

Hunting for Justice

An Indigenous Critique of the North American Model of Wildlife Conservation

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■ **ABSTRACT:** Within the mainstream environmental movement, regulated hunting is commonly defended as a tool for preserving and managing populations of wild animals for future generations. We argue that this justification, encapsulated in the seven principles of the North American Model of Wildlife Conservation, perpetuates settler colonialism—an institutional and theoretical apparatus that systemically eliminates Indigenous peoples, expropriates Indigenous lands, and disqualifies Indigenous world-views—insofar as it manifests an anthropocentric ideology that objectifies hunted animals as “natural resources” to be extracted. Because this ideology is antithetical to Indigenous views, its imposition through hunting regulation interrupts Indigenous lifeways, contributing to the destruction of Indigenous identity.

■ **KEYWORDS:** environmental justice, hunting, Indigenous identity, Native American, nonhuman animals, North American Model of Wildlife Conservation, settler colonialism

The North American Model of Wildlife Conservation (hereafter NAM) is an umbrella term for a set of conservation policies and principles that has in recent decades become the prevailing doctrine within US and Canadian wildlife protection and management agencies. According to a 2012 technical review published by the Wildlife Society and the Boone and Crockett Club, the NAM “has led to the form, function, and successes of wildlife conservation and management in the United States and Canada” (Organ et al. 2012: viii). As the theoretical underpinning for policies aimed at ensuring equal access to natural resources for all citizens, the NAM is framed as a tool for “democratic engagement in the conservation process” (3). The model’s core principles reflect this agenda. They include the following:

- (1) Wildlife resources are a public trust.
- (2) Markets for game are eliminated.
- (3) Allocation of wildlife is by law.
- (4) Wildlife can be killed only for a legitimate purpose.
- (5) Wildlife is considered an international resource.
- (6) Science is the proper tool to discharge wildlife policy.
- (7) Democracy of hunting is standard. (Organ et al. 2012: 2; also in Geist et al. 2001: 176–179; Organ et al. 2010: x)



As the NAM advocates Joanna Prukop and Ronald J. Regan explain in an opinion piece defending the model, a central driver of the model's development was "the concept of democracy of hunting, equal access for all, coupled with the North American pioneer spirit that could best be evoked and nurtured through the hunting experience once frontiers ceased to exist" (2005: 375). With this commitment to a uniquely North American form of democratization, the model appears to accord with the Environmental Protection Agency's definition of environmental justice: "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies" (EPA 2018). Despite its claim to support environmental equality, the NAM is open to criticism for too narrowly elevating the interests of sport hunters, who, in the United States, comprise 6 percent of the general population and are 89 percent male and 94 percent white (USFWS and USCB 2011: 29–31). Similarly, the architects of the model may be faulted for framing the history of North American conservation in such a way as to privilege the role of hunters while neglecting the contributions made by nonhunters, environmental groups, and animal rights organizations. Critics of the NAM have largely argued that the model's prescriptive elements, such as what types of interactions with wildlife are appropriate and how conservation policy should be developed, are vague or unfeasible. While such criticisms may be valid, they cast little light on ways in which the model may actively contribute to environmental injustice. Among both the NAM's prominent advocates and critics, the interests and views of Native Americans and First Nations have been ignored.

In this article, we develop a new critique of the NAM, arguing that the model not only excludes certain groups but also contributes to environmental injustice via its legitimization of settler colonialism. Rooted in Western conceptions of property, human-animal relations, and science, the NAM articulates the ideology that is used in conservation and hunting policies that inhibit Native Americans from "achieving a level of environmental quality adequate for indigenous peoples to practice and maintain their self-defined cultural relation to the land and natural environment" (Grijalva 2012: 26). Building on the work of scholars who have argued that such state-based wildlife management programs are colonial (Asch 1989; Egan and Place 2012; Gombay 2014; Kulchyski and Tester 2007; Sandlos 2007; Schneider 2013), we contend that the principles of the NAM, along with the ontological assumptions that they rest on, are antithetical to American Indian views of property, nonhuman personhood, and knowledge. Insofar as the NAM is the current dominant paradigm for conservation efforts in the United States and Canada, it reflects long-standing colonial efforts to limit Indigenous sovereignty and perpetuates what Patrick Wolfe calls the "logic of elimination" (2006: 387). As non-Native settlers living within traditionally Kalapuya and Haudenosaunee lands, we hope this article contributes in some small way to undoing this legacy of colonial violence and to making Native views and concerns heard by a wider audience.

