northern co-ordination and research centre department of northern affairs and national resources

LEGAL CONCEPTS AMONG THE NETSILIK ESKIMOS OF PELLY BAY N.W.T.

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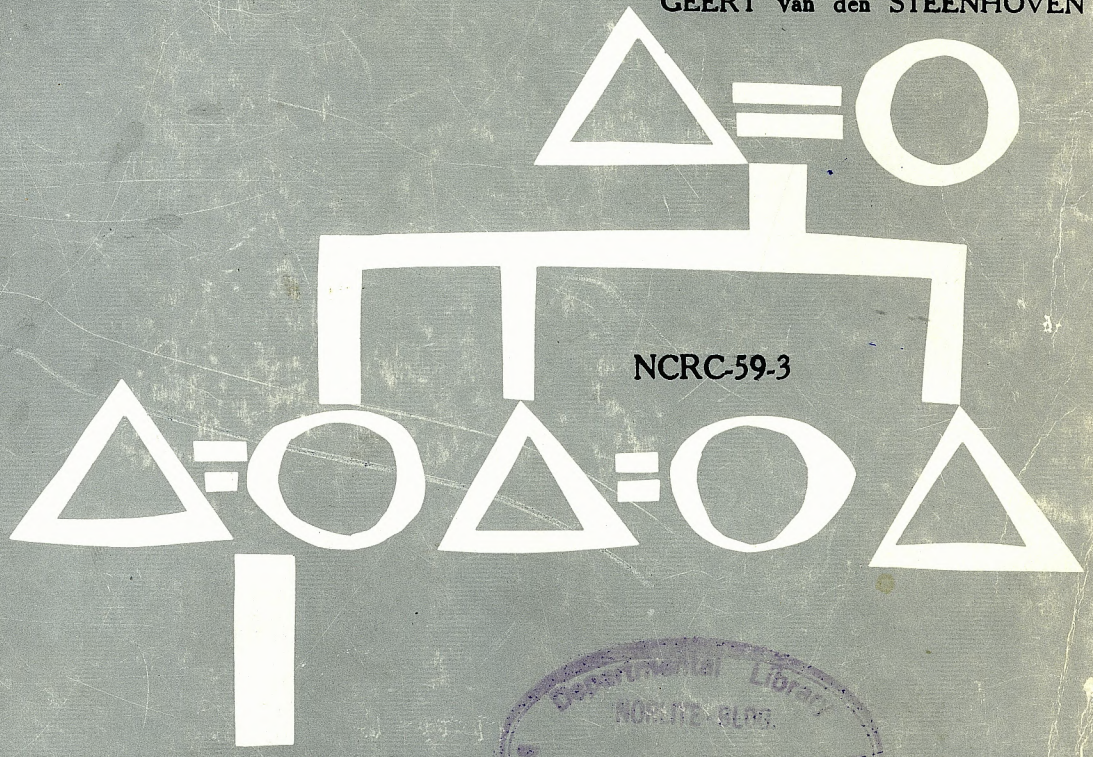

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The opinions expressed are those of the author of the report.

Geert van den Steenhoven,
February 1959.

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FOREWORD

1 The present research report concerns a second field research to study law among Eskimos of Keewatin District. It was carried out between August 16 and September 21, 1957, among the Arviligjuarmiut (Netsilik Eskimos) of Pelly Bay, N.W.T. Like the first study (1955, among the Caribou Eskimos), the research was sponsored by the Northern Co-ordination and Research Centre of the Department of Northern Affairs and National Resources. The Netherlands Organization for the Advancement of Pure Research (Z.W.O.) generously financed the travel costs from Holland to Canada and return.

2 During the research much time was also devoted to building up comprehensive genealogies. Many hours have since been spent by Rev. F. van de Velde of the RC Pelly Bay Mission in filling up gaps and it will require much additional work before the results have reached a stage which is fit for distribution among those interested. But the effort seems definitely worthwhile, not only for social purposes but equally for the study of ethnological, genetic, and medical questions. In the present report, the genealogies will be used only where they are necessary to throw light upon the concrete subject matter of the research.

3 Apart from the Eskimos of Pelly Bay - whose future this report hopes to serve in the first place - I feel most indebted to two persons without whose help and encouragement the research would simply have become impossible: Mr. G. W. Rowley of the Department of Northern Affairs in Ottawa, who promoted the project - and this promotion appeared to be no mere formality - and Rev. F. van de Velde of the Pelly Bay Mission, who sacrificed his free hours and much of his night rest for the purpose of my assignment by interpreting, by opening up to me his wealth of experience, and by making my stay at Pelly Bay so enjoyable and worth while to me personally.

Eindhoven, February 1959 G. v.d. S.

INTRODUCTION

1 Though this report is the result of scientific fieldwork, its presentation - however modest in content - is arranged so as to make it useful also, or rather, in the first place, for the immediate purposes of civil and judicial administration. As such, it is an experiment. My previous report - on law among the Caribou Eskimos[1] was written with the same aim in mind but it has, to my knowledge, not been able to raise effective interest among administrators. This experience caused me this time to be more selective, not in the gathering of data but in its presentation[2]. I have grouped the data selected in a different manner. I cannot avoid however the assumption that the contents of my previous report are known to the readers of the following pages, for the present report is a complement to its predecessor and it should not be regarded as leading a quite independent existence.

2 Far from being an ethnography of the Netsilik Eskimos, the following merely presents selected aspects of their social life. I shall therefore have to make a second assumption - that Rasmussen's excellent description of their social and spiritual culture[3] will be the general reference work for those readers who rightly wish to be informed about other aspects of the life of these Eskimos.

3 A brief survey of the background and present situation of Pelly Bay and its Eskimos is given in a first chapter. This is followed by an account of the research conditions, of literature consulted, and of personalia regarding the various informants.

4 The selected research data will be presented in two chapters, the first dealing with "Leadership" and the second with "Reactions to Conflict". The question of leadership ranks among the first concerns of serious administration. At what level(s) do we find leadership among these anarchistic people? And precisely how is it organized? It is for this reason that I attempted to group the relevant findings into a special chapter. The research also brought forward the more or less regular occurrence in the recent past, and partly also today, of a number of possible individual or group reactions when a trouble situation has arisen between two parties among the Netsilik Eskimos; and I have attempted to group the relevant research data on the basis of these categories of reactions. In other words, I shall try to list the various forms which are provided in the culture of these Eskimos to deal with situations of interpersonal trouble, friction and conflict. And even if the more violent forms of these reactions fortunately no longer occur, their basic underlying values will still be alive among them today. Conclusions of a factual, theoretical and practical nature will be found in a final chapter.

5 There is, however, at least one major disadvantage attached to the framework sketched above. Since it was conceived after return from the field, my data proved afterwards to be more incomplete than they would have been if I had kept this framework in mind during the field-work. I must therefore request the clemency of the reader if he might sometimes have the justified impression that there is more that I do not know than I do know about a given situation.

Footnotes will be found in a separate section at the end of this report.

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CHAPTER I

NOTES ON THE PELLY BAY AREA AND THE PRESENT CONDITION OF ITS ESKIMOS

1 On the north edge of the American continent south of Boothia Peninsula, the Arviligjuarmiut of Pelly Bay inhabit an isolated region of Keewatin District which to this day is very little known indeed. The "Arctic Bibliography" index contains only one reference to Pelly Bay and this is to the account of its first white visitor, John Rae[1] in 1847. The next published account stems from Knud Rasmussen[2] who passed several days there in 1923. The first white resident was the RC missionary Henry in 1935; the mission has been occupied ever since and has remained the only white residence near the Bay until the construction (at some distance inland) of the DEW Line in 1955-57.

2 The Arviligjuarmiut are one component of the larger Netsilik "tribe", named after Netsilik (Willerstedt) Lake on the west side of Boothia Isthmus. Eskimo "boundaries" are not only fluctuating throughout the years but they cannot even be sharply defined at any given time. For the present purpose, however, one might say that the greater Netsilingmiut area is roughly covered by a triangle stretching from the lower course of Back's River[3], over Bellot Strait, to Simpson Peninsula[4]; and, in fact, nowadays the Repulse Bay region might as well be included since its residents have now become practically all of Netsilik origin.

3 Today, the Arviligjuarmiut do most of their sealing and fishing all over Pelly Bay and at the stone weirs in its rivers. For caribou hunting, they usually set out into the direction of the Murchison and Hayes rivers. For their annual trading they visit the Hudson's Bay Company posts at Spence Bay or Repulse Bay. Most of the present adults have spent seasons on or made trips to King William Island, Simpson Peninsula, and Boothia Peninsula.

4 The maps in "An introduction to the geography of the Canadian Arctic"[5] show that Pelly Bay has a mean daily temperature of -25°F in January and of 45°F in July, that it is entirely surrounded by Precambrian mountains, and that there are plains to the east on Simpson Peninsula and lowlands to the west along Rae Strait. From personal observation I can confirm the mountainous and rugged character (except for a marshy river plain) of the region immediately around the present central gathering point of the Pelly Bay people, which is the RC mission stationed at the outlet of the Kugardjuk River on the southeastern shore of the Bay at N 68° 33', W 89° 49'. The view from the mission southwest over St. Peter's Bay, closed off from Pelly Bay by a chain of mountainous islands, presents arctic scenery of magnificent beauty. The region is cherished for its

abundance of seal and fine arctic char, and numerous archaeological remains in the immediate neighbourhood indicate that it has been a much frequented place for many centuries.

5 The Pelly Bay Eskimos, though they did not of course entirely escape certain disruptive effects of contact with the white man and his works, are still a happy and fortunate people. Very rarely visited by representatives of government departments, blessed with a habitat well stocked with seal and fish (though caribou is scarce), receiving monthly their family allowance or old age pension, whatever the case may be, the material conditions of the good life, as they view it, still seem to be present. At the same time their almost collective conversion to Christianity - without the confusion ensuing from competitive denominations - in the years following 1935 has helped them to detour around much of the spiritual vacuum which would otherwise have demoralized them: for it is known that, even without any missionary influence, Eskimo native religion fades away owing to the impact of the white man's technical and medical power.

6 Population - The Pelly Bay District has (Sep. '57) 118 resident Eskimos - 30 (heads of) families among whom are two widows, two aged couples and seven recently married couples; there are 21 males and 28 females below 16 years of age. Whereas only one baby survived of those born in 1956, this year's six babies were all well when I left the settlement. For a number of years prior to 1935-8 quite a number of these Pelly Bay Eskimos lived in the Repulse-Chesterfield areas; many of them returned after the establishment of the Pelly Bay mission in 1935.

7 Annual cycle - July to mid-September are spent near the mission (at the time of my stay, seven families were camped along the Bay at 20-40 miles distance) where sealing (ringed and bearded) and spearing arctic char at the stone weirs in the Kugardjuk River are profitable. Kellet (Kugk) River in the south of Pelly Bay is favoured for autumn fishing of char under the ice, and as a starting point for autumn caribou hunting parties. Before Christmas, most families have gradually returned to the mission. In January, breathing hole seal hunting starts northward - sometimes interrupted around March for occasional deer hunting trips. About April, the big trading trips to Repulse Bay take place. In the second half of May, they start sealing on the ice and at the open breathing holes. This is north of the mission and those wishing to trade at Spence Bay will then gradually continue in that direction. As regards their nomadic wanderings, there thus seems to exist quite some "method to the madness".

8 Food, hunting, fishing - As stated above, the region is well stocked in its salt and fresh waters, but on land its caribou - the food they prefer above all - is very scarce. Fortunately, fall hunting in 1957 proved to be better than the last several years. All grown up men are devoted hunters and fishermen; they do some trapping but they don't want it to interfere too much with hunting or fishing. In spite of the very good food resources, hunting generally requires a day of hard work; but they all appear to like this life, and there were no "relief" cases.

Traditional breathing hole (aglu) hunting is still generally practised, but it seems to be pushed back to some extent by increasing rifle hunting later in the season from the ice or in the open water. The traditional stone weirs (sapotit) for spearing char (average 9 lbs.) are still in full use. Only twenty years ago, their life consisted almost entirely of inland fishing, deer hunting, and ice-hunting of seal. With the caribou diminished, kayaks gone, nets for river-mouth and sea fishing, and owing to the new rifles and canoes, they have become more and more sea hunters. (The many tales and remembrances of deer hunting from the kajak at the crossing-places, the "nadlor", strongly suggest that this is still regarded as having been the Eskimo way of hunting "par excellence").

9 Clothing - Except for boots, white man's manufactures seem to suffice for summer wear, but during the cold months only deerskin clothing enables them to travel. Lack of sufficient deerskin now forces many women and children to stay at their base camp near the mission or elsewhere, whereas they otherwise would have accompanied the hunters to their breathing hole hunting grounds. For a family consisting of parents and four children (4-19 years), twenty skins yearly would be a modest requirement. At present the men often have to hunt (deer, breathing and open holes) alone in the cold season and they return home at intervals to supply their families with food.

10 Housing - Canvas ridgepole tents and igloos provide the normal shelter. The availability of wood in the nearby radar station has tempted several men to build wooden shacks in the mission camp. Two of these seemed (Sep. '57) adequately insulated and were kept in remarkably good order; they had just been built, and the insulating wallpaper in one of them consisted of the construction designs for the radar station and airfield. The three other shacks were worse than a tent could ever be. But winter was yet to come and will by now have shown these people whether or not to go ahead with this form of progress. Since tents and igloos will remain indispensable to them as long as

they remain nomads, there should be no immediate fear of their losing the pertinent skills.

11 Trading - Although the trading post at Repulse Bay, some 200 miles southeast, is farther away than that at Spence Bay, 130 miles to the northwest, trading at Repulse is often popular because (a) prices are lower, (b) extra revenue results from carrying the mission freight on the way back, and (c) food caches on this route are often more attractive. The desire to visit relatives may also at times influence the choice of trading post. The mission at Pelly Bay has a trading licence, which enables the Eskimos to trade for small staple goods such as tea, tobacco, sugar, cartridges, powdered milk, matches, during the months in which no sled travel is possible.

As mentioned above, these Eskimos do not allow trapping to interfere unduly with their hunting or fishing and the number of foxes trapped is therefore relatively small; they often set traps near their caches. As well as foxes, they trade sealskins, sealhide lines, and bearskins, and some carve in bone or ivory.

12 Religion and mission - All Pelly Bay Eskimos are Roman Catholic Christians; they acceded to baptism rather soon after the arrival, in 1935, of Rev. Henry, who was joined by Rev. van de Velde in 1938. The latter is now the only resident priest; there are no other missions in the district. It was my firm impression that these Eskimos are devoted to the mission and that they give full confidence to their able and devoted missionary.

Less than one generation ago, these men and women were still living in full and unquestioned observance of aboriginal religion. Religion - which they are used to experience as pervading their entire existence rather than as something separated from the other pursuits of life - should not disappear among them (as would undoubtedly have been the case with their native beliefs, owing to mere contact with our engines and medicine). It should rather be replaced by equivalent values. And anyone who has come to know these Eskimos would, I believe, agree that among the last values which they will be able to integrate as a pervading force into their lives would be those of an agnostic or rationalistic world conception; for this would lead among them to individual and social chaos. Until the construction of the DEW Line in 1955, Pelly Bay was perhaps Canada's most isolated mission. Inaccessible by sea, its supplies had to be - and are still, for that matter - freighted in by sled from Repulse Bay; but the supply vessel does not manage every year to reach Repulse. The

mission now consists of seven small buildings which in the course of the years have been built of local rocks cemented with local loam - a real tribute to their builders, chiefly Rev. Henry and van de Velde themselves. An unheated greenhouse, built on the south wall of one of the buildings, produced this summer samples of wheat, peas, potatoes, celery - and we had an almost daily supply of fresh lettuce.

The church is as big inside as a living room, serves at the same time as community hall, and is heated by a barrel-stove fed with blubber.[8] Noteworthy is the adjoining "library" with a fine collection of arctic literature and stocked with museum pieces, such as a piece of Rasmussen's sled (its other parts had to be used to build the church), Amundsen's armchair, relics from the 1829-33 Ross expedition, quite a number of rare native artifacts and implements, geological specimens, etc.

13 Health - Among these 118 people, 25 have at some time been evacuated to hospital, three of whom were still there at the time. Officially, there has been no polio at Pelly Bay, though the missionary considers that there have been one or two suspicious cases with minor consequences. An influenza epidemic in 1949 resulted in a few casualties - owing to complications and lack of penicillin. Minor epidemics like mumps, measles, have occurred since 1954. There had been no thorough individual medical examination at Pelly Bay for several years, and a serious medical visit was perhaps the only official attention they were wanting at the time. For, though to my layman's eye these people seemed generally fit and healthy, there were several Eskimos whose physical condition warranted professional examination.

14 Education - A considerable number of Pelly Bay children have spent one or more school seasons at the Chesterfield Inlet boarding school: they can spell English words and are able to understand and speak some English, and I always felt as if they knew more than they would show at first. In addition, a winter school is held at the mission for those children who are living nearby. Fifteen children were ready to go to Chesterfield during the autumn of my stay. The school plane - promised as of August 15 - not having arrived by September 20, the parents could wait no longer and left with their children for the autumn fishing at Kellett River. During the coming months the children would therefore learn how to catch rather than how to count the game.

15 Social situation - Though life is slowly changing for these Eskimos, their social integration seemed well intact - probably owing not in the last place to the

limited degree of direct contacts with a variety of white visitors, and to another system of values now gradually replacing their chiefly abandoned aboriginal religious values. Ball games, games of strength, of skill (sealbones, chess) were popular; at Christmas games prevail, among them archery contests. It was gratifying to experience the self-respect among these hunting and fishing families. There were no disturbing or a-social elements at the time though, of course, the same range of individual personalities could be found among them as among ourselves. Although it is known that they do not acknowledge among themselves any formal leaders outside the patriarchal family group, I can name two individuals whose opinion carries a good deal of unofficial weight all around: old and gentlemanly Niptajok (E3-386) and middle-aged Itimangnerk (E3-317). The influence of the radar station twelve miles away was clear but yet restricted, since the civil administration had ruled in 1956, and not yet revoked, that for the time being no Eskimo from the Pelly Bay area should be employed in the construction of the site. Not being positively encouraged to establish ties with the site (officially, they are not even allowed to go there, nor are site employees allowed to visit the Eskimos), none of the Pelly Bay Eskimos has to my knowledge spontaneously made any overture towards employment. They show curiosity at the site, whenever they pass there to salvage waste material from the dumps or to pick up or deliver mail (on which occasions they are usually offered small presents by some site residents), but their interest and ambition was rather orientated towards their hunting and fishing. Those among them who were visiting the site dump at a time when profitable hunting or fishing could have been done instead, were even liable to be ridiculed within their own community.

CHAPTER II

RESEARCH CONDITIONS, LITERATURE AND INFORMANTS

1 For this concentrated "law" research, restricted to at most six weeks in the field and therefore essentially dependent upon numerous translated conversations, I had to request the hospitality of the missionary so as to stay in his immediate vicinity. In 1955, when I was prepared and equipped for an entire season among the Caribou Eskimos, I could bring my own tent and supplies and spend most of the day among the Eskimos themselves. And indeed, ideal research conditions require a much longer time in the field, plenty of opportunity to observe and participate in daily Eskimo life and command of their language. None of these requirements were met at Pelly Bay. Instead, I had to exploit to the utmost the two existing favourable factors: a dense temporary concentration of Netsilik families near the mission and the availability of an outstanding interpreter (the missionary) who had the confidence of these Eskimos.

In a research like the present one, the field worker cannot wait until he observes law-in-action - for that would be exceptional - but he has to extract it from case histories and from the formulations of ideal norms by individual informants; in other words, the research has to be carried out chiefly through conversations and interviews. And it does not suffice to have an approximate notion of what the informant said; on the contrary, a translation as precise as possible of the informant's statements is one of the essential requirements, if the research is to have a chance of success. I am not aware of the existence of one Keewatin Eskimo who understands English well enough and who might be found willing to serve as an interpreter for my purpose. I was therefore most fortunate to find Rev. van de Velde - with his twenty years of experience in learning the language and mentality of the Pelly Bay Eskimos - prepared to act as interpreter. Here below, in the section on informants, I shall revert to him personally.

2 The interviews were held in the mission room or in my one-room "guest-house"; as at Eskimo Point in 1955, it was felt that informants in this case would prefer to talk in 'closed sessions'. This procedure worked out well. Interviews were arranged in the afternoon or evening - depending on the availability of the informant. The missionary wisely advised that no informant should be invited at a time he would likely wish to hunt or fish. Thus, the evenings and bad weather afternoons were mostly spent with male informants, while on good weather afternoons we sometimes invited female informants.

Interviewing started on August 27, i.e. eleven days after my arrival, and ended on September 20, the eve not only of my own departure but also that of most of the Eskimos to their autumn fishing grounds at Kellett River. The duration of each interview varied between 1½ and three hours, and they numbered twenty-six, not counting several devoted entirely to genealogy and several shorter "in-between" conversations. Most of the hunters camping near the mission and several women were so interviewed some of them more than once. Many hours in between sessions were spent on the genealogies.

3 It proved to work out very well to start the interview with genealogical questions. This somehow appeared to break the ice for further questioning on "law". The fact that I never knew if I would have a second opportunity to talk with the same informant introduced a slight factor of "urgency" to each meeting which I was unable to suppress. Although I have always been convinced that quiet listening to what the Eskimos have to say is far more important than talking to them, I am afraid that in my zeal to get at my aim I fired off too many questions at them, not allowing sufficient time to answer. I did not always dare to wait quietly through periods when nothing at all was said, though I had experienced more than once that meaningful, relevant, and spontaneous remarks and information were apt to emerge from the informant precisely after such a period of silence.

