

# “It’s Hard Enough to Control Yourself; It’s Ridiculous to Think You Can Control Animals”: Competing Views on “The Bush” in Contemporary Yukon

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**Abstract:** Aboriginal Athapaskan (*Dineh*) conceptions of the “bush” and its occupation by “other-than-human persons”—and the nature of proper relations between “human persons” and the bush and its occupants—stand in vivid contrast to Euro-Canadian views of the “wilderness” and its “natural resources.” Because of these distinctive perceptions, misunderstandings arise in the arena of “joint management,” which is a provision under the Umbrella Final Agreement (UFA) on Aboriginal land claims, signed by the Council of Yukon First Nations and the governments of Yukon and Canada. Alternating between *Dineh* and western academic perspectives, in this article I examine the competing discourse that has arisen in the Yukon during efforts to implement joint management provisions of the UFA, using the Yukon Fish and Wildlife Management Board’s consideration of the issue of catch and release in recreational fishing. Due to a variety of cross-cultural factors, including different orientations to the notions of personhood, power, consensus, and embedded colonial relations, the current structure and implementation of “joint management” is, in practice, contrary to one of the over-arching goals of the UFA: that of the “wish to recognize and protect a way of life that is based on an economic and *spiritual* relationship between Yukon Indian People and the land.”

## **Bush Lessons**

I’d like to begin by relating two anecdotes from my fieldwork experience in the 1990s.

The first involves the title of this paper; the second a more subtle evocation of a difference between what I’ve come to know as Indigenous Yukon *Dineh*<sup>1</sup> values regarding the bush and its inhabitants (and, by extension, humans and

the world around us), which are distinctive from my own Euro-Canadian culture's values.

I had spent the better part of a year living with Mr. Joseph Tommy Johnny in his cabin, which sits above *Tsoogot Gaay Niik*—Little Scottie Creek—about two kilometres east of the Alaska border. Mr. Johnny was born further up the Scottie Creek valley before the Alaska Highway was built. In 1942 or '43, when he was a young child, he was transported to Washington State by the US Army for treatment of a severe case of tuberculosis of the skin. There's little doubt that the treatment, which involved cutting off numerous lesions, saved his life. After his recovery, he was released from the sanitarium; since his records indicated that he was an "Alaska Native," the Alaska Native Service returned him to Juneau where he was placed in the care of non-Native foster parents and attended school. Upon his graduation, his foster parents moved to Anchorage, where Mr. Johnny took a job with the intent of entering college in order to study marine biology, a subject he found of great interest.

College, however, was not to be his fate. Rather, as he was walking down one of the streets of Anchorage he was stopped by a person who seemed vaguely familiar. "I know you," the stranger said. "You're Joseph. I know your parents. They think you are dead"—and his life took another turn, this time back into the culture of his birth.

The stranger turned out to be a Nabesna Native who knew his father, Little John or White River Johnny of the Scottie Creek borderlands. He gave Mr. Johnny the money for a bus ticket to the border and saw him aboard. When Mr. Johnny arrived at the Border City Lodge he immediately came upon his older sister, Mrs. Bessie John, who had come to the lodge to pick up some groceries. "I was getting sugar, tea, lard, just sitting there to see the bus come," she recalled to me. "I don't know he's alive. Then he come back, right there. I thought he was a ghost, but he's real. I took him to my father and mother; everyone cry we're so happy."

Mr. Johnny spent the better part of the next decade relearning his Upper Tanana language and culture. He began with his father and co-resident relatives in the borderlands region who were insistent that he be "trained the Indian way." After that he was directed to travel widely through the region, from Gulkana in Alaska to Carmacks in the Yukon, visiting and living with various relatives, learning from them what they had to teach him. Since then he has lived principally in the Scottie Creek valley, hunting and trapping, "looking after the land for my people," most of whom have moved to live in the communities of Beaver Creek, Yukon, Northway, Alaska, or further afield.

