

CANENERMIUT LIFEWAYS AND WORLDVIEW

And

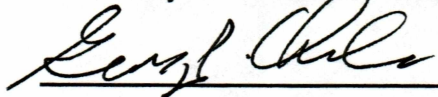
Western Fish and Wildlife Management


By


Carl T. Jack

RECOMMENDED:


Advisory Committee Chair










Department Head

APPROVED:


Executive Dean, College of Rural Alaska
University of Alaska Fairbanks


Dean of Graduate School


Date

CANENERMIUT LIFEWAYS AND WORLDVIEW

And

Western Fish and Wildlife Management

A

THESIS

**Presented to the Faculty
of the
University of Alaska Fairbanks**

**in Partial Fulfillment of the Requirement
For the Degree of**

MASTER OF ARTS

By

Carl T. Jack, B.A.

Fairbanks, Alaska

December 2002

ALASKA
E
99
E7
J319
2002

RASMUSON LIBRARY
UNIVERSITY OF ALASKA-FAIRBANKS

Abstract

The *Canenermiut* inter-generational worldview embodies the proper use and conservation of the resources necessary to sustain life from time immemorial. The classical *Yupiaq* conservation ethics in the utilization of subsistence resources are well established and practiced to this day by *Canenermiut* that is geared to the survival of their culture and community.

When western fish and wildlife managers promulgate regulations from urban areas of Alaska on the taking of subsistence resources in rural Alaska they often find out that rural residents such as the *Canenermiut* (inhabitants of western coastal villages of western Alaska, (Chefornak, Kipnuk, Kwigillingok, Kongiganak and Tuntutuliak, names coined by the Other) are unwilling to follow the regulations. *Caneneq* is a coastal area between *Kusquqvak* (Kuskokwim) Bay up to *Qaluyaaq* (Nelson Island). *Canenermiut* is made up of two *Yupiaq* words, *Caneneq* as defined earlier and the suffix - *miut* is a *Yup'ik* word defined as occupant of that geographic area or a place. The people from these villages see the imposition of the western precepts of fish and wildlife management systems as efforts by outsiders to control their way of life. They see this effort as inconsistent with their worldview of how a human should fit within the creation of a higher being. These people do not participate in the formulation of public policies or the promulgation of the

regulations that affect their lives and as a consequence do not have a sense of ownership of them.

The *Canenermiut* worldviews are fundamentally different from the worldview of the people of European origin who brought with them concepts of lifeways foreign to Alaska's indigenous people.

The author of this thesis is one of *Canenermiut* from the Native Village of Kipnuk, who was raised by his parents the traditional *Yupiaq* way of life and taught by his uncle the art of hunting and fishing. He is also one who was also educated in schools of the dominant western society. As one of many other Alaska Native children who were subjected to the assimilation effort of the United States government in the image of the Other, the author is very cognizant of both the Other's lifeways and the classical *Yupiaq* lifeways. The author has observed the fish and wildlife managers frequently discover that they operate within fundamentally different worldviews than the indigenous peoples of Alaska. These differences become barriers between *Canenermiut* and what my *iluraq*, (cross-cousin) David O David usually refer to as "immigrants." The author having lived in both worlds, the world of *Canenermiut* in the Native Village of Kipnuk and in Anchorage will attempt to articulate the major components of *Canenermiut* worldview. This is a worldview that western fish and wildlife managers do not understand but ones that may help in enhancing the conservation and utilization of these subsistence resources.

Secondly, the author will attempt to articulate the degree of the paradigm shift in the *Canenermiut* indigenous value system that has occurred among this generation.

The desire of the *Canenermiut* to retain their cultural value system and to control their destiny is affirmed by the author. In addition, as the precepts of fish and wildlife management systems are accepted over time by Alaska Native people outside of the geographic area of *Caneneq*, the *Canenermiut* do not want to be left behind and have a strong desire to participate in these management systems.

TABLE OF CONTENTS

I. INTRODUCTION	2
II. <i>CANENERMIUT</i>	4
People and Settlements	4
Worldview	8
Traditional Beliefs Community and Way of Life	9
Belief Systems	9
Community	10
<i>Yupiaq</i> Cultural Communications	13
Truth Telling	18
Individualism	19
Relationship to Environment	21
Norms of <i>Canenermiut</i> Society	25
III. IMPOSITION OF THE OTHER	25
Traders	27
Missionaries	28
External Competent Authorities	33
Western Economic System	35
Fish and Wildlife Management	38

IV. CANENERMIUT CONSERVATION ETHICS	43
V. ALASKA NATIVES - SELF-DETERMINATION EFFORTS	46
Public Policy Initiatives Toward Self-Determination	47
Migratory Bird Treaty Act	55
Marine Mammal Protection Act	58
Halibut as a Subsistence Resource	61
VI. LOOKING TO THE FUTURE – CONCLUSIONS	67
VII. BIBLIOGRAPHY	80

LIST OF FIGURES

Vicinity Map of *Canenermiut*, Figure 1

1

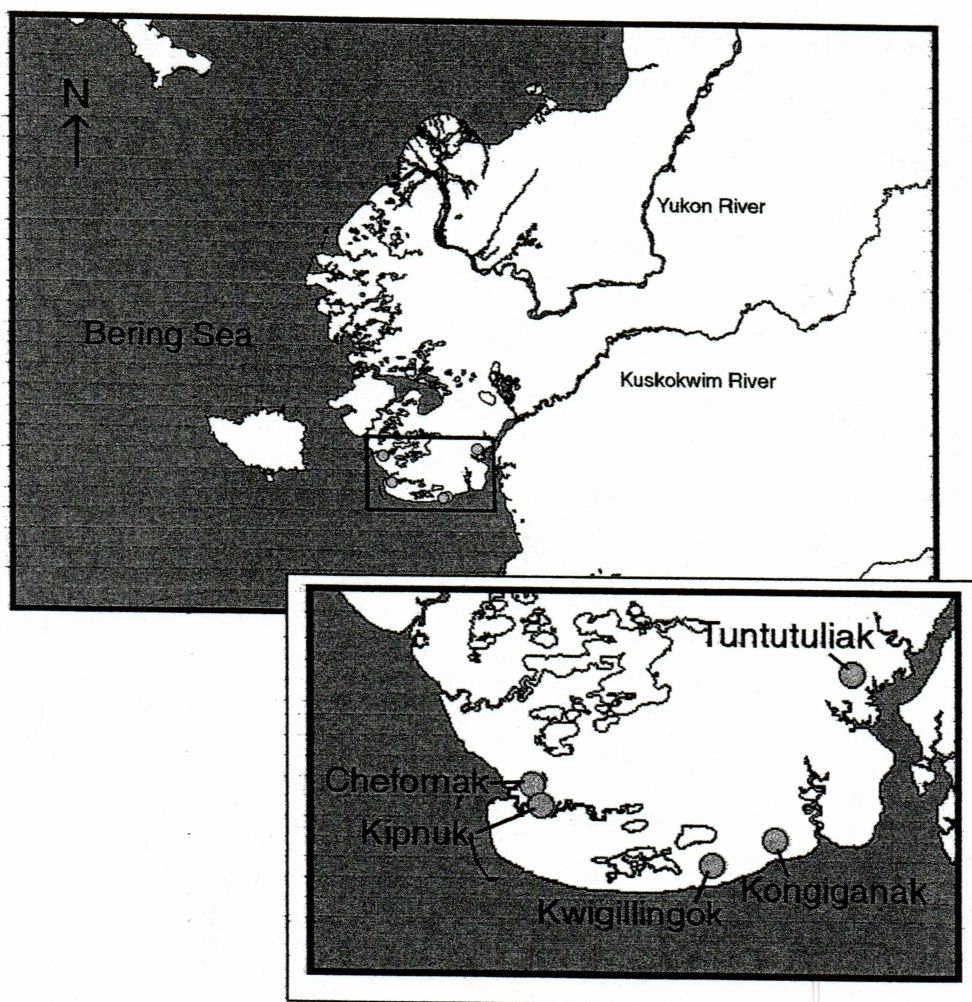
FIGURE 1

VICINITY MAP OF *CANENERMIUT*

Native Villages

Of

Chefomak, Kipnuk, Kwigillingok, Kongiganak and Tuntutuliak



Canenermiut Lifeways and Worldview
and
Western Fish and Wildlife Management

I. INTRODUCTION

Alaska is the largest state in the United States and constitutes over one-fifth the size of the contiguous 48 states of the United States and contain 589,757 square miles (Alaska, *The World Book of Encyclopedia*, 1981, page 271). Well over ninety percent of Alaska is accessible only by air or water. Nearly all of the rural communities are located in isolated, remote areas.¹ These remote communities are the primary places of residence of Alaska's indigenous peoples (Alaska Natives). Despite Alaska's vast geographic size, it has small population compared to the rest of the 50 states.

Alaska Natives, (not Natives of Alaska, Natives of Alaska are any people born in Alaska) can be divided into five major groupings: Aleuts (Unangan), Northern Eskimos (Inupiat), Southern Eskimos (Yupit)(Sugpiat), Interior Indians (Athabascans), and Southeast Coastal Indians. (Tlingit, Haida and Tsimshian) The first contact with the people of Europeans origin later called Americans, referred to as "Other(s)" in this paper, varied for different parts of Alaska, ranging from the mid-1700's for the Aleut to the mid-

¹ Rural is defined as a geographic area outside of the urban cities of Alaska.

to late-1800's for the Athabascans, Central Yup'ik and Inupiat ethnic groups of Alaska (Langdon 1987).

The focus of this paper is limited to *Canenermiut*, the inhabitants of the coastal region from Kuskokwim Bay to the Native Village of Chefnak (See Figure 1).

Unlike most government workers who come up to Alaska, put in their twenty years, and go back to Lower-48 to retire, Alaska Natives are born and die in Alaska. Alaska Natives have survived in Alaska as their homeland for thousands of years. As in other parts of Alaska, the *Canenermiut* have hunted, fished, and gathered wild food to meet their nutritional needs. These subsistence activities also made up the essential part of the economy and culture often referred to as "informal" economies in this paper. A distinction is made between "informal economy" as a pure subsistence way of life while "mixed economy" encompasses both informal and cash economy within the context as articulated by the author of *Arctic Politics*, Oran R. Young (Young, 1992, pages 57-60). Today the mixed economy is referred to as a "subsistence way of life". From the personal experience of the author, these wild foods have not only provided nutritional needs, but provided clothing and the basic implements for survival. Above all, they provided traditional ways of celebrating life prior to the conversion era of the missionaries often referred as ceremonial cultural practices by the Other or *Agayuleyaryaraq*, the way of making prayer (Ann Fienup-Riordan 1994). The work of the subsistence way of life, including the gathering, preservation, and

preparation of wild foods, is the basis for traditions and inter-generational knowledge-sharing that binds together the culture (Langdon and Worl 1981).

II. **CANENERMIUT**

People and Settlements

Many of the traditional *Canenermiut Yupiaq* settlements that were occupied during the time Columbus got lost looking for India up to late 1800's along the coast of western Alaska no longer exist. The *Canenermiut* are Central *Yupiaq* that occupied many settlements from the mouth of *Kusquqvak*² River up to the Native Village of *Cevvarneq* (Chefornak). *Canenermiut* was made up of the four winter settlements, *Cevvarneg*, an abandoned village west of the Native Village of Chefornak, *Calen* abandoned village about 6 miles west of the Native Village of Kipnuk, *Anuraq*, a small abandoned settlement located about ten miles North west of the Native Village of Kwigillingok and *Qenaq*, also an abandoned villages a few miles East of the Native Village of Tuntutuliak. *Canenemiut* villages of *Cevvarneq*, *Calin*, *Anuraq* and *Qenaq* were winter settlement of the *Yupiaq* of this region.³ The settlements along *Caneneq* prior to western contact were largely dictated by the availability of subsistence resources.

² The missionaries did not like the last syllable of the *Yupiaq* name for the river and changed it to *Kuskokwim*.

³ Jimmie Attie, Elder in Kipnuk

The building of schools during 1920's and 1930's had a profound effect on the current location of the villages in western Alaska. It was during this period the federal Bureau of Indian Affairs built schools through out Alaska, primarily in the winter settlements of Alaska Natives. In-migration occurred from the outlying settlements to where these schools were built - in the places most accessible by barges. For example, the Native Village of Kipnuk became the main winter settlement of the people of *Calin* when the school was built on the main stem of Kugkaktlik river accessible by a barge. *Calin*, then a primary winter settlement of people in that area, located on the small tributary of Kugkaktlik river, was inaccessible by barge during low tide. The Native Village of *Qepneq* is spelled by non-Natives as "Kipnuk." In *Yupiaq* dialect, *Qepneq* simply means a "bend in a river." Kipnuk became a winter settlement of the people that moved from *Calin* and *Cheching*, another small settlement located on the south side of Tern Mountain 10 miles North of Kipnuk. It was also during this period that some of the sailing fishing boats powered by inboard motors were introduced to *Canenermiut* villages to be used for transporting families to the Kuskokwim River for summer fish camps. Kipnuk, where the school was built was accessible by bigger boats on both tides and became the main settlement of the people in that region.

