty rights, exist outside the realm of dominant western legal paradigms.

My study essentially challenges the CLS literature for its tendency to limit the "rights rhetoric" to a narrow discussion about resource use and access. I show that the Makahs' movement to revitalize their whaling heritage is as much a spiritual and identity issue as it is a treaty rights issue. In other words, the tribe's treaty right to whale cannot be disentangled with the right to be Makah and the right to practice cultural traditions. While this observation may seem obvious, the CLS literature to date has failed to acknowledge the historical, spiritual, and identity issues that shape the contemporary rights discourse among Indian tribes.

Finally, my study provides important insights into the relationship between rights, Indian communities, the environment, and the state. Here, I draw critical linkages between the CLS literature (i.e. rights/state) and the work of political ecologists (i.e. the environment/state). I show, quite simply, that the "rights rhetoric" provides another way in which local communities can relate to the state in matters of local resource control. I argue that use of the rights rhetoric serves to place the state and the tribe on an equal level -- as sovereign to sovereign -- in cases where environmental control is at stake. Here, citizens are asserting a right that the state is forced to examine. Treaty rights therefore mediate the relationship between Indian communities and the federal government. Furthermore, because many Indian communities are economically marginalized, their
ability to mobilize around these rights in order to maintain control over their local resources is critical.

**Social construction of scale**

Finally, this study contributes to the recent development of the social construction of scale literature. The results of the media analysis, in particular, demonstrate the ways in which marginalized groups can challenge the "territorially imposed boundaries" of the community or the reservation. I have shown, in other words, that media technologies enable "spatially" marginalized peoples to shift their struggle across geographic scales. This statement is not meant to suggest that groups completely transcend their material base. Rather, I argue that media provides "bodily trapped" groups (Adams 1996) a symbolic medium in which to articulate their locally-based struggle to a national or global constituency. In the process, these groups may then amass more widespread support for their local cause. On a more conceptual level, this strategic use of media forms suggests that local groups may effectively contest the production of geographic scale.

But my case study also reveals the dark side to the availability and usage of these new media technologies: the social production of misinformation. Indeed, in the same way that media forms enabled the Makahs to pitch the cultural significance of their whale harvest to a global constituency, anti-whaling groups were also able to utilize the press as a medium in which to articulate their political objectives. In an attempt to advance their own agendas, however, some of these groups began a campaign of misinformation in the press in order to deconstruct the image of the "ecologically noble" Makah. Using both
texts and images, these groups depicted Makahs as barbaric, uncivilized, cruel savages who were not "traditional" enough to whale.

It is critical to note that for many Makahs, this defamation and misinformation served to strengthen the tribe's collective movement to reclaim their sea-based traditions. For others, however, feelings of disempowerment ensued in the wake of the anti-Makah press coverage. Indeed, media technologies have effectively helped the Makahs to acquire more widespread global support for their cultural traditions than ever before. At the same time, however, the tribe has also received greater condemnation from around the world. In contrast to the work by Adams (1996), then, my study more closely examines the "two-way street" of using media technologies within marginalized communities. I suggest that while media forms serve as a vehicle for emancipation, they also have the potential to backfire, and as such, may lead to further disenfranchisement of local peoples.

8.5 Future research

The data from the Makah case study hints at several possible avenues for future scholarly inquiry. First, in chapter six, I emphasize the need for theoretical work on the discourses of "consumer rights" to environmental resources. Indeed, the discourse of nature protection has often been framed in terms of "species rights." I submit, however, that market and consumer forces also drive the movement to protect and preserve wildlife. Indeed, Americans have increasingly begun to articulate their right to see and
experience nature in an unspoiled, primordial, pristine state (e.g. nature tourism). But what, then, are the roots of this consumer rights to nature discourse? How, exactly, is this "right" to nature articulated within American society? Can this discourse be located the texts and images of global media? The answers to these questions may provide new insights on the relationship between nature, environmental ideology, and western society.

Second, I suggest that theoretical geographical studies would benefit from an investigation into non-indigenous social constructions of marine space. For example, how do marine-based conservation groups, such as the Sea Shepherd Conservation Society or the Sea Defense Alliance, conceptualize the sea? How, for instance, do NGO constructions of marine environments differ from those of Makahs? Are there any areas in which NGO-Makah ideologies coalesce? Such inquiries will contribute an alternate perspective on the social conceptions of marine space. Taken together, an understanding of both indigenous and non-indigenous perspectives will help scholars to understand the ideological roots of resource conflicts.

8.6 Red Waters: The Last Word

In the Pacific Northwest, the coastal waters of Cape Flattery are colored with 2,000 years of Indian history. In Neah Bay, in particular, the Makah Indians have embraced the offshore seascape as an historical backdrop upon which their livelihood, culture, and identity take form. Here, the water is replete with memories of Makah sweat and whale bone, oil slicks and protest, boat sabotage and fish-ins. For the Makahs, there is no maritime mystique. Rather, the sea is a known, mapped three-dimensional terrain of

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1 In Washington, for example, Westport residents opposed the Makah whale hunt for ideological reasons beyond the whale's "right to live" (see media chapter: 6.4.2.2). Whale-watch activities, according to local discourse, also
work, education, struggle, inspiration, and emancipation. Marine space is a Red place that has been conceived, defended, and reimagined by Makahs. It is the village on the water.
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