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Merging Social Control and Criminal Law in Small Eskimo Villages in Alaska — Can It Be Done? The Portrait of the Inner Logic of Social Control Governing Drinking Behavior and Its Relationship to Criminal Law Process

Stephen Conn

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Summary

The legal reaction by Yup'ik and Inupiat Eskimos in Alaska to drunken behavior has changed over time from one that penalizes drunkenness to one that seeks to prevent drinking. This new therapeutic approach interferes with any preemptive aggressive response by persons seeking to control an intoxicated person. Moreover, since the law perceives an intoxicated person as sick rather than bad, the traditional perception that an intoxicated person is not his normal self may be reinforced by the law. Indeed, a drunken person may act aggressively without fear of later community blame. The author concludes that the law should re-orient Native community members to understand that there is a connection between the sober and intoxicated self.
MERGING SOCIAL CONTROL AND CRIMINAL LAW
IN SMALL ESKIMO VILLAGES IN ALASKA -
CAN IT BE DONE?

The Portrait of The Inner Logic of Social Control
Governing Drinking Behavior and
Its Relationship to Criminal Law Process

Stephen Conn
Professor of Justice
University of Alaska
3211 Providence Avenue
Anchorage, Alaska 99508

This Paper dedicated to Phyl Booth

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In his book, *Behavior of Law* (1976), Donald Black examines the relationship between more general forms of social control and law, a form of social control distinguished from the rest because it is governmentally imposed.

Social control, says Black, "defines and responds to deviant behavior, specifying what ought to be: what is right or wrong, what is a violation, obligation, abnormality, or disruption." (1976:105). In its variant forms it is more than governmental edict. It includes custom and ethics.

By its response, it establishes the etiquette of the setting, whether that setting is an urban sidewalk or the boardwalk of an Eskimo village.

Law for Black is "governmental social control. . . . It is, in other words, the normative life of a state and its citizens, such as legislation, litigation, and adjudication." (1976:2). For Black, then, most "primitive societies" may have social control, but very clearly lack law as he has defined it.

Legal anthropologists of the modern school would question such a narrow definition of law, some preferring to use the term law as nearly synonymous with what Black defines as "social control" (see, Pospisil:1967). Others, more conservatively, would find group response to deviant behavior, whether customary or whether institutionalized, to be law enough in its regularity and societal impact to be law.

For the purposes of this paper, however, Black's more ethno-
centric view of law as essentially the activities of Western law institutions serves well as we examine its relationship and impact to other forms of social control, flowing from Eskimo custom over time.

No relationship is more mysterious to me than that of the one which exists between legal process and other forms of social control. We can confirm an interrelationship; many have done so. But how do the two powerful influences upon behavior influence one another?

Does law displace social control or merely fill a vacuum? Does law, or rather the instrumental reaction of law-givers to what they perceive as deviant behavior, actually strengthen and reconfirm that deviance? How might law-givers anticipate and resolve such a destructive tendency? How might they repair and enhance a working relationship between law and social control, or at least replace productive social control with productive law?

My study of this question has been focused upon an environment where Western law and Inuit and Yupik social control merge: the great Alaskan bush where more than 200 Native villages of 300 persons on average are scattered on tundra and coastline. I have also examined literature on the Canadian Eskimos. The focus of my inquiry is upon the community perceptions of those who have acted out while intoxicated or while mentally ill, their characterization of such behavior and their reactions to it.

In this paper I attempt to distill from these events and from those who have studied them what might be termed guides to the
inner logic of Eskimo social control. My belief is that with some appreciation of the inner logic of Eskimo social control—especially its approved upon etiquette where drinking and violence are concerned—that legal approaches and legal measures can be reexamined to determine how they affect these underlying premises of social control for good and not for ill.

In an unpublished paper, a former Alaska psychiatrist (Bloom, 1975) describes what he terms are patterns of Eskimo homicide. He analyzes two village homicides performed by Alaska Eskimos who acted (according to his diagnosis) under the influence of liquor and as a result of a mental illness. The mental illness is described as ego-dystonic or dissociative.

Bloom explains that the conflict between the killer and victim (or other village people) extended over a lengthy period on an unconscious level. Its resolution in violence was precipitated by seemingly insignificant events which occurred while the victim and killer were drinking.

Characteristically, each killer viewed his act of homicide as the act of someone else or simply forgot it. In one instance, the murderer was a store manager and in another the village chief of police. The victims were close acquaintances.

In elaboration, Bloom suggests that the psychopathology of these cases underlies a rise in reported murders and suicides in Eskimo villages during the late 1960s, and that has extended into the present decade (Kelso, 1977). They are no more than more deadly examples of what he views as endemic liquor-related acts
of violence, notable for their dissociative psychiatric character. He states:

Dissociative episodes seem to lie at the core of the Pibloktog syndrome and hysterical mechanisms have repeatedly been postulated as operative in basic Eskimo personality dynamics. . . . It seems clear that dissociation associated with violence is in the service of ego-denial of the dread hostile wishes. The denial associated with alcohol and dissociation is profound and stubborn. 'It is not me, it was someone else' or 'it was the drinks' are common statements made after a violence event. The extensive denial, the long training involved in the inhibition of hostility and the consequent reluctance to make anger conscious and verbal all lead to great difficulties in psychotherapy." (1975:10-11)

Independent research by the author (Conn, 1975, 1980, 1981, 1982) and with Hippler (Conn and Hippler, 1973, 1974, 1975) in Alaska Eskimo villages suggests that there are indeed many examples of reported and unreported interpersonal violence. Nearly all of these acts of physical violence have as an additional factual element, liquor consumption. Often (as in Bloom's case studies) the victim has been drinking. Often (but not always) the ultimate aggressor held a job which was distinctly Western in origin and new to the village, such as that of village policeman.

