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TRANSCRIPT OF PROCEEDINGS

ROUNDTABLE DISCUSSIONS

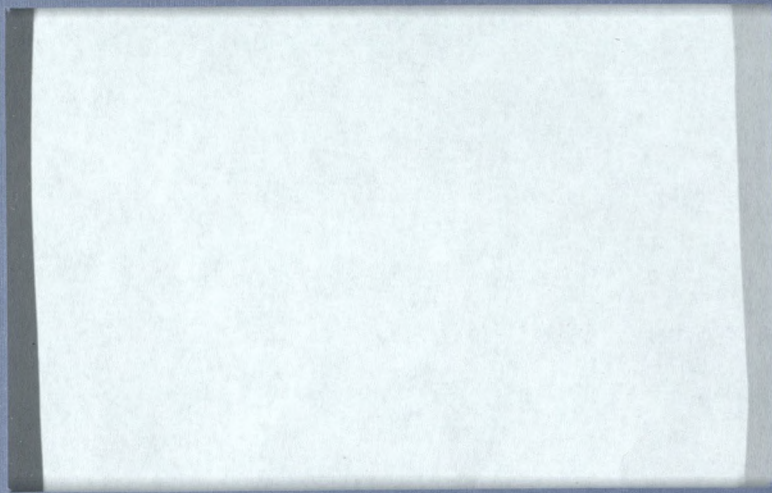
VOLUME XVIII

SUBSISTENCE

OCTOBER 13, 1984

ALASKA NATIVE REVIEW COMMISSION
HON. THOMAS R. BERGER
COMMISSIONER

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Transcripts of the Alaska Native Review Commission are produced in two series. Those in Roman numerals are for the Roundtable Discussions. Those in Arabic numbers are for the Village Meetings.

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Roundtable on Subsistence

October 10, 11, 12 & 13, 1984
Anchorage, Alaska

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1 (SUBSISTENCE ROUNDTABLE)
2 (ANCHORAGE, AK)
3 (OCTOBER 13, 1984)
4 (MEETING CONVENES)
5 (TAPE 13, SIDE A)

6 MR. BERGER: Well, maybe we
7 should think about starting...Well, let's take our seats...Well,
8 I want to welcome you all to the fourth and final day of this
9 roundtable. And as we all I think expected, there's been a
10 slight falling off in attendance because some from out of town
11 had to return home last night. But I'm glad that you're all
12 here this morning. We've had some questions about transcripts
13 and so on. And maybe I could just say that there will be a
14 series of four transcripts of the four days of our discussions
15 here at the roundtable and we will have Steve Langdon's paper
16 printed as the fifth volume of the transcript of these
17 proceedings, because many have referred to it. It hasn't been
18 read in, but I think it's useful background to all that has
19 been said. The transcripts will be prepared in the next few
20 weeks. They will be available from the Commission at a nominal
21 charge, as described in the handout on the table by the door.
22 But if a participant or the organization that you represent, if
23 you can't afford the transcripts, other arrangements can be
24 made. Just speak to Don Gamble, who's over there, or Joyce
25 Johnson, who's at the back there. And, also, we're having an
index made, and you can speak to Don and Joyce about that, as
well.

Well, what I thought we
would do this morning is this, if it meets with your approval.
Harvey Feit will continue with his outline of subsistence in
the, under the James Bay and Northern Quebec settlement in
Canada, and we will then have the opportunity of asking him
some questions and making observations. Then we will ask Dan

1 Gross to talk about subsistence in South American and the third
2 world generally, and we will ask him some questions and make
3 any observations about his presentation. And then to conclude,
4 I thought we would ask Joe Meeker to draw back and indicate
5 what, in his view, is the meaning of all of this, and to
6 indicate the lessons not only for the Arctic and sub-Arctic
7 regions of the world but what does all of this mean to Americans
8 in the lower 48, urban Anchorage, and the urban world
9 generally. And then I thought, giving Joe later this morning
10 the chance to lead that discussion off, we might just all
11 participate and each feel free, each of us feel free to offer
12 any views on what we've been discussing here, and
13 particularly on what Joe has in mind. And then we will take
14 as long as we think appropriate with that discussion, and then
15 we will adjourn. So, I should say that when we adjourn today
16 we will be inviting you all back to the offices of the Alaska
17 Native Review Commission for refreshments. So, we are ready to
18 resume the discussion of Harvey Feit's presentation of the
19 subsistence regime under the James Bay and Northern Quebec
20 settlement in Canada.

16 Harvey had told us
17 yesterday about the income support program to enable Cree
18 families to live out on the land, and he had indicated to us
19 the extent to which the families had increased, that is the
20 numbers living out on the land had increased, and yet there had
21 been no undue pressure on big game. Just two things to bear in
22 mind. The figures regarding the dollars that Harvey used are,
23 I believe, Canadian dollars, and so you should deduct 25% if
24 you're making the conversion to American, to real money. And
25 the other thing, I was just going to suggest to Harvey that he
might tell us at some point before he concludes his
presentation whether this is really just a glorified welfare
scheme that they've thought up in James Bay and northern

1 Quebec, and how he would answer that suggestion. So, the floor
2 is yours again, Harvey.

3 MR. FEIT: Thank you. I
4 thought I'd touch in three issues, and I think they match the
5 question as well. One would be to pick up with the theme of
6 self-government and self-management, and talk a bit about the
7 Cree system of self-management and self-government, and how
8 that relates to the structure of the agreement. The second
9 would be to deal with how the agreement was structured on the
10 assumption, as I understand it, that self-management could be
11 coordinated and to some degree integrated with relationships
12 with government and with joint management with government, that
13 is that it didn't necessarily mean a radical separation. And
14 then thirdly I thought I'd just pick up some of the themes that
15 have struck me the last few days, that just rang a lot of
16 resonances with things that had come out of the experience that
17 I shared in James Bay, and just throw those out as themes that
18 seem to me to be common and possibly basic.

19 The Cree objective, as I
20 understand it, is and was self governance and sovereignty. The
21 sovereignty issue is a long-term objective, and within the
22 terms of the James Bay Agreement there was really an
23 opportunity to pursue self-governance and self-management much
24 more than there was an opportunity to pursue sovereignty as
25 such, although new opportunities to pursue sovereignty have
come with the revision of the Canadian constitution. Within
the goal of self-governance and self-management, I think we can
see that goal working in something like the income security
program.

26 People in the James Bay
27 area had been using money coming from the government for a long
28 time in order to subsidize or finance their cash needs in the
29 hunting sector. Since the period of the 1940s, when basic

1 social security benefits started to be paid, they represented a
2 very significant part of the cash income, and Cree hunters had
3 used those benefits in order to meet the needs for new weapons,
4 new equipment, the services they needed in order to continue
5 hunting. The problem was that they felt that the same time
6 these funds were aiding in their hunting and subsistence
7 activities, they also felt that it was creating a dependence on
8 government. And this wasn't, didn't come to a head for a
9 couple of decades, until the early 1960s, when the government,
10 when economic development started to occur in the James Bay
11 region. Mines opened, forest developments opened, and the
12 government said, well, people should give up hunting and take
13 real work, they should start employment. And in order to force
14 people into employment, the government started to change the
15 way it paid welfare. For example, it wouldn't pay social aid
16 benefits at three or four months blocks, so that people could
17 go out on the land for three or four months and then come back.
18 They started to pay it on a monthly basis. They started to
19 insist that the children had to be in school if people wanted
20 to get social security payments. And so it really came to a
21 head in the 1960s, with that dependence in government funding
22 and on the cash needs of hunting, could really restrain
23 peoples' ability to go out on the land and to use the land the
24 way they wanted, they had to adapt their organization to meet
25 the demands and pressures that were being put on them.

And so in looking at
alternatives, people tried to design in the income security
program a program that gave them the freedom to use money as
they wanted, and that restricted the government's ability to
use those funds to control them and to direct what they were
doing. And the key elements were, for example, that the
government is obliged to transfer the funds to the board, but
the government itself has no other say once the agreement was

1 reached in how the program works. The program is structured
2 and government can't change it unilaterally. It can't set up a
3 new set of rules for paying those monies. Those monies are paid
4 according to the principles set out. The principles include
5 both the structure of the program and the principle that it
6 shall aid and assist the maintenance of Cree hunting and its
7 economy. There's also a basic right of beneficiaries to
8 benefit, unlike social aid payments or anything like that.
9 Beneficiaries who qualify, that is, who spend enough time
10 hunting, have the right to receive benefits. And if the
11 government tries to play with the terms they have the right to
12 go to court and challenge them. So that there was a structural
13 or a formal legal sense in which the Cree sought to make this
14 program a program that would transfer funds from the
15 governments, but that would do it in a way that allowed them
16 complete freedom on how they used and disposed of those monies,
17 how they adapted it to their needs as hunters, what they spent
18 it on, and how...and on the other side that didn't allow the
19 government any opportunity, or hardly any opportunity, to try
20 and use the transfer of those funds to manipulate or alter the
21 Cree economic system.

17 In terms of...I'll take
18 that one step further, I guess. That's sort of the
19 legal/formal view of it. I think there are other views. The
20 government justifies its participation in the program largely
21 as a job creation program. Government doesn't treat it as a
22 welfare program. When this program is defended in public,
23 when it goes before Parliament and the funding is discussed,
24 it's discussed as a job creation program. It's a means of
25 creating productive work, or making productive work possible
for a sector of the people of Quebec and Canada. And it's seen
in that sense much like job creation programs where governments
give aid to various industries and various corporations to

1 create jobs. It's another form of government, the use of
2 government funds to create the possibility of productive
3 activity in the economy, such as it would be in grants to the
4 mining sector, to forestry, to train and create jobs for
5 people. So that that's the way it gets publicly legitimated by
6 the government. In terms of people in the Cree communities, I
7 think people in the Cree communities have always, they share
8 that view, I think, in part. First, there has been no history
9 of the Cree feeling that welfare made them dependent. The
10 tradition as I have understood it in the Cree communities was
11 always that welfare was a payment for a long history of exploi-
12 tation, and people have never allowed themselves, people have
13 never, I've never heard the comment, the negative comment about
14 welfare dependence, even before income security. With respect
15 to income security, people view it as a very clear statement
16 that, a very clear payment for productive activity. You don't
17 get it just because you're Cree, you get it because you go out
18 and you do hard work and work that people want to do and work
19 that people feel is productive. The problem that people say is
20 that we just don't get enough cash from that. We get food, we
21 get housing, we get medicine, we get clothes, we get the equip-
22 ment we make, we do all of these things and we're productive,
23 and yet we don't have enough cash out of it, by selling off
24 furs, because that's the major thing that we can produce out of
25 that activity. And so people see it as a payment for or re-
lated to the fact that they're active and productive. And so
in the communities, in the Cree villages, people I think don't
see it as a welfare system.

Having said that everyone
doesn't look at it as a welfare system, that doesn't mean that
there aren't people in the public who say, "look at those guys
over there ripping off the government." There is a sector of
the public that certainly says that. But I think the key

1 element is that there is a reply to that, and replies to that
2 are made by everyone involved, from the government agencies to
3 the Native peoples themselves.

4 So the income security
5 program was essentially seen as a program that really aided
6 Cree self-governance and it's Cree management. I guess to make
7 that clear I wanted to talk if I could just, I'll try and make
8 it in about five minutes, about what I understand are the Cree
9 system of self-governance and the kind of knowledge and social
10 organization that it depends on. Cree hunters...Cree lands
11 are divided into hunting territories that range, that are
12 contiguous tracts of land, that range anywhere from about 100
13 square miles up to about 1,500 square miles. And there are
14 approximately 300 of these in the Cree area. The territories
15 are said to be owned by individual Cree, usually elders. And
16 they have, their men who have hunted on these lands over,
17 usually over the course of their lives, and over several
18 decades. And they are people who develop a tremendous sense of
19 the history of wildlife and the tremendous knowledge of the
20 wildlife of that land. And this was critical in negotiating
21 the James Bay Agreement, because the Cree were trying to say to
22 the government, "We have a system of management that allows us
23 to regulate wildlife, and to manage the key wildlife resources,
24 and we want a system in this agreement that recognizes our
25 ability and that doesn't conflict with it and that doesn't
reduce that ability." And so they had to argue with government
agents over the table that they could in fact and were in fact
managing wildlife resources. And they sat down and explained
over the negotiating table how, the kind of knowledge that
people collected. How the hunters, the managers of the hunting
territories, how they could talk about trends in game popula-
tions, how they could manage moose and beaver. They talked
about how, in the case of moose, people watched trends in the

1 frequency of the twinning, the birth of twin animals, how they
2 looked at changes in the frequency of conception and birth
3 among the adult females. They talked about how they looked at
4 trends in the age structure of the population. They talked
5 about how they looked at trends in the total number of moose,
6 they talked about they looked at trends in how many moose would
7 live together in winter. All of these factors that they were
8 looking at are precisely the factors that game and wildlife mana-
9 gers try to look at in order to determine how a moose popula-
10 tion is doing, whether it's in strong biological condition or
11 not. Except that of course Cree hunters could talk about how
12 it was, how these indicators of the condition of moose had
13 developed and how they had evolved over decades. And they
14 could do it with detailed knowledge of each 100 or 300 square
15 miles of land, whereas wildlife managers had to talk about what
16 they thought about those things on the basis of a one-month
17 survey every three years, over 100,000 square miles. And so
18 the point was effectively made, I think, in those discussions,
19 that Cree did have knowledge that could be recognized and that
20 was knowledge that non-Native scientists had to recognize was
21 appropriate knowledge about the game and wildlife.

17 Some of the things that
18 they mentioned in the discussions, and in the court case, were
19 really, kind of bowled people over. I remember one that was
20 really interesting was that in the case of beaver they look at
21 the cohort, the number of young in each colony and so forth,
22 but they mentioned that when women butcher beaver they look for
23 placental scars in the female beaver, in order to determine how
24 many young the female have had in the previous birthing season.
25 And so they were using precisely the methods that biologists
would have liked to use, except that the Cree were examining
possibly 700 beaver a year, whereas biologists were examining
25 beaver every five years, in order to get an idea of what was

1 going on reproductively. And so that the point was really made
2 that Cree had a tremendous amount of knowledge and that there
3 was the knowledge in order to...that was needed in order to
4 manage game. I think also that the argument was made that the
5 Cree cultural system, Cree beliefs, although phrased in a very
6 different way than a scientific system, were beliefs that
7 incorporated obvious ecological principles. The basic idea of
8 the unity of man and animal, spiritually and materially and
9 practically, was essentially...I don't want to reduce it to
10 this statement, but it's very similar to the very cold, practi-
11 cal scientific statement that there's an ecosystem which re-
12 lates us all together. And if you use Cree knowledge you end
13 up with similar, you end up with possibly a better and more
14 subtle set of understandings, but you don't end up with some-
15 thing that conflicts with ecological science and knowledge.
16 You end up with something that's better than ecological science
17 and knowledge, possibly.

18 So that there was a strong
19 argument made that the Cree had a system of self-governance and
20 self-management and that it had to be respected. That was done
21 in the agreement largely by deciding that the agreement itself
22 should recognize the essential elements of the Cree system, but
23 it shouldn't define them, it shouldn't constrain them and
24 formalize them in any way. So that in the James Bay Agreement
25 there are really just two or three key statements made about
26 it. One says that everyone recognizes that there's a system of
27 hunting territories, they're called traplines technically in
28 this area, although they're quite different than the kind of
29 traplines Peter's been talking about. That there is a system
30 of traplines, and that a trapline, it defines a trapline. A
31 trapline is under the area of a Cree tallyman, as he's called
32 in the agreement, a Cree elder. And then it says, a Cree
33 tallyman is a man who is recognized by the Cree community as

1 looking after a Cree trapline. So the definitions essentially
2 leave it entirely to the Cree community to define what hunting
3 territories are and what the owners of hunting territories are,
4 what their rights and responsibilities are. And then there's
5 one other principle which is namely that in everything that's
6 done under the agreement the Cree system shall be respected and
7 that the first action that should be taken whenever possible is
8 one of self-governance. That is, the regimes set up should
9 advise the Cree. The Cree will participate in determining that
10 advice, and then the Cree manage as they see fit, using their
11 own system. Okay, so that essentially the agreement was set up
12 to recognize the Cree management system and to only interfere
13 with it under...to not normally interfere with it, and to only
14 interface with it if and when problems arose.

I'll just quickly go
15 through the issue of rights and of management of the structure
16 of the agreement. The key elements there were first the
17 recognition of, in addition to recognition of the Cree system
18 of management, there was a recognition of the universal right
19 to harvest. There's a right to hunt, fish, trap, called the
20 right to harvest, at any time, at all places, wherever it's
21 physically possible. The only constraints on it are similar to
22 some of the discussion we've heard here. The only constraints
23 are it can't be exercised where it creates possible danger to
24 other people and it's subject to a principle of conservation.
25 And the principle of conservation in the James Bay Agreement
was defined to recognize Cree priority in the use of game. I
guess I should see if I can read that, "...conservation is the
pursuit of optimum natural productivity of all living resources
and the protection of the ecological systems of the territory,
so as to protect endangered species, and to ensure primarily
the continuance of traditional pursuits of Native people. And
secondarily the satisfaction of the needs of non-Native people

1 for sport hunting and fishing." So it makes clear that when-
2 ever there's to be, in the name of conservation, some action by
3 the joint Cree government committee that's established, which
4 I'll talk about, it has to be done on the principle that the
5 first thing is to protect the resources, the second thing is to
6 protect Cree use of resources, and the third thing is needs of
7 non-Native people. And there was a sense that that was a basis
8 on which a reasonable compromise could be struck, because the
9 Cree themselves had been saying very clearly that their primary
10 concern was the protection of wildlife resources and habitat,
11 and they felt that if that was the recognized principle then it
12 could work. And if their needs were primary it could work.

13 Management in the James Bay
14 Agreement is under the kind of boards that we have been hearing
15 about. The Joint Board is a board of 50% Cree and government
16 people who...

17 MR. BERGER: Excuse me, 50%
18 Cree, 50% government?

19 MR. FEIT: Yes. Actually,
20 not, it's much more complicated, it's 50% Native, 50% govern-
21 ment. It actually is a board that involves three Native groups
22 at this point, it involves Cree, Inuit of northern Quebec and
23 the Skapi (ph) of Quebec, and it involves the federal
24 government and the provincial government.

25 MR. BERGER: But in the end
it's 50% Native, 50% government.

MR. FEIT: Yes, exactly.
And the board has certain key decision-making powers. It
decides the number of moose and caribou that can be killed, but
in other instances it's an advisory board, advising the
minister and advising Native parties. It's...the minister
himself must consult the board, he must respect in his
decisions all of the basic principles that govern the regime.

1 I don't think I should really go through those in detail. The
2 key issue I think is that the board can only work when there's
3 a conservation problem, when one party, Native party or gov-
4 ernment party, says there's a problem of conservation. It
5 brings it to the board and there has to be a demonstration of
6 the problem. That is, there has to be some evidence that
7 there's a conservation problem if the other parties don't agree.
8 And then if the board decides that it should act it acts first
9 in an advisory capacity, it recommends to the governments or to
10 the Native parties that they should take action. And the
11 assumption is that each would take action within their juris-
12 dictions. If those actions are inappropriate or ineffective,
13 then the board has the power to recommend to the minister that
14 he take some legal step, and use the policing powers and
15 enforcement powers to try and bring some action.

The agreement also sets up
13 various forms of local government that I guess I should mention
14 briefly. Local government under the agreement and regional
15 governments under the agreement are very different for the
16 Inuit and the Cree. The Inuit have a regional government
17 that's non-ethnically defined and that covers the entire region
18 of northern Quebec, where they're in a clear majority. The
19 Cree have a regional government that applies primarily to their
20 own territories and to their own community lands. The dif-
21 ference arising from the fact that in the south there were
22 already large Native communities, cities, established within
23 the Cree lands and there was extensive non-Native use of the
24 lands. And it was impossible to effectively negotiate a con-
25 trol over those for the Cree. So the Cree regional government
is ethnically defined, in effect, because it only applies to
Cree lands. Within Cree lands the Cree have, under a law just
passed this spring, a new set of government structures that are
nonprofit corporations, they don't...they have, every member of

1 the community is in effect a decision-maker and a shareholder.
2 They don't have the share pattern. And they're corporations
3 that have just started, so it's hard to say how they'll work,
4 but it's taken six years to negotiate them because the Cree
5 have been very insistent that the form of these governments be
6 very different from the usual Indian affairs form and very
7 different from any normal corporate structure. And so they've
8 taken away powers that usually reside with the Minister of
9 Indian Affairs and taken them back to the community, and then
10 within the community they've divided on the way decisions
11 should be made on different kinds of issues. For many
12 administrative and practical issues they've said that an
13 elected council should have the decision making authority. For
14 issues relating to hunting and trapping, relating to the alien-
15 ation of lands, they've said that these are essentially com-
16 munity decisions and they've tried to give that a presence in a
17 corporate form by saying that in effect the decision has to be
18 taken by 75% or 80% of community members have to concur in a
19 decision in order for a decision of any kind of alienation or
20 alternate use of land to take place. And so they've...I don't
21 know how it will work, but the people in the communities have
22 taken a lot of time to try and work out a form of local govern-
23 ment that's particularly adapted to their vision of how, what's
24 practical and possible.

