

REGULATING HUNTING: SUBSISTENCE AND GOVERNMENTALITY IN THE  
CENTRAL KUSKOWKIM REGION, ALASKA

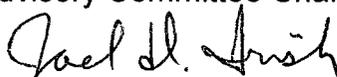
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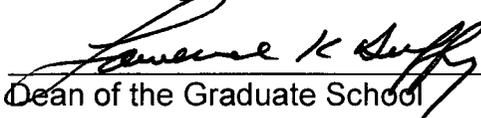


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REGULATING HUNTING: SUBSISTENCE AND GOVERNMENTALITY IN THE  
CENTRAL KUSKOKWIM REGION, ALASKA

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THESIS

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By

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### **Abstract**

This paper explores the expansion of the state into formerly ungoverned aspects of life through an examination of one particular episode of intervention, that of moose hunting regulation in the Central Kuskokwim region of Alaska. As in most struggles over wild resources in the state, *subsistence* is a central organizing template. Local hunters residing in the villages of Aniak and Crooked Creek, interviewed for this work, identify themselves under the label of *subsistence* in opposition to others, often called “sport hunters”. The felt presence of the state in this and other rural areas of Alaska has increased throughout the 20<sup>th</sup> century and the prevalence of the word *subsistence* in these disputes is tied to its status as a legal term, dictating how individuals must identify their practices and thus themselves, at the expense of other identifications. The persistence of *subsistence* indicates governmentality in discourse but not in meaning.

## Table of Contents

|  | Page |
|--|------|
| Signature Page.....  | i    |
| Title Page.....  | ii   |
| Abstract.....  | iii  |
| Table of Contents.....                                       | iv   |
| Acknowledgements.....  | vi   |
| Chapter 1: Introduction.....                                 | 1    |
| Chapter 2: Hunting in the Central Kuskokwim .....            | 10   |
| Regional Background.....                                     | 10   |
| Aniak and Crooked Creek.....                                 | 12   |
| Resources.....   | 14   |
| Moose Hunting.....   | 20   |
| Moose Population.....  | 23   |
| Game Management Unit 19A.....                                | 28   |
| The Importance of Moose Hunting.....                         | 31   |
| Chapter 3: The Meaning of Subsistence.....                   | 33   |
| Competing Meanings.....                                      | 33   |
| Subsistence in the Central Kuskokwim.....                    | 36   |
| Conclusion.....  | 42   |
| Chapter 4: A Brief Legal History of <i>Subsistence</i> ..... | 44   |
| Game Law 1902-1971.....                                      | 45   |

Alaska Native Claims Settlement Act.....50

Alaska National Interest Lands Conservation Act.....59

The Current State of Subsistence.....62

Chapter 5: Conclusion.....68

References.....77

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## **Chapter 1: Introduction**

On March 5, 2004 the Alaska Board of Game, assembling in Fairbanks for their 14-day meeting on hunting regulations, began deliberations on Proposal 219 aimed at limiting moose hunting in the Central Kuskokwim region. The Board, a 7-member group appointed by the governor of the state, is tasked with regulating hunting through seasons, areas, quotas, and bag limits for the “purposes of the conservation and development of the game resources of the state” (Alaska Statutes §16.05.221(b) 2002). Debate on Proposal 219 lasted just over two hours and after three amendments the Board adopted regulations that restricted hunting in the region to residents of the state and removed the November and February hunting seasons, reducing the legal hunting time by 21 days. The remaining hunting season, September 1 - 20, required individuals to possess a registration permit only available in local area villages (Alaska Board of Game 2004).

The Board of Game’s 2004 decision represents one episode in the ongoing struggle for the right to hunt moose in the Central Kuskokwim region of Alaska, designated Game Management Unit (GMU) 19A by the Alaska Department of Fish and Game. The moose population, critically low in the Central Kuskokwim, is relied upon by local, largely Alaska Native hunters as a dietary staple as well as a cultural resource and is also a necessity for hunting

guides and air transporters (air travel services that specialize in carrying nonlocal, often sport hunters into the rural areas to hunt) for economic survival. The situation is exacerbated by a growing mass of wild predators, including wolves and bear, which have been cited by area residents and state biologists as major impediments to rebuilding the moose population. In response, the State of Alaska has attempted to curb the expansion of predators with the implementation of control measures, such as the controversial aerial wolf hunting program. This has provoked opposition from various animal rights groups. A biologist working in the area described the intersection of these interests to the Board of Game:

Since the number of folks living out in the country trapping, hunting, taking bear for food and nuisance and methods of the public use of wolves has decreased so has the moose population declined. When you have growing [human] populations in the state, an unbridled guide industry, an air transport industry that is virtually uncontrolled, large fuel efficient outboard motors, there is no way it is not going to end in a conflict. (Alaska Board of Game 2004)

The conflict taking place in the Central Kuskokwim, a relatively small rural area of Alaska, exemplifies the struggles for limited but economically and culturally valuable resources that are the reality of hunting in Alaska as well as much of circumpolar North. Various interest groups compete for access to depleting resources in the politically charged system of wildlife management. In Alaska the term *subsistence* is ubiquitous within such struggles, a facet of both

everyday speech and legal language. However, it is not the word itself which is of significance but the process of increasing state intervention and growing competition between users toward which it directs our attention that is of importance.

*Subsistence* is at the center of debates surrounding hunting and fishing rights in Alaska. To some it describes a substandard and degraded means of acquiring sustenance, to others it is action that marks the continuation of past traditions tied to a total, positive way of life often linked to Alaska Native culture. However, it is also a legal term that elides all of these meanings under an official definition, identifying subsistence as the “customary and traditional” use of fish, game, and other resources for clothing, food, sharing, customary trade, and fuel as well as arts, crafts, construction, and transportation (Division of Subsistence 2000). Thus, *subsistence* encompasses a number of divergent, emotionally charged meanings that remain unacknowledged in the legal definition embedded in Alaska hunting and fishing law and policy.

In 1976 Raymond Williams described terms, like *subsistence*, as “keywords”; that is words that bind specific actions, interpretations, and forms of thought. He notes such contested terms, often impossible to clearly define, mark sites of ideological struggle that signal significant historical and social processes (Williams 1985:15-22). Williams explains, “variations and confusions of meaning are not just faults in a system, or errors of feedback, or deficiencies of education. They are in many cases, in my terms, historical and contemporary substance”

(Williams 1985: 24). *Subsistence* in Alaska draws our attention to contemporary conflicts over access to hunting and fishing resources that have their roots in historical debates over hunting and fishing rights, priority access to limited resources, the place of Native Peoples within the state game management framework, and the meaning of hunting itself evident in the history of game law in the state.

*Subsistence* in Alaska is not simply a contested term but a keyword that ultimately directs our gaze to the contemporary process of state intervention which has sought to encapsulate hunting and fishing within law, policy, and regulation, simplifying practices into legible, thus controllable units. As James Scott explains, such techniques of modern statecraft are not reflections of real activity but are instead abstractions that reflect the interest of the official observer and these abstractions in turn, with the weight of the state behind them, work to remake the reality they describe (Scott 1998: 2-3). Official simplifications, represented in state policy, law, and regulation, not only serve to hide different notions of hunting and fishing but also foster certain ways to think about practice and resources.

Cris Shore and Susan Wright point to policy as an ever expanding means through which such techniques of governance are naturalized and mobilized.

They explain:

Like the modern state (to which its growth can be linked), policy now impinges on all areas of life so that it is virtually impossible to ignore or

escape its influence. More than this, policy increasingly shapes the way individuals construct themselves as subjects. Through policy, increasingly the individual is categorized and given statuses and roles as 'subject', 'citizen', 'professional', 'national', 'criminal' and 'deviant'. From the cradle to the grave, people are classified, shaped and ordered according to policies, but they may have little consciousness of or control over the processes at work. The study of policy, therefore, leads straight to the heart of anthropology: norms and institutions; ideology and consciousness; knowledge and power; rhetoric and discourse; meaning and interpretation; the global and the local – to mention but a few. (Shore and Wright 1997: 4)

Hunting and fishing, formerly only loosely governed by federal and state agencies, have increasingly become the subject of law and regulation over the last 100 years in Alaska, a process that draws individuals with diverse backgrounds and perspectives into contact and directs hunters to categorize their practices and those of others within the typology of hunting and fishing provided by the state. The fight over subsistence signals this ongoing process in which differing understandings of hunting clash and individuals are increasingly called to define their practices and thus themselves.

This perspective is rooted in Foucault's work on governmentality that characterizes the focus of modern government as the rational, economic management of populations through mechanisms formed by an amalgamation of

power and knowledge (Foucault 1991: 102; Shore and Wright 1997: 29-34). As Foucault explains, “power and knowledge directly imply one another; that there is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time power relations” (Foucault 1995: 27). Employing Foucault’s ideas we can approach policy, law, and regulation as the product of a specific power/knowledge complex that fosters official understandings of hunting and fishing. This official perspective, however partial, is naturalized just as alternatives are discounted affecting the ways in which individuals view themselves and their practices. An investigation of *subsistence* highlights these processes including the turbulent paths through which official categories are formed.

This work attempts to examine such processes through the lens of one particular incident of conflict, that of moose hunting in the Central Kuskokwim region. The area, reliant on moose as both an economic and cultural resource, has experienced a sharp decrease in the animal’s population and a subsequent increase in the state’s presence in the region resulting in restrictions on hunting. As in most struggles over wild resources in the state, *subsistence* is a central organizing template. Local hunters in the region, interviewed for this work, identify themselves under the label of subsistence in opposition to others, often called “sport” hunters. This need to categorize hunting and thus hunters occurs as rural hunters come into increasing competition with individuals from outside the region or the state who have different understanding of hunting and fishing.

This encounter occurs within the Alaska system of game management as groups vie for influence over and access to these resources. The felt presence of the state in rural hunting has been increasing throughout the 20<sup>th</sup> century and the prevalence of the word *subsistence* in these disputes is tied to its status as a legal term, dictating how individuals must identify their practices and thus themselves, at the expense of other identifications. *Subsistence* as a “keyword” draws our attention to this increased state presence in rural hunting and its widespread use reflects governmentality in discourse.

The moose crisis in the Central Kuskokwim and consequent state intervention provides a window into this process. The first chapter gives a background of the Central Kuskokwim region, including a description of moose hunting, its importance to rural life, and recent state actions in the region. The second chapter focuses on the various notions of *subsistence* that exist in Alaska including local perspectives from two area villages. The third chapter briefly examines the legal history of *subsistence* as a category of hunting highlighting the historical struggles that have formed its basis and the debates it has elided. Finally, the concluding chapter returns to the work of Scott, Shore and Wright, and Foucault, and explores how the current conflict over moose hunting in the Central Kuskokwim indicates a longer historical process in which increasing state intervention into hunting has shaped competition over resources.

The bulk of data presented in this work resulted from interviews conducted in August and early September of 2004 in the Central Kuskokwim communities of

Aniak and Crooked Creek. Twenty-one local residents were asked about moose hunting, Alaska State hunting regulations, the area moose population, competition for resources, and *subsistence*. The goal of the interviews was to gain an understanding of how rural hunters viewed these issues and some ways in which their ability to hunt is affected by the Alaska State system of game management. Individuals were contacted either in person or over the telephone, the project was explained, and appointments for interviews were arranged upon consent. Interviews were either digitally recorded or handwritten notes taken based on individual preference. In most cases residents were asked general questions about hunting as well as particular questions that related to management, although in several interviews individuals initiated conversation of these topics. Questions were designed to allow for both an open discussion of hunting and to gather information more specifically related to management. Recorded interviews were transcribed for analysis. Residents' names have been changed to provide anonymity. It should be noted that the majority of persons interviewed were Alaska Natives or had a personal relationship with an indigenous person, such as a Native spouse, or a connection to Native community, although individuals were not selected based on ethnicity. All were also long-term residents of rural Alaska. No current hunting guides or air transporters, living within or outside the area, were interviewed.

Notes were taken based on observations made in conjunction with interviews conducted during the summer of 2004. The researcher witnessed

preparations for hunting made in the communities of Aniak and Crooked Creek and participated in a moose hunt in early September. Notes were also taken in February 2005 at the Central Kuskokwim Advisory Committee and Moose Management Plan meetings, as well as the 2006 Board of Game meeting. Additional data was obtained from audio recordings of the 2004 Board of Game meeting. The goal of these data was to gain insight into aspects of the Alaska State game management system and to acquire a fuller understanding of the situation in the Central Kuskokwim.

Archival, library, and internet research provided additional information about the Alaska Department of Fish and Game, the Alaska Board of Game, and the communities of the Central Kuskokwim, in general, and Aniak and Crooked Creek, in particular. Insight was also gained through the researcher's employment as a graduate intern for the Alaska Department of Fish and Game, Subsistence Division based in Fairbanks, although this project does not represent the views or opinions of that organization. Lime Village, situated in the eastern portion of the Central Kuskokwim region was excluded from this project because of its status as a unique management area. There is also very limited discussion of federal hunting regulations as the majority of lands in the study area fall under state management.