Our analysis is broken into two sections. First, we review the history of the North American Model of Wildlife Conservation and critically examine its first and sixth principles: "wildlife resources are a public trust" and "science is the proper tool to discharge wildlife policy." We argue that in the history of the NAM, and of the public trust doctrine (PTD) within which it is rooted, Indigenous perspectives and traditional ecological knowledge have been overlooked. Though presented as prototypically "American," the NAM doctrine perpetuates settler colonialism, excluding Native American people's environmental wisdom from the conservation conversation. Next, we examine the central role of hunting in the NAM, with special attention paid to the model's guidelines for "legitimate" hunting. Despite the NAM's ostensible aim of democratizing hunting and promoting environmental equality, the model runs counter to many Indigenous American hunting traditions by construing hunted animals as "wildlife resources,"

imperiling Indigenous relationships to the land and the other animals that live on it. Like its trafficking in an exclusionary vision of Americanness and American history, the NAM's reliance on a settler colonial conception of hunting contributes to the social and cultural death of Indigenous tribes and First Nations peoples.

The North American Model and Settler Colonialism

While the term “North American model of wildlife conservation” is of recent origin, advocates of the model claim that the raft of practices, principles, and policies that constitute it are rooted in earlier stages of US history. In a 2001 article that helped introduce the term, conservationists Valerius Geist, Shane Mahoney, and John Organ express this historical background:

Wildlife conservation in Canada and the United States emerged during the late 19th and early 20th centuries, recognizably distinct from other forms found worldwide. We refer to this form as the “North American model of wildlife conservation.” The model has endured a test of time that has seen dramatic changes in society and the landscapes of North America. The model has also become a system of sustainable development of a renewable natural resource that is without parallel in the world. (2001: 175)

The proponents of the NAM stress that one of the model's core virtues is that the NAM is the product of a distinctively “North American” or “American” history. In a later piece, for instance, Geist and Organ state: “People must be made aware of the North American model and their stake in it. They must learn that this is a uniquely American construct, and its principles reflect the very values America was founded on” (2004: 54). Exactly which American or North American values and interests are reflected in the model's historical success, however, becomes an important point worth investigating. In the NAM literature, the earliest conservation efforts are portrayed as the result of a conflict between market hunters, who decimated wildlife populations like the bison, and sport hunters, who wanted to conserve wildlife so they could engage in the invigorating pastime of pursuing and killing undomesticated animals. Theodore Roosevelt and George Bird Grinnell, the founders of the Boone and Crockett Club, are often put forward as early champions of the public-oriented conservation ethos that the model seeks to make explicit (Geist et al. 2001: 180; Prukop and Regan 2005: 375). According to Organ and colleagues, Roosevelt and Grinnell were “nation builders” who prized the ability of American people to “carve the country out of a wilderness frontier,” believing sport hunting to be a means of maintaining “the character of the nation” despite the closing of the frontier (2012: 4). Since 2001, an active scholarly and policy-oriented literature has emerged to convert this deep history of values into the explicit set of policy principles encapsulated by the NAM. Geist, Mahoney, and Organ, along with other conservationists and wildlife professionals, have developed a broad defense of the model that elaborates on the central ideas iterated above. The model, these authors argue, is distinctly North American, has been an enormous success over its decades-long history, and is now an example for other parts of the world to follow.

Several scholars have critically analyzed the intersection of wildlife conservation policy and the development of “American” identity (Herman 2014; Semcer and Pozewitz 2013). In her recent sweeping study, Dorceta Taylor focuses on the rise of the American conservation movement during the late nineteenth and early twentieth centuries—the period during which the values at the heart of the NAM were crystallized. According to Taylor, “the conservation movement arose against a backdrop of racism, sexism, class conflicts, and nativism that shaped the nation in profound ways,” and these factors are “critical to our understanding of how discourses

about the environment were developed, policies formulated, and institutions organized” (2016: 9). The story of the NAM’s origin follows this pattern. Critics of the NAM argue that its narrow focus on hunters and the particular framing of the origins of conservation have created a history of conservation that is dominated by white men from rural areas (Feldpausch-Parker et al. 2017; Nelson et al. 2011; Peterson and Nelson 2017). But even these critics do not consider the particular implications that the history of the NAM has for Native peoples. Like many of the histories written by white settlers, those who have written the history of the NAM draw from and reproduce the myth that the North American continent “had previously been *terra nullius*, a land without people” (Dunbar-Ortiz 2014: 2). In framing the origin of conservation as arising out of a conflict between market and sport hunters, such authors ignore the fact that the decimation of animal species like the bison was integral to the US and Canadian governments’ project of Indian removal and elimination, especially for northwestern and plains nations like the Nez Perce and Oglala Lakota, who not only depended on the bison but considered them kin (Hegyí 2017; Hubbard 2014; LaDuke 1999; Sandlos 2007; Smits 1994). By omitting the presence of Native Americans while proudly asserting the quintessentially American character of the NAM’s conservation principles, the NAM enacts a key mechanism of settler colonialism: the elimination of Indigenous peoples in order to achieve authority over the land and resources while simultaneously constructing a uniquely “native” settler identity—a species of American exceptionalism. In this respect, the NAM mythologizes Americanness while eschewing the history of the aboriginal inhabitants of North America.

