

# **DIFFERENTIAL DEVIANCE AND SOCIAL CONTROL MECHANISMS AMONG TWO GROUPS OF YUP'IK ESKIMO**

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*Abstract: This article explores the question of whether different social control mechanisms contribute to social disorganization and consequent deviance. Two groups of Yup'ik Eskimo were compared on reported felonies and misdemeanors. One group belongs to a sovereignty movement called the "Yup'ik Nation." Some member villages in this group have abolished their own tribal courts. The other group has maintained relationships with the state of Alaska and relies on Western law enforcement to maintain social order. There are statistically significant differences in amounts of reported felonies and misdemeanors. This may be due to differential deviance, differential reporting, or a combination of both. Because of the political position of the sovereignty villages, however, it seems clear that they are using more traditional methods of dealing with disruptive behavior. Use of traditional social control may contribute to social cohesiveness, thereby reducing deviance. Differential Deviance and Social Control Mechanisms*

This article is concerned with exploratory research conducted on the effects of assimilationist policies on the Yup'ik Eskimo of southwestern Alaska. The research questions of interest focused on whether assimilation is related to social disorganization and social control mechanisms. If superimposed cultural values and systems create disorder among indigenous groups, an argument can be made for tribal sovereignty. This is an important theoretical issue for Alaska Natives, since Alaska is a Public Law 280 state, meaning that Natives are subject to state law unless a federal

offense is committed. Additionally, Alaska Natives reside in remote villages belonging to geographic areas designated as "regional corporations," rather than on federally created reservations, where federal law would prevail. It is also an important issue due to an increasingly strong sovereignty movement known as the "Yup'it Nation," a self-governance movement that originated among the Yup'ik Eskimo and has spread to other indigenous groups in Alaska.

Conducting research on the links between "culture conflict" and social disorganization is problematic for reasons that will be discussed in a separate section, but the purpose of this research was not to prove or disprove theories about social dislocation or dependency. Rather, it was an attempt to increase our understanding of whether cultural "differences" result in conflict surrounding norms and values and whether this is related to increased deviance among subordinated groups.

This article will first address some of the social consequences for Natives of assimilationist policies. Differences in social control mechanisms between Western and Native cultures will be the subject of the next section. The research itself will make up the last section.

### Social Consequences of Assimilation

Over the last century indigenous culture in Alaska has been subordinated to the Western system established by early explorers, traders, missionaries, and territorial and state governments. The Eskimo cooperated extensively with outsiders during early contact and were the recipients of concerted efforts by missionaries and educators determined to elevate Eskimo culture from a "primitive" state to one more modern. Cultural erosion has occurred as a consequence, but Eskimo values tied to traditional life-styles are still very strong (Fienup-Riordan, 1982a). This has led to substantial conflict with Westerners over issues of subsistence, wildlife management and land use (Berger, 1985), public safety and "bush" justice (Angell, 1981), alcohol control (Conn, 1982b; Lonner & Duffy, 1983), and corresponding issues of social control. The relationship between the state and its agents of control and rural Alaska and its Native residents remains strikingly colonial (Angell, 1981; Conn, 1982a), and Native groups have experienced social inequity and deprivation often associated with colonialism.

Fifty percent of Natives in Alaska reside in villages where state services are irregular or nonexistent; 40% receive public assistance; only 3% percent are employed by state government, the largest employer in Alaska (Conn, 1986).

Rates of death by accident, suicide, and homicide are substantially higher for Natives than non-Natives (Krauss, 1977). Alcohol has had an enormous effect on village life in terms of alcohol abuse, especially linked to suicide. According to a series of investigatory articles published in the *Anchorage Daily News*, the rates of alcohol related deaths for the 17- to 29-year-old age group in rural villages are the equivalent of 1,450 deaths per 100,000 (Toomey, 1988). Alcohol is a common factor in violent and not so violent crimes, and rates of incarceration of Natives in Alaska state prisons are disproportionate. Of 2,618 inmates incarcerated in 1990, 32% were Eskimo, who make up only 8% of the total state population (Department of Corrections, 1990).

Angell (1981) found the violent crime rate in rural villages to be two to three times higher than the state average. In preliminary data collected on eight Eskimo villages for the years 1985 and 1986, the violent crime rate was 1.63 times higher than the state (Lee, 1988). Moreover, a study of domestic violence shows an increasing incidence of spouse abuse in the Yukon River region among Yup'ik villagers (Shinkwin & Pete, 1983). Yet the most common explanation for social disorganization (expressed as crime) is that of "demon rum," with the implication that if only Natives (and Indians) could learn to tolerate alcohol or abstain completely, their problems would be solved. A history of 100 years of varying alcohol-control laws aimed exclusively at Natives in Alaska attests to this view, but liquor continues to flow.