The *Canenermiut* speak the *General Central Yup'ik* dialect. This distinction is made to be consistent with the distinction made by one of the prominent researchers of *Yupiaq* lifeways, Ann Fienup-Riordan. She asserts that ... *The Central Yup'ik language... has four dialects (Norton Sound,*

Hooper Bay/Chevak, Nunivak, and General Central Yup'ik that takes into account slight variations in the dialects although the people talking to each other can totally understand what the other people are talking about (Fienup-Riordan 1994, page xix). The root words among these dialects are the same although there are slight variations among the words from one dialect to the other. An example of this is that word for rain in the Native Village of Kipnuk is different from the Nelson Island villages, 40 miles away. In Kipnuk, it's called *ellaluk* and *evseq* by the Nelson Island villages. There are also adopted words from the Russian traders that are used universally among the four dialect, words that the Alaska Natives did not have to refer to the early introduction of staples that includes words like *maslaq* (butter), *Luusk'aq* (spoon), *Klutc'aq* (lock or key) and many others. The author has heard that up to 150 Russian words are used as part of the Yupiaq language.

In this geographic area, there are no known extractable non-renewable resources for economic development. The absence of extractable resources has been a silver lining in the retention of the customary and traditional practices of the *Canenermiut* Yupiit (Plural for Yupiaq). Although this geographic area is rich in waterfowl and migratory birds, it was pretty much left alone by economic entrepreneurs of the dominant society until within the last forty years.

In terms for fish and wildlife, the geographic area's native soil is tundra and the area is void of big terrestrial animals such as moose, and caribou. In the early 1900's, however, reindeer herds were abundant in the Kuskokwim

delta. There are numerous small game animals including, rabbits, foxes, mink, land otters, and sometime wolfs and wolverine. Most recently the beaver population has invaded the area. There have been recent reports that the Caribou sometimes cross to the north side of Kuskokwim River from the Kilbuck Mountains.

The fish population for the most part includes blackfish, white fish, halibut, flounder, gray cod, tom cods, herring, bullheads, smelts, and needlefish. In spring time, the salmon (sockeye, kings, chums and silvers) migrate northward, offshore from *Caneneq* toward Nelson Island and Yukon River, but seldom harvested because of their excessive fat content. Most of the subsistence salmon are caught in the Kuskokwim River during summer time where the families used to move as family units and live in fish camps to harvest salmon as subsistence food.

During spring and fall time of each year, five species of geese, ducks, and sea waterfowl are harvested. This geographic area is a prime nesting ground for migratory birds.

Five species of marine mammals: *makluk*, *nayeq*, *esureq*, *useqnak*, *maklar*, *asveq* (bearded seal, hear seal, spotted seal, young spotted seal, young bearded seal, and walrus) are harvested most of the year except when the ocean is inaccessible during freeze up or break up during fall and spring respectively.

This geographic area has been left alone by the Other for its lack of extractable resources and big animals prized by sport hunters. This has

allowed the *Canenermiut* to live their traditional way of life still speaking the *Yupiaq* as the first language to this day.

Worldview

The author will start with a proposition that the worldview of every human is the totality of their "prism of their life experiences." Their belief systems, teachings of parents and elders, norms of society, sense of morality and justice, sense of community, myths of creation, perceived social order of society, and ways of celebrating life make up the facets of their prism of life experience. In addition, their education, perception of how they fit within their environment are included in the totality of their prism of life experiences. One can then presuppose that a particular facet of the prism while present in one culture may be missing in another culture – a case in point is the differences that exist between the worldviews of Alaska Natives and people of European origin. What is acceptable may not be acceptable in another culture.

However, there are exceptions to this proposition that encompass human being's desire to live in peace. The attributes of that desire begins with individuals and extends to the community and the world that they know. These attributes form a common thread among different cultures that bring about common understanding among different cultures to live in a more peaceful environment. These common threads connect different cultures' worldviews among nation/states as we know them today. The desire of

human beings for self-preservation includes attributes not to be harmed and teachings of not to harm others, to live in peace with other nation/states, compassion for less fortunate people, honesty and the notion of "love." These all form the social fabric that is common among different cultures. These attributes exist in every culture and are embodied in their belief systems. There are also explicit and implicit attributes of *Yupiaq* people of *Canenermiut* that include but may not be limited to those discussed in the following section.

Traditional Beliefs Community and Way of Life of Canenermiut

Belief Systems: All cultures have their own myths of creation, ancient heroes, norms for social order and spiritual belief systems. The traditional spiritual belief systems of *Yupiaq* are well documented by prominent authors such as A. Oscar Kawagly's, *Yupiaq Worldview – A Pathway to Ecology and Spirit*; and Ann Fienup-Riordan's many publications. The traditional spiritual belief systems as articulated by these authors are the same spiritual belief system of *Canenermiut* as affirmed by the elders of the area.

The traditional spiritual belief system of the *Canenermiut* was forever changed when the missionaries came up to Alaska during the late 1800's to convert the "heathen" to Christianity in their selected geographic areas. The *Canenermiut* geographic area was selected by Moravians, a Baptists-like fundamentalist church who came up to Alaska in 1885 to establish a missionary across from a trading post named *Mamterilleq*, for the sole

purpose of converting the *Yupiaq*, whom they called "heathens", to Christianity at the time when the *Canenermiut* were most vulnerable (Fienup-Riordan 1991, page 33). This is the era after the great deaths brought about by infectious diseases, such as small pox and influenza that the Other brought to Alaska that decimated the Yukon-Kuskokwim Alaska Natives by one-third. As late as the 1950's, the *Canenermiut* suffered and lost their people to another epidemic brought by the Other. The author remembers the funerals that occurred at least two times a month at the heights of the tuberculosis, "*Scourge of Alaska*," epidemics (Fortune, 1998, page 237). During the aftermath of these epidemics brought by the Other, the *Canenermiut* found comfort in the teachings of Christianity – the promise of everlasting life in heaven after life on earth.

Community: Most Americans remember a quotation by President John F. Kennedy... "*Ask not what your country can do for you, ask what you can do for your country.*" This quotation can describes how community means to *Canenermiut Yupiaq* people paraphrasing it as follows with one word change: "*Ask not what your community can do for you, ask what you can do for your community.*" Community has a different meaning to different people in the United States. The meaning of community to a person of European origin is different to a person from the classical *Canenermiut Yupiaq*. Within each of the *Canenermiut* communities, the people share common values in their lifeways. Most of them are akin to each other because the families are the ones that make-up the community. The

foundation of community to them is the ability of its people to survive and maintain and sustain its distinct cultural identity. The community has norms and formal rules of social conduct which are considered as unwritten laws that everyone has an obligation to follow. In this instance, the author is using the term *norm* as a standard of behavior that is unique to *Yupiaq* culture.

The community then has its own value system that contributes to the survival of the community and its people. In traditional indigenous cultures, including classical *Canenermiut*, the worth of an individual was measured by how an individual contributed and did his part for the survival of the community and its people. Hoarding of personal material goods and subsistence foods was not valued and was viewed as selfish. This is the value system that is taught to the children from the time the child becomes aware of his or her consciousness to the world around them. To the author, this traditional value system was what enabled the *Canenermiut* villages to survive amidst the so-called harsh environment for thousands of years. It is a value system that is applied to utilization of fish and game that is communal in nature. This is fundamentally different from the Eurocentric values governed by rules of individual rights.

In the classical *Yupiaq* world the focus is on what an individual contributes to the well being and survival of the community. The fruits of subsistence activities are shared among the people within the community. At the end, no one goes hungry in a village despite how poor that person might be according to the Other's standards of living. People take care of each

other following a teaching that what you give will eventually find its way back to you; *Tukniut Yuut umyuaret Quyaqameng* (Peoples' gratitude is very strong). As an example, when the community has gone without fresh meat for a long time, a person goes seal hunting and gets a first seal after a long hard winter. He brings it back to the village and his ownership to the seal ends when that seal is taken inside the house. It then it becomes the property of the community. His wife, having taken enough for a meal distributes the meat and blubber among the community members. The distribution completes the circle where at the beginning a seal avails itself to a hunter, and when it is distributed, it fulfills its destiny by benefiting the community as a whole.

When a young hunter gets his first seal, it is customary and traditional to distribute all of it to the community, elders first. In addition, the woman put on a "seal party" to celebrate the child becoming a man. The mother of the young hunter stands a high place, like a porch of a house and throws household item to the *waiting hand of a large group of woman* (Fienup-Riordan 1990, page 39). The "seal party" is practiced by *Canenermiut* including by village inhabitants north and south of Kuskokwim bay up to Yukon River.

In times of plenty, each family that makes-up the community, harvests fish and game at a level of not getting more than what they need and store save them for leaner times. All through the year, what families had gathered in times of plenty is shared among the community members through *nerevkariq* potlucks or through inviting each other for meals. The reciprocity

of giving and sharing meals goes all through the year and it's done without asking for payment in return. This practice is inter-generational from the classical *Yupiaq* to the contemporary *Yupiaq*. It was and is what sustains the community and its people and is rooted in a value system that at the end benefits everyone. This practice defines what community means to the *Canenermiut*.

But times are changing, brought about by the influence of the Other's education system and in general their way of life. In contrast, while the families that make-up the author's neighborhood in Anchorage are close to each other they do not share a sense of community from the standpoint of what community means to a person from the Native Village of Kipnuk. There is no sharing of common values that result in sharing of what is caught from the sea and land. They are Republicans, Democrats or other distinct parties. They describe each other as "whites", "Black", "Natives" and other references to other minorities. These differences create barriers among the people. The author has not developed an acquaintance with people down at the end of the block from his house. Each person's value is not measured by what each person can contribute to the well being of the neighborhood. It is each one to his own.

Yupiaq Cultural Communication: Every community culture whether they're Alaska Natives, other ethnic groups, church groups, business community, universities, and others have a communication system that are attuned to their way of life. Humans, as social animals, need constant

communication with others to feel safe. Verbal and non-verbal communication methods are used by every culture on this earth – some more profound than others. There is a vast difference in the way people communicate in villages and urban areas. Let us briefly examine these differences.

During the mid-1980, the author took a council member from Kipnuk to Juneau to lobby for capital projects from the state legislature. After checking into the Hotel Baranof, the author and his friend took the elevator to the lobby on their way to dinner. When they got to the first floor, they could hear a lot of people talking in the lobby. They walked out of the elevator to a reception area and all they could hear was noise – everyone talking all at the same time. The other person looked at the author, looked at the people there and as they walked out the door said. *Tuartang naruyarugat maluliulrit* (They're like a whole bunch of sea gulls feeding on a dead whale).

The oil industry lobby was apparently entertaining the legislature. Metaphors are commonly used by *Canenermiut* to highlight what a person is trying to convey to other people. It is a message that is serious and at the same time expresses comedy. You will never see that type of a reception in the village of Kipnuk because their way of communication is low-key. Secondly, the analogy he made was in a frame of reference where he would relate the behavior and noise to something that he had observed during his life experiences in a village. People from the rural villages are much more reserved as if saying a word is very difficult and as if a person is trying to

conserve the use of the word in fear of running out of the words to say. When one goes to a meeting in Kipnuk, even if most of the community members are there, hushed words are audible only. Words are spoken sparingly and one does not continuously speak. This method of communication is the norm in most of the villages in the Y-K delta. One only observes a person talking continuously in the church – a person giving a sermon. Men do not readily carry on a prolonged conversation especially with women and vice-versa. Other means of communication, as in other cultures, are utilized by indigenous people in Alaska that includes body languages, facial expressions, and hand movement – all of these having specific meaning

In the dominant society, the author has observed, as with indigenous cultures, verbal and non-verbal means of communication are used. The level at which communication is judged is based on the application of basic communication theory. Different people are endowed with varying degrees of communication abilities. Some are orators, and some are not. Like indigenous people, some people are reserved in the use of communication tools while others freely exploit their ability to communicate effectively. Some people employ better communication skills than others by utilizing good listening habits and some employ poor communication habits. Differing disciplines have their own means of communication languages. Doctors conversing with nurses have their own vocabulary and means of communication while other disciplines employ their own vocabulary and their

means of communication. Western fish and game managers have their own way of communicating within their sub-culture and their way is the only way to be developed and enforced.

The author has recognized the importance of acquiring and making good use of communication skills in order to effectively get the cooperation of other people in any community development activity. Full use of a bi-lingual ability and the use of a first language – *Yupiaq* is used when working with *Canenermiut*. To the author, there are advantages to using *Yupiaq* when talking to people in villages. *Yupiaq* language is an action-oriented language where the verb is said first and the adjectives, nouns follow as in *Ayakatartua* (Go someplace me – literal translation and in proper English “I am going someplace”). It is a very flexible language that allows a person to say the main action word and attaching suffixes to convey the full meaning of what he is saying (Kawagley, 1995). Sometimes saying one word would take more than one word in structured English as in *Ayakatartua* (Go someplace me – literal translation and in so-called proper English “I am going someplace.”) To the author *Yupiaq* dialect is a much more efficient language than the adjective heavy English language. Sometimes, the author has a tendency to think in *Yupiaq* when writing an essay that sometimes results in an incomprehensible sentence or so-called poor grammar.