I give all this background in order to convey the understanding that Mr. Johnny, though in many respects a very “traditional” Athapaskan person, is not without an understanding of Euro-American culture and science. His choice to return to living in the bush was a conscious one, made as a young adult—a decision that required him to reclaim much that he had misplaced in his years outside of the bush in his formative youth.

One day I had returned from Beaver Creek to the cabin we shared on the borderlands; among other goods, I had picked up the most recent *Yukon News* newspaper. In it was an article on the wolf-kill program being carried out by the Yukon Government’s then renewable resources department in order to reduce predation pressure on the moose population of the south-central Yukon. I was interested in Mr. Johnny’s perspective on the program so I asked him whether he thought it would work.

That wolf kill? Those guys, they call that ‘management,’ ‘game management,’ ‘predator control.’

Me, what do I think about that? I been thinking about that.

Let me ask *you*, Norman: How can you manage something you don’t know, don’t understand? You know moose? You know wolf? Wolf just trying to make a living, like all of us. A guy’s got to eat. They got kids to feed ...

The way I look at it, the way I see it, well I’m an old man, lived a long time, maybe a long time yet, I don’t know. But the way I see it, I’ve had a hard enough time controlling myself; it’s ridiculous to think you can control animals ... They gift to you or they don’t. That’s their decision.

The second anecdote begins with something that Mr. Johnny’s older sister, Mrs. Bessie John, once said to me as we walked down a trail towards her fish camp. It was about mid-morning. She led the way. As she often did when walking a trail she stopped to look around. She waved me to her side and pointed at a spider’s web that was spun between two willow branches across a part of the trail. “See that?” she said. “Spider’s web. How hard do you think he work, all night long to make that to eat? Indian people walk around that, they say. It’s good luck to leave it alone. And if it morning, sun on the other side shining through that onto you, real good luck. You see?”

And then she walked around and on to the fish camp.

A few weeks later we were talking about the trails of the landscape, which both of us were interested in seeing mapped out for the future. She spoke to me of how the trails ran from Scottie Creek in all directions, leading from one camp to another, on to a village, over across the mountains to the

Dawson people, and beyond that to the Mackenzie River people. She spoke of how walking a trail was always a contingent action, since although we may know where a trail might lead us if we follow it, we cannot predict who or what we might meet along a trail we set out upon, or how these encounters might change us—for good or ill—or even whether we will continue along the trail set out upon, or turn off in another direction. The final path of our lives depends on an awareness and interaction with who we meet or what we witness along the trails we walk.

She told me that above these earthly trails are other, more ephemeral ones, the trails of heaven, which are walked by the spirits of our ancestors and the spirits of animals. Sometimes the two kinds of trails intersect, a moment when the extraordinary might occur. You have to cultivate a keen physical awareness to follow a trail safely on earth, and a second, well developed, spiritual awareness to meet the trails from heaven.

She summed up her instruction by reference to our earlier trip to her fish camp. “You remember that spider’s web? The world is like that. Everything is connected. But you can’t always see it. Sometimes you walk right into it without knowing, and you break it apart. You got to look ahead of you, look to see what’s coming. You got to pick your trail to keep things together.”

#### **“Other-than-Human Persons” and “The Bush”**

Of the many differences between Euro-Canadian and Subarctic Dineh cultures, one of the most perplexing to non-Dineh is the Dineh belief that the world is comprised of a multitude of “persons” who share the same physical and moral universe. Some of these persons have human form, such as Dineh and white people, others have animal or plant form, such as moose and birch tree. This recognition is even extended to geographical places such as streams, lakes, mountains, and glaciers (Cruikshank 2006).

This feature of Dineh culture is shared with many other Native North American foraging cultures. Indeed, it has been a principal focus of anthropological analysis across the Subarctic, particularly among the northern Algonquian speakers such as the Ojibwa (Hallowell 1960), Innu (Speck 1935; Tanner 1979), and Cree (Fiet 1978; Brightman 1993). Within the western Subarctic, focused studies of this topic have been offered to us by Nelson (1983) for the Koyukon, Sharp (2001) for the Chippewyan, and Nadasdy (2007) for the Southern Tutchone Kluane people of the Burwash region. In fact, you are hard pressed to pick up any ethnography of a northern Indigenous foraging culture and not find some space devoted to the topic (e.g., Vanstone 1974; McClellan 1975; Mishler and Simeone 2004).