## Chapter 2: Hunting in the Central Kuskokwim

### Regional Background

Covered by white spruce and birch forests, the Middle or Central Kuskokwim region encompasses the midsection of the Kuskokwim River within the foothills of the Kilbuck-Kuskokwim Mountains (Charnley 1983: 4; Stickney 1981: 3). The river flows approximately 900 miles from its headwaters in the Kuskokwim Mountains to the Bering Sea and is second in size only to the Yukon. With the exception of Aniak, the hub community for the area inhabited by 572<sup>1</sup> individuals, the population of the year-round Central Kuskokwim settlements, Lower Kalskag, Upper Kalskag, Chuathbaluk, Red Devil, Sleetmute, Crooked Creek, Stony River Village, and Lime Village, range from 46 to 267<sup>1</sup>. These communities are not linked by roads; instead, common methods of travel include boat, snowmobile, ATV, and airplane (Alaska Division of Community Advocacy 2006b, 2006e, 2006g, 2006h).

The distinctiveness of the Central Kuskokwim region stems from its role as the convergence point of several groups of Native and non-Native Peoples. Historically, the area was not a distinct sociopolitical region but the point of intersection between the Yup'ik population migrating up the Kuskokwim River,

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<sup>1</sup> Population statistics from the 2000 U S Census provided by the Alaska Department of Commerce, Community, and Economic Development, available by community online at Community Database Online provided by Alaska Division of Community Advocacy

Deg Hit'an Athabaskan, Dena'ina Athabaskan, and to some extent, Upper Kuskokwim-speaking Athabaskans who already inhabited upper portions of the region and non-Natives (Charnley 1984: 6; Oswalt 1990: 13). Barker describes the relationship between indigenous groups as "relatively comfortable" with non-Native traders, drawn by allure of fur, and Russian Orthodox missionaries entering the region during the first half of the 19<sup>th</sup> century (Barker 1993: 16). A local resident explained: "...we have kind of a tie up here. We're kind of in the corner of everybody...kind of a mix I guess, you know, the Yup'iks and the Indian where they meet..." (Gene, interviewed by author, Aniak, Alaska August 23, 2004). The present geographic and sociopolitical distinctness of the region has grown out of this unique ethnic confluence (Charnley 1984: 6; Oswalt 1990: 13). Individuals interviewed for this project attest to the distinctness of the Central Kuskokwim, identifying the area as unique from both lower and upper river regions.

Stickney described the inhabitants of the Central Kuskokwim as "adapted to a riverine environment", depending on terrestrial mammals more so than the coastal villages of the Yukon-Kuskokwim Delta (Stickney 1981: 3). Of the mammals available in the region moose are of singular importance as both an economic and a cultural resource. However, in the last two and a half decades the animal's population has depleted to crisis levels – a change little noticed by state wildlife management until recent years. Current Alaska state intervention has sought to remove stresses on the moose population by predator control

programs and increased hunting regulations aimed at restricting access to the resource.

### Aniak and Crooked Creek

A resident of Aniak, the largest settlement of the Central Kuskokwim, described the community in the 1940s as a “little Native village” with only 15 non-Native inhabitants, including a missionary, a trader, and Civilian Air Authority personnel. She explained there were a “few houses, [and a] little school house...a little log building... had cupboard, stove and bed for living quarters. Had up to 12 students (but a lot of the time less) with trapping season [the] whole family went out.” In the summer families fished and traded with the store for supplies then moved to winter camps in the fall. “Women stitched and stretched furs” and “trappers would bring furs to...[the] store” (Hester, interviewed by author, Aniak, Alaska, August 25, 2004).

The present settlement of Aniak, at the head of the Aniak Slough and the south bank of the Kuskokwim River, resides on the site of a long-abandoned Yup'ik village. The first major influx of non-Natives, composed of prospectors mainly from Nome, entered the region in 1900-1901 spurred by reports of a gold strike. Then, in 1914, Tom Johnson filed for a home site on which a store and post office were established (Alaska Division of Community Advocacy 2006a; Oswald 1980: 24-25). The location and the homesteader were described in a

1930 account by an anthropologist conducting research in a number of Kuskokwim River villages:

A small scale trader, with a "bunk house" for guests, and, as usual here a "character." Sells us a stale loaf of bread – twenty-five cents. Has some chickens – eggs \$1.00 a dozen. But has to import wheat for them from Seattle, and heat their coop in the winter lest they get frozen. An old camp at his point, which protrudes between the Kuskokwim and Aniak Rivers. Though located on a 20-foot high bank was nearly washed off by flood and ice this spring. Built house alone, keeps things clean, has a good-sized garden. (Hrdlička 1943: 320)

At roughly the same time that Johnson was settling in Aniak, Denis Parent was founding a trading post farther up the Kuskokwim River at its junction with the Crooked Creek. The location had seasonally been occupied as a Native summer camp and acted as a stopping point for miners during the 1909-1910 Iditarod River gold rush. The site was known as Portage Village and later renamed the village of Crooked Creek. A permanent settlement had been established by 1909, a post office was opened in 1927, and the first territorial school was built in 1928 (Alaska Division of Community Advocacy 2006d; Oswalt 1980: 38).

An airfield was constructed in Aniak in 1938 and in 1956 a White Alice radar station was built. These developments prompted a sharp population increase as individuals, particularly from Upper Kalskag, relocated to the town to

take advantage of wage employment opportunities. The radar station continued operation until 1979 (Oswalt 1980: 24-25). Aniak has grown to become the regional hub for the area with a population of 572<sup>2</sup> in 2000, 73.3%<sup>2</sup> of whom identify themselves as Native (Alaska Division of Community Advocacy 2006b).

In Crooked Creek, the Parent family, with the exception of a short break from 1963-1974, has continued to operate the village store. A high school was erected in 1976 and two airstrips were built by local residents, for which the state did not authorize maintenance cost funds until 1961 (Oswalt 1980: 38). Gold production continues to be important to Crooked Creek and the surrounding area; Western Gold Mining and Exploration worked in the area until the latter half of the 1980s and Placer Dome U.S. is currently developing a mine with an estimated production of 600,000 ounces of gold per year. In 2000 the population of Crooked Creek was 137<sup>2</sup> with 93.40%<sup>2</sup> of the inhabitants identifying themselves as Native (Alaska Division of Community Advocacy 2006d, 2006e).

### Resources

I know, I do, I prefer it [moose meat]...it's leaner meat you know and...to us, you know, we take great pride in putting it away knowing that we have this...it's always been a trait growing up...You know, you have moose you know you wasn't stuck you know ...you had something to eat no matter what....I don't know how to explain it as far as it's just part of life...as far as its importance it's... it like breathing ...when we were growing up

though we'd see people that come from the city and... they don't hunt and it was like shameful. You know, why don't you hunt? That was just part of the way of life. What we are. What we do. (Charles, interviewed by author, Aniak, Alaska, August 24, 2004)

During the 20th century the inhabitants of Central Kuskokwim have experienced change at an almost unimaginable rate. In communities where cars and trucks now travel on dirt village roads, outboard motors propel aluminum boats along the river, and satellite television and internet appear in the few households that can afford such services, older residents can remember living a seminomadic hunter-gatherer lifestyle in their youth. Throughout this rapid change a point of continuity between the past and present is the harvest and use of wild resources. In a report on resource use in three Central Kuskokwim villages, including Aniak and Crooked Creek, Brelsford et al. found, "Although many changes have occurred in the 150 years since Russian explorers first entered this region, the fundamental economic reliance of area residents upon the wild foods of the area has been modified, but never replaced" (Brelsford, Peterson, and Haynes 1987: 1). The seasonal round of resource harvest in Central Kuskokwim villages includes a wide variety of land mammals, fish and plants, including salmon, numerous species of freshwater fish, caribou, bear, waterfowl, and berries. However, of wildlife species hunted, moose are

considered of singular importance. (Brelsford, Peterson, and Haynes 1987: 16-19; Charnley 1983, 1984; Kari 1985; Stickney 1980, 1981).

The significance of moose as an economic and nutritional resource for the inhabitants of the Central Kuskokwim region is attested to by numerous reports produced by the Alaska Department of Fish and Game designed to gather information on the resource use patterns in the region. For instance, a 1979 food survey conducted by the Department's Subsistence Division in the villages of Stony River, Sleetmute, Red Devil, Georgetown, Chuathbaluk, and Upper and Lower Kalskag found:

Moose meat provided the bulk of the protein in most of the villages surveyed; alternate protein sources included fish (notably salmon), store bought meat, and other game species. These were supplements to the diet, but none were viable replacements for moose. Protein items were the major focus of household meals. There was only limited access to store bought food. (Stickney 1980: 3)

Central Kuskokwim villages, like most rural communities in Alaska, are defined as having a "mixed subsistence-market economy". Wolfe and Walker define this as a "combination of subsistence and commercial activities" in which the harvest of wild resources is central and conducted, not for commercial profit but to fulfill the needs of families and communities. Resources are shared among families and through well-established distribution patterns. Cash serves as a complement to wild resource production, as the expenses of boats or snowmobiles, fuel,

bullets, guns, additional equipment, and numerous other necessities enter through avenues such as wage employment (Wolfe and Walker 1987: 68). However, wage labor is generally undependable in these areas, as Magdanz, Utermohle, and Wolfe describe:

In most areas of rural Alaska, dependence on the cash economy is risky. Especially for men who work in construction, jobs tend to be temporary. Jobs in the schools and health clinics are more permanent, but even those jobs are subject to changes in public funding priorities that are out of local control. It is even more difficult to successfully operate a private business. There is no guarantee that current levels of public spending – upon which most jobs depend – will continue. Most adults remembered growing up without electricity, without running water, with few imported foods, and with little cash. Elders worry that the hard times could return. (Magdanz, Utermohle, and Wolfe 2002: 123)

The Central Kuskokwim is not an exception to this description. Aniak, as the regional hub community, has the greatest number of available wage employment opportunities, many stemming from government, retail and transportation positions. The per capita income is the highest in the area at \$16,550 with only 15.1% of the households completely lacking plumbing. Crooked Creek, a significantly smaller community with drastically fewer job options, has a per capita income of \$6,495 with 80% of the 38 households lacking any sort of plumbing (Alaska Division of Community Advocacy 2006b, 2006c, 2006e, 2006f).

In addition to the lack of cash flowing into these communities, store bought foods are expensive and their quality and nutritional value are questioned by rural residents (Kari 1985: 68). One hunter noted, "meat stuff, by time meat gets out here [to the village store] it's grey, not red anymore" (Abe, interviewed by author, Aniak, Alaska August 30, 2004). Alternatively, wild foods are often a more abundant and reliable food source and moose, in particular, provides a greater quantity of meat than any other animal available in the region (Kari 1985: 68). One resident of Crooked Creek explained the monetary advantage of moose over store-bought meats:

You figure what chicken over there [at the local store] is 4, 5 bucks a pound, steaks are 8, pork chops are 6...well family of 4, what that's 4 steaks. You know, that's 24 bucks right there. You know pork chops, you figure, what 2 pounds of pork chops would feed a family, three pounds... say two that's what 12 bucks a night. Chicken it takes 1 chicken, you know there's another 10, 12 bucks. I mean, right in your meat bill alone that's 400 bucks a month, that's not counting gas and that's not counting fuel and everything else. Moose if you eat a lot of moose, like I do, that saves you just god-awful amounts of money right there ... (Frank, interviewed by author, Crooked Creek, Alaska, August 11, 2004)

Wild resources have been considered a generally dependable source of food, until recently, and are regarded as more nutritious than store-bought alternatives or fulfilling a need imported foods could not. Another resident explained:

Born eating moose meat, caribou meat, beaver in the winter when it is open. Never missed eating moose meat when I was younger, as I got older I noticed myself missing something – it was moose meat, caribou meat. That's how people made a living. Even kids (now grown up) used to eating white people's food, but still want caribou and moose. (Irene, interviewed by author, Crooked Creek, Alaska, August 12, 2004)

Without the bulk of meat provided by moose, the utilization of other resources must be increased. For instance, one hunter explained, "If you didn't get a moose you had to resort to beaver, caribou, black bear – one year didn't get a moose so killed 200 rabbits – lived on rabbits for winter" (Abe, interviewed by author, Aniak, Alaska, August 30, 2004).

In addition, the value of moose as a cultural resource cannot be overlooked. An area resident explained:

There's a lot more to moose hunting than just obtaining meat. Like we hear a lot of guides want to give meat to the villages, you know, and they say they don't really need to hunt [village residents] cause they can give them meat...well, there is a lot more to moose hunting than just getting meat, it a whole cultural thing, a spiritual thing almost. You go out and camp and you're out in the country and ...partake in an activity that has been going on for a long time...a way of life. (Bob, interviewed by author, Aniak, Alaska, August 20, 2004)

The high value placed on moose meat is interwoven with the ability to hunt the animal. Hunting is considered part of local life and culture, carrying with it particular beliefs and practices and serving as an identity marker for rural residents grounded in a sense of tradition. It functions as a tie to the past, linking one generation to another. An Aniak resident explained:

To me it's...tradition...my dad did it ever since he was young growing up and...his mom did that...and it's just part of who we are... it's like that's who we identify us with, you know, with the animals that we have around, the moose...and that's how we survived was eating the moose, catching the moose putting it away...(Daniel, interviewed by author, Aniak, Alaska, August 24,2004)

The past is brought into the present through the practice of moose hunting and the eating of moose.