In spite of these defects[1] most of the interviews were fascinating; we never knew in advance what unexpected answers would follow upon the seemingly most trivial questions. Here and there in the following pages, the unexpectedness of these answers will be borne out, but in most cases it was impossible to present the report in that detail.

4 As I gathered from the missionary, there are situations when one can expect the Eskimo to be more talkative, and disposed to communicate more freely than usual. This is information of considerable importance to the field worker. One of these situations occurs in the late summer when these Eskimos are spending days or weeks at the stone weirs in the rivers, where they spear the arctic char once or twice a day. These are days of comparative leisure (except at spearing time, when there is uncommon excitement) and of considerable contentedness, when they are drying and caching the abundant arctic char as a most valuable food reserve for the coming months. Life is good and not hard those days, and to watch the food stocks growing daily generates a feeling of security. It is during those days, which the missionary often spends with them (unfortunately he was in 1957 prevented from joining

them in their fishing camps), that they sometimes, and then always spontaneously, started to talk about subjects which they would not easily broach at other times, as for instance when they were camping around the mission.

5 Literature - The references to the literature on the Netsilik area appear in the footnotes to Chapter I, paragraphs 1 and 2. Most of the historical works are travel accounts. Due attention has been given to observations regarding the Netsilik Eskimos, but I shall not have much reason to quote from them for my present purpose. Rae has not much to say about the Eskimos. The account of Ross's exploration is most interesting reading indeed, and this sea captain has indeed displayed an admirable interest in his "Boothians" for whom he must have felt a keen sympathy. Capt. Back, on the other hand, only seems to have frightened the few Eskimos he met. Klutschak, who was the geometrist of the Schwatka expedition, did display interest in murder and feud but both his details and generalizations should, I fear, be read with great caution. Amundsen is very good reading and provides interesting background information about life half a century ago.

Franz Boas (The Central Eskimo - US Bur. of Amer. Ethnology, 6th Ann. Rep., Washington, 1888) never saw Netsilik country but he has pieced together items of information about the Netsilingmiut from some of the above-mentioned sources and from Eskimos whom he interviewed while he was doing field work on Baffin Island. His observations, covering pages 409-667 of his report, however useful for other purposes, seem of little interest to the present research.

6 Rasmussen's description of the social and spiritual culture of the Netsilik Eskimos has of course been of the greatest value as the basis of my research. I met a number of Eskimos described by him, and checked certain stories related in his book. He spent nearly seven months in Netsilik territory (April-November 1923), including ten days in the south of Pelly Bay, one week at Back's River, and several months on King William Island. Rasmussen understood the Eskimos better than anyone else; and though his interests were somewhat differently orientated from my own, his report - which will be only occasionally quoted in the following pages - should serve as indispensable background information for any serious reader of the present report.

K. Birket-Smith's general work "The Eskimos" (London, 1936) is so outstanding, that it is worth while to mention it here again; but for additional references to literature consulted I might refer to the listing at the end of my research report on Caribou Eskimo law, which also contains E. A. Hoebel's very worthwhile contributions on law among the Eskimos.

7 Informants - Rev. Frans van de Velde, O.M.I., was in his late forties and had served at Pelly Bay ever since 1938, when he arrived there to assist the founder of that mission, the French missionary Henry. He is a Belgian of Flemish extraction (naturalized Canadian 1958), so we could converse in our mother tongue. He has travelled very extensively through most of the Netsilik country and is a very keen observer of Eskimo life and mentality, as is shown in his numerous contributions to the Hudson Bay Oblates' quarterly "Eskimo" and his most interesting article on hunting-relationships among the Arviligjuarmiut ("Anthropologica" no. 3, 1956, publ. by the Research Centre on Amerindian Anthropology, Univ. of Ottawa).

Since it is a missionary's first concern to try to penetrate into the "soul" of his people, it is clear that I could not have had a more competent informant on the background of the group in general and of each individual Eskimo in particular. Like Rev. Ducharme at Eskimo Point, he was eminently able to view a situation quite objectively. Of course, and fortunately, he also had subjective views, but these were quite candid and easily separable from the facts themselves. He was entirely devoted to his small parish, and the Eskimos generally returned this with their confidence in their fashion. His wealth of knowledge combined with real humility affords a striking contrast to the ignorance and arrogance displayed in many criticisms of northern missions.

Although Rev. van de Velde - who is also able to live off the country like the Eskimos - has gained a position of considerable prestige, I had several opportunities to notice how little he was given to influencing the Eskimos as to where and when to trade, hunt or fish, and it struck me how he did not even allow the slightest self-interest to interfere with what the Eskimos consider to be a domain of their own exclusive sovereignty: their daily freedom of movement. The many-sided character of his daily work need not be elaborated upon here; his interest covers all aspects of life in that isolated place - except trading with the Eskimos, which he regards as a conflicting duty.[2] Humble people, even with twenty years of intensive experience, are not afraid to admit that "they don't know". Once, after a disappointing experience, I heard him sigh and say "O, Seigneur, I wish I would understand these Eskimos as well as (I thought) I did after I had spent my first year here".

Apart from the interviews - which were of course directed by myself - most of the data worked into this report are a selection from the information supplied by Rev. van de Velde in reply to my countless questions.

8 Eighteen informants (four women) were interviewed, several more than once, but not all of them will be quoted in the course of this report.[3] At the appropriate places there will often be occasion to insert some remarks on the personality, genealogy and social position of the informant concerned. The data following here below serve to complete the personalia of the quoted informants. With the exception of Kakiarniut, all are real "Arviligjuarmiut". ᐃᖅᑲᓇᐃᑦ

One general remark might precede: it never occurred that an informant had to withdraw one of his previous positive statements. In the course of frequent "checking" with other informants, it often happened that more details became known, but I cannot recall one instance where one of the following informants had to retract later on what he had positively stated before. This was especially striking in questions regarding genealogies.

IRKOWAKTOK (E3-301) born 1918; baptized 1936; married 1944; liv. child. 4(f), 1 ad. (f). One of the most important informants. Ready to understand, witty, real Eskimo, good hunter with initiative. One of the pillars of the mission, has made numerous travels with the missionary. Somewhat individualist, "pulls himself loose from his oldest brother Itimangnerk". Wrote a diary in 1958. ᐃᑎᒪᐃᐊᖅ

ITIMANGNERK (E3-317) born '09; bapt. '35; married '34; liv. child. 1(m), 1(f). Important informant. One of the best hunters and a man with considerable social prestige. Always inhabited Pelly Bay area. ᐃᑎᒪᐃᐊᖅ

KRINGORN (E4-517) born '05; bapt. '40; married?; liv. child. 3(m), 3(f). Very important informant, unfailing memory. Married to Niptajok's (see below) sister Karmatsiark. Splendid father of family, good provider. Social prestige not very great. Full Eskimo mentality, but timid and somewhat apt to become the laughing stock. First, but quite false, impression: "Monsieur l'Imbecile". Very gentle-natured: afraid of disturbing his tent mates by his snoring, he used to stay awake at night until the others were asleep.

NIPTAJOK (E3-386) born ±'90; bapt. '35; married?; liv. child. 2(m), 2(f). Lived across the bay twenty miles away, was once interviewed directly after our first (and only) encounter when he paid a short visit to the mission. There was no opportunity for quiet acquaintance and the conversation did not yield much. Though old, he is perhaps still the most influential man among the Arviligjuarmiut. Son of the famous Ogpingalik (see Rasmussen); great-grandchild of Tullorealik who received a wooden leg to measure from the ship's carpenter of Ross's expedition ship "Victory"

in 1830. He is himself a great-grandfather. Great prestige in hunting. Was already in Rasmussen's time married to Illuitok. A gentleman-like character, very hospitable, self-possessed. Paying a surprise visit to them during a recent journey, the missionary was touched to find the old couple softly singing together a melodious native song.

AKKRAK (E4-315) born '28; married '51; liv. child. none (two still-born). A young, good hunter. Real Eskimo mind. Very gentle disposition. Has lived all through the Netsilik country.

ARNAOSERDJUARK (E3-327) born '09; bapt. '34 (Repulse Bay); 3 child. from 2 marr. Now a widow, she lives separately with her youngest daughter. With the exception of at most two years, she always lived around Pelly Bay. Sustenance, at time of my stay, from Inuksak's wife who is her sister. Sometimes she lives with the families of her brothers Ussuligardjuk and Kutsiotikko, both good hunters. Once, when asked if and how the various legends had been handed down to her, she replied stolidly: "My mother used to tell them to me, while lousing me."

KANNAJOK (E3-431) born '07; bapt. '33 (Repulse Bay); liv. child. 1(m), 2 ad. (m, f.). A very good hunter, looking old for his years. Skilful drum-dancer. The only Eskimo at Pelly Bay to use a sail on his canoe. Often goes alone.

INUKSAK (E3-330) born '23, already a grandfather. Oldest son of Niptajok. Only owner, at Pelly Bay, of a marine engined boat (sloop). Good hunter, independent character.

ANERNELIK (E3-379) born '03; bapt. '36; 2 child. one of whom now a young widow. Was very good hunter; somewhat weakened after recent return from hospital (TB). By birth brother of Niptajok but by adoption "moved over" to another family.

NIONIO (E3-380) born '10. Anernelik's wife. Primitive. Good informant. Her family suffered numerous violent deaths through suicide and murders.

TUNGILIK (E3-334) born '20; 4 child. Close friends with his brother-in-law Itimangnerk. Good hunter; good chess player (reported to have once defeated DEW Line employee). Cheerful disposition.

KAIAITOK (E4-514) born '00; liv. child. 1, 3 ad. Niptajok's younger brother. Full Eskimo mentality. Very good hunter, but sometimes censured because of alleged unfair hunting practices.

KAKIARNIUT (E3-498) born '34 at Pelly Bay but has lived mostly at Repulse Bay. Now temporarily returned since his marriage at Pelly Bay with Krabvik's daughter. Good hunter, generally liked.

CHAPTER III

LEADERSHIP[1]

"One of the most noticeable features
in Eskimo Society almost everywhere
is the absence of chiefs...."

D. Jenness in "Life of
the Copper Eskimos".

1 At the outset it might be stressed that the very notion of exclusive rights in land and hunting territory - whether private, family or communal - is non-existent among these Eskimos. Their hunting and fishing grounds are ideally open to everybody, also non-Eskimos, and any game and fish is no one's property as long as it has not been touched. Like the Caribou Eskimos, and most other Eskimos, the Netsilingmiut are very positive when talking about this subject. And there are, perhaps, only very few societies in the world - even those living under comparable physical conditions - which are so emphatic in their denial of any claim to exclusiveness of hunting and fishing grounds. Indeed, these Eskimos would rather withdraw from their traditional region than claim their rights against any peaceful invaders from outside their area.

2 It is a well-known fact that Eskimo society has no <u>political</u> organization: there are no formal councils, there is no central power, there is no question of state or government. Neither can we, in respect to <u>social</u> organization, speak of a Netsilik "tribe" in its proper sense, since they lack that feeling of unity, exceeding kinship, which is characteristic of a tribe. And, in fact, to speak of the "Netsilik Eskimos" is a concept introduced in the literature by scientists who had found that Eskimos from <u>outside</u> used to refer to the inhabitants of our area[2] as "Netsilingmiut". If, for lack of a better word, we nevertheless wish to speak of the Netsilik tribe, it should be understood to carry a purely geographical connotation. The geographical boundaries of this Netsilik tribe are perhaps best determined by the vaguely definable adjoining hunting and fishing ranges of those bands whose members are relatively closely tied by links of blood and marriage and, consequently, of adoption and individual friendship.

These bands, then, are the Ilivilerniut (Adelaide Pen.), the Utkuhikjalingmiut (lower Back's River), the Krekertarmiut (King William Island), the Netsilingmiut (named after Lake Netsilik (Willerstedt) at Boothia Isthmus), the Avertormiut (Bellot Strait), and the Arviligjuarmiut (Pelly Bay)[3]; and today there is no reason to exclude the inhabitants of the Repulse Bay district, whose original Aivilik (Iglulik) residents have now practically

disappeared to be replaced by Eskimos of direct Netsilik extraction. Many Netsilik Eskimos at some time belonged to - and after a few years of residence named themselves after - more than one of these bands; but the band (or rather the district) where one grew up had a certain affective priority.[4] There does not exist any social superstructure (chiefs, councils, common meetings, common rites, etc.) to unite these bands, and they therefore remain an aggregate held together only to the degree in which their members feel related by blood or marriage.

3 Neither is each band more than an aggregate of families, lacking any formal organization, but held together by kinship ties, individual friendships, relative physical nearness, and common direct interests. The Arviligjuarmiut for example number 120 souls. Once a year in recent years they have all come together for the celebration of Christmas. Summer sealing and fishing in August-September is good near the mission, and at the time of my stay there were eighty Eskimos together - a very dense concentration in their terms. Most of the year, however, not more than a few families will be found camping at the same place - though sometimes several such camps may be located in the same vicinity. Until recently women and children still had sufficient deerskin clothes to accompany the hunters to the camps near the breathing holes, and camps on the ice of ten families were not infrequent. But the life of this band is carried on in a truly anarchistic fashion, without any traditional social structure, however elementary, on band level,[5] nor a band chief, not even on a de-facto basis.[6]

4 Going down one more step, we arrive at camp level; and this is the social environment within which these Eskimos lead their daily lives. There are as many camps as there are localities where band members are fishing or hunting at a given time; these camps may be favoured and frequented localities, or they may offer prospects only for a more limited number of hunters, and the number and identity of any camp's occupants is very variable. Though a camp at a given time may well be inhabited only by families which are related to each other, it will be thought of in the present paragraph as comprising also non-related families.

Considerable attention was given during the research to the question of the existence of a camp headman such as I had believed to be found among the Caribou Eskimos:[7] a hunter who, though lacking all active characteristics of leadership, is followed in major decisions by the other families of the camp, whether related or not.

At one time it seemed as if a somewhat similar leader was a usual feature in the winter sealing camps out on the ice, but then only with regard to the daily selection of the field where the breathing hole hunting would be profitable. This particular kind of hunting, where as many holes as possible in a certain field should be manned, requires real teamwork: the more holes that are controlled, the less chance there is for the seals to escape. This interdependence among the hunters is nicely expressed in their traditional institution of hunting relationships. These latter are lifetime relations between any one hunter with up to thirteen colleagues: if A has caught a seal, B will always receive its shoulder, C a certain part of the back, D one ham, etc. and vice versa. If all hunting relatives of the happy catcher would be present, the latter would be left with only a small fraction of his seal, which was almost fully shared up by his partners.[8] On the other hand, A will receive his traditional share from any seals caught by his partners. Now it was with reference to this breathing hole hunting that all informants agreed that there was usually one hunter whom they would follow when setting out each morning. What is the character of this leadership? As Kannajok put it: "In the course of time it becomes clear who is having much success in finding the right spots. He will be followed by the others, but only with respect to finding the best hunting grounds. If he loses his luck and another has more success, we follow that other hunter". And from various examples of the composition of these parties, it was clear that these were not restricted to relatives. Of course it does happen that there are hunters, such as for example Niptajok, who through personal prestige and experience are likely to be followed right away by most or all hunters, wherever they show up at a sealing camp. But it was clear that no hunter is ever expected to follow such a leader, and since the latter moreover is only followed as long as he is believed to be successful, the nature of this leadership as a social institution is so weak as barely to deserve that name.

For deer hunting, river fishing,[9] and sealing in open water, the camp as such has no leaders at all, and decisions as to moving elsewhere are left to its individual families. It should not be kept out of sight however that decisions as to the daily hunting or as to moving elsewhere - though made individually and not camp-wise - are generally not taken without previous frequent visiting and counter-visiting of each other. "Visiting" is really ingrained in these Eskimos, and plans, opinions, recent experiences, and forecasts are thus exchanged. If a large camp suddenly dissolves within a few days time, there is most often a very good economic reason for it; and though the various families may spread in all directions, each of them is well aware of the planned whereabouts of the others.

5 If so far in this chapter the word "family" was avoided as much as possible, it was done to show in the first place that on all levels outside the family, formal anarchy prevails among these Eskimos. Again, there may at any given time be found individuals of general or specialized prestige whose influence is felt throughout the entire camp, or even band, but they have neither formal authority nor recognized jurisdiction; their stars rise and fall, and to follow them remains a matter of voluntary choice for everyone else. But formal anarchy within the family, that basic social institution of any society, is structurally impossible and it is a matter of little surprise to find that there is recognized authority also inside the Netsilik families. What does interest us, however, is to examine how this authority is organized.

6 Roughly speaking, the extent of "family" or kinship among the Netsilik Eskimos, like among Eskimos in general, could best be compared with that among ourselves. In contrast to that of many other peoples, our kinship structure is very generalized and simple. So is the Eskimos'. They recognize the existence of far relatives but, in order to acquire meaning, a kinship relation must exist within the limits of the closer family, the so-called "Ilageet".[10] It is a hazardous enterprise to define the limits of this closer family because more or less subjective factors may make them different in each individual case and these Eskimos certainly do not walk around with abstract concepts regarding their kinship system. But if I should make an attempt at definition, the Ilageet among the Netsiliks might be said to go unlimited straight up and down - without distinction of father's or mother's side - while laterally they include the subject's (in Sketch 1: S's) own brothers and sisters, uncles and aunts, cousins, nephews and nieces, and their offspring. Adopted children are regarded as real children. The difference between relationship by blood and by marriage might in any given normal case be roughly compared with that among ourselves.

Preferred mate (but factually only in a minority of cases) is one's first cousin, a son or daughter of one's father's or mother's brother or sister. In Sketch 1 A, B and C would be preferred mates for S. Ideally, therefore, in-law and blood relationship among the Netsilik Eskimos will overlap each other.

Sketch 1 then attempts to suggest the extent of the Ilageet among the Netsilingmiut in a normal case, as seen from the point of view of the subject S.[11] The offspring of brothers, sisters, and cousins will go down as far as they go. Relationships by marriage are shown with white tokens, but the entire family of S's wife T has been left out for

the sake of simplicity. It should be repeated that schematic attempts never entirely fit into reality (and certainly not in Eskimo reality, for that matter).

7 It is within this family that authority of various "ihumatars" at various levels is recognized. In the following, the word "family" will be used to denote the group of relatives suggested in Sketch 1. It is composed out of single individuals and "nuclear" families, i.e. the elementary group of husband, wife, and children. The commonest level of authority is found in this nuclear family, headed by its ihumatar: the husband. His authority may have little consequence if he lives near his parents and has no children: in that case he will even be expected to bring any products of his hunting or fishing to his parents' place, where the latter will take care of the distribution. As soon as he has a child he will rather hand the food to his wife; but if meals are in common, the daily food will again be administered by his mother, rather than his wife. The parents are at all times the first to share in any surplus food of their children, if they need it.

If the husband has no living father or grandfather, or if these happen to be away, it is the ideal norm that he recognizes his father's oldest or his own oldest brother as his ihumatar. This uncle or older brother is then supposed to be "followed" by his children, younger brothers and nephews and their married offspring, notably when they are sharing the same camp. His authority extends not only to daily hunting decisions, or moving camp, but also to the selection, as soon as possible after birth, of marriage candidates for his nephews and unmarried brothers, adoption matters, major trading decisions, the reprimanding of trouble-makers, making the necessary dispositions in case of death of a relative, etc. If the husband's father and/or grandfather are still alive and not too far away, they will be the ihumatar rather than an uncle or brother. Whereas Ilageet are one's relatives without distinction to father's or mother's side, the authority within the family has been shown to be organized along the father's line; and this is a correlate of the fact that a bride takes up residence with her husband's, and therefore follows the movements of the latter's, family.