Hunting permeates Dineh social life. Indeed, as Nadasdy (2003: 63) observed for the neighbouring Kluane Lake Southern Tutchone Dineh, “hunting is life itself.” On the surface of things, such a statement might seem self-evident: in the cold northern forests—a geography incapable of sustained or expansive agriculture, low floral diversity of nutritional significance, and outside the network of international food transportation systems—people in the North must rely on game animals in order to gain the sustenance they need to survive. Within the Dineh world, however, hunting is much more than a means to an end; it is an activity that reaches into practically every aspect of their biological, social, material, intellectual, and spiritual lives. Hunting is *the* defining aspect of Dineh personal identity, social relations, and moral values, in short, of their culture.

To fully appreciate the importance of hunting to Dineh culture, we must understand that the act of hunting is not isolated from a continuum of cultural activities absolutely vital to the moment of the kill, without which Dineh hunting in its cultural form would not be possible. In the Dineh way it is difficult to separate any of the following: thinking and talking about hunting; keeping aware of the comings and goings and particular character of animals through observation of their environment and behaviour; going out into the bush, tracking, and killing an animal; butchering, storing, sharing, cooking, and eating the animal; using its non-edible portions as a material resource in making additional objects, such as fleshers, clothing, and ornaments; ritually offering up portions of flesh or skeletal elements back to the bush; feeling full, content, and thankful at the end of the day; and dreaming of animals in one’s sleep—all these comprise elements of Dineh hunting. This stands in sharp contrast to western categorizations, which would normally separate most of these activities and accompanying feelings into something other than hunting; in the western view, hunting may be required to eat, but eating certainly is not hunting.

Hunting continues to permeate Dineh social life today in many village communities and nowhere is this as clear as in the practices of reciprocity and demand sharing among relatives, co-residents (in the past generally the same people), and “hunting partners.” In 1929 McKennan observed that the “slayer of a large animal such as a moose or caribou does not acquire the entire carcass but receives only a hind quarter. The ribs and hide go to his partner (*kla*), while the remainder of the animal is distributed among the other members of the camp” (McKennan 1959: 50). This still remains a common and essential practice with many of the residents in the Upper Tanana communities of today (Haynes, et al. 1984; Halpin 1987; Easton 2007; Friend et al. 2007).

For example, while I lived with him, it was a rare moment when there was an abundance of meat at Mr. Johnny's borderline cabin, although he is a skilled and very successful hunter. The meat of each moose carcass, averaging about 500 kilograms each, is largely distributed to others within a few days of each kill, at times leaving him with no meat at all in his camp. While the majority of the meat was taken by close consanguinal and affinal relatives (i.e., those related by blood or marriage, respectively), mostly from Beaver Creek and Northway, but some traveling from Whitehorse, Yukon and Copper Centre, Alaska (distances of 500 and 350 kilometres respectively), a notable proportion of about 20 percent was given to more distantly related Natives who visit his camp once word of the kill is transmitted.

At first, Tommy explained his generosity as an expression of how the failure of others to obtain meat through their own efforts made him feel sorry for them: "Those guys down in Northway are starving, man. They don't get nothing." Later he expressed his sharing in metaphorical terms; "When I eat my own meat, it tastes funny, like rags, but when I eat someone else's, boy, that's good." Later, in the dark over tea one evening, he spoke at length on his relationship to the animals that he kills, how he dreams their presence and respects their offering to him by sharing the meat with others. "If you don't do that, they [animals] know. They're not gonna come back to you, boy, no way. If you don't share that'll be the last one you ever get."