19 I guess one final area of
20 comment on the agreement is that the agreement also provides
21 for a set of environmental impact assessments, a set of land
22 use review procedures, of the kind that we've heard repeatedly
23 discussed here in the last three days. They are very similar
24 to the ones that have been talking about in the NWT and a lot of
25 the procedures that are I guess are in place here in Alaska as
well. I guess I would make one comment here, and that is that
those procedures have so far proved to be only partially suc-

1 cessful. That large-scale resource developments are very hard
2 to stop and very hard to modify in significant ways, the Cree
3 have found, with that kind of a joint Cree government environ-
4 mental review decision making procedure. Small-scale projects
5 have been modified and their impacts have been reduced, but
6 plans for large scale hydro development that are very much big
7 public, political decisions, in which the government is an
8 active promoter, have been hard to get seriously reviewed and
9 very hard to get the projects altered. And I think that's
10 reflected in the memo or the resolution we heard circulated with
11 respect to the hydro project in Hydro Quebec yesterday. The
12 same thing has been true with forestry development. Forestry
13 development is beginning to expand in the region, and affect
14 large parts of Cree lands, and the Cree are really working very
15 hard to try and bring it under control, but it's been a long,
16 hard struggle and it isn't clear that it's going to work. And
17 I think that's the...I might make that the first of my general
18 observations, that it seems to me that the area in which the
19 least progress has been made is the area of regulating the
20 impact of industrial developments in the north and the impact
21 on the lands. That we keep talking and hoping that environ-
22 mental review land use management will work, but in fact it's
23 working in the areas where there isn't extensive development.
24 In the areas where there is extensive development the history
25 has been a very abysmal one. And I think that remains the area
in which the least progress has been made.

I think I could pull out just a few more comments of commonalities that struck me. The complexity of subsistence issues is really quite amazing, and sitting around listening to people talk about the examples in Alaska has been very exciting, because many of the initiatives are really bold and taking broad steps, and yet I won't comment on that so much as the fact that many of the problems that they

1 have to confront are exactly the same problems that it seems to
2 me were confronted in northern Quebec. And they're very
3 complex problems, they're problems of, of the ones we just
4 talked about, the impact of economic power and economic
5 influence and the way that governments themselves are closely
6 tied to the large capital interests of corporations and of
7 investors. But they're also the most subtle and complex issues
8 about non-Native society. They very quickly tie us into ques-
9 tions about what is the public culture? What are the public
10 beliefs of the society around us? Many of the constraints that
11 exist in James Bay and that seem to exist here in Alaska have
12 to do with public attitudes and values and beliefs and ques-
13 tions about free enterprise and so forth that are really very
14 difficult to deal with. And the strategies that have to be
15 developed it seems to me have to confront those constraints as
16 well.

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Some of the other common things of course are the interests of government departments. Government departments are bureaucratic enterprises that constantly protect their interests, protect their potential for financial expansion, for increasing the size of the bureaucracy, for increasing power. These things constantly recur--how do you confront bureaucracy? How do you try and avoid confrontation with bureaucracy and still act effectively? Another has to do with the government's own attitude towards how it justifies itself to its non-Native public. Technically the term for that would be something like legitimacy. Very much the social, the social welfare democracies that we live in justify themselves to the public by talking...well, somewhat differently here, I think that's one of the basic differences between Canada and the U.S. In Canada the government justifies itself by its social progressiveness and its social aid by the fact that it redistributes income. In the U.S. it justifies itself

1 it seems to me more by the idea of freedom, and the freedom of
2 opportunity for its citizens. But in both countries we strug-
3 gle with the ways government itself justifies itself. Because
4 the way it justifies itself limits what you can get it to do,
5 publicly, and it seems to me, so we're dealing with things that
6 are very practical--capital and money--and we're dealing on the
7 other hand with the beliefs and ways that governments explain
8 themselves to the public and the beliefs of the public them-
9 selves. And I think that the theme that comes out of that is
10 that there's no, the issues are sufficiently complex that
11 there's no one way to go, and there's no simple direction to
12 take. Often you have to confront the public, other times when
13 you're dealing with public beliefs and public culture you have
14 to do things in secret. Sometimes there's opportunities to use
15 government departments and play themselves off against one
16 another, other times when you're dealing with the basic way
17 government justifies itself to the citizens you have to go to
18 the international arena to get outside of the commonality
19 between all the different levels of government and how they
20 justify themselves. And so every opportunity has to be taken--
21 the international arena, the public arena, the private arena,
22 conflict between the different agencies--all of these have to
23 be mobilized in the effort to deal with a very complex set of
24 constraints and opportunities. I think the one thing in the
25 James Bay Agreement was that there was a, the people who nego-
tiated it I think all felt that there was possibilities within
those constraints that they could use, and there was a real
possibility of maintaining subsistence with linkages to govern-
ment, if they were flexible and used those opportunities. And I
think the experience so far has been very positive. I think
the dangers remain, particularly with large scale resource
development occurring on Cree lands.

MR. BERGER: Well, thank

1 you very much, Harvey. That was a very, very interesting
2 discussion. And you had the advantage and so did we that it
3 was broken up into two pieces, one yesterday and one today,
4 which gave us a chance to reflect on your observations. Well,
5 anybody like to put some questions to Harvey, or make some
6 observations on what he's told us? Tom Lonner, and then Dan
7 Gross.

8 MR. LONNER: Harvey, I've
9 attempted to make the argument here in the state that the...any
10 support that's given to subsistence is in fact an investment in
11 the economic self-sufficiency of the people who engage in the
12 activity. Has there been any measurement of the output side of
13 that investment? That is, if the provincial government invests
14 \$10 million in the enterprise, does in fact the Cree community
15 then develop for itself \$20 million worth of resources that
16 otherwise they would not be able to have direct access to?

17 MR. FEIT: The short answer
18 is "no." The long answer is that I think there would be
19 tremendous resistance to the application of any such economic
20 measure of what's being accomplished.

21 MR. BERGER: Dan Gross.

22 MR. GROSS: I recall
23 yesterday in some statistics that you presented that there is a
24 substantial number of households among the Cree who have taken
25 advantage of this new system, but I'm curious about the fate of
those who, for whatever reason, have not or have not been able
to take advantage. Have they now arrived at a position of
relative disadvantage as a result of this system?

MR. FEIT: That's a very
complex question. At the general level of the Cree economy the
answer is "no." The growth in employment income has roughly
matched the growth of cash flow to hunters over the last

1 decade, so that the two sectors have grown about equally. And
2 that's in a period of very rapid growth of employment. At the
3 level of the social pattern in the villages, the growth of
4 employment of Cree people has been tremendous under the agree-
5 ment, with the taking over of government administration and the
6 setting up of school boards and health boards and self-
7 governance. But at the same time, there remain the Cree com-
8 munities particularly young people who are not either
9 intensively hunting under income security or employed, and
10 there remains a need well recognized by the Cree, and something
11 they're working on very actively, to create additional employ-
12 ment opportunities in their communities for that sector of the
13 population. It's a major priority of the Cree organizations at
14 this moment.

12 MR. BERGER: Dolly Garza.

13 MS. GARZA: I had a ques-
14 tion on your joint board. Are there any types of obligations
15 by the government for when the Natives have a problem with
16 industrial development overriding what they feel their subsis-
17 tence rights are? And do they also have a problem with any of
18 the game or fishery resources, in terms of Native interests?

17 MR. FEIT: Can I take the
18 second one first? Yeh, in fact I skipped that, the question of
19 allocation of resources was a major one that was dealt with.
20 There's the principle of priority to Native use, and there was
21 an attempt to act to give a structure, not to leave it as an
22 isolated principle, but to make it a practical administrative
23 affair. And that was done by saying that Native people would
24 be guaranteed their present levels of harvesting. And a seven-
25 year research project was done to look at the present levels of
harvesting of Native people. And then the second principle is
that if the game popu...they would be guaranteed an allocation
equal to present levels. That means that if the game declines

1 then non-Native use would be cut off first, and whatever could
2 be harvested would be harvested by Native people. If the game
3 populations are sufficient that more than the present level can
4 be taken, then the Native people are guaranteed the present
5 level and the rest of the surplus harvest is split on the basis
6 of need between Natives and non-Natives, with the recognition
7 that non-Natives will get some of it. That's the way it's
8 worded. So that there's a possibility for the Native harvest
9 to expand beyond present levels, given the principle of prior-
10 ity, but it will expand only if some is also reserved for non-
11 Natives. So that there is a set of administrative and practi-
12 cal procedures for dealing with those conflicts, when they come
13 about. But those are guided by the basic rule that nothing
14 happens unless there's a problem. So that we don't envisage a
15 lot of setting up of quotas and allocations, except for species
16 where the government or the Native parties feel that it's time
17 to, that there's a problem and it's time to look at allocation
18 in detail. And then there's a set of procedures for doing so.

15 The first part of the
16 question, on the...on the review of development. Native people
17 sit on the...actually, the Cree and the Inuit have separate
18 boards and separate procedures. Because the Inuit have a
19 regional government their environmental board that reviews
20 development is a regional board and it's probably a more power-
21 ful board than the Cree have. It's based on 50% representation
22 and joint selection by the Inuit and government of a chairman.
23 And that board, because of its composition, has very extensive
24 powers. It can be overridden by the minister in the end, but
25 it's a fairly complex procedure and if he overrides it he has
to still abide by the principles of minimizing the impact on
Native people and look into remedial measures and so forth.
The Cree have a board that doesn't have a decision-making
authority, that's purely advisory, whereas the Inuit board is

1 think there are still the constraints, the minister and the
2 government must act according to the principles of minimizing
3 impacts and so forth, but those principles are, are not suf-
4 ficient to fundamentally oppose, they emphasize moderation,
5 compensation, remedial measures, rather than, "this shouldn't
6 happen this way at all." And therein lies the problem. And
7 governments, so far as I've been able to see everywhere in the
8 Canadian north, have been unwilling to give up that final
9 ability to authorize and approve projects in their form, and
10 it's a very complex situation, because governments are active
11 promoters in there with investors in many of those projects.

12 MR. BERGER: Hugh Monaghan,
13 and then Marie Adams, and then Chuck.

14 MR. MONAGHAN: I'll provide
15 a comment rather than a question, as a follow-up to Harvey's

(TAPE 13, SIDE B)

16 statement. There is some difference in the Northwest
17 Territories in this regard. I referred briefly to some of the
18 sections in the COPE agreement which gives those people par-
19 ticular access to resource development decision making pro-
20 cesses. More recently there has been extensive discussions and
21 negotiations going on in the Northwest Territories about a land
22 use planning process. The net result, I feel, is a very strong
23 role for northern, and particularly northern Native people in
24 the Northwest Territories, in resource development decision
25 making. Without going into the detail, although the ultimate
decision rests with the federal minister and the territorial
ministers, the respective ministers, on the approval of land
use plans, the fact remains that the commissions that develop
those land use plans for the ministers are dominated by
northern Native people.

Secondly, the policy
committee which advises the ministers is made up of senior

1 bureaucrats and northern Native people in equal proportion.
2 And of course some of the senior bureaucrats are resident in
3 the north, and working for ministers who are also northern
4 Native people. So I think there's a different light that can
5 be put on this question in the Northwest Territories. It would
6 appear, although the program is not up and running, it is
7 getting prepared for that, it would appear in the Northwest
8 Territories that clearly we have a mechanism where for the
9 first time people in the north, and particularly Native people,
10 will have a very strong influence on the way land use patterns
11 and resource development patterns there are to occur.

MR. BERGER: Thank you.

Harvey.

MR. FEIT: I might comment.

12 I would be hopeful that, and that sounds like a real step
13 forward from what exists anywhere else, but my experience is
14 that the qualification I would have to make in my experience is
15 that the Minister of the Environment gets overruled when major
16 government policy is at stake, and large-scale developments do
17 mobilize major government policy.

MR. MONAGHAN: I should
18 mention though, Harvey, that in this case it doesn't report to
19 the Minister of Environment, the land use planning commission
20 reports to our minister, as well as the Minister of Indian
21 Northern Affairs, who is the land manager and the land owner
22 presently in Northwest Territories. So I think that's one
23 major difference.

MR. BERGER: Marie Adams.

MS. ADAMS: I think it's an
24 interesting approach of the Creeans have taken, in terms of the
25 Cree...I'd like to understand a little bit better about the
allocations of money and why they were started in the first
place. You said they started giving the money to enable them

1 to go out and subsist. And what was the perceived problem in
2 people not being able to go out and subsist? Were their lands
3 being taken from them, or were they afraid of having their
lands taken from...?

4 MR. FEIT: Yeh, okay...The
5 first payments were not really intended to help subsistence as
6 such. In the 1940s the government set up the equivalent of I
7 guess what's called Social Security here. They set up pay-
8 ments to families for their children, family allowances and
9 things like that. And those started to be paid to Native
10 people, and Native people used them to help, to help them hunt.
11 I think there were two reasons why that was critical. One that
12 there had been competition for the fur resources, which were
13 the critical source of income in the southern James Bay area,
14 with non-Native trappers. And the resources had been trapped
15 out, and so people have very little cash incomes, very small
16 cash incomes in the 1940s, in the late 1940s, and then the
17 world fur price declined. And so what was going on was that
18 people have a standard, a pattern of hunting that depended on a
19 standard of cash income that was modest, but they found that
20 even that modest dependence on cash was being eroded by deple-
21 ting game resources and declining world fur prices. And, I'm
22 not sure that that's what you're asking, but that's why those
23 payments became critical to them. And they were, although they
24 were very modest payments by the standards of other Canadians,
25 they were very significant payments, accounting for sometimes
50% of the total cash income of a Native village, was coming
through the government payment schemes. And so that's practi-
cally how it happened. I think...I'm not sure if I understand
all of what you're asking, Marie, if I haven't please come
back. But my sense is that people have always been dependent
on some amount of cash. Fur trade usually provided it, but
under the world economic cycles and under the cycles of animals

1 there were times that there wasn't enough cash, and government
2 payments have come to fill that gap. And people have tried to
3 make those payments stabilize in a way that allows it to reduce
4 their dependence on the world economy and the world fur price.

5 MS. ADAMS: Well, yesterday
6 in your first presentation, advanced what I thought was the
7 payments were to enable them to go out and, go out and live a
8 subsistence way of life. You're saying that it enabled them,
9 even though that wasn't the original intent, to be able to go
10 out.

11 MR. FEIT: The original
12 intent of the first government payments, starting in the late
13 1940s was not to help them subsist, it was just to give them
14 the benefits of other citizens and prove that they were
15 Canadians.

16 MR. BERGER: Could I...you
17 said Social Security, and I think that you meant welfare,
18 because I think in both countries welfare is what is given to
19 people who, whether they're 60 or 65 or 70, even if they're 30
20 or 40, welfare is what you get when you're not working and you
21 don't have any source of money and you need money. And that's
22 welfare and you get it because you're not working. These
23 payments, under the agreement the Cree have, are made for
24 people to go out and work, on the land. So in that sense it
25 seems to me, though they may have originated, the cash flow may
have originated out of welfare, the people then wanted their
cash flow stabilized and continued, not so that they could stay
home and do nothing, but so that they could go out on the land,
if that's putting it fairly.

MR. FEIT: I think it is, I
think that's precisely what the Cree say. They don't feel this
is a welfare scheme at all, they see it as something that
replaced a welfare scheme with a provision for cash that now

1 only responds to their willingness to work and conduct their
2 own activities that they want to pursue. You see, it is a
3 recognition of the value of those activities, also, by the
4 government, rather than as a denigration of the value of those
5 activities.

6 MR. BERGER: There was
7 another...Chuck, and then Weaver.

8 MR. SMYTHE: Harvey, you
9 mentioned the new government structure that was developed over
10 a period of six years. I wondered if there were any other new
11 forms of organizations that were developed over this time
12 period that weren't anticipated at the beginning but possibly
13 derived from those relative lack of limitations and constraints
14 that are negotiated in the original agreement.

15 MR. FEIT: Yeh...yes. The
16 two that stand out my mind, I think there have been a lot, the
17 two that stand out in my mind, three maybe. One is housing,
18 the James Bay Agreement says nothing about housing, except that
19 the Cree will continue to get the kind of funds that are
20 available to other Native people to support housing. But the
21 Cree have invested heavily in housing and have set up the
22 various local housing committees and building corporations to
23 manage the actual construction, so that they've reconstructed
24 most of their villages. That's one kind of form, it involves a
25 local committee to control the activity and articulate the need
and it involves a formal corporate-type structure to actually
develop plans, buy supplies, and organize the construction. A
more close to the ground and not so formal system I think is a
system of what are called hunters and trappers committees,
which are really new committees of these men who are the owners
of hunting territories. And they, because of the new interface
through this joint committee, this new joint committee with the
government over wildlife, the Cree have had in the villages to

1 start getting together much more formally and talking about
2 what issues they'd like to see raised at that joint committee,
3 what responses they'd like to make to the advice that comes
4 down from it. And so there's been, there's been a sort of a
5 formalization in a sense into a committee form of leadership at
6 the local village level, among the owners of hunting territory.
7 And then thirdly there's been various kinds of economic
8 development plans, where I think the Cree have started to try
9 and build economic development enterprises in ways that respect
10 Cree views of decision-making and authority, and also that
11 respect Cree views of the autonomy and responsibility of indi-
12 viduals, so that you get very, what to me are very unusual
13 things. Like the village, the community I know best, has set
14 up a commercial forestry operation, and it's bought the timber
15 jacks. And it allows, it insists, it's set up so that the men
16 who run those machines buy them over five years. And the idea
17 is that they will become operators of timber jacks, that are no
18 longer tied to the village forestry operation but will be free
19 to enter all kinds of employment in the region where there are
20 other opportunities. And so it's an interesting combination of
21 a village-controlled and benefiting the village development,
22 yet it's also setting up individual people with the skills and
23 resources that they need to be autonomous and to either con-
24 tinue to work for the village or to work for other people if
25 they want. So there...I think all kinds of things are being
explored and created in the process.

MR. BERGER: Did you have a
question, Weaver?

MR. IVANOFF: Yes. You
were talking earlier about the Indian Affairs dollars being
channeled through, I'm not sure if it was the regional gov-
ernment or the corporation, for them to spend with a minimal
amount of interference from the government, on programs. What

1 came to my mind was, back when the Bureau of Indian Affairs
2 were operating schools in the bush, here in Alaska, the school
3 board was purely advisory. And the money was channeled through
4 the administrators of the Bureau of Indian Affairs. And then
5 things changed a few years back where the school boards in the
6 villages became a school board to...and the money went directly
7 from Washington, D.C. to the school board in the villages. And
8 that was operating very well, but of course the funds were cut.
9 When a program operates so well it seems like that's what
10 happens. My question was, you know, how is that operating in
11 Canada right now? I know it's just started. Is that money
12 going directly to the regional government, is that going to the
13 villages themselves, or...?

11 MR. FEIT: Right. Almost
12 all of the service institutions--the school, the health and
13 hospital boards--are regional, regional for the Cree and then
14 separate regional ones for the Inuit. And they get their
15 funding directly from the government, to the Cree regional
16 organization. And then it channels funds to its local institu-
17 tions. The regional board is made up of representatives from
18 each of the eight or thirteen communities, for the Cree and
19 Inuit, respectively. And the board decides how the funds will
20 be allocated, so there is a funding decision at the regional
21 level. The key thing I think in terms of being cut off is that
22 the province is legally obliged by the James Bay Agreements to
23 transfer the funds necessary for the operation of these boards.
24 There have been a lot of fights over it, and for a period of a
25 few years the province actually claimed that the health board
was not being properly administered and therefore put it under
trusteeship, which in effect retook control of it, without
cutting off the funds explicitly. But there was a court action
to terminate that trusteeship, and it was terminated. So that
the basic idea was to try and prevent or reduce to the minimum

1 the government's ability to cut or control those funds once
2 they were passed on. And with the exception of that confronta-
3 tion it's worked. But the possibility of confrontation
4 remains, so...

5 MR. BERGER: There's
6 a...perhaps I might be allowed to say something at this point,
7 Harvey, that we've heard about, I think from all of the regions
8 of Arctic and sub-Arctic Canada comparable in latitude and
9 geography and in the extent of their Native populations, com-
10 parable to Alaska. But whereas in Alaska you had in 1971
11 really one settlement for, that applied to the whole state, in
12 Canada, because experience has been year by year and region by
13 region, you have a variety of settlements, and perhaps it might
14 help to put it in context if I were to say that the first
15 settlement in 1975 in James Bay and northern Quebec was within
16 a province, province being the same thing as a state. And
17 there were two settlements, one by the Inuit and one by the
18 Cree. And the Inuit were to be here, except that they had to
19 remain in Quebec to direct the salvage operation of the caribou
20 herd. And Harvey has been talking about the arrangements made
21 under those two settlements. Where the Inuit live in Quebec
22 they are then the majority, by a ratio of 4:1 over whites. So
23 they have a public government which they dominate. In the Cree
24 area they are in a minority, so they have an ethnically-defined
25 government under which they govern their own communities and
their own affairs and their own land. But there is, coexisting
with it, a white, I shouldn't say white, but you know what I
mean, a public regional government...non-Native. I use that
expression here, we are more inclined in Canada just to say
white and get it over with, spit it out.

But then we have two terri-
tories, that is two jurisdictions of Canada that are still
territories, as Alaska was prior to '59. And in the Yukon, as

1 Dave Porter and Victor Mitander told us, Native people consti-
2 tute about 6,000 in number, making them perhaps 25% of the
3 population, so they are a minority. In the Northwest
4 Territories, which is 1/3 of all Canada, 1,300,000 square miles
5 of territory, you have a public government that is dominated by
6 Native people. They are the majority in the Northwest
7 Territories, they run the government. The head of government,
8 the majority of ministers are Natives, Hugh Monaghan's own
9 minister to whom he reports is a Native person. And there,
10 that government, is a party to negotiations between the federal
11 government and the Native peoples living there to work out
12 their land settlements. So they have a territorial government
13 that they are very influential in, that is sympathetic, I think
14 it's fair to say, to the land claims proposals being put for-
15 ward. You have three land claims proposals there. One the
16 COPE agreement, already signed this year. And then you have the
17 Dene claim in the Mackenzie Valley, and then the Inuit claim in
18 the eastern Arctic, where the majority of Inuit live.