In short, the husband, i.e. the ihumatar of the nuclear family, though he is the autonomous authority within his own restricted jurisdiction of daily affairs, is ideally <u>not sovereign</u>, but subject to the higher authority of his father, grandfather, oldest uncle or brother, whatever the case may be. Therefore, Netsilik formal anarchy does not stop at the last possible stage, e.g. the nuclear family, but at the next to last where a small number of nuclear

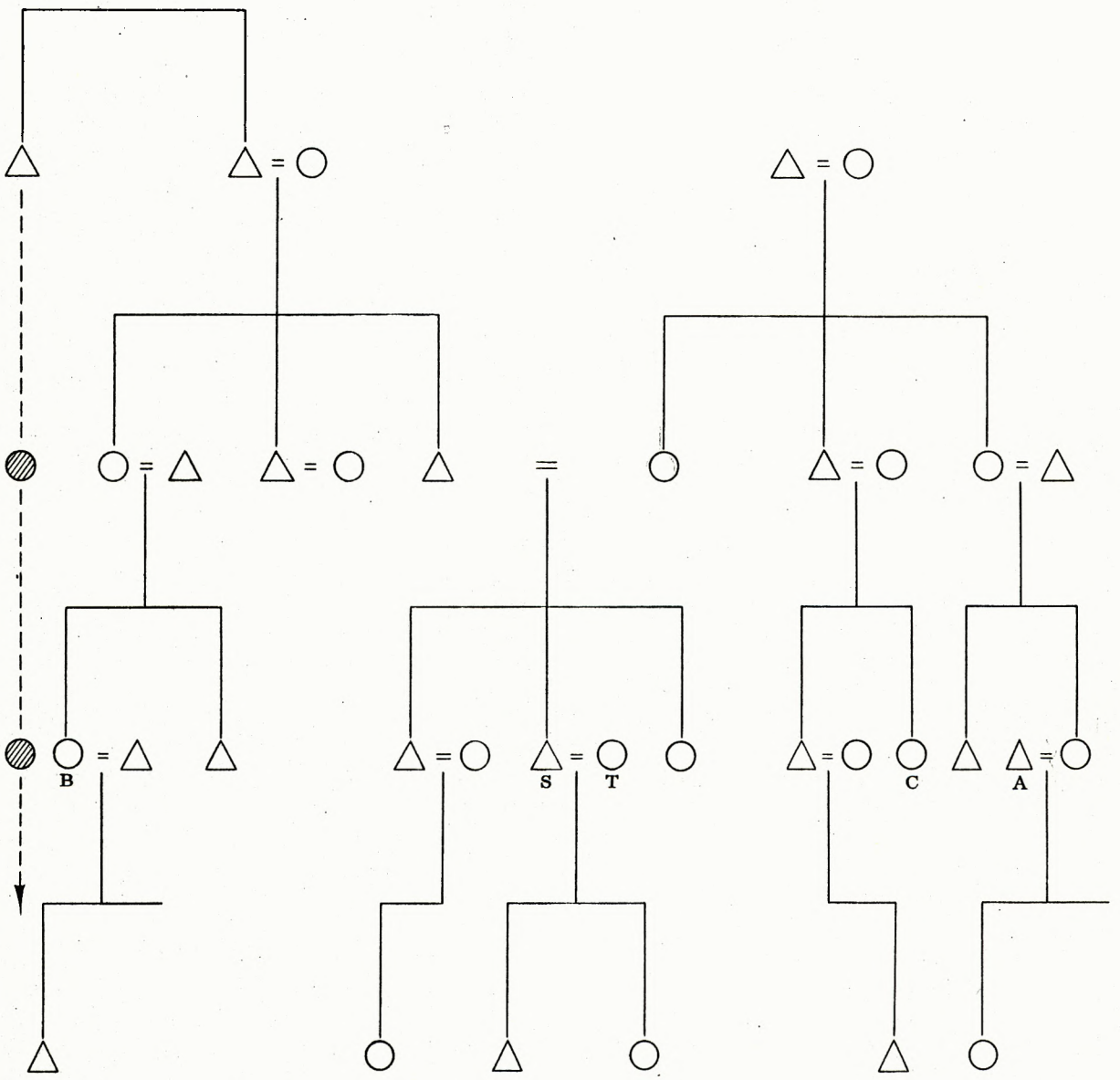
families, closely related along the father's line, co-operates under recognized common leadership. The leadership should indeed be regarded as "understood" and "recognized" rather than formally expressed.

Sketch 2 attempts to express schematically what was set out in this paragraph. The name "pater familias" is used to denote the momentary head of the family group. It shows how authority within the family "ought to be" organized. Of course, reality is very often different. If, for instance, a "pater familias" becomes too old and unfit and if he also loses his mental superiority, he may gradually have to leave his leadership to his oldest son or brother; and an oldest uncle or brother with too little personality or ability to give leadership is unlikely ever to become the ihumatar of his adult and skilful nephews or younger brothers. These shifts in leadership are likely to come about almost unnoticed. Finally, it will be justly concluded from sketches 1 and 2, that the Ilageet on the mother's side - in so far as they are not also blood relatives with those on the father's side - may belong under the jurisdiction of different "chiefs": but in daily matters, mutual co-operation between Ilageet is very unlikely to be affected by this factor. They all feel near to each other; cousins especially are ideally, and also often in practise, very good friends (the sketches show that cousins cannot become ihumatar of each other).

8 A few concrete illustrations of what has been described in the preceding paragraphs might now usefully follow.

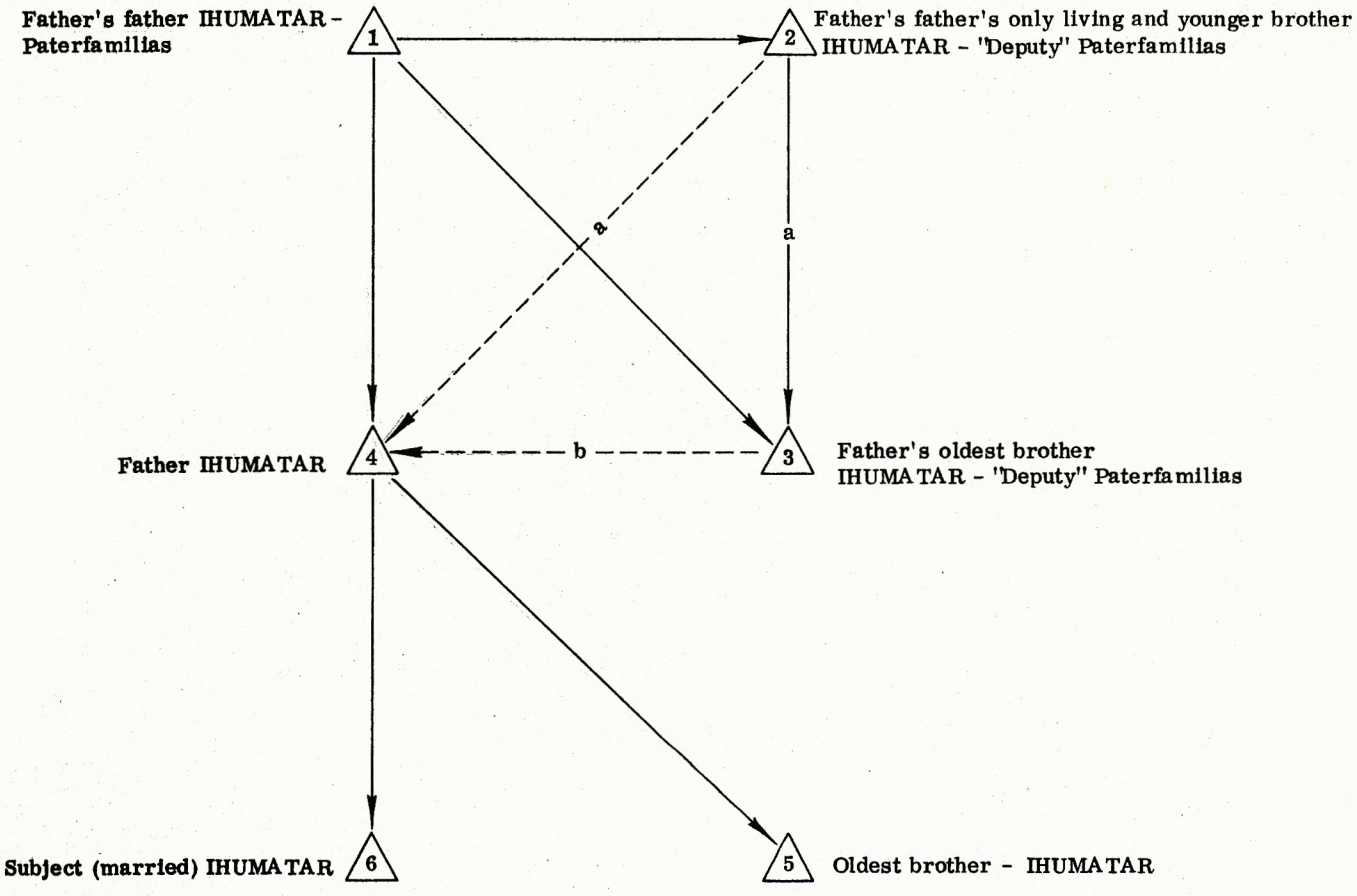
In Chapter IV of this report,[12] a detailed description is given of certain serious developments in a fairly large inland igloo camp in 1922. The camp must have chiefly consisted of Ilageet-relatives - though also non-related families were reported to have lived there at the time. The chief family group of the camp was that of "pater familias" Aolajut, but it appears that the leadership of the camp was left by him to his oldest son Kokonwatsiark: also present were his next oldest son Abloserdjuark and his younger sons Arnaktark and Krimitsiark. The latter, as is usual of a younger son even if he has himself a large "nuclear" family, was always living near his elderly parents. My informant Kringorn (then aged 16), who was Kokonwatsiark's son by birth but adopted very young by his grandparents (this also happens frequently), was therefore in fact living under the direct ihumatar-ship of his uncle Krimitsiark. Finally, there were reported to be present the following Ilageet: Aolajut's cousin Ijukrak - who was also (preferential mate) the husband of Aolajut's sister, and Igjukrak's two sons-in-law Nerlongajok and Magnerk

Extent of "ILAGEET" relationship among the NETSILINGMIUT (Chap. III para. 6 - 7)



SKETCH 1

Ideal pattern of IHUMATAR authority among the NETSILINGMIUT
(Chap. III para. 7)



a - If 1 is dead or incapable 2 succeeds

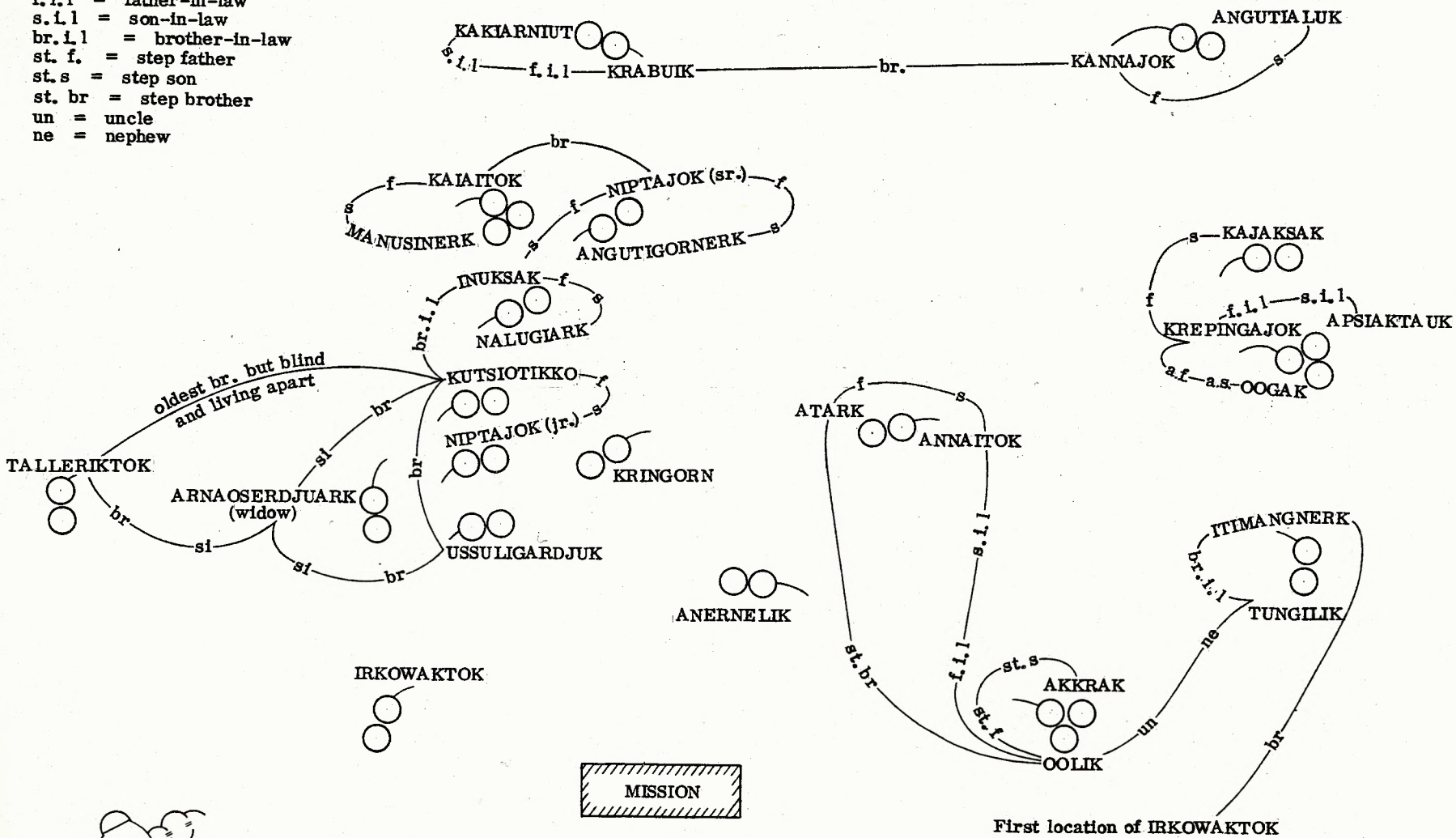
b - If 1 and 2 are dead, 3 succeeds, etc.

SKETCH 2

LEGEND

f = father
s = son
br = brother
si = sister
af = adoptive father
as = adopted son
f.i.l = father-in-law
s.i.l = son-in-law
br.i.l = brother-in-law
st. f. = step father
st. s = step son
st. br = step brother
un = uncle
ne = nephew

Location of snowhouses on the ice in front of the Pelly Bay Mission.
Christmas 1956 (See Chap. IV para. 13)



Kadgek
(See Sketch 4)

SKETCH 3

PLAN OF KADGEK

RELATIONSHIPS

1 is the father of 5, the adoptive father of 4, and the father-in-law of 2. 3 is the father-in-law of 4. (he has a large family and needs an entire platform)

OCCUPANTS

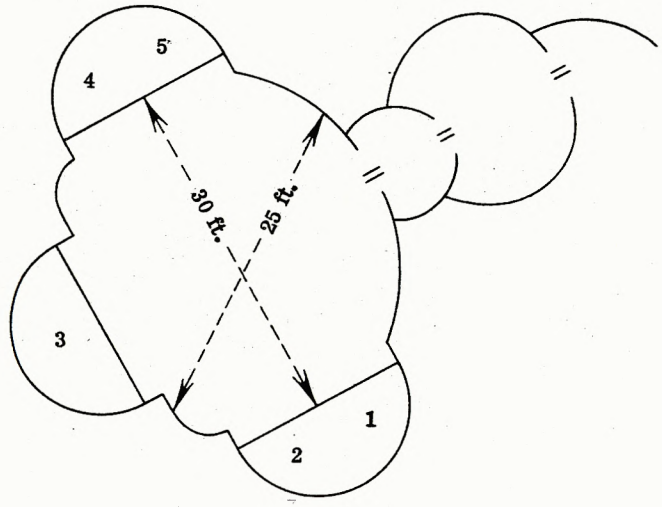
1 KREPINGAJOK

2 APSIAKTAUK

3 KRINGORN

4 OOGAK

5 KAJAKSAK



Height – 18 feet

Platform – 3 - 5

SKETCH 4

(their own fathers might have been dead, and there might be a number of other individual reasons why they camped with their in-laws; Magnerk's cousin was Krimitsiark's wife.) All those mentioned were adult hunters, each accompanied by his own "nuclear" family. When Arnaktark became dangerously insane, all these men were involved, and probably some of the women also, in the discussion of what should be done. After it had been unanimously agreed (in the course of visiting and discussions, quite informal, when family opinion is formed gradually; in a case like this it is clear that old Aolajut conformed in his "decision" to prevailing opinion) that Arnaktark should die, Kokonwatsiark, as oldest son ("for old Aolajut was not supposed to kill his own son"), proposed to perform the task himself. After the family decision was taken, non-related families were also informed. Kokonwatsiark was de facto family boss, only supposed to be followed by those under his father's jurisdiction. The other families sharing the same camp, even if they were Ilageet or otherwise related, were quite free to follow him or go their own way, depending upon their individual attachments and the prospect of profitable hunting or fishing. But being a man of very considerable prestige, it is very likely that Kokonwatsiark used to have an additional "voluntary" following, and that he was at that moment also de facto camp-boss.

9. We shall now consider a number of contemporary situations, as I found them during the research. Niptajok, at least until recent years, must have enjoyed a prestige similar to that of Kokonwatsiark. He was 67 years old, and the oldest living brother of Kaiaitok, Anernelik and (sister) Karmatsiark. The latter, through her marriage to Kringorn, who belongs to another family, is thereby withdrawn from his proper jurisdiction, but he will turn to her when she is in trouble and needs his assistance.[13] Anernelik, his brother by birth, was early given in adoption to the medicine man Adkrartok, who was then married to Kangatalark; the latter (now 80 years old), since remarried to Krepingajok, still considers herself to be his mother. By virtue of his adoption into another family, the former kinship ties were broken according to custom. Apart from this, Anernelik is not too well disposed towards his brothers by birth Niptajok and Kaiaitok. His point of view was expressed by him very briefly: "They are mean to me; I am mean to them". Kaiaitok recognizes Niptajok's ihumatarship over himself: "He became my ihumatar after our father's death. He told his son Inuksak to give me in adoption his little daughter Kunanardjuk, since we wished to have a daughter. We cooperate: if we meet we have the same thoughts (Niptajok lived at twenty miles distance at the time). But I go wherever I wish to go". Niptajok himself said: "I am still 'telling' them, every time we visit. Even Kaiaitok's

son asks my advice". Niptajok has four living children: one son and one daughter married a brother and sister from a non-related family, a second son married his cousin (Niptajok's deceased brother's daughter) and a second daughter married into Krepingajok's family. Both in-law families are, as Niptajok's own family, real Pelly Bay people. His youngest son is always near his parents' place - except for occasional hunting trips. His oldest son will go to him and tell him his travel plans so as to have his views and consent, and to receive small commissions from his parents such as "bring back for us this or that from this or that cache". Niptajok has great-grandchildren. Perhaps his prestige has been reduced somewhat in recent years. It might turn out that not Kaiaitok, but Niptajok's oldest and rather independent son Inuksak, the only local Eskimo owning a marine-engined sloop, will "take over" in the course of time.

10 Kakiarniut, a Netsilingmio from Repulse Bay, is married to Krabvik's (Pelly Bay) daughter and since his marriage one year ago he has stayed at his parents-in-law. "For fish and seal it is better here, but there are walrus at Repulse Bay and also deer hunting is more profitable from there. I would not mind to return to my family at Repulse Bay, though my wife might feel lonesome there. If I am told to stay here, I will stay. Who would tell me to stay (or to return)?: my older brother (at Repulse Bay)".

"My first fiancee was a cousin of mine. It is custom for us to marry a cousin. My parents said it was better that way, because the parents of the wife would feel less restraint (to give their daughter away) and vice versa". His father-in-law Krabvik, incidentally, is youngest brother to Kannajok, but there is no oldest-younger brother relationship between them. Krabvik was an orphan who was brought up at his uncle's. Kannajok married early and stayed rather with his wife's family. They never lived together for any length of time until about eight years ago. Now they are often in the same camp, but Kannajok has never become his younger brother's ihumatar.

11 Itimangnerk and Tungilik, though brothers-in-law (the former's wife is the latter's sister), afford, according to themselves, a nice example of "Ilageet-through-friendship". They would agree explicitly that their mutual friendship has bound them together more than their in-law relation ever could have done. Most of the time their tents or igloos (Tungilik houses also his widowed mother) are to be found together. They have a food pool "so as to keep our children together". Their friendship was closely confirmed by Itimangnerk, who was childless, adopting one of Tungilik's sons. On the other hand Itimangnerk's younger brother

Irkowaktok, who used to be the third in the food pool, is increasingly withdrawing himself: "The others have got several children, I am getting more and more children myself, (five daughters!) and I feel that I need to keep all I get for myself". Itimangnerk, however, is not too pleased with this development: Irkowaktok, though he is my younger brother, is pulling himself looser from me. I would rather see it otherwise."

12 Akkrak, 29 years old, was married several years ago, but his children did not live. He is the son of Ersartujok and Aanaaksklerk and after his father's death, Aanaaksklerk remarried with Oolik, who therefore is now his stepfather. Oolik was living at a distance at the time of my stay, and Akkrak's younger married brother Apsiaktauk was living in Oolik's camp. The following are Akkrak's own words from our conversation one evening, when I asked a number of questions which, I hope, can be reconstructed from his answers. The latter may serve well to suggest the sphere of the relation between father and son and between brothers.

"For hunting I usually follow Oolik. Perhaps we shall be together at Kellett River to fish this fall, perhaps not. If we are together there, I request his thoughts with regard to far travels; for the rest, I will do as I please, though sometimes I consult him also for smaller affairs. If Oolik would disapprove of a far travel planned by me, I won't go. Such things have happened. Although I sometimes feel a certain fear, I will go if Oolik tells me so. Whether Oolik ever 'tells' me to do this or that? Yes, and even if I don't feel much like it, I will do it. If I have not much dog food and he tells me to go deer hunting, even if I feel that same fear, I will go. When we have caught enough fish for dog food and if Oolik tells me to go deer hunting, I go - even if my clothes would still be wet and I shall immediately follow the tracks of the others who have left already. Sometimes when we are travelling to other parts, and if Oolik says he likes me to share his camp, I will stay with him even if I would have preferred to continue. This spring Oolik wished me to go to the other side of Pelly Bay. I said that I wished to stay here. If Oolik had insisted that I accompany him, I would have done so. (Akkrak wished to stay in order to await the return of his wife by plane from hospital). I have asked Oolik if he would not find handling the canoe too heavy, but he thought he could manage. Once, when there was not much food left in camp, and when I was told to undertake a far journey, I objected: "But you all will be hungry while I am away". But Oolik said: "Staying in camp and keeping quiet, I shall manage. If I have killed game or if I have caught fish, I bring it to no one else than my mother, and she will give from

it to my wife (N.B. Akkrak has no children yet). As soon as I am home, I forget about the meat the moment I give it to my mother. Now that I live alone with my wife, I give it of course to her. Whether I have some authority over my younger brother (even with father and uncles alive)? Indeed if I would tell him to do this or that, he would do it. But if I think about telling him to do something, I realize that he probably has to do something else (for himself), and then I will tell him nothing".