The Americanness of the NAM is also evident in the origins of its first, keystone principle: wildlife resources are a public trust. This principle is grounded on the historically European public trust doctrine, which holds “that wildlife is owned by no one and is held in trust for the benefit of present and future generations by government” (Organ et al. 2012: 11). In theory, this doctrine limits the power of the sovereign to do whatever it wishes with the natural world irrespective of the will of its citizens while also establishing and encouraging long-term conservation solutions that “reflect broad social values and norms” (Organ 2014: 408). According to Geist and Organ, the American PTD derives its legal basis from an 1848 US Supreme Court ruling built round Chief Justice Roger Taney’s interpretation of the English *Magna Carta*, which was in turn based on the Roman Institutes of Justinian of 529 CE. The implication of this claim is that the US and Canadian publics have an agreed-upon set of ideals regarding environmental conservation, all of which arose in the context of a particular Anglo-European American experience. However, as the history of the NAM presented by Geist and Organ demonstrates, this experience is one of westward expansion and colonization. Thus, the norms and values represented by the NAM and PTD are those held by the dominant settler society, which are extensions of their European roots.

This becomes clearer when we delve into particular aspects of the NAM’s use of the PTD, such as its concepts of stewardship, property, and wildlife. As mentioned earlier, the PTD requires governmental stewardship of natural resources—including land, water, and wildlife—so as to ensure the continued existence of society. In other words, resources are managed, conserved, and regulated in order to preserve them for later consumption. In theory, if tribes and First Nations had the freedom to determine their own methods and practices of stewardship, the concept of the PTD might not necessarily be colonial. In fact, American Indian scholars from various tribes have expressed similar notions in their descriptions of the relationship between tribe and land. For example, Danny Billie, a member of the Seminole nation, explains: “When we talk about the environment and our way of life, it is all connected. When red people talk of our ways, land claims, and rights to self-determination, some white people look at us as greedy, wanting everything. . . . We are the caretakers of the Creator’s creation. It is our job to follow

the instructions that he has given us” (quoted in LaDuke 1999: 39). Likewise, Louis Moosenose, a Dogrib chief, states: “This land was given to us to make our living for food, clothing, and income. . . . The land was given to us to look after it and the land was supposed to be protected. The land, the water, the animals, are here for us to make a living on it, and it’s not to play with” (quoted in Asch 1989: 210). However, in the context of the United States and Canada, where Indigenous sovereignty is limited and the federal government enacts environmental policies that affect both Indigenous resources and resources beyond Indian Country, recognizing the US and Canadian governments as stewards becomes contentious, especially when disagreements arise over the best methods for taking care of the earth.

The issue of stewardship in the PTD is further complicated insofar as it is predicated on *terra nullius* and Western notions of property and ownership. The concept of *terra nullius* entails “that the wild or ‘insufficiently’ used land constitutes vacant land available to the first settler” (Hendlin 2014: 141). Colonial governments have repeatedly used doctrines of discovery and *terra nullius* as justifications to remove Indigenous peoples and take their land, as well as to erase the violent force used to depopulate these lands of their original inhabitants (Dunbar-Ortiz 2014). From the perspective of the NAM, the US and Canadian governments are stewards over land and resources that previously belonged to no one or were not being used efficiently enough (Sandlos 2007). Native peoples claimed certain territories as their own, but because they did not have formal written documentation of their “ownership” and because they did not enclose their lands with fences or use the land as the colonists did (such as for grazing domesticated livestock), colonial settlers could justify appropriating their land on the grounds that Indians “do but run over the grass, as do also the foxes and wild beasts” (Cushman 1855: 34; see also Anderson 2004; Arneil 1996). Legislation such as the General Allotment Act of 1887 allowed the US government to survey Indian land and parcel it out to individuals in smaller allotments, under the belief that by giving Native Americans private property they would assimilate into Western civilization more quickly. Any remaining land was sold to settlers or taken in trust by the government. Thus, *terra nullius* worked in tandem with Western notions of property to dispossess Native peoples of their lands and turn those lands over to settlers or the state. In this respect, the NAM’s uncritical adoption of the PTD and the history of *terra nullius* as part of westward colonial expansion affirm that it is part of a settler colonial legacy. Thus, any notion that the model promotes environmental justice is undermined by the history of Indigenous dispossession that it ignores yet profits from.