This leads us to another essential component of Dineh hunting—the complex of paradoxical concepts regarding the active role hunter and prey take in the hunt (Hallowell 1960; Tanner 1979; Nelson 1983; Brightman 1993; Nadasdy 2003). Brightman has typified this as a paradox between a benefactive and adversarial model of the hunt.

On the one hand, Dineh conceive of a successful hunt to reflect the desire of the animal to give itself to a hunter who has shown the animal proper "respect" (a term itself laden with multiple meanings; see Nadasdy 2003: 79–94); it is an act of reciprocal exchange—respect is given for meat. Animals also give themselves out of "pity" for the hunger of humans. Animals are also thought to give themselves as an expression of their "love" for humans. These two impulses also imply a form of reciprocity. The poor hungry human is a supplicant for a gift of meat from the animal. The would-be lover attempts to gain favour through gifts and compliments, including the wearing of beautiful articles of clothing prepared by women, and care and decoration of hunting implements. In addition and in return, the killing of an animal simultaneously gives renewal to its own life, as the killed animal's spirit is reincarnated within the newborn of its kind. "Hunter and prey successively renew each other's lives," writes Brightman (1993: 188), "and, indeed, each

seems to realize its innate nature in the transaction, the hunter as supplicant and the animal as benefactor.”

However, as Mauss (1967) noted in *The Gift*, every act of giving has an element of compulsion on the recipient to make a return gift. This is what Brightman (1993: 189) refers to as innate “coercive and exploitative modalities that may be inimical to the creation of friendly feelings.” The experience of skillful hunters failing to kill a prey demonstrates the animal’s reluctance to die. The use of hunting fetishes, songs, and spells, and divination of the whereabouts of animals, are actions independent of, and are attempts to dominate, the animal’s will. Alternatively, “animals that bite, struggle, and lead their hunters on exhausting chases cannot readily be defined as voluntary benefactors” (Brightman 1993: 201).

These paradoxical ambiguities of killing animals reflect important concerns of Dineh thought-worlds. In some respects, the oppositions are complimentary and mediated by the existence of the contingent uncertainties in other aspects of life, such as evidence provided by dreams and myths that demonstrate the illusory nature of our external senses (see Sharp 2001), which in turn informs and reflects similar paradoxes of Dineh conceptions of Self and Other, such as the limit of personal authority and control (Ridington 1988)—one of the principal points I believe Mr. Johnny was trying to make in his comments to me on the wolf-kill program. Most importantly, however, infusing all of these notions is a sense of belonging and participation in an environment that is fundamentally generous and caring of human beings, what Nurit Bird-David (1990) has called the Indigenous hunter’s sense of the bush as “a giving environment.”

As one Dineh who works for the highways department shared with me, “Sometimes I leave my bed in the village in the middle of the night; I can’t sleep good there. I’ll drive out here and go down to *Tsogot Cho Mann*, the lake down there where I used to live before the village, and just sleep under the trees. Boy, I wake up good and happy.”

### **Game Management in the Yukon**

Since the beginning of the Canadian state’s arrival in the Yukon, the management of game has been one of its principal concerns. One of the first pieces of the newly established Yukon Territorial Council was “An Ordinance for the Preservation of Game,” passed in January 1901. Since then, more regulatory actions have involved the application of the Wildlife Act in its various forms than any other legislation applicable to the Yukon. “In fact, the Territorial Council or Legislature has revised or amended the Yukon’s game laws at virtually every session” since 1901 (McCandless 1985:



33). Harvest rates, management areas, daily or seasonal limits, methods of predation, distribution of meat and furs, licensing procedures and fees, and a multitude of additional criteria are regularly scrutinized and altered by a bureaucracy that today falls within the Yukon government's department of environment.

I'll not go over the history of game management in the Yukon—McCandless (1985) presents a good account for those interested in that. Since McCandless' work, however, the structure of game management in the Yukon has been forever altered by the passage of the Yukon Umbrella Final Agreement (the UFA) between the Government of Canada, the Council for Yukon Indians (now known as the Council of Yukon First Nations), and the Government of the Yukon, which was enacted as federal legislation in 1994.

