

Response to Rita Miraglia's Did I Hear That Right? One Anthropologist's Reaction to Colleague's Testimony in a Court Case Involving Alaska Native Aboriginal Hunting and Fishing Rights on the Outer Continental Shelf

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I appreciate Rita Miraglia's interest in my work. I value informed discourse, recognize the need to contextualize certain aspects of anthropological research, and want to take the opportunity to respond to her criticism.

Rita Miraglia's self-appointed advocacy for the plaintiffs in this case misrepresents my carefully crafted expert witness report and sworn testimony, the testimony of other witnesses (plaintiffs included), the basic facts of the case, and the cultural history of the entire Alutiiq region. This case is still in the appeals process, and I am bound by agreements that do not allow me to discuss the case in detail. My expert report and testimony, however, speak for themselves.

Rita Miraglia falsely claims that I distort and challenge Chugach identity. I had the unique opportunity to provide information to the court through the grueling expert witness process when asked to do so to rebut plaintiff's claims of *actual, continuous and exclusive use and occupancy of the entire GULF OF ALASKA from Kayak Island to Kamishak Bay* by a single entity.

Rita Miraglia claims that I testified with an inappropriate level of certainty on this and other issues and somehow introduced facts when there was no evidence. It is obvious from her article that she missed the entire point of the trial. The plaintiffs introduced evidence that the defendant rebutted, not the other way around. Rita Miraglia did not understand even the basic mechanics of the legal process in this case.

Rita Miraglia wants readers to believe that I twisted the historical record, yet the plaintiff's own expert Dr. Patricia Partnow testified at trial that the "local group" was the basic social unit in the region prior to European contact. John Johnson, the Chugach historian, in his book *Chugach Legends* cites a statement that there were eight *independent* tribes in Prince William Sound at the time of contact. It is indisputable that aboriginal inhabitants of this region were organized as politically independent social units - not a single regional entity. Either Rita Miraglia can't grasp this basic concept or else her advocacy overrides her objectivity.

Among Rita Miraglia's many disturbing misrepresentations of my work is that, in her mind, I *sought to discredit all of the oral history gathered by Frederica de Laguna and Kaj Birket-Smith in Prince William Sound in the 1930s as irrelevant*. The extensive changes that occurred in the region in

the 1700's and 1800's, along with the historical events that caused these changes provide the *context* in which to critically evaluate the oral history collected much later in time by anthropologists.

One of the most important descriptions of these changes (which Miraglia ignores) was by the late Lydia Black, the preeminent scholar of Russian America who wrote:

After 1799, there was no room for maneuvering, and political independence in external affairs was lost to all nations within the immediate control of the company. These were the Aleuts of the Aleutian archipelago, Alutiiq peoples of the Kodiak archipelago and eastern Alaska Peninsula, the Chugach of Prince William Sound and outer Cook Inlet, and coastal communities of the Cook Inlet Athabaskans, the Dena'ina. Pax Rossia was imposed (and accepted) and Native international relations changed.

Because of these enormous 18th century changes, the 20th century ethnographic accounts need to be used cautiously because of the potentially misleading conclusions that inadvertently can be derived from such accounts if the accounts are not carefully contextualized. Rita Miraglia appears incapable of critically evaluating 20th century oral histories.

The notion of a pan-Chugach regional identity is a recent phenomenon and an important element of cultural survival among contemporary Alutiiq people responding to post-contact cultural change. However, uncritically projecting this contemporary regional identity into the distant past obscures the indigenous local group social structure seen archaeologically and evident in a critical evaluation of ethnohistoric and ethnographic data. Either Rita Miraglia is incapable of rigorously assessing the past or else her advocacy supersedes her objectivity.

Rita Miraglia attempts to cast me as some sort of racist who would trivialize, marginalize, and oppress the Chugach people and their culture. In reality, I participated in an intense legal process that objectively highlighted important ethnohistoric issues. I have conducted similar objective and professional archaeological work on behalf of Alutiiq people elsewhere in the region. Her unprofessional rant does nothing to advance an informed understanding of any of these issues. Her personal attacks disguised as critiques lower the level of discourse and attempt to create controversy where there is none.

It's absurd that Rita Miraglia – who was merely a trial spectator – feels free to take my carefully crafted sworn testimony and misrepresent it venomously. Such shrill partisan bellowing is embarrassing and has no place in educated discourse. Most Alaskan anthropologists are capable of discussing the past without accusing colleagues of sinister motives just because they happen to disagree with them.