It should be noted that the first principle of the NAM relies on the problematic concept of “wildlife resources,” a notion repeated in the NAM’s fifth principle: “Wildlife is considered an international resource.” There are two issues with this concept. First, the notion of “wildlife” does not easily translate to many Native American cultures. As Michael Asch notes, “wildlife,” from a Western perspective, refers to any nonhuman animals or plants that are undomesticated and reside in spaces largely uncultivated or uninhabited by humans (wilderness). This definition entails a binary opposition between domestic and wild. Domestic animals are privately owned, while wild animals do not belong to any particular individual or group until they have been legally hunted or captured. However, as Asch points out, this does not mean that no one owns wildlife. In the United States and Canada, wildlife falls under the category of common property or public trust, meaning that the government has the authority to manage wildlife and decide when and who has access to it by conferring licenses or permits. Even though some tribes like the Dene shared the view that animals and plants become the property of those who harvest or hunt them, before harvest those animals and plants were neither owned nor “wild.” Typically, to say something is wild is to say it is untamed or out of control, but also that it is savage (perhaps violent) and uncivilized. For the colonists to view the land and life of the North America

as wild meant, for the Lakota author Luther Standing Bear, that “the white man is still troubled by primitive fears; he still has in his consciousness the perils of this frontier continent” (1933: 248). For Native peoples, this land is home and they know it intimately, like one knows family. Standing Bear explains: “Kinship with all creatures of the earth, sky, and water was a real and active principle. For the animal and bird world there existed a brotherly feeling that kept the Lakota safe among them” (193). Thus, the land and animals were neither owned nor “wild,” but rather friends and kin who, when engaged with properly and respectfully, reciprocated the relationship.

This brings us to the second problem with the concept of “wildlife resources”: claiming that nonhuman animals, plants, and land are “resources” implies that the primary relationship between humans and the world is one in which humans, existing apart from the world, dominate, extract, and consume the world for their benefit. This type of relationship runs counter to Indigenous notions of relationality and nonhuman agency. According to Indigenous scholars, everything is related and humans are not the only beings to possess liveliness, agency, or purposiveness (Atleo 2004; Bunge 1984; Cajete 2000; Cordova 2007; Deloria 1999; LaDuke 1999; McPherson and Rabb 2011; Norton-Smith 2010; Standing Bear 1933; Whitt 2009). In other words, the NAM regards nonhuman beings as objects, whereas many Indigenous perspectives view these beings as subjects. According to the Lakota scholar Vine Deloria Jr., “everything in the natural world has relationships with every other thing and the total set of relationships makes up the natural world as we experience it” (1999: 34). Put differently, no one human or nonhuman exists independently of relationships; all things are connected to one another, and, importantly for Deloria, these relationships are *lively*. In contrast to the view that nonhuman nature is dead, inert, or passive, in Native American worlds nonhuman animals like deer, bears, and salmon—along with bodies of water, features of the land like canyons or buttes, and sacred objects like drums or pipes—all possess a kind of power/force/spirit. Algonkin tribes call it *manitou*, but other tribes use terms like *nilchi’i* (Diné), *usen* (Apache), and *orenda* (Wendat). This quality imbues these beings with their own animacy, power, and purposiveness, which call for recognition and respect. However, possessing this spirit is not in itself sufficient for personhood. As the Shawnee philosopher Thomas Norton-Smith (2010) explains, any being can be a person so long as it participates in a network of social and moral relationships. These relationships resemble family ties, reinforcing the notion that humans and nonhuman persons are intimately connected and related. According to the Choctaw scholar Laurelyn Whitt: “The land and living entities which make it up are not apart from, but a part, of the people. Nor is ‘the environment’ something outside of, or surrounding a people. The relation of belonging is ontologically basic. With inherent possession, agency is sometimes held to be reciprocal—a people belongs to/owns the land, and the land belongs to/owns a people” (2009: 43). In this sense, Native Americans are not only the land’s stewards and consumers, but are also, in turn, taken care of by the land and expected to give back to it. The PTD, which privileges human action and agency and envisions the land, animals, and plants as passive resources for human use, is incommensurable with these Indigenous approaches to land and nonhuman life.

The problem with framing the NAM as an outgrowth of colonial history and the PTD does not end there. Another effect of this historical framing that excludes Native Americans is that traditional ecological knowledge is also disregarded. Indigenous peoples have been managing the land of North America for much longer than the colonists have and have acquired considerable knowledge about ecologically sound practices and the proper types of relationships needed to ensure the futures of both humans and the animals and plants on which they rely. However, knowledge of this sort is discredited by the NAM, whose sixth principle states that “science is the proper tool for discharging wildlife policy.” Regarding this principle, Geist and Organ state,

“Development of wildlife management and all related policies must be based on knowledge, and knowledge is advanced by experience and fact finding . . . including surveys, population dynamics, behavior and habitual studies, statistics, and contemporary adaptive management and structural decision making” (2012: 21). On this view, the scientific method must be applied for the acquisition of true knowledge. However, the Western methods used in the development of conservation and hunting policies can conflict with Indigenous science. For example, the James Bay and Northern Quebec Agreement between Canada and the Inuit stipulates that the Inuit will have unrestricted access for harvesting and hunting in Nunavik unless the state deems this contrary to the conservation of certain species. The decision regarding which species are to be conserved and which are to be hunted is determined by government scientists, not the people who live in proximity to the animals they hunt. As one member of the Inuit, J. J., explains: “They [government scientists] will counter you with what they have, and all might and power, to use studies upon studies. They will only use estimates. Such mathematical precision that they can try to convince you. And for an elder to, or a good hunter to hear that, someone’s missing the boat somewhere. The imposition placed upon us from a knowledge way different from the Inuit way” (quoted in Gombay 2014: 8). The “true” knowledge determined by the scientists does not take into consideration Native methodologies, thus disrespecting Indigenous communities and disregarding their ability to make autonomous conservation decisions.