Beyond these factual similarities, it is difficult to subject the Bloom thesis to critical examination. Drinking may be a motivating factor in interpersonal village aggression or it may mask other motivating factors not so easily perceived by the outsider and already fixtures of Eskimo culture. A psychiatric trauma uniquely appropriate to the socio-cultural environment of Eskimo communities may influence the aggressor. But here again,
few cases of serious interpersonal violence from Native villages receive early and probing psychiatric analysis unless a defense attorney appoints a practitioner to determine if a defense of insanity can be mounted in the resultant legal proceedings.

Bloom's allusion to Pibloktq is not immediately persuasive. Others have emphasized that aggression was not among arctic hysteria's symptoms. In fact, if aggression manifesting itself in violence has emerged as a not atypical form of social interaction in Eskimo communities, this behavior flies in the face of traditional child rearing and socialization practices in that group (Briggs, 1970; Conn and Hippler, 1973:12-13; Vanstone, 1962:84). For a group member to commit overt aggression against another group member for reasons other than those closely aligned with group survival was fraught with risk for all but the most indifferent bully (Graburn and Strong, 1973:164).

If Bloom's thesis provides clues to a profound change in social behavior among Eskimos, these clues can only be explored within the context of the Eskimo socio-cultural environment as that environment either places limits upon choices available to individuals and to the group regarding the use of force or sets no limits at all. Further, each element of the equation must be explored. What correlation, if any, exists between the definition and treatment of mental illness and the tolerance of force in Eskimo society?

What correlation, if any, exists between liquor and violence as Eskimo society views it?
Generally, what correlation exists, finally, between the presence or absence of sanctioned forms of aggression by individuals or collectivities and apparent antisocial behavior in Eskimo society and responses to it?

While analysts may carve forms of behavior out of their social context for purposes of categorization, no clear reading of the relevance of liquor or mental disability to acts of interpersonal violence can be formed without reference to the ways that Eskimo societies respond to acts of violence in more general instances.

Our own society has concluded that the sick are to be treated and protected and, as such, should be distinguished from the guilty who are to be punished for deviant behavior. Whether or not this social doctrine has been effectively translated into reality, it has served to justify the development of relatively discrete institutions of treatment and institutions of punishment. Although our complex society appears prepared to separate the sick from the guilty without reference to the similarity of their acts, our legal system rarely excuses otherwise criminal acts of interpersonal violence committed by mentally ill persons.

Every form of insanity does not justify or excuse otherwise illegal acts. In most American courts, only a profound inability to appreciate the nature of one's acts, or to distinguish right from wrong, will allow a defendant to become a candidate for treatment only and not for punishment (Polier, 1968). Thus it can be argued that even in our complex society the legal system
has not incorporated into its response of definitions the developed categories of mental impairment established by specialists as vehicles for diagnosis and for treatment.

Also, often separate and apart from the medical specialist's response to recognized forms of illnesses and their symptoms are societal norms which suggest the ways that ordinary people should respond to the intoxicated-and-violent or the sick-and-violent. Tolerance, indifference, retreat, engagement or referral may each be considered appropriate in particular settings in response to particular actors who have been violent particular ways. These assessments are personalized in the extreme when social intimates are involved (Black, 1976).

This brief excursion suggests the folly of an attempt to predict rigid social responses to even acknowledged acts of social deviance in Eskimo society. Although an analysis of the changing structure of the Eskimo community can tell us something about the likely tolerance of violence associated with liquor or illness, it should surprise no one that many responses are directed first at the dangers created by aggression by a particular person in a particular setting and not at its cause. For it to be otherwise, that is, to have a response to violence defined by its cause seems especially unlikely in a personalized small society where bureaucratic departments to treat or punish have established no reliable presence (Conn, 1984).
Overview of Eskimo Social Control

Any consideration of the license afforded or constraints imposed upon drunks or madmen in Eskimo communities must begin with a consideration of license and constraints among Eskimos generally.

Individuals in the traditional context were expected to act with reference to noncoercive social cues. Beyond that, they were autonomous (Honigmann, 1967:96; Spencer, 1959:161-62). Those who acted so as to challenge the autonomy of others were talked about or, perhaps, ridiculed. Only protracted violations of the rights of other people would result in what might be termed an overt societal response or what Marcel Mauss terms a moral sanction (Mauss:1950, 1979 trans:67). The societal response would be no more than an act or acquiescence by individuals who had each personally reached a similar decision that the injurious party was finally no longer tolerable as an autonomous being. Only then was a person banished (or more often deserted) or executed by kin or other designated persons or otherwise attacked and punished (Spencer, 1959:155, 122; Steenhoven, 1959:83; Oswalt, 1967:178).