13 Consideration of both "ideal pattern" (paragraphs 6-7) and of reality (paragraphs 8-12) may, I believe, result in a fair picture of leadership among the Netsilingmiut. Though incidentally it may be very effective, its structural weakness is evident.

Finally, Sketch 3 shows the location of snowhouses at Christmas 1956 when, as usual in recent years, the entire band was together for some time near the Pelly Bay mission.[14] The igloos stood on the flat ice of the bay in front of the mission. I understand that the kadgek, the large igloo, was built on the land near the shore. This kadgek - not a "men's house", like it is known out west - is traditionally a large igloo, inhabited by several related or befriended families and giving room for many more during festive gatherings. Christmas is celebrated here both ritually and socially. During the festive days, the kadgek was inhabited by five families which otherwise have their own igloos on the ice. The concrete relationships expressed in the last paragraphs and a few additional clarifications on the sketch itself may suffice to show the feeling of "belonging" at that time. The names on the sketch are those of the heads of "nuclear" families.

CHAPTER IV

REACTIONS TO CONFLICT

A MOTHER'S SONG OF SORROW OVER HER SON WHO HAD KILLED AND FLED

Eya ya eya
I recognise this bit of a song
And take it to me as a fellow-being
Eya ya eya.

No doubt one should feel shame
At the child one has once had in the amaut,
Because by the neighbours
One heard him spoken (ill) of
Eya ya eya.

No doubt one should feel shame
Because by a mother, who was as clear
  as the blue sky,
And who was wise and without foolishness,
He has not been brought up;
It is only what I have deserved
That gossip is educating him
And completing his upbringing.

No doubt one should feel shame
Because one got no provider out of
  the child one bore.
And when on the flat ice
Behind them, other people
Have lookers-on who stand looking
  after them,
When they go out on hunting trips
Then one feels envious!

Let me just recall
A winter - once
At "the cross-eye" (an island)
  when we broke camp
And the weather, well -- down there
Footsteps sank faintly creaking
  in the thawing snow;
Then I kept close to the folks like
  a tame animal - Oh! how enviable.
But when the message came
  (of the murder her son had committed)
I staggered as if I could not
  keep my feet.

from Knud Rasmussen's
"The Netsilik Eskimos"
pp. 329 & 330.

A. PRELIMINARY REMARK

1 As stated in the introductory chapter, I shall now try to list the various forms which are provided in Netsilik culture to deal with situations of interpersonal conflict or trouble. Having no courts or constables, no judges or jails, how do these Netsilik groups generally manage to maintain their existence? Either individually or group-wise, what is done in case of conflict? When the trouble is threatening, when the one feels to be wronged by the other, when a third has been murdered, when a fourth has been insulted, when a fifth becomes dangerously insane, or when a "has got" refuses food to a "has not"? We shall see that there are no simple answers and, in fact, among anarchists like these Eskimos we cannot hope to arrive at very concrete generalizations in this aspect of their life.

2 At the outset, it might be noted that every attempt at connecting a priori a given kind of trouble with a given category of open reaction proved to be abortive. The same kind of cause, say insult or theft, may in one instance have no consequence at all, in a second may lead to a challenge to fight, in a third to murder. In case of trouble, murder not excepted, it would be in vain to look for an iron, or even aluminium rule like "if X happens, Y is most likely to follow". Formal anarchy prevails here, as among the Caribou Eskimos.[1] We can do no more than predict that any one from a number of often slightly patterned responses may follow upon the trouble in question.

3 We should keep in mind however that, like everywhere but especially among these Eskimos, friction may very well seem to lead to no open reaction at all. Every human society knows many cases where a wronged party will not openly react, except perhaps within the limits of his closest environment; he may then at best try to dispose his friends against his opponent.

On the other hand, cases have been recorded from among the Eskimos, where insults which to us would seem trivial indeed gave cause for instantaneous murder.[2] Temperament and courage will play their role here, but for a true understanding of such events it should never be lost out of sight that a given trouble often has a longer past than its immediate cause and, unless one knows a good deal more about the history of the relations between the two adversaries, it will often be very difficult to draw meaningful conclusions or generalizations from single events.[3] But, aside from well-known cases where violence occurred in a fit of passion, the opposite of instant-aneous response is perhaps more common among these Eskimos. A treatment which is felt as wrong might,

though it is not likely ever to be forgotten, be openly ignored by the aggrieved party until such time, perhaps years later,[4] when he feels that the proper moment has arrived to remind his opponent of the past event and to deal him a counter blow. That moment may arrive after another, even a slight, conflict with the same adversary, when the ideal physical conditions for the revenge are felt to present themselves, or even when a sudden vivid memory revives the affair and inspires revenge.

4 It appears therefore not only impossible to formulate rules like "if X happens, Y is likely to follow", but we cannot even attempt to predict if <u>any</u> reaction will follow on X, either at once, after a short time, or at a later time. All we know is that, <u>if</u> a reaction follows, it might well take on one, or several, of the following forms. Our examination will then at the same time tell us something about the various <u>causes</u> of conflict among the Netsilingmiut.

B. <u>DERISION</u>

1 Derision 1. "in between", privately or collectively, during daily intercourse;

2. spontaneously sung in lampoons, mostly during common gatherings in the large winter igloo (kadgek);

3. in formal "song duels", also in the kadgek.

Derision, mockery, is one of the most common and characteristic means with which these anarchistic Eskimos keep each other in check, keeping one another in line by hitting the most vulnerable spots, sometimes to the point of utterly exasperating the opponent or culprit. It is true that derision is not confined to cases of private or social misconduct; it is a typical Eskimo tendency to ridicule each other at any time. Derision may therefore serve just as much to cause conflict as to follow upon it - in the latter case as a real weapon in the hands of any of the parties able to handle it.

2 The above division into three forms of derision is only made to facilitate its discussion for the present purpose. The distinction between derisive songs in spontaneous duels and formal ones is tentative, emerging from the replies to my inquiries at Pelly Bay; it amounts to a procedural difference which will be reverted to in paragraph 7 of this section. Although Rasmussen has collected and edited a few Netsilik versed lampoons,[5] with or without commentary, their procedural details are vague, sometimes ambiguous, and they leave a number of questions

unanswered. My own brief inquiries suggest that formal song duels, though they were rare, did exist among the Netsilingmiut like for instance in East Greenland, though probably not as strongly patterned. More common, and I shall deal with those first, are the derision "in between" during common daily intercourse, and the spontaneous singing of derisive songs, which latter are chiefly confined to the gatherings in the large winter igloo (kadgek).[6]

3 Unfortunately, my research was not shaped to yield interesting data for the illustration of, and the penetration into, the derision-complex among these Eskimos. Among the Caribou Eskimos I had in this respect confined myself to noting that formal song duels were, and had been, in the least very rare. During the Netsilik research, however, certain replies and reactions of the informants, and many remarks "en passant" from the missionary gradually suggested to me that derision may well play a formidable role in the Eskimos' system of social control. But by that time it had become too late to work it out and investigate it through interviews. Moreover, to investigate the workings and function of derision would require a research method quite different from the one I could then follow. I believe that Eskimo derision and humour in all its forms would indeed prove to be a worthwhile separate research object, which would contribute to the understanding not only of Eskimo social control but of their "national character" in general. In the absence of such research and of the necessary illustrations of derisive texts, the following observations might serve as a modest substitute.

4 Derision is indeed not only applicable to individuals who are felt to have misbehaved. A may make a habit of deriding B for his being not as strong as himself, and this may go far beyond the joking stage and result in fighting and murder.[7] Or the whole group may join in deriding a stranger who has done no positive wrong but does not seem to adapt himself in an acceptable manner to his new environment.[8] This is illustrated by the essentially historic but now legendary story of Itikitok, a Netsilik from the northwest who came to live at Pelly Bay with his wife and children. This is what Irkowaktok and the widow Arnaoserdjuark told me:

"Because they (the Pelly Bay people) laughed at him, Itikitok started to hate them. They laughed at him <u>because he had no relatives here</u> (except his wife and children), and because they wanted to deride him. Things always happened like that. They were sometimes violent to him and once they knocked him over at the breathing holes; and that same night they put a (shaman's) belt on

him and made him dance in the kadgek, to the accompaniment of his wife who loved him. Probably he was a fair hunter: he had a wife and children. He stayed one summer and one winter. If he had not become angry, then his children would have married here and everything would gradually have gone alright. Instead, he started to wish (i.e. magic) that the Pelly Bay people would starve to death. Life was made so sour to him that he could do nothing else but leave (he died later from starvation at Boothia Isthmus). After he left the Pelly Bay people indeed slowly started to starve, in spite of their ice hunting. They were on the ice before Helen Island. All "laughers" went to the island and starved to death after cannibalizing and drinking from the lake. Many perished."

The story is instructive from several points of view. And if there is a moral it seems to point at not carrying derision too far. According to Rev. van de Velde, the Eskimos still have it in themselves to treat a stranger like that even today: "Derision is one hundred per cent Eskimo, it is their first and last weapon, in their hands it is deadly. It is also handled as an educational tool inside the family".

5 Improvising songs is almost daily business, and a most popular one at that, among all Eskimos I have met. The season for derisive songs, however, is in winter when many people gather in the large igloo and when the intensity of social intercourse culminates. The women who generally know the songs of each hunter by heart, form a choir, singing the song which is danced by the (single) man, with or without the drum. Improvised songs are, of course, both sung and danced by the hunter himself, unless he uses a well-known melody, which can be hummed by the women. There are personal or "body" songs, hunting songs, mourning songs, magic songs, joking songs between "song-cousins"[9]. But these kadgek-gatherings also provide occasion for giving vent to ill feelings against others in verse form; for among the Eskimos it is not only possible but highly rated to express resentment against others through poetry, either spontaneous or prepared, just like they feel an inner urge to express other emotions in singing and dancing. After such a song the opponent will be expected to sing a counter-song and this procedure might be repeated until one (the losing party) has to give up. The intensely interested audience acts as arbitrator by giving its applause, and gradually with-holding it from the loser. After the contest is over, both parties may feel relieved after thus having let their steam off, but it might also further aggravate relations between the opponents. Watching two people trying to

outdo each other while dancing and singing derisive songs seems indeed to be one of the highlights in Eskimo social life. My informants all used expressions like "great fun" or "quite amusing" when talking about these kadgek songs.

6 But this fun and this amusement are derived from watching two opponents trying to crush each other by "splitting off words, little sharp words, like the wooden splinters which I hack off with my axe", by accusations of incest, bestiality, murder, avarice, adultery, failure at hunting, being henpecked, lack of manly strength, in short anything with which the singer hopes to get the audience on his side and thus his opponent on his knees. Among the Netsilik derisive songs recorded by Rasmussen[10] there are several which do not seem to contain any reference to the private grudge between parties, but they do contain such accusations and insinuations as are likely to involve the entire audience in its condemnation of the opponent. In other texts, again, the private conflict does not amount to more in <u>our</u> eyes than that the opponent once boasted that in games he usually threw the other. In one text, the singer indicates that he was left hungry one winter because his opponent (N.B. his uncle) without necessity had robbed his cache and fed his dogs on its contents. Perhaps it is sometimes bad manners or policy to refer openly in the song to the private misgivings; moreover, the audience is very likely to be acquainted with those private grievances; and the nature of the latter may well not be such as to endanger the community's "peace" in its mediaeval sense of the regular, ordinary course of life[11]. But I admit, these are all suppositions, and it would be more instructive if I could dispose of even one single recorded contest surrounded by the fullest possible commentary of its social setting.

Sometimes these songs start rather jokingly, without the intention of entering into a contest; but a subtlety in A's song may irritate or inspire the individual referred to, who then improvises a sharper counter-song, etc. until one of the two "really gets mad", and these incidents are remembered in detail by one and all many years after they happened. The non-Eskimo observer would need an extensive commentary to each song before he could fully understand and appreciate its subtleties. But the highly amused Eskimo audience in the kadgek enjoys, and appreciates these contests, and is highly competent to judge them on "style" and also on truth. To quote Rasmussen: "They know all about one another and thus are able to disclose each other's weaknesses. It is not merely a question of being ruthless, and elegant and cutting, but, more than this, <u>amusing</u> in ridiculing one's opponent..... In many

of these songs it is considered an art to sing in riddles, in order to keep the audience in a state of tension, and only giving hints, without stating clearly what it is one really means. But as everybody's business is public property, both hunting experiences and gallant adventures, it is seldom difficult to fill up the blanks."[12]

For a true appreciation, it does not suffice to read the text of what was being sung, but the entire setting of the moment must be imagined, such as the movements and intonations and the face of the dancer. Irkowaktok remarked for instance that sometimes whenever during the song reference was made to the person of the opponent, his name would not be pronounced but the dancer would approach him, lightly tap him on his breast with his drum stick and look at him "like I do now" - and then Irkowaktok showed the movement of tapping with the stick while his eyes were expressing the purest biting mockery. "To be ridiculed that way may be most ashaming. People laugh and laugh, because they feel content. But if one of the opponents starts showing more and more that he feels ashamed (through the applauding accusations of the other), his contentedness decreases, and so does the number of his supporters".

7 The literature on Netsilik derisive songs, as had been stated above, leaves a number of procedural questions unanswered. From Rasmussen's collection it appears that these songs are sometimes sung in the absence of the opponent who, in his turn, after having been informed, sings a counter-song, again without his adversary being present. We are not informed about the outcome of the duel, i.e. the judgment of the audience. According to Rasmussen, the opponents generally depart as friends, and from his description it would seem that all songs are (nearly) spontaneous since they take place "without any great preparation."

From what little information I gained at Pelly Bay (chiefly from Kringorn and Irkowaktok) I should conclude that there is a distinction between spontaneously arising, and therefore improvised, song contests and those that are announced (in the Eskimo way, preferably in the absence of the opponent, who will be informed by others) and carefully prepared on both sides.[13] The prepared character of these contests is proved by the fact that the women of the family rehearse the song until they know it by heart. In advance, the kinspeople come to tell the composer "all they knew about his opponent". Each party will prepare one, or possibly more songs so as not to stand empty-mouthed when the other has sung his counter-song. These performances may be accompanied by intermittent wrestling of the opponents. The audience

will show its feelings in the same manner as with spontaneous contests, i.e. by giving or withholding its applause. The loser is he "who has no more song", "who gives up dancing". The entire performance is mostly finished in one session, but may also be continued later in the same or even the following season. Like the spontaneous contests, these formal duels take place in the kadgek. The difference with the spontaneous derisive contests, then, seems to lie not in the content of the songs, but in the fact of their being announced and carefully prepared. The presence of both parties and the community is indispensable at these formal song duels.[14] My Netsilik informants said that formal contests have been very rare occasions.

8 In order to include at least one illustration of a derisive song, here follows one from Rasmussen's small collection which seemed to me the most characteristic qua derisive content. This is Rasmussen's introduction to the song: "A certain Ilukitsoq Arnarituat from Itivnarssuk (Back's River region) had in a song accused Nakasuk of being a poor hunter. Nakasuk, who is the leading man, whom everybody at the villages at Iluileq relies on, hits back by first ironically painting himself as a bad hunter, that his wife has to beg for food and clothing from her neighbours. Then he chastises and mocks his opponent for sexual excesses and impotence, and concludes with a description of how he once, quite alone and sitting on the ice, had held a bearded seal on his harpoon line and killed it."[15]

I will now put together
What is to be my song which nobody wants to sing
Thus - they were only pitiable
The women - these
Who on the neighbours had to run
Like women whom a provider were forced to lack.
This is what I would like to recall:
He it was - my big song-fellow
Because he tried to get at me.
He - my big song-fellow (Ilukitsoq)
Properly forestalling me - prating about everything
he could think of
Pattered out words - sang a song of derision
At the festival house here - by the side of it;
His eyes were not boldly raised - how was it he
behaved?
When I happened to hear about him - I almost made
you better than you are
For the sake of your helpfulness - once
I, who am not accustomed to help
Men - in the right way.

And so I think I now can answer
In the festival house's room
When I sing mockingly - when I doughtily begin to
patter out the words
I can usually answer - for I am one about whom
nothing is heard
As I am one devoid of anything untrustworthy.
What was it? On the sea's ice
For your daughter-in-law Teriarnaq - yonder
You conceived immoral desires
And yearned for her.
You are one with brief thoughts - and your thoughts
never go to
Your wife, poor Akta;
(Your penis) That, to be taken with the hand, that,
fondly desired
When it really felt a yearning it needed no help
And certainly, it could at that time -
But towards your wife - the desired one
You had to have help from Savinajuk - there,
Your great helping spirit there
He had to help you, when you were really going to;
When I heard this of you - I did not think of you
as one
I need fear!
But what was that? At Itivnarssuk over there on
the land
People say that your sister Inugpanguaq
On your way at night
Was felt by you, indeed, was squeezed by you!
When I heard that of you, I did not feel much
inclined to remember you
In that way - I used to look out for
Arnarituat from Qinerfik's summit
I used to look out for him
And wished he would appear at last - through
Aimarqutaq bay there
On his way to our land - and not simply rest content
with sending songs of derision
To Imeriaq's bay - I tried to cross his path.
But I suppose you had no one to go with you - of
kinsmen
Or women who are pretty.

At Putuggut and Nunavssuit islands
At Arfangnak islands and Umanaq's sound
A big bearded seal through its breathing hole
I got hold of
No hunting companion (was there) down there
It was Arnarituat's vainly tried for, that there
Which I got hold of there
Quite alone, sitting - out there!

9 According to Rasmussen, these songs of derision are received in the best spirit and often repair friendships that have been broken. I am not so certain that this is always the case - at least among the Netsilik Eskimos - and my informant's replies did not quite point in that direction. Here, again, the answer can only be given by collecting cases in their entire setting.

Even if many questions have remained unanswered, there is every reason to conclude that among these Eskimos derision has been developed to a highly specialized degree to serve as an instrument of individual and social criticism of individual acts and attitudes which, under the circumstances, have been disapproved. And the more the group is amused, and the accused ashamed, the better one has succeeded in putting one's adversary back in his place. The community may more or less join in the derision during daily intercourse, may show its feelings by applause during a song contest, but it seems to leave the conflict formally to the two contestants. In the case of Itikitok (para. 4 of this section) however we have an example of the community itself becoming one of the contestants.

C. REPRIMAND FROM THE FAMILY "IHUMATAR"

1 Since we should take nothing for granted in this field of Eskimo social life, I include in this chapter a short section on the response which may await the grown-up troublemaker "within the closed walls of his own family". The informant's replies to questions on this matter regularly referred to verbal reprimands dealt out to the author of trouble. By whom? Although the closer relatives in general (and by no means only the males, for that matter) may voice their opinion through derision or otherwise, there is among these Eskimos one relative - the family "ihumatar" - i.e. "he who thinks (for the others)" - who is the only recognized authority in their entire society, and who is even allowed to give orders to those subject to his jurisdiction (though the phrasing of this sentence does not sufficiently suggest the "matter-of-factness" of these orders and this authority). Whether in any given case this is the father, oldest brother, grandfather, uncle, or granduncle of the individual concerned, has been dealt with in para. 7 of the preceding chapter.

2 Whether or not a reprimand will be given is left to the subjective judgment of the family-boss. If, in spite of public disapproval, he has other reasons to welcome the trouble caused, there will of course be no question of a reprimand. But if correction does take place, it will

under normal relations be taken to heart. Such was for instance the case in 1953 when the incident described in Section D (para. 2) took place. For the rest, it was difficult to obtain more detailed information on the nature and verbal content of these reprimands: informants' replies were very brief and all had the same tenor "he will be told not to do that any more". But I must admit, if I had been asked the same question, I would likely have answered along the same brief lines.

D. DESTRUCTION OF ANOTHER'S CACHE

1 According to the missionary, violence by children to another's property sometimes seems to amount to more than mere vandalism. He suspects that the children are directly or indirectly inspired by their parents who for instance may have loudly expressed their "wish" in the presence of the children that such calamity may befall their adversary and his family. He knew of at least two cases, one of which was at Thom Bay, where two unrelated children had demolished the household cache of an absent family; later he learned that this had been done because the owner of the cache had once refused food to (one of?) the children's families when they were hungry. It is known that such refusals are greatly resented. Caches often lie unprotected from human theft for long periods and it is an easy task for children to ruin such a cache.

2 A similar case, but still more violent, occurred in the late spring of 1953 when the missionary, returning to the mission from a journey, noticed that the household cache of (absent) Kringorn's family had been totally destroyed. Only a very few families were camped near the mission at the time, and it soon became clear that this had been done by Nalugiark (13), son of Inuksak, and by the former's cousin Illuitok (12). The destruction was so complete that it must have taken quite some time; the primus for instance was found half a mile away, literally trampled until it was as flat as a dime. Inuksak himself claimed to have been absent when it happened.

The missionary feels that this again may well have been a form of revenge, inspired by Inuksak himself. But revenge for what? The answer is unknown to this day, since the Rev. van de Velde never wished to make inquiries. He could recall having practically fed Kringorn's family through the past winter when Kringorn happened to have bad luck. In order to make the relief more acceptable to Kringorn the missionary had asked him to take care of some chores around the mission post; whereupon Kringorn had gone around telling the others with some serious pride that he was now "white employed". The others, among them

Inuksak, had ridiculed him for this. Could this perhaps be the cause of the incident. The Rev. van de Velde suspected that perhaps another grudge might lie behind this "act of vengeance".