### Moose Hunting

According to Charnley, moose hunting was historically conducted throughout the year, but today is mainly limited to the legal hunting season (Charnley 1983: 12). In a 1986 Alaska Department of Fish and Game study, designed to gather information on harvest patterns, the primary months of harvest (those identified by the majority of residents) for moose by hunters in Aniak and Crooked Creek, were September, November, and February. These were also the months during which legal moose hunting seasons existed at the

time. Only a small number of Crooked Creek residents cited other harvest times which included January, March, and August (Brelsford, Peterson, and Haynes 1987: 17-18). However, limitations to hunting seasons have been steadily increasing with the only legal moose hunting season for Game Management Unit 19A (the Central Kuskokwim area) in Alaska state regulations, currently scheduled from September 1-20 (Alaska Department of Fish and Game 2004: 90-91).

Fall hunting is generally done by boat along the various waterways of the region and involves significant preparation. One Aniak resident explained:

Usually hunt on the river. Have boat ready to go, safety equipment, provisions for at least three days, gun, ammunition. The way I hunt I only need one bullet, never miss...[laughs]. Make sure everybody knows where I am going, anyone that cares I mean. Make sure enough equipment and preparations (to pack moose back). (Joseph, interviewed by author, Aniak, Alaska, August 20, 2004)

Preparation for the hunt also entails considering other obligations. Two hunters in Aniak pointed out that provisions for a moose hunt, aside from the gathering of necessities like supplies and packing, include notifying their employers of their forthcoming absence. In addition, coordination with the schedules of other family members is required. For example, the legal hunting season designated in regulation is the beginning of September which coincides with the start of the

school year. Children that accompany their parents on the hunt often miss school so preparations must be made to accommodate their absence. A resident noted:

First, nowadays, is umm everyone has to let their employers, like my wife and I, have to let our employers know couple weeks in advance, timing of it if we can go at the same time and at least spend five days together out in the moose hunting and umm also letting our school teachers know we'll be taking our kids out so they could have uhh lessons to bring out there with them, their homework, and if they have any usually it's minimum mostly it's reading... (Charles, interviewed by author, Aniak, Alaska, August 24, 2004)

The harvest of wild resources generally occurs in the area surrounding the community; moose hunting typically takes place along river corridors (Brelsford, Peterson, and Haynes 1987: 11). Individuals spoke of hunting in the region surrounding their resident communities or within the limits of the Central Kuskokwim. One hunter remarked, "...I am a local guy, hunt locally" (Abe, interviewed by author, Aniak, Alaska, August 30, 2004). Another Aniak resident commented:

...local Aniak hunters long ago, not that long ago I'm a young guy, used to go hunting within their traditional hunting area which is not very far. You didn't have to go far...go up the Aniak River, down around the Aniak Slough...hunt locally. Didn't have to hunt far, maybe as far as Napamiut that's it. And Kalskag did the same, they hunt within their area down

there...hunt in their own area. Chuathbaluk, Crooked [Creek] everybody hunt in their [area]. Now that's who I see as local. That how local subsistence users, their traditional use area, where they go every year...(Daniel, interviewed by author, Aniak, Alaska, August 24, 2004)

Several other individuals explained that specific communities are or have in the past been identified with particular harvest locations, termed "traditional hunting areas" or more generally "our hunting area", indicating the time depth associated with the activity and identity.

### Moose Population

You know back in the 60s and early 70s there was an abundant amount of moose here and in the mid-70s downriver people started coming up and the decline started then and we're now in a point where we are in a crisis. We've been in crisis the last 4 or 5 years and we've been trying to tell the state about it. They're just recognizing it now... (Charles, interviewed by author, Aniak, Alaska, August 24, 2004)

According to the Alaska Department of Fish and Game, Division of Game (later renamed the Division of Wildlife Conservation), the moose population in the western region of Alaska, of which the Central Kuskokwim is a portion, reached its peak between 1957 and 1970 then sharply decreased due to severe winter weather between 1970-1972. The population began to recover and a state-

sponsored draft management plan released in 1976 considered the amount of moose in the area “sufficient to accommodate the needs of most local residents” with increased pressure stemming from flooding, predation by wolves and bear and from nonlocal hunters (Alaska Department of Fish and Game 1976: 72-73). Charnley, in her study of moose hunting by Sleetmute and Chuathbaluk residents found that local hunters tended to agree with this depiction of the fluctuation in the moose population but pointed to nonlocal hunters as the greatest factor in the population’s decline (Charnley 1983: 5-6). Moose were described as at a “healthy level” in 1980 which was confirmed by an aerial moose survey conducted in 1981-1982 showing “excellent survival of calves and a good bull-to-cow ratio...”, both of which are indicators of a healthy population (Charnley 1984: 378; Stickney 1980: 1).

A lack of information on resource use and concerns expressed by the local residents, the Central Kuskokwim Advisory Committee, and Nunam Kitlusi (a regional organization) over the potential threats to the moose population as well as proposed land disposals by the state that included local harvest areas, prompted the Alaska Department of Fish and Game, Division of Subsistence to conduct several research efforts in the area. Subsequent reports found local residents identified a variety of factors as having an impact on moose numbers and the ability to harvest an adequate amount of the animal to meet the needs of the population, including increasing pressure by nonlocal hunters, predation by wolves and bear, and problematic state hunting regulations

(Brelsford, Peterson and Haynes 1987; Charnley 1982, 1983, 1984; Jonrowe 1980; Kari 1985; Stickney 1980,1981).

This growing apprehension about the moose population can be seen in the records of the Central Kuskokwim Advisory Committee (CKAC). The committee is composed of residents of the region and supported by the state as a vehicle through which local observations and recommendations on wild resource management can be transmitted to the State Boards of Fisheries and Game. There are currently 81 of such committees throughout Alaska (Cote et al. 2002). In meetings conducted from 1991 to 2002, the Advisory Committee voiced ever increasing concerns about the moose population, citing factors similar to those noted by residents in the 1980s: an increase in hunting by nonlocal residents and predation by bear and wolves. Members called on the Alaska Department of Fish and Game to conduct population surveys of moose, wolves and bear and several discussions were held regarding the need for funds to support such work as well as state management's neglect of the region.

Frustration with the financial situation and management can be heard during a committee meeting in Sleetmute on December 13, 1996. One participant stated:

The State is now broke. They receive only so much and now they are broke and trying to manage your game, even though they cannot manage their department they also try to manage fish and game. They do have enough, but they cannot do the job like they used to do 20 years ago. We need to go onto the budget part of fish and game. Where is our area

biologist from McGrath? He probably does not have money to come down here. (Central and Lower Kuskokwim Fish and Game Advisory Committee 1996)

A survey was finally conducted in the spring of 1998 and the results were as most locals had anticipated, the moose population and its harvest had declined (Central Kuskokwim Advisory Committee 1999). A hunter, interviewed for this work, spoke of moose management in the Central Kuskokwim:

Well it hasn't been managed in our area. There has been no management whatsoever. It's just been a free-for-all, you know, they got rid of the guided areas and allowed anybody to come in and hunt, any guides move into any areas, just kind of rushed into this Unit 19, especially and portions of [19] A 'cause it's the only state land really left in the state...just got out of control and the state really showed no desire to get in and...control that over harvesting by nonresidents and hunters. So there's been no management and they haven't done any surveys down here for years and years and years; they're just starting to do a little survey work, but they just kind of neglected this area for the longest time. (Bob, interviewed by author, Aniak, Alaska, August 24, 2004)

By 1998 it was clear the promise of the moose population returning to previously recorded peak levels had evaporated and the moose population was edging toward crisis. In 2004, the Alaska Department of Fish and Game estimated that 4,300-6,900 moose were in the Central Kuskokwim which was amended to

2,350-3,250 in February 2006 (Division of Wildlife Conservation 2006a, 2006b).

Residents interviewed tended to voice their feelings of frustration at the lack of state game management. A local resident explained:

Well, for instance, take commercial fishing...I am just looking at the experience...the last 15 years we've been screaming our heads off and saying, 'Hey, you're having record catches here and nobody's paying attention to the escapement that is needed...the health of the record catches we were having for commercial [fishing]...we're going to have a disaster.' And sure enough, I never dreamed that chum salmon would be closed. And those were fish you just go out the river drift for about 10 minutes and you got a ...boatload almost, you know, it was almost fish that you took for granted, would never deplete and here...we couldn't catch any so that kind of deal...[Management is] not really looking at, like the moose situation. There's no real count...The fish and game hasn't made any good count in many years...We're doing a guesstimate, you know, its all guesses now...and we're making decisions on that guess. The best guess whatever that is... (Gene, interviewed by author, Aniak, Alaska, August 23, 2004)

This frustration and mistrust of state management was echoed by the majority of residents interviewed for this work.

### Game Management Unit 19A

The Central Kuskokwim region is designated Game Management Unit (GMU) 19A, part of the larger GMU 19. The area is divided between a lowland region to the north (19A), commonly hunted by residents of the Central Kuskokwim, and the elevated portion of the GMU to the south (19B), generally accessed by aircraft and used by nonlocal hunters and guides. The majority of land within GMU 19, approximately 13,360 square miles, is owned by the State of Alaska and falls under state hunting laws and regulations (Division of Wildlife Conservation 2004: 1-2). In 2004 the Alaska Board of Game reduced the moose hunting season within GMU 19A to twenty days in September requiring individuals to obtain registration permits only available in local area villages. This hunt was open to residents of the Alaska as well as out-of-state hunters (Alaska Board of Game 2004). These regulations were announced on the radio, were posted in local venues, and appeared in newspapers.

The proposal recommending the shortened hunting season originated from the work of the Central Kuskokwim Moose Management Planning Committee (CKMMPC), a group designed to bring together various parties with an interest in the moose population in the Central Kuskokwim. Participants included members from various Alaska Department of Fish and Game Advisory Committees, including Central Kuskokwim, Lower Kuskokwim, Anchorage, and Matanuska Valley groups, guides, air transporters, Native organizations, and conservation groups, and were charged with finding a compromise solution to the

moose problem in the region. However, no consensus was reached and the mixed opinions of the CKMMPC were distributed for public comment in 2003 (Division of Wildlife Conservation 2004: 4-7, 26). Of the 70 public responses received:

Comments strongly favored wolf predation control and eliminating the November and February winter seasons to reduce cow harvest. Some respondents supported a December bulls only season when travel conditions are better than November and many bulls still have their antlers. Many written comments urged reduction or elimination of nonresident hunting opportunities. (Division of Wildlife Conservation 2004: 26)

The competing views of the CKMMPC members, including those of conservation groups that resisted calls for wolf control programs and guides and air transporters opposed to limiting access of the nonlocal and out-of-state hunters on whom their livelihoods depend, and public comments were presented to the Alaska Board of Game in March of 2004.

Interviews for this project were conducted in August and early September of 2004, following the Board of Game's decision to limit the hunting season, institute a registration permit available to all hunters, and implement a predator control program. Individuals interviewed echoed some of the concerns of the CKMMPC and those received from the public, particularly regarding an increase in overhunting and predation. Residents of Aniak and Crooked Creek, in

describing the decline of the moose population, often cited overhunting by nonlocal hunters from outside the region, including from the Lower Kuskokwim (an area with a moratorium on moose hunting) and from other parts of Alaska, as well as from individuals foreign to the state. One Aniak resident stated:

...when I was growing up seeing moose was easy. There wasn't too much traffic around...traffic meaning air traffic or boat traffic; right now there's a lot of that during hunting season. It's like...a commercial harvest.

Everybody has this much time to catch a moose now that's there's more people coming in to this area all trying to catch a moose at the same time; it's like a competition type of thing. But now ...it's harder to catch moose.

My first time never caught a moose this last year. (Daniel, interviewed by author, Aniak, Alaska, August 24, 2004)

Another individual commented, "...seen a huge increase in nonresident hunting and drop-off transport type hunting here in the last ten years...pretty much all of the drainages are covered by hunting camps now mostly by outfitters and guides..." (Bob, interviewed by author, Aniak, Alaska, August 20, 2004).

A second factor commonly cited as affecting the moose population was an increase in predators. Bear were occasionally mentioned as taking moose, particularly calves, but the bulk of discussions centered on predation by wolves. A Crooked Creek resident observed:

...when [moose] numbers were up, when the wolves first moved in, and that one winter I saw at least 30 dead moose carcasses. There were times

when I would take a ride up the George [River] I'd come back and there would be nothing but bones left the next day... nothing but hair and some bones...they would go ahead and devour a good size moose in a night some of them big packs. Then they'll start splitting up, you know they'll start getting hungry and start busting off into 5 or 6, 7, 8 animals...and that's not even counting winter kills, just your basic a moose gets hurt during rutting or something then he has a tough winter; say the snow's pretty deep, he starves to death... (Frank, interviewed by author, Crooked Creek, Alaska, August 11, 2004)

Another resident explained as the wolf population has increased and the number of moose has declined and wolves have occasionally come into the villages. He explained, "...they're not even scared no more, there's so many of them. Well they came in here and ...had a little dog... and they ripped her apart within 10, 15 minutes" (Edward, interviewed by author, Crooked Creek, Alaska, August 12, 2004). Residents were generally skeptical of the new regulations ability to remedy the situation.

### The Importance of Moose Hunting

To summarize, the harvest of wild resources is an important part of everyday life in the Central Kuskokwim, like most of rural Alaska, as both a dietary and a cultural resource. In 2000 Alaska Department of Fish and Game reported the rural harvest of wild foods statewide accounted for 375 lbs per

person annually, equaling 35% of the caloric requirements of the population. In monetary terms, the replacement this wild food with store-bought equivalents (estimating \$3-\$5 per lb) would amount annually to around \$131.1-\$218.6 million dollars (Division of Subsistence 2000: 3).