In terms of cultural erosion, the core technology of subsistence hunting has been Westernized; Christianity altered mystical beliefs; Western education altered traditional values and language; Western health systems altered the birth and death rates; traditional sod housing has been replaced with frame houses, often without running water or central heating; marriage, divorce, and the nuclear family have been institutionalized. Western social control tied to a legal system and government regulatory agencies has been brought to rural Alaska with varying degrees of success and failure (Angell, 1981; Conn, 1982a, 1982c, 1985).

In spite of this, the Yup'ik Eskimo have managed to retain their subsistence culture more than any other group in Alaska (Fienup-Riordan, 1982a). In many Yup'ik villages, tradition is strong, Yuk is the primary language, and Westerners are not encouraged to visit; in some locations, whites are actively kept out. In other Yup'ik villages, tradition seems not as strong, and social disorganization is seen in the form of high suicide and accidental death rates, as well as high rates of low-level misdemeanors such as public drunkenness and protective custody incidents. In both traditional villages and those experiencing some degree of social instability, however, kinship ties and adoptions are still quite strong. Informal arrange-

ments for children who cannot be supported by their parents are practiced and traditional child-rearing techniques are still the norm. These practices also lead to confrontations with social welfare agencies that are concerned about child neglect and child abuse. Under the doctrine of *parens patriae*, the state has a legitimate interest in child welfare, but this is now complicated by the 1978 Indian Child Welfare Act.

Probably the greatest conflict occurring now between Natives and whites has to do with land use and concepts of ownership. Eskimo valued the land, sea, and animals because their lives were and still are in many cases directly linked to these resources. But they did not think they "owned" the land, and it is the imposition of Western concepts of property ownership that has created feelings of distrust and resentment. Natives understand that whites are interested in "assimilating" them and that the threat of losing *all* culture comes through the manipulation of land. While legal and educational systems may be viewed as institutions that create confusion over cultural values, they are not viewed as having the same force of cultural annihilation as land use and fish and game policies (Berger, 1985). Yup'ik culture is a subsistence culture; social maintenance of order and relationships are based on the ability to hunt and share food. Changes in the patterns of food resources affect social relationships, and no enduring social ties exist without the giving and receiving of food (Fienup-Riordan, 1982b; Wolfe, 1981, p. 207).

The conflict over subsistence is reflected in the movement toward self-governance, which can be seen as an attempt to maintain the social fabric and order of a culture being threatened by external forces, particularly those intent on developing land (Fienup-Riordan, 1982a). Yet, interestingly, not all Yup'ik Eskimo agree with the Yup'ik Nation, seeing it as a radical political group that could undermine the few gains the Eskimo have achieved. There is an ideological split, with some Yup'ik villages belonging to the Nation and some preferring not to join, wishing, rather, to maintain a relationship with the state.

If we are interested in understanding the current social woes of the bush or the advent of the sovereignty movement and what it means in cultural terms, we must look to the history of domination, for surely it cannot be the case that Natives are inherently alcoholic and deviant or that some Natives have suddenly become political radicals.

#### Differences in Social Control

Although official Western representatives of social control had been present in the form of judges, magistrates, district courts, and marshals,

these authorities rarely visited bush villages. When Alaska became a state, the Department of Public Safety was created and the hazards of village life became a focus of official concern. Linked to the worries about alcohol, fire and water safety, and accidental deaths was a desire to replace traditional social control mechanisms with U.S. law enforcement (Angell, 1978, p. 14). A misunderstanding of Yup'ik values related to nonaggression and the importance of kinship has had an adverse effect of official efforts to force Western control mechanisms onto the Native population.

Traditional forms of Yup'ik social control were informal, with a range of oblique methods applied that included ignoring the action, presenting the transgression in a dramatized dance form in the men's house (*kashgi*), banishment from the village, and, finally, killing of the offender. At times, in more serious matters such as unjustified killing, the leaders and men of the *kashgi* would gather and make suggestions to people involved in the dispute as to how the situation could be resolved. Overt aggression was viewed as detrimental to the maintenance of ongoing relationships so necessary for survival, and most disputes were resolved through undercurrents of village consensus regarding the appropriate response to an offender (Hippler & Conn, 1973; Oswalt, 1963). Avoidance of aggression as a norm allows for reconstructing aggressive behavior that does occur into nonthreatening meanings as well as simply ignoring the behavior.