The preamble of the UFA sets out the reasons for the negotiation and subsequent implementation of the agreement. There are eleven reasons articulated in all: the parties recognize the assertion of Aboriginal rights, the parties wish to achieve certainty in their relationships, the parties intend to negotiate specific land claims under the umbrella agreement, and so on. But two of these reasons really stand out, in my mind, as to what the "heart and soul," or the "spirit," of the UFA is meant to address:

The parties to the Umbrella Final Agreement wish to recognize and protect a way of life that is based on an economic and spiritual relationship between Yukon Indian People and the land;

The parties to the Umbrella Final Agreement wish to encourage and protect the cultural distinctiveness and social well-being of Yukon Indian People.

All subsequent specific land claims agreements with individual Yukon First Nations contain similar language in their statements of purpose for the agreement.

Many of the detailed subsequent chapters of the UFA (there are twenty-eight in all, encompassing 292 pages) are directly or tangentially related to the management of resources within the territory. In most cases, these set out requirements that the resources be "jointly managed" by decision making bodies comprised of representatives of the governments of Canada and the Yukon and representatives of Yukon First Nations.

Pre-eminent in regard to wildlife in the Yukon is the Yukon Fish and Wildlife Management Board (FWB), provided for in Chapter 16—Fish and Wildlife, subsection 16.7.1: "A Fish and Wildlife Management Board shall be established as the primary instrument of Fish and Wildlife management



in the Yukon.” The FWB was formally established in February of 1995. It is comprised of six members chosen by the governments of Canada and the Yukon and six members chosen by Yukon First Nations. This body is responsible for “issues that affect fish, wildlife, habitat, and users territory-wide.”

The UFA also sets out that each subsequent specific land claims agreement with a Yukon First Nation will provide for the establishment of a local “Renewable Resources Council,” which will play the primary role on fish and wildlife issues that are specific within the traditional territory of a Yukon First Nation. The local councils may make recommendations to the board for consideration of wider application.

The board, in its turn, has two important legal limitations. The first is that its decisions must act “in the *public* interest” (emphasis added); the second limitation is that their deliberations can only result in a *recommendation* of legislative and regulatory changes to the Yukon government’s minister of renewable resources (now, the minister of environment).

The legal limitations to the FWB’s authority present a fundamental barrier to the achievement of the lofty objectives stated so eloquently in the preamble to the land claims agreements in the Yukon. First, limiting decisions to those “in the public interest” is proper enough in principle, but, in fact, forever dooms the FWB to act in the majority interest, which in turn guarantees that decisions based on the cultural values of the Native minority population in the Yukon will seldom, if ever, take precedent over the cultural values of the non-Native majority. Second, the minister of environment may choose to implement, amend, or ignore any recommendation by the FWB. Thus, in the final analysis, the ultimate power in regard to fish and wildlife use in the Yukon remains within the political control of the territorial government.

### **The Division of Yukon Cultures: The Catch and Release Debate in the Yukon**

An example of the inherent distance between stated objectives and practical implementation under this legal regime is to be found in the FWB’s examination of the practice of “catch and release” fishing in the Yukon in the late 1990s. While this example is somewhat dated today (i.e., 2008), it nevertheless provides a clear case study of how Euro-Canadian attitudes toward animals have failed to take seriously the complex suite of values inherent in *Dineh’s* perception of the bush and its inhabitants.

The board was aware that this practice was of considerable concern to Yukon Native people since its formal establishment in 1995. In its 1997-98

Annual Report it states that “over the past several years, whenever planning exercises are taking place for the management of fish and wildlife in the Yukon, the question of catch and release fishing and its acceptability as a *management tool* is raised. As a result of this continuing concern, the Board decided to include an analysis of this management tool in its 1997/98 work plan” (Yukon Fish and Wildlife Management Board 1998: 16, emphasis added).