No overriding jural authority measured or evaluated conduct. (See Conn and Hippler, 1973). Individuals measured aggression. Reactions could be subtle such as threats expressed in a way that only the threatened could understand. Recipients considered the extent to which aggression intruded substantially upon them or upon those who were tied to them by kinship or by trading alliance. Thus, while individual violations might be excused
away or even reinterpreted so as not to figure into future relations­ships when they occurred, the carryover effect of transgres­sions upon one or more persons created the climate for ultimate sanctions including an execution. Short-run forgiveness did not result in long-run forgetfulness. Pressures between the trans­gressor and injured persons began to mount (Gubser, 1965:184; Hippler and Conn, 1973:22; Steenhoven, 1959).

Strangers

Since a collectivity of individual opinions guided social control, strangers or persons isolated from other individuals because of an absence of previous or present relationships with them were in a different position than other individuals when they aggressed or were themselves the victims of aggression (Spencer, 1959:72, 73). They could call up no predictable support from kin or companions. On the other hand, what a regular member of the group did would be remembered and would influence other persons' secondary reactions to him for years afterward. So, in one sense, strangers were at an extreme disadvantage. In another sense, they were at an advantage since, with no pre­history, initial reactions to their aggression might be relatively mild in effect. Furthermore, less severe forms of social control such as gossip would be less important to a non-group member with no stake in his reputation among group members. A stranger could trespass and depart because early sanctions were subtle and keyed to one's concern with ongoing relationships.

Of course, the theoretical advantages and disadvantages of "strangerhood" are valid or are fictional depending upon the cir-
cumstances of Eskimo society. During the period when favorable association with a marauding hunting group was critical to survival and physical or social isolation meant certain death, strangers were probably more concerned with firming up relationships than they were of taking undue advantage of their special situation and thereby enhancing it. Yet in the modern epoch of settlements, mixed wage and subsistence economies, ready transport from village to village or village to town, and bureaucratic support for individuals outside of their societal context, the constraints on strangers are less serious. In towns, like Bethel, Kotzebue and Barrow, village people take advantage of their strangerhood and behave differently. In home villages, ongoing relationships can still be affected by inappropriate behavior but the ultimate stake is now at worst continued residence in the community rather than life or death. Reliable and depersonalized legal services are still not reliable in most Alaska villages. Where they exist, state personnel who police, prosecute and defend are strangers to village people so rapid do they turn over positions. This means that that the relative social constraints of social control upon stranger and non-stranger are still relevant because social control dominates as law does not (Black, 1976).

How might a stranger be dealt with when he is deviant? People might consider active and early reactions to aggression by strangers. These acts might be considered "overreaction" or overinvolvement in the business of a fellow villager. Yet not only will the stranger depart, but he will leave behind no kin or
allies to continue a feud. So aggression against him and by him leaves fewer ripples in the pond of community life.

A review of articles on mental illness and alcohol use among Eskimos suggests that a fictional transformation of the relationship between a known resident and his counterparts into a temporary, fictional relationship between a stranger and strangers sometimes allows for normally unacceptable aggression and counter-aggression to occur without displacing or violating more generally the traditional norms of interpersonal relationships between villagers.

**Mental Illness, Violence and the Eskimo Community**

Most investigators would subscribe to the thesis that normality and abnormality for Eskimos or other cultural groups can be fully understood only by analyzing definitions of illness, the process of treatment and other aspects of critical interaction between the "sick" and the "healthy" in that group (Opler, 1956). However, one can argue that there is some failure to abide by that dictum in the largely Western analysis and organization of findings by Vallee (1966) and Murphy and Leighton (1965). Each sets out to determine the range of acquaintanceship which Eskimo groups have with variant forms of mental illness. Both discovered a range of possible etiological categories which if correctly arranged could be matched with recognized Western types of mental illness. However, the price of this organization has been to reinterpret what Eskimo informants have offered as relatively indefinite, individualized and transitional "clusters of conduct" and reacted to as such into relatively permanent and
recognizable disease forms. The result is that no realistic appreciation of response to illness-and-violence can take place unless the analysis of diagnosis and treatment is returned to its more general setting of perception and response to antisocial behavior.

Vallee isolated from symptoms denoting probably epilepsy, hysteria or acute depression, behavior which suggested to Eskimos that the victim was likely to harm himself or others. This malady was called quajimaillitug, "he does not know what he is doing" or "he does foolish things" (Vallee, 1966:67-73).

Although Vallee stresses that this is not a diagnostic label, he concludes that this kind of behavior is handled by Eskimos in a special way because its origin is infection by the devil when a person does not live correctly. As such, it is contagious among Eskimos with similar propensities but not among non-Eskimos (1966:71). The Eskimo community's response to aggression by such a person is to have persons less susceptible and, therefore, Western non-Eskimo specialists guard and contain him. In the old days he would have been killed if he was particularly violent (1966:70). This concurs with Van Den Steenhoven's findings among the Keewatin Eskimos (Steenhoven, 1959:86).

In the modern epoch when Eskimo communities interacted with non-Native legal agencies, Vallee found that these agencies were usually requested to remove the victim of quajimaillitug from the settlement. Communities knew from "show trials" produced in Eskimo settings by the Canadian government that execution of
insane persons would not be tolerated by white police authorities without a full-scale judicial inquiry and severe punishment by a court prepared to give the Eskimos a first hand demonstration of the law of the Crown (Myers, 1966:44-46).

