

## Living cultures, subsistence, and the inhabited wilderness

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The theme of this panel's session is about crossing boundaries to implement the vision. I would suggest to you that the greatest challenges and greatest potential for achievements for the National Park Service (NPS) over the next millennium will be to *cross cultural boundaries* and implement *true partnerships* for accomplishing that vision.

Some people say that marrying subsistence and cultural use to the national park idea is one of the most outstanding features in the story of Alaska's national parks. Others have serious doubts whether NPS has the willingness, courage, attitude, policy, or regulatory ability to truly work with living cultures and subsistence. The final chapter has not yet been written.

### Inhabited wilderness

The focus of my presentation is about living cultures, subsistence, and the inhabited wilderness. But first, let's step back a bit in cultural time, say about 25 millennia ago. In Alaska, areas that are now called parks and wilderness areas encompass some of the oldest inhabited land in North America. Archeologists theorize that early humans entered the North American continent between 25,000 and 28,000 years ago, crossing over the now submerged land mass called the Bering Land Bridge. More contemporarily, radiocarbon-dated archeological sites put early humans on the Alaskan landscape 12,000 to 14,000 years ago, and more specifically within the Denali National Park area, 10,000 years ago. Most important of all, though, is that Alaska native people have maintained an intricate and vital connection to the land for countless generations—and that this vital connection continues to be essential for their cultural, spiritual, and economic way of life.

### Natural ecosystems

Regardless of where one goes in Alaska, the fundamental truth is that Alaska native cultures have evolved with the ecosystems and landscapes since time immemorial. This relationship and connection to the land, water, and resources has remained unbroken. Congress, through the Alaska National Interest Lands Conservation Act (ANILCA) recognized the importance and significance of the cultural and subsistence component in Alaska's natural ecosystems, and incorporated protections into the law to ensure the opportunity to engage in a subsistence way of life.

Traditional ecological knowledge is the system of knowledge gained by experience, observation, and analysis of natural events that is transmitted among members of a community. In the subsistence economy, traditional ecological knowledge is used to find, harvest, process, store, and sustain natural resources that are needed for food, clothing, and shelter. It also includes the ability to recognize, avoid, and get out of dangerous situations. Traditional ecological knowledge is built on recognizing patterns in the environment in order to understand migrations and cyclic events that can be relied upon for food and safety.

Conservation and perpetuation of subsistence resources is part of the subsistence way of life that is mandated by traditional law and custom. Traditional laws, which

are passed down from generation to generation, remain intact through repetition of legend and observance of ceremonies that were largely concerned with use of the land and water, and the resources therein.

Common to all Alaska native cultures are a number of guiding principles established and enforced through customary laws. Alaska native peoples are taught at a very young age that they are not to waste subsistence resources, especially fish and wildlife, and that they are to take only what is needed and when it is needed. They are to treat all living things with respect, and they are not to damage the land without cause. And most significantly, they are taught the importance of family and community and the need to share their harvests and resources with those in the community or village who are in need.

### **Customs and traditions**

Geographically, Alaska is a huge and diverse state, and native cultures have evolved accordingly. What is customary and traditional for the Inupiat of the Arctic tundra north slope may be significantly different from the Athabaskan Indians of the interior boreal forest. What is customary and traditional for the western coastal Yupik Eskimos may be significantly different from the southeastern Tlingit and Haida, or the interior or Arctic-slope brethren.

NPS management and regulations need to be responsive to these regional differences in customs and traditional practices. In the past, NPS management has been a one-shoe-fits-all type of approach. Ecosystems and native cultures are not static in time. Environmental changes, resource availability, technological advances, and use practices have all changed over time and will continue to evolve. NPS policies and management need to be responsive in recognizing and accommodating culturally accepted and emerging traditional practices, where appropriate. The one-shoe-fits-all and stagnant regulatory process continues to pit NPS management against the dynamics of a living culture.