The analysis would proceed through a working group, which would commission “a review of the mortality rates associated with the catch and release practice ... a summary of the importance of fish harvesting to Yukon First Nations and their respect for the resource ... information on the importance of sport fishing opportunities to all Yukoners and of the contribution that sport fishing makes to the Yukon economy.” The objective of the board’s consideration of this information would be to “develop policies and guidelines that will assist conservation and management of fish stocks for future generations while recognizing the need to provide high quality opportunities for sport fishing and fish harvesting” (Yukon Fish and Wildlife Management Board 1998: 16).

Earlier in the same report, the current chair of the board spoke to the issue of catch and release and the board’s planned approach to the issue:

Catch and Release Fishing [has] bedevilled us since the Board was formed but we are now in the process of working on [this] big difficult issue.

... Yukoners have strongly held diverse views about how wildlife in the territory should be managed. It’s the Board’s job to work its way through those differing views and recommend management solutions that are in the “public interest.” Controversy is bound to occur. The Board must know how all sectors of the Yukon population feel and what they know in order to develop recommendations that will be in the public’s interest. (Yukon Fish and Wildlife Management Board 1998: 4).

The commissioned reports were released to the public over the following two years: *The Importance of Fishing and Fish Harvesting to Yukon First Nations People—A Summary*, in August 1998, *An Evaluation of Hooking Mortality Resulting from Live-Release Fishing Practice*, in October 1998, and *Social and Economic Values of Angling in the Yukon*, in June 1999.

The knowledge that the board was considering the catch and release issue, along with the staged release of the reports, generated considerable public debates throughout the Yukon over the next two years, at workplaces,

in bar rooms and boardrooms, within First Nations and territorial governments, and in the radio and newspaper media. By far, the majority opinion was an exclamation of concern that catch and release fishing might be prohibited. The opposition party of the day (the Yukon Party) maintained in the legislature that the FWB's examination of the issue was a result of the direction of the governing New Democratic Party cabinet, a majority of whom were of Native ethnicity.

The controversy was great enough for the board to comment on it in its 1998-99 Annual Report, prior to its formal collation of scheduled public input and the completion of its third report on catch and release. The third report was not due to be completed for nearly a year, involving a planned workshop in the coming fall and a public review of recommendations at the FWB annual public meeting in December. In commenting ahead of the completion of the third catch and release report, the FWB did so in what can only be viewed as a preconceived formulation of their eventual decision:

In pursuing this course of action the Board has made it clear that this initiative was taken on by the Board itself, and not in response to government or other agency interests. Secondly, it is not the intent of the Board to prohibit live release or selective fish harvesting as a management tool but rather to provide clear understanding of the practice and a guidance based on public input toward improved management of angling in the Yukon (Yukon Fish and Wildlife Management Board 1999a: 13-14).

But a prohibition on catch and release fishing was exactly what a majority of Yukon Native people desired. *The Importance of Fishing and Fish Harvesting to Yukon First Nations People* (Muckenheim 1998) was based on interviews with ninety First Nations people of various ages and both male and female. Fifty-five (61 percent) were totally against catch and release, while a further 30 (33 percent) would never practice it themselves but were of the opinion that they couldn't tell others what to do. In total, then, 94 percent of those interviewed were against the practice. "When asked about the use of catch and release fishing as a management tool, many people echoed the same feelings. 'Catch and release fishing goes against the fundamental beliefs of the First Nations people' ... They consider [it] to be 'playing with the fish' which is very disrespectful ... [that] you only fish for food ... and that you never, never play with the animals. You must respect them or they won't come back" (Muckenheim 1998: 3).

Some of the specific comments recorded in the report included:

“How would you like it if someone put a hook in your mouth and pulled you around for a while then let you go?”

“It’s cruel and hurts the fish.”

“How do we know that fish don’t suffer? They can’t talk.”

“Catch and release is just another way for the government to collect money from people by selling licenses.”

“Let people catch and release and sport fish only in stocked lakes, and leave the natural populations of fish alone.”

“Managing fish and wildlife is the wrong terminology; you just think you’re managing it. The Creator manages it.” (Muckenheim 1998: 10–11).

