

Were Native Americans the First Conservationists?

Over the past several decades, the environmental movement has promoted a view of American Indians as the “original conservationists.” References to this image abound:

- “The Indians were, in truth, the pioneer ecologists of this country,” former Secretary of the Interior Stewart Udall [once said](#).
- “For many thousands of years, most of the indigenous nations on this continent practiced a philosophy of protection (first) and use (second) of the forest,” says Herb Hammond in the Sierra Club book [Clearcut](#). “In scientific terms, we recognize that their use of the forest was ecologically responsible—meaning that it kept all the parts.”

Appealing as this image of a Native American environmental ethic is, it is not accurate. The spiritual connection attributed to Native Americans frequently does not mesh with the history of Indian resource use. By missing this history of Indian institutions – by which I mean the traditions, rules, laws, and habits that guided Indian societies – many environmentalists’ interpretations deprive Indians and non-Indians alike of a full understanding of how we can conserve our natural heritage.

A Vision Imposed on Chief Seattle

The impression that American Indians were guided by a unique environmental ethic is often attributed to Chief Seattle. “All things are connected like the blood which unites one family,” Senator Chafee quoted him as saying. “Whatever befalls the earth, befalls the sons of earth.”

Yet the words in the oft-quoted speech are not actually those of Chief Seattle. They were [written](#) by Ted Perry, a scriptwriter. In a movie about pollution, he paraphrased a translation of the speech that had been made by William Arrowsmith, a professor of classics. Perry's version added "a good deal more, particularly modern ecological imagery," [according to one historian](#). Perry, not Chief Seattle, wrote that "every part of the Earth is sacred to my people."

The romantic image evoked by the speech obscures the fact, fully acknowledged by historians, that American Indians transformed the North American landscape. Sometimes these changes were beneficial, at other times harmful. But they were a rational response to abundance or scarcity in the context of institutions that governed resource use.

Like people everywhere, American Indians responded to incentives. For example, where land was abundant, it made sense to farm extensively and move on.

- It was common for Indians such as the Choctaw, Iroquois, and Pawnee to clear land for farming by cutting and burning forests. Once cleared, fields were [farmed extensively](#) until soil fertility was depleted; then they cleared new lands and started the process again.
- Wherever Indian populations were dense and farming was intense, deforestation was common. Indeed, the mysterious departure of [the Anasazi](#) from the canyons of southeastern Utah in the thirteenth century may have been due to depletion of wood supplies used for fuel.

Similarly, where wild game was plentiful, Indians used only the choicest cuts and left the rest. When buffalo were herded over cliffs, tons of meat [were left to rot](#) or to be eaten by scavengers.

Indians also manipulated the land to improve hunting. Upland wooded areas from east to west were burned to remove the

undergrowth and increase forage for deer, elk, and bison. Indeed, because of this burning, there may have been fewer “old growth” forests in the Pacific Northwest when the first Europeans arrived than there are today.

The demand for meat, hides, and furs by relatively small, dispersed populations of Indians put little pressure on wildlife. But in some cases, game depletion resulted in the “tragedy of the commons.” This term, coined by biologist Garrett Hardin, describes what happens when no one has ownership of a resource and anyone has access to it.

Wild animals represented a “commons.” They belonged to no one until they were killed. If anyone left an animal, in the hope that it would be there later, someone else was likely to kill it. Without ownership, no one had an incentive to protect the animals. Anthropologist [Paul Martin](#) believes that the extinction of the mammoth, mastodon, ground sloth, and saber-toothed cat were directly or indirectly due to “prehistoric overkill” by exceptionally competent hunters.

[Louis S. Warren](#) drives the final nail in the coffin of the “living in harmony with nature” myth:

“to claim that Indians lived without affecting nature is akin to saying that they lived without touching anything, that they were a people without history. Indians often manipulated their local environments, and while they usually had far less impact on their environments than European colonists would, the idea of “preserving” land in some kind of wilderness state would have struck them as impractical and absurd. More often than not, Indians profoundly shaped the ecosystems around them. . . .”

Getting the Incentives Right

While there were exceptions that led to the “tragedy of the

commons," most American Indians understood the importance of getting the incentives right. Personal ethics and spiritual values were important, but those ethics and values worked along with private and communal property rights. These rights strictly defined who could use resources and rewarded good stewardship.

It is sometimes difficult to fit the pre-Columbian Indian institutions into the modern context of law, government, and property rights. The lack of familiar modern institutions, however, by no means implies that Indians lacked rules, customary or formal. Pre- and post-Columbian Indian history is replete with examples of how property rights conditioned the human interface with the natural environment. Consider the following:

Land and Water Rights: Some Communal, Some Private

Indian land tenure systems varied considerably, "ranging from completely or almost completely communal systems to systems hardly less individualistic than our own with its core of fee simple tenure," [according](#) to one historian. The degree of private ownership reflected the scarcity of land and the difficulty or ease of defining and enforcing rights. Julian H. Steward [concludes](#) that "Truly communal property was scant" among American Indians.

Because agriculture required investments and because boundaries could be easily marked, agricultural land was often privately owned. However, unlike most private land today, Indian property was usually held by families or clans rather than individuals.

For example, families among the Mahican Indians in the Northeast possessed hereditary rights to use well-defined tracts of garden land along rivers. Away from the rivers,

however, where the value of land for crops was low, it was not worth establishing ownership. As one historian [put it](#), “no one would consider laying out a garden in the rocky hinterlands.”