For residents of the Central Kuskokwim, like many Alaskans, moose are of particular importance holding a special position as a traditional or cultural resource and as a provider of large quantities of meat. However, the animal population has shown a severe decline due to increased predation, overhunting, and neglect creating a crisis situation, in which local residents must compete for access to these resources with hunters from other regions or outside of the state. Rural hunters, as citizens of Alaska, are dependent upon the state's system of game management to find a legal solution to the situation. Yet, the state structure has neglected the region and has proven a poor fit for local hunting practices, with its reliance on management mechanisms such as individual bag limits and set hunting seasons. These issues are imbedded in the debate over the term *subsistence*. It pulls our attention to this conflict as part of wider historical processes in which the state has increasingly intervened in previously unregulated aspects of life. The Central Kuskokwim, for instance, has increasingly felt the presence of the state as it has belatedly responded to the declining moose population, through the visitation of state researchers, the CKMMPC, local radio announcements, and posted flyers. The majority of discussions by the state and locals have centered on the notion of *subsistence*.

### Chapter 3: The Meanings of Subsistence

#### Competing Meanings

There is no single, simple definition of *subsistence* in Alaska. Instead its meaning is diffuse, ranging from that of an economic system to a description of an entire way of life. *Subsistence* is also a point of political contention in the struggle for access to limited resources, embedded in both federal and state laws and regulations. One author has suggested, "Part of the problem may lie with the term subsistence itself. Perhaps no single term can convey the countless customs and values that are embedded in subsistence" (Thornton 1998: 32). Subsistence in Alaska exists within a landscape of divergent meanings extending into politics, society, culture, law, and spiritually.

The simplest and most common understanding of subsistence is that of an economic system (Hensel 1996: 7). *Subsistence* in this respect, is defined as fishing and hunting conducted by family groups with efficient, small-scale technologies, such as fishwheels, gill nets, motorized skiffs, and snowmobiles not oriented toward sale or accumulated profit as in commercial market production. This definition focuses on the physical aspects of subsistence; the accumulation and use of resources to meet the needs of families and small communities (Wolfe and Walker 1987: 68). Benign in itself, this strictly economic description has often been linked with a negative view of subsistence as substandard way of

life, “a bare eking out of an existence, a marginal and generally miserable way of life”(Case 1989: 1009). As Thornton explains:

...non-Native conceptions are typically more restrictive. Many adhere to a popular dictionary definition of subsistence as “the minimum [food and shelter] necessary to support life”...only those who really need it should be subsistence user; sometimes called “subsistence-as-welfare” concept “emphasis on poverty and economic need”. (1998: 31-32)

The negative view of subsistence is often cited as the dominant perspective, particularly prevalent outside of Alaska, termed the “non-Native minimalist perception of subsistence” by Kancewick and Smith (1991: 646-647).

This definition clashes with the second major view of subsistence often dubbed the “Native” or “Alaskan” perspective (Case 1989: 1009, 1998: 73; Kancewick and Smith 1991: 646-647; Morrow and Hensel 1992; Sacks 1995: 250-251; Thornton 1998: 31, 2001: 88). Opponents of the “minimalist” view find the former perspective does not take the psychological, cultural, social, and spiritual aspects of subsistence into account. In defense of a broad notion of subsistence the Director of the RurAl CAP’s (Rural Alaska Community Action Program Incorporated) Subsistence Department said in an article in Village Voices in 1985:

Say “subsistence” to me, and in my mind’s eye I see the people on the land. I think growing up so close to the land that even in the city, where I am surrounded by concrete and noise and crowds, I look at the sky every

morning and every evening and while I am walking I wonder how anyone could believe that when one's very life revolves around the practice of getting food from the land, the food is all that counts...I hope a genuine effort will be made to determine the value of subsistence; not just as an economy, but as a way of life. (Zilys 1985: 12)

Subsistence in this regard is an inclusive concept encapsulating numerous aspects of Native culture.

Alaska natives typically define subsistence more fundamentally than non-Natives. For most Natives, subsistence is synonymous with culture, identity, and self-determination...Because Alaska Native groups continue to define themselves to a large degree by customs and traditions in obtaining, processing, and distributing wild resources, they see the maintenance of these cultural traditions and laws as an essential element of their subsistence. (Thornton 1998: 31)

This "Alaskan" or "Native" view of subsistence was ubiquitous in interviews conducted with resident hunters in the Central Kuskokwim and served to mark their hunting and fishing practices as distinct from those of outside/sport hunters. As Case explains *subsistence* holds a particular meaning in Alaska as "a class of hunting and fishing..." (Case 1989: 1009). Thus subsistence as a category connects certain understanding of hunting with practices which are opposed to the actions and perceptions of other classes of hunting.

### Subsistence in the Central Kuskokwim

Subsistence, well, it's ahh there are so many different definitions and I always get tricked up on these ones... somebody's always offended by these definitions...subsistence would be a noncommercial use of a resource. Although some area... commercial fishing can be a form of subsistence, if it the only cash income they have coming in. But generally it's not commercial use ...[subsistence is] consumptive use of a resource and subsistence involves not only gathering of meat but also the process of the gathering ...you know, the cultural ties to it, the camping and the sharing of meat amongst the community, you know, in the villages, the villages and the elders, the older people. There's a lot more to it than going out and getting meat. So subsistence involves all that now it doesn't matter if you are making \$100,000 a year or \$2,000 dollars a year, you can be a subsistence user of the resource the way I see it. (Bob, interviewed by author Aniak, Alaska, August 20, 2004)

During interviews conducted in Aniak and Crooked Creek in 2004 individuals were asked about their personal hunting experiences, general hunting in the Central Kuskokwim region and about Alaska Department of Fish and Game moose hunting regulations for the area. Interviewed hunters overwhelmingly identified their general hunting practices and/or themselves as

local hunters, and their hunting practices as subsistence. Individuals commonly explained hunting was conducted by boat in the fall and snowmobile in the winter usually in local/traditional hunting areas, and that this was essential to their lifestyle. One hunter stated simply of moose hunting, “[It is] Our way of life, what we grew up on” (Ken, interviewed by author, Crooked Creek, Alaska, August 11, 2004). However, hunters did not attempt to define *subsistence* unless they were specifically requested to do so and were hesitant in their formulation of a response.

Several individuals were asked directly to define the meaning of *subsistence*. This question proved difficult and often some time was spent in the formulation of an answer. If an explanation of *subsistence* was supplied, there was a great deal of variation. Responses tended to be broad, speaking of subsistence as a lifestyle or part of a lifestyle that involved the procurement and use of wild resources. Comments from one hunter provide an example: “It’s just living with, well, it’s subsistence, is using the resources from the land and the water...” (Charles, interviewed by author, Aniak, Alaska, August 24, 2004). It was also termed part of culture or tradition. An individual in Aniak explained:

Uhh, subsistence is...it’s Native dance,... Native songs ...it’s ahh elders that lived the traditional subsistence lifestyle umm that are passing on now, gone, but...the few that are still around...That’s to me, that’s what subsistence is... (Daniel, interviewed by author, Aniak, Alaska, August 24, 2004)

Chase Hensel encountered a similar occurrence in his study of subsistence discourse in Bethel, Alaska, finding the meaning of *subsistence* was often so intrinsic to individuals that it was difficult to define<sup>2</sup> (Hensel 1996: 11).

A general outline of *subsistence* only became apparent when individuals contrasted their hunting with that of “other types of hunters”, specifically sport hunters. A clear distinction was made between local/subsistence hunters and sport hunters, alternately called “trophy hunters” or “outside hunters”. Individuals termed as sport hunters generally enter the region by plane from urban areas or from outside of the state and employed guides or air transporters for their hunts. Residents interviewed in Aniak and Crooked Creek attributed a number of negative practices to sport hunting, including waste of meat connected to hunting only for trophies. This sharply contrasted with the local/subsistence hunting ethic that requires utilization of the majority of moose, interpreting waste as disrespectful to the animal. For instance, a Crooked Creek hunter described local use of moose meat, stating, “I mean, we do everything with it, moose, you know even from the hooves, she [wife] makes jell-o from it. We don’t waste nothing and we are lucky to get one [moose]” (Edward, interviewed by author, Crooked Creek, Alaska, August 12, 2004). In contrast, sport hunters were often characterized by waste. One hunter explained, “It means they [sport hunters], maybe a half a percent, that actually takes the meat home and uses it, most of

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<sup>2</sup> Hensel also found in his research that subsistence means different things to different people and different things to the same people at different times (Hensel 1996 82)

them [meat] end up in the dump in Anchorage. That's what really kills me about the regulations" (Charles, interviewed by author, Aniak, Alaska, August 24, 2004). The waste associated with sport hunting was often linked to the goal of hunting simply for trophies, such as moose antlers or racks. Another hunter noted:

They don't take care of their meat in a way that's conducive to having a real good product cause they just want to get the horns out you know and it just it's a nuisance on their part to have, to get that meat out of the field. Where the Natives take care of their meat because they know they want a quality product; they skin their moose in the field and quarter it in the field and get it cooled down right away unlike the raft hunters and stuff. Drop off hunts are in rafts and they take a 10-day moose hunting trip by being dropped off [by an air transporter] and shoot a moose the first day of that trip and it will be warm weather and the moose is pretty much rotten before they get back to a hub where they can be picked up. So there is quite a bit difference in the quality of the meat handled by the nonresidents and guiding operations. (Bob, interviewed by author, Aniak, Alaska, August 20, 2004)

Additionally, sport hunters tended to be associated with indiscriminate killing of moose, linked to knowing and/or caring little for the resource. One hunter stated, "You know, what I've heard they'll shoot just about anything... nonresident hunter

he's strictly sports" (Charles, interviewed by author, Aniak Alaska, August 24, 2004).

Discussions of the negative aspects of sport hunters serve to illuminate some of the positive features of local/subsistence hunting through opposition. In other words, *subsistence* is defined, at least in part, by what it is not. An analogy can be drawn here to Fredrik Barth's classic work on ethnic groups. He sought to explain the creation of ethnic groups, comprised of individuals who feel they are linked by common ancestry, geographical location, and/or language among other factors. Barth stressed the importance of interaction rather than isolation as the foundation for distinction. Barth found a group does not define itself as such until it comes in contact with another group, only through this interaction does a group define itself, creating boundaries that distinguish it from others. Barth explains:

In other words, ethnic distinctions do not depend on an absence of social interaction and acceptance, but are quite to the contrary often the very foundations on which embracing social systems are built. Interaction in such a social system does not lead to its liquidation through change and acculturation; cultural differences can persist despite interethnic contact and interdependence. (Barth 1998: 10)

He further explains the boundaries between ethnic groups are marked by visible differences, such as behaviors, and if such boundaries ceased to exist there would be nothing to distinguish one group from another.

Entailed in ethnic boundary maintenance are also situations of social contact between persons of different cultures: ethnic groups only persist as significant units if they imply marked difference in behavior, i.e., persisting cultural differences... Thus the persistence of ethnic groups in contact implies not only criteria and signals for identification, but also a structuring of interaction which allows the persistence of cultural differences. (Barth 1998: 15-16)

Like Barth's description of boundary-making among ethnic groups, the border between subsistence hunters and sport hunters is created through interaction.

Contact with individuals with different hunting practices and understandings of both the resources and the land, primarily through state system of game management, result in subsistence hunters labeling themselves and their practices as unique. Sport hunters were termed a separate group, by respondents, and described in terms of their negative practices which contrasted and served to define positive facets of subsistence hunting. Sport hunters were associated with improper care of meat, indiscriminate killing of moose (indicating a lack of skill/knowledge of hunting), waste, and hunting for trophy instead of food, all of which are in direct opposition to practices linked with subsistence. Misuse of the resource by sport hunters also reaffirms their position outside the community indicating they lack the knowledge and skills learned in villages and care little about the needs of the community through their waste of moose, so important to rural life.

## Conclusion

In Alaska, the term *subsistence* encompasses a variety of divergent meanings. To some it denotes hunting, fishing, and gathering practices as nothing more than efforts to gain sustenance in the face of starvation. In sharp contrast, the view of subsistence espoused by hunters in the Central Kuskokwim can be classed under the “Alaskan”/“Native” understanding of the term in which specific hunting practices are linked to culture, tradition, or an entire, positive way of life. These practices are recognized as distinct from those of outside or sport hunters, believed to be wasteful, unskillful, and whose behaviors are deemed detrimental to the wellbeing the rural communities and wild resources.

This process of distinguishing different types of hunting and fishing practices can be traced, in part, to the increasing role of the state in governing these practices. In efforts to control hunting and fishing the state has designed regulations that categorize hunting and hunters into three classes. These abstractions of actual practices create the vernacular of written regulations and the means through which claims are constructed (Scott 1998). Thus the state provides the terms of contestation as well as the forum, the Alaska State system of game management, including the Alaska Board of Fisheries and Game, Advisory Committees, special committees (like the CKMMPC), and the Alaska Department of Fish and Game. Groups, with divergent understandings of hunting and differing practices, like local hunters, guides and air transporters, sportsman

groups, environmentalists, and animal rights advocates must make claims within this system using the appropriate vocabulary in order to be recognized and participate. Thus individuals must classify themselves using official categories in order to distinguish themselves from competing interests and voice their claims. However, as Morrow and Hensel point out the use of official categories, like subsistence, by competing groups does not necessarily connote congruent understandings (Morrow and Hensel 1992).