These attitudes stand in sharp contrast to those contained in the report on *Social and Economic Values of Angling in the Yukon*, which was based on a review of fishing license statistics, a 1995 survey of anglers, and a focus group of fishing guides, fishing instructors, retailers of fishing equipment, tourism, and one lodge owner. There are no specific data on numbers of each group, nor their ethnicity or gender; what is clear, however, is that all of the focus group members had a direct economic interest in sport fishing, which in 1999 was estimated to be “well over \$10 million annually.”

In the 1995 survey “When asked why they fish, Yukon residents cited ‘relaxation,’ ‘enjoying nature,’ and ‘getting away’ as their highest motivation, with ‘family togetherness’ coming next, and ‘catching a trophy fish’ as the least important reason. Catching a fish to eat ranked roughly in the middle-range of Yukoners interest in angling.” The survey recorded that a total of 288,587 fish were caught by both residents and non-residents, of which 80,258 (27.8 percent) were kept, while 208,329 (72.2 percent) were released. These figures are roughly equivalent to the practice of catch and release by Yukon anglers; the survey found that 70.6 percent practised it regularly, while 29.4 percent did not ever (Yukon Fish and Wildlife Management Board 1999b: 10).

The focus group discussions indicated that while many were aware of the negative attitude towards the practice of catch and release by the Yukon’s Aboriginal population, they were equally adamant that it was, for them, their culture’s way of showing “the highest respect for the value of fish, both as a food resource and as a living animal.” The group maintained that it was necessary for everyone to find common ground: “At the end of the day, we are all Yukoners. We share a common resource and the foundation of

our thinking on both sides is based on respect” (Yukon Fish and Wildlife Management Board 1999b: 8).

The recommended, respectful course of action by the commercial focus group? Promote further catch and release as a management tool to enhance the preservation of fish stocks and expand the economic capacity of the recreational fishing industry.

Of the sixty-three specific recommendations by the commercial focus group, thirty-four are suggestions regarding how to promote catch and release fishing, which emphasizes “the positive aspects of live release rather than the negative.” Specific recommendations included major industry, community specific, and general public “education campaigns,” as well as integrating the message in school curriculum throughout the territory.

The protection of the economic interests of the group was baldly stated: “Do not curtail live release angling as it will hurt business,” reads one comment; another, “Do not recommend a number of fish that can be live released as it will limit tourist interest.” Besides, the group concludes, “ethical decisions should not appear in regulations” (Yukon Fish and Wildlife Management Board 1999b: 13–15).

The response of the FWB early in 2000 was perhaps predictable by this time. They recommended the continuance of catch and release fishing, though emphasizing that the use of barbless fish hooks should be promoted to reduce the mortality of released fish, and set up a “Fish Think Tank” working group whose responsibility is to “equip people with an educated choice on live release fishing” (Yukon Fish and Wildlife Management Board 2000: 16).

## **Discussion**

The emergence of co-management regimes for a variety of public interest resources in the late 1970s and early 1980s was seen as a quantum leap forward towards accommodating Aboriginal interests and concerns regarding resources within their traditional territory. Indeed, from the 1980s through the mid-1990s, co-management regimes proliferated across northern Canada, consolidating into entirely new bureaucratic structures with their own methods of command and control of information gathering, distillation of data and analysis, and decision making (Nadasdy 2003). On the face of it, through guaranteed representation of community members, both Aboriginal and Euro-Canadian, this should have led to a greater accommodation of Aboriginal interests and values. However, recent critical assessments of the effectiveness of co-management suggest otherwise (Lyman 2002; Nadasdy 2003; Natcher

et al. 2005), finding that Aboriginal values are often marginalized within the context of their being an ineffective basis for decision making since they are based on moral “feelings” and not rational “facts.”