15 Forgive me, I just thought
16 I'd frame the remarks we've heard, because that's why you get
17 all these different ideas, depending on what works and what
18 people want to do. And all of them, I think it's fair to say,
19 have looked at Alaska, at ANCSA, adopted some ideas, the idea
20 that Native people should get into business, for instance. But
21 rejected what seemed to be in many, well, seemed to be the main
22 features of ANCSA, that is, the corporations they have in
23 Canada are, all of them, membership corporations, where there
24 is no possibility of sale of shares. Your membership ends when
25 you die, when you are born into the tribe or the village you
become a member. And so there is not the deep-seated problem,
I think everybody acknowledges it to be a problem, of the
afterborns and new Natives that you have here. The other thing
is that I think in all of their agreements they have managed to

1 work them out so that undeveloped Native lands are not and
2 never will be taxable. And that's something that's a problem
3 here. I mentioned those, I think those features are common
4 throughout the Canadian settlements, no matter which jurisdic-
tion you happen to be speaking of.

5 Now, there are settlements
6 being worked out in southern Canada, in the provinces, but we
7 don't want to go into those, it becomes even more confusing,
8 and I should add, far more difficult for the Native people.
9 And that's why we've restricted the discussion to those settle-
ments and claims that bear a very large resemblance to what the
situation is in Alaska.

10 Just before we move on to
11 Dan Gross, I was going to ask Peter Usher, who is familiar with
12 all of these settlements and who studied the James Bay and
13 Northern Quebec Settlement for me back in about '77 and '78,
14 whether there is any comment you wanted to add to what Harvey
has said, Peter?

15 MR. USHER: Specifically
16 about James Bay?

17 MR. BERGER: Well, anything
18 rising out of what Harvey said that you think might be useful
19 to add.

20 MR. USHER: I think
21 Harvey's been so exhaustive I'm not sure it would be useful for
me to do that, really.

22 MR. BERGER: Well,
23 that's...you're a man in a thousand, that's all I can say.
24 Well, perhaps we could move on to Dan Gross and let him talk
25 about some of these third world settlements, and then it being
Saturday I thought we might have midmorning coffee break. I
don't know whether I should say third world settlements, but
subsistence in the third world.

1 MR. GROSS: Thank you very
2 much, Justice Berger. I want to take this opportunity to thank
3 you for having invited me to be here and to express my
4 appreciation to all of you for the absolutely singular learning
5 experience which you have provided for me, someone who's ex-
6 perience has been primarily in the South American tropics,
7 quite far fetched from the environment surrounding Anchorage
8 and points north. And I feel I guess some obligation to try to
9 justify my presence here, and I'd like to mention a couple of
10 areas in which I might share just a bit of my own experiences
11 and some of my thoughts on the subject of Native subsistence in
12 other parts of the world. I feel it's a very heavy burden to
13 try to discuss these topics for the entire third world, al-
14 though I think the designation third world is an apt one and
15 useful one when we come to these topics, for reasons which I
16 will come to presently.

17 So I'm going to try to very
18 briefly achieve two objectives, one of which is to make you
19 aware of the struggle of indigenous peoples elsewhere in the
20 world to maintain their identity and to preserve their habitat
21 and the subsistence activities which are so integral to their
22 way of life. And secondly I'd like to look very briefly at
23 some of the approaches to subsistence systems elsewhere in the
24 world, especially at a particular factor which I think has not
25 received as much emphasis as perhaps it deserves, and that is
the interaction between subsistence activities and other acti-
vities, many of which articulate with other features of the
societies in which Native subsistence societies find themselves
imbedded.

And in developing these
ideas I think it would be important to keep two ideas in mind.
These are ideas of mine and I would like to make them...to
persuade you that they are worth thinking about. First of all,

1 I think it's understandable that we should look at subsistence
2 as an entity in itself and subsistence activities and the
3 relationship that Native peoples have to subsistence. I think
4 there is some danger, though, of thinking of subsistence as a
5 separate sphere, and thinking of Native peoples as living in a
6 different world because they practice a subsistence economy, as
7 if it were insulated from and isolated from the modern market
8 economy of the nations in which these people live, and as if it
9 were isolated from the modern technological changes which have
10 occurred in these countries. Second of all I want to suggest
11 that we've been talking largely in terms of fairly abstract
12 notions of subsistence. We've been using concepts like manage-
13 ment, and I want to suggest that it's also important, perhaps
14 not at a conference like this, but in other contexts, to look
15 at subsistence in the actual context in which subsistence
16 decisions are made, choices among alternatives are made by
17 individuals, by households, and by entire communities. When it
18 comes right down to it, subsistence does not take place around
19 conference tables or in community meetings or at Fish and Game
20 board meetings, but it takes place in communities where people
21 have to make decisions about how they are going to make a
22 living. And that while the restriction of the term subsistence
23 to living off the wild produce of the land is certainly an
24 adequate one for certain purposes, I think we also have to
25 recognize that the term has another connotation, and that is
making a living, what it is that brings foods to a person's
table. And with that...I suppose stresses again the notion
that it is useful to look at subsistence in the total context
in which it exists.

First of all I'd like to
point out very briefly that there are many other areas of the
world where, aside from the circumpolar regions of the world,
where there are highly subsistence-oriented societies. If we

1 restrict ourselves to those who rely primarily on wild
2 resources, as opposed to domesticated resources, we can still
3 find a large number of societies on different continents who
4 rely on these resources for a good deal of their daily subsis-
5 tence. We find them in the central deserts of Australia, we
6 find them on several of the islands and archipelagoes of
7 Indonesia, such as Irianjui (ph) and Sumatra, we find them in
8 Papua, New Guinea. We find numerous subsistence societies in
9 South America, mainly in Amazonia, in Southern and Eastern
10 Africa, and finally in pockets in India, China, and Southeast
11 Asia. Now if we expand our definition of subsistence societies
12 to those who also cultivate or herd for a living, but who are
13 indigenous to a particular region and who practice an economy
14 which is primarily aimed at satisfying their own needs, we
15 would have to expand our geographical scope even more, because
16 most of the populations of Asia, Southeast Asia, a great deal
17 of the population of Latin America, and Africa would come
18 under this heading. These are not simply peasant peoples, but
19 that is one very common term used to apply to these people.
20 They have a great deal in common with the subsistence producers
21 in the narrow or restricted sense of people who rely on wild
22 game and other wild products.

23 Now, as it happens, most of
24 the areas of the world where people do rely primarily on wild
25 resources are areas which are not or have not been historically
demanded for the purposes of agriculture. And these are vir-
tually the only areas left on the earth's surface where subsis-
tence, that is to say hunting/gathering societies, still re-
main. Almost all of the subsistence societies in the world are
found, with the exception of those in North America and
Australia, are found in underdeveloped countries or third
world countries. These are countries which are characterized
by a set of conditions which contrast very sharply with those

1 in North America. In these countries there's a relatively low
2 level of industrialization, the average incomes are quite low,
3 standards of living tend to be low, there are very sharp in-
4 equalities of wealth and control over resources, and many of
5 these countries are engaged in a struggle to develop. And in
6 doing so, and in attempting to develop themselves, one of the
7 primary focuses of their activities is the development of
8 natural resources. So that the process of development, and
9 some people would prefer to put that term in quotes, or
10 modernization in third world countries almost invariably re-
11 sults in clashes between the maintenance of an adequate habitat
12 and environment for subsistence activities and the attempts to
13 develop these underdeveloped economies.

14 Another factor that I think
15 is useful when we look at the third world subsistence societies
16 is the fact that these are societies in which there are fre-
17 quently very large populations, and frequently rapidly growing
18 populations, rural populations in the main, although some of
19 these countries are urbanizing at a very rapid rate. Still,
20 these countries have as one of their development objectives the
21 provision of employment and adequate resources for these large
22 rural non-indigenous populations. This would be particularly
23 the case in Latin America. And this can also result in condi-
24 tions of conflict between subsistence-oriented indigenous
25 peoples and the other rural populations who are very often,
find themselves in situations of extreme need. It sometimes
leads to situations in which the interests of the rural masses
seem to be in conflict with those of the subsistence-oriented
indigenous populations. And this has resulted in some very,
very unfortunate and sometimes tragic conflicts in third world
countries.

Now let me talk briefly in
a sort of schematic way, I hope this won't come across like a

1 laundry list, about some of the interactions between subsis-
2 tence and the broader social and economic systems in which
3 subsistence economies or subsistence-oriented peoples find
4 themselves ensconced today. And I think this could be helpful,
5 even though some of the particular conditions to which I will
6 refer don't occur in the Arctic, nevertheless many of them do,
7 and I think all of them will, might help us to think about some
8 of these interactions between subsistence and nonsubsistence
9 activities, which I want to make one of the contributions that
10 I make today.

11 First of all, I think that
12 on a most fundamental level, all subsistence activities require
13 time. They require the time of people who go out from their
14 homes and seek subsistence resources. Sometimes it takes a
15 great deal of planning and preparation, and then the actual
16 subsistence quest, as we've seen in many of the illustrations
17 here, require time. And it requires very often that time be
18 devoted to subsistence activities during specific seasons of
19 the year. Now this simple fact means that subsistence activi-
20 ties, on a daily basis on a seasonal basis, are frequently
21 going to conflict with other activities, such as wage labor,
22 such as production for the market, such as school schedules,
23 such as the requirements that subsistence producers attend
24 meetings, very often meetings having to do, dealing with the
25 regulation of their own habitats and their own societies. So
that wherever there are other activities present in the vil-
lages and settlements and subsistence peoples there is a poten-
tial for conflict between the time needed for providing subsis-
tence and time needed to attend to other activities.

We turn to the requirements
that subsistence peoples have. If we look at some of these
requirements we find that many of them can potentially lead to
trade-offs or decisions between subsistence activities and

1 nonsubsistence activities. I'll mention some of them. Perhaps
2 the most basic requirement which we've referred to frequently
3 here at this meeting has been the nutritional requirement.
4 Subsistence people are no different from any other people, they
5 have basic nutrient requirements, they need certain numbers of
6 calories, vitamins, minerals, and proteins in their diets. And
7 these requirements cannot be reduced below a certain level, and
8 they cannot be deferred, beyond a very limited point. So that
9 nutritional requirements must be met. And perhaps the first
10 level at which subsistence decisions are made is at the nutri-
11 tional level. Beyond that there are social and ceremonial
12 requirements made of subsistence producers. In many of the
13 societies around the world with which I am familiar with, the
14 decision to engage in subsistence production is not simply
15 based, not based purely on the demand for nutrients, or the
16 need for nutrients, but on social requirements which possibly
17 are driven by ritual or ceremonial considerations. So that we
18 find in South America, for example, many hunts are organized,
19 collective hunts particularly, in order to be able to realize
20 certain ceremonials. And this is a very important and integral
21 part of the lives of these particular subsistence producers. A
22 third requirement that subsistence producers have universally
23 is the acquisition and maintenance of equipment and supplies.
24 And I think that's been mentioned here, I won't go into it.
25 Fourth we have the requirement to compensate for any deficits
which may be incurred. If people stay at home and don't hunt
or don't gather for a given period for some other purpose,
there has to be an alternate source of nutrients in order to
compensate for those nutrients which were lost. Then there are
requirements in modern communities for health, for education,
for clothing, for recreational facilities. There are require-
ments on many subsistence peoples around the world today that
they pay taxes, fees, and that they purchase permits. And in

1 many cases permits have to be purchased in order for them to
2 engage in their subsistence activities, which I believe we've
3 heard some mention of that here, as well. Transportation is a
4 major requirement for subsistence peoples, and it is a major
5 detriment of the choices or trade-offs which subsistence-
6 based peoples must make in order to acquire the vehicles and
7 fuel for these vehicles. And finally I think it might be
8 useful to mention that another requirement that is placed on
9 virtually all subsistence producers nowadays and it would seem
10 to be a very stiff requirement in this particular part of the
11 world, and that is the requirement for representation on
12 decision-making bodies. I've been astounded at, sitting here
13 listening to some of the discussion, at the number of different
14 kinds of boards and committees and commissions and decision-
15 making bodies in which people participate. And I hope it won't
16 be regarded as impertinent for me to say, I wonder whether some
17 of this obviously necessary participation doesn't interfere
18 with some of the activities that we've been talking about, I
19 find it hard to imagine that it would not. And that's a very
20 heavy price to pay in order to be able to go on to be a subsis-
21 tence producer.

22 Now when we look at the
23 interaction between social organization, various kinds of
24 social groupings in subsistence, we find that there are many
25 kinds of interaction. The very form of the household in the
community is related to subsistence, because as I've learned
here in the last few days there are, in this part of the world
as in many other parts of the world, the performance of subsis-
tence activities requires the formation of certain kinds of
groups. Communities and households cannot fall below certain
critical limits, and in some cases then it cannot rise above
certain limits, in terms of size and in terms of their composi-
tion by age and by sex, without becoming unable to perform

1 their subsistence activities, because of the necessity that
2 subsistence imposes. We find that in some cases subsistence
3 imposes a kind of solitary activity, that it requires people to
4 spend long periods of time alone. And this of course can
5 conflict with and interact with numerous other requirements
6 that subsistence regimes impose, that I've mentioned. That's
7 on the level of production. When we look at the level of
8 distribution and consumption we also find a number of inter-
9 actions between social organization, the way in which people
10 organize themselves, and subsistence. In many cases the pro-
11 ductivity of individual hunters or households varies
12 considerably from time to time, and this then is smoothed out
13 by sharing among households, so that the sharing or pooling or
14 dividing of resources is an essential feature of subsistence-
15 based societies everywhere in the world, and it also imposes
16 some very important limits on the size and the organizational
17 features of these communities.

18 I'm just going to very
19 briefly go through some of the other features that I think
20 should be looked at when we look at subsistence. We have to
21 look at market, because increasingly, virtually all the subsis-
22 tence societies of the world are encapsulated within market-
23 based societies, market-oriented societies, in which every
24 commodity, from land to labor to subsistence products them-
25 selves and by-products of subsistence such as furs, equipment,
supplies, food, even sport and recreational activities, is
negotiated in a market. And in each case, in every market
fluctuation wherever there's, for example, an increase in the
value of one of these resources it has an impact on a subsis-
tence community. If there's an increase in the value of a
product that subsistence producers produce, such as the in-
creased demand for turtles to make turtle soup to supply the
European and North American gourmet market, had a heavy impact

1 on the Misquito Indians in Nicaragua in recent years and it
2 ended up depriving them of this resource as a subsistence
3 resource and making it purely a market commodity, with enormous
4 impacts on that particular society. So that we can't...I don't
5 think there are any cases today, that I'm aware of, where you
6 can ignore the impact of markets, for many kinds of products,
7 for labor, for commodities, and so on, on subsistence.

8 And finally we have to look
9 at, and this is what we've been doing basically here, the
10 impact of state and capital on subsistence economies. We have
11 to look at investment policies, taxation policies, subsidies,
12 the construction of infrastructure by states (I refer to states
13 in the generic sense, not simply states of the union here), and
14 enforcement. And then of course the other feature that has an
15 enormous impact on subsistence everywhere and that we find
16 impinging on subsistence economies increasingly everywhere in
17 the third world are the kinds of capital expenditures and
18 capital projects which involve habitat modification. And under
19 these we can list some things that are very familiar to you
20 all, such as logging, hydro development, mining and drilling,
21 both offshore and onshore, and in addition to that we should
22 include grazing and plantation agriculture when we deal with
23 other regions of the world. And these have had enormous
24 impacts on the subsistence economies of peoples elsewhere in
25 the world.

26 Now, let me now shift gears
27 a little bit, having provided that sort of schematic overview
28 of what I think are some of the important issues in looking at
29 the relationship between subsistence and the external economies
30 and societies in which they live. Let me, if time permits, let
31 me turn very briefly to an examination of the situation of
32 subsistence producers in Brazil, which is the country that I'm
33 most familiar with. I'll try to be very brief here, but I

1 think there are a few interesting points which might come out
2 from this discussion. Brazil was discovered by Europeans in
3 the year 1500, at which point there were anywhere from 3 to 7
4 million indigenous peoples living within the boundaries of what
5 is today Brazil. By 1900 that number had shrunk to perhaps
6 400,000. Today, if we look at the tribally-organized, village
7 dwelling indigenous peoples in Brazil and attempt to census
8 them, we would probably come up with a figure which is not much
9 greater than 120,000. The loss of population is due to a
10 number of factors, but primarily to mortality, particularly
11 because of introduced disease, because of warfare with
12 Europeans, and because of, and the other major factor would be
13 assimilation, in which indigenous groups have simply ceased to
14 be indigenous groups in cultural terms and have assimilated
15 with the majority population of the country. The economy of
16 subsistence producers in Brazil is characteristically based on
17 horticulture, Swiden (?) horticulture, also known as slash and
18 burn, hunting, fishing, and gathering. The early history of
19 indigenous contact in Brazil with Europeans is a history of
20 many tragedies, of missionization, of forced resettlement, of
21 genocidal attacks on indigenous groups, such that entire re-
22 gions of the country were, became completely devoid of Native
23 populations, such as the eastern coast of the country where
24 there are virtually no Native groups to be found today, and
25 where the majority of the national population lives. The
national population of Brazil today is in excess of 130 million
people, so when you look at the percentage of indigenous people
to that national population you realize that there is an over-
whelming disproportion, because indigenous peoples, according
to the definition that I gave, constitute only 1/10 of 1% of
the national population.

The first glimmerings of a formal Indian policy in Brazil emerged around 1910 as the...

1 (TAPE 14, SIDE A)

2 result of the attempts of a Brazilian hero named Condi
3 du Hondoun (ph). Hondoun was a positivist, and as a positivist
4 he believed that Indians were part of a socially or evolution-
5 arily undeveloped society who eventually could reach the same
6 level as Europeans, but it would take time. So he recommended
7 a very, a paternalistic kind of treatment of Indians and at the
8 same time a very protective one. His scheme, which became the
9 guiding philosophy of Indian policy in Brazil, can be summed up
10 in the term quarantine. The idea was to separate Indians from
11 the greater society long enough for them to evolve into full
12 equals. But the policy of quarantine...

13 MR. BERGER: Evolve into
14 Europeans?

15 MR. GROSS: To evolve into
16 Europeans. The stated aim of Indian policy in Brazil, and this
17 is true in many other Latin American countries, has always been
18 assimilation, to make Indians, to allow Indians to gradually
19 assimilate to the standards of conduct and behavior and culture
20 of Euro-Brazilians, in terms of language and virtually every
21 other feature. And all of the negative stereotypes which
22 attach to indigenous ways of life, particularly to subsistence
23 production, such as the idea that subsistence production is not
24 work, and that Natives don't work, and that they don't want to
25 work, and that they don't produce, and that they don't produce
anything for the future, they're not building anything, they're
not interested in development. All of those stereotypes have
been virtually sacrosanct. Even people, very often people who
defended the Indian cause subscribe to these same stereotypes,
it was a very common pattern in the past and it remains a
pattern to this day.

The Indian Protection
Service which was founded in 1911 by Hondoun, which lasted

1 until 1968, was, if anything could be compared unfavorably to
2 the Bureau of Indian Affairs in the United States, it's one of
3 the most incredibly inefficient and corrupt services in the
4 history of the country. So bad, in fact, that it was dissolved
5 in 1968, after a series of scandals came to light and were
6 exposed in the international press.

7 And that's an interesting
8 feature that I'll mention very briefly now, but I think it's
9 important, the fact that the international environment has had
10 a significant impact on indigenous affairs in Brazil and in
11 other countries, in Africa, in Latin America, and to some
12 extent in Southeast Asia. That the mistreatment and lack of
13 official concern for indigenous minorities has been exposed in
14 many instances in the international press, and in some cases
15 there has been some corrective action taken. It's a very
16 spotty record, but there definitely was a beneficial effect of
17 the intense scrutiny of the Brazilian Indian policies during
18 the late '60s and early '70s which had generally beneficial
19 effects. At any rate, the progress was very slow, because
20 FOUNI, the Indian Protection Service was replaced by the
21 National Indian Foundation or FOUNI, which has been commanded
22 or led by military generals, who in each case have had abso-
23 lutely no experience with indigenous affairs over the last
24 sixteen years of the existence of the agency. And in many
25 cases some of the same kinds of accusations of corruption, of
mistreatment, and of malfeasance have been made against the
FOUNI officers.

Just to give you a few
insights into the legal status of Indians in Brazil, the
Indians are recognized in the Brazilian constitution, they are
recognized as separate peoples, although their sovereignty is
not and has never been recognized, as separate. Treaties were

1 never made with Indian nations in Brazil, so that there is
2 virtually no legal basis in that country for an indigenous
3 claim to sovereignty, although in some cases that language is
4 used in discussions between indigenous spokespersons and the
5 government, the government rejects them entirely. And the
6 constitution guarantees to indigenous people the right to the
7 land that they occupy, and to the resources on that. However,
8 the Indian Statute, adopted in 1974, places the Indian rights
9 into those resources in trust to the National Indian
10 Foundation. And the National Indian Foundation was set-up as a
11 foundation deliberately as the administrator of this trust, and
12 as such they feel that they have the right to manipulate and
13 invest in these Indian lands, some of which are set aside as
14 reservations, for the benefit of what they call the "Poptimoneu
15 Indigena" (ph), or the Indian Endowment. The interesting fact
16 here is that the proceeds from any investment and from any
17 exploitation of resources on Indian lands do not go back
18 necessarily to the particular reservation involved, but rather
19 go into the Indian Endowment, and are available for the general
20 revenues in the Indian Foundation.