It was then that the missionary applied the knowledge set out in the previous section. Realizing that Kringorn[16] was not likely to retaliate but that recurrence of violence against him was not excluded, he waited until Inuksak's father, Niptajok, who was living at a distance from the mission, paid his next visit. He told Niptajok what had happened and that he felt very opposed to anything of the kind recurring in the future. Old Niptajok - the grand old man of the Arviligjuarmiut and for long years not accustomed to receive orders from anyone - positively agreed in disapproval of what had happened. It might be noted here, though I do not know what influence it had on Niptajok's feelings, that Kringorn's wife was Niptajok's youngest sister. Nothing has been said or heard since except that, shortly after Niptajok left, Inuksak's children stopped frequenting the mission for several months, though they were living quite near it, and that, when the first plane of that summer landed at the mission, Nalugiark, quite against custom, fled inland instead of running towards the aircraft.

E. AN ESKIMO "GO-BETWEEN"

1 Sudden fights do sometimes emerge, as some years ago between Inotjuk and Kaiaitok on the ice of Kellet River.[17] Inotjuk resented that Kaiaitok had put his net under the ice so close to his own. They quarrelled and started fighting on the spot. But the ice was slippery and "it was most funny to watch them". The quarrel would have been fought out to the end if Irkowaktok, Inotjuk's younger brother, had not come in between and separated them. "When someone separates fighting men, it is custom that they must not resume the fighting; even if nobody says one word, it suffices that a third man comes in between and pushes them away from each other".

2 The ideal norm among these Eskimos, like among the Caribou Eskimos,[18] is that everyone, even a total stranger, is allowed to hunt, fish, or trap wherever he pleases, even next to somebody else. But this presupposes an attitude of fairness which Kaiaitok apparently was felt to lack in the above-mentioned instance. In fact, Kaiaitok has a reputation for often being too "smart" in food getting and for disregarding the highly esteemed fairness towards his fellow hunters; he has been openly criticized by others for so behaving.

Itimangnerk once made a significant remark (which was later repeated by Irkowaktok with special reference to Kaiaitok): "The ones we dislike are those who do not depart together with the others to go after the game, those who stealthily try to be the first so as to get more than the others. He who on a beautiful day, without having warned the others in advance, gets up early and goes hunting. By so behaving he would imply: 'I am the only one here who desires to obtain food'. But if he would have said to the others: 'As soon as the weather turns fine, I am going to Helen Island to hunt seal, and it will be an early start in that case', then everything would be alright with the others".

F. CHALLENGE TO A BOXING DUEL

1 If fighting follows upon a more or less formal challenge, there are most likely to be onlookers but no go-between. It is the kind of contest described by Rasmussen[19] as sometimes following upon derisive songs (though in this section it should be regarded as entirely distinct from song contests): "Sometimes these derisive songs are followed by fisticuffs, a kind of boxing, although it is not a direct contest in which each contestant tries to avoid the blows of his opponent; on the contrary, they have to stand without guard and beat one another by turns, the one whose turn it is being allowed to freely rain blows upon shoulder or temple. The one who stands the pain best and can keep on hitting back is considered to be the winner."

The description given by Rev. van de Velde is different in so far that only one blow is given at a time. The challenger must receive the first blow.

2 "Angutitar of Pelly Bay desired to exchange his sled for that of Inuksardjuark of Repulse Bay. Angutitar used to criticize Inuksardjuark all the time for his refusal. Some Eskimos can long be criticized before they get angry, and it was long before Inuksardjuark became angry. Angutitar said that he wanted to box and it started soon. He lost the battle. I have this from hearsay and when I later met Angutitar I did not laugh in his face because I had the story not from himself. Why Inuksardjuark refused the proposal to exchange sleds? Perhaps it was his only sled. I believe also that Angutitar's sled was much smaller than Inuksardjuark's". (Inuksak).

According to Kakiarmiut, this contest appears to have settled the quarrel: "After the fight, it was all over; it was as if they had never fought before".

3 Although not quite relevant to the heading of this section, here below is included another story (Irkowaktok) about a fight between two brothers, starting more or less jokingly. This was a kind of wrestling whereby the one grasps his partner, lifts him and then flings him down on his legs. The story is one from long ago, but historic and apparently passed on for its 'moral' interest. It also suggests to the Eskimos their past but beloved hunting and spearing of the caribou from the kayak at the crossing places:[20]

"Long ago, two brothers lived close to Lake Willerstedt. The oldest, Utjupadlak, who lived with his own parents, was strong and haughty; the younger one, his brother by adoption, was Ikpakitok. They were waiting at the nadlor (crossing place where the hunters wait for the deer to appear on the other side of the water). Utjupadlak walked around on a beautiful flat spot (good to wrestle on) and challenged his brother for a (friendly) fight. When they had started to fling each other, Ikpakitok broke his older brother's leg. The latter began to reproach his brother for having grasped him 'the other way around from usual'. (Both ways were permitted according to Irkowaktok). And he continued reproaching: 'You never managed to catch up with me in the kayak at the nadlor'. But the younger brother replied: 'At the nadlor, I do keep up with you; but, when going downstream, if I then would lag behind, it could never be much' (e.g. pursuing the escaping deer downstream, for that is farther than just at the crossing place). And while all others went hunting in their kajaks, Utjupadlak had to stay back, sitting in his tent, (this is the moral of the story, in Irkowaktok's words). People were most content about these happenings."

Utjupadlak must have been a man who openly showed his haughtiness, not only to his younger brother, but to everyone. "People" disliked that attitude and were satisfied to see him thus put in his place - as is nicely illustrated in this story.

G. MURDER

1 The next three sections of this chapter will be devoted to reactions to conflict involving casualties. The present section deals with more or less plain murder, the next with what I should rather call "execution", the third with collective vengeance, bordering on "local war".[21] Though homicidal acts have, fortunately, practically become a matter of the past among the Netsilingmiut, they occurred among them until recent years to such extent that their consideration in this report cannot be neglected.

2 That there did exist some important drawbacks to life in the "good old days" of the Netsilik Eskimos becomes apparent very soon to any student of their even recent history. Apart from their pervading religious apprehensions,[22] they seem to have been ridden by suspicious insecurity and fear of murder. Without hesitation, informants confirmed what the old man told Rasmussen[23] in 1923: "When they broke camp in his grandfather's day and moved from one hunting place to another, they drove sledge behind sledge, many in company, in a long line, the first breaking the trail. As there were only few dogs, men and women had to pull too. During such a removal the snow knife was never released from the hand and as a rule a man also had his sealing harpoon with him. A man in the procession could not stop to make water without great risk, for the one who walked in front might easily get the idea that the man for some reason or other would strike him down from behind, and this suspicion alone might be a sufficient cause of bloodshed. They did not trust each other; even if apparently they were the best of friends they could never be sure that the one had not evil intentions. So it is no wonder that they were doubly cautious when meeting strangers.

"When the sledges had been stopped at a distance of about a mile from the settlement a woman was sent up to tell who they were and that no hostile feelings were entertained. Only when the truce-bearer had been well received could the rest drive up without hesitation." So far Rasmussen. Upon my question <u>why</u> these mutually so suspicious people chose to travel together, the reply was: "They needed each other for hunting at the breathing holes".

3 But we need not even go back as far as the old man's grandfather's time. Until the police and the mission appeared on the scene as residents in the relative vicinity, murder as a means of solving conflicts or as pure revenge was so common among these Eskimos as to place a black stamp on their daily lives.[24] In a society lacking all collective protection, each individual's unfulfilled desires, resentment and mere fear - wherever these reached a stage where no other fast solution seemed possible - might well end in murder. It is indeed one of the positive consequences of contact with the white man in its earlier stages, that this condition of murderous suspicion has come to an end.

4 This is not to imply that even among these new but devoted Christians the Fifth Commandment has been morally digested in so short a time span. Irkowaktok, one of the pillars in this young parish and whom I do not hesitate to call a faithful and devoted Christian,

thirty-nine years of age and baptized at eighteen, never showed any moral indignation whenever I inquired into his feelings with regard to concrete murder cases. One of his most characteristic replies was given when we talked about Krepingajok murdering Atukir (to acquire the latter's wife; 1913). Asked what people had said of it, he replied that they had regretted it. Then asked what he thought of it himself he said that he did not approve of it either. But why not? "Well, Krepingajok though he usually boasts about all the meat he brings in, was not quite as good a hunter as Atuwir whom he murdered, and who was known as an excellent provider."

Innaksak murders Sumisertok (±1900) - told by Nionio

"Innaksak (Irkowaktok's mother's father) had found a breathing hole and had marked it with a block of snow, though he did not use it to hunt there, neither after finding it nor for quite some time afterwards (thus losing his claim on that hole). Finally, Nulliajok (Nionio's father) had occupied the hole and when he stood there, Innaksak came there also and claimed the hole as his own. They started fighting (flinging) and Nulliajok won, but left him there without killing him. Sumisertok (Nulliajok's child-brother) was there as an onlooker. And because Nulliajok did not kill Innaksak right there, the latter could later take revenge by killing Sumisertok. Next summer, Innaksak asked Sumisertok, who happened not to be with his own family at the time, to accompany himself and his young son Illulik on a deer hunting trip on the other side of Pelly Bay. He asked him on purpose, and out of resentment he killed Sumisertok during that trip. But when he came home, he said that Sumisertok was on his way home too. Nulliajok was absent at the time. Sumisertok was greatly loved by his mother, and his parents went to search for him; they only found his bow. People had always kept blank about it until around 1937; then he spoke up, not only because he had become old but also because his son Illulik had become sick inland while hunting: his feet were "ill" (Innaksak apparently wanted to defend himself against the disaster, which he regarded as the punishment for the murder). Then he told everything to Innuslugardjuk, the next-younger brother of Nulliajok, who had died already by that time."

Perhaps Innaksak did not dare to revenge himself on Nulliajok, perhaps he felt that the death of young Sumisertok would be felt more keenly. Unfortunately, I failed to inquire whether the general suspicion had ever been expressed in derisive songs or the like.

Probably Innaksak never showed his feelings after losing the fight with Nulliajok and waited until, next summer, his time for the counter-blow had arrived. It is notable that he survived the general suspicion for thirty-five years. Perhaps he was a shaman and feared as such? But in spite of these open questions, the case seems to provide a nice example of a murder out of resentment among these Eskimos.

Kakortingnerk murders Sivatkaluk (Miterak) (±1900) - told by Irkowaktok

6 "More than fifty years ago, my father's father's brother Kakortingnerk killed Sivatkaluk, the son of Konwalark. Kakortingnerk was married to Katikitok, but he wanted (also?) as his own wife Ivilinnuark (Talliitok) who was then Sivatkaluk's wife. It happened south of Boothia Isthmus, at the end of Lady Melville Lake. They had only one sled and had to pull hard up hill. Ivilinnuark was pulling in front, then came Sivatkaluk, followed by Kakortingnerk and his accomplice Tigusisoktok, Ivilinnuark's child was tied on the sled. (No information about Kakortingnerk's wife Katikitok). Sivatkaluk apparently thought of nothing else but pulling hard. Kakortingnerk, however, his snowknife tied to his wrist, stabbed the former from the back. Sivatkaluk, a very strong man, clasped the knife so as to pull it from the murderer's hand but, since it had been tied, he failed. Tigusisoktok helped to grasp the victim, who was killed. Both victim and assassin were young. The child on the sled cried "anana" to its mother who was in front, pulling the sled with a rope. But she did not hear it and went on pulling. Probably she did not want to hear it and had asked Kakortingnerk to kill her husband so that she could live with the former. Some time later, when they arrived at the camp of Iksingajok, who was Sivatkaluk's father's brother's son, there was a quarrel and Iksingajok challenged Kakortingnerk to fight (for life or death) with bow or knife, but this was prevented. Later, Pangninuark, Iksingajok's brother, wanted a similar fight, but not as fervently as the former."

Itimangnerk commented as follows on the 'prevention' of the revenge: it must have been a "psychological" victory for Iksingajok if after once or twice having challenged Kakortingnerk through the window of his igloo, the latter would not have answered, thus confirming "his being ashamed". To challenge to a knifing or archery fight is a matter of life or death. People are (while growing up) dissuaded from ever taking revenge because it grows into a chain without end. "It takes

away even one's sleep - this fear and tension because of possible revenge".

Rev. van de Velde understands that in the above-mentioned case there has been hesitation among the relatives on both sides as to encouraging the duel.

Auwardjuark's revenge (legendary) - recorded by Rev. van de Velde.

7 This legendary tale has been recorded twice, by Rasmussen[25] and by Rev. van de Velde. Both versions have the same content, but the latter will be quoted here, because it has some nice details. Place: the southeast of Boothia Peninsula in spring season. Auwardjuark and his brother Atanadjuark, while sleeping in their tent, were attacked by the other men from their camp. The younger brother was killed, but Auwardjuark, naked and wounded, managed to get away and fled to his parents' place, apparently at a distance. The others, following his blood track, also reached his parents' camp and asked them if anyone had just arrived. The parents who had hidden their son on the beach covered under seaweed, flatly denied it, upon which the attackers returned. Auwardjuark spent the summer with his parents, killing many caribou. In the autumn, his father made for him a beautiful bow all from hardwood. His mother remarked that she would like her daughters-in-law to work all those skins (Auwardjuark's two wives, or his wife and that of his brother, were left behind in the hostile camp). And then Auwardjuark sets out to recover his wives. When he approaches the enemies' camp, he shouts: "Waking, I will fight!"; and the people of the camp are saying to each other: "Well, if that is not Auwardjuark's heavy voice!", and they take their bows to encounter him in combat. But before their arrows can hit him, he has already shot down two from a distance. At once they give up the battle and bring him his two wives, one of whom is clothed in duckskins. He builds for himself and his wives a spacious igloo and there are many visitors; everyone admires his bow though he had made it look not as strong as it really was - and all admired the strength of Auwardjuark. Upon his return voyage home with his wives, Auwardjuark is accompanied by two Eskimos from the camp he just left. He kills them both and returns to his parents.

Note in the underlined parts the subtle manner in which both father's and mother's encouragement to take revenge is expressed. "Clothed in duckskins" suggests the poor conditions under which his wife was living. Trying to make a weapon look less effective so as not to show its

real strength to curious visitors is, according to the missionary (with whom also the preceding remarks originate) another typical Eskimo trait. The 'mission' of the two men accompanying Auwardjuark upon his return is not mentioned in the story: they may well have been looking for an opportunity to take counter-revenge so that for Auwardjuark it became a matter of 'they or myself'.

Here we have a tale of killing implying real blood revenge. And blood revenge recurs in many of the tales of killing and vengeance recorded by Rasmussen[26] and Rev. van de Velde. All these tales are legendary, and it is interesting to note that neither of Rasmussen's two historic cases[27], nor any of the six additional plain murder cases collected by myself, seem to have actually led to blood revenge. I can conclude no more than that blood revenge[28] among these Eskimos, though it might have been very common in the far past, was probably much less common during the last fifty to sixty years than is usually believed.

8 After having given above three cases in extenso, I shall now have to restrict myself to giving the basic data of the other historic murders, which were recorded by me at Pelly Bay.

Iksivalitark murders Amaroalik (1921) between Repulse and Pelly Bay: told by Irkowaktok

Reason: Constant vexation by Amaroalik who also used to show that he was stronger than Iksivalitark.

Murder: Shot from behind while plucking the feathers off a duck. Murderer fled towards Pelly Bay, leading the life of a fugitive; stated to Rasmussen to fear the police rather than blood revenge.[29]

Reactions: A few years after the murder, when Ogpingalik, the father of the murderer, and Krauna, the adoptive father of the victim, met for the first time after the incident, the latter said: "You stayed away from me since you were afraid". Ogpingalik answered: "Yes, indeed I was afraid, but after my youngest son drowned,[30] I started to think of seeing you back" (the drowning was apparently regarded by Ogpingalik as a punishment[31] for the murder). And Krauna again: "If I had seen an opportunity soon after the murder, I would have drawn blood from the murderer" (not from his family). As in the case of Kakortingnerk murdering Sivatkaluk,[32] there has been thought of blood revenge, but it was not realized.

Years later when Irkowaktok was travelling together with

Iksivalitark, it so happened that the former had to kill a dog. When this occurred Iksivalitark hid behind the sled, saying: "Since I myself once killed, I cannot stand watching blood being shed, even if it is a dog's". Indeed Iksivalitark was known to everyone as a great "poseur". It was this murder which prompted Iksivalitark's mother to compose the sorrowful song which is reproduced at the start of this chapter: human feelings were by no means absent even in those "bloody" days. Iksivalitark died around 1956.

9 Krepingajok murders Atuwir (±1913): Pelly Bay; account from Krepingajok as told to Irkowaktok

Reason: Arnanark was living in polyandry with Atuwir and Krepingajok; she inspired the latter - as he said against his will - to do away with Atuwir.

Murder: Atuwir was cooking something, looked back and saw Krepingajok standing ready with his rifle, then went on cooking. Krepingajok had pity with him, but Krepingajok's cousin Kokiark stirred him up. Then Krepingajok shot Atuwir from behind in his head, and Kokiark stabbed him twice with a knife. Arnanark had left the tent before with her daughter (so as not to make her a witness?). The two men buried Atuwir, then went inland hunting for a short time; later they returned to pick up Arnanark and daughter, and they fled north to Fort Ross.[33]

Reactions: A certain Inukdjuaranadjuk[34] is known to have inquired more than once with Arnanark as to the whereabouts of Atuwir. She replied that he had gone hunting. Soon after, she fled north with the others. General opinion: very regrettable that a very moderate hunter like Krepingajok should kill a good hunter like Atuwir was. The woman Arnakajak (age 64): "Atuwir must have been a good hunter - his wife always went very well dressed". Krepingajok is still healthy at age ±75.

10 Merkreaut murders her husband Angotaojajok (±1940); told by Irkowaktok, her original fiance

Reason: Vague: some say his choleric character; others, she simply did not want him.

Murder: Merkreaut shot Angotaojajok, who was asleep after successful seal hunt, then went outside crying: "My husband, I have shot him".

Reactions: It was a large camp. Her mother, living in another tent, came to her saying: "Since you did not

have him as one who made you happy and since you wanted to "have" (i.e. kill) him ... well, you "have" him now!". Upon Merkreaut's shouting, Krimitsiark, father's brother of the victim, took care of the latter who had not yet died, then kicked over the tent, ruining and throwing around all her belongings, while not touching his nephew's things. This seems to have been all. (Angotaojajok's father - dangerously insane - was "executed" in 1922 by his brother).

11 Kajorsuk kills Arnasluk (±1935): Adelaide Peninsula; told by Kringorn

Reason: Single Kajorsuk desired Arnasluk's wife as his own.

Murder: Kajorsuk was sharing Sivorak at the time with Arnasluk who was about eight years older. Arnasluk was in the water pursuing a caribou when he was shot from behind. It was "premeditated". They lived alone so there was only one tent. It is not known if Sivorak wanted the murder.

Reactions: No revenge was taken. But Kajorsuk's brother Totierk has said that he wanted to kill the murderer - "though, on the other hand he must have loved him as he was his brother", but that he was prevented from this by his wife Kringakittok who, nota bene, was the sister of the victim. Thus Totierk was at the same time brother of the murderer and brother-in-law of the victim.

Rev. van de Velde added that Kajorsuk never returned to Pelly Bay. Several years ago, when he wished his daughter to marry the son of Atark (Pelly Bay), the latter seems to have written to him that he no longer objected to his return (Kajorsuk had already moved forward his possessions half-way to Pelly Bay). Nevertheless, Atark's letter may still have shown a certain discomfort: Kajorsuk did not return anyway.

12 Innuslugardjuk (Okoktok) murders Krabviojark (±1910); told by Nionio

Kakerk (Okrajak), who was then the husband of Tabvik (Nionio's stepsister), suspected his oldest brother Krabviojark of wishing to take Tabvik away from him. Therefore, he proposed to Tabvik's uncle Innuslugardjuk to kill Krabviojark and take the latter's wife as his own. The "deal" was concluded and carried out accordingly. Nothing was known about revenge or other reactions, but

the murderer is known to have survived it at least until 1937, when Innaksak confessed to him that he had murdered the former's brother Sumisertok around 1900.[35]

13 From the cases considered it seems that murder was most frequently occasioned by the desire to have a certain woman as one's wife;[36] two men sharing the same woman for any length of time are also likely to get in trouble leading to murder;[37] bullying, resentment or mere fear have been other occasions.[38] Among the historic cases cited above, it is remarkable that blood revenge appears never to have actually occurred, though generally, and naturally, there may have arisen a potentially explosive tension between the murderer and the near relatives of the victim.[39] Self-imposed temporary exile to Fort Ross was therefore frequently resorted to. Without doubt, "people" used to be frightened upon the news of murder and especially so if the murderer was known as one of whom one never knows what he will do next. Besides, there was disapproval if a good hunter had been killed by a poor one. But if the relatives of the victim did not retaliate with similar violence, then certainly the non-relatives would not think of using force either. In the absence of any political structure, the group could not conceive of anything else but gossiping, deriding, or, in case of fear, staying away from the culprit. And the more unreliable and unpredictable the murderer was believed to be, the more he would be feared indeed. A good and stable hunter who had murdered, but whose murder was <u>understood</u>, even if not consented in, might well manage to retain his standing with the community - though the latter was not likely ever to encourage or approve of plain murder. For murder disturbs its "peace", and it is the community's concern that this "peace" be maintained, rather than justice - which as an abstraction is unknown to them.[40]

14 <u>Notes on the treatment of the aged</u>

Though rather irrelevant to the present chapter, a few observations seem warranted which, for lack of a better place, will follow in this and the following paragraphs.