The pervasiveness of *subsistence* in discourse as well as the contemporary struggles surrounding the term marks it as a “keyword”. It draws our attention to a historical process in which questions of hunting and fishing rights, the appropriate use of resources, the place of Native Peoples within the regulatory framework, and the meaning of hunting itself have been approached in policy and law. These past conflicts, negotiations, and unanswered questions are entrenched in the contemporary conflicts surrounding subsistence today and its construction as a legal category.

## Chapter 4: A Brief Legal History of *Subsistence*

Contemporary game regulations in Alaska acknowledge three types of hunting: subsistence, resident, and nonresident (Division of Subsistence 1990:1). The resident and nonresident categories are simply based on an individual's residence status, that is, if a hunter is or is not an Alaska resident. Subsistence, as a legal class of hunting, is partially defined by residence as well, only inhabitants of Alaska can be subsistence hunters. However the criteria for this last category also specifies how harvested game is to be utilized. "Subsistence uses" are defined as:

...the noncommercial, customary and traditional uses of wild renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation, for the making and selling of handicraft articles out of nonedible by-products of fish and wildlife resources taken for personal or family consumption, and for the customary trade, barter, or sharing for personal or family consumption... (Alaska Statutes § 16.05.940 (32) 2002)

Within the Alaska system of game management all hunters are grouped within one of these three classes and as evidenced by interviews of the central Kuskokwim hunters, the majority of rural Alaskans are considered, and often consider themselves, subsistence hunters.

This contemporary legal category of *subsistence* is an abstraction designed to aid in the management of hunters. It is a vague notion rooted in a century of efforts aimed at controlling hunting and fishing practices exacerbated by increasing conflicts over access to wild resources. The development of subsistence as a legal category directs our attention to historical debates over hunting and fishing rights, priority access to limited resources, the place of Native Peoples within the state game management system, and the very meaning of hunting subsumed and masked by this seemingly innocuous legal category.

This chapter, focusing specifically on state moose hunting and subsistence, demonstrates how conflicts and uncertainties are part of the foundations of game law and policy and legal categories like subsistence are shaped and reshaped by competing views and interests. Like most attempts to manage game, it begins with attempts to control the human factor, which is hunting (Leopold 1986: 4).

### Game Laws 1902-1971

The roots of *subsistence* as a legal term in Alaska can be traced to the initial Alaska Game Law, described alternately as “a tardy acknowledgement, prompted by gold rushes, that Alaskan wildlife should be protected too” and as an effort “to control the growing practice of trophy hunting” (Huntington 1992: 24; Sherwood 1981: 23-24). Appearing in June of 1902, this first comprehensive attempt at game legislation in Alaska outlined such management tools as hunting

districts, season, and defining legal means of taking game. Among the regulations that took effect on October 1, 1903, moose were identified as a game animal, a hunting season was instituted, and a bag limit was set at two moose per hunter. The killing of females and calves were prohibited (Sherwood 1981: 27; Stern 1986). An exemption was made for all those within the state, both Native and non-Native, dependent on fish and wildlife for survival (Huntington 1992: 24; Stern 1986). The law explained that the taking of game at any time was permissible by "Indian or Eskimo or by miners, explorers, or travelers on a journey when in need of food." (Sherwood 1981: 24; U.S. Congress, House 1902: 1-2). Although as Huntington points out, "need" among other terms, was never defined (Huntington 1992: 24).

The next major evolution of game management came with the passage of the Alaska Game Law of 1925 marking "the first time, the game regulations of Alaska were subject to regular review by residents of the Territory" (Huntington 1992: 25). The law created the five-member Alaska Game Commission. The new group was composed of one individual from each of the four juridical districts of the state, appointed by the Secretary of Agriculture, and a fifth member, the executive officer and the financial agent of the commission, to be the chief representative of the Bureau of Biological Survey in the state (Alaska Game Commission 1925: 2; Stern 1986). The Game Commission was to act in an advisory capacity and make recommendations to the Secretary of Agriculture who was charged with the task of determining "when, to what extent, if at all, and

by what means game animals...may be taken, possessed, transported, bought, or sold, and to adopt suitable regulations permitting and governing the same in accordance with such determinations..." (Alaska Game Commission 1925: 5).

The new game law contained a similar provision to that of its predecessor, creating an exemption for individuals in need of sustenance with minor alterations:

An Indian, Eskimo, or half-breed who has not severed his tribal relations by adopting a civilized mode of living or by exercising the right of franchise and an explorer, prospector, or traveler may take animals or birds in any part of the Territory at any time for food when in *absolute* need of food and other food is not available, but he shall not ship or sell any animal or bird or part thereof so taken. (Alaska Game Commission 1925: 12)

Huntington notes that the change was not explained in the regulation, however, Sherwood charges it was motivated by a fear that the original provision was being exploited (Huntington 1992: 25; Sherwood 1981: 106). He writes:

The solicitor's opinion was requested in 1921 after Alfred Bailey, an agent of the Biological Survey, arrested an Indian for selling deer meat from his boat, which was moored at the Juneau city wharf. The commissioner (a local magistrate) agreed with the solicitor that natives were exempt from the law if they killed for food and not for sale or shipment, but Bailey had not seen the Indian selling the deer meat on his boat, and there was no way of telling whether the meat would be used by the Indian as food.

Despite that opinion the jury found the Tlingit guilty, and he was fined fifty dollars for illegally killing four deer. The jury was later told by the commissioner that “it was the craziest verdict he had ever heard.”

This incident and additional complaints by whites that Natives were abusing their hunting privileges motivated Edward Nelson, of the Bureau of Biological Survey, to lobby for changes in the law. The game commission legislation of 1925 modified the exemption. (Sherwood 1981:106)

A further complication arose when Game Commission personnel attempted to interpret the law as it related to Native Peoples. The law stated only Natives not having adopted a “civilized mode of living” were exempted from the hunting license requirement (Sherwood 1981: 107). However, it was unclear what this meant or how this was to be applied:

The problem came when game commission agents tried to determine whether natives had adopted “a civilized mode of living.” In effect, Washington told the commission to stop trying to define the phrase. Whether an Indian had money or not was not a proper test, and the commission could not require natives who held normal jobs to buy licenses. Neither, said the solicitor emphatically, should natives who frequent card rooms and poolrooms be singled out for license, because the Alaska game law “is not intended to be used for the purpose of making a good Indian out of a bad one.” (Sherwood 1981: 107)

In this manner, the Commission was able to circumvent making any firm decisions regarding the applicability of regulations to Native practices.

From its beginnings, Alaska Game Law simultaneously linked Native hunting practices with need while ignoring larger questions of the application of regulation to such indigenous practices. Native hunting was lumped in with the exemption for the unrestricted taking game only when in “absolute need” of food which negated other historical uses of game, such as trade. It also illustrates a general uncertainty on the part of the Territory and federal government to define the place of Native People within the regulatory framework, which was instead ignored.

The term *subsistence* itself did not appear in the early game laws although exemptions for persons in need of sustenance have been called a rudimentary form of protection for subsistence. Camerino and Huntington both describe the provisions as a means through which the federal government sought to protect Native hunting and fishing practices (Camerino 1977: 22; Huntington 1992: 26). Yet, at the core of the exemption is physical necessity of both Natives and non-Natives, similar to the present-day minimalist view of subsistence.

The Alaska Game Commission continued the management of wildlife until 1959, when, with statehood, management responsibilities were transferred from the federal government to the new state. The Alaska Department of Fish and Game, which retained the framework of its territorial counterpart, assumed control over wild resources on January 1, 1960. The earlier exemption of Native

hunting practices and questions of the applicability of game law to Indigenous Peoples was answered in the Alaska State constitution. It stated that there was no distinction between Natives and non-Natives and Indigenous Peoples were required to purchase a hunting license and were subject to regulation, such as seasons and bag limits (Stern 1986; Huntington 1992: 27-28). This situation remained until the discovery of oil in Prudhoe Bay brought indigenous rights issues, including the right to hunt and fish, back to the legislative forefront.

#### Alaska Native Claims Settlement Act

The Alaska Native Claims Settlement Act (ANCSA) has been called a “piece of social engineering legislation” with a “mixture of assimilation and self-determination elements” (Thornton 1998: 29). The Act was an effort by the United States Government to settle mounting Native land claims that had been largely ignored since the purchase of Alaska. By the time of statehood Alaska Natives had claimed title to the majority of land in former territory but without recognition of aboriginal title these could be selected by the state without any obligation for compensation. Alaska had been allotted over 103 million acres in the Statehood Act. Thus, in 1966 after the Alaska Federation of Natives, an organization of Alaska Natives living throughout the state, proposed a halt of any land disposals until after claims could be settled, Secretary of the Interior Stewart Udall imposed the “land freeze” (Berger 1995: 22-23; Lazarus and West 1976: 132). The prospect of economic growth, particularly in regard to the newly

discovered Prudhoe Bay oil field, coupled with the potential for complications to its development, such as impediments to the construction of the 900-mile Trans-Alaska Pipeline, prompted the state and industry to join in the push to settle indigenous land claims. The passage of ANCSA followed in 1971 (Berger 1995: 23; Cooper 1987: 3; Lazarus and West 1976: 132-133; Thornton 1998: 29).

In compensation for the extinguishment of aboriginal land claims, ANCSA created 13 regional and over 200 village corporations which were allotted 44 million acres of land (10% of the land in the state) and paid roughly \$3 an acre for lands taken (\$962.5 million) (Berger 1995: 24-26; Thornton 1998: 29). Sacks characterizes the Act as “an attempt to avoid the squander and neglect characteristic of the reservation system, ANCSA seeks to turn individual Natives into capitalists by making them shareholders of Native corporations” (Sacks 1995: 262).

Included in this settlement of land claim, ANCSA also extinguished aboriginal hunting and fishing rights, although various provisions for their protection were proposed but never adopted as part of the Act. There was, nonetheless, an expectation that the state of Alaska and the Department of the Interior would take action to protect hunting, fishing and gathering practices as a part of Native culture (Case and Voluck 2002: 284-285; Cooper 1987: 3-4; Kancewick and Smith 1991: 645; Worl 1998: 77). However, authors have pointed to the basic structure of ANCSA as running counter to such protections. Sacks

argues the corporate structure imposed by ANCSA runs counter to indigenous hunting and fishing practices:

...ANCSA ignores Native culture altogether. Although it provides Natives with a form of control over their future, ANCSA abandons remote Native communities to the corporate boardroom with little training, and often at the expense of their historically chosen lifestyle. Since ANCSA's corporate structure rewards the development of land resources, it undercuts a choice to continue with traditional ways, and its intent runs counter to the culture-based subsistence justifications in subsequent federal laws.

(Sacks 1995: 262)

In a similar manner, Camerino finds ANCSA promotes increased economic development, such as new uses of lands, which would be accompanied by outsiders and infrastructure injuring Natives' ability to utilize wild resources (Camerino 1977: 18-19). Finally, Case notes that "the cultural, social, and economic activities associated with the extinguished rights did not cease, but subsistence users became politically and economically disadvantaged in asserting their interests in the state regulatory system" (Case 1998: 74-75). ANCSA left questions of Native hunting and fishing rights unanswered and, in the opinion of some, actually diminished the ability of the Indigenous Peoples of the state to continue traditional practices.

During this time the term *subsistence* was largely absent from state regulatory language. It was mentioned once in the Fish and Game Code,

directed toward fishing, which defined it as noncommercial fishing with the use of specific gear and recognized as distinct from commercial and sport fishing (Caulfield 1992: 25; Kelso 1981b: 2). Hunting, instead, was described in a particularly Western manner employing terms such as recreation and sport. For instance, a 1973 departmental policy booklet does acknowledge “some people of the state are substantially dependent on wildlife for sustenance”, but defines recreation as the “dominant” use of game in Alaska. The publication explains:

In many areas of the state, recreation is the most important use of moose. Recreational uses include: sport hunting in its various forms; observation, both incidental to other activities and as the primary objectives; and wilderness experience, which includes the aesthetic rewards of being aware of or observing moose in natural interactions with their environment...In most areas, moose will be managed to provide maximum recreational opportunity. (Division of Game 1973: 5)

The state at this time tended to group all hunting as a recreational or sport activity with its “traditional” use was limited to procurement of meat.

This legal perspective was influenced by a lack of information, little perceived need to protect Native hunting practices, commercial interests that exercised considerable influence over the State Boards, and the generally negative view of hunting for purposes other than sport, which tended to fall under the label of *subsistence*. Kelso explains:

This approach to subsistence must be considered in context: harvest competition was still relatively low from Alaska's small population; in many areas enforcement of regulations was minimal or non-existent; and information on the extent and patterns of subsistence use was not readily available. Under these circumstances the Board concluded that its bag limits and seasons were sufficient to provide for subsistence." (Kelso 1981b: 2)

This neglect was compounded by the influence sport and commercial interests exercised over the Boards of Fisheries and Game. Sport and commercial license fees funded a large portion of the activities of the Department of Fish and Game and brought a great deal of wealth into the state. These interests generally held a negative view of subsistence (Case 1998: 74-75; Caulfield 1992: 25; Lonner 1981: 3-4). Lonner explains:

Subsistence use was most commonly thought of as the individual taking of fish and game by an unemployed, probably impoverished person living in a rural area of the state. Subsistence living was viewed as an unfortunate way of life, happily dying out as modernization proceeded. In fact, members of the fish and game regulatory boards have suggested that one function of the boards is to modernize rural residents, even if these residents had no ambition to be modernized. Many board members cannot conceive why rural residents would prefer harvesting crabs by fishing with lines through the ice, when they could be commercially

profiting by owning and operating sizable crab-fishing vessels, or why they should harvest salmon for personal consumption when they could be operating lodges catering to sport fishermen pursuing these same salmon. (Lonner 1981: 3-4)

Thus, subsistence, although applied in a general manner to hunting, was initially only a distinct legal category of fishing. Views of such practices, held by the regulatory boards largely fell in line with the contemporary 'minimalist notion' of subsistence, seen as little more than last desperate efforts to survive by taking wild resources.