16 The record that FOUNI has
17 had, and the Indian Protection Service before it has, in terms
18 of protecting the habitat in which indigenous peoples live I
19 think can truly be said to be abysmal. A lot of the corruption
20 that took place involved illegal logging and taking of game and
21 fish on lands that were presumably being administered for the
22 benefit of Indians. The most recent factors which have driven
23 events in the north, where the majority of the tribal
24 indigenous populations live, have involved large-scale
25 development of the region, of the Amazon region, through
penetration roads, through large-scale agricultural
enterprises, and now what will certainly be the largest single
iron ore mine in the world, the Kadashas (ph) development, in

1 southern Pada (ph) state. And each of these developments has
2 had enormous impacts on, directly on the indigenous peoples in
3 the region, and on the habitat. I won't even bother to go into
4 what the particular kinds of habitat impacts have been, but
5 where hundreds of thousands of hectares of land are being
6 cleared at one time you can imagine they are quite massive.

7 The environmental protection
8 in Brazil is a very weakly developed art, shall we say. There
9 is an agency entrusted with environmental development, sorry,
10 with environmental protection, and there are guidelines in
11 codes concerning, for example, how much land in a given tract
12 can be cleared. But they have been systematically ignored.
13 And I've read one estimate based on satellite photography,
14 satellite imagery, recently that suggests that about 10% of the
15 tropical forests of Amazonia has already been cleared, and that
16 perhaps 25% will have been cleared by the end of the century.
17 The impact of this on Native subsistence regimes, as you can
18 imagine, is absolutely devastating.

19 By and large, there are a
20 few species which are, the taking of which is prohibited in
21 Brazil, but aside from that there are virtually no quotas, no
22 allocations, no bag limits, no hunting seasons, no hunting
23 licenses. Theoretically, Indians have the right to hunt on
24 their own reservations and non-Natives do not have the right to
25 hunt on Indian reservations. This is more honored in the
26 breach than in the observation, although in some few cases
27 Indian groups have taken to policing their own reservation
28 areas in order to prevent outsiders from hunting and fishing in
29 those areas.

30 And then, as a last point
31 on this subject, I think it would be, it's important to point
32 out that the enforcement of the few environmental laws that
33 exists on the books in Brazil is nil, there virtually is no

1 enforcement. So that many of the kinds of conflicts that exist
2 here are found, but in a very different form. Because while
3 there's relatively little legal interference with Indian
4 subsistence activities in Brazil, there are innumerable kinds
5 of illegal and extralegal interference with their activities,
6 as well as the massive habitat destruction which I've already
7 mentioned.

8 MR. BERGER: Would this...I
9 thought we'd take a coffee break this morning, so if this is a
10 convenient point at which to break off.

11 MR. GROSS: That's fine.
12 What I'd really like to do is to engage in discussion on any of
13 these points, if any one has stimulated any interest.

14 MR. BERGER: Well, maybe in
15 just a moment we could take a coffee break, and then return and
16 have any questions or observations about Dan Gross's...and then
17 before lunch perhaps we could reach Joe Meeker and have him
18 tell us what he as a non-Native and non-Alaskan, and non-
19 northerner, at least now, has learned from all this, and then
20 we can carry on from there and tell him after lunch where we
21 think he's gone wrong. I should say that it's appropriate that
22 Dan Gross should be telling us about Brazil. I was advised
23 some time ago that the Inter-American Human Rights Commission
24 will be urged to recommend to the government of Brazil that a
25 commission like the Review Commission be established to
consider the rights of the Indian people of the Amazon. And no
doubt the first thing they would wish us to do would be to
reassemble this roundtable in Rio, but I urge you not to make
your reservations yet, but if you want to invest in a Spanish
dictionary, that's your business, so...

MR. GROSS: Portuguese.

MR. BERGER: Portuguese!

(MEETING BREAK)

1 (MEETING RECONVENES)

2 MR. BERGER: Is there
3 any,...did you want to add anything to what you had said, Dan?

4 MR. GROSS: There is one
5 aspect that I think might be interesting to add, if you could
6 bear with me for about three or four minutes. I conducted a
7 study with several Brazilian and American researchers in 1975
8 and 1976, where we tried to compare four different indigenous
9 groups living in central Brazil who were pursuing substantially
10 a subsistence-oriented lifestyle. And one of the objectives of
11 our research was to determine what the effect of environmental
12 circumscription was. At one end of the scale we had a group
13 that was very isolated that exploited an area that was the size
14 of Belgium, virtually without any competitors, humans that is,
15 of any ethnicity. And at the other end of the scale we had a
16 couple of villages that were heavily circumscribed, they lived
17 on reservations, they weren't permitted to hunt or farm off of
18 those reservations, their own populations were growing, and
19 they were gradually degrading the environment within those
20 reservations. So we tried to look at some of the features of
21 their subsistence activities within these areas.

22 And some of our findings
23 might be of interest here. We found that in the groups which
24 were, had been in one place for a longer time and which were
25 slowly degrading the habitat in which they lived, that the
output per unit effort for all activities was much lower. That
they had to work harder to farm, work harder to hunt, and work
harder to get fish. This is expressed in terms of the output
in game, fish, and garden produce per hour worked. At the same
time, all of these groups maintained subsistence activities,
ranging from, for example, the search for wild foods among the
Miktanete (ph), which is a Kaiopo (ph) group, which has been in
contact for only 16 years at the time of the study. They spent

1 an average of 450 hours a year per food producer, searching for
2 game and other wild foods. Whereas at the other end of the
3 scale, the group that was the most circumscribed was spending
4 an average of 271 hours a year at similar kinds of pursuits.
5 And the, in other words, they had reduced their investment in
6 that particular part of subsistence activities because it
7 simply wasn't lucrative enough. They weren't getting enough
8 game and fish and wild fruits and vegetables to compensate for
9 them going into the forest looking for these things. At the
10 same time, they increased their dedication to horticulture, so
11 that when we look at the same figures for the time spent in
12 horticulture or gardening, we find that the group that was at
13 the least circumscribed end of the scale was spending about 450
14 hours per year gardening, whereas the group that was most
15 circumscribed was spending about 910 hours per year hunting.

16 It's interesting that the
17 total expenditure of time on subsistence activities did not
18 vary nearly so much when we looked at all activities together.
19 It ranged from about 900 to about 1,200 hours per year per food
20 producer. So that what we found was that as one activity
21 became less productive another activity was emphasized. We
22 also found that in the, as we moved from the group that had the
23 least contact and the least circumscribed environment, that the
24 activities which were devoted to production for the market,
25 either wage labor or production of handicrafts, rose
considerably, it went from 158 hours per food producer in the
least affected group to 542 hours in the most affected group.
So that one of the ways in which they had compensated for the
loss of subsistence was by increasing participation in the
market economy.

And the only additional
observation I want to make is that you could not distinguish
any of these groups from each other in terms of its devotion to

1 a completely Native lifestyle. There was no greater incidence
2 of conversion to Christian religion, for example, in any of the
3 villages. There was no greater use of western clothing, they
4 all used indigenous clothing. While there was a much higher
5 proportion of bilingual in the group that was more
6 circumscribed, none of the groups had abandoned its use,
7 primary use, exclusive use within the village, of its Native
8 language. And ceremonialism was strong in all of these
9 villages. What I take this to mean is that while clearly the
10 groups that were heavily circumscribed and found it necessary
11 to limit and adapt their subsistence activities to the habitat
12 conditions that they faced, that by responding creatively and
13 adaptively they were able to maintain their identity as an
14 indigenous group. And that there was not a necessary
15 destruction of their Native culture, as long as they could
16 maintain at least some of these activities. And that there was
17 a great deal of creative adaptation and the adoption of new
18 items of technology and other subsidiary activities which in
19 fact reinforced the maintenance of an indigenous pattern of
20 life.

21 MR. BERGER: Well, thanks
22 very much, that was very interesting. Would anyone like to ask
23 any questions of Dan Gross about the comparisons he's made
24 between third world subsistence and subsistence here in what we
25 like to think of as the developed world, I mean Canada and the
U.S.A.? I have one question. I gather that Brazil, and you
gave special attention to Brazil, as moving from a military to
a democratic form of government. And that there may well be a
more sympathetic attitude towards the rights of the indigenous
people, or is that at all likely, or is...Does it make any
difference whether it's a military regime or a democratic
regime?

MR. GROSS: It does to an

1 extent, but perhaps if I indicate some of the most recent
2 developments it will help to answer that question. The
3 Minister of the Interior, until he was eliminated recently, was
4 a candidate for nomination for president. And his ministry is
5 responsible for the National Indian Foundation. Recently a
6 group of aggrieved Indians from the Chevanti (ph) ethnicity made
7 a visit to Brazilia, and they surrounded, for the second time
8 in recent years, the National Indian Foundation, wearing their
9 Native dress and with bows and arrows, and they demanded an
10 audience with the president of the foundation and made a number
11 of demands on him and revealed to the press a number of abuses
12 that they had identified in the administration of the
13 foundation. The ultimate result of this was that the president
14 of the foundation was asked to resign. And for a first time a
15 civilian president was put in place, to replace him. So that
16 that was progress, and I think it had to do with the
17 liberalization of the regime, and the fact that there is a,
18 it's almost certain that the next president of Brazil will be
19 a civilian. And one of the candidates happened to be this
20 particular minister. On the other hand...

21 MR. BERGER: The new
22 minister, yeh.

23 MR. GROSS: The current
24 minister, Umdiaza (ph) is his name. The new president of
25 FOUNI, a man named Junadi Forsaka (ph) remained in office for
approximately three months, because while he was in office the
president signed a decree, which is a particular form of
legislation peculiar to the Brazilian system, the president can
rule by decree when Congress is out of session. And the decree
declared that mining was to be permitted on Indian lands,
exploration, mineral exploration and mining. And that special
agreements would have to be formed between FOUNI and mining
companies that wished to exploit mineral resources on

1 indigenous lands. Junadi Forsaka (ph), the new president of
2 FOUNI, refused to counter-sign the decree, and he was removed.
3 Now the new president of FOUNI, after a three month hiatus with
4 a civilian president of FOUNI, the new president is a former
5 police chief. Also with no indigenous experience.

6 MR. BERGER: Well...Rosita,
7 Rosita Worl.

8 MS. WORL: I have two
9 questions, the first one is from Marie, and she wants to know
10 if the Brazilian Natives have become Europeans yet?

11 MR. GROSS: Not in the
12 least. Those groups which have managed to maintain village
13 life, where communities have not been devastated, so devastated
14 by economic conditions and by the depredations, some of which
15 were quite severe, and particularly in the past, where they
16 have managed to maintain village life it would be safe to say
17 that for those remaining 120,000 or more Native peoples that
18 they do not show many signs of being Europeanized. And
19 contrary to popular belief, many of these Native populations in
20 Brazil are now on the increase, they are rising in population,
21 thanks in part to the beginnings of a provision of adequate
22 medical care. But there still is a very, very high morbidity
23 and mortality rate in all, virtually all Native groups in
24 Brazil. But culturally speaking, I would not say that they have
25 become Europeanized to any great extent at all, so long as
village life has been maintained.

MS. WORL: The second
question that I have relates to that interaction between the
subsistence activities and in the larger market economy. And
in the case of James Bay we see that they have that income
security program. I'm wondering how the Natives down there
acquire their necessary cash?

MR. GROSS: Through a

1 variety of means. In most cases they have attempted to acquire
2 cash through their own activities, either as wage laborers off
3 their reservations. Even though they are technically prohibited
4 off reservations virtually all Indians do so when they have an
5 opportunity to. In some few cases there have been provisions
6 made for government pensions which are available to rural
7 agricultural workers to be paid to some, in some Indian areas.
8 These would be for persons who are over 65. And there is the
9 sale of handicrafts, but that is very severely hampered by the
10 insistence of FOUNI of being the sole marketing agency for
11 these handicrafts. So that where they have attempted to
12 control the commerce and Indian handicrafts, and there have
13 been two consequences of that, one of which has been the
14 relatively low productivity, and the other one is that very
15 little attention has been paid to the maintenance of quality
16 levels. So the result is that most of the Indian artifacts
17 which are marketed in Brazil now tend to be of a trinket
18 nature. They're the lowest possible quality of workmanship,
19 and they command very, very low prices in the shops where
20 they're sold. So it's a controlled market with very, very
21 negative results, I think, for the possibility of that becoming
22 a resource.

18 MS. WORL: You said they
19 were technically prohibited from working off the reservation?

19 MR. GROSS: That is
20 correct. In most cases, under the philosophy of quarantine,
21 outsiders technically or theoretically are not supposed to
22 enter Indian reservations without written permission, although
23 it happens frequently, and Indians are not supposed to leave
24 their reservations without permission, although that happens
25 frequently. But the, under this presumably helpful philosophy
of quarantining Indians from contact from the greater society,
they have prevented Indians from seeking wage labor. This has

1 made, created a situation of dependence, where Indians feel
2 that the only way they can get certain kinds of resources, such
3 as medications, steel tools, firearms and ammunition, which
4 they need, is to demand them from the National Indian
5 Foundation. And it's created a very unfortunate situation of
6 dependency, and a situation in which visitors to Indian
7 villages frequently are accosted and demanded that they make
8 contributions or give gifts and so on. And one of the results
9 of this is it reinforces a popular opinion that Indians are
10 beggars. But in fact one of the reasons why this kind of
11 dependency has been fostered is that the government prohibits
12 Indians from engaging in activities with outsiders. Indians
13 cannot legally sign any kind of contract in Brazil because they
14 have the same rights as children under the Indian legislation.
15 They are wards of the state, so that they can't enter into any
16 kind of contract, including marriage contracts, with non-
17 Indians, without the explicit written permission of the
18 National Indian Foundation.

15 MR. BERGER: Marie Adams.

16 MS. ADAMS: In those
17 reservations, do they allow Native people, other Native people
18 to enter into their reservations?

18 MR. GROSS: Only in the
19 last 10 or 15 years has there been any movement at all towards
20 the formation of a unified, I'm not sure I'm really answering
21 your question directly but I think that's where you're...okay,
22 narrowly speaking, no. Technically speaking, all access to
23 Indian reservations, including access by other Indians, even if
24 they're members of the same ethnicity, technically is
25 prohibited. So that technically the idea is that they want to
control that kind of access and exchange of ideas and contact,
even between indigenous peoples. That has gone on against the
wishes, in some cases against the explicit wishes, of the

1 National Indian Foundation. Nevertheless, and with
2 particular assistance from elements of the liberal clergy in
3 the Catholic church, who have formed a special missionary
4 council which is oriented towards the liberation theology, and
5 they have fostered a number of meetings between indigenous
6 leaders, and the result has been now the formation of a
7 National Association of Indian Nations. And that national
8 association, although it's hampered by every possible kind of
9 problem, including the lack of ability of many of these people
10 to speak to each other, because many of them are monolingual
11 and do not speak Portuguese, that group has begun to make
12 itself heard in national affairs. That's partly a function
13 also of the liberalization of the press laws, that only
14 recently was censorship lifted on the press, so freedom of the
15 press has actually assisted that development in Brazil.

16 MR. BERGER: Any other
17 questions? Marie.

18 MS. ADAMS: I'd like to
19 make one further comment, dealing with the International
20 Whaling Commission. We deal with different countries with
21 aboriginal peoples. And one of the things that we've tried to
22 do in dealing with those countries is to appeal to the gov-
23 ernments, that you have aboriginal people, can't you see some
24 sympathy in dealing with our situation? I think for those of
25 us who have to deal with international politics it's important
to understand these kinds of situations.

MR. BERGER: Thank you.

MR. CASE: Is Brazil a
whaling country? Is it?

MR. BERGER: The answer was
"yes." Well, thanks very much, Dan. And just before we call
on Joe Meeker to open the last round of discussion, perhaps
you'll allow me to remind you how far we have come. We began

1 on Wednesday with a basic discussion of subsistence, and we've
2 devoted the last two and half days to case studies of situa-
3 tions where Native people are taking initiatives in relation to
4 their own subsistence way of life, and management of the re-
5 sources they depend on. And we heard from Tony Vaska about the
6 Hooper Bay bird agreement. We heard from Marie Adams and
7 Burton Rexford about the Alaska Eskimo Whaling Commission, from
8 Caleb Pungowiyi and others about the Eskimo Walrus Commission,
9 from Jonathon Solomon and others about the International
10 Porcupine Caribou Commission. We heard from Jim Kolwalsky about
11 the measures being taken in, under the Tanana Chiefs in the
12 Interior. We heard from Willie Goodwin and Weaver Ivanoff about
13 the initiatives being taken by IRAs, and we heard from Council
14 for Yukon Indians, we heard about the COPE settlement, the
15 proposals being made by the Dene nation in Canada, and we heard
16 from Harvey Feit about the Cree initiatives in the James Bay
17 area, and from Dan Gross about the third world, particularly
18 Brazil. So, having gone into these things in a fairly complete
19 way, perhaps we could spend the rest of our time talking in a
20 more general way about what it all means and returning to the
21 question that I posed at the outset: Does subsistence have a
22 future, and what the necessary and sufficient conditions may be
23 for securing that future?

19 So, Joe Meeker, we'll turn
20 the floor over to you, and then we'll stop for lunch, I think,
21 and then come back and go around the table and see what
22 everybody has to say about you.

MR. MEEKER: I hope not!

22 Thank you very much, Tom.

23 I think we really had a
24 treat when Austin Hammond shared with us the blanket, that
25 included the stories that established his peoples' ownership of
their land. And I felt envious at that time. I own a couple

1 of things, but I don't have anything nearly as interesting to
2 prove what I own. I at best have a couple of little slips of
3 paper not even suitable for framing, let alone wearing at a
4 ceremonial event. I also didn't have a grandfather who helped
5 me learn how to live with the land, or to understand the other
6 creatures that I share the planet with. I was deprived in that
7 sense. I only had an initiation, beginning very late in life
8 in my early '20s, when I first came to Alaska and spent some
9 years at McKinley Park. And that's where an initiation began
10 for me into how to live well, that I have pursued since then,
11 and I'm still chipping away at it, a little bit. I've learned
12 a lot that helps me with that during the last few days. I'm
13 very grateful for that. One of the things that it's made me
14 realize is that the culture that I come from is in many ways
15 quite an immature culture, and that it needs help if it's going
16 to attain a higher stage of maturity, and we could use the help
17 of the Native peoples of Alaska and of subsistence peoples
18 everywhere in doing that.

15 We are doing some learning.
16 Most of us in my culture no longer live in a place where there
17 are any economic aspects to subsistence of the kind we've been
18 talking about here for the last few days. We don't have a
19 wildlife population. We cannot hunt. Most cannot even pick
20 berries. But what we are doing is trying and I think rather
21 rapidly now beginning to develop some of the cultural aspects
22 of subsistence within my culture, and we do need help for that.
23 It's coming in some unusual ways. Part of it is the result of
24 the learning that has taken place over the last few decades as
25 historians and anthropologists have studied subsistence cul-
tures from the past and those that still persist in the pre-
sent. We've begun to learn that those cultures which were
previously thought to be primitive are actually extremely
demanding upon the people within them and that they require

1 highly sophisticated, highly complex ways of thinking, re-
2 sponding, understanding, and acting. They are very highly
3 developed from the point of view of social relationships, of
4 mental attributes, of emotional life, of psychological balance,
5 and of ecological understanding. Those are things that my
6 culture needs more of and is now seeking. And we're seeking
7 that in part from the study of subsistence cultures, past and
8 present.

9 We're also doing some other
10 things. People in my culture are beginning to define something
11 called bio-regional life, where people are trying, for the
12 first time in decades, to define the areas in which they live
13 according to the biological characteristics of the region,
14 watersheds, mountain ranges, valley systems, rather than ac-
15 cording to the artificial political boundaries that have been
16 imposed. And a bio-regional movement is afoot, very healthy,
17 and very widespread, not only in the United States but in
18 Europe and in many other countries of the world as well.

19 On another level, in our
20 science we are beginning, for the first time, to seriously
21 understand the nature of very complex systems, ecological sys-
22 tems and biological systems and physical systems. Some of this
23 is coming through physics, through chemistry, and through eco-
24 logy. All of those things are leading us to an understanding
25 of integrated relationships of the kind that has been common-
place in subsistence cultures for thousands and perhaps mil-
lions of years. We're just beginning to scratch that surface
that has been deeply plumbed by subsistence cultures for a long
time. And again we need help in doing that.

Our institutions are
changing. We are beginning to develop and recognize the value
of consensus-based decision making. And there are numbers of
institutions--educational, business, and corporate

1 institutions--that are now experimenting successfully with the
2 kind of consensus decision making that has been dominant in
3 village life for time immemorial.

4 So these are forces that
5 are at work in the culture that I live in that resemble some of
6 the forces that are and have always been at work in the
7 cultures of subsistence peoples.

8 You can tell a lot about
9 people by noticing what they read when they get up in the
10 morning. If you read the sky, and if you read the sea, you're
11 reading an extremely complex newspaper, one that you can scan
12 for signs of change, for trends, something that will tell you
13 how to conduct your life during that day, how to live well
14 during that day, if you know how to read the sky. Most people
15 in subsistence cultures do know how to read the sky. If, on
16 the other hand, you're in my culture and instead you read the
17 Wall Street Journal, looking for changes, trends, the clues and
18 information that will help you to lead your day well and to
19 come off well, that's another way of adapting. What I'd like
20 to point out is that both of those things require the same
21 highly developed mental and emotional skills. They are both
22 subtle activities. And they are comparable in quality. If
23 anything, I would say that knowing how to read the sky is a
24 much more demanding and complex activity than knowing how to
25 read the Wall Street Journal well. It takes longer to learn
how to do it accurately and properly. And, if I were to go out
on the ice, I would certainly rather go with someone who knew
how to read the sky, then with say a Ph.D. in meteorology or
someone who knew how to read the Wall Street Journal. Anyway,
what I'm try to point out is that the same mental characteris-
tics apply in both cases. And that they are high level,
sophisticated, and very important kinds and qualities of mental
life.