Alaska native cultures have seen great changes in this last century, including the imposition of Western laws and governments, radical changes in the economy and resource development, significant technological advances, global environment change, in some cases devastating losses in their populations to Western diseases, and, in recent years, improving health care. These changes have at times been beneficial, and at times traumatically impacting. Yet native people have adapted; they have had to be dynamic and flexible to survive. But there's one thing that has not changed, a basic link that has never been broken or abandoned: the fundamental connection between the native people and the landscape. For most Alaska natives, subsistence is synonymous with culture, identity, and self-determination.

### **Indigenous and Euro-American systems**

Alaska native political systems operate to regulate subsistence practices in rural areas, particularly where Alaska natives comprise the cultural majority. Local power and authority tends to be decentralized across a number of subgroups, including kinship groups, clans, bands, villages, and tribal groups, depending upon the indigenous society. The recognized leaders with authority over local subsistence matters are usually elders, heads of kinship groups, and highly productive harvesters and processors.

Decisions are made by consensus for the local society and carried out collectively. These decisions follow and form the customary rules of the local society and occur within the context of existing state and federal laws. The decisions are political in content, not just economic, for they deal with issues of power, authority, land use rights, and proper use of village areas. The corpus of customary law dealing with subsistence is almost never codified in writing. It is usually transmitted through oral tradition, customary practice, or ritual. Group order and compliance in the native system is maintained primarily through social pressure and the weight of traditional

sanctions within the local society. The indigenous system stands in stark contrast to the Euro-American resource management system.

The Euro-American political system operates through a centralized hierarchical political process involving state and federal branches. Each of these governments exerts control over portions of Alaska's lands, waters, and resources. Each government agency has a bureaucratic structure that regulates through statutory mandates, which often differ between the agencies. These agencies' centers of operations are located distantly in large urban areas such as Anchorage, Juneau, and Washington, D.C. Management of uses includes a complex system of licenses, permits, tags, allowable seasons, and bag limits that are established through regulations. These regulations are very often burdensome and culturally inappropriate in remote rural areas. Violators of fishing and hunting regulations are prosecuted in the judicial system and are subject to fines and jail sentences.

#### **Cultural regulatory conflicts**

Early interactions between the U.S. government and Alaska's natives were generally deplorable and, seen from a contemporary perspective, regrettable. Until the late 1970s, there were no laws that required the federal and state governments to pass fishing and hunting regulations favorable to native subsistence users. Without this legal requirement, fishing and hunting regulations in Alaska were created primarily to serve Euro-American commercial fishing interests, sport fishing interests, and sport hunting interests, and only secondarily subsistence interests. This type of fish and game management system created numerous problems for subsistence users. Many traditional fisheries and hunts were closed to subsistence users. Short sport hunting seasons were instituted in place of longer traditional hunting and fishing periods, such as winter hunts and spring waterfowl hunting and gathering. Furthermore, imposition of individual non-transferable fish and wildlife licenses, registration permits, drawing permits, and harvest limits were instituted in state and federal laws. The net result has been a forced departure from many traditional practices and a criminalization of many aspects of the subsistence cultural way of life.

A fundamental aspect of subsistence harvest is based upon efficiency and economy of effort. In most native cultures, there are households who are very skilled and successful as harvesters, whether it is fishing, hunting, or gathering. Typically in rural Alaska, these very productive households harvest for a large number of people or families in the village. Generally, 30% of the households in a given rural community typically account for 70% of the community's subsistence harvest. State and federal laws have only recently begun to change after years of litigation. In some rural villages in Alaska, court-ordered community harvest quotas with traditional harvest seasons have finally been re-established.

#### **Cultural conservation conflicts**

Sometimes even the best-intended conservation practices are in direct conflict with traditional Native conservation perspectives and beliefs. A good example of this is the Western practice of catch-and-release fishing recommended by agencies and sport fishing organizations. Native people are taught to respect all resources and that one never wastes, misuses, plays with, or disrupts subsistence resources, especially fish and wildlife. Their ethics teaches them that when fish and animals are mistreated, the natural order becomes disrupted and people risk future food shortages.