It is significant that Eskimo children display ignoring behavior in response to parental suggestions that they perform tasks or behave in a certain way (Oswalt, 1963; Zagoskin, 1935). There are descriptions in anthropological literature regarding the importance of ignoring behavior on the part of both children and adults, and it appears that the control of aggression and emotions is linked to ignoring behavior (Oswalt, 1963). This is especially important in terms of kinship structures and the way kinship works to maintain social order. Traditional village justice was aimed at retaining the offender in the community as a productive member of the social unit and maintaining a delicate balance in social relationships. Among the Yup'ik, a formal bureaucratized structure for social control never existed (Zagoskin, 1935).

Western legalism and social control are counterproductive to these cultural aims, because they tend to be reactive, taking members of the village away from the community and destroying relationships in the adversarial process. Legalism was and still is for the "average" villager inexplicable in both structure and function (Conn, 1985).

Of the many problems of state law enforcement in the bush cited by those incumbent to enforce law (the village public safety officers, VPSOs), the most frequently cited is that the village social structure does *not* support a village member assuming a formal, external, authoritarian role. Having to

interfere with personal relationships or even arrest one's own friends and relatives simply is not compatible with village life (Angell, 1978, p. 38). On the other hand, using informal methods to resolve problems means abandoning the formal role of the VPSO (Marenin & Copus, 1988, p. 19).

The attempt to export Western law and social control to bush villages has not been successful. In spite of institutionalized efforts to radically change cultural values, subsistence-based cultures must rely on nonaggressive, group-oriented behavior that is essentially at odds with a social control system that emphasizes adversarial procedures. Because VPSOs are village residents, and in view of role conflict and kinship systems, it is not unusual for them to ignore behavior (Marenin & Copus, 1988), which for Yup'iks has always been an informal mechanism of social control.

### The Research

One of the basic assumptions made in this study is that the history of assimilationist policies has had consequences for the Yup'ik. It seems impossible that a group of people could have experienced what the Yup'ik did and remain relatively untouched by it, either culturally or psychologically.

There are four major research questions associated with this assumption:

1. Is social disorganization one of the consequences of assimilation?
2. Are levels of social disorganization different for groups of Yup'iks depending on the degree to which they have retained cultural values?
3. Are social control mechanisms related to the amount of social disorganization?
4. Is alcohol associated with social disorganization, and do local-option laws result in fewer alcohol-related incidents?

If some groups can be identified as more "traditional" than others, they may exhibit less socially disruptive behavior. On the other hand, it may be the case that "assimilated" villages, relying on Western social control, exhibit less disruptive behavior and report fewer incidents. From a Western viewpoint, this should be the expected outcome, since law, presumably, acts as a deterrent. Deterrence also addresses the question of local option, that is, whether the presence of alcohol laws decreases or controls drinking.

The link between assimilation and social disorganization has not been researched in Alaska, probably for two reasons. First, good statistical data

is almost nonexistent in the state. Second, statistical methodologies assume a linear relationship, but the relationship between assimilation and crime is not linear in the sense that the effects of history are not directly measurable. In this case, conceptualizations that can be indirectly measured are required.

For purposes of answering the research questions, "social disorganization" is taken to mean a range of behaviors that disrupt village life. "Assimilation" is taken to mean the degree to which cultural values have been retained. Measuring assimilation constitutes a sampling problem in that what is needed are two groups of Yup'iks for comparative purposes, some traditional and some less traditional.

For purposes of this study, villages belonging to the sovereignty movement were designated as having retained cultural values to a greater degree than those that have not joined the movement.