1 the world does or will. The parts of it that are lost or
2 damaged can't be replaced. It is an irreplaceable resource. The
3 world needs a whole and a very healthy subsistence way of life
4 to be kept intact. And as I say, we will need it more in the
5 future than we need it now.

6 A dominant thing over the
7 last two days particularly has been the focus on the economic
8 aspects of subsistence. It may be that many of the Native
9 speakers that we have heard have, to some extent, adopted the
10 western view that subsistence is primarily an economic
11 activity. I'm not sure of that. What surprised me is that
12 some things that are extremely important to the future of
13 maintaining a subsistence way of life were left out, or were
14 seen only in a minor way in our discussions. Some of these are
15 significant threats that will have to be dealt with. We had a
16 very brief discussion yesterday about military growth in
17 Alaska. Many informed estimates are that over the next 15
18 years the major economic activity in Alaska is going to be
19 military. Much larger than oil. There will be new military
20 activities in response to Siberian military activities. And
21 there could be very, very large impacts from the physical
22 development and from the shifts in population and from the
23 pressures on resources and wildlife and subsistence...

(TAPE 14, SIDE B)

19 ways of living. There is also another thing that many of you
20 know about, in great detail, but I haven't heard any mention of
21 it. There will be increased competition with both Russia and
22 Japan for North Pacific fisheries, particularly, and perhaps
23 for timber and other resources, too. That too poses a threat
24 that has not yet been addressed. Another serious threat that
25 I'm sure many of you feel on a daily basis is, what's going on
the villages? What's going in the mental and physical health
of the next generation to maintain a subsistence way of life?

1 What are the effects of alcohol on that group? What are the
2 effects of drugs? How are those people living? And are their
3 bodies and minds going to be whole enough to carry on a way of
4 life that you can be proud of in the next generation? How
5 about the values and beliefs of that next generation? What's
6 happening to them, as more and more of them are trained outside
7 the villages, as more and more are trying to qualify for posi-
8 tions and salaries. What will happen to them when they are
9 trained as the kinds of scientists whose testimony, we have
10 heard, is rarely trusted within the village way of life? Do
11 you want them to go to universities? Do you want them to grow
12 up with television? Do you want them to grow up with the
13 social values that are being advocated and imposed by both
14 universities and television and the other media forces that are
15 at work upon them?

16 And one other thing is,
17 what's going to happen as the cash economies of the villages
18 change? We heard the wonderful testimony from Jonathon
19 Solomon, that the people in his area have an average income of
20 \$700 a year, and yet throw \$50,000 potlatches. Consider what
21 would happen if the average income in this area were \$50,000
22 per person and they threw \$700 potlatches. I think that would
23 have been a significant cultural loss if that point were ever
24 reached. What I'm trying to say is that the world, as well as
25 you, need what you have here. And I admire the energy I see for
defending that. I encourage you and I want to help you to
enhance it, and I would beg you to help us learn.

MR. BERGER: Well, thank
you, Joe. I think that it might be useful to adjourn in a
moment for lunch, and then to return and have a roundtable
discussion, drawing back as Joe has urged us to do from the
case studies themselves. Before we do, I might just...if Dave
Porter is here, if he or somebody else might join the round-

1 table after lunch and tell us a little bit about the Native
2 Broadcasting Network in Canada, because Joe mentioned tele-
3 vision, and I think it's worth remembering that technology can
4 be a servant and not just a master, and it may well be an
5 instrument for broadening and deepening Native culture. And I
6 don't see Dave, but I guess he'll be popping in later. So, if
7 that's all right with you people, we'll come back for an hour or
8 two this afternoon and chat about these things. We'll come
9 back at 1:15.

(MEETING ADJOURNS)

(MEETING RECONVENES)

10 MR. BERGER: Well, let's
11 just take our seats then and...Well, we've been...We've been
12 joined this afternoon by Pat Wallace, who's...Kay Wallace,
13 forgive me Kay...who's seated next to Rosita Worl, and Mike
14 Holloway, who's seated next to Jonathon Solomon. And what we
15 thought we might do this afternoon is this: we looked at the
16 case studies on subsistence, then Joe Meeker kind of gave us an
17 overview from about 35,000 feet, and perhaps we might, keeping
18 in mind what Joe has said, zoom down a bit and look at Alaska
19 again and consider the task before us, what are the necessary
20 and sufficient conditions for the continuance of subsistence,
21 in the light of Joe's remarks. And I thought what I'd do, if
22 you don't mind, is just go around the table and just see what
23 last thoughts any of you had that you might want to express.
24 Let me say that I'm very pleased with the way we've structured
25 this thing and I've learned a great deal, and I hope you have.
I don't think that it is the kind of roundtable where we can
expect to come up with hard and fast conclusions, I don't think
it's the type of gathering where we can expect to pass a reso-
lution that settles the whole question of subsistence in Alaska
or anywhere else. But if you have any observations on what Joe
Meeker has said or what others have said over the last three

1 and a half days I think this would be a good time to get them
2 off your chest. So...Oh, and could I also say that Lily of the
3 ICC office has some of the copies of the book Oil and Amulets
4 about the circumpolar region. It's a very good book, and she
5 has some copies at the table over there. I'm afraid that you
6 have to buy them, that's the only catch, but if you'd like to
7 see Lily about obtaining a copy of the book she'll have copies
8 available. So, where might we begin, perhaps with Rosita Worl?

9 MS. WORL: Yes. I would
10 like to ask the Canadian delegation, based on their experiences
11 and their observations of Alaska, through Dr. Langdon's paper
12 and then also through the discussions here, what might they see
13 as the major pitfalls that we here in Alaska have in terms of
14 protecting Native subsistence, where are areas that they might
15 suggest that we should emphasize or just some general advice.

16 MR. BERGER: Any of
17 you...Victor Mitander and Dave Porter are respectively seated,
18 I think, at the back of the hall, and if they or any of you
19 would like to take a shot at that...Looks like they've given
20 all the advice they're capable of offering. Ah, here comes
21 Victor.

22 MR. MITANDER: What advice?
23 Well, that's a very tough question, not being fully familiar
24 with exactly what went on over the last while. But I think
25 I've learned quite a bit from these discussions over the last
three days. And I think one of the things that I see we should
be doing is to work more closely together on common problems
and issues that we have acrossed northern Canada and Alaska. I
think with respect to, if you look back at the Alaska Native
claims settlement, there were some serious errors made with
respect to peoples' right to resources, particularly subsis-
tence. And I think through this whole process it has brought
people together, to stand, and together to try and salvage or

1 ensure that the proper protections are put in place to protect
2 our peoples' right to subsist off the land. I think those kind
3 of things, and we will support your fight in that area. I
4 don't think the fight should stop here, it must go on. As we
5 had heard earlier this morning, there are other countries,
6 other people throughout this world that also subsist. And I
7 think it has to be told to the powers that be, and also to
8 establish the political will to recognize and protect the
9 rights that we have exercised for the last 40,000 years in this
10 part of the country. And I think those kind of things should
11 start. For instance, in the area of the Porcupine caribou, we
12 have started moving in that area. And I think the end result
13 is going to be satisfactory to our people, both in Canada and
14 the United States, achieving the proper protection and recogni-
15 tion to that herd. And I also think too that it seems to me
16 over the last few days, for instance in the trapping area,
17 there's not really that much done in Alaska, and I think based
18 on that, you know, we still have a chance to try and put in
19 place proper regimes and management participation from our own
20 people to ensure that that livelihood is protected in the
21 future, and to ensure that we have input into what happens in
22 that area. I also think too, for instance in salmon, it is
23 necessary that we try and protect what we have left in the
24 salmon. It's a resource that is being depleted, and it is
25 something that we must try and stabilize and enhance. And
keeping in mind, too, that again working together and communi-
cating and having that dialogue between the Native peoples of
Alaska and Canada, it must be encouraged, it shouldn't stop
here, it must go on.

23 I'm not sure exactly,
24 unless there's a specific question that should be asked to us.
25 I know for instance in our situation, we haven't gone to the
extent of convincing government, I guess, in Canada to recog-

1 nize and protect our subsistence rights. We're getting a very
2 strong impression from our own people in concerns that this is
3 something that we must protect, and that what we have in place
4 in Yukon today is not acceptable. And they're saying to us
5 that this has to be looked at again, and we have to put in
6 place the proper agreement that reflects our interests and our
7 aspirations to the renewed resources in Yukon. And I think as
8 a result of this we will be going back to the Yukon and
9 starting next Tuesday we have 10 days of meetings from all of
10 the Yukon communities to talk about this very...our claim. And
11 hopefully at the end we will come together in insuring that the
12 areas of use to the renewable resources are properly reflected
13 in our position to the government of Canada. So I think with
14 that I've certainly learned a lot, and I think it's...met a lot
15 of good people here, and I think you have a lot of valuable
16 resource people here, both involved at the central level and at
17 the community level. And I think that's something that, there
18 seems to be a lot of fight left amongst the people here, and I
19 would very much encourage that, and support that fight to end
20 to the satisfaction of our own people. So with that in mind,
21 thank you very much.

17 MR. BERGER: Thank you,
18 Victor. Bob Gamble, and then Peter Usher.

19 MR. GAMBLE: I think it
20 certainly would be presumptuous on my part to indicate what
21 Alaskans might be able to do, I think Alaskans can figure that
22 out for themselves. They can look at some of the experiences
23 we've had in Canada and try and apply some of those principles
24 to their own situation. Certainly I find the Alaskan situation
25 quite complex, and I'm only beginning to understand little bits
of it. Or as I understand parts I find it's more complex than
I originally thought. But one thing that we might keep in mind
is that there's been a lot of emphasis placed on the Native

1 claims settlements and progress in settlements in the Yukon and
2 Northwest Territories. And something that you may have heard
3 from the other Native groups in Canada that have appeared at
4 sessions like this before is that their claims is only one part
5 of another process. You may know that the claims process for
6 the Inuit and Dene was drawn out and held up for many years
7 because they were insisting on including constitutional issues
8 in the claims. They finally decided to abandon that, in the
9 claims forum, and deal with land claims as the government
10 defines them. But that is...that doesn't mean they've given up
11 the constitutional battle. The Inuit are after a Nunavut
12 government, they're after some kind of political power. And
13 the same in the western Arctic, the Dene are pursuing their
14 form of government that will guarantee their political
15 authority and power in the future, to protect these rights.
16 Because I think if we've learned anything we've learned that
17 whereas in Canada some of the claims settlements look as though
18 they're very generous, they're generous because they're not
19 impinging on the rights of others, they're not competing for
20 the same resources. In the northern Yukon Natives have got
21 exclusive rights to harvest. But nobody else is harvesting
22 there presently, virtually, so it's no threat to anyone else.
23 And I think you see that pattern extended into Alaska. The
24 Alaska Eskimo Whaling Commission has some success. What other
25 American citizens want to compete directly for the bowhead
whale? So, where the larger society is not threatened, or
where they don't have to give anything else up, then there's
some encouraging progress. The real battle is going to be
moving into areas where there is competition, where you try to
apply those same principles in this part of Alaska. Or, as we
have seen in Yukon, the difficulty they've had applying those
principles in the southern portion of the Yukon. The Yukon
claim is divided into northern and southern portions, there are

1 different conditions apply there. And so, what I'm saying in
2 sum, is in the Northwest Territories the Native people are
3 after some political authority and political power to blend
4 with their claims and to back-up their claims. They're two
5 parts of the same basic issue. I hear some of the same kind of
6 things in Alaska, they've been mentioned around this table.
7 And outside of this room and in bars and in talking to other
8 people who, Native people from Alaska who are not necessarily
9 here, I hear a lot of frustration, resentment, and a lot of
10 difficulty in focusing on how to tackle the problems that they
11 see with their corporations, with their subsistence, and so
12 forth. And a lot of these people are saying similar things.
13 They're saying...our solution is sovereignty. Right? In
14 effect, that's a political solution as well. So I think it's
15 useful to keep in mind that...that political solution in the
16 long run is what people in Canada are after, as well.

17 MR. BERGER: Peter Usher.

18 MR. USHER: Well, I guess
19 if there were a glass on the table and there were liquid in it
20 that went about half way up, some people would say the glass is
21 half empty, some people would say it's half full. And I guess
22 in a way that's my response to what I've seen going on in
23 Alaska. From my knowledge of it from some years back, and from
24 what I've learned today, I would have been quite pessimistic
25 ten years ago with the future of the subsistence economy. And
I'm perhaps not too surprised but certainly delighted to hear
all the things that you have managed to do to defend your
interests, and I would say advance them, in the last ten years.
So in many ways the picture looks, as an outsider, much brighter
to me than I would have said some time ago. But I think that
there are three areas which we have hardly touched on, in the
last little while, that I would just throw out for your
consideration as possible...that present some dangers to the

1 somebody and get some money?

2 MR. USHER: That's right.

3 That you can get either an injunction against damage or
4 compensation for damage which has occurred. I have no idea
5 about how you would go about that in Alaska. I assume from all
6 these other things you've done that you could probably perhaps
do something about that, too.

7 I would like to turn a bit
8 to the economic questions, very briefly. I'm reminded of
9 something that, you, sir, told us in Inuvik almost ten
10 years ago in our deliberations, which was that there's no such
11 thing as a free lunch. And I think that applies to the
12 subsistence economy as much as any other. And I'd like to just
13 throw out a few areas where I think that does pose some limits.
14 We've already discussed at various times the costs of pursuing
15 the traditional economy of...the very great cost. Somebody
16 commented yesterday it cost \$700 to go out and hunt caribou,
17 and if you can only get 5 during that course it's not a very
18 economical way to go about things. Well, what we're in is a
19 situation where the ability to harvest is more and more
20 dependent on access to, not the resources themselves, but to
21 cash. And that, it seems to me, is the real problem that's
22 going to face a lot of subsistence economies. And the few
23 observations I'll make on this are based not only on the
experience of hunters and trappers in the Canadian north, but
also looking at the experience of subsistence farmers and
fishermen further south. Because I think what's happened to
them may be some indication of the dangers, not necessarily
that will happen but could happen, to people in this situation
even though what they're harvesting is wild resources.

24 The two critical issues it
25 seems to me are, one, the question of how much you invest in
productive capacity compared to what you get out of it, and

1 second of all, what is the time allocation between wage labor
2 or business or any other activity that you're engaged in and
3 subsistence activity? Now, one of the consequences it seems to
4 me of tying harvesting investment to some other source than the
5 income from subsistence activity, like trapping or whatever, is
6 that the rate of that investment is divorced from the
7 productivity of that investment. We know that in the Canadian
8 north that harvest levels are remaining approximately the same.
9 This is at a broad level, say for the Northwest Territories
10 we're looking at something like two and half million kilograms
11 of food production. That's a level that could in fact be
12 increased, although certainly not more than two-fold is the
13 general estimate of that. At the same time we know that people
14 are continuing to be able to engage in that by virtue of more
15 and more wage employment, more and more money coming from
16 somewhere else in order to get that food. We also know that
17 they're spending a heck of a lot more to get it than they used
18 to. And the figures are really astronomical, if we look back
19 20 years when maybe your annual cost of outfitting was \$500 to
20 \$1,000. We know that, we're talking about \$500 just to go on
21 one trip now. So there's a huge difference. The problem is,
22 if you're not producing more there's got to be some point when
23 the investment is no longer worth it. And if the only way you
24 can get it is in fact to invest those vast amounts in order to
25 get returns that are not increasing, then I think that's where
the problem comes in.

Now, we know that people are affording more and better equipment, and that has solved one of the problems of recent years, which has been urbanization. Because when urbanization first occurred people couldn't get out as much as they used to, and they would hunt close to the community and not so much far away. We know that things like snowmobiles and airplanes and so on have solved that

1 problem. People can cover just as much area as they used to.
2 But it costs a lot of money. At the same time that expenditure
3 on resources is a response to wage employment. If you have to
4 be in wage employment more and more, then you must substitute
5 capital for labor. Dan mentioned earlier that these things
6 take time. And if you have less and less time and must use
7 capital in order to spend that time economically, you start
8 thinking about time very differently. I would suggest that
9 you're no longer in a position to make the kinds of observa-
10 tions that Harvey talked about, about what's going on in the
11 environment around you. I think there are also risks in losing
12 your productive capability. Now we haven't got to that stage
13 in the north where people are having to go to the bank and
14 really go into hock to buy the pick-up trucks, the ATV's, the
15 snowmobiles, the big outboards, and so on. Not very often.
16 But the experience in the south is, lots of farmers are losing
17 their farms today, lots of fishermen are losing their fishing
18 boats, and with it they've lost their access to the traditional
19 resource. And that's a process that certainly concerns me.
20 Well, I think that really in a sense, the time allocation thing
21 is something that I guess we're all familiar with, any of us
22 who do this kind of activity, of any kind of subsistence
23 activity, it just becomes more and more of a problem as to when
24 you can get the time to do this effectively.

19 And there's another aspect
20 to that problem of time. It's not only the problem of actually
21 getting the time to go out hunting, but more and more in any
22 small community, rural community or northern community, we find
23 that there's a kind of...the time of the whole community
24 becomes oriented to the job, to the school, regular meal times,
25 regular occurrences of this, that, and the other. Which is
really quite a different system of time than subsistence
activity operates on normally. By and large, country food is

1 not convenience food. And I think people resort to convenience
2 food in the grocery stores, not because they don't like country
3 food any more or don't want it, but because it's convenient.
4 It's the only way they can live and manage to send their kids
5 to school and make sure somebody gets off to the job and run
6 the household. I mean, these are the daily affairs we all have
7 to deal with. And we see that kind of thing happening in the
8 north. And after all, the business of putting food on the
9 table involves just as much women's labor as it does men's. And
10 if we're looking at women more and more going into the labor
11 force, which I think is typical of most northern communities,
12 that's a problem, too.

13 Well, so I think there are
14 limits on how much income, from either wage labor or business
15 or anything else, can be put into the subsistence economy. Now
16 we hear more and more about the possibility of turning the
17 subsistence economy into a business or an industry, by which we
18 mean somehow selling these resources for cash or converting
19 them into cash and so on and so forth. And I don't want to
20 suggest that some of those things aren't very good ideas, but
21 they also carry certain dangers as well. Because it's more
22 possible now to turn what you eat into cash, rather than by-
23 products, like fur or ivory or whatever. And when people can
24 start turning what they eat into cash, we know very well what
25 happens in third world agriculture and so on, is that they
don't produce the stuff for themselves anymore, they produce
stuff for export, and the quality of what they eat declines
very, very significantly. That becomes...it's not the same
world anymore, in that regard. And we're looking at no longer
simply a case of individuals or villages deciding what they're
going to do with their resources, but corporations. Regardless
of who runs them, the decisions that a corporation will make in
that regard may well be very different than what individuals or

1 tribes or villages would make.

2 Well, if there's limits on
3 how much money you can pump into a subsistence economy, or get
4 out of it, there's one other strategy for getting along, and
5 that's becoming more self-sufficient, or substituting what you
6 import with what you can produce for yourself. And one of the
7 things that I think both Native and non-Native people who rely
8 on a subsistence life know in their bones is that when times
9 get tough it's subsistence that you rely on. Now that's the
10 problem, it seems to me, when I look at the northern economy,
11 and for that matter the southern economy, I don't wonder if
12 the bubble will burst, I wonder when it will burst. And
13 because subsistence depends not only on the resources still
14 being there, all this question of managing the lands and
15 managing the resources, it also depends on the access to
16 resources being there and to everyone still having the
17 knowledge and the tools to use them.

18 So all those three things
19 are necessary conditions to subsistence continuing on. And it
20 seems to me that universal access to subsistence resources,
21 which is the basic principle of subsistence life, that
22 principle is what is the most threatened by industrial and
23 commercial arrangements, whatever other benefits they bring,
24 and I don't deny that they're substantial.

25 Now, I'd like to finish
with one comment...one other threat to subsistence that we
certainly see in the Canadian north, and I've only heard a
little bit about it here, but I guess the whaling thing is a
good example of it. And that is, unfortunately in the
industrial world there is a growing sentiment that it is wrong
to kill and use wild animals. The consequences of that with
respect to seal hunting in the eastern Arctic has been drastic
indeed, and I'm sure you're well aware of it. That has

1 happened despite government support for the seal fishery. And
2 not only the seal fishery in Newfoundland. The Canadian
3 government got very badly defeated on that issue, despite its
4 best efforts. And I think there's a serious lesson to be
5 learned here, that that's going to be a big issue, and one
6 which as small communities or small groups will be very
7 difficult to take on, other than the kinds of strategies that
8 you're already developing, which is to deal internationally and
9 so on. But a comment I'd like to make about that is this--Don
10 Mitchell rightly pointed out the other day that most people do
11 not get to use their property exactly as they please, unless
12 you're quite powerful and rich, and most of us aren't. For you
13 to use and enjoy a property or any other right in the north
14 today, you will have to demonstrate to others that you continue
15 to have a moral claim upon that right. Because the north today
16 is like a fishbowl, everybody is looking in. Just like the
17 rest of the world. And the reason that things like boycotts and
18 embargoes work is that because the targets of those things are
19 dependent on other people, on world trade, and so on. Small
20 communities, like large ones, enjoy the comfortable life, at a
21 price. And I'm reminded again that there's no such thing as a
22 free lunch.