The author is familiar with many metaphors that convey profound meanings that require good listening skill in order to get the full meaning of what is said. For example, the author has heard the elders making advisory

comments like *Qanerpailegmetang augna umyuarateqsuitelenelria*. (Speak before he does not think – literal translation and in proper English “that person does not think first about what he will say”)... inferring that a person does not think first about the consequences of what he is saying or possible implication of the way he’s using the words and the manner the words are said to another person. As a result of this teaching, classical *Canenermiut* people choose their words carefully always thinking about the implication of the words they are saying. The guarded use of how words are used enhances the well-being of the community. It has been noted by the elders that the younger generation seldom practice this teaching anymore, especially with the influence of alcohol.

Another teaching is not to ever follow through with one’s first thoughts or comments. *Umyuaqgut whalu qaneq ceuqlet equglungqertuq* (Mind or talk first end very bad – literal translation and in proper English “Do not follow through with your first thought or what you say, they both may have unpleasant endings.”) These are inter-generational teachings of the elders that allow the people to assess the implication of what they will say or follow through. It allows a person to think about the possible consequences if the first thoughts or words said might have unpleasant endings for example, as everyone knows words said in times of anger are not always pleasant, words that may disrupt the well-being of the community. Again, the elders have noted that this teaching is seldom practiced by the younger generation of the *Yupiaq*.

Truth telling: Truth telling is the fundamental doctrine of most human cultures. To be honest is to tell the truth. To the *Canenermiut* truth telling is emphasized as a need to enhance the well-being of the community. Truth telling is considered as a value system that lent itself to the promotion of a well community and the survival of its people. It is a doctrine that is exhibited by a well-grounded individual, free of any burden, and one that, by itself, demands respect from other people in the community. The teaching of this doctrine and its opposite is intergenerational meaning that it is a doctrine that is passed on from generation to generation. The opposite, to be dishonest is perceived as a way to promote malice and discontent within the community that if allowed to continue without restraint will destroy the community and its will to survive. The people in the villages from generations back, up to this time, value the principle that are reinforced by the teachings of Christianity. This doctrine was one of the cornerstones of the classical *Yupiaq*. This doctrine is also tied to the traditional spiritual belief system in one who is omnipotent *Ellam Yua* (creator of the universe). That people are forever watched by *Ellam Yua* and what ever the deeds are committed, good and bad, the *Ellam Yua* will make it known to other people in the community. The communities were small, everyone knew each other, those that commit deed outside of the social norm meant to most people as forfeiting their right to seek help from other members of the community. For example, if one tells a lie, word spreads very fast in the villages and that in itself serves as a deterrent to tell lies. As a consequence, from classical to contemporary

Yupiaq, people in the village try to be truthful to each other for reasons cited above and most important of all, to keep the peace within their community.

There are historical evidence that this doctrine was practiced by Alaska Natives north and south of the *Canenermiut*. Drufrasne, head of the Alaska Game Commission during 1940's who traveled throughout the territory of Alaska during 1930's once told his superiors, Chief of the Biological Survey in Washington that "The Eskimo mind is peculiar one and it is the sort of mind that is rarely or never false to a trust" (Sherwood 1981, page 9). This doctrine was enhanced by the teachings of western religion including the Moravians, a fundamentalist religion similar to the Baptists. Under Moravian teachings, one would commit a sin if one does not tell the truth.

Individualism: While individual's make-up the *Canenermiut* Native Villages of Chefnak, Kipnuk, Kwigillingok, Kongiganak, and Tuntutuliak, individualism is not encouraged by the teachings of the elders. This is diametrically opposed to the foremost ideals of Americans. It is said that although man is a social animal that the Americans have a tendency to forget that. According to Alex de Tocquville, ... *Americans are swift defenders of individual interest, fanatical in protection of individual liberty and rights, prickly about privacy, and unaware of their neighbors and the main-streams of society that flow through their lives. Individualism describes the dominant American orientation to life and society* (Newton 1989, page 47). In addition, the Americans, as descendents of the Europeans maintain their superiority

over Alaska Natives from the times of initial contacts to this day. Their notion of superiority pervades all aspect of life from myths of creation to fish and wildlife management. Western man sees his system of logic as synonymous with the truth. For him it is the only road to reality (Hall 1977, page 9). Living in a society where the success of an individual will lead to a rich life depends on the ability of an individual to get a superior education and to develop the ability to compete among his peers. Individualism dominates American life from the time a child becomes aware of his being to his death. On the other hand, while individuals make up the community in *Caneneq* villages, individualism is not encouraged because it might contribute to ill-health of the community.

While Individualism is not encouraged, a *Yupiaq* male strives to become a *nukalpiaq*, a good hunter. In *Yupiaq*, "*nukalpiaq*" is a communal designation to a proven good provider. The drive to become a good hunter is to become a good provider not only to meet the family nutritional needs but above all to be a good provider for the community. The ethics of a *nukalpiaq* embodies all of the positive aspects of the *Yupiaq* values. A *nukalpiaq* becomes a role model for the very young male children to emulate in their life.

While the *Canenermiut* society is still oriented toward keeping peace within the community and practicing the customary and traditional communal activities within the context of sharing subsistence resources, there is a slow paradigm shift among the *Canenermiut* values from a communal orientation

to individualism primarily in the two aspects of the *Canenermiut* lives. The onset of individualism was introduced in 1885 by the Moravian missionaries, and the traders. In general, the teaching of western religion, including the Moravians, has its basic foundation in "individualism." Within that context an individual will save himself by his own beliefs and deeds not the beliefs or deeds of others. The individualized spiritual conversion is the foundation and a prerequisite for an afterlife in heaven as defined by the Other's religion. The traders also stressed individualism within the context of trading fur for cash rewards to a trapper for his individual trapping efforts. The paradigm shift from a communal to individualism is most evident in instances where manufactured items are bought through cash transaction. These are seldom shared. The fruits of hard work that result in cash payments are changing the attitudes of the people from communalism to individualism. Where the people once used the term "ours", they are now using the term "mine" in reference to ownership of a commodity. While "borrowing" is a form of sharing goods bought through cash, the willingness of the individual to allow others to share appears to be in direct proportion to the price of an item. This trend is impacting what community means to the *Canenermiut*.

Relationship to the Environment:

In classical *Yupiaq* doctrine the creator made all living beings and plants in the physical world with a purpose. To the classical *Yupiaq* there is continuity to life, a cycle involving two planes of existence, a world for

physical living, and a spirit world for those that passed on, both having an awareness. All living beings and the dead were believed to have souls and considered sacred. In the physical world a person is only privileged to be part of the other living beings and must bestow respect to the spirits of those taken for human use. The shaman provides a medium between the physical and the spirit world. In addition, special ceremonies serve as a medium between the physical world and the spirit world provided certain rituals are practiced during the major regional ceremonies in the physical world. There is a spiritual world afterlife for all living beings and the rituals practiced provide an avenue or a passageway for the living to communicate with those in the spiritual world. This is much like what happens when one goes to church where certain rituals are conducted and prayers made to the Savior of the Other. While most of these practices have been discarded by the contemporary *Yupiaq*, remnants of the beliefs that relate to harvesting and utilization of subsistence resources are still practiced by the *Canenermiut*. The author, as with other marine mammal hunters of *Caneneq* still practice the ritual of giving a harvested marine mammal a gift of fresh water and to return the head to the ocean with a special message to present itself again to a hunter in the future. As food sharing of subsistence caught or gathered foods make up the *Yupiaq* social life, the same is extended to the departed to the spirit world.

A close relationship between the people and animals and all living beings exists in the *Yupiaq* belief system. No species are to be taken unless

needed and intentional destruction of life is not allowed. This dogma of the Yupiaq belief and practice is fundamentally different in purpose and orientation of the Other. Today, we often hear about the purposeful destruction of "invasive species" by the Other just so they can play around with another sacred life under the name of recreational fishing. To a *Yupiaq* the so-called "invasive species," from the observation of the author, were good subsistence resources that were put there with a purpose by a creator and should be left alone. The fish species include blackfish and pike that have met their demise by the Other in Anchorage area. Classical *Yupiaq* believed in the continuity of life among living beings, the cycle of being born, living in the physical world, passing on to the spirit world and being reborn back to the physical world. The author himself is named after his grandfather on his fathers' side and two other individuals that passed on to the spirit world before the author was born. The practice of naming newborn after the deceased is still practiced today by *Canenermiut*. This practice has the effect of bringing different families closer together strengthening the web of the community. This is the essence of the circular cosmology of *Yupiaq* spiritual belief system. Every living being has awareness and those that are harvested for food should be accorded respectful treatment. The belief system provides the foundation of the conservation ethics of *Canenermiut* *Yupiaq* in the taking and use of subsistence resources. Within the context of this belief system, a *Yupiaq* was not born to control neither his environment nor the living beings around him. The traditional beliefs and practices of

classical *Canenermiut Yupiit* (plural for *Yupiaq*) with regard to man's place in the environment are still practiced to this day. The harvesting of animals for subsistence and cultural uses has rituals that are still observed by traditional hunters. These rituals are well documented by Ann Fienup-Riordan (Ann-Fienup Riordan 1994). Ways of celebrating life through *Yupiaq* dances are also well documented by the works of Elsie Mather's *Cauyarnariuq* (A time for drumming) that give the purpose and the full meaning of five major *Yupiaq* ceremonies: *Nakaciuq*, *Elriq*, *Kelek*, *Kevgiq* and *Petugtaq* (Fienup-Riordan, 1991 page 66).

Above all, classical *Yupiaq* believed that the earth has awareness manifested by *Ellam Yua*, the omnipotent that is all knowing, all seeing, part and partial to all that is living. How can a *Yupiaq* possess or covet land that has an omnipotent spirit? Accordingly, coveting land that provides life to all beings was not consistent with the worldview of classical *Yupiaq*, therefore not acceptable nor practiced by classical *Yupiaq*. Land belonged to all that is living in the physical world and the *Yupiaq* is one of those sacred living beings privileged to be part of the environment. This fundamental belief did not allow the classical *Yupiaq* to claim aboriginal title to the land occupied for thousands of years. If it was otherwise, perhaps, the Other would have a more difficult time in claiming the land for himself and trying to make the Indigenous peoples, including *Canenermiut* aliens in their own homeland. The unwritten but valid existing aboriginal title to the land was not transferred from the *Yupiaq* during the invasion of the Other to Alaska from the brief and

nominal Russian occupation from the mid-1700's through the mid-1800's, nor during the influx of the Other under an American flag that followed thereafter.

Norms of *Canenermiut* Society

The norms of *Canenermiut* society are dictated by the needs of classical *Yupiaq* to keep peace with the community. Norms are defined as moral and ethical teachings of *Yupiaq* and serve as unwritten rules of behavior in their society. Although unwritten, these norms served the *Yupiaq* well in keeping peace and social order within a *Canenermiut* society. These norms are widespread among the *Yupiaq* people of the Yukon-Kuskokwim delta, affirmed in writing by the author of *Yuuyaraq*, Harold Napoleon. These norms defined all of the *Yupiaq* behavior within the context of keeping peace and social order within their world – all which is good, correct behaviors to keep peace within the community (Napoleon, 1991 page 4). These rules of correct behavior can be viewed as constituting a *human* realm in the *tetrahedral metaphor* that makes up the interrelationship among human nature, nature and the spirit world as articulated by A. Oscar Kawagley (Kawagley, 1995 pages 15-17).

III. IMPOSITION OF THE OTHER - TRANSITION PERIOD

Historically, the development of a frontier territory by the Other has an orderly progressive occupational stages. These stages range from the initial contacts in the form of exploration of resources as a national effort, followed

by a group and individual effort for acquiring personal wealth, then the missionaries, followed by what the Other called civilized occupation and domination. In all of these stages, the people indigenous to the territories are not generally consulted or asked and they are usually pushed aside as if they do not exist. When contacts are made the indigenous people are generally treated as inferior human beings.

For the *Canenermiut* it was not the discovery of extractable resources that brought the Other to the region, instead it was a renewable resource, fur, that brought the traders to *Caneneq* geographic area – Russian traders prior to the Treaty of Cession in 1867. There was no large influx of the Other that immigrated to the region for economic gains. It is said the early visitors to the Kuskokwim delta region were quick to remark how desolate the region was, calling it a wasteland at the world's end (Fienup-Riordan 1994 page 14). Absence of resources that could be turned into the almighty dollar served as a silver lining for the continuity of the customary and traditional lifeways of *Canenermiut* up to the first arrival of the missionaries in 1885 to Kuskokwim bay to the present time. The absence of extractable resources also allowed the *Canenermiut* to continue to use their mother language that provided the medium for the people to maintain their *Yupiaq* culture. The *Canenermiut* *Yupiaq* became the targets of the Moravian Missionaries during the early 19th century that started the spiritual conversion of the *Canenermiut*.

The transition period of the *Yupiaq* began with the arrival of Russian traders to the Y-K area, followed by the missionaries, the building of the

elementary schools by Bureau of Indian Affairs in the 1930's and it has never stopped to date. The transition period continues to this day as more and more *Canenermiut* slowly adapt to the Others' religion and ways of life.

