Tribal Marine Mammal Ordinances of St. Lawrence Island

Vera Kingeekuk-Metcalf & Martin Robards
“Hunting and killing an animal is not a single act. Everything is to be considered, including our surroundings. A hunter should not rush and be so focused on killing and getting an animal as quick as possible. If this is done, a hunter will lose his kill, and losing it is a result of not realizing that there’s more to the animal’s death. We tend to forget our surroundings, our connection to nature, animal, spirituality, and beauty in all things.”

Nick Wongittilin, Sr.
Tribal Marine Mammal Ordinances of St. Lawrence Island
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Tribal Government of Gambell – Council Meeting, May 10th, 1934

Warren Koozata (Mayor)
Walunga, Lloyd Oovi, Phillip Maskin, Ben Nowinan, and Paul Silook (Council Men)

“Decided that no boat was to kill walrus for ivory only. Limit 4 walrus a trip. Ivory taken in violation will be taken by council and sold, proceeds to be used for poor people.”
Council met to “decide punishment for 4 men who violated recent ruling against killing walrus for ivory only...Their stuff was confiscated and turned over to store.”
Rules Enacted, Native Village of Gambell, July 17, 1940

ACT I. Hunting.
ACT II. Treating foreign people.
ACT III. Safety of dog-team.
ACT IV. Marriage.
ACT V. Cleanliness.
ACT VI. Liquor.
ACT VII. Smoking.
ACT VIII. Helping poor and sick people.
ACT IX. Curfew.
ACT X. Steady school attendance.
ACT XI. Drifter object.
ACT XII. To keep child from danger.
ACT XIII. [Untitled]
ACT XIV. Transferring teachers, nurses, and missionaries.
ACT XV. Swearing or angry words.
ACT XVI. Hunting ground.
ACT XVII. Trapping.
ACT I. Hunting.

1. In hunting whole year round every boat must watch each other.
2. If one boat has trouble with their motor they should put a flag at the bow of the boat as a sign if they think that cannot run their motor. In calm weather they can decide by themselves.
3. Every boat must keep a fire filled extinguisher always in the boat.
4. Every engineer of motor must not smoke while operating the motor.
5. In chasing some walrus by boat, shooter must be careful in shooting first see if others are not on the way.
6. Every boat must try to keep away from others in going after some walrus.
7. a) **Every boat must kill no more than four large walrus and one small walrus at a time**, unless a boat may be attack by herd of walrus. One can shoot at them in trying to escape. b) Every boat should kill four female with young and one extra baby walrus if its mother had sink. They should not try to rob the baby only.
8. If any boat kill more than the law allows, one extra pair of tusks should go to the treasury as a fine. This penalty is for killing by an attack also if one or two extra is killed.
9. Every boat should not go after walrus that is among the ice, if they are sure that they are not certain about it, or if the food is not scarce. It is fair for the boat to leave the load if danger is happen.
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ACT XI. Drifter object

1. If a dead sea-animal is drifted and if seen by a person who has no boat should let it known to the man who has a boat and if he is one of the crew. The two parties can decide about it between themselves after getting it in.
2. But if it is seen by any person away from the village should be owned by the person who sees it first.
3. If two people sees it and if both parties to own it, should be reported to the council and the council will decide what they think is right.
4. Drift logs should be owned by a person who sees first. If two person has trouble about it should be reported to the council.

ACT XVI. Hunting ground

1. Every man must not reserve any hunting ground or not to be selfish. Every hunting ground is free to every hunter.
TEK documentation project:

“Conserving Our Culture Through Traditional Management”
Tribal Marine Mammal Ordinances of St. Lawrence Island

Hunter meeting in Gambell, St. Lawrence Island

Hunter meeting in Savoonga, St. Lawrence Island
They say to us, never give up on the hunting areas out there. Whatever may have happened to us, whether it be an accident or almost being killed, we mustn’t be discouraged. It is where our food comes from.
The Marine Mammal Protection Act (1972)