Change came in 1975 when the Alaska Legislature split the regulatory authority of wildlife and fisheries between two separate boards, the Board of Fisheries and the Board of Game and authorized the regulation of subsistence as a separate type of hunting in the same manner as it had been for fishing. It was defined as the noncommercial taking of game for personal use open to all Alaska residents. Increasing competition over limited wild resources, particularly stressed by the crash of the Western Arctic Caribou herd, prompted a new policy perspective in 1976. The state acknowledged subsistence to be essential to many residents of Alaska and as such was given priority over other uses (Caulfield 1992: 25; Kelso 1981b: 3-4). The policy was to be implemented through emergency regulations that restricted the taking of bulls among the Western Arctic Caribou.

The regulation authorized 3,000 permits to be based on recommendations of village councils and corporations in light of population, need, availability of alternative food and employment, and other factors which assist in meeting “minimum sustenance” needs. This action would have provided a clear priority for rural users of the Western Arctic Herd. (Kelso 1981b: 4)

Instead, the policy, by prioritizing one type of hunting over others was attacked by a sportsmen’s group in Fairbanks. Challenged in court it was ruled “improper administrative procedures has been used in implementing the regulatory decision” and the Board’s action was rendered void (Kelso 1981b: 4; Subsistence Management Information 2005). Questions arising from this episode over equal access to resources versus a subsistence priority have remained embedded in resource use conflicts to the present.

Beginning in 1975, in response to continuing conflicts over resources and in anticipation of impending federal action in regard to the issue of protection of aboriginal hunting and fishing rights left open by ANCSA, the Alaska legislature was confronted with a number of bills that focused on subsistence. Eventually, House Bill 960, a combination of previous legislative attempts, was passed becoming chapter 151 of the 1978 Alaska Session Laws. In the new law, effective October 10, 1978, subsistence uses of fish and wildlife were given priority over other types of uses (Caulfield 1992: 25; Kelso 1981b: 5).

Subsistence uses of fish and game are described as:

the noncommercial, customary and traditional uses of wild, renewable resources by a resident domiciled in a rural area of the state for direct personal or family consumption..." (Alaska Statutes 16.05.940(32) 2002)

In this manner the law was able to bypass directly addressing the issue of Native hunting and fishing rights. Instead, the statute did not specify who would be defined as a subsistence user and avoided conflicting with the equal access to wild resources in the Alaska State constitution. Instead all Alaska residents could be considered subsistence hunters under the new law (Caulfield 1992: 25; Lonner 1981: 4; Thornton 1998: 29). Kelso points out that the subsistence priority did not connote exclusive use and that other uses of the resources (such as commercial and sport) were to continue. He explains unlike House Bill 915, which would have only provided for other uses if subsistence needs were fully satisfied and would have limited the Boards of Fisheries and Game's ability to promulgate regulations for other uses of fish and game if such provisions were not met, the 1978 law made no guarantee of harvest or harvest level. The law also did not require the Boards to alter or expand long-standing management techniques for controlling the human harvest of fish and game, like the scheduling of seasons, bag limits, defining means and methods of harvest, and designating controlled use area (Kelso 1981a: 3-4).

Soon after the passage of the law, the Subsistence Task Force was created by the Commissioner of Fish and Game to "advise him on appropriate steps for implementation of the new law." In its final report, the Task Force

concluded the Boards of Fisheries and Game will be the principal definers of law; with the responsibility of defining terms, as well as identifying the subsistence species, their locations, and the regulatory means through which the subsistence priority would be implemented (Kelso 1981b: 5-6).

The new law also created a social science research unit, which would later become the Division of Subsistence, within the Department of Fish and Game, focused on the gathering of information on subsistence uses (Caulfield 1992: 25). Lonner recalls the beginnings of the division and the difficulties in implementing the new subsistence law:

It was my assumption (perceived now with hindsight to be quite romantically naïve) that the provision of information of subsistence economies and local resource requirements would be all that would be necessary to implement the new law. This innocence resulted from inadequate attention being paid to the origins of the conflict in the socio-economic history of the state as well as optimism based on the passage of a significant legislative act against powerful political opposition. It was not clear, during the infancy of the research arm, that the law ran counter to the major colonizing forces and ethnic attitudes within the state (Lonner 1981: 4-5).

Disputes over hunting and fishing rights, the place of Native Peoples within the game management system, and the prioritizing of certain types of hunting, all

clashes that raised questions over the meaning of hunting, became more pronounced after the passage of ANILCA.

### Alaska National Interest Lands Conservation Act

In an effort to address the issue of protection of Native hunting and fishing rights that had been left open by ANCSA, and had not been acted upon by either the state of Alaska or the Secretary of the Interior, Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) specifically addressed subsistence (Case 1989: 1012; Case and Voluck 2002: 288-289; Cooper 1987: 5-6; Kancewick and Smith 1991: 645).

ANILCA's 'Title VIII-Subsistence Management and Use' provides the core of subsistence protection in federal law. In it Congress directs that subsistence uses of fish and wildlife by rural Alaska residents be given priority over other consumptive uses, and stated that 'the continuation of the opportunity for subsistence uses by rural residents of Alaska, including both Natives and non-Natives...is essential to Native physical, economic, traditional, and cultural existence and to non-Native physical, economic, traditional, and social existence' (section 801). (Caulfield 1992: 24)

The subsistence priority outlined in ANILCA was a compromise between Congress's intent in ANCSA and Alaska Constitution's prohibition against racial discrimination, providing priority to subsistence uses of resources by rural residents of the state. It was designed as an effort to restore some of the

aboriginal hunting and fishing rights that had been extinguished under ANCSA and as such was originally proposed as Native-only priority. However, in an attempt to pacify interests within the state opposed to a priority based on ethnicity, comply with the state constitution, and provide for non-Natives who were also dependent on wild resources the rural residency criteria was instead chosen. This decision was further justified by noting Alaska Natives made up the majority of the population in rural areas of the state and because of anticipated difficulties that were envisioned as stemming from the enforcement of a Native-only subsistence policy (Case 1989: 1012-1014; Case and Voluck 2002: 289-290; Caulfield 1992: 24; Cooper 1987: 5-6; Kancewick and Smith 1991: 645; Thornton 1998: 30, 1999: 207).

Thornton criticizes this rationale for the rural compromise finding preference based on ethnicity was already in place in the Marine Mammal Protection Act of 1972. "In the case of terrestrial mammals and fish, species for which non-Native sport and commercial interests compete, the stakes were too high and the state and other non-Native interests groups vigorous opposed any form of Native preference or collective right" (Thornton 2001: 85). Alternately, Sacks argues in his appeal for a need based foundation for subsistence law, that the rural preference and definition of 'subsistence uses' were supported by cultural assumptions. He argues, "...ANILCA's intent and policy justifications conflict with those of ANCSA, which strive to make Natives conform to a new, wealth-maximizing corporate identity that justified the rural in ANILCA" (Sacks

1995: 265). This, combined with the disparate meaning of *subsistence*, which the Act failed to address, form an unstable base for subsistence laws (Sacks 1995: 265).

The Act did not define *subsistence* but instead described 'subsistence uses' in a similar manner to that of the Alaska law (Case and Voluck 2002: 290; Thornton 2001: 85). Case and Voluck explain the state's definition was designed to mirror that of ANILCA but due to an oversight in the early definition of 'subsistence uses' in ANILCA the rural residency requirement was omitted. The state Subsistence Law was passed before the correction to ANILCA's definition. Another difference involves the issue of customary trade. In the state law customary trade, in addition to barter and sharing, was only permitted for personal or family use. In ANILCA customary trade had no such restriction (Case and Voluck 2002: 291). "The priority protects a class of persons when they engage in a set of specified acts. The protected class includes all "rural" Alaskan residents" (Cooper 1987: 6).

ANILCA established a subsistence preference on federal public lands which only allowed restrictions on "customary and traditional uses" by rural residents in order to protect wildlife and fish species or the overall continuation of subsistence uses (Case and Voluck 2002: 291-292). ANILCA called for the state to conform to this subsistence preference and to set up a statewide system of advisory councils and committees, in order to increase the public voice in management. If these requirements were not met the state risked losing its ability

to manage wildlife and fisheries on federal land (over half the lands in the Alaska) to federal control. December 2, 1981 was set as the deadline for state compliance and, belatedly, in July 1982 the Boards of Fisheries and Game passed the necessary regulations (Case 1989: 1010-1012; Case and Voluck 2002: 293; Cooper 1987: 7; Caulfield 1992: 25; Shapiro 1997: 117-118).

The long term impact of ANILCA continues to resonate in current wild resource management conflicts. Thornton explains:

it [ANILCA] has been pivotal in framing the contemporary subsistence problem in terms of three divisive cleavages: 1) a cultural divide between Native and non-Natives; 2) a rural-urban split in allocation of scarce resources; and 3) a federal vs. state conflict over management authority. (Thornton 2001: 85)

The urban-rural and Native-non-Native questions voiced in ANILCA mark the continuation of debates over access to resources and Native hunting and fishing rights. It failed to adequately answer either, but instead added the new dimension of federal management alongside the already complicated state system.

### The Current State of Subsistence

In 1983, shortly after the state established regulations in response to ANILCA, 20,000 signatures were collected by Alaskans for Equal Hunting and Fishing in an effort to repeal the state subsistence law through a ballot initiative that was later rejected by the majority of voters in the state (Caulfield 1992: 25;

Subsistence Management Information 2005). In the same year, Sam McDowell, a sportsman from Anchorage and several others initiated a lawsuit aimed at rescinding the rural residency requirement, finding it privileged rural residents while denying access to their urban counterparts that may also be dependent on wild resources (Subsistence Management Information 2005).

The state fell out of compliance with ANILCA after the *Madison v. Alaska Department of Fish and Game* decision in which it was found the rural residency requirement in state regulations did not conform to the state's subsistence statute, which contained no such requirement. In order to prevent a federal takeover of lands the Alaska law was then amended to include the rural criteria under both subsistence uses and the subsistence priority. The state definition of a "rural area", based primarily on economy, was soon revised in response *Kenaitze Indian Tribe v. Alaska* (Caulfield 1992: 25; Case and Voluck 2002: 294; Subsistence Management Information 2005). The court found through its definition of rural the state was simply trying to find a way to "take away what Congress has given, adopting a creative redefinition of the word rural, a redefinition whose transparent purpose is to protect commercial and sport fishing interests" (Case and Voluck 2002: 294).

The state again failed in complying with the management of subsistence outlined in ANILCA in 1989 as a result of *McDowell* case. The Alaska Supreme Court in its ruling on the case found the rural residency requirement of the subsistence priority was in violate the state constitution (Case and Voluck 2002:

293-295; Caulfield 1992: 23; White 1994: 286-287). “Sections 3, 15, and 17 of Article VIII of the Alaska Constitution are collectively known as the equal access clauses. These uniquely Alaskan clauses guarantee equal access to the state’s natural resources to all of Alaska’s citizens” (White 1994: 277). Case explains, “By lumping rural residents together, ANILCA favors a kind of community entitlement to the subsistence preference. The state constitution...requires an individualized preference, based on need or individual reliance on fish and game for sustenance”(Case 1998: 76). In 1990 the rural residency provision was removed from the state subsistence law and the federal government began to take steps toward assuming management of fish and wildlife on its lands, which began on July 1 of that year (Case and Voluck 2002: 295-296; Caulfield 1992: 23; Shapiro 1997: 117-118; Subsistence Management Information 2005). In 1992 the findings in *McDowell* were reaffirmed in *State v. Morry* which further refined the state’s approach to subsistence (Case and Voluck 2002: 295).

The *McDowell* and *Morry* decisions rewrote the state subsistence statutes so that under state law subsistence hunting and fishing is open to all Alaskans, regardless of where they live, on state and private lands, including state and Native Corporation selections and landholdings. The state is required to promulgate subsistence regulations where there is a harvestable population of fish and game, but those regulations need only supply a reasonable opportunity for a subsistence harvest. Finally, the boards may, but are not required to, take customary and traditional

harvest methods into account when developing subsistence regulations.

(Case and Voluck 2002: 296)

In August 1990 the Board of Game set subsistence seasons and bag limits, specifically in regard to moose and caribou, in order to reduce the expected increase in hunting pressure by the mass of urban residents that now qualified as subsistence hunters. Hunts were reduced in 20 areas of the state by an average 15 days (Division of Subsistence 1991: 3).