From an Indigenous standpoint, privileging Western scientific methods and the results of those methods means that Indigenous knowledge, acquired over generations both experientially and through methods like storytelling, observation, and dreams, will be dismissed from the outset. As Deloria explains, “Western science holds that ideas, concepts, and experiences must be clearly stated, and be capable of replication in an experimental setting by an objective observer. Any bit of data or body of knowledge that does not meet this standard is suspect or rejected out of hand” (1999: 44). By contrast, “Indians believed that everything that humans experience has value and instructs us in some aspect of life” (45). Because knowledge passed down through generations via oral stories, or knowledge acquired via a vision quest, has subjective, emotional, or mythic components, it does not fit within the parameters of “true knowledge” that are tethered to the scientific method.

Previous critics of the NAM have cited other reasons to be wary of the sixth principle. M. Nils Peterson and Michael Paul Nelson argue that the prescriptive element of the sixth principle—that science is the “proper” tool to discharge wildlife policy—assumes that scientific facts about nature can somehow determine on their own the best environmental policy. However, these authors point out, “scientifically derived facts cannot dictate choices without the application of values” (2017: 49). In other words, politics, ideology, religious affiliation, and other value-inflected factors will ultimately influence how scientific facts are interpreted and used in policy making. For Peterson and Nelson, the application of scientific knowledge should embrace this element and be guided by values of critical thinking and conservation ethics. On this level, Indigenous science has an important contribution to make. Unlike Western science, which tends to break things down into its component parts and investigate them independently from one another, Native American scientific traditions underscore the relationality of the world and its inhabitants. This provides a broader perspective on how different beings can be affected by different decisions (Atleo 2011; Cajete 2000; Deloria 1999; Fixico 2003; Kimmerer 2013).

Second, on the Indigenous view, the method for pursuing knowledge is an irreducibly ethical endeavor and can never be separated from its moral implications. Scientific inquiry cannot in fact be objective or innocent. The effort to acquire or apply knowledge is always performative. The very act of inquiry, the methods used, and the use of the knowledge shape and change the nature of both the knowledge and the knower. Because knowledge making and using is always

interactive, it is also always ethical. This means that, from a Native perspective, knowledge is true “if the action or performance respectfully and successfully achieves a goal” (Norton-Smith 2010: 65). In this way, the acquisition of knowledge always aims at a moral good. According to Deloria, knowledge is collected not for its own sake but for finding “the proper road along which, for the duration of a person’s life, individuals were supposed to walk” (1999: 46). Because the NAM relies on a Western paradigm of scientific inquiry and knowledge, which often seeks knowledge for its own sake, the moral implications of that knowledge are not readily apparent. Knowledge can therefore not itself provide a clear basis for right action.

We have seen that even though the NAM is presented as a distinctively American construct, this identity is premised on the colonization of the Americas and the exclusion of Native Americans and their history with the land. Because it uncritically assumes the viability of the PTD, the NAM perpetuates settler colonial views of property, sovereignty, and human-nonhuman relations that limit the freedom of Indigenous peoples to “practice and maintain their self-defined cultural relation to the land and natural environment” (Grijalva 2012: 26). This dimension of the NAM also excludes Indigenous scientific methods as viable sources of knowledge useful for determining wildlife policy. Native peoples have consistently rejected this imposed history and, in doing so, have insisted that a recuperation of their own knowledge and wisdom is necessary for environmental justice (Atleo 2011; Cajete 2000; LaDuke 1999; Whitt 2009; Wildcat 2009).

A prime example of this Indigenous alternative to the Americanness of the NAM is Luther Standing Bear, who grew up during the burgeoning conservation movement. He wrote:

The American Indian is of the soil, whether it be the region of forests, plains, pueblos, or mesas. He fits into the landscape, for the hand that fashioned the continent also fashioned the man for his surroundings. He once grew as naturally as the wild sunflowers; he belongs just as the buffalo belonged. . . . The white man doesn’t understand the Indian for the reason that he does not understand America. He is too far removed from its formative processes. The roots of the tree of his life have not yet grasped the rock and soil. (1933: 248)

Though he was not addressing the early conservationists specifically, Standing Bear’s claim that American Indians have grown with the land, giving them intimate knowledge of the earth, water, plants, and animals of the continent, which the recently arrived settlers do not have the experience to grasp, marks the folly of ignoring Indigenous wisdom when it comes to making conservation decisions.