(1) Moratorium on the taking of marine mammals with an exemption for Alaska Native Subsistence if it is for:

(a) is for subsistence purposes; or
(b) is done for the purpose of creating or selling authentic Native articles of handicrafts or clothing ...; and
(c) is not accomplished in a wasteful manner
Tribal Marine Mammal Ordinances of St. Lawrence Island
АН ОРДИНАЦИЯ НАТЕВА ИСКУССОГА

СЕКЦИЯ 1: НАХОЖДЕНИЯ

The Native Village of Savoonga IRA Council (the Council) finds that:

(1) The people of the Native Village of Savoonga (the Tribe) have forever relied on marine mammals for nutritional and other domestic needs and continue to rely on such resources today, as they will for generations yet to come;

(2) The social organization and Native culture of the Tribe depend heavily upon the taking and use of traditional marine resources;

(3) Survival of the people of St. Lawrence Island had depended upon community cooperation and sharing the harvest of marine mammals;

(4) The Federal Government has placed a moratorium on the taking of marine mammals and the importation of marine mammals and products into the United States, which has an exception for Alaska Natives so long as such taking is done in a non-wasteful manner, for subsistence purposes, which includes the sale of edible portions in Alaska Native Villages, or towns, or is done for the purpose of creating and selling authentic Native articles of handicrafts;

(5) The Tribe has regulated the taking of marine mammals, and other resources throughout their existence through customs and traditions passed from generation to generation and it is clearly written in the original Constitution and By-Laws of the Native Village of Savoonga dated 1934;

(6) The Tribe’s customs and traditions require the taking of marine mammals to be done in a respectful and non-wasteful manner, which is consistent with the provisions of the Federal Marine Mammal Protection Act. Such customs and traditions continue to guide the People of St. Lawrence Island as they carry on their subsistence activities, as they will for generations yet to come;

(7) The Tribe is concerned about the present and future impact of climate change and commercial developments such as fishing and oil and gas development on walrus populations;

(8) The Tribe is committed to helping ensure that all walrus subsistence activities within the State of Alaska are conducted in a manner that fosters the long-term sustainability of Pacific walrus.
Tribal Marine Mammal Ordinances of St. Lawrence Island

PURPOSE

• Develop a formal system for monitoring the taking of marine mammals...

• Reinstate traditional trip-limits for legal subsistence harvesting of marine mammals which are mutually-agreed upon between communities and government agencies...

• Work with the Eskimo Walrus Commission and U.S. Fish and Wildlife Service to utilize this ordinance as a standard in all walrus hunting communities.
PRODUCTS

• A marine mammal law (ordinance)

• An advisory committee which implements the ordinance (e.g., establishes rules such as trip limits), works with other entities (such as USFWS), and imposes sanctions for violations of the ordinance.

• A harvest monitor who observes hunters and reports violations.
Tribal Marine Mammal Ordinances of St. Lawrence Island

VIOLATIONS AND ENFORCEMENT

• Fines not to exceed $1,000 per Violation and/or;

• Confiscation of illegally taken marine mammals or parts, which shall be donated to Elders, those in need within the community, or the EWC for auctions supporting the Walrus Conservation Fund or Iya Scholarship, at the discretion of the Advisory Committee.
The Tribal Governments of Gambell and Savoonga on St. Lawrence Island, where the majority of the walrus harvest occurs, recently adopted local ordinances establishing Marine Mammal Advisory Councils (MMAC). These MMACs have been granted the power to regulate the hunting practices of Tribal members. This is an extremely promising method of working with subsistence users to ensure that the harvest of Pacific walruses remains sustainable. “

STATUS REVIEW OF THE PACIFIC WALRUS (Odobenus rosmarus divergens)

Prepared and Edited By:
Joel Garlich-Miller, James G. MacCracken, Jonathan Snyder, Rosa Meehan, Marilyn Myers, James M. Wilder, Ellen Lance, and Angela Matz
Tribal Marine Mammal Ordinances of St. Lawrence Island

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