Traders:

The traders that had the first impact on the *Canenermiut* were the mixed Alaska Native and Russian bloods called Creoles, agents of the Russian American Company prior to the Treaty of Cession. They established Russian trading posts in St. Michael, located in Norton Sound and Kolmakovskiy Redoubt in the Kuskokwim drainage, 250 miles upriver from Bethel, Alaska (Fienup Riordan 1991 page 48). These trading posts were established to enhance the Russian's need for furs. The sea otters were dwindling in the Aleutian and Kodiak Island regions and the traders expanded northward looking for other prized furs.

The arrival of the Russian traders had a devastating effect on Alaska Natives and the *Canenermiut* did not escape the deadly epidemics. The smallpox epidemic of 1838-39 was said to be the major marker of change in western Alaska (Fienup-Riordan, 1991, page 46). The epidemic resulted in the reduction of the *Yupiaq* population by 60% residing in Bristol Bay and along the Kuskokwim region. Following the small pox, influenza epidemics in 1852-53 and 1861 further reduced the devastated population reducing some villages to less than half their original numbers. These epidemics are referred to as *Yuut tuqurpalratne* meaning "Great Death" (Napoleon 1999

page 10). This was the period when there were no hospitals readily accessible by the *Yupiaq*, *Canenermiut* included, and without the immune system present in their bodies, many people perished. While the Russians brought these first epidemics, other epidemics such as tuberculosis further reduced the *Yupiaq* population in Yukon-Kuskokwim delta during the 1950's.

The fur traders continued the extraction of fur from the *Yupiaq* trappers of mink, muskrats, fox and other fur bearing animals as late as 1970's until the animal rights groups took control of the fur politics in Europe and effectively stopped the fur industry in the United States. The fur traders did not have a substantial effect on the *Canenermiut* culture because they operated outside of the *Caneneq* region as did other developmental activities in the other parts of Alaska.

Missionaries:

At the time John Henry Kilbuck was born in 1861, the classical *Canenermiut Yupiit* practiced their religion oriented to continuity of life from the physical world to the spirit world and back to physical world. The goal was to live a good life, fulfilled with much of the same moral teachings that were somewhat comparable to some of the Ten Commandments that serve as the foundation of western religion.

The author has heard that after the World Council of Churches divided Alaska setting conversion territories for different denominations, the Moravian Church with headquarters at Bethlehem, Pennsylvania recruited

missionaries to go to Alaska to save who they called *heathens* – *the Satan worshipers*. These missionaries saw before them a task that involved “converting people from a pagan lifestyle and heathen practices to a more enlightened and beneficial way of life and being” (Henkelman & Vitt, 1985 pages 13).

When the author was growing up in the Native Village of Kipnuk he used to wonder about the meaning of a church symbol, a sheep with a cross over its shoulder, posted in the preacher’s podium. Over the symbol were the words, *Unitas Fratrum*, meaning Unity of Brethren, termed as a Moravian Church in a European dialect. The Moravian denomination grew out of John Hus’s teachings, a Czech reformer who led a protest movement against the doctrinal positions of the Roman clergy, accused of heresy, and burned at the stake around 1450. It was out of his teaching that the Moravian Church was established in 1457 (Henkelman & Vitt, 1985 page 4).

The first missionaries arrived to Kuskokwim Bay in the spring of 1885, starting the exposure of Christianity to who they called *heathens* which at the end terminated the *Canenermiut’s* traditional ways of celebrating life and death. The author remembers the Sunday school teachings that dancing, playing cards and many other “do nots” were the work of the devil and should not ever be practiced or a person will not make it to heaven but will end up in hell. The spiritual conversion of the *Yupiaq* from the continuity of life in the physical world and the spirit world to Christian belief of everlasting life in heaven spelled an end to many of ceremonies that use to be practiced by the

Canenermiut. The teachings of Christianity was attractive to *Canenermiut* because it departed from their belief system of continually living a hard life in a physical world, then spiritual world back to the physical world. They accepted Christian belief system because it provides comfort to those that are dying, going to a trouble free everlasting life in heaven – a one shot deal.

John Kilbuck, a Delaware Indian, who married the daughter of a Kansas missionary was on a schooner *Lizzie Merril* that arrived to the mouth of Kuskokwim in 1885 (Fienup-Riordan 1991, page 31). He went up the Kuskokwim and established a missionary post across from a trading post settlement called *Mamterilleq*. From that time until his death in Akiak on February 2, 1922, the missionary, with the support of his wife Edith and their *Yupiaq* helpers, converted the heathens and worked tirelessly to sustain and maintain and spread the word to non-Christians, an effort that later spread to *Caneneq*, the northern coastal region of Kuskokwim Bay up to Tern Mountain. Following Kilbuck's death other missionaries expanded the teaching of Christianity to *Canenermiut*.

There were two primarily modes of transportation, dog sled in winter time and boats in summer time. Dr. Ferdinand Drebert, a missionary who traveled extensively in *Caneneq*, translated the English version of the Bible to *Yupiaq*. He and his helpers who acted as translators used dog teams to travel from Bethel to Tuntutukiak, and from Kwigillingok to Kipnuk, a number of times during the winter months giving baptismal, communions, and spreading the word. Another dedicated missionary, Swanky followed the

steps of Drebert during the 1950's traveling to the same villages during winter time. He recruited a Yupiaq translator, Owen Beaver from Kwigillingok, to travel with him. In 1988, the author took representatives from Kwigillingok and Kipnuk to Washington DC on a business trip and was extremely surprised how fluent Owen was in the English language. While Owen did not go to high school, it is said that his fluency in English language is attributed to working with Swanky as his translator. The Moravians recruited and trained *Yupiaqs* as helpers to work alongside the missionaries that later established the foundation for a seminary in Bethel with a goal to fully train the *Yupiaq* to replace the missionaries. They also started what they called "Rallys," three days of spiritual services, a gathering of villages in one of the villages during winter time when it was easier to travel by dog team. The villages rotated as sponsors for the Rallys and use them to reinforce the follower believes in Christian dogma and to instill their "do nots" in the daily life of the believers. These "do nots" include: drinking alcohol, dancing, playing cards, smoking, and others, in addition to the "do nots" of the Ten Commandments, otherwise a person is going to hell, the ever-burning fire and brimstone. These "do nots" unintentionally created guilt feelings among the people over time because these "do nots" are observed for the most part within a village where everyone knows all the other people. However, when people leave their village they sometimes indulge in these "do nots" and therein lies the rationale for continuous guilt feeling among these people that they will not go to heaven for everlasting life. That practice becomes a cycle

to some believers that further increase their guilt feeling of coming short of the glory of God.

To the author, the apparent strategy of the Moravian church was to work the missionaries out of their job over time. They promoted the self-determination of the *Yupiaq* believers to take over the work of the missionaries by establishing a seminary in Bethel to train them to fill the hierarchical positions necessary to maintain, continue and sustain the teachings of the Church among the *Yupiaq* people. The result is the leadership of the Moravians of today are all *Yupiaq* from the Bishop on down to a lay pastor who's functions are similar to the functions of deacons in the Catholic Church. There is a cadre of trained pastors, ministers, within the Moravian church that rotate among the Moravian villages annually from Manakotak to Kipnuk and all the way up to Tuluksak on the Kuskokwim River. The goal of John Kilbuck is essentially fulfilled now. The believers have discarded their traditional religion along with the ceremonies that goes with the religion in favor of Christianity that promise everlasting life after death. Traditional dancing is still considered the work of the devil and prohibited by the most faithful. However, there remain remnants of the traditional beliefs insofar as how the *Yupiaq* relates to the other living being on earth and while it may appear to the Other that the *Yupiaq* have blindly converted to Christianity, some of the traditional beliefs on where man should fit within his environment is still alive and practiced to this day. While "individualistic" pursuit of everlasting life after death is accepted among the

believers, the notion of "individualism" in traditional secular practices has not taken root to date. For example, the *Canenermiut* will continue to resist the Other's effort to regulate subsistence hunting activities within the context of permitting requirements, personal use, and use of individual licenses.

External Competent Authorities:

At the secular level, the external governments had a major impact on *Canenermiut* second only to spiritual conversion by the Moravian missionaries. The term *competent authority* is used as a reference to a government that is recognized by the international community including state governments. These governments exercise governmental functions over the electorate and have the ability and resources to enforce their laws. The governments allow the nation/states the ability to retain their identity, culture and social order within their society. The ideology of the people that make-up the nation/states dictate the form of government they have and how these governments are organized. The external competent authority the *Canenermiut* have to deal with was and is the government of the United States and later the State of Alaska. As a democratic form of government, it has a living organic document, a constitution. Under this constitution the people collectively grant authority to their government's rights to exercise jurisdiction over their citizens or their land base including management of fish and wildlife resources. These governments not only claim jurisdictional authority over their citizens, their land and wildlife resources, but they make

sure they have the ability and resources to enforce their western management regulations. A consensus democratic form has now taken root in *Caneneq* villages, where a one-person-one-vote is now the standard practice used by traditional governments. The powers of tribal government are limited within the context of their ability to enforce their tribal laws upon their tribal members only, a limitation established by the Other's court of law.

One of the first statutes adopted by the State Legislature after Congress granted statehood to Alaska in 1959 was a law that declared Round Island in Bristol Bay a sanctuary for walrus. The law, promoted by a preservationist, who was neither familiar nor cared for the welfare of Alaska Native people convinced the new legislature to adopt the law without regard to customary and traditional hunting rights of the Native village of Togiak in the island for walrus. The indigenous people of Togiak became dispossessed of their subsistence resource by a law made without their knowledge or participation, a deed re-enacted many times before and after in American history. One hunter was arrested and taken away from the village of Togiak the summer after the law was adopted by the Alaska State Legislature. This first experience has left an attitude of distrust among the Alaska Natives toward the new competent authority in Alaska, the State of Alaska. This incident and others that followed has resulted in the federal government taking away the management authority of the State of Alaska on marine mammals. The propensity of the Other is to treat Alaska Natives as inferior human beings with fewer rights than theirs is a pervasive attitude that

is a carryover of the colonialism. This has resulted in the current debate on who has management authority on wildlife and aquatic resources in Alaska.

Western Economic System:

In Alaska, the influx of the Other from the Lower-48 was for personal and industrial economic gains and forces outside of Alaska generally control the decision making when and how the resources will be developed and who will participate in the development. In 1897 gold was discovered in the Klondike, a Canadian province right across the border from Skagway, Alaska that started the gold rush through Alaska that brought in thousand of people to the Chilkat Pass to the gold fields. This was followed by other gold discoveries in Nome in 1899 and in Nenana-Fairbanks area in 1902 (World Book Encyclopedia 1981, page 287a). Another significant discovery was copper in the Wrangell Mountains. The development of the mine in Kennecott financed by the Guggenheim family from New York with the help of an ingenious engineer built a railroad 200 miles into the Wrangell mountains from the coast. The engineer that built the railroad to the Kennecott mine stated: "Give me enough whiskey and dynamite, and I'll build a railroad to hell."⁴ His remark reflects the desire and tenacity of personal wealth seekers that invaded Alaska for short periods of time during the early 19th century and left when their targeted resources declined.

⁴ Alaska History Television Series 2002

The other resources developed that have a more lasting effects were the fishing industry, fur industry, limited agriculture, and value added oriented limited manufacturing. And above all in recent times oil discovery and development in North Slope of Alaska.

When one analyzes the immigrants to Alaska from a *Yupiaq* perspective using the Others' language, rationale and describing the general attitude of the Others' policy makers during the forays to Alaska, it can best be described as a 19th century *laissez-faire* mentality. That is to say the lands taken, without the consent of the original inhabitants of Alaska, should be transferred to private lands without regard to conservation ethics of the Other as we know them today. In the days of westward movement in the Lower-48, conservation also appeared to have a different meaning defined within the context of making states of public lands, developing its resources and commodification as a desired use of resources rather than preservation. This line of thinking still persists today and very evident in the resources development slogans of Senator Frank Murkowski who at the time of this writing was running for the Governor of the State of Alaska. The comodification of resources developed, to the author, has been the reason why Alaska was bought from Russia in 1867 and affirmed by the observation of the Other's notion of development of resources in Alaska.

Economic development within the context of developing Alaska's natural resources have long been the goal of the decision makers residing outside the state. The development of resources in Alaska have followed the

classical politics of the Arctic on relations between the industrialized southern metropolis and resource-rich hinterlands (Young 1992 page 18). The classic nature of core/periphery relations is exemplified by Alaska's dependence on oil development. The development activities are also dictated under the terms of the Other within the context of social intercourse between the original inhabitants and the invaders (Young 1992 page 89). However, before these resources are developed, the question of who owns the lands needed to be sorted out in accordance with the Other's definition of who owns what lands. During the 1960's, Alaska Natives were caught in the middle of the Other's effort to develop Alaska's resources. If Willie Hensley, Emil Notti and other Alaska Native leaders were not educated in western ways enough to realize the Others' intention of dispossessing Alaska Natives in the normal course of developing Alaska, Alaska Natives would not have much of any land under their name today. The Alaska Native's realization of what was happening and what was about to happen was a fundamental departure from the *Yupiaq* worldview but it was considered necessary to file the land claims at the time when land claims was filed. The bottom line was, if Alaska Natives stay on the side lines, the competent authorities, the federal and state government and the people they represent, were not about to, from the goodness of their heart, set aside lands for Alaska Natives. Instead, these western competent authorities would have dispossessed Alaska Natives of their lands and made them aliens in their own homeland. Alaska Natives were forced to change their perspective during the 1960's on how

they would fit within the modern world and took a course that was fundamentally different from the classical *Yupiaq* worldview with regard to land ownership. The Other's worldview had caught up Hensley and other Alaska Native leaders and their realization prompted them to make that fundamental departure from the classical worldview of Alaska Native with regard to land ownership by filing for land claims.