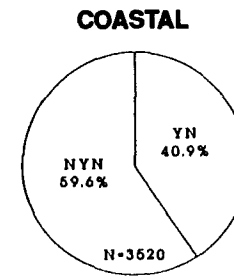
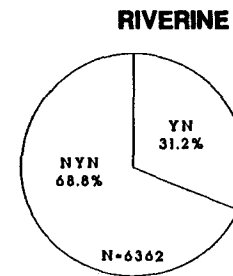
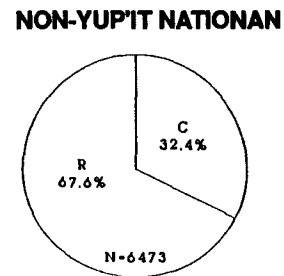
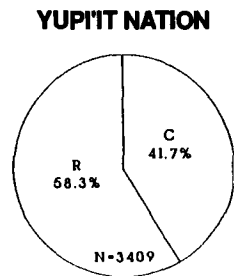
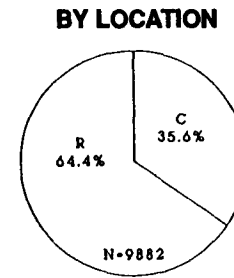
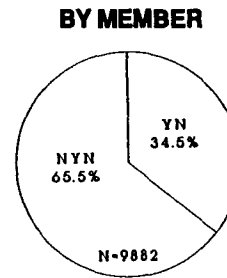
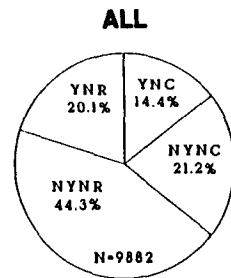
"Social control mechanisms" are taken to mean the presence or absence of formal Western law enforcement, that is, VPSOs. In the most traditional villages, it is reasonable to speculate that some form of social control operates other than formal law, particularly since some of the sovereignty villages have abolished their VPSO positions, while the non-member villages have consistently employed VPSOs.

If villages with alcohol-control laws report fewer alcohol-related incidents than villages without alcohol-control laws, one assumption that could be made is that these laws operate to control drinking behavior. The existence of alcohol-control laws (local option) would therefore have beneficial effects by controlling alcohol-related behavior, which is much more likely to occur in communities suffering marked social disorganization. Alternatively, if villages with alcohol-control laws report more alcohol-related incidents than villages without alcohol-control laws, then one could assume that the existence of such laws would not serve as a deterrent to drinking.

### The Sample and Data

Eight Yupi'it Nation villages were selected from 57 villages in the Bethel region. This was not a random sample but was a stratified sample based on Nation membership and location (riverine or coastal). Village population, ethnicity, and location were used as matching criteria with eight non-Yupi'it Nation villages for comparative purposes. Sovereignty membership, location, ethnicity, and population were controlled so that villages would be equally represented demographically, the only difference being Nation/non-Nation membership.



**Figure 1 WEIGHTED INCIDENTS REPORTED**

YN = Yup'it Nation  
 YNR = Yup'it Nation Riverine  
 NYN = Non-Yup'it Nation

YNC = Yup'it Nation Coastal  
 NYNR = Non Yup'it Nation Riverine  
 NYNC = Non-Yup'it Nation Coastal

R = Riverine  
 C = Coastal



The data consist of all incidents reported to the Department of Public Safety (DPS) for the sampled villages. The actual years when data could be extrapolated from DPS records were from 1983 to 1987. All incidents reported were included because frequencies of felonies compared to misdemeanors are low and because socially disruptive behavior need not be felonious.

Frequency distributions were inspected for each individual village in the sample over the 5-year period. Rates based on the population were developed for the most frequently reported incidents; comparisons were then made between Nation and non-Nation villages.

There were a total of 9,882 incidents reported. Nation villages reported 34.5% of the total; non-Nation villages reported 65.5% of the total (Figure 1).

The rates for felonies and misdemeanors are lower in Nation villages, with the exception of liquor violations and drunk-in-public and protective custody incidents (Tables 1 and 2). For example, in non-Nation villages, incidence of rape is 3 times higher, strongarm rape is 6.9 times higher, aggravated assault is 1.5 times higher, nonaggravated assault is 3.8 times higher, burglary is 2.9 times higher, child sex assault is 1.2 times higher, sex assault is 5 times higher, and incest is 3 times higher (Table 1).

**Table 1 Felonies: Aggregated Data 1983–1987**

	Yup'it Nation			Non-Yup'it Nation		
	TOTAL N = 2795 Rate	Per 10,000	Per Year	N = 3281 Rate	Per 10,000	Per Year
Rape	6.0	22	4	19.0	58	12
Strongarm Rape	10.0	35	7	78.0	240	48
Aggravated Assault	83.0	300	60	149.0	450	90
Nonaggravated Assault	49.0	175	35	215.1	660	132
Burglary	54.0	190	38	182.1	550	110
Child Sex Assault	38.0	140	28	57.0	170	34
Criminal Family Offense	20.0	70	14	65.0	200	40
Sex Assault	3.0	10	2	16.0	50	10
Incest	2.0	7	1	5.0	15	3
Homicide	0	n/a	n/a	5.0	15	3