Rasmussen, after making exhaustive inquiries on the treatment of the aged among the Netsilingmiut, came across only <u>one</u> case of heartlessness, the case of Krittark, which will be reverted to in the next section of this chapter.

As regards abandonment, it is known that in time of starvation it may be imperative to leave infirm parents behind, if longer journeys have to be made in search of

game. With only few dogs available, one had to be able either to pull or at least to keep up with a sled by walking. I have no doubt that a hunter who had in this way to abandon his old parent(s) by departing to other hunting grounds with his wife and children, would normally return to the former, if he had succeeded in obtaining game in time and if he had the dogs to return. It is also known that the old and infirm who feel that they have become, under the circumstances, too much of an unproductive burden to their children, sometimes followed a standing tradition by causing their own abandonment, for instance, letting themselves slide from the sled, thus freezing to death.

More common, perhaps, was their suicide under conditions of miserable infirmity or sickness. Often unable to commit the suicide all by themselves, they would use their parental authority, ordering their son to attach the seal thongs to the walls or to push down their head in the loop. I know of several cases, where the children hesitated out of pure and simple human attachment to their father or mother (rather than of fear for the police), but where the repeated and urged command of the parent made them obey in the end.

The old age pension - as well as medical care - have done very much to make the fate of the aged among these Eskimos more humane. These tragedies of abandonment and (assistance at) suicide have therefore been greatly reduced in the past years; and there is no evidence that these welfare provisions have been prejudicial to the traditional intrafamilial rendering of assistance among these Eskimos.

15 Notes on infanticide

Among all Eskimos, the Netsilingmiut are known to have practised female infanticide at the highest rate.[41] It is possible that the mothers lack that feeling of real attachment to a newly born child in its first days after birth (the killing was done for instance by smothering or burying immediately or in the first few days after birth); but Arnakajak at least told of her sorrow when she had to listen to the crying of her daughter, buried upon the decision of her husband under stones almost next to the "maternity-tent" to which she was ritually confined.

Atark told one of the most striking instances regarding infanticide. The famous hunter and shaman Ogpingalik and his wife Immingark had had three sons, Nipajok, Iksivalitark, and Kaiaitok, who were followed by nine

girls. None of these was allowed by Ogpingalik to live. When the tenth was born, i.e. Karmatsiark (Kringorn's wife born 1913) Ogpingalik was busy in the sapotit, i.e. in the weir, where the arctic char are speared. For these Eskimos this is one of their most exciting activities in which they can engage with loud enthusiasm. The catch was very good at the moment when the news of the birth reached Ogpingalik. He finished the spearing, then returned to his tent where he allowed Karmatsiark to live. It was then owing to his good mood of that moment that Karmatsiark owes her present happy existence.

Whereas female infanticide may still exceptionally occur if the birth takes place when the family happens to be far inland, it has disappeared as a social practice. Family allowances and the mission have again been the chief positive instruments here.

H. "EXECUTION"

1 It is useful to distinguish between plain murder, as described in the previous section, and "execution" of dangerous persons (insanity, sorcerers). Three instances were collected. One of these concerned the strangulation of a bound insane person by one of the relatives of his wife. It happened around 1940 in the Repulse Bay area in a camp which had been large shortly before but at the time had been reduced to only two tents. The Eskimos kept the knowledge of this event among themselves until a very few years ago.

2 The second case is that of Krittark,[42] the only aged person known by Rasmussen to have been heartlessly treated. She was living with her daughter Tiriksak and son-in-law Mikaluk (Arverk?), who did not allow her to ride on the sled; even in bad weather she often had to sleep out on the ice in mid-winter, poorly clad, because she had not caught up with the others. "She was not dead yet and life was still sweet to her". Upon inquiry by Rasmussen, the shaman Samik explained to him: "No one here among us wishes harm to old people. We ourselves might be old some day". And he pointed out that Mikaluk had barely been able to provide clothes for his wife and children "who had their lives still before them", and that he had only two dogs. He wondered why Krittark had not yet put an end to her life by suicide. So far Samik's views.

To learn that a few years after Rasmussen's visit she was shot by Mikaluk would therefore by itself naturally seem to lead to the conclusion of "abandonment, killing or assisting at the suicide of the aged". Yet this does not quite seem to have been the case, as I heard from

Irkowaktok at a moment when I had not yet realized that Rasmussen had devoted a page to this same old woman Krittark. This is Irkowaktok's information: "Around 1927, Mikaluk shot and killed his mother-in-law Krittark. She was old, but she was not liked because she had become too much of a burden as such. Years ago, people believed, if such a person "spat" on someone else (not necessarily in his presence), that she then wished his death. Krittark had more or less lost her head. She did not only "spit" on many people, but she also sang magic songs in which she wished the death of people; she did so also at night. Once, while they were travelling to Thom Bay, Mikaluk's wife Tiriksak told him to kill her. Tiriksak was Krittark's only living child: her brothers were dead from starvation (otherwise she would have preferred one of her brothers to kill Krittark). People feared Krittark because she practised sorcery and they did not wish to stay in the same camp with her. So they were travelling but they had no dogs and since Krittark was old, she gradually lost ground during the walking. But some time after the others had stopped (to make tea?) she caught up with them. She did not go straight to them but made a slight detour, then crouched down away from the sled, pulling her hood tight over her head (so as to show the contours of her neck?). Then Mikaluk shot her from where he stood. People did not mourn much about her death. Moreover, she had no other relatives".

All informants questioned believed that nothing had been said to Krittark in advance, but that she must have "felt it coming". The story is truly tragic, and one is tempted to speculate such as if she might not have been forced to take her refuge to sorcery and "spitting" owing to the desolate state of her existence. Rather than a simple example of "getting rid of the aged and infirm", her fate should be regarded as an "execution" for fear of sorcery, a family-decision, influenced by public opinion.

The execution of the insane Arnaktark

3 This story was told to me by Kringorn. Just in time before the end of the field work, I discovered that this event had also been described by Rasmussen;[43] and since both versions appeared to differ in certain details, considerable checking and rechecking followed, not only with Kringorn himself but also with Itimangnerk. At last, every detail had been reviewed, while others were added and, as I found so often, it appeared that the informants never had to recant anything they had stated before. They knew very well what they were talking about.

Rasmussen had the story from the "executioner" himself, whereas I have it from his son who was not present at the moment of the execution. Rasmussen's version is, as so often, somewhat more rounded-off than mine. Except in some of their songs, I have personally never heard the Eskimos relate complete stories which with regard to reasoning and composition seem to satisfy our taste to the extent that they are often found in Rasmussen's accounts. But then I realize too well that I am no Rasmussen. The latter's version follows first.

"The evening was brought to a close in a very dramatic fashion. I received a visit from a man named Uvdloriasugssuk (the big star), who had come from his camp a day's journey to the northwest. He was a big, broad-shouldered man with a long, black beard, which gave him a peculiar wild appearance. His voice was like a deep rumbling, and when he spoke he expressed himself so slowly that every little word fell with great weight. He proved to be an unusually trustworthy man, with the best of reputations among his countrymen; and yet he had shot his own brother last winter. It was on that very subject that he wished to speak to me.

His countrymen, he explained, were often apt to have a bad conscience whenever they met white men; he was not one of these people, and even if he had the deepest respect for the white man, the latter was seen so rarely in this country that it was necessary to live one's life according to the customs and habits of its people. He had had a brother Arnartaq (the new woman), who had a difficult and passionate temper. A year ago this brother had killed one of the men in the settlement while in a fit of temper, although there was no enmity between them at all. When he had these fits of anger he threatened everyone who came near him, and he had also stabbed his wife with a knife several times, but without wounding her mortally. A man like that was dangerous to his surroundings, and therefore people had made up their minds that he should die. It was a village decision, to which was attached the peculiarity that people considered it natural for the brother, who was the oldest in the family, to execute the sentence. It had been very hard for Uvdloriasugssuk to do this; but, like the others, he had looked upon it as his duty. And so one day he had gone in to his brother and explained what had been decided, and begged him to choose between knife, seal thong (hanging) or gun. His brother had elected to die by bullet and had then been shot without moving from where he was or exhibiting any sign of fear. It was this he wished to tell me; I thanked him for the trust he had put in me, and had to concede to him that under those conditions in a

village where mutual trust was bound to be a necessity, scarcely anything else could have been done".

4 Kringorn, whose version follows below, is the son of Kokonwatsiark (the same as Ubloriaksugssuk), though he was early adopted by the latter's parents. It is usual for aged parents to have one of their younger sons live more or less permanently near them. In this case that son was Krimitsiark, and Kringorn therefore lived actually under the supervision of Krimitsiark at the time of the incident. Contrary to Rasmussen who must have been able to record almost without interruption of his informant, I worked via an interpreter and in addition I had to interrupt now and then for better understanding, and I had to put additional questions with regard to the specialized bias of my research. But since my reconstruction has been checked and rechecked with informants, I feel justified in presenting it as one uninterrupted whole.

"Around 1922 - I was about sixteen years of age - we were living in a large winter house near Lake Willerstedt. I recall the following camp members: my grandparents Aolajut and Kukiaut; their younger son Krimitsiark, who always accompanied his parents; their oldest son Kokonwatsiark; their younger sons Abloserdjuark and Arnaktark; Igjukrak, who was Aolajut's cousin and married to the latter's sister Nujakrit; Igjukrak's two sons-in-law Nerlongajok and Magnerk.[45] All were accompanied by their wives and children. There were also non-relatives in the same camp. My father Kokonwatsiark (alias Ubloriaksugssuk) was the "oldest"[46] of the camp, but I was early adopted by my grandparents and I lived therefore under the supervision of my uncle Krimitsiark. It was around the darkest time of the year and the camp was preparing to move from the lake, where they had been fishing, on to the sea to hunt seal. The women were busy sewing clothing and thawing meat to be consumed during the journey.

"Krimitsiark and Magnerk had helped Arnaktark to pack forward already some six miles, and Magnerk stayed with him there, so as to keep an eye on him; for Arnaktark had suffered the last months from psychic disturbances for the first time in his life. But after two days, Arnaktark disappeared and Magnerk set out to find him. But he failed to locate him and returned to the main camp to inform the family, upon which Kokonwatsiark and Abloserdjuark started searching, also without success. Shortly after, Arnaktark must have returned to his igloo and that same night he stabbed his wife Kakortingnerk in her stomach. She fled on foot with her child[47] on her shoulders, and after arriving at the main camp she told what had happened.

"They started to fear that he might stab again at someone they loved, and they discussed what should be done. The discussion was held among family, and it was felt that Arnaktark, because he had become a danger to them, should be killed. Kokonwatsiark said that he would carry out the verdict himself and the others agreed. Old father Aolajut was not supposed to do it, because Arnaktark was his own son; but if Kokonwatsiark for some reason would not have done it, the next oldest, Abloserdjuark, would have offered himself to do it. After the decision was taken, Kokonwatsiark notified the non-relatives, because they also were afraid. All agreed that there was no alternative.

"Then the entire camp broke up: Aolajut, Kokonwatsiark, Abloserdjuark, Nerlongajok and Igjukrak travelled to Arnaktark's igloo, and Krimitsiark led the others and the women and children along another route to the new camp at the coast. Upon arrival at Arnaktark's place, the latter was standing outside and Kokonwatsiark said to him: "Because you do not know very well any more (have lost control of your mind), I am going to 'have' you. Then he aimed at his heart and shot him through the chest. Then they moved on to join the others at the coast. His grave is yonder, towards the end of Willerstedt Lake". So far Kringorn's account.[48]

5 Not only Kringorn, but also Itimangnerk and several other informants were positive in their denial that Arnaktark had stabbed or killed anyone else before, or that he had been given a choice between knife, seal thong, and bullet. I have no wish to overstress these divergences with details of Rasmussen's account, but they should be somewhere put on record.

The decision as to what should be done about a dangerously insane man was taken after discussion (the opinion is formed not in 'formal sessions' but usually in the course of frequent visiting), but discussion inside the family. Nor is anything formal involved in telling the outsiders what has been decided. Yet these "executions" of dangerously insane, perhaps also of sorcerers, are so far the only instances which I have come across among these Eskimos, where discussions lead to active steps in order to face a directly dangerous situation. In this case, the camp was large; in other cases it might well consist of a very few families only. But even in the latter case, it is my impression, after listening to the various stories, that non-relatives would as a rule not be actively involved in the decision-taking; I imagine that, if circumstances permit, they would rather tend to move away from dangerous sorcerers and insane people, leaving it to the relatives to solve the problem. But it is most often so difficult to

determine the boundaries of what are "relatives" among these Eskimos. Their "Ilageet" comprise not only relatives by blood and marriage[49] but also by adoption and even close friendship.[50] It seems certain, however, that an execution is carried out by the nearest ordinary male relative who is available. And the case of Arnaktark provides at least some few but interesting details about decision-taking in a situation of acute emergency.

I. COLLECTIVE REVENGE

1 In Section G of this chapter, paragraphs 7 and 13, it was noted that blood revenge was not known to have followed upon any of the eight historic (1900-1940) cases of plain murder cited; this in spite of the fact that the most competent authors stress the duty of the nearest kin to take revenge for the murder. Though the thought of taking revenge in some cases appeared to have risen among relatives of the victim, it was to my knowledge never materialized; and yet, in most cases it can be directly or indirectly concluded that near relatives were surviving the victim. The legends, including the one cited,[51] do indicate the traditional existence of blood revenge. And as in the literature, these legendary tales suggest that revenge is generally taken by one single man: the son, brother, or father of the victim. It does not seem to matter too much whether the murderer is slain from behind or in open fight, though the latter has a higher rating (see the legend of Auwardjuark). In short, we have the legends and the literature to suggest the duty of a "one man's revenge", but we are without historic cases to prove the practice among the Netsilingmiut, at least during the last sixty years.

2 A different manner of revenge for murder, also from the "good old time" - but historic time, though probably before the present century - was brought forward one evening by Itimangnerk (who had once heard it from old Inakattik), whose interesting contribution follows here below. It shows that these Netsilingmiut "long ago" sometimes organized revenge parties, a collective revenge therefore, which might sometimes have taken on the size of a small local war, even for instance between the Pelly Bay people and those of Willerstedt Lake.

"If there had been a murder, and if revenge was considered to be due, those who had been together at the caribou crossing place (i.e. plans are made during the summer) would discuss the matter among each other and then set out in winter to take the revenge. They would prepare themselves firstly by hard training with the bow while hunting, to be able to shoot sharp and fast, and to stand more than one enemy. Usually, those together at the crossing place

would be Ilageet-relatives, but it was not excluded that also non-relatives would take part in it. The principal revenger (for instance, the brother or son of the victim) would have helpers. All would travel to the enemy's place and, at a short distance from it, they would pitch camp; for the others, probably being unaware of their arrival, should be able to prepare themselves. Then, the revenging party would send forward an old man or old woman to find out whether the others were prepared. For those old ones, according to our customs, were never attacked. Thus the old woman asks them if they are ready to come outside. If so, the other party would advance and, while they were approaching each other, each would choose an opponent whom he considered his match in strength. They would shoot with bow and arrow; and if they were not many, they might fight with snow knives also. Harpoons for bear and musk-ox hunting were also used. Now, if one party had suffered, say, four casualties or wounded, they would concede the victory and the winners would let the defeated go home. I am thinking of parties each ten to twenty strong.

"Years ago, people envied each other rather much, especially lucky hunters. And Eskimos were fast in assassinating for instance sleeping people; and a man who was quite alone might easily be murdered - though it has happened that the assassin was killed by his wounded victim. <u>But such sneaking murders were liable to be reacted to by collective revenge</u>. Now if one hunter had so been assassinated, his relatives could take revenge. But if there were young men involved in the revenge, good hunters who bring in food, <u>then the others accompanied him because they like to see him alive rather than killed</u> (i.e. the revenge-taker must be 'helped' by the others so as to minimize his risk to be killed). When some one says that he wants to take revenge, then all will accompany that man. And (especially) if that man is a good hunter, the others accompany him for his protection.

"If they had once been defeated because they had no good harpoon points, they would wait until they felt themselves better prepared and then set out with the revenge party (apparently he thinks of a party revenging another party's successful attack). There have been such battles even between the Pelly Bay and the Lake Willerstedt people. Take for instance Angutitar who now lives at Repulse Bay, though by origin he is a Pelly Bay Eskimo: if he would join the Repulse Bay men on a revenge party to Pelly Bay, those from here would say to him: "You are not allowed to fight with them against us".

"For such a battle, women and children would join the men, but they would stay in camp near the battle grounds. The defeated party would return to their snowhouses and stay there two or three days, and then it could happen that both parties started playing with each other and visiting each other. It once happened that one of the winners alone went visiting the other camp and that he was murdered; it has also occurred that, while some of the winners were already packing their goods forward (preparations for returning home), one of them was killed by the other party - though clearly the battle was all over".

3 Itimangnerk's account rather speaks for itself, even if everything is not quite clear. But because his observations are so interesting, I arranged the order of the account almost entirely as I wrote it down in the field; it seems more important to have it on record in its most authentic form. Here we have a tale of blood revenge, anonymous, dating from several generations ago. To protect the principal revenger he was accompanied in an organized party but the outcome will probably often have resulted in more deaths than if he had gone alone. These "war parties", again essentially composed of relatives, are now a matter of the past. But much of the underlying values may well be assumed still to remain alive among their descendants who are still real Eskimos: the present people of Pelly Bay.

CHAPTER V

CONCLUSIONS

1 In the two foregoing chapters, selected field data on leadership and on concrete trouble cases among the Netsilingmiut have been presented in a way different from that in the report on Caribou Eskimo Law, and one advantage of this different arrangement is perhaps that we are thus enabled to look at the same subject matter from another angle. While the Caribou Eskimo field data were richer in "norms" than in concrete situations and trouble cases, the Netsilik research yielded better results in the latter field. In this respect also the two reports can be regarded as complementing each other.

The general resemblance of the "norms", and indeed of the entire system of values, in both groups is striking, and though I am not in a position to argue the case at any length, I personally could not escape a growing impression during the research, that the Netsilingmiut once were also an inland people who took to ice-hunting in a comparatively recent time.

Reality among the Netsilingmiut, however, suggests that they generally react more actively, more aggressively, than the Caribou Eskimos. And this may partly account for the fact that among the former I struck one historic trouble case after another, whereas the opposite was the case among the Caribou Eskimos.[1]

As regards leadership, I now believe that to speak of a (weak) institutional "camp-headman"-ship, as I had thought to have found among inland Caribou Eskimo groups,[2] is not warranted; and that, if I had there given sufficient attention to kinship relations, I would rather have arrived at the same conclusion as among the Netsilingmiut, i.e. that there is no camp-headman as such. This will be reverted to in the following paragraph which, as the rest of this chapter, will chiefly be restricted to a consideration of the Netsilik data.

Factual Conclusions

2 Leadership - There are no chiefs among the Netsilingmiut. Their society altogether lacks the structure for chieftainship; neither ideally nor in practice do we find any recognition of authority on "tribal", band, or even camp level. Not even the shamans seem as such ever to have enjoyed recognition as local chiefs or leaders. The only (and in practice conditionally) recognized authority is that of the family "ihumatar" over his nuclear family and those of his sons, and of the pater familias or

"chef-de-famille" over a somewhat wider group of nuclear families, as set out in paragraph 7 of Chapter III. Quite applicable to the Netsilingmiut seems what Jean Gabus wrote with regard to the Caribou Eskimos:[3] "In an important camp, where numerous married children are grouped around their father, the decisions which affect the community are taken in common consultation. The old man calls his sons into his igloo, and his sons-in-law if they live with him, and they examine the situation. Generally, the children will do the talking and make the propositions; the old father listens and as soon as he feels that everything has been said, he gives his own opinion and decides. Thus is the principle, for in certain camps the old father is not even consulted any more, because his counsel is not good and his sons far surpass him in energy and intelligence."

"Above all, one feels in every aspect of Caribou Eskimo life that the most flexible adaptation to the conditions of their existence is the essential factor. Their existence is a very hard one and a social rule which is favoured in one family is not necessarily so in another. The authority of the old man is most often useful and his advice and experience are of great value to his family. It was only very rarely that I have met senile old men; and even if the physical effects of their age were clearly felt, I was struck by their valour and their lively spirit. But if the old man gives bad counsel, the repercussions of the latter may be serious, and he will so lose his authority".

The community, i.e. the camp, which consists of families resorting under different "jurisdictions", has as such no leader. Camps often consist chiefly of families resorting under the same family-boss and in that case it is well possible that the entire camp becomes more or less directed by the chief personalities of that family. But the non-related families retain their full autonomy. Decisions are taken family-wise, not camp-wise. The community, the camp, which is not exclusively composed out of the same family group, is therefore in principle not much more than an aggregate, in so far as it lacks any structure of authority.