Ethical Hunting, Law, and Legitimate Use

As a quintessential activity written into the history of American conservation, hunting is central to the NAM. Because hunting plays such a key part in discussions of the North American Model of Wildlife Conservation, in this section we discuss the history and role of hunting in the NAM, review relevant positions on hunting that are found in the environmental ethics and animal rights literatures, and further develop the Indigenous critique of the NAM that began in the preceding section.

The connection between hunting and Americanness can be traced back to the origins of the conservation movement. To highlight a prominent example: Theodore Roosevelt, in his 1893 book *The Wilderness Hunter*, asserts that “the chase is among the best of all national pastimes; it cultivates that vigorous manliness for the lack of which in a nation, as in an individual, the possession of no other qualities can possibly atone” (1998: 329). Though in more politically correct terms, similar sentiments have been echoed in recent entries in the NAM literature. Shane

Mahoney and John Jackson, for instance, describe a “conservation awakening,” which was “led by a rising class of hunters committed to democratic access to nature, the sustainable use of wildlife for personal rather than market purposes and a European standard of fair chase in hunting” (2013: 449). While Mahoney and Jackson sketch this history with the NAM explicitly in mind, the link between hunting, conservation, and the history of the emergence of an American national identity is also well established in the popular imaginary, exemplified by the recent best seller *American Hunter: How Legendary Hunters Shaped America*. Cowritten by Willie Robertson, star of the A&E show *Duck Dynasty*, *American Hunter* tracks the sport-hunting exploits of a long lineage of American cultural and political figures, with Native American hunters appearing in an early chapter focused on precolonial times but quickly exiting from view as the historical chronology advances (Robertson and Doyle 2015).

The NAM not only frames its history around hunting, but also situates hunters and hunting at the center of conservation efforts. Advocates of the NAM stress its effectiveness as a means of maintaining wildlife populations at sustainable levels for use by present and future generations of hunters and anglers (Geist et al. 2001; Geist and Organ 2004; Mahoney 2009; Mahoney and Jackson 2013; Organ et al. 2014; Prukop and Regan 2005). Several of the model’s principles explicitly refer to hunting—to its demarketization, its legal allocation, its legitimate purposiveness, and its democratic availability—and hunting is implied even in those principles that do not refer to it explicitly. Principles 2 (“markets for game are eliminated”), 3 (“allocation of wildlife is by law”), and 7 (“democracy of hunting is standard”) all gesture toward equality, freedom, and environmental justice. Each of these principles seeks to limit any one group from overusing or abusing wildlife. The second principle does so by preventing market hunters from depleting wildlife to unsustainable levels. Principle 3 asserts that the best means of ensuring equal access to wildlife is to make access determined by law rather than free markets, land ownerships, or status. The seventh principle is premised on the idea that “the opportunity for citizens in good standing to hunt in Canada and the U.S. is a hallmark of our democracy” (Organ et al. 2012: 23)—a hallmark that can only be ensured by securing gun rights. Notably, each of these principles is primarily concerned with mitigating obstacles that may interfere with the needs of sport hunters, while neglecting the interests of nonhunting conservationists, as well as those who hunt other than for sport, such as subsistence or ritual hunters.

The NAM is one among many theoretical justifications of hunting to have emerged in recent decades. Beyond the hunting-for-conservation arguments central to the NAM, moral defenses of hunting have ranged from claims that the human desire to kill is natural and culturally valuable (Causey 1989), that hunting is a heroic, ecologically respectful activity reconcilable with modernity (Swan 1995), that hunting encourages an ecologically indispensable attitude toward the death of individual hunted animals and the simultaneous consecration of animal species (Scruton 1997), that hunting encourages trophic responsibility and ecological expertise (Cahoone 2009), or that hunting has intrinsic moral value when understood as a mode of fair-chase game playing (Morris 2013). Scholars have also offered targeted analyses of the ethical justifications behind various hunting policies and legislation other than the North American model, either within North America (Cheyne and Adler 2007) or in a comparative, global context (Fischer et al. 2013).

Diverse moral critiques of hunting have also been offered. Some have developed the idea that hunting reflects violent and patriarchal social relations (King 1991), a hypothesis supported by empirical research on the effect of gender on the attitudes that wildlife professionals themselves have toward the role of hunting in wildlife management (Sanborn and Schmidt 1995). As a historically curtailed human practice, hunting has been linked to the demonstration of white supremacy in the Antebellum South (Proctor 2002).