**Table 2**  
**Misdemeanors: Aggregated Data 1983–1987**

	Yup'it Nation			Non-Yup'it Nation		
	TOTAL N = 2795 Rate	Per 10,000	Per Year	N = 3281 Rate	Per 10,000	Per Year
Malicious Mischief	46.0	160	32	82.0	250	50
Alcohol Transportation	49.0	180	36	102.0	310	62
Liquor	13.0	50	10	11.0	33	6.6
Drunk in Public	109.0	380	76	72.0	220	44
Protective Custody	416.2	1500	300	159.0	480	96
Alcohol Sale	4.0	14	2.8	14.0	40	8
Minor Possession	93.0	30	6	34.0	100	20
Minor in Need of Supervision	56.0	200	40	393.1	1200	240
Disorderly Conduct	32.0	120	24	124.0	380	76
Harassing Community	10.0	35	7	32.0	100	20
Criminal Trespass	20.0	70	14	67.0	200	40
Attempted Suicide	6.0	20	4	28.0	90	18
Suicide	3.0	10	2	14.0	40	8
DWI	14.0	50	10	135.0	410	82

It should be noted that serious crimes (felonies) occur far more frequently in non-Nation villages and yet they report fewer drunk-in-public and protective custody incidents. They also consistently have VPSOs present in the village. If serious crime is linked to alcohol, this result seems quite contradictory until social control mechanisms are taken into consideration, as discussed in the next section.

The differences in reporting are striking not only for the Nation/non-Nation variable but also for location of villages, that is, whether they are

coastal or riverine. Historically, coastal villages experienced more frequent and sustained contact with whites, and an assumption could be made that they might be more assimilated, thus reporting more disruptive social behavior. A two-way analysis of variance was conducted to test this assumption. The result shows a significant  $F$  for the between column variance (Nation membership), while the between row variance (location) is not significant at the .05 level (Table 3). This variance in reporting is explained by Nation membership.

**Table 3**  
**Reported Disruptive Social Behavior**

	*Yup'it Nation	Non-Yup'it Nation	Total	
*Riverine	621	1457		
	1094	592		
	271	2327		
	$\bar{X} = 662$	$\bar{X} = 1458.2$	$\bar{X} = 1060.3$	
Coastal	381	355		
	144	505		
	207	207		
	629	553		
	62	477		
	$\bar{X} = 284.6$	$\bar{X} = 419.4$	$\bar{X} = 352$	
Total	$\bar{X} = 426.2$	$\bar{X} = 809.2$	$\bar{X} = 617.2$	
	Sum of Squares	df	Mean Square	F
Total	5,006,257.7	15		
Subclass	2,878,954.6	3		
Columns	1,881,510.4	1	1,881,510.4	9.64 $p < 0.01$
Rows	586,755.9	1	586,755.9	3.00 $p < 0.05$
Interaction	410,688.3	1	410,688.3	2.32 $p < 0.05$
Error	2,127,303.1	12	177,275.3	

Speculation about Nation villages being the most traditional and, therefore, experiencing less social disorganization regardless of location is supported by these findings, but a relationship between coastal location and assimilation to increased social disorganization is not. What appear to be most important are the cultural characteristics of those villages that have joined the sovereignty movement and the types of social control used.

The number of VPSOs in the Nation villages fluctuates considerably: Three had no VPSO after 1986. For example, one village that abolished its VPSO position reported half as many incidents in 1987 as it had in 1986. But in 1986 it had a VPSO, and in 1987 it did not. The absence of VPSOs in Nation villages seems to decrease reports; it is debatable whether crime, in fact, decreases as well. Rather, what this implies is that some other form of social control is used and reports are not filed, even with the state troopers, unless the incident is so serious it is seen as beyond the scope of the village. Nation villages report only one third as many incidents as non-Nation villages, and it appears that official Western social control is not used to deal with social disorganization.

The non-Nation villages consistently have VPSOs in the villages, and this probably increases reporting. Just in terms of reporting, they rely far more on Western social control.

The question is, What accounts for the differences in crime rates? There are several possible explanations:

1. Non-Nation villages are more deviant.
2. Nation and non-Nation villages are equally deviant, but reporting, linked to VPSOs and troopers, is different. Non-Nation villages, therefore, appear to be more deviant.
3. Nation villages rely on traditional social control mechanisms and prefer to deal with criminal behavior unofficially, which results in lower reporting.
4. Western social control and legalistic approaches to crime are the mechanisms used in non-Nation villages, which contributes to rather than prevents social disorganization.