In the Southeast, where Indians engaged in settled agriculture, private ownership of land was common. “The Creek town is typical of the economic and social life of the populous tribes of the Southeast,” [writes](#) historian Angie Debo. “Each family gathered the produce of its own plot and placed it in its own storehouse. Each also contributed voluntarily to a public store which was kept in a large building in the field and was used under the direction of the town chief for public needs.”

Private garden plots were common in the East, as were large community fields with plots assigned to individual families. Harvesting on each plot was done by the owning family, with the bounty stored in the family’s own storehouse.

Fruit and nut trees, which required long-term investment, [were privately owned](#) and usually inherited. “So important were the piñon resources that groves of trees were considered family property in several locations” within the Great Basin area of the West, says a historian (Fowler 1986, 65). In [one case](#) a Northern Paiute reflected that his father “paid a horse for a certain pinon-nut range,” suggesting that the property rights were valuable and tradable.

Avoiding the “Tragedy of the Commons”

Where Indians depended on hunting and fishing, it was imperative that they controlled access to hunting territories and to specific harvest sites. Hunting groups among the Montagnais-Naskapi of Quebec between Hudson Bay and the Gulf of St. Lawrence [recognized family and clan hunting areas](#), particularly for beaver. Similar hunting groups and rules

existed in other regions.

Quoting Indian informants, anthropologists Frank G. Speck and Wendell S. Hadlock [report](#) that for Indians in New Brunswick,

It was . . . an established “rule that when a hunter worked a territory no other would knowingly or willfully encroach upon the region for several generations.” Some of the men held districts which had been hunted by their fathers, and presumably their grandfathers.

They even had a colloquial term that translates to “my hunting ground.”

Indian tribes of western North America defended their hunting, fishing, and gathering territories against trespass. Steward [reports](#) that among Paiute Indians of the Owens Valley in California, “communal groups stayed within their district territory,” which was bounded by natural features such as mountains, ridges, and streams.

Each distinct Apache band, says [Keith H. Basso](#),

“had its own hunting grounds and, except when pressed by starvation, was reluctant to encroach upon those of a neighbor. . . . Each local group had exclusive rights to certain farm sites and hunting localities, and each was headed by a chief who directed collective enterprises. . . .
“

Customs and norms regulated the harvest. There was a district head man who determined where and when to hunt based on his knowledge from the past.

Well-Defined Fishing Rights

In the Pacific Northwest, Indians had [well-defined fishing rights](#). To capture salmon returning from the ocean to spawn in

freshwater streams, Indians placed fish wheels, weirs, and other fixed appliances at falls or shoals where the fish were naturally channeled.

Unfortunately, the white man's law usurped these secure Indian fishing rights and replaced them with a system that encouraged the tragedy of the commons.

Their technology was so efficient that they could have depleted salmon stocks, but they realized the importance of allowing some of the spawning fish to escape upstream. Robert Higgs [quotes](#) a Quileute Indian born about 1852: "When the Indians had obtained enough fish they would remove the weirs from the river in order that the fish they did not need could go upstream and lay their eggs so that there would be a supply of fish for future years."

Relying on salmon as their main source of food, the coastal Tlingit and Haida Indians established clear rights to fishing locations where salmon congregated on their journey to spawning beds. The management units could exclude other clans or houses from their fishing territories. When territories were infringed upon, the trespasser was required to indemnify the owning group or potentially face violent consequences. The yitsati, an eldest clan male who was the "keeper of the house," had the power to make and enforce decisions regarding harvest levels, escapement, fishing seasons, and harvest methods. The upshot was that salmon runs were sustained by rules made locally.

Unfortunately, the white man's law usurped these secure Indian fishing rights and replaced them with a system that encouraged the tragedy of the commons. It was "economically inferior to the property system originally established by the tribes," [one scholar concludes](#).

Additional Positive Incentives

Even where activities were communal, positive incentives, including incentives quite similar to ownership, made success possible.

Faced with the reality of scarcity, Indians understood the importance of incentives and built their societies around institutions that encouraged good human and natural resource stewardship.

On a buffalo hunt, the successful hunter was “entitled to keep the skin and some choice portion of the meat for his family,” [writes](#) Steward. An [elaborate nomenclature](#) was used by the Omaha to describe rewards for those who killed and butchered buffalo. “To the man who killed the animal belonged the hide and one portion of tezhu [side of meat] and the brains.” Other portions were as follows: “To the first helper to arrive, one of the tezhu and a hind-quarter; to the second comer, the ugaxetha [includes the stomach, beef tallow, and intestines]; to the third, the ribs [tethi ti].”

Hunters [marked their arrows](#) distinctively, so after the hunt, the arrows in the dead buffalo indicated which hunters had been successful. Disputes over whose arrow killed the buffalo were settled by the hunt leader.

In sum, faced with the reality of scarcity, Indians understood the importance of incentives and built their societies around institutions that encouraged good human and natural resource stewardship. Ethics and spiritual values may have inculcated a respect for nature, but an elaborate set of social institutions that today would be considered private property rights rewarded stewardship.

Non-Indians also will do well to stop promulgating myths as a solution to modern environmental problems. Especially in a multi-cultural society where worldviews vary widely,

devolution of authority and responsibility offers the best hope for resource conservation. Rather than shunning property rights solutions, we should embrace them, as did our predecessors on this continent.

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This essay is adapted from “[Conservation–Native American Style](#),” originally published by the [Property and Environment Research Center](#) (PERC).

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