18 So what I'm wondering
19 about, because I didn't hear too much about it in the presenta-
20 tions that were made, is having assured, having asserted con-
21 trol and sovereignty over your resources, how do you demon-
22 strate that you have the necessary authority and power that go
23 with that sovereignty? And what I mean by that are, how do you
24 enforce the rules? And how effective are those means of
25 enforcement? And I'll give you two example of that. One is
the individual hunter who violates the normal rules of your
community. And the other one is the individual corporation,
which in some ways by its proposals and actions may violate

1 other rules. So what is your control, and how effectively can
2 you exercise that control over the ones who violate the rules?
3 We've had some problems with that in Canada, you know,
4 occasional reports in the newspapers about greatly excessive
5 kills of caribou or narwhals or whatever, and whatever the
6 truth of those things, and however much the outsiders may be
7 ignorant or foolish or uninformed, the fact is that they are
8 left with impressions. They go away with those impressions,
9 and they stick long after the explanations in the reports and
10 so on and so forth. So, knowing that that image is a serious
11 matter nowadays, I ask that question about how you exercise
12 that control internally not simply for my own curiosity, but
13 because many outsiders who are much less sympathetic than I are
14 going to be asking those questions of you all the time. And
15 you will have to satisfy them as well as yourselves that you
16 maintain your credibility and your legitimacy in this northern
17 fishbowl.

14 Thank you very much for the
15 opportunity to come here, I've enjoyed it very greatly.

16 MR. BERGER: Thank you,
17 Peter, for raising those issues. Worth thinking about. I've
18 forgotten who had been trying to...Hugh Monaghan. If you can
19 get the microphone back, you might also tell us, if you feel
20 free to do so, at the meeting of the International Porcupine
21 Caribou Commission the other night, you mentioned something
22 that Peter touched on, that is the mistakes that biologists
23 have made in estimating the size of the Beverly Kaminuriak
24 caribou herd, which is the largest herd I think in North
25 America. And I remember, if I may be forgiven for mentioning
this, making a speech once about three years ago in eastern
Canada, and some biologists teaching at a nearby university, I
was speaking in defense of Native rights in northern Canada,
and some biologists cornered me and said, you know, the Natives

1 had been over-hunting the Beverly Kaminuriak herd, and
2 80,000 animals had been destroyed, or the population was down
3 by some godawful number. And I just retreated into the night
4 not knowing exactly what to say to these infuriated scientists.
5 And you were good enough to mention that the other night. If
6 it's not classified, could you just....

7 MR. MEEKER: Perhaps I
8 could comment on that in a minute, and that will give me as I
9 talk a chance to think about how I might phrase that
10 cautiously. But first of all I'd like to thank you for
11 inviting our participation here. Unfortunately, as I
12 predicted, unfortunately for you, fortunately for me, I was
13 able to learn an awful lot more than I was able to contribute.
14 I do wish my minister, Nellie Kornway (?), had been able to
15 make it here, because I think she could have contributed in
16 quite a different fashion than I am able to, having her long
17 experience in Native rights issues, and now being one of the
18 senior people in our political system. However, as I
19 say, despite that I certainly benefitted from this.

20 Being a Canadian
21 administrator in the natural resource field, I am loathe to
22 provide specific advice, Marie, on how you might improve your
23 situation in the American scene. As a matter of fact, I'm
24 unable to do that on the broader front that Peter Usher and
25 some of the others have spoken to here. However, there are two
specific comments that I would like to make, and then one will
feed into your question, Judge Berger. It seems to me that the
question of subsistence and maintenance of that lifestyle and
the culture are really the key elements that we've been
focusing on here and they're obviously the key elements that
I've been confronted with in land claim negotiations now
for some 10 or 12 years. It's obviously a crucial issue, it's
going to continue to be that way. Within that frame it seems

1 to me that there's two basic requirements for the maintenance
2 of this lifestyle and culture. The first is, despite what
3 Dr. Holthaus has indicated, I feel that obviously you've
4 got to be able to maintain the renewable resource base that
5 people rely on for that lifestyle, in particular a reasonable
6 level of environmental quality. If that's a basic truth, and I
7 believe it to be, then I would encourage the Native people to
8 be as active as possible in the management of those resources
9 and in environmental protection. It seems to me that we've
10 heard a couple of good examples here in the last couple days--
11 the Whaling Commission, the Porcupine Caribou Commission--the
12 attempts that you people are making to become actively involved
13 in the maintenance of those resources I think is very positive.
14 We had some recent experience in this in Canada, and it would
15 suggest that governments and the Native people can work
16 positively on issues like this. I would encourage you to
17 become proactive, and by that I mean not waiting as we did in
18 the case of the Beverly-Kaminuriak caribou herd until we had
19 what we thought was a crisis at that time. Because emotions
20 are charged and it's difficult to work together and you have to
21 overcome a lot of hurdles. I would encourage you to become more
22 proactive, and become directly involved with these agencies at
23 an early stage, before there is a panic.

19 Judge Berger, to answer
20 your question about the specifics of those two herds, we had,
21 for the background of those that aren't familiar with it, an
22 apparent decline in both herds. The Kaminuriak herd that had
23 been predicted based on 25 years data that it was going to be
24 eliminated as an economic resource in a period of eight years.
25 The Beverly herd, which was considerably larger, in excess of
100,000 originally, was thought to possibly run into obscurity
in as soon as five years, if we were carrying on at the current
rate. This was based on the wisdom at the time, using the best

1 techniques that were available to biologists. They were
2 forthright, and I think I have to say perhaps a little
3 dogmatic. For various reasons it became a hot public issue
4 and, as I mentioned, emotions became very charged. But the end
5 result, after much work, was government and the Native associa-
6 tions formed a management board to work jointly on the problem.
7 Interestingly enough, it turned out in the middle of this
8 process of forming the board that we conducted a survey that
9 showed an anomaly, we had a lot more animals that we thought we
10 had. There was a marked silence amongst some of those that had
11 felt so strongly earlier about the state of the herd. Some
12 claimed trend was the same, it was just that we had more ani-
13 mals, and that the trend was still going down. Since then that
14 anomaly has not become an anomaly it has become a consistent
15 number that's considerably higher than the reduced levels of
16 caribou that we thought we had. So the situation is obviously
17 less pressing than it was. But I guess to try and look at the
18 half-full glass, as Peter would call it, or as he referred to
19 earlier, it at least forced us to acknowledge that we in the
20 science of wildlife management have to acknowledge that it's
21 often an art, we're on a learning curve, and we were obliged to
22 get back to our roots and work with the people that were
23 relying on that resource. And I think it's turning out to be a
24 positive example. The resource users now feel that they are
25 fully involved in the process of developing management plan.
And I think, although it's been a very good lesson for us on
both sides, as managers and users, you people also are having
some similar experiences here. And I guess my message is let's
continue in both countries to work together, both as resource
users and resource managers.

(TAPE 15, SIDE A)

Because I really do believe that the maintenance of the
resource and environmental quality are crucial to the

1 not just a Native problem. Because those lands throughout the
2 state that have been selected for subsistence are based on the
3 availability of those resources around and the Department of
4 Fish and Game should remember that if we lose control of those
5 lands, you know, we lose control of the habitat. They're,
6 it's...I don't know how to bring it out more bluntly, but they
7 should, the State should start worrying about 1991, too, just
8 for that purpose alone. For protection of the habitat areas.
9 It's not just a Native problem, it's an Alaskan problem. We
10 could take some examples we know for sure, or we get
11 trends...of talk...for instance in Southeast. If there's no
12 protection clauses of the land down there we know that the
13 timber companies are going to start buying up the land, just to
14 harvest the timber. And it could happen statewide, for the key
15 protection areas of the habitat, or for habitat management, are
16 what the people selected, under ANCSA. We all know that if we
17 lose the land that we use for subsistence activity the re-
18 sources will be gone. The habitat plays a key role in this
19 activity. And I would like to see for, if the State can give
20 some effort in helping us, either through legislation or any
21 avenue, for land protection. I don't know how we can go hand
22 in hand in that, but I think we're going to have to end up
23 doing that. Thank you.

19 MR. BERGER: Thank you for
20 making that point, regarding the links between ANCSA and
21 subsistence. Dick Nelson.

21 MR. NELSON: I don't
22 remember that I've ever been to a meeting where I kept my mouth
23 shut for such a long period of time. There are two reasons for
24 that. One is that, the most important one, is that most of
25 what I would have said during these last three days was said by
other people who said it better than I could have and who
understood things much more deeply than I do. And the other

1 reason is that I feel that it's very important with the emer-
2 gence of very capable Native leadership that those of us who
3 know less should butt out anyway. But I'd just like to make a
4 couple of observations based on what little bit I do know from
5 having been involved with subsistence at both village level and
6 sitting-around-the-table level for the past 20 years.

7 One of the most important
8 things that was brought out here in earlier testimony was the
9 fact that subsistence is a way of life and not just an economy.
10 Every one of us who's been involved with subsistence over the
11 years up here has heard that statement time and time and time
12 again. And every one of us who has been involved with subsis-
13 tence up here over the years has seen it ignored time and time
14 and time again. Agencies seem to find it very difficult to
15 deal with subsistence as something other than an economic
16 system, as something other than a table full of numbers or
17 lines drawn on maps. And as the people here who are involved
18 in subsistence, like Willie and like Mr. Rexford and like
19 Jonathon Solomon and Austin Hammond, have showed us very
20 clearly that the time is long past when westerners have to
21 begin to recognize subsistence as something much more than an
22 economic system. Well, there's no use to howl at the wind over
23 that, but I think the most striking example of that that I've
24 seen in a long time was Mr. Austin Hammond's description of the
25 meaning of his Chilkat blanket, which almost none of us here
could understand because he was speaking in his Tlingit
language. But we could see very clearly, I think, that Tlingit
culture is interwoven with its environment just as tightly as
the threads on that Chilkat blanket that he was showing to us.
And I think that what Willie's comments just brought out, and
what many other peoples' comments have brought out, is that if
you start to pull the threads out of the Chilkat blanket you
end up with just a jumble of threads, and nothing else, nothing

1 intergrated, nothing whole, and nothing useful. And so one of
2 the key issues, and I'm really trying to get at something other
3 than a philosophical point here, is that people have to keep
4 those threads together.

5 Now, what really seems
6 important here out of this meeting is that the Native people
7 themselves are developing mechanisms that will hold the threads
8 together, and that will prevent the shredding apart by outside
9 influences and by all the things that are going on nowadays.
10 These institutions, like the Eskimo Walrus Commission and the
11 Whaling Commission and the Porcupine...I don't remember the
12 names of them, you know, and all this stuff you guys are doing
13 in Canada, these are really powerful illustrations of the
14 determination of Native people to hold the threads of their
15 lives together and to keep their life unified and whole and
16 beautiful. I remember very clearly Jonathon Solomon's discus-
17 sion of his peoples' way of life as a part of the ecosystem,
18 that in fact, as I understand what you said, your people are a
19 part of that ecosystem, and the fact that you understand that
20 ecosystem better than any outsider could. Of course with many
21 thousands of years of experience and study to draw on that is a
22 clear and ringing truth.

23 Now, the development of
24 local mechanisms to control the use and management of subsis-
25 tence resources brings with it also the responsibility to
maintain the health of those resources, as...to use
Mr. Monaghan's words. And nowadays, with these new commissions
and mechanisms that Native people are developing, they are
giving themselves the power to exert their traditional respon-
sibilities. As most of you know, I think, in Native cultures
there have been intricate and elaborately woven mechanisms to
insure that responsibility. Woodrow Morrison spoke the first
day about the traditional beliefs of the Haida people, and the

1 way in which those beliefs brought people into a living com-
2 munity with their environment. And of course you know that
3 that system of belief has at least traditionally existed among
4 all Native Alaskans, and probably among all Native Americans,
5 as well. Now, in the past with Native Alaskan people, con-
6 flicts over the management of subsistence resources have mainly
7 arisen because of outside interests impinging on Native lands,
8 or on Native resources. Ninety percent, at least, of the dis-
9 cussion here has been devoted to issues of how to control the
10 access to and allocation of subsistence resources. And I think
11 rightly so, in that allocation is the most immediate problem
12 with subsistence resources. But I would like to suggest, from
13 what little bit of experience I have, that it's not the most
14 important problem in the long run. The most important problem
15 is what Willie Goodwin just brought up, and that is the
16 maintenance of that habitat. I think it's clear from the
17 experience of people in the north, and if it isn't then all you
18 have to do is travel south, to discover that you cannot have
19 development on unaltered natural landscapes without somehow
20 altering the natural community. And because subsistence is a
21 part of that natural community you will then alter subsistence
22 as well. You can't have it both ways, or somebody just had a
23 little analogy over here, you can't have your cake and eat it
24 too, basically.

19 So, here's one thing that
20 I'm very, very concerned with. Number one, I know that Native
21 people are watching very closely the interests of outside
22 people in lands adjacent to or in their own lands. The Eskimo
23 Whaling Commission is an excellent example of that. But, we
24 have to remember as well, that nowadays the Native people are
25 all shareholders in corporate enterprises themselves. And I
think that it's going to be very important that the Native
people monitor and study the activities of their own corporate

1 enterprises with a very clear concept of the importance of
2 subsistence in their own minds. It doesn't matter who cuts
3 down the forest, once the forest is gone the effect is the
4 same. Whether the hand on the chainsaw is a Native hand or
5 white man's hand is, in my opinion, doesn't make any dif-
6 ference, in terms of the effect of subsistence. I am not
7 saying anything at all about the long range benefits or
8 nonbenefits of corporate activities. I'm only talking about
9 subsistence here.

10 What I guess I have in
11 mind, and this is following from the comments of Joe Meeker and
12 Gary Holthaus and Jonathon Solomon and others here, is that if
13 I were a Native person living in a village right now, one of
14 the most important things on my mind in the long term would be
15 the incorporation of traditional Native values into the
16 function of corporate enterprises that are under Native con-
17 trol. As a resident of the planet Earth, I would like to see
18 the...incorporate the bringing of traditional Native values
19 into the operations of corporate enterprises, period. Not just
20 Native corporation enterprises. What I'm thinking about here
21 is that the Native people in Alaska are in a position, number
22 one, to show the world at large a better way of relating to
23 their environment. I'm thinking along the lines of the com-
24 ments of Joe and also some of wisdom in Jonathon Solomon's
25 testimony. The world at large is in a position to learn some-
thing about a way of relating to the environment because Native
people have lived in this country for at least 15,000 years and
in all likelihood 30,000 years, possibly more. And this coun-
try has remained as pristine and productive as it was when they
first arrived. In no case I think will you see that western
cultures have related to their environment in such a fruitful
and productive way over the long term.

Now, getting to the point,

1 but I didn't dare just jump into this without prefacing it, and
2 the point only takes a few seconds. The Alaska Native land
3 claims act set up a system by which all Native Alaskans become
4 a part of what is sort of the ultimate manifestation of western
5 culture, and that is the corporation. Now, we are just at the
6 very beginning of seeing what corporations, Native corpora-
7 tions, can or cannot do here. And so I don't think we can make
8 a judgment right now as to whether this is going to go well or
9 it's going to go badly. But I think we have a few examples,
10 and I'm thinking of southeast Alaska where I live, and which I
11 think that the subsistence interests have not been served by
12 Native corporate activities. Because of wholesale alteration
13 of the environment--logging. Because timber harvesting is
14 detrimental to one of the most important subsistence resources,
15 and that is deer. And I think that I would say that there
16 ought to be a little red light flashing there, and people
17 should be looking and deciding where subsistence falls in their
18 list of priorities. I've heard it said to me by Native elders
19 that our land is just like money in the bank, as an analogy.
20 And I think that there's going to be in the future every impe-
21 tus to go for the white man's money in the bank and to draw out
22 everything that's in that other account, and that is the land.

18 Now, finally, I think that
19 some Native corporations in the state have drawn very strongly
20 on their own traditions in making corporate decisions. I was
21 very impressed by Jonathon's discussion of his own community's
22 resistance to oil exploration on their lands, because they felt
23 that their land selections, as Willie pointed out, had been
24 done for purposes of subsistence, not commercial development.
25 I hope that those kinds of traditional concerns will continue
to dominate the discussion of the direction of corporate
decisions in Native areas of Alaska. Because I would like to
see Native corporations setting a higher example than the

1 example that has been set by western corporations. Of all the
2 people in the world who have, who are in a position right now
3 to demonstrate a direction for corporate enterprise to move in,
4 no one is in a better position than the Alaska Natives. Be-
5 cause westerners simply do not have the wisdom of 15,000 to
6 30,000 years of living on the land to guide them, and Native
7 people do. So I would say that Alaska and the North are the
8 perfect places to see a very important new direction set in the
9 effort to bring together traditional interests in the land with
10 possibly nontraditional interests in the land and to set a
11 standard quite different from and much higher than that that
12 has been set by western cultures. That's all I have to say.

MR. BERGER: Thank you.

11 Dolly, Dolly Garza.

12 MS. GARZA: I don't
13 represent any particular Native group, and so what I have to
14 say is my personal opinions. And that is, first, in speaking
15 with the Natives in the last few days, both some who are on
16 this roundtable and some who have come and gone, that there's a
17 general disappointment with the success of this roundtable. We
18 did not come here to hear various definitions of subsistence.
19 We know what it is in our hearts. And with that I'd like to
20 say I thought we came here to discuss how ANCSA has affected
21 subsistence. And I would like to bring out four major issues.
22 Maybe we are all aware of these four issues, but I think they
23 need to be brought out.

21 And the first is that which
22 Dick Nelson just talked about, and that is with the Native
23 corporations. There has been a distribution of authority,
24 there has been a division of the people because of corpora-
25 tions. Large corporations who have investment interests in
resources can hardly back environmental issues which villagers
are bringing up. And I think we've seen that in the majority

1 of the regional corporations. How can a regional corporation
2 who is invested in oil support major environmental issues?
3 While Native corporations have supported it I think to some
4 extent, it has not been to the extent to create the necessary
legislative changes to protect the subsistence needs.

5 The second thing I'd like
6 to bring up in the redistribution of authority is that I think
7 there has been a redistribution of authority to AFN. One of
8 the things that was discussed yesterday with the Eskimo Walrus
9 Commission is that AFN did not properly represent the Inupiat,
10 the Yup'ik, or the Siberian Yup'ik in addressing the amendments
11 to the 1981 Marine Mammal Protection Act. And because of how
AFN influenced those amendments, there could potentially be
major negative effects on subsistence users.

12 The third thing I'd like to
13 mention is how easily legislation can have far-reaching nega-
14 tive impacts, and how we as Natives have been unaware of how
15 far-reaching these Native impacts can be. And as we start
16 working on various Native commissions and attempting to be more
17 influential, when we address resource issues we need to be wary
18 of these potential impacts.

19 Fourth, in terms of how I
20 think ANCSA has had negative impact on subsistence uses, is
21 that there is a general negative public reaction because of the
22 wealth that we received, not addressing the issue of whether or
23 not it was ours to begin with. But there are many non-Natives
24 who feel that we have been given so much that we are being
25 greedy in asking to maintain our subsistence rights.

As far as solutions, I
think that we as Natives have to approach AFN and make sure
that they are representing us, and that is our fault. In terms
of regional corporations, I don't know how to face them, nor do
I know how to face the negative publicity. But in conclusion,

1 we need to learn how to face legislation, and in addition I
2 think we need to make Natives be aware of how important the
3 commissions such as the Eskimo Walrus Commission and the Eskimo
4 Whaling Commission, how important an aid they are, so that
5 Natives in the different areas can begin addressing subsistence
6 issues in their own commissions.

6 Thank you.

7 MR. BERGER: Thank you.

7 Marie.

8 MS. ADAMS: Well, I guess
9 we're coming to a close. I'd like to give my own impressions
10 and share my own impressions with all of you. I learned a lot
11 about different viewpoints of people who come from different
12 lands, and also see how we're perceived from different areas of
13 the world. I would like to address ANCSA. If you look at the
14 North Slope, the Native lands don't cover very much of the area
15 that we use for resources. Our resources are, we have the
16 petroleum reserve, the wildlife refuge, the Gates of the Arctic
17 park. Also, in addressing, how do we justify ourselves now,
18 and how are we going to do it? It's too bad that we've gotten
19 to that point that we now have to justify ourselves legally,
20 assert our rights. We've tried, you know, people didn't come
21 up and see what was going on when they were creating the laws.
22 They didn't talk to us to see what was there. So what was made
23 was very inadequate, it hurt the people instead of helped them,
24 and that's been evident. And I would like to say this, in our
25 experience with the Whaling Commission, the Yankee whalers came
up and depleted the resource, and then we were faced with a ban
in 1977 because of competition between consumptive uses and
nonconsumptive uses, I'd like to make it...I mean, that's
putting it very simply. You know, there is...there are people
who would rather not see us go out and hunt and live our
lifestyle. That's a continuing battle, and I expect it would

1 be a continuing battle for all of us, because of the way the
2 world is going. But hopefully in the future there will be more
3 understanding. Then with, you know, it almost feels like "we've
4 piecemealed your land and then we've restricted your use, and
5 try and still maintain your culture." And it's like the gov-
6 ernments in their way of dealing with the Native people have,
7 you know, piecemealed our land inadequately, and they didn't
8 address the needs that we have. And then, you know, cutting
9 that off, and they cut a little bit more here and there, and
10 then tell u, "maintain your culture." How can we...you know,
11 try and maintain our culture. We're faced with the monumental
12 problem of trying to explain, we have our culture, I mean, it's
13 being maintained. I don't see why we have...I don't see should
14 we have to go and justify ourselves in front of the law, the
15 governments, and people who are looking at our activities
16 because they're interested in saving the whales or making sure
17 that the resources are not being hurt. They're looking...I
18 think people have to open their minds and start viewing it as
19 the Natives view it. It's a whole, it's a whole life that
20 you're dealing with, up there where I'm from. We tie ourselves
21 to the land, we tie ourselves to our resources, we tie our-
22 selves to...our spiritual life is connected to all of those
23 things. We don't have institutions to...I mean, we originally
24 did not have any institutions which are now present today in
25 our lives. So, even with the changes that have come up, we
have something that's still alive today, it's...you can't put
it, you know, we can't show it, because if you just look at the
way things are up north, look at the people, what they look
like, what they're dressed like, what they're eating, you can't
see it. It's something that is in here, in our spirits, in our
hearts. And it's, like I said, it's too bad that people are

1 accepted sometimes. We accepted our fellow human beings. We
2 accept them when they come in, we treat them with respect, and
3 that's what we strive for when we're trying to assert our
4 rights, is not do it disrespectfully but hope that people would
5 understand and learn to accept us for who we are, not who they
6 want us to be. Thank you.