To play with fish by catch-and-release sport fishing is disrespectful and violates traditional values. It is believed that disrupting fish in this manner cause the fish to move away and perhaps never return. Native cultures are also very upset by the injury and mortality caused by sport fishermen playing with the fish. Studies have shown, and native people have witnessed, high rates of mortality as a result of poor catch-and-release techniques and handling practices. Improperly sized fishing tackle, barbed hooks, playing fish to exhaustion, mishandling of caught fish, improper hook

removal, and poor release practices produce high rates of injury and mortality in fish. This is especially problematic for resident fish populations such as sheefish, rainbow trout, and pike, which can live to be 8-14 years of age. We do not have the time to discuss the full range of cross-cultural conflicts, but as you can see, there are huge cultural boundaries yet to be traversed.

### Consultation and coordination

Through ANILCA, Congress mandated that agencies consult and coordinate with subsistence advisory groups regarding subsistence management issues. In NPS, we work most directly with our park subsistence resource commissions. We also work with local fish and game advisory committees, local tribal councils and regional native associations, the federal subsistence regional advisory councils for our area, and the federal subsistence board. These are all examples of Euro-American political systems of “*cooperative management*” where the advisory groups recommend and advise, but have no real say or direct involvement in the final decision-making process.

Federal and state subsistence statutes, crafted as compromises between federal, state, and Alaska native governments in the late 1970s and the 1980s, have not achieved adequate protections for native subsistence systems. Park Service regulations established in 1981 took a very conservative and restrictive approach in dealing with eligibility, access, and subsistence use. Understandably so: NPS had little experience in dealing with living cultures and consumptive uses to the degree provided for by ANILCA. Regulations were written as strictly as ANILCA and the public would allow, with the intention to limit subsistence use and activities to those levels, and places, and uses employed at the time of ANILCA’s passage. Regulations and policies were written and imposed on a statewide basis for agency consistency and convenience. These types of management practices proved very awkward and dysfunctional for working with dynamic living cultures. It has taken two decades and numerous lawsuits to advance subsistence management to where it is today.

### Cooperative management vs. co-management

For Alaska in the long term, resolution of difficult interactions between the indigenous and the Euro-American management systems should be achieved through additional changes in federal and state laws. In Alaska and all across the high Arctic, indigenous people are calling for recognition of the value of traditional ecological knowledge in regard to conservation, resource management, and development of regulations. In the best of circumstances, experts from Euro-American and indigenous traditions share and apply their knowledge cooperatively to solve management problems.

There are a number of good co-management models NPS should be seriously considering if they truly want to *cross cultural boundaries* and establish *true partnerships*. Good examples of these would be the Alaska Eskimo Whaling Commission’s approach regarding the number of strikes and the harvest of bowhead whales, the U.S. Fish and Wildlife Service work with tribes and villages on spring migratory waterfowl hunting in the Yukon and Kuskokwim deltas, the state of Alaska’s work with natives regarding harvests of walrus from the Round Island Preserve in Bristol Bay, the work of the Kilbuck caribou working group in the lower Kuskokwim drainage, or that of the regional advisory councils in allocating wildlife harvest quotas to villages through federal regulations.

These are examples of circumstances where Alaska native groups have organized resource management entities to represent their interests in the Euro-American resource management system. These entities are recognized and function as *true partners* with active involvement in the decision-making process. Under these agreements, common goals are identified, management approaches are developed in a negotiated process, and resource management plans are presented to native and non-native governing authorities for review and endorsement.

### **Conclusion**

Having witnessed firsthand the transition from the territorial days to statehood, and the last two decades of federal subsistence management since passage of ANILCA, I am led to the conclusion that if the National Park Service is to be successful 50, 100, or 200 years from now in implementing the vision, it will have to cross cultural boundaries and establish true partnerships in some form of co-management. The challenges and measures of success for NPS in the 21st century go far beyond simple conservation and preservation by implementation of regulations and laws from afar. Ultimately, success will have to be found through true partnerships with local subsistence users, native groups, and park managers. To achieve the vision for the future, we must find a way to empower Alaska's living cultures and provide them a meaningful role and involvement with management decisions that could affect their lives, activities, and cultural practices. Only recently have these partnerships begun to be formed.