How does "treatment" of one who is possessed by the devil compare with the more general response to one who is antisocial? Although Vallee provides no comparative data, it would appear that the response of the modern Eskimo community has been substantially more aggressive to the victim than his acts would have merited traditionally. Vallee suggests that this pattern of mental illness which is described as akin to "rabid dogs during a violent phase of their sickness" (1966:68) has, in fact, never resulted in physical injury and taken no reported form other than "striking out" at close friends or relatives or verbal threats to non-Native institutions (1966:75). In fact, one person who was termed in a state of quajimaillitug by Eskimos was called "bad tempered" by police authorities (1966:74).

Non-Eskimos who remove this kind of sick person have been criticized for trying to deal with the victim as if he were himself. However, because he is possessed, it appears that liberties could be taken with his body by fellow Eskimos. He could be pummeled. Vallee, ever therapeutic, suggests that this was the equivalent of shock treatment (1966:71).

By another interpretation, what has really emerged in the Hudson Bay region is an acceptable justification for actively responding to violence or even threats of violence within the
prevailing social control structure. A category of persons could be set apart by their behavior and dealt with differently and more actively than their antisocial counterparts who were not possessed. Outright killing would not be tolerated by representatives of white institutions. But physical restraint, beatings and exile by fellow Eskimos would go unpunished by Western law. It would be tolerated both by kin and allies and sanctioned by the dominant white society.

What quajimaillitug seems to be for Eskimos of that Canadian region is not a medical diagnosis by an Eskimo group, but instead a social diagnosis of persons who are troubling or possible troublemakers but who have not yet crossed the boundary which separates probable deviants who are usually talked about from deviants who are acted against. Devil possession as a characterization of behavior transforms the victim from peer to stranger. He may be acted upon in a fashion which is then acceptable to his Eskimo kin and acceptable to non-Eskimo institutions. At the same time it provides a mechanism for separating the condition (which is to say, his behavior) from its bearer, the hapless victim and his allies. He is not responsible for his acts. Neither are his peers responsible to him for their acts upon him.

Put another way, within the context of Eskimo social control, separation of the self-who-threatens from the self-everyone-should-leave-alone has two virtues:

1. It provides a rationale for early and vigorous interven-
tion to forestall violence in ways that are then acceptable to the smaller Native and larger white societies.

2. It allows for comportment by the victim and reactive comportment by members of his community which do not permanently fix their ongoing relationships so as to create an ongoing feud. Neither side is stigmatized by its conduct as bullies were permanently stigmatized by their conduct (Conn and Hippler, 1973:23-24).

Murphy and Leighton found a general acquaintanceship among Siberian Eskimos with a variety of symptoms which comprise forms of diagnosible mental illness. However, they emphasized, Eskimos described acts and not permanent postures. States of being were offered by informants who put no particular emphasis on their permanence. Neither did they demonstrate embarrassment when close relatives were discussed (1965:103-4). Their characterization of the symptomological attributes of mental illness as impermanent seems to be logical for several reasons.

First, because when viewed as a whole, there was little or no organized system of ideas which served as a basis for recognizing treatment as a necessary response to odd or threatening behavior prior to Eskimo engagement with Western medical systems (Chance, 1962:412; Lantis, 1959).

Second, the described bases for diseases in the Eskimo belief system, e.g., object or spirit intrusion, sorcery, breach of taboos or loss of soul, each suggest an already perceived relationship between physical maladies and psychotherapeutic mat-
ters. Treatment of physical disease by healers or shamans stressed (and stresses) what we popularly term a "whole man" approach which emphasizes, in turn, patient involvement in the healing process and most especially renewed participation and reintegration into the group (Murphy, 1964:78).

Yet, when a person acted in ways which threatened his peers, the response of group members was more circumspect. Specialists may have been involved (Murphy, 1964:68; Vallee, 1966). There may have been some debate as to the social providence of these acts by persons less concerned with causation than the intrusive, aggressive behavior involved (Steenhoven, 1959:86). For example, among the Nunamuit there was little sympathy for persons who were neurotic or borderline psychotics. Such persons, when given to irrational flareups or angry outbursts to the detriment of social relationships were considered not sick but "out of balance" (Gubser, 1965:212) and in permanent disfavor.

It appears that Eskimos viewed manifestations of mental illness which were especially antisocial (that is, threatening or burdensome) in a variety of ways. They were stigmatizing in some instances, transitory in still others and interpreted away in some cases when it was suggested that the acts were performed by one under the control or possession of exterior forces. People in Eskimo societies as in our own were often prepared to deal with illness as behavior. A blanket characterization of a person as sick was not useful to him or to the group unless one wished a permanent breach in relationships. To so designate a person who becomes angry with little provocation would do little to further
continuing social relationships. Whether known as "sick" or "bad" those ongoing relationships would be impaired. Far superior to this would be a characterization of his conduct as transitory or better yet, as not really of his own doing.

Further exploration of the literature allows us to test these propositions.

Carpenter presents several illustrative cases of persons viewed as mad among the Aivilik Eskimos because of bewitchment for past, unconfessed acts, including murder and theft (Carpenter, 1968; 1953). Each afflicted person was, in turn, prone to antisocial violence and was a consequent burden on the community.

Kainuk, bewitched by his wife, attacked his daughter with rocks and edged instruments. Even though the community was at this time in contact with white institutions there was talk of doing him in before he died of mysterious causes (1968:59).

A second victim, aggrieved over a theft she had not confessed, began to attack people by biting them. Although Carpenter writes of the community's patience, this victim was confined by her peers in a coffin-like box with bars across the top and finally sent to a non-Native mental hospital where she regressed into a catatonic state (1968:61).