The data seem to be consistent with two different interpretations. One is that the Nation villages are less deviant and perhaps always have been. Since no data are available prior to 1983, we cannot answer this question. The other interpretation is that Nation villages report selectively. Reasons for this might be linked to abolishing VPSO positions, avoiding contact with state troopers, relying on their own social control mechanisms, or choosing to ignore certain behaviors. They are no less deviant than non-Nation

villages, and there are two possible suggestions to account for the differences in crime rates.

One is that the more traditional villages chose to join the sovereignty movement for political and cultural reasons. They are more culturally cohesive and have retained Yup'ik values to a greater extent. Because of this, they have limited contact with state troopers and have resorted to traditional social control mechanisms. In this case, some (or most) criminal behavior will be dealt with informally unless it is so serious something else must be done. Then it moves beyond the scope of village control and becomes a matter of formal Western social control.

The second suggestion is that the Nation villages simply do not accept the Western system. Whether for political or cultural reasons, the result is that they ignore the system and therefore do not report as many incidents. In that event, they still use other forms of social control.

One interesting result of the data is that Nation villages report more protective custody and drunk-in-public incidents than non-Nation villages, yet serious reported crime (felonies) is lower. One possible explanation of this involves the role of Western law and enforcement. That is, among the Nation villages where group consensus and informal social control operate to inhibit behavior, being drunk and requiring protective custody may have less social significance than being involved in a serious crime. The implication of being reported for drinking is, therefore, different and not as severe as being reported for a serious incident. It may be the case that if one is drunk and assaultive, the report will be for drunk-in-public or protective custody. Additionally, only one village in the Nation sample was without local-option laws, and the existence of available law seems to drive up reporting.

Among the non-Nation villages, the number of serious incidents reported is twice as high as in the Nation villages, but alcohol offenses are lower. In these villages, Western social control is very much in place and possibly works in exactly the opposite direction as social control in Nation villages. Here it may be the case that if one is drunk and assaultive, the report will be for assault, not for drunk-in-public or protective custody. These villages have not separated themselves from state controls, and VPSOs are consistently present. More reports are filed as a consequence, but the focus is on felonies. In a sense, Western law and legal tradition create high crime rates in specific areas; three of the villages in this sample were without local option, again implying that the existence of law affects reporting.

It may also create crime itself. It is not easy to treat behaviors informally and through group consensus when "The Law" is there to arrest you, take you into custody, or file a report, even if the victim and other parties might prefer some other procedure. This adversarial process and Western

insistence that "something be done to somebody who did something wrong" is absolutely contrary to Yup'ik group cohesiveness. The result of this tears the community apart and causes further trouble between people, thereby generating more reports, leading to a vicious repetitive cycle. From this perspective, formal law produces the problems it seeks to control, the very problems that were used to justify bringing law and order to the villages in the first place.

One is led to the conclusion that the two groups may report differentially as a result of social control mechanisms. For Nation villages, informal social control is tied to cultural cohesiveness. For non-Nation villages, social control is Western, formal, and legalistic. The effect of this is continued cultural erosion, disintegrating village relationships, and social disorganization.

### Conclusion

This study is exploratory and cannot offer concrete, tested hypotheses. The data are inconclusive regarding the differential deviance/differential reporting issue. But the two groups likely report differentially as a result of social control mechanisms. Long-term ethnographic studies of these indigenous groups are needed to clarify this matter.

An important implication concerns the role that Western law plays in village life. If the most likely case is correct, Western legalism contributes to the process of assimilation, with increased social disorganization as a consequence. If so, thoughtful consideration should be given to the issue of moral responsibility for policy outcomes. It may be the case that Western law and social control are not suitable for the Yup'ik and not in their best interest. Social order does not necessarily require Western institutions. Indeed, for some Yup'iks, Western institutions seem to increase deviance.

If the Yup'ik were to follow their own path in matters of law and social control, it is not the case that they would annihilate themselves in a sea of alcohol or assault and murder each other at unimaginable levels. The data on Nation villages support this, although the relationship of sovereignty to criminal behavior is far from direct. The value of Nationhood is political; it provides autonomy and self-determination in addition to enhancing cultural cohesiveness and reinforcing cultural values. Strong cultural identity may well serve to mitigate some of the consequences of assimilation, particularly in the area of social control and deviance.

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