More frequently, though, hunting has been a target of animal rights advocates. To take a prominent example from this literature, Peter Singer has argued that deer hunting may be permissible when artificially overpopulated populations of deer, due to their overgrazing of vegetation, are at risk of death by starvation during winter months (2011: 122). While this converges with the NAM to an extent, the motivation for Singer's conclusion is radically different from that of the model's architects. While the NAM's goal is to ensure the continued availability of natural resources for use by citizens of North American nations, the goal in the case of Singer and other animal welfare advocates is the elimination of as much suffering as possible among animals of all kinds (human and nonhuman).

Other animal rights theorists reject arguments in favor of hunting altogether. Gary Francione, for example, argues that "hunting involves the infliction of an enormous amount of pain and suffering on animals, and the overwhelming amount of that pain and suffering simply cannot be characterized as necessary" (2000: 21). Paralleling Indigenous critiques of Western privatization of "natural resources," Francione insists that the true motive driving agencies that promote hunting for conservation is economic rather than environmental (18).

Defenders of the NAM have attempted to debunk the animal rights critique of hunting. Invoking "modern science" against the animal rights "ideology," Geist and Organ argue that the animal rights "philosophy is based on splitting life into a higher sentient form and a lower sentient one. In so doing, it denies the unity of life, and that is a falsehood. . . . As animals, we are bound to eat life in order to live" (2004: 54). This statement may seem ironic given the emphasis the NAM places on sport hunting over subsistence hunting. Although many scholars have approached the debate between animal rights advocates and advocates of conservationist hunting in a nuanced way, assessing the merits of both sides (Dizard 1999; Vitali 1990; Wade 1990; Wood 1997), defenders of the NAM are uniformly critical of the animal rights position.

Notably, the needs of Native Americans and First Nations and their perspectives on hunting appear to be almost totally absent from the scholarly conversations just reviewed. Native American positions on hunting tend to fall outside the field of established positions, aligning with neither the NAM's defenders nor critics of hunting, such as animal rights advocates. This omission suggests that in order to achieve greater inclusivity, entrenched theoretical oppositions need to be rethought. The remainder of this section will sketch the contours of an Indigenous approach to hunting by departing from two components of the NAM's framing of hunting that are anathema to Indigenous perspectives.

As stated earlier, the third principle of the NAM—that allocation of wildlife is by law—entails that the best way to ensure that all people have access to wildlife is through law rather than markets, status, and so on. This guaranteed access nonetheless excludes Indigenous peoples, for federal and state laws are often at odds, for various reasons, with Indigenously defined rights, sovereignty, and customs. First, there is the issue of precedence. Since Indigenous nations exist within the bounds of the United States and Canada and are not entirely independent of these countries, they must navigate some amount of state and federal regulation. However, these laws are relatively new compared with traditional Native practices. Though Native peoples did not codify their laws in writing, their oral traditions and practices are treated as sacred principles and guidelines for interacting with the nonhuman world (Cajete 2000). Thus, the more recent federal laws and the traditional laws of Native peoples come into conflict. For example, in 1860, the US claimed 90 percent of the Nez Perce reservation (more than five million acres) after gold was found on their lands. Though the right to hunt on that land was not taken away, the land is now shot through with highways, peppered with neighborhoods and shopping complexes, and set aside for national parks like Yellowstone. Despite the difficulty this causes, the Nez Perce continue to hunt off reservation. As the Nez Perce member Louis Thomas Holt explains: "You

know, we've been doing this for thousands of years, and this is what keeps it goin'. You know, it's for our culture, it's for our people . . . it's our treaty; it's our right" (quoted in Hegyi 2017).

However, their settler neighbors are not always sympathetic. Bill Hoppe, a white settler in Montana who works as an outfitter guiding big-game hunts around the state, takes issue with the treaties that allow the Nez Perce to hunt both outside the state-defined hunting season and beyond the bounds of their reservation. He says: "We all live in the same country; we're all citizens in the same country. They keep talking about they're a sovereign nation. I'll give 'em that. They can be their sovereign nation—on their reservation. But when they come off that reservation they should abide by all the other regulations" (quoted in Hegyi 2017). Lawmakers and settlers like Hoppe fail to recognize that hunting is not just recreational for the Nez Perce. Nor is it the case that wildlife conveniently remains within the boundaries of reservations, which makes it extremely difficult for Native peoples to sustain their cultural practices without treaty rights.

Second, laws implemented by the state frequently fail to allow for Native traditions, hunting methods, or relationships to the nonhuman world. Native peoples may view these laws as cumbersome and encroaching on their traditional way of life. At times, this has led Native people to counter the law, hunting what, where, and when they deemed appropriate (Gombay 2014; Sandlos 2007). For example, in 2007 five members of the Makah tribe in northwest Washington State conducted an illegal whale hunt. Though whaling is a central aspect of Makah culture and their treaty with the US government gave them the right to hunt, they had not been permitted to carry out a hunt for more than 70 years. Frustrated with the slow progress of obtaining a permit, they took matters into their own hands (Kaste 2008; McCarty 2007). Such rebellious actions are of course not always representative of the will of the entire tribe, as in this case. However, the divide among tribal members about how to respond to the regulations demonstrates how colonial laws disrupt and split apart Native communities by interfering with these communities' traditional ways of life.