Fish and Wildlife Management

Big Game in Alaska – A History of Wildlife and People by Morgan Sherwood provides the Other's perspective in the evolution of laws that relates to wildlife management introduced to Alaska from the early 1900's by people of European descent and from the western worldview (Sherwood, M. 1981, 152 pages). To the *Canenermiut* the reference to "game" animals is fundamentally inconsistent with their worldview on how animals should be treated. To use the word "game" in reference to a subsistence resource is repugnant to *Canenermiut*, but the use of it is a testimony to the Other's attitude toward wildlife as something to be played around with or a means to an end to fulfill their recreational attitudes. These laws have their roots in England as far back as the 1200's A.D.. The laws were codified in the Forest Charter of 1217 two years after Magna Carta was adopted (Huntington 1992, page 18). The principles of western fish and wildlife management precept were allowed to evolve with a vein of conservation and preservation before they were applied by the Other to Alaska. The author while flying five miles

up across the United States during his frequent trips to Washington D.C. promoting and advocating for the subsistence rights of Alaska Natives during mid-1970's, used to wonder what happened to the wildlife that used to occupy the little squares below. What about that Indians that occupied those endless little squares? Those little squares were the result of "Manifest Destiny" from sea to shining sea.

The development-minded people forging into new territories pushed out or did away with Indians that stood in the way. The classic example is the extermination of the buffalo as a way to eradicate the Indians played a large role that at the end of the day also affected the exterminators by taking away the meat market of the buffalo (Huntington, 1992, page 21). Unlike wholesale slaughter of wildlife in the westward movement of civilization under *Manifest Destiny*, Alaska's fish and wildlife were spared to continue to flourish under the principles of sustaining fish and wildlife for future generations. These principles were advocated by the competent authority's Alaska Game Commission, movers and shakers of sustainable fish and wildlife management, established by Congress in 1925.

When the author first went to college, he was surprised to find out that some students majored in "Wildlife Management." The author being indigenous to Alaska with a world view as articulated earlier thought that "wildlife management" meant controlling a person's way of life that is considered "wild" among their peers – how to control one's propensity to go to big parties and living a wild life. When the author found out about the real

purpose of the major, the author wondered "manage fish and wildlife?" within the context of "how can a human tell the fish or game what to do or what not to do." This line of thinking might seem pretty "dumb" to a *gussaq*,⁵ but the reverse would be true in some given real life situations. The author later found out that it is done by controlling the behavior of the Other's own kind by manipulating when, where, how, and how many to take. This was after the author's exposure to western form of education after four years in high school at Mt. Edgecumbe, Alaska. What about the *Yupiaq* of *Caneneq* who never went to high school?

Wildlife Management: To illustrate the contemporary competent authority's effort to manage wildlife and aquatic resources, the author will use the State of Alaska as an example. The State of Alaska's Constitution under the broad category of Article III, Natural Resources, that includes wildlife and aquatic resources establishes the policy and framework for fish and wildlife management. The constitutional authority for natural resource management that includes wildlife and aquatic resources is conferred to the state legislature under Section 2 of Article III.

"General authority, the legislature shall provide for the utilization, development and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people." (*Alaska State Constitution*, 1959)

⁵ White man in *Yupiaq*

The Alaska State Legislature established the Board of Fish (BOF) and Board of Game (BOG) as the regulatory body to work on conservation and allocation of the so-called state resources. Furthermore, the state constitution established basic principle's defining how fish and wildlife management should be managed. Article VIII, Section 4, states:

"Fish, forests, wildlife, grasslands, and all other replenish able resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principles, subject to preferences among the beneficial uses." (*Alaska State Constitution* 1959)

The key provision of Article VIII, Section 4 is "sustained yield principles." It is a principle that requires the application of empirical scientific method to determine what the "sustained yield" would be for particular species in question. For wildlife and aquatic resources, management functions are utilized notwithstanding who would be eligible to participate in the harvest of that species. The BOF and BOG perform their regulatory functions based on these principles, and these regulations are enforced by the State Troopers.

Fish and Wildlife Management Functions: The elements of western fish and wildlife management differ depending on who you talk to. Generally they attempt to determine the abundance levels of the species and the determination of safe removal levels of a particular fish and wildlife species based on sustainable harvest principles. Empirical scientific method is used

for making allocation and conservation decisions to guide the competent authorities in determining harvest levels, when, where, how, and how much. For the most part, policies based on sustainable principles serve as a basic rule in the taking of the resource. To understand the framework for western management of wildlife and aquatic resources, it is helpful to examine the type of functions that are involved in western management. As the Director of the Subsistence Department at the Rural Alaska Community Action Program the author learned that major functions of wildlife management include, but may not be limited to: research, allocation, regulations and enforcement. Let us briefly examine the definitions of these management functions:

Research: The basic biological research involved determines the stock status and trends or abundance surveys of a particular resource, the population trends, and the determination of their habitat, their migration patterns and their reproductive cycles. Western science is used for the most part to perform these types of research. These functions are usually performed by biologists without any regard to the traditional knowledge of Alaska Native people.

Allocation: Allocation decisions are made among resource users within the parameter of safe removal levels as determined by fish and wildlife biologists for both consumptive and non-consumptive purposes. The safe removal levels are based on the principle that removal will not harm the sustainability of that resource. This function is performed by a group of

individuals authorized by the competent authorities to make allocation and conservation decisions based on research findings. For the State of Alaska, the responsibilities fall to the Boards of Fish and Board of Game. For federal subsistence management, the responsibility falls to the Federal Subsistence Board.

Regulations: Regulations are basically rules of behavior in the taking of the resource since humans are unable to counsel wildlife and aquatic resources what to do. Regulations specify time and area closures of the species, the geographic area for the take or harvest, the quantity, and how the take should be reported to the wildlife and aquatic resource managers. This function is performed by a regulatory body of the competent authority.

Enforcement: Law enforcement is simply enforcement of the regulations by the competent authority. If one take exceeds what the regulations call for, in the wrong area, or fails to report their take, that person will be cited by law enforcement and possibly prosecuted by the competent authorities judicial system and if convicted serve time in jail. For the most part, the threat of imprisonment serves as a deterrent not to abide by the regulations.

IV. CANENERMIUT CONSERVATION ETHICS

The conservation ethics of *Canenermiut* are derived from their worldview of how people should fit within their environment. As one of *Canenermiut*, the author is familiar about the conservation ethics as they

relate to the subsistence way of life of *Canenermiut*. *Canenermiut*, as with other Alaska's indigenous peoples, have relied on wildlife and aquatic resources to sustain the people, nutritionally, culturally and spiritually. Before "the great death" brought about by diseases during the turn of the 19th century, indigenous populations in Alaska were substantially greater in numbers than they are now. Even then, subsistence resources were not negatively impacted by indigenous take. Four years ago, the author was invited to be a guest speaker about Alaska Natives subsistence sealing at the International Sealing Conference in St. Johns, Newfoundland sponsored by the North American Marine Mammals Commission (NAMMCO). Part of the text addressed the conservation ethics of Alaska Natives that includes *Canenermiut*.

"Alaska's Indigenous Peoples' cultures throughout Alaska and other countries have developed a comprehensive set of rules governing the use of the subsistence resources. These rules are premised on conservation, the avoidance of waste, sharing of take, and a respect for the soul's subsistence resources. These rules, although not written were like "regulations" and worked well in regulating Native use. These rules are based on a body of knowledge about the behavior and the habitat of various wildlife and aquatic resources. We have also developed a comprehensive body of knowledge about the environment and habitat of the subsistence resources that is passed on from generation to generation. The knowledge is holistic in nature, and fundamentally eco-system in approach. We look at a particular

species in the context of its inter-relationship with other species and the environment in which they all live. This body of knowledge has many names but I prefer to use the term "Indigenous Knowledge." Taken together, these rules govern Native use of wildlife and aquatic resources and the Indigenous Knowledge on which they are based has protected all of the species on which my people rely for subsistence. As a consequence there is no instance where species of wildlife and aquatic subsistence resources has ever been placed in a threatened or endangered status because of Native take. The Native take also represents a very small percentage of the overall population and pales in comparison to other sources of take. The lack of any negative impact on the wildlife and aquatic subsistence resources by Alaska Indigenous Peoples taken solely for subsistence uses provide a testament on merits of the conservation ethics practiced by my people. These conservation ethics of Alaska's Indigenous cultures are very deeply entrenched and practiced by our hunters having been taught to our children from the time that they are able to understand it. We believe, as Alaska's Indigenous Peoples, that our Native traditions, practices and culturally taught rules are sufficient to protect and conserve all marine mammal species used by Native populations.⁶

⁶ Carl Jack, Address to NAMMCO, International Sealing Conference 1997

The author's address is primarily based on the conservation ethic of *Canenermiut Yupiaq* as taught to the author by the elders, parents and hands-on experience of hunter tutorship by the author's uncle. These ethics are the reflection of the *Yupiaq* way of life that is tied to traditional belief systems practices prior to western contact, still practiced today by *Canenermiut*.

In every society, there are people that do not follow the rules of that society. In western society, they are called "criminals" and on the extreme "convicted criminals" that are incarcerated in prisons of the Other as payment for crimes committed.

In the classical *Yupiaq/Canenermiut* world, there were also people, few in numbers, in every villages that do not listen to elders' advice and counsel and do not follow the norms of the *Yupiaq* society. According to the elders, these people do not do well in hunting and taking care of the gifts from a higher being. They end up trying to survive from what is given to them by other people, because of their inability to get the subsistence resources for themselves.

V. ALASKA NATIVE PEOPLE'S SELF-DETERMINATION EFFORTS

During the last 40 years, significant progress has been made by Alaska Native people in exercising self-determination and asserting self government in villages of rural Alaska. Prior to the 1970's, Alaska Native people were being subjected to laws and regulations that were developed

and enacted by western institutions without their participation. During 1960's and 1970's, the effort to secure a land claims settlement that involved formation of regional non-profit corporations to provide vehicles for village people to lobby for the passage of Alaska Native Claims Settlement Act may be considered as the initial successful self-determination effort of Alaska Natives.

Alaska Natives, including *Canenermiut*, are striving for self-governance as a way to maintain their distinct identity, culture and world views. Self-determination and self-governance are considered by the Alaska Native community as the only vehicle to counter the onslaught of a worldview that is pushing them to change their ways to a more selfish way of life. They have experienced some measure of success in their effort for self-determination and self-governance to date. It is from that perspective that the Alaska Natives, including the *Canenermiut* will strive for becoming equal partners with the competent authority in all issues that affect their lives, including management of fish and wildlife.

Public Policy Initiatives Toward Self-Determination:

Civil Rights Act – Office of Economic Opportunity: The self-determination efforts of minorities was forever changed when the Civil Rights Act was enacted by Congress in 1964. The crucible of the Civil Rights Law was the Office of Economic Opportunity (OEO), organized to implement the law that directly benefited Alaska Natives' effort for self-determination. The

OEO funds were used to organize, during the early to mid-1960, regional non-profit corporations to lobby for the enactment of the Alaska Native Claims Settlement Act (ANCSA). That effort contributed to the self-determination efforts of Alaska Natives to assume the administration of federal programs designed to benefit Alaska Natives. Funds were also tapped by the Alaska Federation of Natives to organize consumer controlled health organization in Alaska Native regions during the late 1960's to the mid 1970's.

Alaska Native Claims Settlement Act: The circumstances which led to the settlement of the Alaska Native Claims Settlement Act were largely shaped by economic expediency. When it became clear that Alaska Natives had legitimate legal claims, the Secretary of the Interior imposed a land freeze in 1969 until their claims were settled by Congress in 1971. The land freeze stopped the State of Alaska from any further land selections under the Statehood Act of 1959 and the oil industry was halted from developing a billion barrel petroleum reserve in the North Slope. This resulted in tremendous pressure on the policy makers in Congress to expedite the land claims for Alaska Natives. ANCSA was enacted by Congress and signed by President Nixon on December 7, 1971 (U.S. Congress, *Alaska Native Claims Settlement Act*, Congressional Record, Volume 117 1971). ANCSA provides that approximately 75,000 Alaska Natives, circa 1971, Indians, Eskimos, Aleuts and Sugpiat became shareholders in private corporations owning 40 million acres of land in fee simple title and controlling \$962.5 million. The

settlement was fundamentally different from the treaties and reservations system the United States government settled with American Indians in Lower-48 contiguous states. It was the first time in American history the indigenous peoples in North America settled with the United States government, organized under law to perform profit making activities that involve comprehensive planning, direct management and operation of programs utilizing Native-owned capital and natural resources.