This is not to say that a family-boss with outstanding qualities of initiative and independent thought may not for that reason alone attract a certain "following" from outside his own circle - a temporary following, for that matter, which lasts as long as following him is believed to be profitable and enjoyable. He will at best have a temporary de facto recognition, subject to change without notice, never formal recognition. In this connection, attention might be called to the observations of

Birket-Smith who, among living scholars, is the one of the widest personal acquaintance with the entire Eskimo world; he wrote that the average Eskimo finds difficulty in asserting himself against others, and that an outstanding personality among them can assert itself in such a manner that it steers, rather than breaks with, public opinion.[4]

3 Reactions to conflict - Among the many cases of conflict, discussed in the preceding chapter, we have seen that the camp, i.e. the community, as such rarely reacts in an active manner. Yet, in the course of this report we have come across a very few cases and occasions. Firstly, we found how in the winter festival house (kadgek) the community, acting as arbitrator in a formal or spontaneous derisive song duel between two opponents, indicates the winner by giving its applause to him and withholding it from the other; though I could record no actual cases, informants' replies left no doubt as to their traditional, but in the case of formal contests rare, occurrence. Secondly, we came across instances where the community did not only react more or less actively, but was itself one of the two parties; and this found its reason in the circumstances that the disapproved behaviour in question was affecting not a particular individual, or his family, but the community, the camp itself. There is first the case of the practical expulsion, by way of derision, of the unfortunate non-conforming stranger Itikitok by the Pelly Bay people. There is, second and less spectacular, the expressed dislike of Kaiaitok who goes hunting without advising his camp members.[6] And thirdly, we have the ridiculing of community members who frequent the DEW Line, or are busy building wooden shacks, at times when hunting is profitable.[7] I should admit at once that the two latter cases were still of minor importance and might never culminate - but I believe that they nicely indicate the occasions where an Eskimo who persistently so behaves may expect to meet growing opposition from the entire community, whose collective derision can become most exasperating, as we saw in the case of Itikitok. And it is perhaps not a mere coincidence that these rare cases, where the community as such appears to initiate the reaction and to identify itself as one of the parties, seem in some ways to illustrate the application of the "Eskimo Constitutional Act", which Rink once formulated for West Greenland and which was summarized by Birket-Smith in three articles valid for the entire Eskimo area.[8] These articles are:

a. The most important means of subsistence are divided among the inhabitants of the settlement according to certain rules (Kaiaitok).

b. No one may be excused from hunting except in the case of bodily infirmity (the DEW Line visitors and shack builders).

c. No one may settle in a camp without the consent of the inhabitants (Itikitok).

But as soon as it becomes the concern of a particular individual or family to deal with the conflict or trouble, the principal response, if any, is expected to originate not with the community but with the individual or family concerned. An instructive example is that of the insane Arnaktark who had become a threat, indirectly to the community, but directly to his own family; and it was indeed the latter which, alone and aware of its responsibility, discussed and decided upon what should be done.[9] But, in spite of its conspicuous lack of structural leadership, the community remains an important reality in Eskimo existence. Though as a body it may rarely come into open, let alone formal, action, its members may or may not individually voice their opinions and so help to shape public opinion, and may or may not individually join in the derision of one troublemaker, in the gossip about another.

Blood revenge, which is suggested in the literature to be a sacred duty and common practice among the Netsilingmiut, was remarkably not known to have been realized after any of the eight historic cases of plain murder recorded; these cases went back as far as 1900. There are, however, strong indications that the practice has once been common, like among the Caribou Eskimos; it is, again, noteworthy that neither among the latter have there been recorded historic cases of realized blood revenge. Among the Netsilingmiut, however, we collected a general description of revenge-parties, essentially composed of relatives, which from time to time before the present century are known to have been organized to revenge murder; a typical feature of these parties was that they warned their enemies upon arrival allowing them time to prepare for an engagement in open combat, subject to certain rules.

Though not arising from common conflict, one observation might here be made regarding the killing or abandoning of the aged. We have seen that the initiative in these cases is generally with the aged themselves, and that it is a family rather than a community affair. I believe therefore that, at least with respect to the Netsilingmiut, Birket-Smith's judgment was too hard and not quite precise when he wrote that the community rids itself of the aged simply because the aged become a burden to it.[10]

Finally, two minor points might here be raised. The custom that a starting fight must not be resumed if a "go-between" has separated the two contestants, has to my knowledge never been registered among Eskimo groups. It would be interesting to know if it is a recurrent feature also elsewhere. The same question could be put with regard to the ruining of another's household cache as an act of resentment.

Theoretical conclusions

4 An expose of my theoretical views, formulated after the Caribou Eskimo research will be found as Appendix A to this report. It was presented as a paper at the 32nd International Congress of Americanists in Copenhagen (1956) and is largely similar to what I wrote to this effect in the last chapter of the Research Report on Caribou Eskimo Law. Reference to the appendix will therefore absolve me from repeating in this chapter what I have already expressed elsewhere.

5 In how far can we conclude if the same holds true for the Netsilik Eskimos? As was observed already at the start of this chapter, there seems to be an all-over tendency among the Netsilingmiut to behave one, or perhaps two or three, shades more aggressively. Where the Caribou Eskimo, individually or collectively, might tend to "withdraw" from a troublesome situation, the Netsilik might "strike", as is illustrated by the comparative number of trouble cases found among the two groups. But the difference is one of quantity, not of quality. The minimum requirements for "law" are not met among the Caribou Eskimos and in much the same manner they are not met among the Netsilik Eskimos. The theoretical situation is largely the same for both areas - "largely" but not "quite", as will be shown by a renewed consideration of the execution of Arnaktark.

6 It will be recalled that the dangerously insane Arnaktark was killed by his oldest brother, after discussion of all family members present, and even after notifying the non-relatives present.

From the recorded occurrence of at least one similar execution of an insane person, and another of a dangerous sorcerer,[11] regularity might, with some hesitation, be concluded. Death was in all cases the measure of physical force applied. The decision was taken after family consultation (very clear in the case of Arnaktark) and carried out by the acting family boss, the only recognized authority over Arnaktark. Finally, here was non-spontaneous considered reaction after due consultation of those concerned. (In the two other cases, outside

Arnaktark's, the camp was too small to involve numerous relatives in the consultation).

Contrary to the song duels, whose application is as unpredictable as their enforcement is impossible, the "executions" among these Netsilik Eskimos seem formally to meet all the minimum requirements for law, set out in the appendix. All, except one, for I have there made the reservation that the authority of the pater familias exerted within his own sphere could not be called legal authority. In the light of the Netsilik cases of "execution", and considering that there exists among these Eskimos only one recognized authority, however, I feel that such exclusion of the pater familias from the legal sphere in cases like these - where a definite community interest is discernible - is not justified.

Here, then, but here alone, I believe that we can speak - with Hoebel[12] - among the Netsilik Eskimos of "Rudimentary Law in a primitive anarchy". It is not at all inconceivable that these executions and, what is more important, the similar procedure preceding the executions, were practised among the Caribou Eskimos. If a few such cases could be recorded in the latter area, the same conclusion should be applied to it.

7 But this single norm, i.e. that sorcerers and dangerous insane persons are liable to be executed as public enemies - which seems to lead to rudimentary legal proceedings, does not deprive Birket-Smith's general statement of any of its essential truth:

"In essence it is not the mission of the community to execute law and justice, but exclusively to restore peace, using this word in the medieval sense of the ordinary, regular course of life. On this basis the settlement may, for instance, combine in killing a man or a woman suspected of witchcraft, for such persons are a menace to the peace of the community. The killing is not however a punishment for the practising of witchcraft, for the community may in the same manner get rid of a man with a wild and brutal temperament, or of old and sick people who are a burden upon the settlement".[13] With the qualifications set out above in this chapter, this statement certainly holds true for the Netsilik Eskimos.

Practical conclusions

8 An administration responsible for the well-being of a minority like the Canadian Eskimos cannot afford to remain ignorant as to the identity of the influential and best-respected individuals in each community. As for the

Netsilingmiut which up to the time of my research had rarely been visited by officials, Chapter III of this report, though I realize its shortcomings, may serve as a means to learn the structure of authority among these Eskimos and as a tool to "get the feel" of how to search for and find the key persons in their society. The application of the principles set out in that chapter is felt to be valid for the Caribou Eskimos also, and probably in other areas of the Keewatin District as well.

9 The importance of involving the Eskimos themselves in the discussion of their own affairs is evident.[14] But such discussion - by which I do not of course think of business-like sessions - should be carried out very thoughtfully indeed. It would for instance seem to be a grave mistake to consider as representative Eskimo opinion the views of any smiling young Eskimo who frequently shows up at the white settlement who conveniently speaks some English, and who is even surprisingly capable of driving a caterpillar. He is likely to approve basically of anything proposed to him. Earlier in this report, attention was drawn to Birket-Smith's observations about the difficulty which the average Eskimo finds in asserting himself against others and how easily he is influenced. The influential and most respected among them, i.e. those who stand out by virtue of their mental superiority and experience ("ihumatar" - he who thinks, i.e. for the others) are the real mouthpieces of their society. They are not likely to frequent the white man's places but are found around their business, i.e. their hunting or fishing grounds. They probably know little or no English at all. It is the informal but intelligent involvement of them which matters. Sounding, rather than moulding, their opinion is a difficult task, requiring patience and a humble frame of mind which is prepared to accept them as they are. But both personally and administratively, it may prove to be most rewarding. Moreover, these Eskimos will themselves do the work of 'passing on the discussion' among their fellows <u>in their own accustomed way</u>, thus potentially creating a climate of understanding in the community which the field officer can hardly hope to achieve all by himself. This approach, however, seems to require that the inclination to 'prefabricate' certain projects and plans will be restrained as much as possible, and that development in each district proceeds in successive phases, none of which will be quite predictable. This presupposes therefore a certain sense of confident - though reasoned - adventure, which is not always the most characteristic feature of any administration. It also requires field officers whose good intentions are as commendable as their competent ability. On the other hand, available government funds might thus be spent still more effectively.

10 In the course of three Arctic summers, I picked up a variety of accounts on court proceedings involving Eskimos. It was hearsay, though often from reliable sources. I am not free here to enter into even a brief critical review of these accounts, none of which, incidentally, gave occasion to be very optimistic as to the favourable effect of these proceedings upon the Eskimos.

A short research on Eskimo court cases in the pertinent official files (1955) showed that these files usually did not contain meaningful information about the proceedings themselves. An exception was in one file the complete text of a magistrate's charge to the non-Eskimo jury in a Netsilik case of assistance (by the accused) at the commission of suicide by his sick mother (1949). The magistrate's efforts to reconcile the provisions of the law with the local situation was indeed admirable, and it would be unfair to expect that his attempt could have succeeded. The dilemma seems to be that the penal code is to be applied all through Canada, also to Eskimos whose sense of what in a given case is allowed and what not, is known to be sometimes quite different. In Greenland, a daring (and experimental) effort was made to solve the problem by drafting a special penal code.[15] In Canada such adaptations to reality are - to my knowledge - not considered: "No different view of what must be the law can be accepted for any other part of Canada". I am not acquainted with Canadian law and this may account for the fact that I cannot quite understand why the foregoing principle and its essential meaning are not then similarly applied to the selection of jury members. To this day jury members in Eskimo cases are almost invariably white men. But if this is done because an Eskimo jury would be felt unable to realize what is expected of them, then how can the Eskimo accused himself realize what the penal code expects from him?

The question of the composition of an Eskimo jury in a given case will present certain problems. Lacking knowledge of pertiment Canadian legal provisions, I am unable to go into any detail. But Chapter III of this report may serve as a rational working basis (Keewatin District) for the preliminary orientation as to the individuals who are likely and those who are unlikely to be the right persons to be called upon as jury members.

11 Chapters III and IV combined contain background information which at future - I hope rare - occasions of the trial of a Netsilik Eskimo may help the magistrate, the prosecution and the defence to address the Eskimos in a language which the latter might recognize as to some extent "their own".

12 I might be allowed to end these concluding reflections of a practical nature with a last note. Some time ago, a missionary talked to us about the difficulty he had in finding a good Eskimo word for the evangelical, biblical "peace". Someone else then replied: "I don't understand your problem. If you are able to explain clearly to them what the concept amounts to, then you can further leave it to the Eskimos, for in course of time they will themselves coin the right word for it". Personally, I feel that this reply is worth reading twice. And it suggests what I believe to be a most realistic and promising approach. It requires a great deal of confidence, patience, and courage. But to follow it seems to me human adventure at its best.

FOOTNOTES

INTRODUCTION

1. Research Report on Caribou Eskimo Law (mimeographed), submitted in 1956 to the Northern Research and Co-ordination Centre, Department of Northern Affairs and National Resources (referred to below as "Caribou Eskimo Report").

2. Several fields of inquiry at Pelly Bay, covered in the Caribou Eskimo Report were therefore left out of the present report. I have these data on record for anyone interested: division of food in the field and at home, marriage, ownership. An inquiry into "lending-borrowing" did not prove fertile. A few notes on adoption and inheritance have been submitted separately to the Northern Research Centre.

3. See the relevant footnote in the first paragraph of Chapter I.

CHAPTER I

1. Rae, J. - Narrative of an Expedition to the Shores of the Arctic Sea, London, Boone, 1850.

2. Rasmussen, K. - The Netsilik Eskimos, Reports Fifth Thule Expedition, Vol. VIII, Parts 1 and 2, Copenhagen, 1931 (referred to below as "Rasmussen"). Numerous extracts from this Report are also found in the same author's "Across Arctic America", New York, 1927.

3. See also K. Birket-Smith's listing in his standard work "The Eskimos", London, 1936.

4. The Netsilik area was first visited by Captain J. Ross, who located the Magnetic North Pole and wintered 1829-33 east of Boothia Peninsula. Captain G. Back, searching for Ross, was the first to descend the Back River to and beyond its mouth, 1834. In 1880 the latter area was crossed by Schwatka (searching for Franklin's remains). The year before (1879) Schwatka had reached King William Island. Amundsen spent the winters of 1903-4 and 1904-5 on and near King William Island, before completing the Northwest Passage in 1907.

Ross, Sir J. - Narrative of a Second Voyage in Search of a Northwest Passage, London, 1835 (with sep. app. on "The Boothians").

Back, G. - Narrative of the Arctic Land Expedition to the Mouth of the Great Fish River 1833-35, London, J. Murray, 1836.

Klutschak, H. W. - Als Eskimo unter den Eskimo; eine Schilderung der Schwatka'schen Franklin-Aufsuchungs-Expedition, Wien, Pest, Leipzig, 1881.

Amundsen, R. - The Northwest Passage, New York, London, 1908, (2 vols.).

5. Department of Mines and Technical Surveys, Geographical Branch, Ottawa, 1951.

6. A Northern Service Officer is stationed at Frobisher Bay on Baffin Island; the nearest R.C.M. Police officer is stationed at Spence Bay, 130 miles away.

7. See also paragraph 13 of this chapter, regarding health.

8. The mission's first radio transmission set was installed in 1958.

CHAPTER II

1. In addition there was no opportunity to devote time to the fascinating and so worthwhile consideration of the linguistic aspects relevant to this research.

2. Chapter I, paragraph 11.

3. Unfortunately the oldest residents, Krepingajok and his wife Kangatalark, 75-80 years of age, were not camped near the mission and remained unseen.

CHAPTER III

1. I should apologize for phrasing certain parts of this chapter in a more "didactic" than "reporting" manner. But I was unable to conceive of a better way to present my field data on this difficult subject as a coherent whole.

2. Chapter I, paragraph 2.

3. See K. Birket-Smith The Eskimos, London, 1936; the Netsilik Eskimos themselves differentiate still further.

4. In recent years their travels northward seem to have been reduced to the mouth of Pelly Bay and Spence Bay, probably because women and children lack the clothes for far winter travels.

5. Their conversion to Christianity may, however, gradually bring about a certain band-unity; I am thinking of

baptized Eskimos' tendency, all through the Canadian Arctic, to regard themselves as "Christians following missionary X or Y"; of the christianized winter festivities (Christmas) now on band-level, and of the mission's church-commonroom as a community hall for the band.

6. In Caribou Eskimo Report, p. 30, I wrote about the incidental occurrence of individuals whose (non-shaministic) wisdom was held in high esteem by the entire band and whose advice was sought in difficult situations; they had no formal authority but just emerged and were given a special name. I did not come across such people among the Pelly Bay Eskimos. But it is possible in any society for a man with outstanding capacities to become a kind of counsel for the others. This, however, is passive leadership and non-structural: for such individuals might simply be non-existent at a given time. As regards the influence of medicine men - as contact persons with the spirit world - it is difficult to evaluate what has been their influence on what we would call secular matters. Many are known to have been held in low esteem but a few, also among the Netsilingmiut, were highly regarded, though not so much as such, but rather owing to their general mental superiority. They might be compared to those mentioned in the beginning of this footnote. Again, men with a high general prestige are no permanent "institution" among these Eskimos.

7. See Caribou Eskimo Report pp. 30-1, 32, 35. I am now inclined to believe that if I had paid sufficient attention to family relationships among the Caribou Eskimos I would have arrived at the same conclusion as among the Netsilingmiut - see below in this chapter.

8. In their daily intercourse, they also used to name each other "my right shoulder", "my neck" or "my ham". See the interesting description of these hunting relationships in Rev. van de Velde's article "Les Regles du Partage des Phoques pris par la chasse aux Aglus" (Anthropologica, No. 3, Ottawa '56). Unfortunately I failed to investigate whether the traditional selection of hunting relatives (done by one's parents preferably from among relatives) shows a pattern that might throw further light upon kinship structure among these Eskimos.

9. The oldest fisherman in a char-spearing camp - where the fish are allowed to enter the trap-basin to be speared twice a day - has the duty to call out loud when he sees it is time for everyone to descend into the basin. No one is allowed to enter the basin and spear the char before the entire camp has been "called" by the oldest.

10. There is another distinction - inside the circle of Ilageet - called "nangminereet" i.e. "one's own" people. I have been unable to ascertain precisely which relatives are nangminereet: cousins <u>are</u>, uncles and aunts by marriage possibly <u>not</u>.

11. In order to suggest the limits of Ilageetship I have the feeling that the subject's father's-father's-brother is still Ilageet but that, after the latter's death his offspring will be just relatives, not Ilageet.

12. Chapter IV, Section H, paragraphs 3-5.

13. Women may often be heard complaining "If only I had a brother! (to take it up for me)" (Irkowaktok).

14. I have also a rough layout of the location of tents in the late summer camp of 1957, but I did not include it in this report since it lacks precise indication of the physical features of the camp, such as a small bay, a pond, a cliff. This would give the impression that some tents, which were actually in each other's direct vicinity - were at a distance from each other, whereas others, apparently quite close together, are really "farther away" because of some natural barrier between them.

<u>CHAPTER IV</u>

1. <u>Caribou Eskimo Report</u>, p. 66ff.

2. For example: The story of the knife-whetting Eskimo whose visitor made a critical remark on the makings of the knife. His host completed the operation, then stabbed the knife into the other, saying: "Now see if I can't make a knife". The visitor did not live to acknowledge his skill. (D. Jenness, <u>The Life of the Copper Eskimos</u>, Ottawa, 1922, pp. 94-5.

3. For example: At Boothia Isthmus A drowned in his kayak; the latter was found by B who hid it (in order to keep it for himself). This was discovered by a third party who told it to C who was A's brother and heir. C did not talk directly with the thief but clearly vented his thoughts to others (knowing that the thief would hear about it): "Now listen to me, B has taken the kayak". Upon hearing this story one is inclined to conclude that this amounts to a simple case of theft. Upon further questioning, however, I was told that B had replied: "Since he (C) at one time refused me meat when I was hungry (this is usually taken very seriously and never forgotten by the Eskimos)...it is owing to him that I almost died then... Both of us have been untrust-

worthy!". In the light of B's reply a strong element of revenge enters into the case. (The kayak remained in the possession of B).

4. For example: During the first years at Pelly Bay, Rev. van de Velde had once made derogatory remarks with regard to the dogs of Eskimo A without any thought of hurting the feelings of their owner. Years later when the missionary needed the help of A's dogs for urgent business, he was painfully reminded of the incident by A who finally spoke up after never, during all this time, having shown his feelings in any way whatever.

5. Among the Caribou Eskimos, Vol. VII, Part 2, Among the Netsilik Eskimos, Vol. VIII, Parts 1 and 2 ("Rasmussen") of the Fifth Thule Expedition, C'hagen '30 & '31.

6. In recent years winter hunting in common out on the ice has decreased; kadgek sessions will therefore have become less frequent than they used to be.

7. See the murder of Amaroalik by Iksivalitark, Section G, para. 8 of this chapter.

8. This does not affect the validity of their ideal norm that any stranger should be quite free to pitch his camp at any place in their territory, even among their own tents and igloos. See also Caribou Eskimo Report, pages 30 and 47. Conformity is, however, required in practice.

9. For description of song-dancing see Rasmussen pp. 323-4 and especially his lengthy account of this subject in Vol. VII, Part 1, of the Fifth Thule Expedition, C'hagen, 1929, p. 227ff, dealing with the Iglulik Eskimos. The latter description is in many respects identical to my own observations among the Caribou Eskimos (Supplement to Caribou Eskimo Report).

10. Rasmussen, p. 323ff.

11. See K. Birket-Smith, The Eskimos, London, 1936, p. 151 or Caribou Eskimo Report, p. 69.

12. Rasmussen, pp. 324, 351.

13. Though less frequent, never held outside, and generally less patterned, they seem therefore rather comparable to those of East Greenland; see W. Thalbitzer's beautifully documented "The Amassalik Eskimo" in Meddelelser om Grønland XXXIX (1914), pp. 125-8 and XL (1923), pp. 318-78.

14. The observations of this paragraph should be checked and worked out in detail through further field research.

15. Rasmussen, pp. 342-5.

16. See his description, Chapter II, paragraph 8.

17. Told by Inuksak and Irkowaktok.

18. Caribou Eskimo Report, pp. 30 and 47.

19. Rasmussen, p. 324.

20. See also Caribou Eskimo Report, p. 21 and Supplement.

21. Though not arising from conflict, senilicide and infanticide will, for a lack of a better place, be briefly referred to in a special note at the end of the present section (paragraphs 14-15).