Two other women who had come to the community from other settlements fell ill and acted in ways termed hostile, dangerous and violently antisocial. The first was confined in a barred
igloo for months until removed to an outside hospital. The second, who attacked children, was tied up and tortured by community members to elicit a confession regarding the cause of her possession (1968:63).

While Carpenter addresses the community's interpretation of the causes behind antisocial behavior from a therapeutic perspective, it is also possible to view the acts and responses in another way. What he recorded may have been an explanation for conduct which allowed fellow Eskimos to permanently isolate these people in a manner which would have been considered far too aggressive had the victims been viewed as normal. Walling individuals away in an igloo is extraordinary conduct in a community where jails were not traditional forms of social control and are still fixtures of territorial law and not community law. Since Western law made execution a crime under its laws, it may be that treating a person as crazy and dangerous is the best rationale for direct punishment where Eskimos do not operate their own criminal justice system.

In other situations, a characterization of persons as not-themselves provided a mechanism for near-term tolerance of antisocial behavior and long-term excuse. But it appears that the same kind of interpretation among the Aivilik for a pattern of behavior provided a rationale for newly institutionalized aggression, short of murder, when alternate forms of traditionally sanctioned violence were prohibited by white police representatives. At the same time, the "possessed" interpretation allowed for a slim possibility of recovery. A person could be
dealt with for antisocial but not necessarily criminal acts. In exchange, the victim was offered an after-the-fact excuse; so were community members who dealt with him aggressively.

A neat juxtaposition of symptoms and response-to-symptoms of bewitched Eskimos is offered in descriptions of Pibloktoq provided by Gussow (1960). Pibloktoq is arctic hysteria. Victims follow a predictable pattern of withdrawal or irritability, wild excitement, convulsions and stupor and recovery (Hsu, 1961:263). Significantly, victims did not lash out at others during their seizures nor did their fellow Eskimos expect them to do so (Gussow, 1960:229; Parker, 1964:78). Victims were "ignored" or protected from the environment in ways that did not suggest fear of them (Gussow, 1960:229-31). Persons afflicted by their hysteric behavior were not stigmatized. Hysteric behavior was either joked about by the victim and his or her kin or not mentioned after it happened.

While the cause of Pibloktoq has been the central focus for debates (Hsu, 1961:262-74), it would seem that there is relative unanimity about the community's response. Parker (1964) focuses upon this interplay between a victim and his peers in the traditional socio-economic context. In that epoch, hysteric episodes which resulted in conduct not burdensome, lengthy or dangerous could be tolerated and even integrated into normal patterns of interpersonal conduct (Parker, 1962:80). Victims seemed by their behavior to attract limited intervention and a response which reflected their continuing acceptance within the communal structure of society. They ran amok but in so doing did not separate
themselves by their acts from other persons. Nor were they isolated by the response of individuals, either at the moment of hysteria or in the period which followed.

The Eskimo response was to treat the episodes as transitory or normal aspects of the life cycle. This allowed the conduct to be forgotten. The hysteria, itself, was transitory. No longterm reaction to conduct of the victim seemed necessary to protect community members. Thus unlike other cases of "possession," the combined effects of its predictable non-violence, its transitory nature and its ready categorization made Pibloktoq a tolerable interpersonal syndrome in traditional Eskimo society.

Among documented cases of Pibloktoq which Gussow republishes is an interesting example of conduct which does not fit within the anticipated line of symptoms. In that example, a victim climbed a cliff and entered a tent where three children were sleeping with a knife in hand. On its face, this would appear to be a more serious manifestation of mental illness than those reported by persons considered bewitched or possessed by devils. However, the victim's extraordinary strength and stupor were characterized as Pibloktoq by the children's father. He followed the man and "quietly took the knife out of his hand and at that moment the man (victim) collapsed (Gussow, 1960:222, republishing report of Steed, 1947-8:384).

The case suggests that something more than spontaneous reaction to random acts was at work for Pibloktoq victims as well as for other forms of mental disorder. While "possession" syndromes
described by Vallee and Carpenter called forth what would normally appear to be overreactions by other individuals, this case suggests that arctic hysteria as a form of behavior called forth what would be called an underreaction even when the victim deviated from the classical symptoms.

**Review**

In all of the cases thus far explored, the persons who act out are not powerful enough to receive more tolerance than they are thought to deserve by their peers. If the symptoms of his illness (his behavior pattern) are non-violent, temporary and easily severable from the normal acts of the known person, they cause less concern. Where the symptoms are more frequent, more antisocial and not readily distinguishable, from a person who is "bad" or "sick" or both, greater stress is placed on theories of causation by individuals in the community (as opposed to physicians). A frequent view is that the victim is not under his own control. This interpretation transforms the aggressor into a fictional temporary stranger. He is as a stranger to his peers. This characterization frees him from permanent stigmatization if he can recover and it frees other persons from blame for preemptive and aggressive steps taken to protect themselves or merely to remove the dangerous-but-weak stranger from their midst while awaiting "the return" of the normal person.