While ANCSA is a significant real estate settlement achievement of Alaska Native, the Other's policy makers, over the objections of Alaska Natives, crafted in ANCSA, Section 4(b) a provision ... "All aboriginal title...including any aboriginal hunting and fishing rights that may exist, are hereby extinguished."

Self-Determination Public Laws: The Indian Self-Determination and Educational Assistance Act of 1975; and its subsequent amendments are Public Laws that allowed the fruition of the self-determination efforts of Alaska Native tribes and tribal organizations to assume federal programs designed to benefit federal beneficiaries.

During the last 30 years, significant progress has been made by North America's First Nations peoples of the United States in exercising self-determination and asserting self-governance within their homelands. Prior to the 1970's, Alaska's indigenous peoples were being subjected to laws and regulations that were developed and enacted by western institutions without their participation. All of this changed when participation started with

initiatives involving the Alaska Native Claims Settlement Act. The effort to secure a just land claims settlement involved formation of regional non-profit corporations. These organizations served as the first Alaska Native controlled western institutions that provided a vehicle for Alaska Natives to be directly involved in the formulation of public policies in Congress that resulted in the passage of ANCSA in 1971.

After ANCSA was enacted, the Alaska Native controlled institutions started looking at the possibility of assuming the administration of federal programs designed to benefit Alaska Native people of Alaska and played a key role in forming the Alaska Native regional health organizations. These included the social service programs administered by the Bureau of Indian Affairs and Indian Health Service. At first, the Bureau programs were assumed by Alaska Native controlled regional non-profit corporations under contract with the Department of the Interior followed by regional health entities assuming the administration of health care for Alaska Natives by Alaska Natives under contract with the Indian Health Service. These new institutions permitted for the first time vehicles for meaningful and direct participation of Alaska Natives in the administration of federal programs designed to benefit Alaska Natives. In both cases, the term "Alaska Natives" is explicitly used as the eligibility criteria in the authorizing legislation or a statute. These public laws are significant for both the Alaska Natives and the federal government because in instances where they are used, Alaska

Native tribes came to the same table and negotiated contracts and compacts on a "government-to-government" basis with the federal government.

Currently, Public Law 93-638 and its subsequent amendments are public laws that recognize the existence of tribes in Alaska. This law and its subsequent amendments provide the legal foundation for the self-determination efforts of Alaska Natives in assuming government services designed to benefit Alaska Natives. It is also a law that prompted Senator Stevens to regionalize the provision of health services to Alaska Natives and to form an Alaska Native Tribal Health Consortium as a coordinating forum to all of the Alaska Native health providers in Alaska as well as to administer the Alaska Native Hospital in Anchorage.

The enactment of the civil rights laws, the Alaska Native Claims Settlement Act, and the Indian Self-Determination and Educational Assistance Act are the enabling legislation that eventually allowed Alaska Natives to truly exercise self-determination and limited self-governance. The most impacted federal agencies were the Bureau of Indian Affairs and Indian Health Service whereby under Public Law 93-638 and its amendments thereafter allowed the Alaska Natives to assume management responsibility of social programs and health care by Alaska Natives for Alaska Natives. With the exception of the ANCSA, the Alaska Native advocates for the assumption of these federal programs by Alaska Natives, the Alaska Natives did not have to navigate the treacherous currents of the Capitol Hill in

Washington D.C., promoting a public policy that provided the vehicle for self-determination of Alaska Native peoples.

While significant progress was made by Alaska Native tribes and tribal organizations in exercising their self-determination efforts in assuming the administration of social programs, their efforts for exercising governmental functions over the Other have not been successful. In the self-governance arena, the tribes and tribal organizations are not allowed by the Other to exercise jurisdiction over the affairs of the Other. While the United States Government has acknowledged the existence of tribes, the government has not conferred to Alaska Tribes full self-government powers that are equal to the State of Alaska. To do otherwise would be contrary to the U.S. Supreme Court's ruling in the *Venette Case*. In addition, the Alaska's congressional delegation that subscribes to the Republican dogma of "states rights" will not confer such authority to Alaska's tribes for management of wildlife and aquatic resources. Moreover, the architects of the Alaska Constitution ignored and did not recognize the existence and authority of the tribal governments of Alaska's indigenous peoples. They instead supplanted them with their western forms of governments that are foreign to Alaska Native people. The political status of Alaska's indigenous peoples is not expected to improve in the immediate future and may in fact get worse. This raises compelling questions about the future role for Alaska Native tribes in the management of wildlife and aquatic resources used for subsistence.

The federal and state governments, through their governmental infrastructure are making sure that Alaska Natives can only exercise hunting and fishing privileges when granted by them even if it sometimes means Alaska Natives have to risk becoming criminals to feed their families. This was accomplished when the hunting and fishing rights were extinguished through their laws when the land claims of Alaska Native people were settled in 1971. In the words of David O. David of Kwigillingok, the immigrants control Alaska Natives by their laws imposed on Alaska Native people which for the most part are laws formulated without the participation or the knowledge of *Canenermiut* ⁷

The ever present question of a *Canenermiut* hunter and fishermen is, "Why should *Canenermiut* capitulate to these laws and regulations imposed on them without due process with them?" The bottom line to them is, "Who cares about the Others' rules and regulations?" When one goes to these villages, it is reasonable to assume that one will not find a regulations book of the Other in any of the houses.

Bringing the issues closer to *Canenermiut*, they know that the Eurocentric fish and wildlife managers will continue their best effort to convince *Canenermiut* to capitulate to their regulations. On the other hand, at least in the foreseeable future, the *Canenermiut* will resist because no meetings in developing these regulations were ever held in their villages.

⁷ David O. David, Comments to Governor Hickel, Subsistence Summit 1989

The people in these villages have not been consulted. The managers of the Federal Subsistence Program have even developed a briefing argument that their meetings should not be held in villages unless an issue is specific to that village and the Regional Advisory Councils has been advised to that effect. (OSM Briefing Paper to Federal Regional Advisory Councils. 2002)

Coercive persuasion by the law enforcement officers of external competent authorities will increase on the *Canenermiut* telling them in so many words meaning "It's my way or no way." The *Canenermiut* will not, in the foreseeable future, discard their belief that man is not in the physical world to control neither nature nor its animals. This creates a paradox, two ships going in a parallel direction, sometimes shooting at each other, one pushing and pushing and the other resisting and resisting. It is not the individuals that we are talking about, the ships are the worldviews by which each has supported their people for thousands of years.

While isolated conflicts may continue in the future, an Alaska Native paradigm shift is taking place that is fundamentally different from the classic worldview of *Canenermiut*. The educated natural resource minded Alaska Natives have taken the torch of becoming advocates for Alaska Native people's desire to become more involved in resources management including fish and wildlife. These Alaska Natives are in the forefront of changing national public policy with regard to developing legal frameworks to allow Alaska Natives to become equal partners through their tribal governments/tribal organizations with the federal and state governments.

They are no longer satisfied with the Alaska Natives being only advisors to the competent authorities in fish and wildlife management. To date, significant progress has been made in promoting equal involvement of Alaska Natives in fish and wildlife management, with the exception of those management frameworks adopted by congress during 1970's, an era when the Other only allowed the Alaska Natives to be advisors to them in regulatory bodies. Perhaps the most significant progress that has been made by Alaska Native people during recent years has been in developing a legal framework in resource related public laws for joint management agreements with federal agencies that have jurisdiction on certain species used for subsistence purposes. It is interesting to note that such progress has been made where Alaska Natives have been explicitly identified in the eligibility criteria in the statutes and on resources used for subsistence purposes. When Alaska Natives are used as an eligibility criteria, it make it much easier for the government to negotiate joint agreements rather than an all encompassing eligibility criteria that includes all the people within a certain geographic area. Let us examine some of these accomplishments:

Migratory Bird Treaty Act

A major accomplishment was achieved by the Alaska Native people in 1994 when, as part of the United States delegation, met with the Canadian delegation to negotiate the protocol amendments to the 1916 Migratory Bird Treaty Act in Vancouver B.C. (United States and Canada, Protocol

Amendments to Migratory Bird Treaty Act, 1994). The negotiations accomplished and resolved two very important issues: 1) the amendments legalized the taking of migratory birds for subsistence uses from March to September of each year by Alaska Natives; 2) the amendments called for a creation of management bodies where the federal, state and Alaska Natives, as equals, would manage the migratory birds future harvests in Alaska implementing the treaty amendments. Prior to the implementation of the treaty amendment, it was illegal to harvest migratory birds by Alaska Natives from March to September of each year the times when the season closes coinciding with the arrival of migratory birds to Alaska and opens when they leave Alaska. The competent authority attempted to enforce the restrictions in 1960, but they did not have enough jail space available to incarcerate all Alaska Natives that harvest migratory bird when the birds arrive in March. There would also be a possible violation of human rights under international agreements where the United States was party to those agreements. For these reasons, the USFWS started exercising discretionary enforcement authority on migratory birds starting from the famous Barrow "duck-in" in 1960 (Huntington 1992 pages, 28,42).⁸

The changing political climate at both the state and national levels resulted in the beginning of negotiations for the Protocol Amendment to the Migratory Bird Treaty Act of 1916 that prohibited the harvesting of migratory birds by Alaska Native from March to September of each year. The Alaska

⁸ 150 Barrow residents, with a duck in hand presented themselves for arrest.

Native people could not get anywhere under the elder President George Bush's and Governor Wally Hickel's administration. Both Bush and Hickel are Republicans and maintained close alliances to such organizations as the Alaska Outdoor Council and the International Association of Fish and Wildlife Agencies. When President Clinton was elected and appointed the late Mollie Beattie as the national director of the Fish and Wildlife Service coupled with the election of a democratic governor of Alaska, Tony Knowles, these two events developed a political climate of inclusiveness in the formation of public policy that was beneficial to the governments and the users. The results were the two significant accomplishments mentioned earlier during the bi-lateral negotiations. These were due largely to the inclusion of Alaska Natives and the Canadian Aboriginal people during the negotiation of the Protocol Amendments to the Migratory Bird Treaty Act of 1916. The Senate ratified the treaty on October 27, 1997 (Senate Ratification of Protocol Amendments to Migratory Bird Treaty Act, 1997). Since its ratification, the U.S. Fish and Wildlife Service (USFWS) worked in collaboration with the Native Migratory Bird Working Group to develop a public process using the Environmental Assessment (EA) process that outlines alternative options for the formation of the management bodies that will have the responsibility of managing migratory birds. The USFWS accepted, for the most part, the comments and recommendations of the Native Migratory Bird Working Group, a group representing tribes, whose members use migratory birds for subsistence uses, The Alaska Native Migratory Bird Co-management

Council (ANMBCC) with memberships from the federal and state governments and Alaska Natives are now working as equals in developing regulatory measures for the subsistence use of migratory birds in Alaska. The consensus method of Alaska Natives is used by ANMBCC in the deliberations, and the chair rotates among the three partners and each has one vote in their deliberations. (ANMBCC. Bylaws 2001)

The implication of a co-management regime where Alaska Natives would participate as equals with the competent authorities is immense and by far exceeded the expectation of the Alaska Native people that participated during the negotiations. The interpretive document of the Protocol Amendments to the Migratory Bird Treaty Act of 1916 is expected to become a model for other species-oriented management agreements now being considered by the Alaska Native community and a very good indicator of Alaska Natives exercising self-determination. This accomplishment marked the beginning of a "true" co-management regime for the management of a resources used for subsistence purposes.

Marine Mammal Protection Act

In 1972 Congress enacted the Marine Mammal Protection Act (MMPA) taking away the State of Alaska's jurisdiction and conferred jurisdictional authority to the US Fish and Wildlife Service and the National Marine Fisheries Service (NMFS) the responsibility to manage marine mammals in waters under the jurisdiction of the United States. (U.S.

Congress, *Marine Mammal Protection Act 1972*) The MMPA is a moratorium on the taking of marine mammals by US citizens with a few exceptions. One of those exceptions is Section 101(b), the "Native take Exemption" where Alaska's indigenous people can hunt for marine mammals for subsistence uses without any regulations. Self-regulation by Alaska Natives is allowed on the subsistence take of marine mammal unless a scientific finding by agency scientists is made that the species in question have been depleted.. This provision has not changed since 1972 and Alaska Natives have exercised self-regulation in harvesting marine mammals since then. No species has ever been declared as threatened or endangered because of Native take. However, in instances where a commercial value is placed, not subsistence, has there been depletion findings. For example, the Cook Inlet beluga whale situation where the federal agency advised the Alaska Native hunters that it was all right to get two whales for commercial purposes during 1990's. In this instance, the affirmation by a federal agency that a whale can be harvested for sale was interpreted by the hunters that commercial whaling had been approved by the federal agency. This resulted in a depletion finding for the Cook Inlet beluga whales after two years from the time the affirmation was made by the managing agency.

1994 Reauthorization: During the 1994 reauthorization of the MMPA, the Indigenous People's Council for Marine Mammals (IPCoMM) an Alaska Native organization made-up of tribal representatives, succeeded in adding Section 119 that authorized the Secretary's of Interior and Commerce to

enter in "cooperative" agreements to conserve the marine mammals and to provide co-management of marine mammals used by subsistence purposes (U.S. Congress, *Amendments to Marine Mammal Protection Act*, 1997).

