



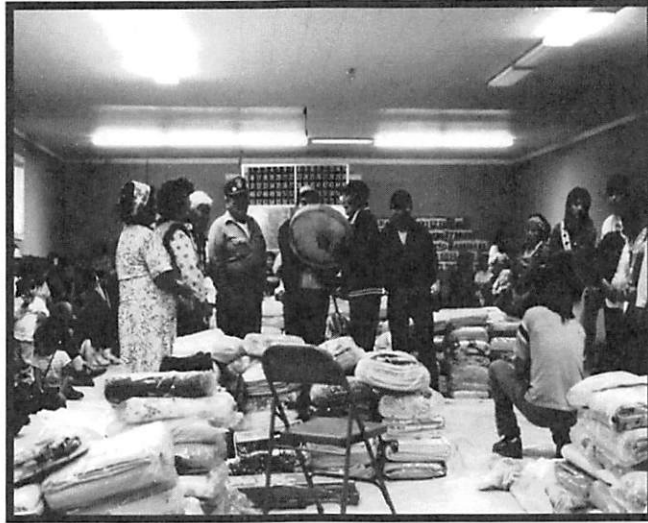
RC 48

**Potlatch and
ceremonial
harvest:
a brief background**

**ADF&G, Subsistence
Region III Board of Game
March 10, 2020**

To help answer some of the questions that were raised during public testimony at this meeting, we have prepared this brief background on ceremonial harvest: you can find it at RC 48.

The information can also be found in a written report on our website: Alaska Native Funerary Ceremonies and Hunting Regulations: A Report to the Alaska Board of Game, Jan-Feb 2010 (Special Publication No. BOG 2010-01)



Contemporary Athabascan Potlatch is the ceremonial distribution of gifts and food in honor of the deceased

The next few slides provide a brief description of the funeral and memorial potlatch as practiced by Interior Athabascan groups. This is not a comprehensive account but an outline of the ceremony to orient Board members and provide some context.

The Potlatch ceremonies described in this presentation should not be confused with potlucks. A Potlatch is a formal distribution of food and gifts that is often spread over a 3 or 4 day period. The ritual distribution of food and gifts associated with the death of an individual is an integral part of most Alaska Native cultures and had been practiced for generations.

Alaska Native groups with known funerary ceremonies



This slide shows Alaska Native groups with known funerary or mortuary ceremonies.

Commemorates a major life change such as the death of individual.

- **Funeral Potlatch is held as part of the funeral.**
- **Memorial Potlatch is held to commemorate the deceased within a year or more after the funeral.**



Traditional Alaska Native mortuary rituals are often spread over a period of time and include a funeral and funeral potlatch and a follow up ceremony held some time after the funeral.

The funeral and funeral potlatch are concerned with the immediate and proper treatment of the remains of the deceased.

Funeral potlatches are generally unanticipated events and held immediately following the funeral.

A second ceremony is often held sometime after the funeral – these are often referred to as memorial potlatches. These ceremonies complete the funeral cycle of special observances. The spirit of the deceased in some sense completes the transition from the living to the spiritual world. The persons who have supported the immediate family in dealing with the death receive formal thanks and recompense. The rift in the community created by the death of an individual is made whole again.

The timing of memorial potlatches may be affected by several factors, such as a prescribed period of grieving or the status of the deceased -- more time may be needed to prepare for the final commemoration of important persons who have died or the time needed to acquire enough wild foods and material wealth to distribute to attendees.

Board of Game Findings

- **1980 Board of Game Finding 80-27-GB**

- Alaska Supreme Court (in *Frank v State*; 1979) held that taking of moose for use in traditional funeral potlatch ceremonies of Alaska's Athabascan people is protected by both the state and federal constitutions.

- **1996 Board of Game Finding 96-98-BOG**

- Board of Game determined that protections for the use of moose in Athabascan funeral potlatch ceremonies should be extended to other big game animals used as food and extended to all Alaskan residents.
- Board of Game adopted regulations that provide for a harvest report after the ceremony.

The use of wild game for religious ceremonies includes use for funeral and memorial potlatches, and other mortuary ceremonies. It is a customary and traditional practice associated with religious ceremonies among Alaska Native groups. The Board of Game has provided for the take of wildlife for these purposes.

Alaska Supreme Court (in *Frank v State*; 1979) held that taking of moose for use in traditional funeral potlatch ceremonies of Alaska's Athabascan people is protected by both the state and federal constitutions.

Constitutional protections apply to potlatch harvest where the person taking the moose is sincere in his or her religious beliefs and where the taking will not jeopardize appropriate resource population levels.

Constitutional protections also may apply to Non-Athabascans for use in traditional ceremonies according to the following principles:

1. there must be a religion involved;
2. conduct in question must be religiously-based;
3. the person claiming constitutional protection must be sincere in his/her beliefs

Potlatch harvest was not regulated at the time of the 1980 finding because the Board concluded that such regulations could have an adverse impact on the religious experience. The Board noted that if the non-regulatory approach was to succeed, complete harvest reporting would be necessary

In 1996, the Board determined that protections for the use of moose in Athabascan funeral potlatch ceremonies should be extended to other big game animals used as food in customary and traditional Alaska Native funerary or mortuary religious ceremonies

The Board determined that provisions allowing and regulating the take of big game are important and necessary to manage game under the sustained yield principle and also determined that there were no known cases where sustained yield had been threatened by potlatch harvest

The Board determined that the Department will notify the public of any big game populations for which harvest would be inconsistent with sustained yield principles and which, as a result, would be closed to

ceremonial harvest.