**Alcohol, Violence and Eskimo Communities**

In the preceding survey of reactions to symptoms of mental illness in various Eskimo communities, I suggested that special interpretations or rationales were constructed in order for indi-
viduals to deal earlier and more directly with persistent, abnormal types while at the same time ignoring or downplaying the importance of short term aberrant behavior in societies like the Eskimos where leaving one another alone is the expected norm and where longterm relationships matter. Obviously, one pragmatic sign of abnormality would be a sick person's special indifference to cues or subtle approaches such as gossip or withdrawal which communicated disapproval.

As Honigmann put it, "By themselves, Eskimos leave it largely to individuals to recognize when they have exceeded limits of permissible behavior. Eskimos rely heavily on shame or guilt to signal that they have done wrong or merited disapproval" (Honigmann, 1965:242).

When shame in the eyes of other people becomes less relevant, it would seem that absent additional external controls (such as police) the potential for unchecked individual antisocial conduct would be great. It appears that alcohol use also sets the stage for a temporary and allowable suspension of shame in many Eskimo situations that gives rise in turn to violence unchecked by traditional social control.

MacAndrew and Edgerton (1969) argue persuasively that beyond its universal physical impact upon certain psychomotor skills, the behavior associated with alcohol use is fundamentally that which the society has come to expect from one who drinks (1969:88). The state of being drunk is the social vehicle through which members of some cultures take "time out" from the
normative demands of that culture as they define appropriate behavior. This occurs, suggest the authors (citing the classic Horton (1943) study of drinking practices in many cultures), even where that behavior is especially aggressive (1969:91).

There is a built-in social excuse in being drunk. It is reflected in more limited societal restraints imposed by many cultures upon aggression while drunk compared with aggression while sober (MacAndrew, 1969:91, citing Washburne, 1961:262).

Of what relevance is this hypothesis to Eskimo cultures? In Eskimo groups where casual aggression ranging from threats to acts are so antisocial as to recharacterize the actor's continuing relationship with others, alcohol use could be enormously attractive as a vehicle for short-term but excusable madness. The difficulty which group members had with aggressive forms of madness was often that the lines between the special comportment and normal comportment were blurred. Pibloktoq was not merely nonaggressive; it was a clear-cut transformation of personality. It was easier to become bewitched than to be unbewitched in the eyes of the community. However, one could drink or not drink and therefore be drunk or not drunk. One experienced alcohol and then (as everyone came to know) it passed out of the system.

As with other societies, early experience with alcohol had yielded mixed results. Some 19th century sources suggest that coastal Alaska Eskimos merely became happy when drunk and only occasionally caused trouble (Gubser, 1965:12). The Takamiut, studied by Graburn, had tried liquor but did not like it
(1969:186). The Nunamiut were also not drinkers in the early 1960s (Gubser, 1965:27). Yet, for all of this, the literature and records associated with criminal justice in Canada and Alaska echo Bloom's association of liquor with extreme violence, described earlier (Kelso, 1977).

Captain Healy of the Revenue Cutter Corwin placed an unequivocal opinion in his log of 1884:

Naturally peaceful, of a kindly and hospitable disposition and seldom, if ever, quarrelsome when sober, under the influence of a small quantity of liquor they (Eskimos) become demonic. The most brutal fights occur when they are in this condition. Their long, sharp hunting knives make frightful wounds, and their rifles are used without stint and often with deadly effect. In former years our surgeon has often been called upon to dress these wounds on the bodies of several (Natives). I have seen marks of bullet wounds received in these drunken brawls, and the Omalik of the Diomedes, a comparatively young man, bears three deep scars which he proudly told me he had received in fights, and as proudly boasted of having killed two men while drunk. (Healy, 1889:17-18)

Healy's description may have been self-serving (Binket-Smith, 1922). His voyages were, after all, directed against whiskey traffic and subsidized by Congressional appropriations for that purpose. Yet other observers, among them Eskimos, suggest some direct association between drinking and unchecked aggression. Honigmann explored the introduction of legal drinking into the Eskimo community of Frobisher Bay. He noted an Eskimo ideological association between violent conduct and drinking which outran actual instances at Frobisher Bay (1965:203). However, his own observations took place in a town environment where Canadian Mounties reacted to public drunkenness with arrests before the
conduct of the drunk became aggressive (1965:136). Perhaps the Eskimo informants were suggesting to Honigmann the probable social transformation which they had observed in an individual's capacity to respond to social cues. Also, they may have considered the impact of liquor in settlements and camps where there were no police.

If one accepts the idea that drinking behavior is learned, it is relatively easy to discover why Eskimo peoples learned a form of drinking behavior that did not mesh with other activities. The drinking habits of whites in the Arctic often involved rapid consumption of existing supplies and violent swings in personalities from sober to drunk to sober again. These changes in conduct on the part of military men, whaling crews and other foreigners did not change their relative power or status positions in their group once they were sober as far as the Eskimos could observe. By this same token, if one adopts the MacAndrew-Edgerton argument, then one can expect changes in "drunken comportment" as the models for the social uses of alcohol and alcohol-related behavior are broadened.

Village Alaska today presents an environment where alcohol-related conduct runs the spectrum from limited non-violent ceremonial drinking to the violent binge. Most villages have little or no reliable police service. Unlike Frobisher Bay, traditional restraints on interpersonal conduct are not reinforced by law except when physical injuries are incurred and are reported. Therefore, to the extent that there are preventative limits set on antisocial conduct, they are set by socio-cultural mechanisms
within the group.