6 MR. BERGER: Thank you,
7 Marie. Weaver, and then Jim.

8 MR. IVANOFF: I feel very
9 strongly, like Marie does, that subsistence is more than just
10 the taking of animals. There is that spiritual relationship.
11 Just to give an instance, when my father and myself go out
12 hunting, and he catches an oogruk, it always a "Quyana,
13 I've got meat on the table, thank you, I've got something to
14 feed my family with." And it's with that feeling and that
15 flavor of harvesting that resources, I think that makes a hell
16 of a lot of difference in how we feel right now about the
17 animals and the land. And, as I said earlier, if we're relying
18 on other agencies to regulate or manage our way of life, the
19 subsistence resource, then I think we're looking at probably
20 losing, losing that resource, we probably won't lose our way of
21 life but we'll lose something there that's very critical to us,
22 and that's survival. Subsistence is a way of life, but it's
23 also a survival of our people. It's been that way for thou-
24 sands and thousands of years. That's why we perpetuated the
25 environment, that's why we made sure that the animals come
back. Some years back the subsistence law, the State of Alaska
passed the priority subsistence law. And it's been a great
help, but the...when Jim talked about earlier, Jim Kolwalsky
talked earlier about the military growth that's pending in
Alaska, 6,000 military people coming in through the government,
you know, that will directly impact the people. Subsistence
law will get thrown out, I'm pretty goll darn sure about that,

1 you know. So you can't, you know, you've got to, like Chief
2 Solomon and Burton Rexford said, you cannot depend on the other
3 agencies to do that. You're going to have to regulate it and
4 manage it on your own. And I like what Burton Rexford says,
5 you have to, if you want to regulate yourself you have to do it
6 on your regional level. Doing it by region. When that subsis-
7 tence law passed, subsistence priority law passed, I immedi-
8 ately thought of a lot of my people out there camping. And
9 then I thought about a lot of people here in Anchorage and
10 Fairbanks and the urban areas. The man out there who's alone
11 in his cabin, gathering food, is living off no other law but to
12 live off the land. The law, the subsistence law for all he
13 cares is something on a piece of paper that's protecting some-
14 body else. There's no real impact on the urban area, or it's
15 minimum, I should say there's no real impact. The real impact
16 is out there on that guy who's trying to make a living off the
17 land. And he has got the right to do that. But at the same
18 time we still have to work together, we still have to have that
19 cooperation to make this thing work, with the State, the IRA's,
20 the federal government, because there is a lot going on out
21 there. Protection, again, of our people, like I said, the
22 elders are just a crucial part.

18 Earlier Peter asked about
19 the enforcement of, once you get all this regime going, you've
20 got your local control, how are you going to enforce it? It
21 was simple in the past, because we've had the respect and
22 honesty of the Native people. If an elder wouldn't even have
23 to even tell you that you're doing wrong. The way we did it
24 was just a hint, maybe someone is taking too much fish, and
25 that's what he would say to you. He wouldn't say "You're
taking too much fish, you gotta cut it out or we'll throw you
in jail," you know, he'd say "Maybe somebody is taking too much
fish." And so that would stop, take only what you need. But

1 now it's gotten more complex, and there's other things that are
2 going on. But there is still that ability to govern and
3 enforce ourselves, with an elders council, or the elders advice
4 and leadership incorporated into the IRA or the Native village
5 structure of regulating subsistence. Because they've done that
6 for years and years, and their advice is followed very closely
7 now, as it was in the past.

8 MR. BERGER: Thank you,
9 Weaver. Jim, and then Jonathon.

10 MR. KOLWALSKY: Okay, I'd
11 just like to make a few summary remarks. I have a strategy,
12 maybe with all this additional military the strategy might be
13 that since we have a federal law that says there's a priority
14 maybe we should have the military help us defend it, since
15 they're coming here in such great numbers! Well, I'm joking a
16 little bit, but I was thinking that I didn't really answer Joe
17 Meeker's question yesterday about what would the strategy be.
18 And, Joe, I don't have any better answer than that one.

19 But I want to respond in
20 summary to Dan Gross. He expressed amazement this morning--
21 where did he go?--at all of the commissions and so forth that
22 subsistence people are expected to serve on, and doesn't that
23 detract from the activity? I suppose the answer is obvious,
24 but I wanted to just tell him from my experience working only a
25 as technician for a large regional Native organization the
answer surely is "yes," and my point here is that I hope that
the tremendous burden that is, that rests with the subsistence
community as we might call it to defend their interests through
all of these commissions and boards and what have you, may be
grossly misunderstood and underrated in both government, who
often times are very proud of the fact that now we have all of
these laws and we have these federal standards for public
participation, for advisory committees, for regional councils,

1 that I just hope they don't misunderstand what a terrific task
2 it is for especially the far-flung rural peoples to come to-
3 gether and participate in this system. It's just awesome, and
4 the folks in the small communities get burned out mighty fast,
5 in some cases. Very, very good leadership that just can't keep
6 coming to these meetings and giving up weeks at a time on the
7 trapline, or coming right from fish camps to attend a regional
8 council meeting. So I don't want to see that burden under-
9 estimated by both our servants in State government and federal
10 government and also the Alaskan public generally. In other
11 words, the burden of making the subsistence priority, for
12 example, work is really I think rather substantial, and let's
13 please not under-estimate the effort and the anguish and the
14 high level of frustration among the people whose task it is to
15 make it work, that is the users themselves. Let's not under
16 estimate that. I'm very concerned about that. And it's easy
17 for people like myself who are hired to do these things, to
18 travel to these meetings, but if I have to ask an individual
19 who may be from a community to come and represent his in-
20 terests, or for that matter even to go out there where he is,
21 taking his time away from that productivity or these other
22 activities, or maybe he has to cancel a meeting with the school
23 board because he or she may be, in a small community, may be
24 called on to serve on all kinds of committees and boards. It's
25 not, what I'm saying is even I think I under-estimate at times
the difficulty that people have trying to work in these
systems. It is not easy, in fact it's very difficult, I think,
for many people. Okay.

And my other point would
be, in summary, would be that I'm so pleased to see biologists
here from Canada. I wonder where they are from Alaska. I may
have missed some people coming in here, but I kind of know who
they are, and I don't see them, and I'm disappointed at that.

1 I'm going to suggest that the difficulty that we have in
2 bringing together traditional knowledge and cooperation with
3 the graduate school biologists from Louisiana State, or from
4 the University of Alaska, for that matter, who work in direct
5 contact in the management of game and fish resources with rural
6 Native people, that really concerns me. There is, I think
7 there's a still, this is perhaps a great generalization, but I
8 think in the region that I work in there is still a substantial
9 insensitivity by rural-based biologists, this is rather a
10 strong comment, I realize, but I hear it all of the time, that
11 many of the people who are biologists, who are working directly
12 in contact, either they live in rural communities or they spend
13 a lot of time there, or they avoid spending time there at all
14 costs, that there is an insensitivity. There's a lack of
15 willingness, there are also many bitter memories of a very
16 bitter subsistence repeal debate in which many professional
17 biologists working for the State of Alaska aligned themselves
18 with the other side, publicly, in the most unethical, unprofes-
19 sional behavior imaginable, and the memory of that has not gone
20 away. That is, now the rural Native users who have to confront
21 these people, that they are embarrassed at times to do so.
22 There's a tremendous distrust there, and Hugh Monaghan at our
23 little meeting of the Porcupine Caribou Commission the other
24 night said it so well, that there is a great difference between
25 efficiency and effectiveness, and that is something that
Canadian biologists have had to learn and that to me is a
wonderful phrase. Because our biologists are certainly
efficient, but I question their effectiveness. And I think
there is an insensitivity that is almost institutional. I
would say that this administration and the commissioner of the
Department of Fish and Game and his deputy commissioners have
worked very hard to overcome that, but it is a substantial
impediment to effectiveness for management of resource, because

1 of the distrust and the insensitivity that many of these people
2 still openly harbor as they go about their work. I wonder if
3 it wouldn't be possible to consider making as a requirement of
4 any of the biologists, federal or state, who work directly in
5 contact with rural Native people, to have some kind of cross-
6 cultural training. As I understand, either the teachers of
7 this state are being required to do that, or about to be, I'm
8 not sure about that. I say, why not make the biologists do the
9 same thing? So, let me leave with that note then.

8 MR. BERGER: Right. Thank
9 you, Jim. Jonathon Solomon.

10 MR. SOLOMON: Yeh. Mr.
11 Chairman, I want to thank all the people that came here,
12 especially my Native brothers and sisters that talked here, and
13 I learned a lot of things from them. On the other hand, the
14 first day of this meeting when I criticized some other people
15 that were non-Native people, I want to apologize to that,
16 because I knew that something had to be done to set the tone of
17 this meeting, and especially with Tom and Gary Holthaus and Don
18 Mitchell. I know that they're, they were talking here to these
19 people that are gathering here because we all support subsis-
20 tence, but we have to let the other 500,000 people of the state
21 of Alaska know, or try to understand, what our rural people are
22 trying to say. On the other hand, when we talk about subsis-
23 tence in the areas we should be talking about Native culture
24 and their land. I never heard the word subsistence until 1971
25 under the Native land claims act. Before that time, when I was
brought up in the culture of my people, it's always been "our
culture" and "our land." You cannot break out subsistence or
the meaning of subsistence or try to identify it, and you can't
break it out of the culture. The culture and the life of my
Native people are the subsistence way of life. And that's what
we always used, the subsistence way of life. It goes hand in

1 hand with our own culture, our own language, and all our acti-
2 vities. When Native people have potlatches, they have giveaway
3 potlatches, they give you a blanket, that's all subsistence to
4 us, even though that blanket came from Sears Roebuck. And
5 people just don't understand what the rural Native people are
6 trying to say, because of this. To a non-rural resident, that
7 just came off a plane from Seattle, subsistence to him means
8 animal, resources on the land. That doesn't, it doesn't mean
9 that to me. I just want some people to understand that. On
10 the other hand, we talk about sovereignty of these people. I
11 grew up as an IRA council, sovereignty nation. I grew up in
12 the village of Ft. Yukon, and I told you guys that I was, I am
13 the chief of 3-G. But I'm also the second chief of an IRA
14 Native council, Ft. Yukon village. I'm also the mayor of the
15 city of Ft. Yukon. I had an opportunity last year to write to
16 myself as the Mayor and Council of Ft. Yukon City, Inc., by the
17 request of my first chief Clarence Alexander, concerning lands
18 in the city of Ft. Yukon. Because I was the second chief he
19 ordered me to write them all in salt (?). And I did. In that
20 letter I said, when the Native village of Ft. Yukon in 1949 was
21 destroyed in a flood, we move up on the hill and at that time
22 we requested BIA that that land become a part of the reserva-
23 tion of the lower village. And BIA had hearings and there was
24 no objection...

(TAPE 15, SIDE B)

20 To our understanding that it was done, it was part of the
21 reservation. And lo and behold, 1957, the people of Ft. Yukon,
22 the non-Native people, decided to form a 4th class city. But
23 our constitution says that the Native people of Ft. Yukon in
24 this kind of thing must come with a resolution of the council
25 or a signature of the first chief, and a vote of the tribe must
be taken. It wasn't. There's no record of it. And then
Alaska became a state at the same time. And four, five years

1 down the road, without another vote of the people of Ft. Yukon,
2 Ft. Yukon was made a 2nd class city. And about 1957, same
3 time, the village of Ft. Yukon was surveyed with Indian set-
4 aside money, called Indian village of Ft. Yukon townsite. My
5 chief told me that we're going to go sue, who and what agency
6 turned the title of the land in Ft. Yukon over the 2nd class
7 city, for them to sell as lots? And that's a letter I wrote to
8 the council, and I said all land sales, the lots and plots of
9 the city, must be halted at this point until we resolve this in
10 court. Under the traditional powers of the Native village of
11 Ft. Yukon. And I signed it the second chief, at the request of
12 the first chief. This is the kind of problem that exists all
13 over the state of Alaska with Native townsites. They put in
14 there that BLM have the right to give that land to the city
15 inc. (?) or did the State have the right to do that? There is
16 no State land within the Yukon Flats, so how could the State
17 give land to the 2nd class city? And these kind of issues are
going to come up every day from now on, because we're dealing
with sovereignty power of the Native people. And when I said
this, I said I was created with a constitution, the State of
Alaska was created by a constitution, so when we deal together
we must deal with equal power.

18 And somebody said, how
19 about these corporations? Corporations are profit-making
20 corporations without power to rule their own people. The power
21 lies with the Native council. My spiritual leader told me
22 once, he said, he told me, he said, "Let's get all the corpora-
23 tions within the state of Alaska that got potential oil land
24 and put 50,000 drill rigs on there and drill them out, then
we'll get rid of this excess of people. Get the oil out and
then we'll let 'em leave, so that we can go back to our own way
of life."

25 With that, Mr. Berger,

1 thank you for inviting me to this conference.

2 MR. BERGER: Thank you, Mr.
3 Solomon.

4 MR. REXFORD: I want to
5 thank my Native brothers and all the rest of the roundtable. I
6 will continue to support the subsistence way of life, and I
7 might start with Willie. I have a little history, living around
8 Kotzebue, when I was a boy. I live subsistence lifestyle
9 there, and also at Pt. Hope, I went whaling there, and lived
10 subsistence lifestyle there. I've been out to Barter Island, I
11 lived subsistence lifestyle there. And most of my subsistence
12 lifestyle was in Barrow area. And sometimes, looking for a
13 whale, it takes me 30 miles north of the land in choppy waters,
14 and sometimes back to the east about 60 miles, and without any
15 luck of sighting a whale at these times. So, I will support,
16 like I said, the subsistence way of lifestyle. Thank you.

17 MR. BERGER: Thank you,
18 Mr. Rexford. Yes, Mike Holloway.

19 MR. HOLLOWAY: Maybe I can
20 make a few comments from a medical standpoint, as Justice
21 Berger asked me to do. I think there's been a very healthy
22 resurgence in the 24, 25 years I've been associated with rural
23 Alaska. My first association was with Jonathon's relatives,
24 the Gwitchen, and I have the fortune to live quite a while with
25 a family that was very traditional, a family between Venetie
and Arctic Village, some time in the early '60s. And I think
that I should also mention I've seen in the past few decades
some other evidence of the cultural problems that have come
with the mixture of cultures, particularly in South America.
I've spent some years and I've worked in both Bolivia with the
Catchua Naimara (ph) Indians in Bolivia and also in Chile with
the Maikuchi (ph), as a doctor. I do think that the greatest
thing I've seen in the past 20 years is the health that comes

1 from people working to regain control over one's life, where
2 the government and the western culture was washing in very
3 strongly in with the ANCSA, with its many problems, it has I
4 think helped with that. And as many have pointed out it takes
5 a tremendous amount of time and effort, and I've been sur-
6 prised, pleasantly, to find meetings in Savoonga chaired and
7 run, quite, much better than I've seen in my own homeowner's
8 association here in Anchorage. There have been major steps in
9 the last 10 years of protecting the land and the people that
10 have long depended on it. The Gwitchen people, for instance, I
11 think have the longest record...in Yellowknife, in the museum,
12 there's a caribou tibia that's shaped as a skin scraper that's
13 felt to be dated scientifically at 24,000 to 27,000 years old,
14 and it maintains the same shape as caribou tibia leg-bone skin
15 scrapers that I've seen used in that area. And I just think
16 that that tremendous continuance, that somehow that's symbolic
17 of that.

18 I think that the
19 subsistence laws have been upheld by the public in Alaska, and
20 I think this needs to be further developed. And many people
21 have talked about the ways to maintain that with the groups who
22 don't believe in any killing, and with the groups who believe,
23 perhaps, that they should be the ones who have the priority.
24 But I think that the public in Alaska has reconfirmed that
25 subsistence is the highest priority consumptive use and we'll
26 need to continue trying to protect the habitat and the people
27 with the people being definitely involved in their own manage-
28 ment regimes.

29 Subsistence healthwise I
30 think has not been, there's not been appreciation by the
31 agencies. I work with the...as orthopedic surgeon with the
32 Native Health Service, and I resigned from that position for
33 two years in the late '70s to work mainly with Rural CAP as a

1 village-Washington liaison, realizing that I could continue to
2 take care of broken and busted people with the high rates of
3 alcoholism and other evidences of cultural diversion, but it
4 would have little long-range influence, but that influence had
5 to come from recognizing subsistence in its central position,
6 both nutritionally and culturally, to the physical and mental
7 well-being of the Alaska Natives. And I've certainly felt that
8 there is increased competition for resources and that we don't
9 have to draw the line necessarily right now between rural and
10 urban, but there are other lines that should be looked at,
11 between Alaskans and people who live outside of Alaska. What
12 right do they have to come and take animals here? That's a
13 legal question, I know, as well as a moral one. I do believe
14 that foreign citizens do not have the right to take animals
15 here, and I think that that one can be solved more easily. I
16 think that there's not going to be continued room for this to
17 be one of the remaining pools for the world's trophy hunters
18 who have the money to fly all over the world. And I think that
19 there are many nonconsumptive recreational uses that Alaska
20 will be used for, and I think that much of the world is going
21 in that direction. I do think that as more regional areas come
22 into control of their health systems that they realize as a
23 priority that it's not just treating pneumonia or broken bones
24 of the cut tendons of someone who's just slashed their wrist,
25 but that the biggest preventive health measure that could be
undertaken in this state is to preserve this traditional tie,
this subsistence lifestyle, with what most of you know here far
better than I do, the cultural and spiritual ties and the
meaning of that. But I do feel that that needs to be recog-
nized. In 1977 and 1978, Jonathon and others wrote the head of
the Native Health Service in Alaska and asked him to recognize
that importance of subsistence. And it was never done, either
at an Alaska level or when we went to Washington to ask the

1 head of the Indian Health Service there to just recognize in
2 some way this importance. They wouldn't do it. They said it
3 was a political question. It's not a political question. It's
4 very far-reaching, and I hope that with the continued pressures
5 and the continuing of having to explain yourself to outside
6 people, that you will push for that to be recognized, within
7 the health systems, too. There was recently a so-called Arctic
8 Circumpolar Health Conference held in Anchorage, and that ques-
9 tion was never brought up. It was how to stop...how to cut the
10 sugar, and the dental caries, or the other problems that have
11 been identified with the junk foods and other foods that have
12 been brought in. But the...nutritionally, subsistence remains
13 the foundation of the nutritional diet, much less all of its
14 cultural and...I hope that that will be given a lot of empha-
15 sis, as Tanana Chiefs and others have recently taken over their
16 own health...But I do feel overall very positive. I hope that
17 many of the problems of the divisiveness caused by ANCSA and
18 the possibility of losing the lands that are very dear to
19 people. The closest lands are sometimes the ones that might be
20 the greatest jeopardized after 1991, if land were taxed and the
21 other things that happen. And I hope that this commission will
22 continue to look very seriously and can have some affect on
23 those people and also the matter of enrollment, that they can
24 somehow amend the act to take care of those Native peoples born
25 into that culture. And I certainly will try to continue to
help the environmental side, the humaniacs and others
realize the importance of subsistence. But I think it will be
a very continued and long-term fight, and thank you very much
for the presence of the roundtable, I really learned a lot...

MR. BERGER: Thank you,

Dr. Holloway. Steve Behnke.

1 MR. BEHNKE: In listening
2 over the last four days, one of the things that struck me most
3 was the wide range of political initiatives and responses that
4 have been developed by local people to deal with specific
5 subsistence-related problems. In some cases this has been due
6 to reductions in fish or wildlife populations that people are
7 concerned about and use, such as the decline in the Y-K nesting
8 geese populations. In other cases it's because of concern
9 about protecting habitat, the International Porcupine Caribou
10 Commission and others that have been described. It seems to me
11 that these are all political responses that have involved
12 people recognizing resource problems and organizing themselves,
13 developing political support, and getting action to protect
14 these resources. And I think these are really valuable develop-
15 ments that we should consider in thinking about the future of
16 subsistence. It seems to me that one of the things that these
17 situations have in common is that they're, in almost all these
18 resource situations there's a large number of different kinds
19 of interests and rights and institutions involved in fish and
20 wildlife questions. And with all the threats to fish and
21 wildlife and their habitat that have been discussed, it seems
22 absolutely critical that there has to be cooperation between
23 different user groups and different institutions to protect
24 those subsistence opportunities, and the resources that allow
25 them to continue. In the case studies that have been described
here over the last few days it seems to me that Native people
have recognized the need for these kinds of cooperative solu-
tions and have attempted to, at least in the cases where
they've been successful, have incorporated a variety of user
groups and management agencies that are necessary to make those
political actions successful. The Beverly-Kaminuriak caribou
board, the international Porcupine caribou situation, and the
Hooper Bay plan are all examples where the whole range of

1 institutions, management agencies and user groups, have sat
2 down together and come up with solutions that work. Although
3 no one has mentioned it here, I think that if you'll look at
4 the management of salmon it's probably a particularly good
5 example of this need for management regimes that incorporate
6 all the user interests and get, you know, get those interests
7 and institutions sitting down and talking together. There's no
8 other way to manage salmon and protect those resources. Again,
9 I'm encouraged by the local initiatives that have been

10 MR. BERGER: Thank you,
11 Steve. Well, I have a few final words of my own, but anybody
12 else would like to say something, before we...? Marie Adams,
13 and then Austin Hammond. Alright, Mr. Hammond, please go
14 ahead, sir.