Since then, Section 119 cooperative agreements have been negotiated for the three species under the jurisdiction of USFWS and for five species under NMFS that resulted in six agreements. IPCoMM did not involve the federal agencies on the reauthorization effort.

The significance of the amendment is while the federal agency objected to the amendment, the Alaska Natives working with the Alaska congressional delegation was able to add Section 119 along with authorization level of \$1.5 million to National Marine Fisheries Service and \$1 million to U.S. Fish and Wildlife Service. The Alaska Natives working with Senator Stevens, Chairman of the Senate Appropriations Committee, were successful in convincing the Senator to put in \$250,000 as a congressional add-on to US. Fish and Wildlife Service to fund the co-management agreements with: the Alaska Nanuuq Commission, the Alaska Sea Otter Commission, and the Alaska Eskimo Walrus Commission. These are Alaska Native controlled western institution established for the purpose of promoting the participation of Alaska Native in the management of these species. All of these were accomplished without the help and assistance of the US Fish and Wildlife Service. The managing agency by, virtue of the congressional mandate, had to negotiate the cooperative agreements for the co-

management of these marine mammal species used for subsistence purposes by Alaska Native people.

Halibut as a Subsistence Resource:

The most recent accomplishment of Alaska Natives was on an issue similar to the Migratory Bird Treaty Act of 1916 where the customary and traditional subsistence harvest practices of Alaska Natives were not recognized during the initial promulgation of a public policy relating to harvest of a particular resource. On halibut, the initial authorizing statute left out of the authorizing statute the eligibility of Alaska Natives, thus making it illegal for Alaska Natives to harvest halibut for subsistence uses. The effort started in response to an enforcement action by National Marine Fisheries Service (NMFS) law enforcement officers in western Alaska when a halibut too small for commercial use, was taken home for subsistence use. This incident happened one year after Alaska Natives participated in the bi-lateral agreement for the Protocol Amendments to the 1916 Migratory Bird Treaty Act. Having experienced the bi-lateral negotiation, the Alaska Natives worked with the North Pacific Fishery Management Council (NPFMC) over a three year period to 1) legalize the taking of halibut for subsistence uses and 2) to develop a framework whereby Alaska Natives, as users, would start participating in the management of halibut subsistence harvest in all coastal areas of Alaska. These efforts succeeded when in the fall meeting of NPFMC in October 1999 in Sitka, NPFMC adopted a framework resolution

that would 1) establish a tribal subsistence fishery in Alaska, 2) legalize the harvest of halibut for subsistence uses, and 3) adopt a framework for management agreements between the NPFMC and the Alaska Natives Tribes or Tribal Organizations. (North Pacific Fishery Management Council, *Resolution on Halibut for Subsistence*, October 1999) The managing agency is now working with the Alaska Native tribal representatives to develop the proposed regulations to be implemented during the 2003 subsistence season. During these processes, the Alaska Natives have, in order to validate their claims, found it necessary to hire their own general counsels, attorneys that can stand toe-to-toe with the solicitors of the federal agencies. The attorneys take their direction from the Alaska Native representatives during the negotiations or in preparation for the negotiations. This process levels the playing field between the parties and ensures what the Alaska Native's proposals not only gets on the record, but actively pursued during the negotiations. In this instance, let us briefly examine a legal briefing paper prepared by the general counsel for the Alaska Native Halibut Subsistence Working Group.

"After the North Pacific Fishery Management Council (Council) took action on halibut for subsistence, the Council action was reviewed focusing on the administrative process necessary to ensure that the Council's action are adopted and implemented in a way that protects Native subsistence uses and co-management opportunities.

"The Council adopted proposed regulations that provide for customary and traditional uses of halibut and recognize uses by members of Alaska's Federally recognized tribes. Surrounded tribes (classified by the state as "non-rural") may not fish in "non-subsistence use areas" near a Village, but may travel to "rural" waters for subsistence fishing.

"Halibut conservation and allocation is governed by a treaty between the United States and Canada. The International Pacific Halibut Commission, created by the treaty set out a framework of allocation and regulations for the two Countries. Under the Halibut Act (16.U.S.C. 773c(e), Northern Pacific Halibut Act), the NPFMC is authorized to develop regulations governing halibut fishing in U.S. waters within the framework set up by the Commission. Regulations proposed by the NPFMC do not become effective until they are approved by the Secretary of Commerce.

"The Magnuson-Stevens Act set out a detailed process for Secretarial action on proposed regulations received from the NPFMC** (16.U.S.C. 1853© 1854(B). The motion adopted by the NPFMC will be forwarded to the Secretary of Commerce as proposed regulations. The Secretary must "immediately" within 5 days of receiving the Council's proposal begin review of the proposal to determine if it is consistent with 1) any relevant fishery management plan; and 2) applicable law. There is no fishery management plan for Northern Pacific Halibut** (See August 11, 2000 Environmental Assessment at p.1. The Council has, however adopted a limited access system involving individual fishing quotas (IFQ's) and community

development quotas (CDQ'S) implemented through Federal regulations, (50 CFR part 679), so the Secretary's review will be limited to whether the NPFMC's action is consistent with applicable law. The review is to be finished within 15 days of initiating the review.

"It is beyond the scope of this analysis to determine if the proposed regulation presents a conflict with applicable law. Legal counsel for the NPFMC indicated during deliberations that the Council was acting within its legal authority in adopting this proposal. It would seem unlikely, therefore, that the Secretary will find anything illegal about the Council's proposed regulation. If the Secretary does find some inconsistency, he must send the proposal back to the Council for further action related to the Secretary's concerns. If the Secretary sends the proposal back to the Council, the Council can completely discard this proposal and do something entirely different.

"If the Secretary determines the Council's recommendation is consistent with the law, the proposed regulation must be published in the Federal Register, and including any technical changes for clarity the Secretary decides are necessary. The Secretary must accept public comments on the proposed regulation for at least 15 days. Within 30 days after close of the public commend period and after reviewing and considering public comment the Secretary must publish final regulations in the Federal Register.

"The most important part of this process for tribal concerns may be what occurs before the Council's recommendations are forwarded to the Secretary. The Council's staff in Alaska will put together a "transmittal package" for the Secretary. The package will include proposed regulatory language and the Federal Register "preamble". The preamble explains and clarifies the intent of the proposed regulations. Many important details (i.e. non-subsistence use areas, customary tribal fishing areas, bag limits for Southeast and Cook Inlet) may be addressed in the proposal regulatory language and preamble. In other words, Council staff in Alaska may be filling in some very important details in the next few months before the Secretary reviews the Council's action.

"Tribes may be able to provide input as the transmittal package is being developed. Executive Order 13084 – "Consultation and Coordination with Indian Tribal Governments" – require the Secretary to consult with tribes on issues that impact tribal practices and resources. The Department of Commerce has made good-faith attempts to engage in tribal consultation on similar issues in Alaska. A request for tribal consultation should be submitted to the Secretary of Commerce as soon as possible.

"Outstanding legal issues – ANILCA and Aboriginal Title: Although a thorough legal analysis of outstanding legal issues is beyond the scope of this analysis, there are at least two issues that are worth highlighting: 1) the effect of the Council's action related to subsistence rights protected under ANILCA; and 2) aboriginal title claims. If ANILCA subsistence rights apply to

halibut. (There is an argument that the subsistence provisions in ANILCA may not apply to halibut because section 815 of Title VIII of the Act states that nothing in Title VIII is intended to modify or repeal any Federal law governing the conservation or protection of fish including the Magnusan Act. This argument has not been tested in any court, and it is far from clear how a court would decide it.), such rights apply only to marine waters within three mile limit and only if such waters were withdrawn by the U.S. prior to Alaska Statehood or are "reserved" waters identified by the Secretary of Interior pursuant to the Katie John case. These waters are relatively few in Alaska. If a Village is being denied its ANILCA subsistence halibut rights in these limited marine waters, the Village would need to go to the Federal Subsistence Board for relief. The Federal Board's action would control regulation of such waters. In all other marine waters the NPFMC actions control.

"A Village that is denied its subsistence halibut rights under the Council's action may have a claim based upon aboriginal title to halibut resources beyond the three-mile limit. ANCSA extinguished Alaska Native hunting and fishing rights "in Alaska". The term "in Alaska" has been found by the U.S. Supreme Court to include only those marine waters within the three-mile limit. Thus, there remains a tribal claim to aboriginal fishing rights beyond the 3-mile limit. The Native Village of Eyak is being represented by the Native American Right's Fund in a case that raises the aboriginal title claim issue, but there has been no final decision in that case (Starky, 2001)."

The latter provides an example of the breadth and depth of options the attorney provide the Alaska Natives and the extent to which the Alaska Natives have become sophisticated in their dealings with the competent authorities. The inclusion of attorneys knowledgeable on Federal Indian Law not only levels the playing field but allows the tribal representative to deal with the competent authorities on a "government-to-government" basis, a federal policy that is supposed to be used when the federal government deals with issues that will have a substantial impact on the tribes and their tribal members.

VI. LOOKING TO THE FUTURE – CONCLUSION:

According to the Venetie ruling by the Other's Supreme Court, the competent authorities of the federal and state governments will maintain that Alaska Natives tribes do not have enforcement jurisdictional authority over the Others' affairs. However, the Alaska Native people, through their tribal governments can exercise governmental jurisdiction over their tribal members within their jurisdiction geographic area or region. This ability becomes extremely important when dealing with fish and wildlife resource issues. The Other maintains that their forms of government only have the management jurisdiction based on their authority granted by congress to exercise jurisdiction that they have with the exception of Metlakatla, the only federally recognized reservation in Alaska that has tribal jurisdiction of fish and game within their reservation boundaries. The managing authorities can

exercise flexibility in how they craft their agreements with Alaska Native organizations for more involvement by Alaska Native as was the case in the cooperative agreement between the Alaska Eskimo Whaling Commission and NMFS/NOAA Department of Commerce. The competent authorities have to deal with Alaska Natives on fish and wildlife issues because Alaska Natives will continue to harvest fish and wildlife for subsistence uses. The subsistence activities predates the invasion of the Other. The Alaska Native people have a desire through their federally recognized tribes and tribal organizations to be part of the fish and wildlife management infrastructure. The most significant progress made to date by Alaska Natives has been on developing legal frameworks, as amendments, to existing resource-related public laws of the land. These legal frame-works have taken the forms of joint management agreements between the federal agencies and Alaska Natives. These initiatives are based on ample evidence that Alaska Native people, including *Canenermiut*, have a strong desire to participate in the western based wildlife and aquatic resource management decision making to protect their interest in the sustainability of the resources used for subsistence. While considerable progress has been made by the Alaska Native community, most of the joint agreements have been limited to one or two of the management functions and in every instance, excludes, enforcement authority by the Alaska Native partners in these agreement.

There are exceptions to the latter. The one exception is a cooperative agreement between the North Slope Alaska Natives and the National Marine

Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce (NOAA). Cooperative Agreement is for the management of subsistence harvest of bowhead whales by the Inupiat of North Slope. (NOAA and AEWC, 1981) Undoubtedly it is an agreement that best exemplifies the flexibility that can be exercised by the federal government when that flexibility proves to be an advantage to the government. To the Alaska Natives it is also the best success story involving cooperative management agreements. After a long stalemate in 1981, the Alaska Eskimo Whaling Commission (AEWC) and NOAA negotiated a cooperative agreement under which NOAA delegated the responsibility for managing the Inupiat whaling to the AEWC while NOAA sets the quotas. The significance of this cooperative agreement was the delegation of the responsibility for managing bowhead whales to an Alaska Native organization, the administration and management of the quota and also enforcement of the regulations developed by AEWC. When one examines the provisions of the agreement, its provisions goes far beyond what some Alaska Natives have asserted by defining cooperative agreements as "You cooperate, we manage." This is perhaps the first time in Alaska that a federal agency determined that it was more advantageous to "delegate" under the provisions of the "cooperative agreement" to an Alaska Native organization and perhaps the provision mirrors a co-management regime more than cooperative agreements.

Looking to the future, the author is reasonably confident that Alaska Native people, including the *Canenermiut*, once they understand the concept of sustainable resource management will strive to become partners with federal or state governments. Co-management is an established management practice for fish and wildlife in Canada partnering with the aboriginal people of Canada and to a limited extent in Alaska.

In conclusion, there are valid reasons for the *Canenermiut* concerns about the Other imposing their will on them in the form of rules and regulations without due process. For the most part, the *Canenermiut* would wake-up one morning and find out there is a law with rules and regulations restricting them from hunting certain subsistence species. Laws and rules and regulations that were adopted without their knowledge or participation. Western fish and wildlife managers should not only recognize the concerns but should take steps to consult with Alaska's federally recognized tribes in accordance with the tribal consultation policies of the federal government and do so on a "government-to-government basis." The law enforcement divisions of the federal agencies should be counseled by the U.S. Department of the Interior's Solicitor's Office on the merits of the provisions of the government-to-government policies and accord the tribe the opportunity to bring their concerns to the table for negotiations rather than allowing the law enforcement officers free reign for them to employ "coercive persuasion" on tribal government's and their tribal members.