From observations and interviews in Alaska Eskimo villages, one can construct a list of social connotations to drinking, reflected in reactions or in the absence of reactions to a person who drinks and misbehaves:

1. Many people accept as a fixture of their social reality the separation of the sober self from the self when drunk. One is not stigmatized by his conduct when drunk when he returns to his sober self.

2. People are not expected to have remembered what they did or why they did it when they are drunk.

3. People recognize that conduct of other persons while drunk, while unpleasant or even dangerous, is temporary. After all, it is not the sober person who is acting but the drunk person.

These social connotations are similar to those drawn from the implications of acts for normal, bad persons and persons who are possessed in the Canadian north. A second set of norms follow from the first. These norms suggest that a different level of societal response is appropriate for dealing with drunken aggression and that more normal indirect or passive responses to misbehavior may not be appropriate or necessary.

1. Because a person who is drunk and antisocial places himself in reckless peril, someone should intervene to restrain him. That person should not intervene if one is merely drinking. This norm is echoed in the Alaska law which decriminalized public and
private drunkenness.

2. Drinking persons whose behavior is known to be violent when intoxicated should be restrained before they become violent and can be restrained without damage to ongoing relationships because community or individual intervention is, after all, against a stranger. This norm flies in the face of Alaska legal process and its decriminalization of public and private drinking.

3. Punishment of the sober person is inappropriate although removal of excuses for doing some bad things while drunk can occur through discussions with the sober person.

4. Since being drunk is not per se socially disapproved, one can join the person in this "second state" or retreat and leave him alone. The responsibility for making correct decisions is shifted to the sober persons who must respond to the intoxicated person. It is not his problem.

There appear to be significant parallels between states of madness and states of intoxication in Eskimo communities. Each suggests altered relationships between individuals and their peers reflected in characterizations and excuses for actions on the part of the individual and on the part of community members. To the extent that these states provide an excuse for antisocial acts, the consequences are special in one respect; they do not seem to carry over into a chain of reactions and counterreactions which marked the ongoing feuds between bullies and other people in traditional times. However, behavior-while-intoxicated like behavior-while-mad is subject to overriding limitations. The
core of any decision on community reaction is the possible counterreaction. The issue of appropriate conduct is now as before two-sided. Community or individual reaction to drunken behavior is still constrained by first principles of Eskimo social control. At stake is the relative autonomy of equal members of Eskimo society and ongoing relationships.

Overall, there is perhaps more caution exercised in challenging a drunk then in challenging a madman. The former will, after all, regain his wits and he may harbor lingering resentments. Also, the non-Eskimo legal system supports (in its perverse way) tougher treatment of madmen than drunks by offering to remove madmen.

Should drunken conduct and mental illness, each marked by disassociation of the self from self be combined into a new recognized form of Eskimo psychopathology? Kaplan and Johnson (1964) argue that violence attendant to binge drinking among Navajos directed toward an overt and often conscious attack on normal social arrangements is such a form. Because it is a new kind of mental disorder, even for the traditional, psychotherapeutically attuned Navajo, there are no curing ceremonies on a par with The Moth Way or The Blessing Way. The police are the usual remedy (1964:226).

Here, again, as with the categories of mental disability defined from a spectrum of symptoms by other ethnographers, there is a danger in early and over-categorization. Navajos and Eskimos engage in several forms of drinking. All drinking by all
Eskimos does not spill over into violent aggression. Some does just as some mental illness does.

Clues in Social Structure

A more productive approach for understanding the relationship between drinking and violence would be to consider the dynamic quality of Eskimo society. Changes in social experience among Eskimos may have encouraged aggressive acting out as a more prevalent form of social activity. There may also be a difference between traditional and now modern reactions to antisocial symptoms of mental illness or intoxication.

If one concurs with Parker (1962), the documented symptoms of reoccurring Eskimo psychopathology in Canada were defined in part by the socio-cultural environment of that society in the 19th and early 20th centuries. Thus, aggressive behavior or fantasies of acting out against others were then inappropriate, even for madmen (Parker, 1962:78). There are several explanations for this. If one emphasizes the interplay of symptoms and their social milieu (Paul, 1967:150-65), and views symptoms as a plea for help to the group, then hysterical symptoms of Pibloktoq would attract attention and reintegrative treatment by people for whom communal values were high. Overt aggression by the hysterical would do little more than exacerbate the division between the sick person and his society or create the burden that would have made destruction of the offender a likely outcome before ongoing white contact in those early days (see Spencer, 1959:319-20).

The assumption here is that traditional repression of overt
aggression instilled through child rearing and later socialization carried over even to the adults who were ill (Vanstone, 1962:84). Furthermore, there were a variety of socially approved outlets for overt or ill-concealed aggression. These included sanctioned executions of the non-productive and burdensome (young, old and insane), the drum dance and some Shamanistic activities among camp or band members (Graburn, 1973:99). Depending upon his personal strength or his alliances, an Eskimo could murder, commit revenge (collective or individual), take a wife or any other thing with impunity (Steenhoven, 1959:73). In addition, hunting as a central activity was an outlet for acceptable aggression. Oswalt states, "When men subsisted by hunting and killing animals for food, many of their stresses could be released by violent actions against animals" (Oswalt, 1970:79). Each of these described outlets for sanctioned or unchallenged aggression in traditional culture has been foreclosed or narrowed through contact with the dominant white society (Graburn, 1969:193).