Third, conservation laws in particular were frequently made without consultation with Indigenous communities, ignoring the contributions they could make to the development of conservation practices (Ranco et al. 2011; Schneider 2013). The NAM's faith in federal and state law for ensuring equity evidences ignorance regarding the fact that laws are not inherently fair, but can be, and often are, biased to privilege certain groups to the detriment of others.

The fourth principle of the NAM states that "wildlife can only be killed for a legitimate purpose." The authors of the model narrowly define "legitimate purpose" as hunting for sport. Organ and colleagues write, "Those who killed merely for the fun of killing along with 'pot hunters' (those who hunted solely for food), debased sport hunting . . . true sportsmen were those who hunted for pleasure (never for profit), who in the field allowed game a sporting chance, and who possessed an aesthetic appreciation of the whole context of sport" (2012: 19). By valorizing sport hunting, the NAM denigrates the practices of subsistence hunting and fishing, which are integral to the livelihood and identity of many Native American cultures. It also suggests that the primary relationship between humans and nonhumans is one in which nonhumans are essentially available for human use—in this case, for entertainment. This has caused frustration among many Indigenous peoples who see nonhuman animals as purposive, active beings with their own power, knowledge, and relationships. In many Indigenous cultures—like those of the Inuit, Dene, and Ojibwa—people are taught to approach nonhumans with humility and respect and to be thankful to the animals for gifting them with their lives and providing them with sustenance (Asch 1989; Gombay 2014; LaDuke 1999; McPherson and Rabb 2011).

Recognizing these reciprocal relationships with nonhuman animals also means knowing when to honor their lives instead of taking them. For instance, sport hunting can conflict with Native peoples' own efforts to protect certain culturally significant species, such as grizzly bears.

On 30 June 2017, nine federally recognized tribes including the Hopi, Northern Cheyenne, and Piikani Nation of Canada sued the US government for removing Yellowstone grizzly bears from the list of endangered species. The decision allows hunters to now kill the bears for sport. The tribes argued that this delisting violated their religious freedom and that the decision was made without properly consulting them. As Ben Nuvamsa (2017), former chair of the Hopi in Arizona, explains: “The grizzly bear to Hopi is our medicine man. He is our relative. We—as Bear Clan members—I am Bear Clan—he’s our clan deity. So it means a lot to us to protect the species from de-listing and from extinction” (see also Lundquist 2017). For Nuvamsa and many other Native Americans, nonhuman animals are seen as full persons with rights and responsibilities. As the Anishinaabe scholar Leanne Simpson explains: “Our relationship with the moose nation, the deer nation, and the caribou nation is a treaty relationship like any other, and all the parties involved have both rights and responsibilities in terms of maintaining the agreement. The treaty outlines a relationship that, when practiced in perpetuity, maintains peaceful coexistence, respect and mutual benefit” (2011: 111). Thus, sport hunting, which causes unnecessary pain to animals and is carried out for fun, disrespects animals and disrupts the agreements made between Indigenous people and their nonhuman neighbors (Gombay 2014). By promoting sport hunting and celebrating it as a legitimate form of recreation, the NAM enshrines a level of disrespect toward both animals and Indigenous peoples.

Conclusion

The North American Model of Wildlife Conservation has been lauded as effective, just, and reflective of the ideals of North American democracy. Yet, as we have argued, the model’s neglect of Native American history and the interests and needs of Native peoples belies its democratic intent. By perpetuating a settler colonial narrative of American identity, privileging an exclusionary conception of Western science, and elevating sport hunting over other forms of legitimately relating to nonhuman animals, the NAM falls short of its own purportedly inclusive aims.

As other authors have argued, to begin the process of achieving environmental justice in the context of conservation, Native peoples must be consulted and treated as coauthors of conservation legislation and policy (Gombay 2014; Ranco et al. 2011; Sandlos 2007). Doing so would allow non-Natives to better grasp Indigenous ontologies and epistemologies, which would lead to better responses to Native needs. Increasing the diversity of voices at the table would fulfill the democratic mission of the NAM better than do the NAM’s current set of core principles. To live up to its claims of equality and democracy, the NAM must first confront its colonial past, dispense with its singular focus on sport hunting, and take into consideration the voices of Indigenous peoples, who stand to be singularly affected by the conservation policies it promotes.

■ ACKNOWLEDGMENTS

As settlers of European heritage, we wish to express our gratitude to the Indigenous scholars and communities who have shared their philosophies and have made this critique possible. We hope that this research contributes to a greater understanding of Native American philosophies. We would also like to thank the editors of *Environment and Society* for their support and the reviewers for their thoughtful feedback on this article.

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