Finally, the regulations adopted provide for telephone contact to ensure submission of a written report and do not require travel to an ADF&G office to make a report.

Current Regulations for Religious Ceremonies and Other Ceremonial Purposes

- Do not require permits:
 - **Koyukon Potlatch** Ceremony (5 AAC 92.017; eff. 2003)
 - **Taking of Big Game for Certain Religious Ceremonies** (5 AAC 92.019; eff. 1987; am. 1996, 2002, 2003)
- Require department-issued permits:
 - **Nuchalawoyya Potlatch** permit for up to 3 moose; practiced only at Tanana (5 AAC 92.053; eff. 1989; am. 1991; readopt 1993)
 - **Stickdance** permit for up to 3 moose, held alternatively in either Kaltag or Nulato, with a year in between each ceremony (5 AAC 92.055; eff. 1990; am. 1991)
 - Other regulations allow for the harvest of big game for **cultural or educational purposes** under a permit (5 AAC 92.033; eff. 1985; am. 1996; am. 1997; 5 AAC 92.034; eff. 1995; am. 2001, 2002)

Existing regulations accommodate some specific ceremonies and some general cultural and educational purposes under department-issued permits, while two regulations do not require department issued permits.

Reporting requirements

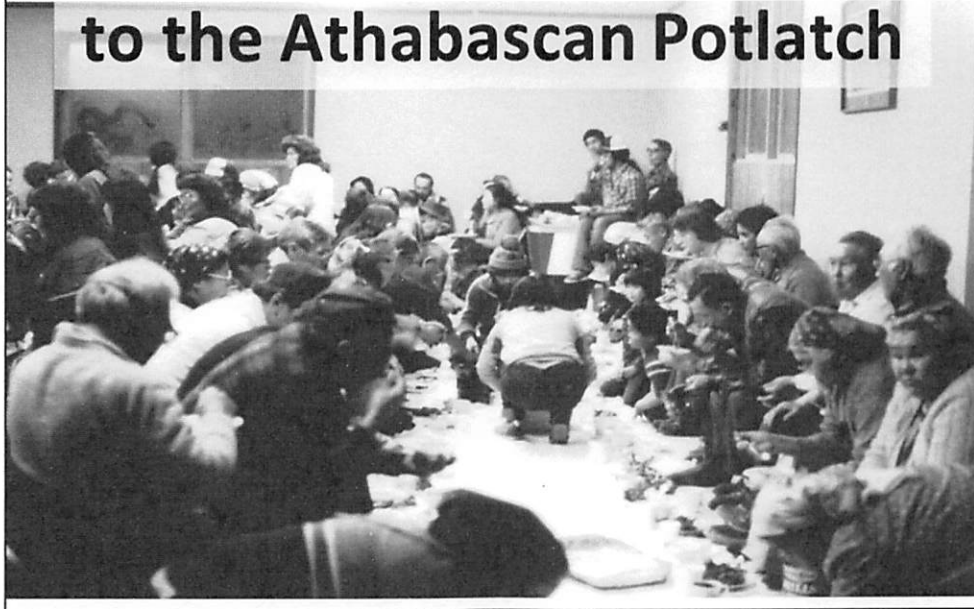
5 AAC 92.019 (amended 2003)

- A tribal chief, village council president or their designee must notify the Department that a hunt will take place prior to the hunt.
- Report must be made within fifteen (15) days and include location of kill, species, sex, and number of animals taken.

In 2003, the Board amended the current regulation to require the tribal chief, village council president or their designee to notify the nearest department office that a ceremonial hunt will take place. The notification must include the number of animals expected to be taken and the location where the taking will take place, as well as to provide a harvest report within 15 days after the hunt. Those same individuals are also required to maintain records of the successful hunters and the decedents for the village or tribal ceremony and make that information available to the Department upon request.

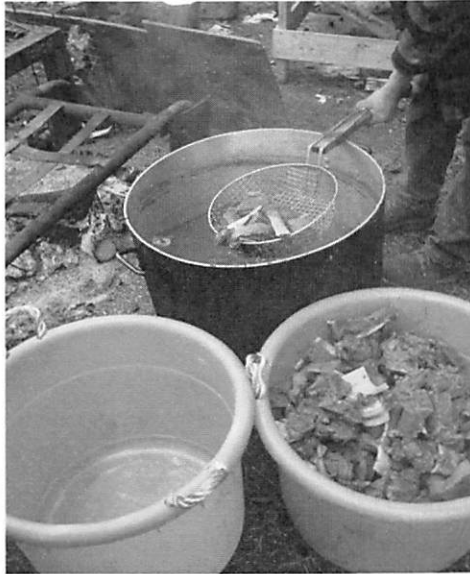
A hunter outside of a village or tribally organized ceremony must notify the nearest ADF&G office prior to the hunt, including name and address of the hunter, location and time frame of the hunt and they must report the results of the hunt within 15 days.

Sharing of food is integral to the Athabascan Potlatch



Sharing of food is integral to the Athabascan Potlatch

Moose soup and moose nose



- Ceremonial food
- Cooked and served by men
- Left-overs provided to guests

These photos show ceremonial food, cooked by men, and the leftovers are served to guests

We are happy to answer any questions.