Ironically, one new role which has provided a sanctioned outlet for aggression is that of the village policeman. Yet the premise of the job, that as a policeman, a fellow villager has a special license to intervene and constrain his peers or tell them what to do, is not always accepted by a policeman's peers. The pressures upon young local police to drink and thereby join their friends are immense. Several police have, like Bloom's patients, buckled under the strain and engaged in violent acts against others and themselves.
The problems of village policemen suggest a second argument that over and above a diminution of sanctioned outlets for aggression, culture change, itself, has placed new and special pressures on some members of society reflected in mental illness and social deviance (Chance, Rin and Chu, 1966:197-216). Young males who have undertaken Western roles in villages, such as police, storekeepers and power plant operators, demonstrate stronger affinities for Western roles than their counterparts. However, they have little or no means to do more than imitate the professions they emulate, given the absence of training and support in their home communities. The result, Parker notes (1962:261-74), is often that these same persons conceal undirected hostility toward Western institutions along with negative feelings about traditional values. Other surveys suggest that Eskimos with high identification with non-Native values but with little opportunity to apply them will show a higher rate of mental illness (Chance, 1966). The culture change hypothesis suggests why store managers and police in villages may be under special pressures which lead to mental illness, drink and violence. Yet all of those who take up these roles are not so frustrated.

While it is clear that certain outlets for violence have been foreclosed, has a comparable level of violence been channeled into the reactions and counterreactions attendant with alcohol use and mental illness?

One thing is clear. Drunken behavior has taken up too important a role within the realm of interpersonal dealings, espe-
cially as it is used to excuse aggression, to be easily eradicated whatever the relationship of law to drunken behavior.

However, law in this realm can serve ends which are useful or not useful from the standpoint of Eskimo premises and assumptions of Eskimo social control amongst themselves.

If I have correctly discerned a severance of the drunk or ill self from the normal self, then alcohol prevention programs or legal processes which assume that the prevalent belief is that communities or individuals consign responsibility for acts committed while intoxicated on persons when again sober are misguided. Even non-drinking community members must be reoriented toward connecting the sober and intoxicated person as a prelude to effectuation of education or law enforcement programs. New outlets for acceptable aggression must be sought, ones which do not require drinking as a prerequisite.

A person "possessed" is likely to act violently; he is also likely to be acted upon in a violent manner. Drinkers or mentally ill persons should be viewed as the potential targets of aggression not only by fellow drinkers but by those who claim community authority. The data provided by Vallee and Carpenter suggest both interpretations.

Law and Social Control - Renewing the Relationship

The legal reaction to drunken behavior in Eskimo villages has moved over time from one that penalized being drunk in public or private to one that seeks to prevent drinking by means of legal bans on importation for sale or distribution of alcohol through a
local option law (AS 04.11.496 and Lonner and Duff, 1983). The law does not ban, however, private possession or private consumption. This private consumption usually occurs in private residences. So does violence (Conn and Boedeker, 1983). Since drinking in private is no longer illegal, police intervention occurs only when residents request it. Even here, police intervention is restricted to those limited situations when the drinker must be placed in "protective custody." (AS 47.37.270) Although the niceties of the law were ignored in towns and villages for many years allowing police to pick up all Native drinkers, the current situation is that only those persons in need of immediate protection are taken by police to a place to sober up. This change from what previously was a reprehensible dragnet leaves the policeman with no authority to deal with drunks until they are violent (Conn and Boedeker, Id.).

What is the net impact of this legal posture on the inner logic of Eskimo social control described above? First, the therapeutic approach which has now replaced criminalization of drunken behavior, blunts and even makes illegal any preemptive aggressive response by sober persons to contain an intoxicated person. To the extent that this capacity of other persons to aggress upon the "temporary stranger" who is intoxicated was a positive side benefit of his being intoxicated (or mad) in an Eskimo context and therefore nonresponsible, it has been removed. The potential for the intoxicated person to act out aggressively without fear of later community blame remains and is even heightened by the therapeutic perception of the intoxicated
Eskimo as "sick" and not "bad" as enunciated by health care and legal professionals. That his criminal acts will probably be punished by the distant state legal system after the fact is of no solice to persons whose community social control system once anticipated and headed off violence and did not wait for it to occur.

Policing in Eskimo villages is now accomplished by persons hired through regional non-profit associations and guided by troopers. These village public safety officers are often Native persons but as often as not non-residents of the village. It would appear that this circumstance is fortuitous since lingering resentment from police involvement will not carry over into social relationships when relative strangers are involved on both sides.

The core problem of making law and social control work, however, relates to the changing perception of drunken behavior by legal policymakers. It was critical that public and private intoxication be decriminalized in Alaska so discriminatorily were the laws enforced in larger cities and towns (Friedman, 1970). However, the transformation of the law from penal to therapeutic has unwittingly served poorly the capacity of Eskimo social control to deal with and prevent drunken violence. The law, as presently operating in small Eskimo villages, has actually reinforced the worst premises of Eskimo perceptions of drunken behavior by liberating the drinker from built-in social constraints on his behavior.
The foregoing analysis suggests that to understand the relationship between social control and law in any environment, there must be a closer examination of the inner logic of the social control which law engages. Without this deeper understanding of the impulses of social control, it is likely that legal process introduced will have effects upon it that are entirely unpredictable. In such instances we will know, as did Donald Black, that a relationship exists, without knowing to any degree the nature of the relationship.
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