22. I conclude this from the literature and from my own observations among the Caribou (Ahearmiut) Eskimos of Ennadai Lake who had had no missionary contact.

23. Rasmussen, p. 203.

24. My impression among the Caribou Eskimos was quite different; see Caribou Eskimo Report, pp. 50-1.

25. Rasmussen, pp. 431-2.

26. Rasmussen, p. 431ff.

27. Iksivalitark murdering Amaroalik (1921) in Rasmussen, p. 18ff: " ... Now if there had been no white man in our country and the dead man's relatives would have taken vengeance upon me, and I would not be afraid of that". And on page 58 a short mention of Inutuk murdering Pujatark, also stressing the duty upon the son to take blood revenge. No such revenge is known to have taken place. See also paragraph 8 of the present section.

28. i.e. "individual" revenge by a single revenge-taker, as is always suggested both in literature and legendary tales.

29. Rasmussen, p. 21.

30. This must have happened in 1922, see Rasmussen, p. 11.

31. I call this "punishment" for short, without going into the matter of supernatural sanctions, magic or counter magic which, I understand, have been involved here.

32. See paragraph 6 of this section.

33. Fort Ross (Avertor) was noted by Rasmussen (p. 88) to be favoured by escaping murderers and kidnappers for its remoteness. This was fully substantiated in my inquiries. These "fugitives" often stayed there with their families for several years, hunting together, before returning to "society".

34. Neither his identity nor his eventual relation to Atuwir could be traced. This name is probably not his common name. The same individual may be known under as many as twelve names in various periods of his life. I became painfully aware of this while comparing Rasmussen's records with what my informants could recall of certain events.

35. See paragraph 5 of this section.

36. Also if the murderer is already married but simply wants an additional wife. Shortages of women did occur from time to time. But Weyer (The Eskimos, New Haven, 1924, pp. 134-5) has already shown that this cannot be simply ascribed to the traditional female infanticide.

37. See also Rasmussen, p. 195.

38. I might include here what Rev. van de Velde told me he noticed several years ago. I leave it to the reader to evaluate the event differently, but to the missionary it suggested how murder may sometimes have occurred almost subconsciously, a sudden impulse, even if the underlying resentment did not seem to be active: "I travelled on Kellett River together with A, S, and some others, who on their sleds had been visiting their caches. The weather was beautiful and we walked to and from each other's sleds, while the sleds were moving all the time. A was seated on the back of S's sled and the latter sat athwart in front of him. A was eating a fish. I was driving my sled behind his. One moment when S was turning towards his dogs or so, I saw A suddenly make a lightning stab with his knife at S's back - a would-be stab, to be sure. Then he immediately looked around himself. But I looked already in another direction. S is the son of I and it was known that A and I did not get along well. It was my impression that this stab had been prompted by an altogether subconscious impulse and that A only became aware of it after he had done it.

I believe he could just as well have really stabbed S out of these subconscious feelings of resentment".

39. Not necessarily the close relatives on both sides.

40. Reference to this "peace" (K. Birket-Smith) has been made more than once in this report and will be reverted to in the last chapter. See also Caribou Eskimo Report, Chapter 5, esp. pp. 65 and 69.

41. I believe it is not necessary to repeat here the well-known "attenuating circumstances" which may have given rise to this notorious tradition. If a girl was allowed to live, it was usually treated very well, even if it appeared to be mentally inferior or otherwise handicapped.

42. See Section G, paragraph 14, and Rasmussen, pp. 143-4.

43. Rasmussen, pp. 30-1.

44. This must have been another name of the Kokonwatsiark of the second version, Kringorn's father. Kringorn did not seem to recall the other name at first but he immediately recognized his father from the photo in Rasmussen's book. As has been stated already these Eskimos may at successive periods of their life have been known under a dozen names.

45. Magnerk's cousin Arnaktok was also Krimitsiark's wife.

46. It is usual for an old father who is camped together with his sons to have the oldest son in charge of the camp in practice.

47. This must have been Angotaojajok who was killed seventeen years later by his wife Merkreaut (see Section G, paragraph 10).

48. See also Chapter III, paragraph 8.

49. See Chapter III, paragraph 6.

50. When asked about the extent of the ilageet-relationships, Tungilik himself gave a memorable reply: "Somewhere everyone is related to everyone over here. But if you wish to know who really at a given time want to belong together, then take a look at how our tents are grouped or, in winter, how precisely our igloos are grouped. You will learn much from that!"

51. See Section G, paragraph 7.

CHAPTER V

1. See Caribou Eskimo Report, p. 50; also Vie et Coutumes des Esquimaux Caribou, Lausanne, 1944, p. 142, by the Swiss ethnographer Jean Gabus, who lived eighteen months among the Caribou Eskimos; he admits that these Eskimos are rancorous and capable of indirectly causing an adversary's death. But he did not once during his entire stay hear them talk about murder. As to the recent violence among the Ahearmiut (Caribou) Eskimos, when Ootuk killed his friend Hallow and then was killed himself by the latter's wife - this tragedy can probably be fully understood only if it is seen in its full setting, including the last few years of the band's existence. Lacking official records I prefer not to go into this matter at this time.

2. See also Chapter III, paragraph 4, and its footnote.

3. Vie et Coutumes des Esquimaux Caribou, Lausanne, 1944, p. 92.

4. K. Birket-Smith, The Eskimos, London, 1936, chapter on Eskimo character.

5. Chapter IV, Section B, paragraph 4.

6. Chapter IV, Section E, paragraph 2.

7. Chapter I, paragraph 15.

8. K. Birket-Smith, The Caribou Eskimos, Reports Fifth Thule Expedition, Vol. V, Part 1, Copenhagen, 1929, p. 261.

9. Chapter III, paragraph 8. Chapter IV, Section H, paragraphs 3-5; see also paragraph 6.

10. K. Birket-Smith, The Eskimos, London, 1936, p. 151.

11. Chapter IV, Section H.

12. E. A. Hoebel, The Law of Primitive Man, Cambridge, Mass., 1954. This most interesting and thoughtful work has a chapter (5) entitled: "The Eskimo: Rudimentary Law in a Primitive Anarchy".

13. K. Birket-Smith, The Eskimos, London, 1936, p. 151.

14. See also Caribou Eskimo Report, p. 71 and attachment II of that report.

15. Attachment II of Caribou Eskimo Report is devoted to this code.

APPENDIX A

CARIBOU ESKIMO LEGAL CONCEPTS[1]

(Paper presented at the 32nd International Congress of Americanists in Copenhagen (1956))

Law: needs formal criterium.

Law - if we consider it not from the lawyer's limited standpoint but as a social phenomenon - can be said to be those rules of secular conduct to which we have to adhere not only for moral or social motives, but because these norms are administered by an authority which has the power to apply physical coercion. And legal concepts can be taken to refer to those common notions about conduct which are generally felt to be embodied in law. Most of us agree that formal codes, courts and constables are not necessary for the determination of law; for the present purpose, I follow Adamson Hoebel in taking as basic criteria of law: authority and (threat of) physical compulsion. The chief criteria of law will therefore be formal, and not functional.

Malinowski: functional criterium.

The latter, functional view of law was held by Malinowski, who regarded law as a system of rights and duties, governed by the principle of reciprocity: .. as the specific result of the configuration of obligations, which make it impossible for the native to shirk his responsibilities without suffering for it in the future; and as effective custom. I believe, however, that some of his critics have rightly pointed out that this functional criterium leaves law and custom undistinguished; and although Malinowski turned himself against the view that all custom was law (among primitive peoples), his definition seemed to have the opposite effect.

Customary Law: a confusing term.

Other scholars - feeling that some customs, though they were not law, were not mere customs either - have adopted the existing term of customary law for this category of rules. But I think that De Josselin De Jong was right when he held ... that the essential problem of the relation between phenomena of law and phenomena of custom has been obscured again and again by gathering all dubious cases into a separate category which is neither law nor custom but a certain 'tertium quid' which does not require a sharp definition. And, as a muddled terminology may be an impediment to clear thinking, he proposes that we should begin by abolishing the term of customary law. I feel that it is useful to adopt this suggestion in cultural anthropology in general, and particularly in studies of the law of societies whose legal system is so utterly different from our own.

Hoebel's working-definition.

Adamson Hoebel, who has done so much to further the study of the law of primitive peoples, refined and elaborated the concept into the following definition: Hence we may say that privileged force, official authority and regularity are the elements that modern jurisprudence teaches us we must seek when we wish to identify law. On this basis, for working purposes, law may be defined in these terms: A social norm is legal if its neglect or infraction is regularly met, in threat or in fact, by the application of physical force by an individual or group possessing the socially recognized privilege of so acting. And many are the examples which he gives of the existence and process of law among peoples which have no codes, no government, no state, no constables, no jails. Three points in Hoebel's definition need perhaps special mentioning: First, for a norm to be called legal, there must have been a number of consistent cases (regularity); second, authority can just as well reside in the community as such or in a private individual (f.i. the complaining party himself) or group, acting with a kind of ad hoc status, with approval - implicit or explicit - of the other members of the society; and third, all supernatural sanctions (on the violations of taboos) are excluded.

Thus guided by Hoebel's formulation, I undertook my field-research among the Caribou Eskimos. During and after this research, however, I felt that the following three observations might be made with respect to the definition: First, I felt that the authority of the pater familias, or his equivalent, inside his family sphere, should be considered as excluded from the definition. Second, I have some doubts whether physical coercion, or the threat thereof, is really the first essential for a definition of law; I am not yet prepared to argue this point and maintain the requirement - in accordance with prevailing legal theory - only with the reservation that I feel administering authority to be definitely more characteristic of law than physical coercion. Third, during a recent discussion of this subject, some remarks by Prof. de Josselin de Jong brought to light quite another aspect of law and the legal which does not run contrary to Hoebel's, yet seems to throw a different and meaningful light on the problem:

De Josselin De Jong's observations.

As De Josselin De Jong pointed out at that occasion: if there exists law, it must be felt by the members of the society to exist as such: some segment of their norms must be regarded as separated from the other norms in that their infraction calls for a tendency towards special procedure; violation of these norms will be met not in the spontaneous manner which is characteristic of the infraction of mere customs. If the norm is legal, the reaction is

non-spontaneous, there is a tendency to find the law which should here be applied, to involve the help of specialists. A norm is legal, if infraction is known by the community to be met with something else than mere social disapproval; and this distinction should be recognized in formal characteristics. Of course, there may be border cases and - no society being entirely stable - there may also be transition cases from custom to law or even vice versa; but this does not affect the principle, that it seems a true guide for the determination of law to ascertain how the society concerned regards the norms and the nature of the reactions in question. I feel that this additional criterium can be used as a useful tool to make the proof whether or not a norm meeting Hoebel's rational definition, in reality may be said to have the level of law.

Summary.

My already most summary introduction can therefore be summarized as follows: I consider law to need a formal, not a functional criterium; I shall not use the confusing term customary law, thus restricting myself to custom on the one hand and law (codified or non-codified) on the other; and Hoebel's working-definition of legal norms (laws), viewed in the additional light of de Josselin de Jong's observation, seems an acceptable manner of dealing with the social phenomenon of law, both primitive and modern.

With the foregoing in mind, I might now be allowed to consider from a bird's eye view the conclusions from the available Caribou Eskimo field-data.

Caribou Eskimo reactions to norm-infractions.

If one listens to the opinions given by the informants in reply to questions what is done in case of violation of a rule, these replies suggest a preference for withdrawal from situations of conflict, general nuisance or trouble. Akpa - one of the most respected Padlermiut hunters, and one whose physical courage and moral responsibility cannot be questioned - once said to me: In case of a conflict or dispute, I would rather run away than fight. Again and again, the replies indicate that one who steals, or who lies, or who is lazy and neglects his wife and children, or who violates other strongly favoured rules, especially one who persistently trespasses the norms, is regarded as one for whom we do not care, an unpleasant man, one who lacks brains, pitiful and a nuisance. In a very serious case, the camp might move elsewhere without warning him, in an attempt to rid itself of the undesirable one; but he will not be actively expelled, nor will he be refused some food if he would be starving. Not one opinion revealed any consciously felt or regularly practised legal

sanctions for the violation of a rule, but instead a largely unpredictable choice from possible customary communal reactions against the one who upsets social balance by his violations, ranging from just social disapproval to leaving the trouble-maker behind by moving elsewhere. And if the issue is between two parties without involving the community as such, predictability of what action - if any - the wronged party will take, and how he will proceed, is similarly lacking, since there are no fixed procedures and all depends upon the then and there of the situation and on the moral or psychological superiority of the one over the other.

However, more positive reactions to wrong sometimes do occur, though without regularity or apparent community involvment. A choleric mother-in-law was killed, a few years ago; another case shows that the relative of a wife came to take her back from her husband who neglected her and who had gambled away his possessions; sometimes, with respect to goods that can be expressed in trade-values, the creditor will try to even it out via the trader, rather than directly approaching the debtor or thief. These incidental occurrences clearly have nothing to do with law.

The case Alickewa vs. Ollie.

I shall enter with some detail into one of the very few more pronounced cases of dispute or trouble which I encountered. A wife was taken away by her brother from her husband, who had failed to pay the bride price. The woman, by the name of Ootnooyuk, had been married several years to her husband Ollie, when her brother Alickewa - in Ollie's absence - travelled to his sister and took her, as well as some or all of her children, far inland to give her in marriage to the shaman Pongalak, whose wife she is to this day and near whom Alickewa was living at the time[2]. It is believed that Pongalak - who is a notorious schemer - conceived of the project which, of course, had to be carried out by Ootnooyuk's brother Alickewa. Although the deserted husband Ollie - who is still looking around for another wife - is not known as a good hunter or trapper, it seems unlikely that she was badly neglected by him. The case is interesting in so far as physical action (effecting a kind of annulment of the marriage) was taken by the nearest relative; Ollie seems to have resigned to the incident, and other Padlermiut Eskimos at Eskimo Point, where he was staying last summer, expressed as their opinion that Ollie had felt Alickewa's action as difficult - if not impossible - to resist against. He had lost his case by not paying the promised bride price, which is definitely regarded by these Eskimos to be wrong. But can we now conclude that this infraction is regularly met, in threat or in fact, by the application of physical force (by her brother) possessing the socially

recognized privilege of so acting? Or that here is shown the presence of privileged force, official authority and regularity? Perhaps we are close to find here a case meeting the requirements to be called legal: here we have socially recognized action, implying the application of physical force. It is true that the action taken was not felt to be automatically the only one possible under the circumstances (and - perhaps significantly - it was performed during the absence of the husband), nor does the social recognition suggest more than an utter minimum of passive official authority - if any; and regularity, though to some extent suggested by the occurrence of similar reactions in somewhat analogous cases, is by no means established. But it cannot be denied that the case shows a certain conformance with the respective requirements of Hoebel's working-definition of law, which I had adopted for the present study; although the case stands alone so that it cannot carry conclusive weight, it might nevertheless be felt to present something of the legal in its barest bones. On the other hand, a feeling of uncertainty and dissatisfaction with the vagueness of such a conclusion cannot be avoided. It is here that the above suggested test of De Josselin De Jong should be applied, i.e. examine if these people themselves regard this rule to be a norm different from the others in that its infraction calls for specific non-spontaneous reaction and procedure. The test will clearly show a negative answer and the case Alickewa vs. Ollie is therefore not a legal case.

Habitual troublemakers.

So far, then, we have seen that it is up to the wronged party to take or not to take any customary action. The other families in the community who are not involved in the issue, will not consider it proper to interfere - though they will certainly have their own opinion. The situation becomes different if someone is repeatedly causing trouble so that he becomes a menace to regular and peaceful camp life. In those rather rare cases, the camp as such may gradually come into action, but it is a passive action: not visiting the undesirable any more, not sharing their plans with him, perhaps even moving camp altogether, without warning him. In short: withdrawal from the nuisance. Habitual liars, thieves of foxes or meat caches and lazy people are - in practice - perhaps the worst social nuisances, in the eyes of these Eskimos: these characters make life uncertain and their unpredictable attitude works disruptively in the daily routine. It is my feeling that an Eskimo from these regions might easily get away with conduct that is very wrong in the eyes of everyone else around, as long as these others feel that he is not going to make a habit of so acting. That may well explain why Idjuadjuk, after he killed in one stroke the entire family which opposed his marriage, was not only tolerated, but even very popular: for once he had got his wife, it was felt by

the others that he was satisfied, and his known cleverness and advice were in high regard.

Conclusion.

It is my submission to you that the pertinent research data are negative as regards the privileged force, the official authority, and the regularity of application, which are the basis of Hoebel's working-definition of law. The lack of cases reported is not entirely due to the imperfections of my research: the replies to many questions implied the unlikelihood of any positive cases to occur in the fields concerned. To the contrary, external anarchy prevails here as in other important aspects of Caribou Eskimo life, which knows only a minimum of private property, no land-ownership in any form, no state, no tribes, no chiefs; neither do they know the institutionalized song duel as in Greenland, or formal expulsion, or executions of intolerable wrong-doers with positive community consent, which are sometimes reported from other Eskimo regions. My search for the social phenomenon of law among these Eskimos, then, has had a negative result. If there be question of law among other Eskimo groups, I did not encounter it among the Caribou Eskimos which I visited, or in the relevant research literature; neither have I reason to feel that they ever had legal norms or law in the past[3]. The negative nature of my conclusions and the non-legal character of their norms and practives are however none the less interesting, for that matter; though on the other hand it seems by no means a shocking discovery for anyone who does not dogmatically presuppose law in the above defined sense to exist as a universal social phenomenon.

It seems superfluous to stress for an audience of ethnologists that, even if we cannot speak of law among these Eskimos, it would be quite wrong to call them lawless in the sense which some people like to give to this term when they think of societies quite different from their own. These Eskimos do have definite opinions on right and wrong, and their small societies do manage generally to carry on their social life cheerfully by the force of mere custom, governed by common sense and a strong sympathie sociale. Their traditionally small numbers, scattered and nomadic existence and hazardous natural conditions of life might well have prohibited the development of an indigenous system of laws as most other peoples have developed in the course of their history.

Maintenance of the peace.

If there is only custom and no law, when comes the community as such into action? Dr. Birket-Smith has given us the answer when, after emphasizing that there is never question of judicial action among these Eskimos, he wrote with reference to the

entire Eskimo area: ....; in essence it is not the mission of the community to execute law and justice, but exclusively to restore peace, using this word in the medieval sense of the ordinary, regular course of life. On this basis the settlement may, for instance, combine in killing a man or a woman suspected of witchcraft, for such persons are a menace to the peace of the community. The killing is not, however, a punishment for the practising of witchcraft, for the community may in the same manner get rid of a man with a wild and brutal temperament, or of old or sick people who are a burden upon the settlement[4]. I feel that Birket-Smith's observation gives us the answer to the question what motivation the community needs to take or approve any action against one of its members, and that the infraction of a norm per se is no prerequisite for any such action. This explains why these communities can on the one hand cause the death of a man merely because he is sick or invalid, and on the other hand remain entirely passive as such if one of its members is murdered by another[5]. The community seems to act only when safety, security, quiet and order are felt to be in imminent danger: and even then its action is essentially passive, at any rate among the groups which I visited.

Final remarks.

As a rule, these Caribou Eskimos seem to maintain a fine and peaceful social existence. Though justice does not seem to be regarded by them as something that should be maintained, if necessary, with the help of physical coercion; or rather: though justice as an independent concept is unknown among them, there is a common and strong feeling for fair and reasonable practices in routine daily interactions. Selfcriticism, realism, common sense and a happy absence of righteousness govern their secular activities.

But, to us, structure seems to be lacking to administer this fairness in case of repeated, habitual and troublesome violations, except by various degrees of social disapproval and avoidance, and in extreme cases by more or less impulsive killings either as a private or as a direct (or indirect) communal action; I must admit that no cases of killing as a communal action have ever been reported in the region, but on the other hand I feel that such action is nevertheless conceivable among these Caribou Eskimos. There is no social control on the legal level; and this absence does not seem to harm their present social life except in the rare case when they have to deal with a habitually troublesome camp member or neighbour who has enough character to face the disapproval and contempt of the others.

But, fortunately, trouble is no favoured pass-time among these people: A young hunter at Eskimo Point, whom I asked what he would do if they had to put up with an undesirable camp member, answered: "We won't care for him, but we won't let him starve." Then, as if to correct himself, he added: "An Eskimo, however, would always be likable."

FOOTNOTES

1. Factual basis of the present paper is a field-research, in the summer of 1955, of legal concepts among Caribou Eskimo groups at the coast of Hudson Bay (Eskimo Point) and inland (Ennadai Lake), carried out for the Canadian Federal Department of Northern Affairs and National Resources.

2. Incidentally, both Alickewa and Ootnooyuk are children of the famous shaman Idjuadjuk and Atkaralak, who were so vividly described by Rasmussen and Birket-Smith in the Caribou Eskimo volumes of the 5th Thule Expedition's Reports.

3. This view seems to be at variance with that of Hoebel who, in his book "The Law of Primitive Man" devotes a special chapter to the Eskimos in general, called "Rudimentary Law in a Primitive Anarchy". Here I cannot enter into this question which, however, has been dealt with in the research report which I submitted in August 1956 to the Canadian Federal Department of Northern Affairs and National Resources.

4. Birket-Smith: The Eskimos. - London, 1936, p. 151.

5. Even if no blood revenge took place; they deny this practice, but I have reason to assume that they knew it in the past - although, again, no cases have been reported from the region.