Since the early 1990s numerous attempts have been made to end the stalemate between the state and federal subsistence laws, including an amendment to the state constitution proposed by Governor Tony Knowles in 2002. The legislation would have cleared the way for a rural preference for subsistence and set up a system through which urban residents, judged on an individual basis, could also qualify for a secondary subsistence preference. Anchorage voters largely supported including the proposal in the upcoming general election but the amendment floundered in a special legislative session (Subsistence Management Information 2005; Thornton 1998: 30; Thornton 2001: 86). There is currently no foreseeable resolution to the impasse and both rural residents and the state's ability to regulate for subsistence have suffered (Caulfield 1992: 23; Thornton 1998: 30). Case and Voluck explain:

The Alaska Supreme Court's 1989 decision in *McDowell v. State of Alaska* substantially polarized the subsistence debate and has led to dual federal

and state management of what has become a complex knot of resource, social, cultural, and political issues. (Case and Voluck 2002: 257)

The prevailing “dual management” structure places 60% of Alaska under the management of the federal government with the remaining 40% (state and private lands) under state control (Thornton 1998: 30). Two different systems of wild resource management, each with accompanying rules and regulations, exist side by side in the state. The Alaska Department of Fish and Game suggests: “A harvester should consult both the federal subsistence regulation booklet and the state subsistence regulation booklet, to be appraised of the complete set of hunting or fishing regulations in a particular area” (Division of Subsistence 2000: 4). To legally hunt individuals must become proficient in two management systems applied alternately to the patchwork of state and federal lands across Alaska.

To use Williams' definition, *subsistence* in Alaska is a keyword not simply because of the current dispute over its meaning but because this dispute directs our attention to larger historical processes. The current legal category of subsistence is the product of debates over hunting and fishing rights, access to limited resources, and the authority of the state over Native People's practices. Its history subsumes the minimalist and “Alaskan”/“Native” notions of subsistence as well as efforts to find a compromise between both that has led to the mire of law and regulation that is the dual management system today. *Subsistence* draws our attention to the increasing governmental role in hunting that seeks to

control the taking of game through law, policy and regulation. This process has drawn various groups with interests in the resource into competition with one another and provides both the terms through which they construct themselves as subjects and the forum for debate. Cotemporary conflicts encompassed in *subsistence* carry these historical and often unresolved and unacknowledged disputes.

## Chapter 5: Conclusion

State hunting regulations, like most efforts of large governmental control, are an attempt to make the practices of the populous legible to the governing body and thus manageable (Scott 1998: 2-3). Regulations are simplifications; land is divided into numbered Game Management Units with subunits for which regulations are designed. Hunting “seasons” are scheduled on a calendar with a limited amount of “legal” hunting days, bag limits are set for the individual, and categories of hunters are defined. Hunting regulations strive to make hunting predictable and manageable but they are only abstractions of actual practice that abridge the act of hunting.

Scott explains government controls, such as regulations, do not accurately represent practices, and are not intended to, but instead focus only on that which is of interest to “the official observer” (Scott 1998: 3). For instance, on the most basic level, hunting regulations fail to account for the uncertainties of the physical environment, such as weather and animal movements. A moose hunt scheduled months in advance cannot anticipate atypical weather conditions or its affect on wildlife. A hunter from Aniak noted one such problem with the September 1-20 hunting season:

... some years, like this year, when it stays warm for a long time and the moose really don't get up and move around...by the time the 20<sup>th</sup> [of September] rolls around they're just starting to move and warm falls and

the opportunity [to hunt] is reduced... (Bob, Interviewed by author, Aniak, Alaska, August 20, 2004)

In addition, regulations generally fail to acknowledge local practices, such as group hunting and the sharing of the kill. In hunting regulations bag limits for each species are set for the individual. For instance, each hunter can legally take only one moose per year in Alaska. This concept of individual bag limits has been described as incompatible with indigenous cultural practices, failing to acknowledge group hunting, in which a kill is not attributed to a single individual, and well-established patterns of sharing through which harvests are distributed along extended family networks (Andersen and Alexander 1992: 8; Magdanz et al. 2002: 109-110; Wolfe and Walker 1987: 68). Hunting regulations, instead of focusing on any such group use, concentrate on controlling the actions of a single individual in order to control the taking of game.

Abstractions, like subsistence, are analogous to the creation of identity categories in a census. Such techniques of governance promote the view that all individuals can be placed into neatly bounded units (Anderson 2006: 166). Hunters fall within three categories: resident, nonresident, or subsistence and a fiction that a commonality exists between all individuals that are grouped together is endorsed. Kertzer and Arel explain of the census, "All people are assigned to a single category, and hence are conceptualized as sharing, with a certain number of others, a common collective identity" (Kertzer and Arel 2002: 5-6). In Game Law, grouping individuals in this manner allows for the wide variability in hunting

to be minimized into one of three legible and thus manageable categories that mask historical and contemporary debates (Scott 1998: 3).

In this manner governmental abstractions create artificial categories through which practices and thus individuals can be managed. This process is evident in Douglas C. Harris work, *Fish, Law, and Colonialism: The Legal Capture of Salmon in British Columbia*, in which he describes the evolution of the contemporary notion of a Native food fishery in Canada. He explains that Native Peoples of the region were exempt from licensing requirements only when fish were used for food, but were obliged to obtain such documentation and to abide by a number of regulations when selling any of their harvest (Harris 2001: 66). This distinction between fishing for sustenance and fishing for sale was creation of the state, alien to indigenous practices. Harris explains:

The food fishery was a construct: an artificial distinction with no historic or traditional roots...Native people had caught fish for food, but also for trade and sale to other Native groups and later to non-Native traders and settlers. These new arrivals created new markets, and their technology designed to catch and process fish made new fisheries possible. These factors, combined with access to capital, meant that immigrants would participate in the fisheries. It was with law, however, that Anglo-Canadians defined the terms on which Natives would participate. The laws that governed the commercial fisheries were apparently neutral. Anyone could fish, acquire a license or open a cannery (as did the Tsimpsean at

Metlakatla). But the prior question of ownership had been shunted aside. Instead of negotiating access to a valued and owned resource, the Canadian state assumed access for all British subjects and reduced prior Native claims to ownership to a tenuous claim to a food fishery. The Native fishery had been a source of wealth, not just of sustenance, and confined it to a local food fishery was a means of reallocating the resource to the canneries.” (Harris 2001: 67)

Subsistence as a type of hunting, like the Native food fishery in British Columbia, is a historically situated artificial construct created to ease management. In doing so, these constructs defined the terms of participation, delineating Native participation while sidestepping issues like indigenous hunting and fishing rights.

Shore and Wright find that policies, like these, provide a means through which such techniques of governance are naturalized and mobilized. Policy, framed within seemingly innocuous, objective terminology, serves to mask its subjective foundation, “in the guise of rational, collective, universal objectives.” In this manner the perspective of the state is made natural and legitimized (Shore and Wright 1997: 11). For instance, although the meaning of *subsistence* is the site of struggle, the need to classify hunters proposed in regulation is rarely disputed.

Policy, extended through the state institutions’ laws and regulations, has become pervasive in virtually all areas of life, molding the ways in which

individuals conceptualize themselves as subjects (Shore and Wright 1997: 4).

The authors explain:

policies not only impose conditions, as if from 'outside' or 'above' but influence people's indigenous norms of conduct so that they themselves contribute, not necessarily consciously to a government's model of social order. (Shore and Wright 1997: 6)

Scott makes a similar point, he explains mechanisms of governmental control "when allied with state power, would enable much of the reality they depicted to be remade" (Scott 1998: 3). Policies, laws, and regulation do not simply provide an incomplete depiction of reality employed to aid governmental control but they provide the means through which individuals must represent themselves in order to participate legally within a particular system, influencing how they understand themselves as subjects. The more pervasive the state system becomes the more individuals must become proficient in the official ordering of reality, the greater these official representations influence conceptions of the self and the world.

This argument is founded on Foucault's work that traces the rise of the modern system of government to shifts from "the "administrative state" of the 15<sup>th</sup> and 16<sup>th</sup> Centuries to the contemporary "governmentalized" state (Foucault 1991; Shore and Wright 1997: 30). The focus of power in the modern era was relocated from the safeguarding of sovereignty to the control of the population and preservation of its well-being. New mechanisms of government geared toward the welfare of the populous, such as institutions, policies, and laws, based on a

particular rational, economic perspective formed the basis of this particular brand of power (Foucault 1991; Rabinow 1984: 20; Shore and Wright 1997: 30-31).

Power and knowledge, in this formulation, are inextricably intertwined providing the foundation and the means through which modern governments preside.

Hunting and fishing regulations are part of this power/knowledge complex, which “reaches into the very grain of individuals, touches their bodies and inserts itself into their actions and attitudes, their discourses, learning processes and everyday lives” (Foucault 1995: 39). They provide the means through which individuals must construct themselves and their practice and provide the forum in which these definitions must be utilized, enforced by state power and legitimated by rational, scientific knowledge.

An example of this process of governmentality at work is provided in Arun Agrawal's book, *Environmentality: Technologies of Government and the Making of Subjects* (2005). The work examines the rise of “new environmental subject positions” in Kumaon, in northern India. The location, site of the Chipko movement, has experienced increasing levels of environmental regulation since the 1860s aimed at protecting the environment. Tracing the shift from authoritarian British colonial regulation to increasing community interaction in and with regulatory bodies the author finds local residents became ever more enmeshed in state sponsored environmental protection through the three shifting sets of relationships. Antagonistic relations between the state and locals were mollified as Kumaon communities throughout the region became sites of

environmental decision making, which Agrawal termed *governmentalized localities*". These sites allowed for the growth of "*regulatory communities*", creating spaces where interaction between residents centering on discussions of the environment leading to new amalgamations and schisms within communities. Finally, individuals' views of the environment, as well as their practices and beliefs, became increasingly shaped by the techniques of governance employed by the state culminating in their constitution as "*environmental subjects*", although this process did not affect all individuals to the same degree. The author finds:

New environmental subject positions emerge as a result of involvement in struggles over resources and in relation to new institutions and changing calculations of self-interest and notions of the self. These three conceptual elements – politics, institutions, and identities - are intimately linked.

(Agrawal 2005: 3)

The author's title, *Environmentality*, refers to the importance of Foucault's work to this project, linking his notion of governmentality with a focus on the environment.

The events currently underway in the Central Kuskokwim are following a similar trajectory to those in Kumaon. The Central Kuskokwim region, designated Game Management Unit (GMU) 19A, part of the larger GMU 19, was historically neglected by the state but has become the site of increasing management activities as the moose population declined. The situation has brought an increased presence of the state in the form of governmental researchers,

management advisory groups, like the CKMMPC, and published and broadcasted regulations, which has saturated the region with the official construction of hunting and hunters. In order to ascertain their place within this regulatory structure and to make claims within it, local hunters must become proficient in governmental abstractions. The process is exacerbated by competing interests to those of local hunters, such as commercial guides and transporters as well as animal rights groups, all of which participate in the state system. In order to compete with these other interest groups in this forum local hunters must employ the category of subsistence.

Local hunters, interviewed in Central Kuskokwim communities of Aniak and Crooked Creek, generally described themselves and their practice as subsistence, linking hunting and fishing to tradition, culture, spirituality and an overall positive way of life. This definition falls in line with more general “Alaskan”/“Native” definition of *subsistence*, distinguished from commercial or sport hunting. However, other understandings of the term, such as the minimalist view, equate this type of resource gathering with poverty and hunger. Both of these readings of *subsistence* are enmeshed in the development of the word as a legal category. A history which entails disputes over hunting rights, priority access to resources, the inclusion of Native Peoples and their practices in game regulation and the meaning of hunting as sport/recreation or an intrinsic aspect of culture. Through an ambiguous definition of *subsistence*, describing it as an

economic activity, the state has sought to circumvent resolving these disputes and instead has left it as a site of contention and competing meanings.

The purpose of this work is not to provide a comprehensive account of governmentality in the Central Kuskokwim or Alaska but instead to examine the beginning of such processes highlighted by the pervasive but contentious notion of subsistence. Such “keywords” not only draw attention to the expansion of government controls into aspects of life previously untouched by such interventions but also its complex nature. Governmental abstractions are the product of historical disputes and evaded questions and are not always accepted or employed as intended. The pervasiveness of *subsistence* does indicate increasing state intervention in hunting and its dominance over discourse but the continuing struggles surrounding the term also indicate that the unresolved questions it has tried to elide remain. The various meanings of *subsistence* espoused by local hunters interviewed for this work as well as other Alaskans extend beyond the official definition indicating that although the category itself has become a facet of individuals’ understanding of hunting, the official definition has not.