15 MR. HAMMOND: I'd like to
16 say to all present and my granddaughter here to bringing me
17 over, to be with you, and to listen to everyone who's talking.
18 There is something that we could learn from each other. When
19 we get together like this, our Tlingit, they used to get to-
20 gether every night after they eat. One of our big men used to
21 sit in the middle and listen. What they know they been telling
22 each other, the correct word, what they been using it. Why
23 they do it? They try to have everything straight, because the
24 one sit in the middle there, he's the last man there. Some-
25 times the other one made a mistake and he used to say, "Wait a
minute, this straight this one out." It might crack that way.
So our Tlingit knows all the story of our, all over. In Haines
they used to walk thousands of mile by feet, no car, no plane.
They used to walk all the way, to Dawson. They used to walk
over to Yukon River. On a boat they used to go down to San
Francisco. That's why they know a lot of stories about people.

1 My great grandfather, two of them, tell me the stories. But
2 what I am, I just try to hold it down. Like what I am now,
3 listening to you talking. How everything goes, they used to
4 tell me, "Grandson, you gonna set among the people someday, one
5 day, talking. Listen to them. Sometimes you're going to hear
6 their talking rough, but listen, don't answer it. When you go
7 home, think about it." Maybe the word they're using, it hurts
8 you, but don't say nothing, 'til you found out what is in
9 there, then you answer it. This the last day we're here. From
10 the first time I'm talking again, to tell you how a Tlingit
11 knows. Our people, about what we're talking about, subsis-
12 tence, they know it, everything. If I keep mention, everything
13 what they know, I don't think any of our white brothers could
14 live under water for one year. Maybe you could have built
15 something like here, but our people is with the fish. That's
16 the reason why they know it, how the fish goes. That young man
17 when he come back home, they took him back home, that fish
18 bring him back where he belong to. That's when they start
19 telling what did he find out. Right now we hear talking about
20 our subsistence, to learn from each other what is going to be
21 right for us. Even the animals, we live with the brown bear.
22 One of our man married with a brown bear, and a woman married
23 with a brown bear. So we know it. Right now I'll mention
24 their names, a brown bear, they listen to us. In our Tlingit
25 way we call "Gogetagaik (ph)," big ears, they listen. We know
how to handle everything, what my grandfather do. The time he
was a hunter. One thing he used to tell me, if you're hunting
brown bear, way you kill it, don't skin it, wait falls. Put
something underneath. They used to use hemlock, they'd chop
some limbs out, and put it on a side, and roll it on it again,
and put some on the other side. That's way they start
skinning. And the way they're going to put the leaves, they
put some more branches. And they put it there. The spirit of

1 the brown bear, he'll stand by you, while you're working on it.
2 But the spirit's going to go back home. They're going to ask,
3 "How did they treat you?" Well, they fix a bed for me, then
4 they work on me. That's when the ones sitting around, they
5 tell 'em, you go by him. If we don't take care of right, the
6 spirit when it goes back is going to say, "You don't take care
of me." And then they said, don't go by them.

7 Everything what we talking
8 about, if we don't take care of it, our Tlingit knows the
9 story, how to handle. Even the fish, how we do. Soon as we
10 catch the fish, we don't work on it. We have to leave it on
11 the water. The place where we're going to put, we clean 'em
12 up, then put it up. All the stories what they told me, I am
13 going right on the trail, the way they put it, with my grand-
father. Lot of times I just could see him, one of them start
talking, what he teach me. I didn't go to school, but I went
to school with my Tlingits. I learned it.

14 Right now I was listening,
15 lot of ways, what we're talking about. It is hard for us now--
16 why? And I could go way back again. By the time our white
17 people came to use we don't have nobody around us. The story
18 came from Turabee (ph). What had happened with our people,
19 with that big canoe turned over? What they use, like a bag,
20 it's a halibut. They took all the meat out, just the skin.
21 And they put all the fur right in there. And Turabee (ph),
22 when the tide is going down, they try to go up on top, the wind
23 is beginning to blow, right to the shore. The waves is as big
24 as this house here. It's going right under. They got no way
25 to save themselves. But that three boat turned over, this is
how that sea bag we'll call it, that halibut skin, all that fur
in it, it drift out. The Russian has to find it. All this
story that I know, but I'm holding it down. When they told us,
you people just moved here, in Alaska, our white brothers. But

1 if I talk about this maybe they will get hurt. But I'm try to
2 hold it back, much as I can.

3 But now, in Chilkoot, that
4 I show you the blanket. Some of you don't understand what I'm
5 saying about it. This blanket what I brought it out in front
6 of you, we got it from Metlakatla. That's where it started
7 from, through our visiting, like I was talking about it, we go
8 down to, down south of 'Frisco, French Rabbit (?), all over. So
9 that's where they are. So they in love with that woman, and
10 they married. From our side. So this is what they pay with
11 it, they gave it to us. That's all I was talking about it,
12 what Tlingit said, it's going to be yours. Metlakatla didn't
13 take it back from us to work on it, they know how to do it.
14 They give it to us so we took it up to Chilkat, so we called
15 that Chilkat blanket. I try to tell a lot of young people,
16 totem pole, that we see, to pay, to marry with our young girl,
17 they give us the totem pole. And we learned it from them.
18 That's how come we're using yellow cedar. And this blanket we
19 using red cedar bark, on the outside, we use the wool of the
20 mountain goat, the ones inside. My grand daughter sitting
21 here, this grandma, she's the last one alive. She's doing it,
22 teaching everybody. And she knows very well how to work on it.
23 So all this, what we learned, the story that we talking about.
24 But I'm listening to you, but I'm glad to be with you. And I
25 want to be with you, as long as I live, to learn something.
Maybe you learn a little bit from me, I can learn quite a bit
from you. Because I didn't go to school. You see it, I don't
have no paper in front of me. But still I'm telling you the
story, how a Tlingit knows the story. Just like that sea bag I
was talking about, it full with the skins, and I was full from
bottom of my feet up to my head with the story. I tried to
teach my grandchildren all the stories, what I know. Because
my great grandfather told me, "Grandson, don't die with the

1 stories we're telling you. Tell your son, your daughters, and
2 your grandchildren, and your great grandchildren, whoever wants
3 to learn it, tell them so it won't die." So this is what I'm
4 doing, in Chilkoot. I'm proud of...Dick Fold (?) that was
5 sitting here with me, and his wife, we started our family tree.
6 This is from there, it starts growing, what I'm doing. I used
7 to covet, like what my grandfather tell me, don't try to put
8 yourself up on top of anyone, stay low. So I was way down, I
9 never said not a word, what I know. But now, Dick Fold (?) and
his wife, they open it up, and they...from there on are
beginning to work.

10 The reason why I'm not
11 afraid to do this, what I'm doing now. That time I got sick, I
12 really almost died. If it wasn't for Julie Folder (?), she
13 saved me, she find me when I was laying in bed at home.
14 Addison's (?) disease, they call it. I never eat, nine days.
15 And they took me to the doctor and she took me down to Juneau.
16 Two weeks I didn't find it, she never give up. After they
17 found out what is it, they have to send for that pills down to
18 Seattle. That's what I'm using, if I skip I get sick. I gotta
19 keep taking it. Through here, right now, I'm sitting here
20 among you. That time I was in hospital I was praying, to my
21 heavenly father, to give me my life back so I could tell the
22 story with my grandchildren, with my friends. That time, when
23 they find out what's wrong with me. And I begin then to dream,
24 I was asking God, that time, if I'm doing something wrong, sent
25 in my dream. He just came, like this big building, I was
sitting at the corner, they put me there, so the man came.
What you doing here? Well, they told me to sit here. But that
table is in the middle. He told me, come out, we'll see what
is it. He don't have nothing, not a paper, just his hand, just
like he was praying. Then he show me, see, there's nothing
against you. This funny thing happened, three times, when I

1 wake up I have to come back to that dream again. That first
2 one, when I was sitting by the table, after they told me
3 nothing against me. And I told my wife, when I wake up. When
4 I fall asleep again, I dream again, they told me that's a big
5 table, now you go in that room, sit there, I'll be in middle.
6 And there's lot of people, like here, sitting around the
7 building, on the side. So he start working on it. And he came
8 to me, there's nothing against you, all what you got on this
9 table is belongs to you. And I have to get up and passed
10 everything who was sitting there, I didn't take any. God was
11 answering my prayer, he's showing it to me. The last one, when
12 I fall asleep again, they told me, now this time he got up on
13 the platform. We're going to give you the box to go with it.
14 So I went up there. They bring the box, square box and high.
15 This one you're going to go with it. You look for the manager
16 and coach, you're going to give it to them. And I don't know
17 where I'm going to go with it, I just went out like what they
18 tell me. The people outside, I was walking through. That time
19 I asked me, they walking, you know where's the coach, and the
20 manager? They way over there. So I keep walking, keep asking,
21 finally they told me. Manager over there, and the coach. So I
22 went by them, give it to him. When I give it to them they open
23 it, and they took what they write in there, and after they read
24 it they turn around. And they took that, that's a catch it
25 love (?), all gold, shiny. And that's when they told me, any-
place where we're going, your name's going to be all over the
world. That's why I said, I'm not afraid what I'm doing. God
has to tell me what to do. I'm proud of it, like what I said
what Julie did for me. So this is what opened my way, and here
I am with you. And I hope if you're coming down to Haines and
show you what I got in Haines. And I'm proud to be here with
you, and thank you for listening.

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MR. BERGER: Thank you,
Mr. Hammond. Marie Adams.

MS. ADAMS: Yes. After voicing my frustrations, it always frustrating in trying to go forward from where you are, 'cause it's a continuing battle, I wanted to take, before...not saying anymore, take this opportunity to thank Justice Berger and the ICC for granting us an opportunity throughout the state of Alaska to voice out our frustrations that have been building up over the years. And I feel very good about having this kind of discussion, and before 1991, and in dealing with the State or the federal government other issues, I think this kind of thing can be very useful. I've learned a lot from our Canadian brothers and sisters and also from people who have worked with them and from the State. From, what I mean by the provinces, and the government, and also I was real glad to see the State people participating, and I think, I believe there are some people from the U.S. government, I'm not sure. But I think these kinds of things can be very useful, and I would hope to see them continue before coming to some sort of solution. Kay Wallace wanted to say something, if she can take...

MR. BERGER: Thank you,
Marie. Please.

MS. WALLACE: Thank you for letting me talk to you, even though I'm not on the panel. I just wanted to tell you about a village that's representative of what's happening now, and what will happen, what will represent the future, also. This village that I just came from told me that they got four moose this year. Four moose, for cultural food, for traditional food, for religious food. This community is about 250, and they got four moose. I was really sad about that. That's enough for the elders, that's not enough for them to sustain through the winter. I felt it was

1 morally wrong, and I believe that. The moose was there. This
2 community is built near a major highway, called the haul road.
3 And over the haul road came the people from a larger community
4 and took the moose, so there was not their traditional food
5 there. This is based on economics. Because the people came
6 with their toys to hunt for food that they didn't necessarily
7 need, because there was that food there in the stores. But for
8 this community there is no store, there is no frozen food, and
9 what they have to bring in they have to fly in. What I call
10 their toys is what we have to use to keep body and soul alive.
11 Three-wheelers, other machines, but what was happening in the
12 cities was that these toys didn't have to keep them alive. And
13 in the village we have to use them to bring our wood and to
14 bring our water.

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And when we had the subsistence vote in Alaska, Alaskans voted for it. But our state, our administration is not necessarily listening to that. And there are non, quite a few non-Natives who are supporting this lifestyle, this way of life. But, I'm sorry to say that our state administrators don't always look at it that way. So we have this village and other villages that are being impacted by development. No one went to that community and said, what will happen when this haul road goes in by your community? What will happen when this bridge is built? What do you feel about it? How do you think? And, again, that is happening all over the state. There is not local input. And think that this is having negative impact upon us, as Alaskans. And again I'd just like to say that I believe that not getting the food is morally wrong, and people are morally responsible, and that to have local input there must be that respect there shown by the people that represent us and carry out what Alaskans want.

Thank you very much.

1 MR. BERGER: Thank you.

2 Well...

3 (TAPE 16, SIDE A)

4 let me...yeh, Mr. Hammond.

5 MR. HAMMOND: I'd like to
6 say one thing I forgot to tell. I always listen to this here,
7 about Native land claim. This is kind of hard to talk about.
8 What it happened. First when they begin. They been working on
9 it for so many years, to talk about it, by the time we have our
10 convention, ANB convention in Haines, 1929, this is when
11 they got it. The reason why I want to talk about this here,
12 it's kind of hard for us. This land claim. We didn't sell the
13 land. Paul, William Paul, Sr, he's my uncle's brother, he's my
14 uncle. He's talking to us about it. What they take from here,
15 from Alaska, they took in our fish, they taken our goat, they
16 taken our bottom fish, and they cuttin' all this tree. This is
17 what we're going to sue them. Not the land. The land is ours
18 yet. So anytime when I talk about Chilkoot, when they put the
19 fish weir there, they put it in front of me, about the land
20 sue. And that is, that is the laws in our states, all this
21 river here. And I told them, I don't think so. It belongs to
22 us. And I told, I am a Raven. And I told them, how did we get
23 this water? The time Raven created the world, where he gets the
24 water, and we know it where it is. We don't have no running
25 water, nothing. I had a film (?) we call Hashagoon, I put it
on, some of the story, it shows. And then the Raven, after he
finished, he don't know what to do. Just a little bit I could
start it from up here. He know where that eye lids are.
When he was walking, what shall I do next, to finish this
world? He was walking. When he was walking he reached down,
thee was a flat rock, he picked it up, he was thinking about
what he's going to do, he just swing it around his hand. Then
it came to him what he's going to do. That's when he throw

1 that rock right on the water, and skin it out. That's why you
2 see there, what the Raven did. So all this, in what he done
3 for us, not us Tlingit, not only us Tlingit, every one of us
4 sitting here. Alaska, from here to down Ketchikan, north they
5 call it, from there they working together, is when he's putting
6 it together, this is the story. And that water, he's got it
7 from the island (?), spring water. Spring water's about the
8 biggest here. And he took it from there north, all big river,
9 all the way to Chilkat and Yakutat. That's why I told, when he
10 told me, this belongs to the states. The Raven put it here, I
11 told him, not the states put this river here, it belongs to us
12 and we belong to our Raven. So all the story that we know, and
13 we had it a lot of tough time, that are here, about the land
14 sue. We still got a place. The forest from Bernice Way (?)
15 down, that's way they paid. And look at the map. William Paul
16 was saying, second land sue, soon as they start cutting
17 these trees there. Now it happen, they cutting the trees down.
18 So all this then, it really hurting us. But by right, they
19 took everything away from us. Anyway, I always said, let's
20 work together with them. Why I'm saying it. My son was
21 married with a white girl. And my daughter married with a
22 white man. Everyone of them are different, so we should work
23 together, that's what I told my Tlingits. They agree with it.
24 But from Hoonah, you made a mistake, they said. And why do you
25 adopt a white man? And I adopt some. We all brothers now. So
that's why I told you, I will work with you, whatever you need
me. And I think you again.

MR. BERGER: Thank you,
Mr. Hammond.

Well, let me, in thanking
Austin Hammond, thank all of you for participating in the
roundtable these last four days. I appreciate your attendance
and the contribution that each of you has made. Might I just

1 repeat what I said at the outset, that the reason I wanted to,
2 the reason I called this meeting was that I have been
3 travelling in the villages since the beginning of the year.
4 I've been to 40 villages, I've held hearings in all of them,
5 I've heard from more than 800 Alaska Native witnesses. And I've
6 heard about ANCSA and about 1991 and taxation and shares and
7 the new Natives, but more than anything else I've been hearing
8 about subsistence. So I called this meeting so that all of you
9 could teach me a little more about it. You don't have to go
10 very far in Alaska to find that subsistence is vital to people.
11 I was at the Whaling Festival in Point Hope in June, in July I
12 was at Huslia. You can see that people are still dependent on
13 the land, that the marine mammals with fish and wildlife that
14 are in such abundance here are vital to them. I think it's
15 also apparent that people out there are greatly concerned about
16 ANCSA and its impact on subsistence. When I was at Anaktuvuk
17 Pass in August the villagers there told me about how their
18 access to the caribou in Gates of the Arctic National Park had
19 been limited because their regional corporation had made an
20 exchange of lands with the federal government that meant the
21 land over which they had to pass to obtain access to the park
22 was now under federal control and no longer open to them in the
23 way that it had been. And those, that's just an example. When
24 I was in southeast Alaska I was at both Sitka and Angoon, and
25 everybody from southeast Alaska can tell you about the conflict
there between the urban corporation of Sitka, the Shee Atika
corporation that owns certain forest lands on Admiralty Island,
and the people of Angoon who resist the logging of those lands
because they say it threatens their subsistence way of life.
So there you have another conflict that may be said to have its
origins in ANCSA.

But what I wanted to find
out from all of you was what people out there are doing about

1 it. And I'm very pleased that we heard in detail, not only in
2 Steve Langdon's paper, but from all of you, what measures
3 people are taking on their own. And it may be in the end those
4 measures that people in the villages are taking by themselves
5 and for themselves are more important than the stream of
6 legislation emanating from Washington, D.C. and Juneau. Some
7 of you have emphasized the importance of habitat, of access, of
8 management, all of those issues have their own relationships to
9 ANCSA, and I think we've learned a lot.

10 Just one thought about what
11 might be called the political or public relations aspect of
12 subsistence. Some of us were talking at lunch about the place
13 the family farm has established in the psyche of Americans and
14 Canadians, the great public out there if you say "the family
15 farm." You know, you won't find a politician who has a bad
16 word to say about the family farm, they'll all vote for it,
17 they'll all support the family farm. Not because it's the most
18 efficient unit of production, but because there are values in
19 keeping those families together, those communities functioning,
20 they think that there are positive social values that serve all
21 Americans and all Canadians. If it were possible to discuss
22 the subsistence way of life of northern people in Alaska and
23 Canada in the same vein. That is, that having families on the
24 land is a positive social value that maintaining those villages
25 and the subsistence way of life in those villages is in its own
way just as valuable to life in America and in Canada as the
family farm. And I think there are resemblances that deserve
to be considered and discussed. It may be that people out
there would be rather more willing to accept the importance of
it.

Well, that's all I've got
to say. It's been four useful days. I can tell you that we're
holding a roundtable next month on 1991 and we are going to

1 have some people here from Alaska, Native people, and lawyers.
2 1991 is a subject on which regrettably or otherwise, lawyers
3 have to be part of the discussion. And we're bringing some
4 people from the Lower 48 to talk about it, too. Then in
5 December we're having a roundtable on what I like to call
6 alternative ideas about Native land and government, and we're
7 bringing some people in from the Lower 48 and from other
8 countries to look at that. I am going to continue to travel
9 around the state until early in the new year. I will be pre-
10 paring a report that will be made public. ICC has agreed it
11 will be made public, in the summer of 1985. It will be ready
12 by then, and will be sent, of course, to all of you. But I
13 think that, just as important as any report that I might write,
14 is the whole process of discussion, of airing ideas, exchanging
15 ideas, that is exemplified by this week's roundtable.

16 So, thank you again, and I
17 think that since there is bingorama here tonight, a double-
18 double session Saturday, that they would be grateful to us if
19 we vacated the hall within a few minutes. Yes, forgive me Don,
20 we invite you all back to the Review Commission's offices at
21 417 D Street...429 D Street...David reminds me that 417 is the
22 adult bookstore, so...the number is burned into his
23 brain...Well, 429 D Street, if you'd like to join us there in a
24 few minutes there will be refreshments and we can have a last
25 greeting or two. So, thank you again.

(MEETING ADJOURNS)

C E R T I F I C A T E

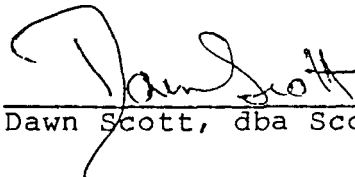
1 I, Dawn Scott, residing in Anchorage, Alaska, do hereby
2 certify:

3 That the annexed and foregoing pages number 1457
4 through 1958, a full, true and correct transcript of the Alaska
5 Native Review Commission Roundtable Discussion in Anchorage, Alaska
6 on Subsistence, as transcribed by me to the best of my knowledge and
7 ability from cassette tapes furnished to me by Ms. Joyce
8 Johnson of the Alaska Native Review Commission.

9 That the original transcript has been retained by me
10 for the purpose of delivering the same to Ms. Joyce Johnson of
11 the Alaska Native Review Commission, 429 "D" Street, Suite 317,
12 Anchorage, Alaska.


13 I am not a relative, or employee, or attorney, or
14 counsel to any of the parties, nor am I financially interested in
15 this action.

16 IN WITNESS WHEREOF, I have hereunto set my hand this
17 30th day of January, 1985:


Dawn Scott, dba Scott's Secretarial
Service

18 UNITED STATES OF AMERICA)
19 STATE OF ALASKA)
20 THIRD DISTRICT)

21 This is to certify that on this 30th day of January 1985, before
22 me the undersigned a notary public in and for the State of Alaska
23 duly commissioned and sworn as such personally appeared Dawn
24 Scott, known to me and to me known to be the individual described
25 herein and who executed the foregoing instrument as their free and
voluntary act and deed for the uses and purposes therein
mentioned, witness my hand and notary seal on the day and year on
this certificate first above written.


Notary Public in and for Alaska
My Commission Expires: 11-18-85