Co-management agreements should be initiated as a viable alternative to dual management for all species that are used for subsistence by indigenous peoples of Alaska. The concept is already a proven successful management practice used extensively in Canada whereby the aboriginal people work with their government counterpart on equal standing in the management of their resources. Co-management agreements are now the mandate of the USFWS for the management of migratory birds in accordance with the Protocol Amendments to the Migratory Bird Treaty Act of 1916. Under the treaty amendments interpretive document, the representatives of federal and state governments and Alaska Natives serve "as equal" in the statewide Alaska Migratory Bird Co-management Council that have the responsibility of managing the migratory birds in Alaska. It is this author's assertion that the reluctance of the Alaska Natives, including *Canenermiut* in accepting western management precepts, will wane if the Alaska Native peoples become equal partners with western managers in the management of wildlife and aquatic resources used for subsistence.

Today, in the federal subsistence management program, the federal managers and Alaska Natives are beginning to work together under Title VIII of ANILCA. The management regime for ANILCA is the advisor and decision maker relationship with the Regional Subsistence Advisory Councils advising the government's regulatory body, the Federal Subsistence Board. During the formulation of this public policy during the 1970's, it was an era when the standard management practice of the federal government was to

make Alaska Natives advisors to them, and this standard was explicitly incorporated into ANILCA under Section 809 of Title VIII. The primary concern of Alaska Natives who worked on ANILCA was to make sure the Alaska Natives were able to continue their customary and traditional hunting, fishing and gathering subsistence activities on public lands. The goal was achieved through Title VIII of ANILCA, but with an expanded eligibility criteria that includes all rural residents rather than only Alaska Natives. The federal managers maintain that unless the law is amended to authorize co-management agreements that they will not cross that line. Nevertheless when the federal government assumed subsistence management in 1989, they implemented Section 809 agreement for securing stock status and trend and traditional knowledge project documentation on wildlife and did the same after 1999 in the fisheries monitoring project on the grounds. These projects involve a substantial number of Alaska Natives as cooperators supported by substantial outlay of monetary resources.

In the conduct of the Office of Subsistence Management, Fisheries Monitoring projects, the agency manager, scientist and anthropologist often discover that they are operating within fundamentally different worldviews as articulated earlier. It is the author's contention that the values of the Other and Alaska Natives, including *Canenermiut*, shape the perceptions of the people within each of these cultures. Their "prism of their life experiences" establishes the conceptual foundation that guides their decisions and behavior relating to conservation and appropriate uses of fish and wildlife

resources. Many Alaska Natives elders, including the *Canenermiut*, are very concerned about the relentless individualism they observe in western culture, their concern validated by the Other's standard management practices to control the behavior of humans in the harvest of fish and game, *for personal use, with individualized permits and licenses, individual quota's, individual reporting system*. While the contemporary educated *Yupiaq* may understand the fundamental foundation of a market economy under a democratic society, many of the *Canenermiut* do not understand the ideology of the market economy and the political philosophies that emphasize sovereign individuals. Bringing the subsistence management closer to the *Canenermiut*, the precept the western legal system, including ANILCA, is seen as re-enforcing this individualism. On the policy level, some have even commented that ANILCA is a legislation that will sunset Alaska Native cultures when towns and villages with large populations of Alaska Natives switch from rural to urban based on the rural determination criteria for ANILCA. Most Alaska Natives and especially *Canenermiut* live in a society whose fundamental foundations is not to leave other people behind when making decisions that will impact their lives. This is often referred to a "consensus" way of making decision. They also make sure that everyone has a something to eat, that individuals work for the survival of the community, an ideology where the *Yupiaq* conceive of their societies and their individual places in society in more "communal" terms. This ideology is exemplified by a teaching that harvesting fish and game, people do not

harvest for themselves alone, but as part of a broad community effort in which food is widely shared. Celebration of communal effort through potlucks is widely practiced by the *Canenermiut* to this day.

In contrast, for most of mainstream western culture, management of resources is conceived in materialistic, empirical terms. Western sciences provides explanatory framework for the interaction of animals in their environment without even acknowledging the Alaska Native traditional knowledge systems (Taylor Brelsford, Anthropologist for BLM). A typical regulatory proposal received by the Office of Subsistence Management for subsistence use of a resource ends up in 1) the anthropologist's desk to determine if the proposal meets the threshold for the customary and traditional use of the resource by the proponent, and 2) with the biologist to determine whether there is a harvestable surplus from the stocks as well as to provide the means and method of take on individual basis, when, where and how. This type of analysis is fundamentally based on an approach where the taking of the resources is based on harvesting subsistence resources governed by rules of individual rights and on the terms of the Other. In other words, the management of resources is conceived in terms that derive from notions of property and individual use rights rather than communal rights.

While the *Canenermiut* have the appearance of cultural change, underneath it all, the conservation ethics are still practiced. However, the *Canenermiut* are adapting to make their lives easier and see the western

way of life and economic system and its results thereof as a way to enhance their way of life while maintaining and practicing their conservation ethics. They are also encouraging their children to learn as much as they can about the new way of life, even at the expense of the children adopting western value systems. Therein lays the paradigm shift in the *Yupiaq* value system to the western value system. They are accepting the new way of life at their own choice and in their own timeframe. The Alaska Native cultures are changing in Alaska, but at different paces for one ethnic group in one geographic area to another. In these times of paradigm shifts, where the only constant is change itself, it is important not to substitute new stereotypes for old ones. New generations of Alaska Natives are pursuing the ideal of education and many are now graduates from colleges with majors and PhD's that span all disciplines of western society. There are professional lawyers, civil engineers, professional anthropologist. educators, doctors and many others to long to list. These educated Alaska Natives are establishing their emerging synthesis of traditional values in a modern context and generations are striving to rekindle their ways of celebrating life as in the case of the Sugpiat in Kodiak Island through their reawakening projects. Some scientists and managers who have had a fortunate opportunity to work in villages have established deep roots in the villages in which they work, learning about the subsistence way of life and to cherish the insight of the indigenous elders of the region. Yet far too often, differences in cultural outlooks and

communication styles stand as barriers to effective communication, dialogue, and consensus building.

There are inherent conflicts between the Alaska Natives, other ethnic minorities and the Other because of differing perceptions about conservation and utilization of wildlife and aquatic resources. This is a barrier to good decision making and improving resource management. The barriers and outcomes are apparent in the results of the way management functions for fish and wildlife resources are formulated and implemented in rural Alaska. While it is important to adhere to scientific principles of wildlife and fisheries management, it is also important to recognize the conservation ethics of *Canenermiut* that serve as unwritten regulations for subsistence users. The personal use and sports regulations are inconsistent and conflict with the customary and traditional methods of subsistence fishing, hunting, and gathering by *Canenermiut*. These inconsistencies bring about tension between users and managers in the use of fish and wildlife resources used for subsistence. For example, recently two individuals from Port Graham were cited for exceeding the two halibut per day personal use sports regulations that are based on Eurocentric "individual" regulations. The two individuals were subsistence fishing for their community in their customary and traditional method of maximizing their fishing effort that resulted in exceeding personal use sports regulations and minimizing their use of gasoline. There are many examples similar to the latter that require in-depth understanding by the Other in order to morally and ethically discharge their

duties as fish and wildlife manager of today. Understanding the nuances of Alaska Native cultures can be helpful to the western fish and wildlife manager that do not know anything about Alaska Native cultures. These would enable the agencies to make better decisions based on a variety of valid worldviews. The best science is that which proves itself wrong through better observation, so the incorporation of traditional Native science, local knowledge, and other innovations is essential.

The other issue that is equally important is what the author refers to as "cultural competency" of individual employees who must process agency directives, interpret "data," and work with people and communities to make decisions about resources under an agency's jurisdiction. There are significant differences in Alaska not only between urban and rural communities but also among ethnic cultures that involve heritage, gender roles, learning and communication styles, interpretation of history, interpersonal relations and status, familial structure, sense of place, and language, to name a few (Taylor Brelsford, Anthropologist for BLM). Considering these aspects, *Canenermiut* may have a different beliefs about the utilization of subsistence resources than the Siberian Yup'ik from St. Lawrence Island, although they may be categorized similarly as Central Yupiaq. Understanding these differences will provide tools through which the Other can apply new cultural understandings to personal actions, which in turn will affect their agencies' decision making and management. Making fish and wildlife decisions that include an understanding of the conservation

ethics and use of subsistence resources and making those decisions alongside Alaska Natives is making "culturally competent decisions."

Looking to the future of fish and wildlife management, the author is recommending a number of approaches to working with Alaska Native people. These recommendations are based on a number of valid principles that include, but may not be limited to:

1. A proposition that the Alaska Natives within a geographic area have been exposed long enough to western fish and wildlife management precepts to make a determination, on their own, that these management precepts are valid and will benefit both the managers and the users. It is only at that stage that the people of that area will accept the rules of human behavior as dictated by the Other on the harvest of subsistence resources. To the author the *Canenermiut* have not reached this stage. However, in general this impediment, if it can be called that can be addressed by joint legal agreements that ensure their direct participation in the decision making processes.
2. The Other's competent authorities must consult on a government-to-government bases with Alaska's federally recognized tribes in accordance with the tribal consultation policies of the federal government. The law enforcement division personnel of the federal agencies should be counseled by the Solicitor's Office on the merits of the provisions of the government-to-government policies and accord the tribes the opportunity to bring their

concerns to the table for negotiations rather than employing "coercive persuasion" on tribal governments and their tribal members.

3. Co-management regimes should be initiated as a viable alternative to dual management for all species that are used for subsistence by Alaska Natives. This concept is a proven successful management practice used extensively in Canada whereby the aboriginal people work with their government counterpart on equal standing in the management of their resources. Co-management agreements are now the mandate of the USFWS for the management of migratory birds in accordance with the Protocol Amendments to the Migratory Bird Treaty Act of 1916. Under the Treaty Amendments, the representatives of federal and state governments, and Alaska Natives serve "as equal" in the Statewide Alaska Migratory Bird Co-management Council with the responsibility of managing the migratory birds in Alaska.

It is this author's assertion that the reluctance of the Alaska Natives, including *Canenermiut* in accepting western management precepts will wane if the Indigenous people become equal partners to western managers in the management of wildlife and aquatic resources used for subsistence. The term "We manage, you cooperate" will no longer be that rallying slogan of Alaska Native Peoples for direct participation rather in decision making rather than being advisors whenever they are asked to participate in the western management system.

Bibliography

Alaska, *The World Book of Encyclopedia*, World Book, Childcraft International Inc. Pg. 271

Alaska Migratory Birds Co-management Council Bylaws, 2002.

Alaska State Constitution, Article III, Section 2

Alaska State Constitution, Article VIII, Section 4

Fienup-Riordan, Ann, *Boundaries and Passages*, University of Oklahoma Press – Transcription and Translations Section. 1994.

Fienup-Riordan, Ann, *The Real People and the Children of Thunder*, University of Oklahoma Press 1991.

Fortune, Robert, C. *Earl Albrecht and the Struggle against Tuberculosis in Alaska, Circumpolar Health 95, Proceedings of the Tenth International Congress on Circumpolar Health, May 19-24, 1996*, American Society for Circumpolar Health, 1998.

Henkelman, James W and Vitt, Kurt *Harmonious to Dwell – The History of the Alaska Moravian Church 1885-1985*, The Tundra Press, Bethel, Alaska 1985.

Hall, Edward T. *Beyond Culture*, Anchor Press/Doubleday & Company, 1977.

Huntington, Henry Ph.D. *Wildlife Management and Subsistence Hunting in Alaska*, University of Washington Press, Seattle 1992.

Kawagley, A. Oscar. Ph.D. *A Yupiaq World View – A Pathway to Ecology and Spirit*, Waveland Press, Inc. 1995.

Langdon, S.J. *The Native People of Alaska*. Greatland Graphics, Anchorage, Alaska 1987.

National Oceanic and Atmospheric Administration and Alaska Eskimo Whaling Commission. 1981. Cooperative Agreement. March 26, 1981.

Napoleon, Harold. *Yuuyaraq*, University of Alaska – Center for Cross-Cultural Studies, December 1991.

Newton, Lisa H., Ph.D. *Ethics in America*, Prentice Hall, Englewood Cliffs, New Jersey. 1989.

North Pacific Fishery Management Council. Resolution on Halibut 1999.

Sherwood, Morgan. *Big Game in Alaska – A History of Wildlife and People*, New Haven and London Yale University Press, 1981.

Starky, John Sky. DJ. Briefing Paper Halibut Subsistence Fishing 2001.

U.S. Congress. Alaska Native Claims Settlement Act, 1971.

U.S. Congress. Civil Rights Act, 1964.

U.S. Congress. Marine Mammal Protection Act, 1972.

U.S. Congress. Migratory Bird Treaty Act, 1918.

U.S. Fish and Wildlife Service. *OSM Briefing Paper on Regional Advisory Council Meetings*, 2002.

United States and Canada. *Protocol Amendment to Migratory Bird Treaty Act*, 1997.

World Book Encyclopedia, World Book – Childcraft International Inc. 1981. Page 287a.

Young, Oran J. *Arctic Politics*, University of Press of New England, 1992.