## References

- Agrawal, Arun  
 2005 Environmentalism: Technologies of Government and the Making of Subjects. Durham: Duke University Press.
- Alaska Board of Game  
 2004 Spring 2004 Meeting. Fairbanks, Alaska, February 26 - March 10.
- Alaska Department of Fish and Game  
 1976 Alaska Wildlife Management Plan: A Public Proposal for the Management of Alaska's Wildlife, Western Alaska. Draft Proposal. Alaska Department of Fish and Game.
- 2004 Alaska Hunting Regulations: Effective Dates July 1, 2004 - June 30, 2005. No. 45 Petersburg: Petersburg Pilot.
- Alaska Division of Community Advocacy  
 2006a Aniak: Community Information Summary.  
<http://www.dced.state.ak.us/dca/commdb/CIS.cfm>, accessed June 5, 2006.
- 2006b Aniak: Detailed Community Information, 2000 Population and Housing Characteristics.  
[http://www.dced.state.ak.us/dca/commdb/CF\\_BLOCK.cfm?Comm\\_Boro\\_Name=Aniak&Data\\_Type=2000Census&submit2=Get+Data](http://www.dced.state.ak.us/dca/commdb/CF_BLOCK.cfm?Comm_Boro_Name=Aniak&Data_Type=2000Census&submit2=Get+Data), accessed June 5, 2006.
- 2006c Aniak: Detailed Community Information, Economy, Employment, Income and Poverty.  
[http://www.dced.state.ak.us/dca/commdb/CF\\_BLOCK.cfm?Comm\\_Boro\\_Name=Aniak&Data\\_Type=economyIncome&submit2=Get+Data](http://www.dced.state.ak.us/dca/commdb/CF_BLOCK.cfm?Comm_Boro_Name=Aniak&Data_Type=economyIncome&submit2=Get+Data), accessed June 5, 2006.
- 2006d Crooked Creek: Community Information Summary.  
<http://www.dced.state.ak.us/dca/commdb/CIS.cfm>, accessed June 5, 2006.
- 2006e Crooked Creek: Detailed Community Information, 2000 Population and Housing Characteristics.  
[http://www.dced.state.ak.us/dca/commdb/CF\\_BLOCK.cfm?Comm\\_Boro\\_Name=Crooked+Creek&Data\\_Type=2000Census&submit2=Get+Data](http://www.dced.state.ak.us/dca/commdb/CF_BLOCK.cfm?Comm_Boro_Name=Crooked+Creek&Data_Type=2000Census&submit2=Get+Data), accessed June 5, 2006.
- 2006f Crooked Creek: Detailed Community Information, Economy, Employment, Income and Poverty.  
[http://www.dced.state.ak.us/dca/commdb/CF\\_BLOCK.cfm?Comm\\_Boro\\_Name=Crooked+Creek&Data\\_Type=economyIncome&submit2=Get+Data](http://www.dced.state.ak.us/dca/commdb/CF_BLOCK.cfm?Comm_Boro_Name=Crooked+Creek&Data_Type=economyIncome&submit2=Get+Data), accessed June 5, 2006.

2006g Lime Village: Detailed Community Information, 2000 Population and Housing Characteristics.

[http://www.dced.state.ak.us/dca/commdb/CF\\_BLOCK.cfm?Comm\\_Boro\\_Name=Lime+Village&Data\\_Type=2000Census&submit2=Get+Data](http://www.dced.state.ak.us/dca/commdb/CF_BLOCK.cfm?Comm_Boro_Name=Lime+Village&Data_Type=2000Census&submit2=Get+Data), accessed June 5, 2006.

2006h Lower Kalskag: Detailed Community Information, 2000 Population and Housing Characteristics.

[http://www.dced.state.ak.us/dca/commdb/CF\\_BLOCK.cfm?Comm\\_Boro\\_Name=Lower+Kalskag&Data\\_Type=2000Census&submit2=Get+Data](http://www.dced.state.ak.us/dca/commdb/CF_BLOCK.cfm?Comm_Boro_Name=Lower+Kalskag&Data_Type=2000Census&submit2=Get+Data), accessed June 5, 2006.

#### Alaska Game Commission

1925 Regulations relating to the game and fur animals, birds and game fishes in Alaska. Service and Regulatory Announcements. Washington, D.C.: U.S. Department of Agriculture.

#### Alaska Statutes

2002 §16.05.221 (b). LexisNexis.

2002 §16.05.940 (32). LexisNexis.

#### Anderson, Benedict

2006 *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso.

#### Andersen, David B. and Clarence L. Alexander

1992 Subsistence Hunting Patterns and Compliance with Moose Harvest Reporting Requirements in Rural Interior Alaska. Division of Subsistence Technical Paper No. 215. Juneau: Alaska Department of Fish and Game.

#### Barker, James H.

1993 *Always Getting Ready – Upterrlainarluta: Yup'ik Eskimo Subsistence in Southwest Alaska*. Seattle: University of Washington Press.

#### Barth, Fredrik

1998 Introduction. *In Ethnic Groups and Boundaries: The Social Organization of Culture Difference*. Fredrik Barth, ed. Pp. 9-38. Long Grove: Waveland Press.

#### Berger, Thomas R.

1995 *Village Journey: The Report of the Alaska Native Review Commission*. New York: Hill and Wang.

- Brelsford, Taylor, Raymond Peterson, and Terry L. Haynes  
1987 An Overview of Resource Use Patterns in Three Central Kuskokwim Communities: Aniak, Crooked Creek, and Red Devil. Technical Paper, 141. Fairbanks: Alaska Department of Fish and Game, Division of Subsistence.
- Camerino, Vicki  
1977 Subsistence in Alaska and the Effect of H.R. 39. American Indian Journal 3(12):16-22.
- Case, David S.  
1989 Subsistence and Self-Determination: Can Alaska Natives Have a More "Effective Voice"? University of Colorado Law Review. 60(4): 1009-1035.  
1998 Will Federal or State Management Afford Alaska Natives a More Effective Voice. Cultural Survival Quarterly 22(3): 73-78.
- Case, David S. and David A. Voluck  
2002 Alaska Natives and American Laws. Fairbanks: University of Alaska Press.
- Caulfield, Richard A.  
1992 Alaska's subsistence management regimes. Polar Record 28(164):23-32.
- Central and Lower Kuskokwim Fish and Game Advisory Committee  
1996 Meeting, December 13, 1996. Sleetmute, Alaska.
- Central Kuskokwim Advisory Committee  
1999 Meeting, October 2, 1999. Upper Kalskag, Alaska.
- Charnley, Susan  
1982 Resource Use Areas in the Aniak and Oskawalik River Drainages. Technical Paper, 50. Bethel: Alaska Department of Fish and Game, Division of Subsistence.  
1983 Moose Hunting in Two Central Kuskokwim Communities: Chuathbaluk and Sleetmute. Technical Paper, 76. Bethel: Alaska Department of Fish and Game, Division of Subsistence.  
1984 Human Ecology of Two Central Kuskokwim Communities: Chuathbaluk and Sleetmute. Technical Paper, 81. Juneau: Alaska Department of Fish and Game, Division of Subsistence.

Cooper, Donald S.

- 1987 Brief Overview of the Legislative History and Scope of ANILCA. *In* The Legislative Framework of Subsistence Regulation in Alaska. Alaska Bar Association. Pp.1-8.

Cote, Diana, Margaret Edens, and the Alaska Department of Fish and Game Boards Support Section Staff.

- 2002 Advisory Committee Manual. Juneau: Alaska Department of Fish and Game.

Division of Game, Alaska Department of Fish and Game

- 1973 Alaska Game Management Policies. Alaska Department of Fish and Game.

Division of Subsistence, Alaska Department of Fish and Game

- 1990 How Alaska's Subsistence Law Affected Hunting Regulations. Juneau, Alaska Department of Fish and Game.  
 1991 Subsistence Management in Alaska: 1991 Update. Juneau: Alaska Department of Fish and Game.  
 2000 Subsistence Management in Alaska: A Year 2000 Update. Juneau: Alaska Department of Fish and Game.

Division of Wildlife Conservation, Alaska Department of Fish and Game.

- 2004 Central Kuskokwim Moose Management Plan.  
 2006a Central Kuskokwim Moose Hunting Update – February 2006  
 2006b Central Kuskokwim Moose Hunting Update – May 2006.

Foucault, Michel

- 1991 Governmentality. *In* The Foucault Effect: Studies in Governmentality. Graham Burchell, Colin Gordon and Peter Miller, eds. Pp. 87-104. Chicago: University of Chicago Press.  
 1995 Discipline and Punishment: The Birth of the Prison. New York: Vintage.

Harris, Douglas C.

- 2001 Fish, Law, and Colonialism: The Legal Capture of Salmon in British Columbia. Toronto: University of Toronto Press.

Hensel, Chase

- 1996 Telling Our Selves: Ethnicity and Discourse in Southwestern Alaska. New York and Oxford: Oxford University Press.

Hrdlička, Aleš

- 1943 Alaska Diary, 1926-1931. Lancaster: The Jaques Cattell Press.

Huntington, Henry P.

1992 Wildlife Management and Subsistence Hunting in Alaska. Seattle: University of Washington Press.

Jonrowe, DeeDee

1980 Middle Kuskokwim Food Survey: December 1979. Technical Paper, 51. Bethel: Alaska Department of Fish and Game, Division of Subsistence.

Kancewick, Mary and Eric Smith

1991 Subsistence in Alaska: Towards a Native Priority. UMKC Law Review 59(3): 645-677.

Kari, Priscilla Russell

1985 Wild Resource Use and Economy of Stony River Village. Technical Paper, 108. Juneau: Alaska Department of Fish and Game, Division of Subsistence.

Kelso, Dennis D.

1981a Presentation to the special committee on subsistence. House of Representatives, Alaska State Legislature. Division of Subsistence Technical Paper No. 63 Juneau: Alaska Department of Fish and Game.

1981b Technical Overview of the State's Subsistence Program. Division of Subsistence Technical Paper No. 64. Alaska Department of Fish and Game.

Kertzer, David I. and Dominique Arel

2002 Census, Identity Formation, and the Struggle for Political Power. In Census and Identity: The Politics of Race, Ethnicity, and Language in National Censuses. Cambridge: Cambridge University Press.

Lazarus, Arthur Jr. and W. Richard West, Jr.

1976 The Alaska Native Claims Settlement Act: A Flawed Victory. Law and Contemporary Problems 40(1):132-165.

Leopold, Aldo

1986 Game Management. Madison: University of Wisconsin Press.

Lonner, Thomas D.

1981 Perceptions of Subsistence and Public Policy Formation in Alaska. Division of Subsistence Technical Paper No. 68. Anchorage: Alaska Department of Fish and Game.

- Magdanz, James S., Charles J. Utermohle, and Robert J. Wolfe  
2002 The Production and Distribution of Wild Food in Wales and Deering, Alaska. Technical Paper, 259. Juneau: Alaska Department of Fish and Game, Division of Subsistence.
- Morrow, Phyllis and Chase Hensel  
1992 Hidden Dissension: Minority-Majority Relationships and the Use of Contested Terminology. *Arctic Anthropology* 29(1):38-53.
- Oswalt, Wendell H.  
1980 Historic Settlements along the Kuskokwim River, Alaska. Historical Monographs, 7. Juneau: Alaska Division of State Libraries and Museums.  
1990 Bashful No Longer: An Alaskan Eskimo Ethnohistory, 1778-1988. Norman: University of Oklahoma Press.
- Rabinow, Paul, ed.  
1984 The Foucault Reader. New York: Pantheon Books.
- Sacks, Jeremy David  
1995 Culture, Cash or Calories: Interpreting Alaska Native Subsistence Rights. *Alaska Law Review* 12(2):247-291.
- Scott, James C.  
1998 Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed. New Haven: Yale University Press.
- Shapiro, David G.  
1997 Jurisdiction and the Hunt: Subsistence Regulation, ANILCA and Totemoff. *Alaska Law Review* 14(1):115-140.
- Sherwood, Morgan B.  
1981 Big Game in Alaska: A History of Wildlife and People. New Haven: Yale University Press.
- Shore, Cris and Susan Wright  
1997 Policy: A New Field of Anthropology. *In Anthropology of Policy: Critical Perspectives on Governance and Power*. Cris Shore and Susan Wright, eds. Pp. 3-33. London: Routledge.
- Stern, Richard O.  
1986 Natives, Prospectors, and Travelers [sic] Upon the Land. Alaskan Game Regulations and Their Impact Upon Regulated People and Animals. Paper presented at the 13<sup>th</sup> Annual Conference of the Alaska Anthropological Association, Fairbanks, Alaska. March 7-8 Draft.

Stickney, Alice A.

- 1980 Middle Kuskokwim Rood Resource Survey: Status Report. Technical Paper, 52. Bethel: Alaska Department of Fish and Game, Division of Subsistence.
- 1981 Middle Kuskokwim Food Survey – II. Technical Paper, 53. Bethel: Alaska Department of Fish and Game, Division of Subsistence.

Subsistence Management Information

- 2005 Management History. <http://subsistmgtinfo.org/history.htm>, accessed December 13, 2005.

Thornton, Thomas F.

- 1998 Alaska Native Subsistence: A Matter of Cultural Survival. *Cultural Survival Quarterly* 22(3): 29-34.
- 1999 Subsistence: The Politics of a Cultural Dilemma. *In Alaska Public Policy Issues: Background and Perspectives*. Clive S. Thomas, ed. Pp. 205-233. Juneau: The Denali Press.
- 2001 Subsistence in Northern Communities: Lessons from Alaska. *The Northern Review* 23: 82-102.

U.S. Congress, House.

- 1902 Game Law in Alaska. House Report 951. 57<sup>th</sup> Congress. 1<sup>st</sup> Session.

White, Stephen M.

- 1994 "Equal Access" to Alaska's Fish and Wildlife. *Alaska Law Review* 11(2):277-300.

Williams, Raymond

- 1985 *Keywords: A Vocabulary of Culture and Society*. New York: Oxford University Press.

Wolfe, Robert J. and Robert J. Walker

- 1987 Subsistence Economies in Alaska: Productivity, Geography, and Development Impacts. *Arctic Anthropology* 24 (2):56-81).

Worl, Rosita

- 1998 Competition, Confrontation, and Compromise: The Politics of Fish and Game Allocation. *Cultural Survival Quarterly* 22(3): 77-78.

Zilys, Vernita

- 1985 What does 'subsistence' mean? *Village Voices*. September.