It is an important question to ask how and why, with equal representation on these decision making bodies, First Nations values are marginalized. It might be instructive to examine the process the FWB went through in their internal discussions and personal interactions, but I am unable to do so here.<sup>2</sup> Intuitively, based on my fieldwork with Dineh in the Yukon and Alaska, I believe this has much to do with Dineh sensibilities about the limit of personal authority towards others—whether persons or other-than-human persons—which is reflected in the survey results that while 33 percent of First Nation respondents would never practice catch and release themselves, they were of the opinion that they couldn’t tell others what to do.

We should also ask why non-Aboriginal participants in catch and release fishing see no harm in the practice, particularly since the survey respondents overwhelmingly indicated that their prime motivation for fishing was “relaxation,” “enjoying nature,” and “getting away” as their highest motivation, with “family togetherness” coming next—catching a fish to eat was less important, and catching a trophy fish was among the least important reason for fishing. There is a peculiar disconnect between motivations and actions here, particularly when we consider that the majority of non-Native fishing is engaged in by men and groups of men. Whether in the company of children or not, catch and release fishing can be critically seen as an extension of consumer capitalist culture in which fulfillment lies in the control and use of things external to ourselves—the fetishization of objects into spiritual containers of blessing. In addition, consumer capitalist values emphasize the importance of being productive, doing things, making things, getting things, using things, and throwing them away once we have experienced them. In this sense, the fish are commodified into objects of entertainment and pleasure, and I suspect that this depersonalization of other-than-human persons into expendable commodities goes to the root of *Dineh* discomfort with the practice.

In any event, the public debate and decision making regarding catch and release fishing, and other issues like it, such as natural gas pipeline and railway developments, past and current discussions on Yukon school curriculum (which now *promotes* catch and release fishing to young Native students, a fact which lies beyond irony and at the heart of the state’s hegemonic project), reveal a continued deep schism between Native and white attitudes to our environment and the roles and responsibilities humans hold within it.

In the case of catch and release fishing, it was undoubtedly disingenuous of both the focus group and the FWB to emphasize that reaching “common ground” on the issue was partly based on the desire to keep ethical decisions out of the fishing regulations. The law and its regulations are precisely the codification of ethics within a statutory frame by which they can be legitimately enforced by the state.

What was publicly played out in the live release debate can perhaps be more accurately portrayed as the true function of much of the state legal system—the codification of the protection of dominant, most often economic, interests against competing subordinate interests. It also revealed to many Native people that despite the lofty language of the UFA’s purpose, the detailed legal mechanisms contained in its near 300 pages may not in fact be able to “encourage and protect the cultural distinctiveness and social well-being of Yukon Indian People.”

### **Conclusion**

Increasingly, Yukon Native people of my acquaintance are seeing the UFA as yet one more mechanism, perhaps the most effective mechanism yet devised, to promote the assimilation of their cultural distinctiveness within the dominant framework of western consumer capitalist democracies and their cultural values.

The evidence of this is increasingly mounting—the human and time demands of “self-government” that reduce or completely replace the amount of time people have to spend on the land, the almost incessant consultations on issues at which their cultural values are always “recognized” but seldom used as the final basis of decision making, the co-option of representatives on various boards to make decisions based not on the interests of Yukon Natives but the “common good of all Yukoners,” and, in the case of wildlife management, the fundamental refusal by non-Natives to take seriously the spiritual relationship between humans and “other-than-human persons” of the bush.

To some this is akin to an act of desecration within a church. “Indian people don’t tell white how to believe in god, how to pray,” Mrs. Bessie John once lamented to me long ago in her smokehouse. “You guys shouldn’t tell us that either. I respect Jesus, Mary, the Ghost. Why can’t whites respect us, our way?” I didn’t have an answer for her then and, despite all of the apparent progress the Yukon has achieved through the land claims process, I feel even less close to an answer to her question today.



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## Notes

1. I use the term Dineh to indicate the Aboriginal people of the North who speak or who are the descendents of speakers of the Athapaskan language.
2. In the course of thinking, developing, and writing this essay I made a request to the Fish and Wildlife Board to comment on a draft version; I have never received a formal reply.

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